Washington State Register

December 3, 2003

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ISSUE 03-23

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(Subject/Agency index at back of issue)
This issue contains documents officially filed not later than November 19, 2003

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 December 2003 pursuant to RCW 19.52.020 is twelve point zero percent (12.00%).

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

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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 eight sections:

(a) **PREPROPOSAL**-includes the Preproposal Statement of Inquiry that will be used to solicit public comments on a general area of proposed rule making before the agency files a formal notice.

(b) **PROPOSED**-includes the full text of formal proposals, continuances, supplemental notices, and withdrawals.

(c) **EXPEDITED RULE MAKING**-includes the full text of the rule being proposed using the expedited rule-making process. Expedited rule makings are not consistently filed and may not appear in every issue of the register.

(d) **PERMANENT**-includes the full text of permanently adopted rules.

(e) **EMERGENCY**-includes the full text of emergency rules and rescissions.

(f) **MISCELLANEOUS**-includes notice of public meetings of state agencies, rules coordinator notifications, summaries of attorney general opinions, executive orders and emergency declarations of the governor, rules of the state Supreme Court, and other miscellaneous documents filed with the code reviser's office under RCW 34.08.020 and 42.30.075.

(g) **TABLE**-includes a cumulative table of the WAC sections that are affected in the current year.

(h) **INDEX**-includes a cumulative index of Register Issues 01 through 24.

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

2. PRINTING STYLE—INDICATION OF NEW OR DELETED MATERIAL

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

(a) In amendatory sections—

(i) underlined material is new material;

(ii) deleted material is ((~~lined out between double parentheses~~));

(b) Complete new sections are prefaced by the heading NEW SECTION;

(c) The repeal of an entire section is shown by listing its WAC section number and caption under the heading REPEALER.

3. MISCELLANEOUS MATERIAL NOT FILED UNDER THE ADMINISTRATIVE PROCEDURE ACT

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

4. EFFECTIVE DATE OF RULES

(a) Permanently adopted agency rules normally take effect thirty-one days after the rules and the agency order adopting them are filed with the code reviser's office. This effective date may be delayed or advanced and such an effective date will be noted in the promulgation statement preceding the text of the rule.

(b) Emergency rules take effect upon filing with the code reviser's office unless a later date is provided by the agency. They remain effective for a maximum of one hundred twenty days from the date of filing.

(c) Rules of the state Supreme Court generally contain an effective date clause in the order adopting the rules.

5. EDITORIAL CORRECTIONS

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

2003-2004

DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

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

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

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

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

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

REGULATORY FAIRNESS ACT

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

Small Business Economic Impact Statements (SBEIS)

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

Mitigation

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

When is an SBEIS Required?

When:

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

When is an SBEIS Not Required?

When:

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

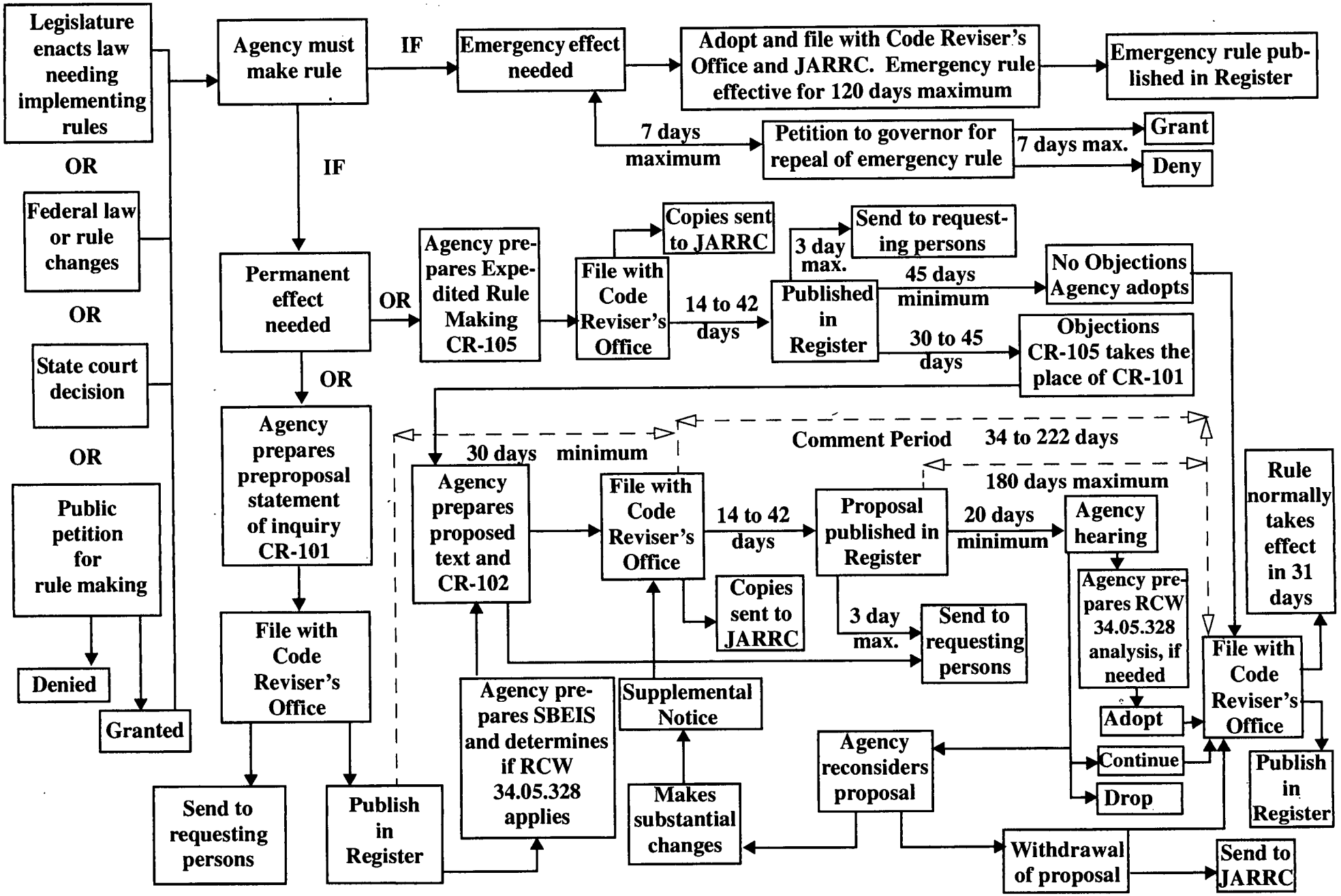
There is less than minor economic impact on business;

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

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

The rule is pure restatement of state statute.

RULE-MAKING PROCESS



WSR 03-23-003
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING
(Geologist Licensing Board)
[Filed November 6, 2003, 4:15 p.m.]

Subject of Possible Rule Making: Chapter 308-15 WAC, Geologist licensing services.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.220.040 and 18.235.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Amendments are needed to: (1) Allow people who have completed the academic requirements for geologist licensure to take Part I of the national Association of State Boards of Geology (ASBOG) exam. Current rules require that all license requirements (including work experience) be met before taking any part of the exam. (2) Clarify that licensees may use embossed and digitally produced stamps as well as rubber stamps. (3) Change the frequency of offering specialty examinations. (4) Update chapter to remove obsolete references to the grandparenting period. (5) Make general changes throughout the chapter for clarity. Other changes determined necessary through public participation.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: There are no other agencies that regulate the licensure of geologists in Washington state.

Process for Developing New Rule: Agency study, the department will distribute draft rules to individuals on the geologist mailing lists, and will post information on the department's geologist website at http://www.dol.wa.gov/design/geofront.htm.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Leslie Saeger, Program Manager, Geologist Licensing Board, P.O. Box 9045, Olympia, WA 98507-9045, phone (360) 664-1497, TTY (360) 664-8885, e-mail lsaeger@dol.wa.gov.

November 4, 2003
George A. Twiss
Acting Administrator

WSR 03-23-005
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF RETIREMENT SYSTEMS
[Filed November 7, 2003, 11:04 a.m.]

Subject of Possible Rule Making: Survivor benefit options, the Department of Retirement Systems (DRS) plans to engage in rule making related to the situation in which a surviving spouse or other beneficiary dies before making a choice regarding the benefits.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.50.050(5).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: DRS does not presently have an interpretive rule regarding a situation in which a member's or retiree's beneficiary dies before making a choice. This scenario can occur in a variety of instances, such as in a car accident in which a member dies, and his or her surviving spouse dies a day later.

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

Process for Developing New Rule: Department staff will work on the project, with the assistance of the Office of the Attorney General. The public is invited and encouraged to participate, as described below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. DRS encourages your active participation in the rule-making process. Anyone interested in participating should contact the rules coordinator, below. After the rule(s) is drafted, DRS will file a copy with the Office of the Code Reviser with a notice of proposed rule making, and send a copy to everyone currently on the mailing list and anyone else who requests a copy. For more information on how to participate, please contact Merry A. Kogut, Rules Coordinator, Department of Retirement Systems, Mailstop 48380, P.O. Box 48380, Olympia, WA 98504-8380, voice (360) 664-7291, TTY (360) 586-5450, e-mail merryk@drs.wa.gov, fax (360) 753-3166.

November 6, 2003
Merry A. Kogut
Rules Coordinator

WSR 03-23-006
PREPROPOSAL STATEMENT OF INQUIRY
GAMBLING COMMISSION
[Filed November 7, 2003, 11:06 a.m.]

Subject of Possible Rule Making: Pull-tab inventory control requirements.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: We have received a petition for rule change from Valerie Storkson, Stork's Restaurant and Lounge, requesting a change to current pull-tab inventory requirements.

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

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Rick Day, Deputy Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3446; Robert Berg, Deputy Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3449; or Susan Arland, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3466.

Meeting Dates and Locations: On January 9, 2004, at the Red Lion Hotel - SeaTac, 18220 International Boulevard,

Seattle, WA 98188, (206) 246-5535; on February 13, 2004, at the Red Lion, 2300 Evergreen Park Drive, Olympia, WA 98502, (360) 943-4000; and on March 12, 2004, at the Red Lion, 2300 Evergreen Park Drive, Olympia, WA 98502, (360) 943-4000.

November 6, 2003
Susan Arland
Rules Coordinator

WSR 03-23-023
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LABOR AND INDUSTRIES
[Filed November 12, 2003, 9:26 a.m.]

Subject of Possible Rule Making: Evidence-based prescription drug program, chapter 296-20 WAC, Medical aid rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 51.04.020, 70.14.050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: SB 6088, chapter 29, Laws of 2003, allows the agencies involved in state purchased health care to establish an evidence-based prescription drug program. Furthermore, this bill directs these agencies to adopt rules governing practitioner endorsement and use of any list developed as part of the evidence-based prescription drug program.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Health Care Authority (HCA-UMP), Department of Social and Health Services (DSHS-MAA), and the Department of Labor and Industries (L&I) are coordinating rulemaking activities for the evidence-based prescription drug program. HCA will take the lead role to adopt common rules for this program. L&I will adopt additional rules that are specific to the administration of this program within L&I.

Process for Developing New Rule: The agency will develop this rule in coordination with the following stakeholder groups; Worker's Compensation Advisory Committee, Washington State Medical Association, Washington State Pharmacy Association, Department of Health (Board of Pharmacy), Washington Retail Association, National Association of Chain Drug Stores.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jami Lifka, Department of Labor and Industries, Office of the Medical Director, P.O. Box 44321, Olympia, WA 98504-4321, phone (360) 902-4941, or fax (360) 902-6315.

November 12, 2003
Paul Trause
Director

WSR 03-23-024
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LABOR AND INDUSTRIES
[Filed November 12, 2003, 9:27 a.m.]

Subject of Possible Rule Making: To amend the definition of "proper and necessary" in WAC 296-20-01002 and to amend as necessary the criteria for making medical coverage decisions in WAC 296-20-02704.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 51.04.020, 41.05.013.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: ESHB 1299, chapter 276, Laws of 2003, directed the state agencies involved in state purchased health care programs, to the extent possible, to develop a common definition of medical necessity. A common definition may reduce administrative burden for providers. An expanded definition of "proper and necessary" and "scientific evidence" will make it clearer how this agency makes coverage decisions and makes a determination of proper and necessary.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Of the state agencies that purchase health care services, the Department of Social and Health Services (DSHS) and the Health Care Authority (HCA) are also moving forward to amend their definition of "medical necessity." These state agencies and L&I are starting with model contractual language for "medical necessity" developed out of Stanford University. L&I is looking for language from this Stanford model that is compatible with Title 51 RCW and may expand further when necessary to clarify the defined terms.

Process for Developing New Rule: The agency will develop this rule in coordination with the following major stakeholder groups; Workers' Compensation Advisory Committee, Department of Social and Health Services, and Health Care Authority.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jami Lifka, Department of Labor and Industries, Office of the Medical Director, P.O. Box 44321, Olympia, WA 98504-4321, phone (360) 902-4941, or fax (360) 902-6315.

November 12, 2003
Paul Trause
Director

WSR 03-23-026
PREPROPOSAL STATEMENT OF INQUIRY
CRIMINAL JUSTICE TRAINING COMMISSION
[Filed November 12, 2003, 10:20 a.m.]

Subject of Possible Rule Making: WAC 139-01-100 Description of central and field organization.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Language update.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Sharon M. Tolton, Criminal Justice Training Commission, 19010 1st Avenue South, Burien, WA 98148-2055, phone (206) 835-7345, fax (206) 439-3860. Stakeholders were contacted by e-mail to advise of the intended rule amendments. Proposal also listed on the agency website.

November 6, 2003
Sharon M. Tolton
Deputy Director

WSR 03-23-056
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF AGRICULTURE
[Filed November 14, 2003, 2:32 p.m.]

Subject of Possible Rule Making: The department plans to amend chapter 16-350 WAC to reflect current industry and regulatory needs and practices, particularly with regard to prevention and exclusion of plant virus diseases, and by establishing a fee schedule for activities associated with fruit tree certification. In addition, this proposal may amend WAC 16-350-045 Application and fees, to eliminate duplication of information specified in WAC 16-401-050 and to correct an erroneous RCW reference.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 15.13, 15.14, and 34.05 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Since establishment of the fruit tree certification program several decades ago, current industry practices and needs have altered in response to changing markets and national and international phytosanitary requirements. Also, by statutory requirement, fruit tree certification is a self-supporting program. The current income to the program is no longer adequate. This proposal is intended to allow continued production and movement of virus-tested fruit trees in domestic and international markets and assist in keeping the state's orchards free of harmful virus diseases.

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

Process for Developing New Rule: Washington State Department of Agriculture representatives will discuss proposed fee increases with affected stakeholders and comply with the filing, publication and public hearing requirements of chapter 34.05 RCW. Affected stakeholders will have an opportunity to submit written comments on the proposal during the public comment period and present 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 Mary A. Martin Toohey, Assistant Director, Washington State Department of Agriculture, Plant Protection Division, P.O. Box 42560, Olympia, WA 98504-2560, phone (360) 902-1907, fax (360) 902-2094, e-mail mtoohey@agr.wa.gov; or Tom Wessels, Plant Services Program Manager, Washington State Department of Agriculture, Plant Protection Division, P.O. Box 42560, Olympia, WA 98504-2560, phone (360) 902-1984, fax (360) 902-2094, e-mail twessels@agr.wa.gov.

November 14, 2003
Mary A. Martin Toohey
Assistant Director

WSR 03-23-059
WITHDRAWAL OF PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
[Filed November 17, 2003, 10:07 a.m.]

The Economic Services Administration (ESA) is requesting the withdrawal of a CR-101 Preproposal statement of inquiry, filed as WSR 03-20-023 on September 23, 2003.

Brian Lindgren, Manager
Rules and Policies Assistance Unit

WSR 03-23-060
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
[Filed November 17, 2003, 10:09 a.m.]

Subject of Possible Rule Making: The department plans to amend the following rules to update program language and clarify who in a residence must be in a client's assistance unit for Washington basic food program: WAC 388-408-0034 What is an assistance unit for basic food? and 388-408-0035 Who is in my assistance unit for basic food?

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department must adopt rules to be consistent with federal regulations for food stamps. The rules as written have been interpreted in an administrative hearing in a way that is inconsistent with federal requirements. The amendments will clarify program requirements in a way that will prevent such misinterpretation.

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

DSHS incorporates these regulations and exercises state options by adopting administrative rules for food assistance benefits in Washington state.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting John Camp, Program Manager, Division of Employment and Assistance Programs, Lacey Government Center, P.O. Box 45470, Olympia, WA 98504-4570 [5470], phone (360) 413-3232, fax (360) 413-3493, e-mail CAMPJX@DSHS.WA.GOV.

November 13, 2003
Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

WSR 03-23-061
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
(Economic Services Administrative)
[Filed November 17, 2003, 10:10 a.m.]

Subject of Possible Rule Making: The department plans to amend the rules in chapters 388-434 and 388-452 WAC to update program language and clarify program requirements for the eligibility review process for cash and medical benefits, recertification process for basic food, and interview requirements for department programs. The department plans to amend the following as well as any related rules: WAC 388-434-0005 The department reviews each client's eligibility for benefits on a regular basis, 388-434-0010 How do I get food assistance benefits after my certification period has ended? and 388-452-0005 Do I have to be interviewed in order to get benefits?

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department plans to adopt rules to clarify department policy and implement federal requirements for the eligibility review and recertification process to determine a client's ongoing eligibility. We will also adopt rules to reflect an approved waiver of food stamp regulations regarding interview requirements. This waiver allows the department to use a telephone interview instead of an in-office interview at recertification for basic food.

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

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting John Camp, Program Manager, Division of Employment and Assistance Programs, Lacey Government Center, P.O. Box 45470, Olympia, WA 98504-4570 [5470], phone (360) 413-3232, fax (360) 413-3493, e-mail CAMPJX@DSHS.WA.GOV.

November 13, 2003
Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

WSR 03-23-062
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
[Filed November 17, 2003, 10:12 a.m.]

Subject of Possible Rule Making: Minimum licensing requirements for child care centers, WAC 388-295-0020, 388-295-0060, 388-295-0070, 388-295-0090, 388-295-0100, 388-295-0110, 388-295-1010, 388-295-1070, 388-295-1110, 388-295-2010, 388-295-2090, 388-295-2100, 388-295-3010, 388-295-4010, 388-295-4100, 388-295-5030, 388-295-5150, 388-295-7010, 388-295-7040, 388-295-7050, and other sections as appropriate. The Division of Child Care and Early Learning is amending the WAC to add clarity and correct typographical and other inadvertent errors made during the last revision.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 74.12 and 74.15 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This filing will add clarity and correct typographical and other inadvertent errors made during the last revision.

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

Process for Developing New Rule: All interested parties are invited to review and provide input on proposed draft language. Obtain draft material by contacting the identified representative below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Carla Gira, Program Manager, Division of Child Care and Early Learning, P.O. Box 45480,

Olympia, WA 98504-5480, phone (360) 413-3268, fax (360) 413-3482, e-mail giracg@dshs.wa.gov, Street Address: 1009 College S.E., Lacey, WA 98503.

November 13, 2003
Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

WSR 03-23-099
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING
[Filed November 18, 2003, 8:56 a.m.]

Subject of Possible Rule Making: Chapter 308-93 WAC, Vessel registration and certificates of title, to include but not limited to WAC 308-93-056.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 88.02.070 and 88.02.100.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule making may be required as result of this review in accordance with Executive Order 97-02.

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

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting by mail Katherine Iyall Vasquez, Rules Manager, Title and Registration Services, Vehicle Services, Mailstop 48001, P.O. Box 2957, Olympia, WA 98507-2957, or by phone (360) 902-3718, fax (360) 664-0831, TTY (360) 664-8885, e-mail kvasquez@dol.wa.gov.

November 13, 2003
D. McCurley, Administrator
Title and Registration Services

WSR 03-23-106
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
[Filed November 18, 2003, 4:00 p.m.]

Subject of Possible Rule Making: The Division of Child Support (DCS) is changing WAC 388-14A-6300, 388-14A-4000, and other amended or new rules as necessary, dealing with payments on child support arrearages.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.20A.160, 34.05.220(1) and 74.08.090. RCW gives DSHS the authority to set arrears payments on support arrearages consistent with the income, earning capacity and resources of the debtor, and to set or reset a level and schedule of payments to be paid upon a support debt. Rule-making authority is also found under RCW 34.05.220(1) and 74.08.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To clarify DCS procedures regarding payment on support arrearages.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Office of Administrative Hearings; DCS works with stakeholders to develop appropriate processes and rules.

Process for Developing New Rule: DCS engages in modified collaborative rule making. Those persons wishing to participate in developing the new rules are encouraged to contact Nancy Koptur at the DSHS/DCS headquarters as soon as possible. DCS will post information regarding this rule development project and others on its website, which can be found at www.wa.gov/dshs/dcs, or on the DSHS Economic Services Administration's policy review website, which can be found at http://www1.dshs.wa.gov/esa/extpolicy/. DSHS/DCS encourages the public to take part in developing the rules. At a later date, DSHS will file proposed rules with the Office of the Code Reviser with a notice of proposed rule making, and will send the proposal to everyone currently on the mailing list and to anyone else who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Nancy Koptur, DCS Rules Coordinator, Division of Child Support, P.O. Box 9162, Mailstop 45860, Olympia, WA 98507-9162, phone (360) 664-5065, 1-800-457-6202, fax (360) 664-5055, TTY/TDD (360) 664-5011, e-mail nkoptur@dshs.wa.gov.

November 18, 2003
Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

WSR 03-23-107
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
[Filed November 18, 2003, 4:02 p.m.]

Subject of Possible Rule Making: The Division of Child Support (DCS) is reviewing for clarification the rules regarding the notice of support debt and the notice of support owed. In particular, DCS seeks to ensure that WAC 388-14A-3300 through 388-14A-3320 accurately describes the procedures for these notices. Other rules as necessary may be amended or adopted.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090, 26.23.035, 34.05.220(1), 74.20A.310.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: DCS seeks to clarify its procedures around the notice of support owed and the notice of support debt.

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

Process for Developing New Rule: DCS engages in modified collaborative rule making. Those persons wishing

to participate in developing the new rules are encouraged to contact Nancy Koptur at the DSHS/DCS headquarters as soon as possible. DCS will post information regarding this rule development project and others on its website, which can be found at www.wa.gov/dshs/dcs, or on the DSHS Economic Services Administration's policy review website, which can be found at http://www1.dshs.wa.gov/esa/extpolicy/. DSHS/DCS encourages the public to take part in developing the rules. At a later date, DSHS will file proposed rules with the Office of the Code Reviser with a notice of proposed rule making, and will send the proposal to everyone currently on the mailing list and to anyone else who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Nancy Koptur, DCS Rules Coordinator, Division of Child Support, P.O. Box 9162, Mailstop 45860, Olympia, WA 98507-9162, phone (360) 664-5065, e-mail nkoptur@dshs.wa.gov, 1-800-457-6202, fax (360) 664-5055, TTY/TDD (360) 664-5011.

November 18, 2003
Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

WSR 03-23-108
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
[Filed November 18, 2003, 4:03 p.m.]

Subject of Possible Rule Making: WAC 388-412-0015 General information about your basic food allotments, the amended rule is to clarify the rule regarding receiving duplicate assistance in two assistance units or two states in the same month.

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: The amended rule is to clarify the rule regarding receiving duplicate assistance in two assistance units or two states in the same month.

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

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Patti Clark, Program Manager, Division of Employment and Assistance Programs, Lacey Government Center, P.O. Box 45470, Olympia, WA 98504-5470, phone (360) 413-3084, fax (360) 413-3493, e-mail clarkpj@dshs.wa.gov.

November 17, 2003
Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

WSR 03-23-117
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF FISH AND WILDLIFE
[Filed November 18, 2003, 4:43 p.m.]

Subject of Possible Rule Making: Residency 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: Clarification is needed on what supporting documents are needed for proof of residency.

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 Jim Lux, Business Program, Assistant Director, 600 Capitol Way North, Olympia, WA 98501-1091, phone (360) 902-2444.

Contact by February 5, 2004. Expected proposal filing February 6, 2004.

November 18, 2003
Evan Jacoby
Rules Coordinator

WSR 03-23-120
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF FINANCIAL INSTITUTIONS
(Securities Division)
[Filed November 19, 2003, 9:08 a.m.]

Subject of Possible Rule Making: New rule regarding periodic reports; amending WAC 208-680F-020 concerning permissible securities for purposes of RCW 18.44.201; new rule defining RESPA violations as unfair and deceptive practices.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.44.410, [18.44].201.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: A new rule concerning periodic reporting will help the division monitor compliance with chapter 18.44 RCW and the regulations adopted thereunder. Amendments to WAC 208-680F-020 are needed to clarify the types of securities that may be substituted for the errors and omissions policy required by RCW 18.44.201. A new rule would state that the failure to comply with an applicable

provision of RESPA will constitute an unfair and deceptive practice under RCW 18.44.301. This will clarify the director's authority to enforce RESPA where appropriate.

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

Process for Developing New Rule: The division will seek input from the Escrow Commission and other licensed escrow agents and officers concerning these rules. The division may also discuss any proposed rules with other interested parties and regulatory agencies.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting William M. Beatty, Securities Division, Department of Financial Institutions, P.O. Box 9033, Olympia, WA 98507-9033, (360) 902-8760, fax (360) 704-6923, bbeatty@dfi.wa.gov, Securities Division website http://www.dfi.wa.gov/sd.

November 17, 2003
Deborah R. Bortner
Director of Securities

WSR 03-23-121
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF FINANCIAL INSTITUTIONS
(Securities Division)

[Filed November 19, 2003, 9:10 a.m.]

Subject of Possible Rule Making: Amending WAC 208-680G-050 concerning fees for examinations and expenses.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.44.121, [18.44].410.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: WAC 208-680G-050 would be amended to clarify that both in-state and out-of-state licensees may be charged for examinations and investigations. This is necessary in order to make the escrow-licensing program self-supporting.

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

Process for Developing New Rule: The division will seek input from the Escrow Commission and other licensed escrow agents and officers concerning these rules. The division may also discuss any proposed rules with other interested parties and regulatory agencies.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting William M. Beatty, Securities Division, Department of Financial Institutions, P.O. Box 9033, Olympia, WA 98507-9033, (360) 902-8760, fax (360) 704-6923, bbeatty@dfi.wa.gov, Securities Division website http://www.dfi.wa.gov/sd.

November 17, 2003
Deborah R. Bortner
Director of Securities

WSR 03-23-122
PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES

[Filed November 19, 2003, 9:18 a.m.]

Subject of Possible Rule Making: Adding socially and economically disadvantaged business enterprises to the state minority and women's business enterprise program.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 39.19.120.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Since 1983, the state has had a minority and women's business program. In 1987, the legislature expanded the office's certification authority to include socially and economically disadvantaged business enterprises (DBEs). Currently, the office certifies businesses in the latter category only for projects involving United States Department of Transportation (USDOT) funding in Washington state. A joint memorial passed by the legislature in 2000, requested the office to consider certifying business owned and controlled by persons with disabilities for the state program. The DBE designation, unlike the minority or women's designation, allows for certification without regard to race or gender; provided, the disadvantage is the result of the individual's condition (e.g., disability or culture).

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The office has exclusive authority to certify firms as socially and economically disadvantaged business enterprises in the state of Washington (RCW 39.19.120). The USDOT has rules governing determinations of eligibility for this status at the federal level. These rules are based on guidance from the United States Small Business Administration. The office currently certifies firms for the federal program using the approach set forth in the federal regulations. The state program will substantially adopt these regulations as well.

Process for Developing New Rule: This is a rule that will govern the actions of the office and is not subject to violation by a nongovernment party.

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 Cathy Canorro, Rules Coordinator, Office of Minority and Women's Business Enterprises, P.O. Box 41160, Olympia, WA 98504-1160, fax (360) 586-7079, ccanorro@omwbe.wa.gov, phone (360) 704-1187 for questions.

November 19, 2003
Carolyn Crowson
Director

PREPROPOSAL

WSR 03-23-123
PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES
[Filed November 19, 2003, 9:18 a.m.]

Subject of Possible Rule Making: WAC 326-20-092, 326-20-094, 326-20-095, 326-20-096, and 326-20-098, concerning size standards and small business concern requirements.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 39.19 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Since 1983, the state has had a minority and women's business program. In 1987, the legislature expanded the office's certification authority to include socially and economically disadvantaged business enterprises (DBEs). Since 2000, all federal government agencies, including the United States Department of Transportation (USDOT) and United States Small Business Administration (SBA), have converted to the new North American Industrial Classification System (NAICS). Currently, the office maintains two separate sets of size standards and industry code designations to determine whether firms are small business concerns for each certification program. Using one set of size standards and industry code designations would help streamline the certification process.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The office has exclusive authority to set the size standards and determine small business concern requirements in the state of Washington (chapter 39.19 RCW). The USDOT has rules governing determinations of eligibility for size and small business concern requirements at the federal level. These rules are based on guidance from the SBA. The office currently certifies firms for the federal program using te approach set forth in the federal regulations. The state program will substantially adopt these regulations as well.

Process for Developing New Rule: This is a rule that will govern the actions of the office and is not subject to violation by a nongovernment party.

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 Cathy Canorro, Rules Coordinator, Office of Minority and Women's Business Enterprises, P.O. Box 41160, Olympia, WA 98504-1160, fax (360) 586-7079, ccanorro@omwbe.wa.gov, phone (360) 704-1187 for questions.

November 19, 2003
Carolyn Crowson
Director

WSR 03-23-124
PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES
[Filed November 19, 2003, 9:19 a.m.]

Subject of Possible Rule Making: WAC 326-20-125 Processing fee.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 39.19.210.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Currently, the office charges a $20.00 processing fee for all applications received from businesses seeking certification. The new section passed by the legislature and signed by the governor in 2003, allows the office to raise fees in excess of the fiscal growth factor to help offset the decrease in the office's revolving fund charges to state agencies. This new section is partially based on the legislature's collected testimony from certified firms that they would be willing to pay higher application processing fees to OMWBE.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The office is meeting with representatives of the United States Department of Transportation (USDOT) to ensure the state remains in compliance.

Process for Developing New Rule: This is a rule that will govern the actions of the office and is not subject to violation by a nongovernment party.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by sending written comment to Cathy Canorro, Rules Coordinator, Office of Minority and Women's Business Enterprises, P.O. Box 41160, Olympia, WA 98504-1160, fax (360) 586-7079, ccanorro@omwbe.wa.gov, phone (360) 704-1187 for questions.

November 19, 2003
Carolyn Crowson
Director

WSR 03-23-125
PREPROPOSAL STATEMENT OF INQUIRY
HORSE RACING COMMISSION
[Filed November 19, 2003, 9:28 a.m.]

Subject of Possible Rule Making: Chapter 260-36 WAC, Criteria for refusing to issue a new license or suspending or revoking a license.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 67.16.020.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To clarify under what conditions the commission shall deny, suspend or revoke a license.

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 pub-

lication by contacting Robert M. Leichner, Executive Secretary, Washington Horse Racing Commission, 6326 Martin Way, Suite 209, Olympia, WA 98516-5578, (360) 459-6462, fax (360) 459-6461.

November 19, 2003
Robert J. Lopez
for Robert M. Leichner
Executive Secretary

WSR 03-23-132
PREPROPOSAL STATEMENT OF INQUIRY
LIQUOR CONTROL BOARD
[Filed November 19, 2003, 10:39 a.m.]

Subject of Possible Rule Making: WAC 314-02-125 What types of activities on a licensed premises require notice to the board? and 314-02-130 What types of changes to a licensed premises require board approval?

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 66.08.030, 66.24.010, 66.24.120.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule making is needed in order to:

- Make the rules clearer so they can be more easily understood and followed.
- Have the local enforcement offices approve one-time or occasional activities, rather than the licensing division (the licensing division would continue to approve permanent and ongoing activities and alterations). This change would lessen confusion and save time for both licensing staff and licensees.
- Add that a request for alteration or activity can be denied based on past violations for the same or a similar activity or alteration.

Process for Developing New Rule: Input from retail licensees, local governments, and other interested parties will be obtained through series of notices and at least one public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Teresa Berntsen, Rules Coordinator, P.O. Box 43080, Olympia, WA 98504-3080, (360) 664-1648, fax (360) 704-4921, e-mail teb@liq.wa.gov.

November 19, 2003
Merrit D. Long
Chairman

WSR 03-23-137
PREPROPOSAL STATEMENT OF INQUIRY
GAMBLING COMMISSION
[Filed November 19, 2003, 11:19 a.m.]

Subject of Possible Rule Making: Bingo licensees.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 9.46.070 and 9.46.0205.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: In 2002, the RCW was amended to remove the three days of operation per week limit for bingo games. Bingo licensees can now operate as often as they choose within the county the organization is principally located.

There is no regulatory purpose to limit bingo operators to one license per county. This rule change would allow bingo operators to hold more than one license in the county they are principally located.

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

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Rick Day, Deputy Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3446; Robert Berg, Deputy Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3449; or Susan Arland, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3466.

MEETING DATES AND LOCATIONS: On January 9, 2004, at the Red Lion Hotel - Sea Tac, 18220 International Boulevard, Seattle, WA 98188, (206) 246-5535; on February 13, 2004, at the Red Lion, 2300 Evergreen Park Drive, Olympia, WA 98502, (360) 943-4000; and on March 12, 2004, at the Red Lion, 2300 Evergreen Park Drive, Olympia, WA 98502, (360) 943-4000.

November 19, 2003
Susan Arland
Rules Coordinator

WSR 03-23-138
PREPROPOSAL STATEMENT OF INQUIRY
GAMBLING COMMISSION
[Filed November 19, 2003, 11:20 a.m.]

Subject of Possible Rule Making: Promotions related to gambling activities.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Streamline rule regarding promotions related to gambling activities.

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

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Rick Day, Deputy Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3446; Robert Berg, Deputy Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3449; and Susan Arland, Rules Coor-

dinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3466.

MEETING DATES AND LOCATIONS: On January 9, 2004, at the Red Lion Hotel - Sea Tac, 18220 International Boulevard, Seattle, WA 98188, (206) 246-5535; on February 13, 2004, at the Red Lion, 2300 Evergreen Park Drive, Olympia, WA 98502, (360) 943-4000; and on March 12, 2004, at the Red Lion, 2300 Evergreen Park Drive, Olympia, WA 98502, (360) 943-4000.

November 19, 2003
Susan Arland
Rules Coordinator

WSR 03-23-020
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Financial Services Administration)
[Filed November 10, 2003, 3:43 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 03-18-099.

Title of Rule: Cost reimbursement schedule and ability to pay.

Purpose: Amending WAC 388-720-0020 that is used to determine the amounts owed by parent's and other responsible party's, for the cost of support, treatment, and confinement of juveniles in custody.

Statutory Authority for Adoption: RCW 13.40.220 Cost of support, treatment, and confinement, order, contempt of court.

Statute Being Implemented: RCW 13.40.220.

Summary: Revised rules are needed to clarify the term "ability to pay" as used in RCW 13.40.220. After the rule becomes law, agency staff will use the new language to help determine a responsible party's cost for the support, treatment, and confinement of a juvenile in custody.

Reasons Supporting Proposal: Without this WAC change, the department will not have a rule that clearly defines "ability to pay."

Name of Agency Personnel Responsible for Drafting: Bill Stoner, DSHS, Financial Services Administration, 4450 10th Avenue S.E., Lacey, WA, (360) 664-5499; Implementation and Enforcement: Bill Ward, DSHS, Financial Services Administration, 4450 10th Avenue S.E., Lacey, WA, (360) 664-5501.

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: Revised rules are needed to clarify the term "ability to pay" as used in RCW 13.40.220. Without this WAC change, the department will not have a rule that clearly defines "ability to pay." After the rule becomes law, agency staff will use the new language to help determine a responsible party's cost for the support, treatment, and confinement of a juvenile in custody.

Proposal Changes the Following Existing Rules: The rule clarifies the term "ability to pay." After the rule becomes law, agency staff will use the new language to help determine a responsible party's cost for the support, treatment, and confinement of a juvenile in custody.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule does not affect small businesses.

RCW 34.05.328 does not apply to this rule adoption. This change is exempt from the requirements of this RCW, because it affects the liability for the care of dependents (RCW 34.05.328 (5)(b)(vii)).

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

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

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

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

November 7, 2003
Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 00-22-019, filed 10/20/00, effective 11/20/00)

WAC 388-720-0020 Cost reimbursement schedule and ability to pay. As provided for in RCW 13.40.220 the office of financial recovery may negotiate payment schedules and the methods used to satisfy costs of support, treatment and confinement with parents and other legally obligated persons, on behalf of the department. The results of the application of this rule may be appealed as provided for in RCW 13.490.220(4) and (6) and Part IV Adjudicative Proceedings, of chapter 34.05 RCW, administrative Procedure Act. A parent or other legally obligated person shall pay a percentage of gross income to the department for the cost of support, treatment((,)) and confinement of the juvenile ((~~in accordance with~~)). Ability to pay will be determined by the application of the information provided by a parent or other legally obligated person in the financial information statement to the reimbursement schedule below:

Monthly Gross Income	Percentage of Gross Income Ordered for Reimbursement of Costs Number of Parents and Dependents Remaining in Household							
	1	2	3	4	5	6	7	8+
AFDC or $0 - 600	0	0	0	0	0	0	0	0
$601 - 1000	8%	6%	4%	2%	0	0	0	0
$1001 - 2000	12%	10%	8%	6%	4%	2%	0	0
$2001 - 3000	16%	14%	12%	10%	8%	6%	4%	2%
$3001 - 4000+	18%	16%	14%	12%	10%	8%	6%	4%

(1) Within fifteen days of receipt((~~, a parent shall mail to the department a certified~~)) of the financial information statement ((~~on forms provided by~~)), a parent or other legally obligated person shall complete, sign and mail the statement to the department. Based on the statement and on other information available to it, the department shall determine the parent's gross income, the number of parents and dependents, and the reimbursement obligation, and shall serve on the parent a notice and finding of financial responsibility.

(2) If a parent or legally obligated person fails to timely provide a financial statement, the reimbursement obligation shall be twenty-three hundred dollars per month.

(3) If the juvenile's parents or other legally obligated person reside in separate households, each parent shall be liable for reimbursement.

(4) The gross income of a parent shall be reduced by the amount the parent pays in spousal maintenance to the juvenile's parent, which is gross income to the receiving parent. The gross income of a parent or other legally obligated person shall be reduced by the amount of current child support paid for any child, including the juvenile offender. This credit shall be available when the support is paid to any section of the department or to any other person legally entitled to receive those support payments, pursuant to court order or administrative order for a child the parent did not claim as a dependent under the reimbursement schedule.

(5) Reimbursement may not exceed the cost of care as determined by the department.

(6) The reimbursement obligation commences the day the juvenile enters the custody of the department, regardless of when the notice and finding of financial responsibility is received by the parent. A monthly reimbursement obligation shall be reduced on a pro rata basis for any days in which the juvenile was not in the custody of the department.

(7) The parent or other legally obligated person of the juvenile shall be exempt from the payment of the cost of the juvenile's care in the state facility if the parent or other legally obligated person receives adoption support or is eligible to receive adoption support for the juvenile offender; or if the parent, or other legally obligated person, or such person's child, spouse, or spouse's child, was the victim of the offense for which the juvenile was committed to the department.

WSR 03-23-027
PROPOSED RULES
STATE BOARD OF EDUCATION
[Filed November 12, 2003, 11:56 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 03-18-055.

Title of Rule: WAC 180-16-220 Supplemental basic education program approval requirements, 180-16-225 Waiver—Substantial lack of classroom space—Grounds and procedure, 180-16-227 Implementation timeline for WAC 180-16-220(2), 180-51-050 [no further information supplied by agency].

Purpose: To clarify terms "plan or process" and "parent." To change language strongly advising schools and districts to confer with colleges and universities regarding adoption of local district policies to award credit on the basis of competencies. Proposed language to require the state board to inform the State Board for Community and Technical Colleges and the Higher Education Coordinating Board of [no further information supplied by agency].

Statutory Authority for Adoption: RCW 28A.150.-220(4), 28A.305.140, and 28A.305.130(6).

Summary: See Purpose above.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Larry Davis, State Board of Education, Olympia, (360) 725-6024.

Name of Proponent: State Board of Education.

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

Explanation of Rule, its Purpose, and Anticipated Effects: To clarify terms "plan or process" and "parent." To change language strongly advising schools and districts to confer with colleges and universities regarding adoption of local district policies to award credit on the basis of competencies. Proposed language to require the state board to inform the State Board for Community and Technical Colleges and the Higher Education Coordinating Board of schools that do award competency-based credits.

Proposal Changes the Following Existing Rules: Language changes occur throughout the aforementioned policies. Not specific changes in attached language.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not applicable.

RCW 34.05.328 does not apply to this rule adoption. Not applicable.

Hearing Location: Olympia School District, 1113 Legion Way S.E., Olympia, WA 98501-1967, on January 15, 2004, at 8:30 a.m.

Assistance for Persons with Disabilities: Contact Laura Moore by January 2, 2004, TTY (360) 664-3631 or (360) 725-6027.

Submit Written Comments to: Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, fax (360) 586-2357, by January 2, 2004.

Date of Intended Adoption: January 16, 2004.

October 31, 2003
Larry Davis
Executive Director

AMENDATORY SECTION (Amending WSR 02-18-056, filed 8/28/02, effective 9/28/02)

WAC 180-16-220 Supplemental basic education program approval requirements. The following requirements are hereby established by the state board of education as related supplemental condition to a school district's entitlement to state basic education allocation funds, as authorized by RCW 28A.150.220(4).

(1) **Current and valid certificates.** Every school district employee required by WAC 180-79A-140 to possess an education permit, certificate, or credential issued by the superintendent of public instruction for his/her position of employment, shall have a current and valid permit, certificate or credential. In addition, classroom teachers, principals, vice principals, and educational staff associates shall be required to possess endorsements as required by WAC 180-82-105, 180-82-120, and 180-82-125, respectively.

(2) **Annual school building approval.**

(a) Each school in the district shall be approved annually by the school district board of directors under an approval process determined by the district board of directors.

(b) At a minimum the annual approval shall require each school to have ((~~in place, and reviewed annually for implementation progress and possible changes,~~)) a school improvement plan ((~~or process that is data driven and promotes a positive impact on student learning~~)) that includes a

continuous improvement process which is data driven and focused on improving student learning. For the purpose of this section "positive impact on student learning" shall mean:

(i) Supporting the goal of basic education under RCW 28A.150.210, "... to provide students with the opportunity to become responsible citizens, to contribute to their own economic well-being and to that of their families and communities, and to enjoy productive and satisfying lives...";

(ii) Promoting continuous improvement of student achievement of the state learning goals and essential academic learning requirements; and

(iii) Recognizing nonacademic student learning and growth related, but not limited to: Public speaking, leadership, interpersonal relationship skills, teamwork, self-confidence, and resiliency.

(c) The school improvement plan ((~~or~~)) and the continuous improvement process shall be based on a self-review of the school's program for the purpose of annual building approval by the district. The self-review shall include active participation and input by building staff, students, families, parents, and community members.

(d) The school improvement plan ((~~or process~~)) shall address, but is not limited to:

(i) The characteristics of successful schools as identified by the superintendent of public instruction and the educational service districts, including safe and supportive learning environments;

(ii) Educational equity factors such as, but not limited to: Gender, race, ethnicity, culture, language, and physical/mental ability, as these factors relate to having a positive impact on student learning. The state board of education strongly encourages that equity be viewed as giving each student what ((~~they~~)) she or he needs and when and how ((~~they~~)) she or he needs it to reach their achievement potential;

(iii) The use of technology to facilitate instruction and a positive impact on student learning; and

(iv) Parent, family, and community involvement, as these factors relate to having a positive impact on student learning.

(3) Nothing in this section shall prohibit a school improvement plan ((~~or process~~)) from focusing on one or more characteristics of effective schools during the ensuing three school years.

(4) School involvement with school improvement assistance under the state accountability system or involvement with school improvement assistance through the federal Elementary and Secondary Education Act shall constitute a sufficient school improvement plan ((~~or process~~)) for the purposes of this section.

AMENDATORY SECTION (Amending Order 5-86, filed 6/10/86)

WAC 180-16-225 Waiver—Substantial lack of classroom space—Grounds and procedure. (1) **Grounds.** The state board of education may waive one or more of the basic education allocation entitlement requirements set forth in WAC 180-16-200 through 180-16-220(1) only if a school district's failure to comply with such requirement(s) is found by the state board to be caused by substantial lack of classroom space.

As a condition to a waiver based on substantial lack of classroom space the state board will consider and a school district must demonstrate, at least, that the facilities of the school district do not contain enough classroom space or other space that can reasonably be converted into classroom space, and that necessary classroom space may not reasonably be acquired by lease or rental((,)) to enable the district to comply with the referenced entitlement requirements.

(2) **Waiver procedure.** In order to secure a waiver pursuant to subsection (1) of this section a school district must submit a petition together with a detailed explanation and documentation in support of its request not later than thirty days prior to either:

(a) The state board of education meeting immediately preceding commencement of the school year; or

(b) The March (or such other meeting as the state board shall have established) meeting of the board at which the board will consider certifications of compliance and noncompliance with these entitlement requirements.

A school district that can reasonably foresee an inability to comply with entitlement requirements by reason of substantial lack of classroom space should petition for a waiver as early as the state board meeting immediately preceding commencement of the school year in order to allow for the possibility that the request may be denied.

(3) **Nonwaiverable requirements.** ((~~The~~)) Certification requirements, including endorsements, and the ((~~student learning objectives~~)) requirements set forth in WAC 180-16-220 (2) and (3) may not be waived for any reason.

AMENDATORY SECTION (Amending WSR 02-18-056, filed 8/28/02, effective 9/28/02)

WAC 180-16-227 Implementation timeline for WAC 180-16-220(2). The provisions of WAC 180-16-220(2) shall take effect beginning the 2003-04 school year. If a school district already requires its schools to have a school improvement plan ((~~or~~)) and a continuous improvement process to monitor and update the plan, but such plan ((~~or process~~)) does not include some or all of the required elements listed in WAC 180-16-220 (2)(c) and (d) as of the beginning of the 2003-04 school year, the district may request from the state board of education an extension of the timeline to the beginning of the 2004-05 school year.

AMENDATORY SECTION (Amending WSR 95-20-054, filed 10/2/95, effective 11/2/95)

WAC 180-18-050 Local restructuring plan requirements to obtain waiver. (1) State board of education approval of district waiver requests pursuant to WAC 180-18-030 and 180-18-040 shall occur at a state board meeting prior to implementation. A district's waiver application shall be in the form of a resolution adopted by the district board of directors which includes a request for the waiver and a plan for restructuring the educational program of one or more schools which consists of at least the following information:

(a) Identification of the requirements to be waived;

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(b) Specific standards for increased student learning that the district expects to achieve;

(c) How the district plans to achieve the higher standards, including timelines for implementation;

(d) How the district plans to determine if the higher standards are met;

(e) Evidence that the board of directors, teachers, administrators, and classified employees are committed to working cooperatively in implementing the plan; and

(f) Evidence that opportunities were provided for families, parents, and citizens to be involved in the development of the plan.

(2) The district plan for restructuring the educational program of one or more schools in the district may consist of the school improvement plans required under WAC 180-16-220, along with the requirements of subsection (1)(a) through (d) of this section.

(3) The application for a waiver and all supporting documentation must be received by the state board of education at least thirty days prior to the state board of education meeting where consideration of the waiver shall occur. The state board of education shall review all applications and supporting documentation to insure the accuracy of the information. In the event that deficiencies are noted in the application or documentation, districts will have the opportunity to make corrections and to seek state board approval at a subsequent meeting.

AMENDATORY SECTION (Amending WSR 99-10-094, filed 5/4/99, effective 6/4/99)

WAC 180-18-055 Alternative high school graduation requirements. (1) The shift from a time and credit based system of education to a standards and performance based education system will be a multiyear transition. In order to facilitate the transition and encourage local innovation, the state board of education finds that current credit-based graduation requirements may be a limitation upon the ability of high schools and districts to make the transition with the least amount of difficulty. Therefore, the state board will provide districts and high schools the opportunity to create and implement alternative graduation requirements.

(2) A school district, or high school((,)) with permission of the district board of directors, or approved private high school, desiring to implement a local restructuring plan to provide an effective educational system to enhance the educational program for high school students, may apply to the state board of education for a waiver from one or more of the requirements of chapter 180-51 WAC.

(3) The state board of education may grant the waiver for a period up to four school years, or until any new graduation requirements the state board of education may adopt take effect, whichever comes first.

(4) The waiver application shall be in the form of a resolution adopted by the district or private school board of directors which includes a request for the waiver and a plan for restructuring the educational program of one or more high schools which consists of at least the following information:

(a) Identification of the requirements of chapter 180-51 WAC to be waived;

(b) Specific standards for increased student learning that the district or school expects to achieve;

(c) How the district or school plans to achieve the higher standards, including timelines for implementation;

(d) How the district or school plans to determine if the higher standards are met;

(e) Evidence that the board of directors, teachers, administrators, and classified employees are committed to working cooperatively in implementing the plan;

(f) Evidence that students, families, parents, and citizens were involved in developing the plan; and

(g) Identification of the school years subject to the waiver.

(5) The plan for restructuring the educational program of one or more high schools may consist of the school improvement plans required under WAC 180-16-220, along with the requirements of subsection (4)(a) through (d) of this section.

(6) The application also shall include documentation that the school is successful as demonstrated by indicators such as, but not limited to, the following:

(a) The school has clear expectations for student learning;

(b) The graduation rate of the high school for the last three school years;

(c) Any follow-up employment data for the high school's graduate for the last three years;

(d) The college admission rate of the school's graduates the last three school years;

(e) Use of student portfolios to document student learning;

(f) Student scores on the state eleventh grade test the last three school years;

(g) Student scores on the ((~~secondary~~)) high school Washington assessments of student learning;

(h) The level and types of family and parent involvement at the school;

(i) The school's annual performance report the last three school years; and

(j) The level of student, family, parent, and public satisfaction and confidence in the school as reflected in any survey done by the school the last three school years.

(((~~6~~))) (7) A waiver of WAC 180-51-060 may be granted only if the district or school provides documentation and rationale that any noncredit based graduation requirements that will replace in whole or in part WAC 180-51-060, will support the state's performance-based education system being implemented pursuant to RCW 28A.630.885, and the noncredit based requirements meet the minimum college core admissions standards as accepted by the higher education coordinating board for students planning to attend a baccalaureate institution.

(((~~7~~))) (8) A waiver granted under this section may be renewed upon the state board of education receiving a renewal request from the school district board of directors. Before filing the request, the school district shall conduct at least one public meeting to evaluate the educational requirements that were implemented as a result of the waiver. The request to the state board shall include information regarding the activities and programs implemented as a result of the waiver, whether higher standards for students are being

achieved, assurances that students in advanced placement or other postsecondary options programs, such as but not limited to: College in the high school, running start, and tech-prep, shall not be disadvantaged, and a summary of the comments received at the public meeting or meetings.

((~~(8)~~)) (9) The state board of education shall notify the state board for community and technical colleges and the higher education coordinating board of any waiver granted under this section.

((~~(9)~~)) (10) Any waiver requested under this section will be granted with the understanding that the state board of education will affirm that students who graduate under alternative graduation requirements have in fact completed state requirements for high school graduation in a nontraditional program.

((~~(10)~~)) (11) Any school or district granted a waiver under this chapter shall report annually to the state board of education, in a form and manner to be determined by the board, on the progress and effects of implementing the waiver.

NEW SECTION

WAC 180-18-090 Alternative option to WAC 180-18-055. See WAC 180-51-050 (1)(b) as another option to award high school credit on the basis of competency.

AMENDATORY SECTION (Amending WSR 00-23-032, filed 11/8/00, effective 12/9/00)

WAC 180-51-050 High school credit—Definition. As used in this chapter the term "high school credit" shall mean:

(1) Grades nine through twelve or the equivalent of a four-year high school program, and grades seven and eight under the provisions of RCW 28A.230.090 (4) and (5):

(a) One hundred fifty hours of planned instructional activities approved by the district; or

(b) Satisfactory demonstration by a student of clearly identified competencies established pursuant to a process defined in written district policy. Districts are strongly advised to confirm with the higher education coordinating board that the award of competency-based high school credit meets the minimum college core admissions standards set by the higher education coordinating board for admission into a public, baccalaureate institution.

(2) College and university course work. At the college or university level, five quarter or three semester hours shall equal 1.0 high school credit: Provided, That for the purpose of this subsection, "college and university course work" means course work that generally is designated 100 level or above by the college or university.

(3) Community college high school completion program - Diploma awarded by community college. Five quarter or three semester hours of community college high school completion course work shall equal 1.0 high school credit: Provided, That for purposes of awarding equivalency credit under this subsection, college and university high school completion course work includes course work that is designated below the 100 level by the college and the course work is developmental education at grade levels nine through twelve or the equivalent of a four-year high school program.

(4) Community college high school completion program - Diploma awarded by school district. A minimum of .5 and a maximum of 1.0 high school credit may be awarded for every five quarter or three semester hours of community college high school completion course work: Provided, That for purposes of awarding equivalency credit under this subsection, college and university high school completion course work includes course work that is designated below the 100 level by the college and the course work is developmental education at grade levels nine through twelve or the equivalent of a four-year high school program.

(5) Each high school district board of directors shall adopt a written policy for determining the awarding of equivalency credit authorized under subsection (4) of this section. The policy shall apply uniformly to all high schools in the district.

(6) Each high school district board of directors shall adopt a written policy regarding the recognition and acceptance of earned credits. The policy shall apply to all high schools in the district. The policy may include reliance on the professional judgment of the building principal or designee in determining whether or not a credit meets the district's standards for recognition and acceptance of a credit. The policy shall include an appeal procedure to the district if it includes reliance on the professional judgment of the building principal or designee.

(7) A student must first obtain a written release from their school district to enroll in a high school completion program under subsection (3) of this section if the student has not reached age eighteen or whose class has not graduated.

(8) The state board of education shall notify the state board for community and technical colleges and the higher education coordinating board of any school or school district that awards high school credit as authorized under subsection (1)(b) of this section.

AMENDATORY SECTION (Amending WSR 02-18-056, filed 8/28/02, effective 9/28/02)

WAC 180-55-005 Purposes and authority. (1) **Purposes.** The provision of school accreditation procedures by the state board of education is designed to serve the following purposes:

(a) Support the state board's long-term vision of a performance-based education system under WAC 180-51-001 by aligning school accreditation requirements to continuous improvement of student learning, achievement, and growth;

(b) Promote educational excellence and equity for every student through enhancement of the quality and effectiveness of the school's educational program in safe and supportive learning environments;

(c) Promote staff growth and commitment to the learning of every student;

(d) Build stronger links with families, parents, and the community by reaching consensus about educational expectations through family, parent, and community involvement;

(e) Provide a statement of accountability to the public;

(f) Assure that school districts, under the district policy on recognizing earned credits under WAC 180-51-050, shall accept credits earned from schools or programs, accredited

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by the state board of education, the Northwest Association of Schools, ((~~Colleges and Universities,~~)) or other accrediting body as may be recognized by the state board of education pursuant to WAC 180-55-150; and

(g) Facilitate the sharing of effective schools practices and positive impacts on student learning through an external appraisal process.

(2) **Authority.** The authority for this chapter is RCW 28A.305.130(6).

AMENDATORY SECTION (Amending WSR 02-18-056, filed 8/28/02, effective 9/28/02)

WAC 180-55-015 Definitions. (1) An "accredited school" is a public or state board of education approved private school that meets statutory requirements and rules established by the state board of education, and one that has satisfactorily completed the accreditation procedures described by the state board of education pursuant to RCW 28A.305.130(6) and WAC 180-55-005 through 180-55-032.

(2) "Approved private school" shall mean a school approved by the state board of education pursuant to chapter 28A.195 RCW and chapter 180-90 WAC.

(3) "Accredited" status shall be assigned to public or state board of education approved private schools that:

(a) Complete and meet fully state board of education requirements for accreditation as described in WAC 180-55-020, or;

(b) Participate and qualify in accordance with standards and procedures established by the Northwest Association of Schools ((~~Colleges and Universities~~)) (NAS((~~(CU) (see WAC 180-55-032)~~)).

(4) "School improvement plan ((~~or process~~))" shall mean the same as described under WAC 180-16-220 (2)(b) and (d).

(5) "Continuous improvement process" shall mean the ongoing process used by a school to monitor, adjust, and update its school improvement plan.

(6) "Self-review" shall mean the same as described under WAC 180-16-220 (2)(c).

((~~(6)~~)) (7) "Appraisal" shall mean an objective, external appraisal of a school's self-review activities ((~~and~~)), school improvement plan ((~~or~~)), and the school's continuous improvement process, pursuant to WAC 180-55-020(5).

AMENDATORY SECTION (Amending WSR 02-18-056, filed 8/28/02, effective 9/28/02)

WAC 180-55-020 ((~~Compliance with requirements for entitlement to basic education allocation funds is~~)) Prerequisite to application for accreditation by public schools((~~—Compliance with requirements for approved private school status is prerequisite to application for accreditation by~~))/private schools—Types of accreditation—Conditions—Effective periods—Administration of accreditation procedures. (1)(a) Certification by the state board of education of compliance by a school district with basic education program approval requirements under WAC 180-16-220, or receipt of a waiver from WAC 180-16-225 or 180-18-030, shall be prerequisite to a public school's application to the state board of education for accreditation under WAC 180-55-015 (3)(b).

(b) Certification by the state board of education of compliance with private school approval requirements under chapter 28A.190 RCW and chapter 180-90 WAC shall be prerequisite to a private school's application to the state board of education for accreditation under WAC 180-55-015 (3)(b).

(2) **Standard accreditation - six years**, shall be granted to a school after a satisfactory external appraisal of the school's self-review activities ((~~and~~)), school improvement plan ((~~or~~)), and continuous improvement process, and approval by the state board of education of the appraisal findings and recommendations by the ((~~superintendent of public instruction under WAC 180-55-030~~)) external site appraisal team.

(3) **Conditional accreditation - one year**, for a school where the external appraisal identifies omissions, inaccuracies or weaknesses in the building's self-review activities, or school improvement plan or continuous improvement process.

(4) **Application.** Application for school accreditation shall be made to the state board of education or other body or entity designated by the state board of education. Such application shall be submitted jointly by the appropriate officials of the school and school district, or private school and governing board ((~~in the case of private schools~~)), in accordance with procedures and timelines established by the state board of education.

(5)(a) **External appraisal.** The state ((~~superintendent of public instruction~~)) board of education, or other body or entity designated by the state board of education, shall direct an external appraisal program for school accreditation purposes. The state ((~~superintendent~~)) board may place yearly limits on the number of schools that may participate in the external appraisal program. The external appraisal shall be conducted by persons external to the school and district. The external site appraisal team shall include, but is not limited to, certificated teachers and administrators who may earn continuing education clock hours pursuant to WAC 180-85-033(2).

(b) The external appraisal shall focus on the provisions of WAC 180-16-220 (2)(b), (c) and (d), and 180-55-005(1). The appraisal shall ((~~give weight to the district's school approval process and~~)) focus on((~~, but not be restricted to,~~)) an appraisal of the ((~~progress and impact of~~)) school's self-review activities, the school's improvement plan ((~~or~~)) and its progress and impact, in particular relating to WAC 180-55-005 (1)(c), and the school's continuous improvement process.

AMENDATORY SECTION (Amending WSR 02-18-056, filed 8/28/02, effective 9/28/02)

WAC 180-55-034 Temporary extension of accreditation status. (1) The state board of education may, in its discretion, grant to a school an extension of its accreditation status for a period not to exceed two school years under the following conditions:

(a) Staffing and resources directly or indirectly available to the state board for administration of the accreditation program are insufficient to timely process applications for accreditation under regular procedures;

(b)(i) The school has current accredited status through the state board accreditation ((~~process~~)) option; or

(ii) The school has current accredited status through the Northwest Association of Schools((~~, Colleges and Universities~~)) (NAS((~~CU~~))) accreditation ((~~process~~)) option and desires to switch to the state board ((~~process~~)) option upon termination of the validity period of its NAS((~~CU~~)) accreditation; or

(iii) The school began the process for first-time accreditation or renewal accreditation, using the state board of education accreditation option, before January 1, 2001.

(2) In order to be considered for a temporary extension of accredited status, a school must submit to the state board a written request for an extension, signed by the building principal.

((~~(3) This section shall expire June 30, 2003, unless program staffing and funding support issues are not resolved.~~))

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 180-55-150	Standards and criteria study and report.

WSR 03-23-028
PROPOSED RULES
STATE BOARD OF EDUCATION
[Filed November 12, 2003, 11:58 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 03-10-016 [03-18-052].

Title of Rule: WAC 180-78A-270 Approval standard—Knowledge and skills.

Purpose: The proposed amendment to this rule will require candidates for a residency teacher certificate to have completed a draft professional growth plan in order for a college/university to verify an individual has completed a teacher preparation program.

Statutory Authority for Adoption: RCW 28A.410.010.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Larry Davis, State Board of Education, Olympia, (360) 725-6024.

Name of Proponent: State Board of Education.

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. Not applicable.

RCW 34.05.328 does not apply to this rule adoption. Not applicable.

Hearing Location: Olympia School District Administration Building, 1113 Legion Way S.E., Olympia, WA 98501-1967, on January 15, 2004, at 8:30 a.m.

Assistance for Persons with Disabilities: Contact Laura Moore by January 2, 2004, TDD (360) 664-3631 or (360) 725-6027.

Submit Written Comments to: Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, fax (360) 586-2357, by January 2, 2004.

Date of Intended Adoption: January 16, 2004.

November 6, 2003
Larry Davis
Executive Director

AMENDATORY SECTION (Amending WSR 02-18-037, filed 8/26/02, effective 9/26/02)

WAC 180-78A-270 Approval standard—Knowledge and skills. Building on the mission to prepare educators who demonstrate a positive impact on student learning based on the Improvement of Student Achievement Act of 1993 (1209), the following evidence shall be evaluated to determine whether each preparation program is in compliance with the program approval standards of WAC 180-78A-220(5):

(1) **TEACHER.** Teacher candidates will complete a well-planned sequence of courses and/or experiences in which they acquire and apply knowledge about:

Foundational knowledge

(a) The state learning goals and essential academic learning requirements.

(b) The subject matter content for the area(s) they teach, including relevant methods course work and the knowledge and skills for each endorsement area for which the candidate is applying (chapter 180-82 WAC).

(c) The social, historical, and philosophical foundations of education, including an understanding of the moral, social, and political dimensions of classrooms, teaching, and schools.

(d) The impact of technological and societal changes on schools.

(e) Theories of human development and learning.

(f) Inquiry and research.

(g) School law and educational policy.

(h) Professional ethics.

(i) The responsibilities, structure, and activities of the profession.

(j) 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.

(k) The standards, criteria and other requirements for obtaining the professional certificate, including a draft professional growth plan.

Effective teaching

(l) Research and experience-based principles of effective practice for encouraging the intellectual, social, and personal development of students.

(m) Different student approaches to learning for creating instructional opportunities adapted to learners of both sexes and from diverse cultural or linguistic backgrounds.

(n) Areas of exceptionality and learning — including, but not limited to, learning disabilities, visual and perceptual difficulties, and special physical or mental challenges.

(o) Effective instructional strategies for students at all levels of academic abilities and talents with an awareness of the influence of culture and gender on student learning.

(p) Instructional strategies for developing reading, writing, critical thinking, and problem solving skills.

(q) The prevention and diagnosis of reading difficulties and research-based intervention strategies.

(r) Classroom management and discipline, including:

(i) Individual and group motivation for encouraging positive social interaction, active engagement in learning, and self-motivation.

(ii) Effective verbal, nonverbal, and media communication for fostering active inquiry, collaboration, and supportive interactions in the classroom.

(s) Planning and management of instruction based on knowledge of the content area, the community, and curriculum goals.

(t) Formal and informal assessment strategies for evaluating and ensuring the continuous intellectual, social, and physical development of the learner.

(u) Collaboration with school colleagues, parents, and agencies in the larger community for supporting students' learning and well-being.

(v) Effective interactions with parents to support students' learning and well-being.

Professional development

(w) The opportunity for candidates to reflect on their teaching and its effects on student growth and learning.

(x) Educational technology including the use of computer and other technologies in instruction, assessment and professional productivity.

(y) Strategies for effective participation in group decision making.

(2) **PRINCIPAL AND PROGRAM ADMINISTRATOR.**

(a) Effective August 31, 1997, through August 31, 2004, principal and program administrator candidates, in order to support student achievement of the state learning goals and essential academic learning requirements, will complete a well-planned sequence of courses and/or experiences in an approved preparation program which shall include:

(i) Specific performance domains. An approved preparation program shall require the candidate to demonstrate in course work and the internship the following:

(A) **Leadership:** Formulating goals with individuals or groups; initiating and maintaining direction with groups and guiding them to the accomplishment of tasks; setting priorities for one's school in the context of community and district priorities and student and staff needs; integrating own and others' ideas for task accomplishment; initiating and planning organizational change.

(B) **Information collection:** Gathering data, facts, and impressions from a variety of sources about students, parents, staff members, administrators, and community members; seeking knowledge about policies, rules, laws, precedents, or practices; managing the data flow; classifying and organizing information for use in decision making and monitoring.

(C) **Problem analysis:** Identifying the important elements of a problem situation by analyzing relevant information; framing problems; identifying possible causes; identifying additional needed information; framing and reframing possible solutions; exhibiting conceptual flexibility; assisting others to form reasoned opinions about problems and issues.

(D) **Judgment:** Reaching logical conclusions and making high quality, timely decisions given the best available information.

(E) **Organizational oversight:** Planning and scheduling one's own and others' work so that resources are used appropriately, and short-term and long-term priorities and goals are met; monitoring projects to meet deadlines.

(F) **Implementation:** Making things happen; putting programs and plans into action; applying management technologies; applying methods of organizational change including collaborative processes; facilitating tasks; establishing progress checkpoints; considering alternative approaches; providing "mid-course" corrections when actual outcomes start to diverge from intended outcomes; adapting to new conditions.

(G) **Delegation:** Assigning projects or tasks together with clear authority to accomplish them and responsibility for their timely and acceptable completion.

(H) **Instructional program:** Envisioning and enabling instructional and auxiliary programs for the improvement of teaching and learning; recognizing the developmental needs of students; insuring appropriate instructional methods that address students' gender and cultural differences; designing positive learning experiences; accommodating differences in cognition and achievement; mobilizing the participation of appropriate people or groups to develop these programs and to establish a positive learning environment.

(I) **Curriculum design:** Interpreting school district curricula; planning and implementing with staff a framework for instruction that shall include the implementation of the state learning goals and essential academic learning requirements; initiating needs analyses and monitoring social and technological developments as they affect curriculum; responding to international content levels; adjusting content as needs and conditions change.

(J) **Student guidance and development:** Providing for student guidance, counseling, and auxiliary services; utilizing community organizations; responding to family needs; enlisting the participation of appropriate people and groups to design and conduct these programs and to connect schooling with plans for adult life; planning for a comprehensive program of student activities.

(K) **Staff development:** Identifying with participants the professional needs of individuals and groups; planning and organizing programs to improve staff effectiveness; supervising individuals and groups; engaging staff and others to plan and participate in recruitment and development; initiating self-development.

(L) **Measurement and evaluation:** Determining what diagnostic information is needed about students, staff, and the school environment; examining the extent to which outcomes meet or exceed previously defined standards, goals, or priorities for individuals or groups; drawing inferences for program revisions; interpreting measurements or evaluations for others; relating programs to desired outcomes; developing equivalent measures of competence.

(M) **Resource allocation:** Planning and developing the budget with appropriate staff; seeking, allocating, and adjusting fiscal, human, and material resources; utilizing the physical plant; monitoring resource use and reporting results.

(N) **Motivating others:** Building commitment to a course of action; creating and channeling the energy of self and others; planning and encouraging participation; supporting innovation; recognizing and rewarding effective performance; providing coaching, guidance, or correction for performance that needs improvement; serving as a role model.

(O) **Sensitivity:** Perceiving the needs and concerns of others; dealing with others tactfully; working with others in emotionally stressful situations or in conflict; managing conflict; obtaining feedback; recognizing multicultural sensibilities.

(P) **Oral expression:** Making oral presentations that are clear and easy to understand; clarifying and restating questions; responding, reviewing, and summarizing for groups; utilizing appropriate communicative aids; adapting for audiences.

(Q) **Written expression:** Expressing ideas clearly in writing; writing appropriately for different audiences such as students, teachers, and parents; preparing brief memoranda.

(R) **Philosophical and cultural values:** Acting with a reasoned understanding of the role of education in a democratic society and in accord with accepted ethical standards; recognizing philosophical and historical influences in education; reflecting an understanding of American culture, including current social and economic issues related to education; recognizing global influences on students and society.

(S) **Legal and regulatory applications:** Acting in accordance with relevant federal and Washington state laws, rules, and policies; recognizing governmental influences on education; working within local rules, procedures, and directives; administering contracts.

(T) **Policy and political influences:** Identifying relationships between public policy and education; recognizing policy issues; examining and affecting policies individually and through professional and public groups; relating policy initiatives to the welfare of students; addressing ethical issues.

(U) **Public and media relationships:** Developing common perceptions about school issues; interacting with parental and community opinion leaders; understanding and responding skillfully to the electronic and printed news media; initiating and reporting news through appropriate channels; enlisting public participation; recognizing and providing for market segments.

(ii) Performance assessment. An approved preparation program for principals shall require that prior to the internship each candidate shall engage in a performance assessment through a process determined by each preparation program. The results of this assessment shall be utilized by the college/university supervisor, the cooperating principal, and the principal candidate to cooperatively design the internship plan.

(b) Effective September 1, 2004, principal and program administrator candidates, in order to support student achievement of the state learning goals and essential academic learning requirements, will complete formalized learning opportunities, including an internship, in an approved program that includes:

(i) Successful demonstration of standards. A school administrator is an educational leader who promotes the success of all students by:

(A) Facilitating the development, articulation, implementation, and stewardship of a vision of learning that is shared and supported by the school community;

(B) Advocating, nurturing, and sustaining a school culture and instructional program conducive to student learning and staff professional growth;

(C) Ensuring management of the organization, operations, and resources for a safe, efficient, and effective learning environment;

(D) Collaborating with families and community members, responding to diverse community interests and needs, and mobilizing community resources;

(E) Acting with integrity, fairness, and in an ethical manner; and

(F) Understanding, responding to, and influencing the larger political, social, economic, legal and cultural context.

(ii) Performance assessment. An approved preparation program for principals shall require that each candidate engage in an assessment process using the standards-based benchmarks approved by the state board of education and published by the office of the superintendent of public instruction. The benchmarks may not be changed without prior state board approval. All candidates shall exit the residency certificate program with a draft professional growth plan.

(3) **SUPERINTENDENT.** Superintendent candidates, in order to support student achievement of the state learning goals and essential academic learning requirements, will complete a well-planned sequence of courses and/or experiences in an approved preparation program for superintendents which shall include specific performance domains for superintendents. An approved preparation program for superintendents shall require the candidate to demonstrate in course work and the internship the following:

(a) **Strategic leadership:** The knowledge, skills and attributes to identify contexts, develop with others vision and purpose, utilize information, frame problems, exercise leadership processes to achieve common goals, and act ethically for educational communities. This includes:

(i) Professional and ethical leadership.

(ii) Information management and evaluation.

(b) **Instructional leadership:** The knowledge, skills and attributes to design with others appropriate curricula and instructional programs which implement the state learning goals and essential academic learning requirements, to develop learner centered school cultures, to assess outcomes, to provide student personnel services, and to plan with fac-

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ulty professional development activities aimed at improving instruction. This includes:

(i) Curriculum, instruction, supervision, and learning environment.

(ii) Professional development and human resources.

(iii) Student personnel services.

(c) **Organizational leadership:** The knowledge, skills and attributes to understand and improve the organization, implement operational plans, manage financial resources, and apply decentralized management processes and procedures. This includes:

(i) Organizational management.

(ii) Interpersonal relationships.

(iii) Financial management and resource allocation.

(iv) Technology and information system.

(d) **Political and community leadership:** The knowledge, skills and attributes to act in accordance with legal provisions and statutory requirements, to apply regulatory standards, to develop and apply appropriate policies, to be conscious of ethical implications of policy initiatives and political actions, to relate public policy initiatives to student welfare, to understand schools as political systems, to involve citizens and service agencies, and to develop effective staff communications and public relations programs. This includes:

(i) Community and media relations.

(ii) Federal and Washington state educational law, public policy and political systems.

(4) **SCHOOL COUNSELOR.** School counselor candidates, in order to support student achievement of the state learning goals and essential academic learning requirements, will complete a well-planned sequence of courses and/or experiences in which they acquire and apply knowledge about:

(a) Human growth and development (studies that provide an understanding of the nature and needs of individuals at all developmental levels).

(b) Social and cultural foundations (studies that provide an understanding of issues and trends in a multicultural and diverse society).

(c) Helping relationships (studies that provide an understanding of counseling and consultation processes).

(d) Group work (studies that provide an understanding of group development, dynamics, counseling theories, group counseling methods and skills, and other group work approaches).

(e) Career and lifestyle development (studies that provide an understanding of career development and related life factors).

(f) Appraisal (studies that provide an understanding of individual and group approaches to assessment and evaluation), including assessment of the state learning goals and essential academic learning requirements.

(g) Research and program evaluation (studies that provide an understanding of types of research methods, basic statistics, and ethical and legal considerations in research).

(h) Professional orientation (studies that provide an understanding of all aspects of professional functioning including history, roles, organizational structures, ethics, standards, and credentialing).

(i) Foundations of school counseling including:

(i) History, philosophy, and trends in school counseling;

(ii) Role and function of the school counselor in conjunction with the roles of the professional and support personnel in the school;

(iii) Knowledge of the school setting and curriculum including the state learning goals and essential academic learning requirements;

(iv) Ethical standards and guidelines of the American School Counselor Association (ASCA);

(v) State and federal policies, laws, and legislation relevant to school counseling; and

(vi) Implications of sociocultural, demographic, and lifestyle diversity relevant to school counseling.

(j) Studies that provide an understanding of the coordination of counseling program components as they relate to the total school community including:

(i) Referral of children and adolescents for specialized help;

(ii) Coordination efforts with resource persons, specialists, businesses, and agencies outside the school to promote program objectives;

(iii) Methods of integration of guidance curriculum in the total school curriculum;

(iv) Promotion of the use of counseling and guidance activities and programs by the total school community to enhance a positive school climate; and

(v) Methods of planning and presenting guidance-related educational programs for school personnel and parents.

(k) Theory, knowledge and skills for the practice of school counseling including:

(i) Program development, implementation and evaluation. Studies in this area include:

(A) Use of surveys, interviews, and needs assessments;

(B) Design, implementation and evaluation of a comprehensive, developmental school program;

(C) Implementation and evaluation of specific strategies designed to meet program goals and objectives;

(D) Preparation of a counseling schedule reflecting appropriate time commitments and priorities in a developmental school counseling program; and

(E) Use of appropriate technology and information systems.

(ii) Counseling and guidance. Studies in this area include:

(A) Individual and group counseling and guidance approaches appropriate for the developmental stage and needs of children and adolescents;

(B) Group guidance approaches that are systematically designed to assist children and adolescents with developmental tasks;

(C) Approaches to peer helper programs;

(D) Issues which may affect the development and function of children and adolescents (e.g., abuse, eating disorders, attention deficit hyperactivity disorder, exceptionality, substance abuse, violence, suicide, dropout);

(E) Developmental approaches to assist students and parents at points of educational transition (e.g., postsecondary education, career and technical education, and career options);

(F) Crisis intervention and referral; and

(G) System dynamics, including family, school, community, etc.

(iii) Consultation. Studies in this area shall include:

(A) Methods of enhancing teamwork within the school community; and

(B) Methods of involving parents, teachers, administrators, support staff and community agency personnel.

(5) **SCHOOL PSYCHOLOGIST.** School psychologist candidates, in order to support student achievement of the state learning goals and essential academic learning requirements, will complete a well-planned sequence of courses and/or experiences in which they acquire and apply knowledge about:

(a) Knowledge of the field. The candidate has knowledge and skill in relevant fields of study, including:

(i) Learning theory.

(ii) Personality theory and development.

(iii) Individual and group testing and assessment.

(iv) Individual and group counseling and interviewing theory and techniques.

(v) Basic statistics.

(vi) Child development.

(vii) Exceptional children.

(viii) Social and cultural factors.

(ix) Deviant personality.

(x) Curriculum, including the state learning goals and essential academic learning requirements.

(xi) Research design.

(xii) Physiological and biological factors.

(b) Assessment and diagnosis. The candidate has knowledge and skill necessary to select, administer, score, and interpret instruments and techniques in the following areas:

(i) Intellectual and cognitive assessment.

(ii) Individual and group academic skills: Standardized norm-referenced and criteria-referenced measurements and curriculum-based measurements.

(iii) Personality assessment.

(iv) Assessment of perceptual skills.

(v) Assessment of adaptive behavior; assessment of language skills.

(c) Behavioral observation and analysis. The candidate has knowledge and skill in behavior observation, including:

(i) Data taking.

(ii) Frequency measures.

(iii) Qualitative and quantitative analysis of classroom behavior.

(iv) Developmental and personality analysis, including perceptual, cognitive, social, and affective and language development in children.

(d) Counseling and interviewing. The candidate has the knowledge and skill necessary to:

(i) Provide individual and group counseling to students and parents.

(ii) Conduct interviews essential to information collecting from parents, teachers, and other professionals.

(e) Program development. The candidate has the knowledge and skill to make educational prescriptions, including specification of remedial environmental changes, both curricular and behavioral, for a particular student.

(f) Consultation. The candidate has the knowledge and skill to:

(i) Function on multidisciplinary teams in evaluating and placing students.

(ii) Confer with and make recommendations to parents, specialists, teachers, referral personnel, and others relative to student's characteristics and needs in the educational and home environments.

(g) Program evaluation and recordkeeping. The candidate has the knowledge and skill necessary to develop and implement program evaluation and maintain required records.

(h) Professionalism. The candidate has knowledge of professional standards regarding ethical and legal practices relevant to the practice of school psychology. The candidate demonstrates knowledge and skill in written and oral reporting of assessment and remedial recommendations which will meet ethical and legal standards.

(i) Research. The candidate has knowledge and skill to:

(i) Evaluate and perform research.

(ii) Apply school-oriented research.

(iii) Construct criterion-referenced instruments with reference to such educational decisions as:

(A) Retention in grade.

(B) Acceleration and early entrance.

(C) Early entrance.

(6) **SCHOOL SOCIAL WORKER.** School social worker candidates, in order to support student achievement of the state learning goals and essential academic learning requirements, will complete a well-planned sequence of courses and/or experiences in which they acquire and apply knowledge about:

(a) Knowledge for social work practice. The candidate has knowledge and skills in relevant fields of study including:

(i) Values.

(A) Knowledge of profession including values, skills, and ethics; and

(B) National Association of Social Workers (NASW) Code of Ethics and school social work guidelines for practice.

(ii) Human behavior and the social environment.

(A) Community theory and community change (e.g., community organization and development, social planning, networking, and case management);

(B) Systems and organizational theory (e.g., school as a bureaucracy);

(C) Social disorganization (e.g., poverty, family and community violence, unemployment, addictions, multiple losses), and context of family in a changing society;

(D) Family dynamics and theories of family therapy;

(E) Human/child growth and development;

(F) Diverse populations of: Race, culture, social class, life style, age, gender and the disabled;

(G) Theories of personality; and

(H) Use of computer technology for social work practice.

(b) Service delivery and program development. The candidate will have knowledge and skills in the following activities:

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(i) Direct practice.

(A) Referring, developing, and coordinating resources and services in the local education agency and community;

(B) Knowledge and skills related to families;

(C) Case management;

(D) Working with vulnerable and "hard to reach" individuals and families, including those from diverse populations;

(E) Crisis intervention, conflict resolution, stress management and decision-making skills;

(F) Individual and group counseling to improve students' self-knowledge and interactional skills for personal empowerment;

(G) Interviewing and counseling students in relation to social-personal problems adjudged to be impairing student's ability to learn;

(H) Family interventions including parent education; referral to resources; family counseling;

(I) Teaching children communication and interpersonal relationship skills through individual/group/classroom interventions;

(J) Collaborating and consulting with parents and community to assure readiness to learn for all students;

(K) Multidimensional assessment of student's social-emotional adjustment, adaptive behaviors, individual strengths, and environmental assets;

(L) Intervention case planning processes; and

(M) Career and academic guidance to students in their school to work transitions.

(ii) Indirect practice.

(A) Liaison and facilitator between and among home, school and community;

(B) Collaborate and consult with other educational staff to assure student progress;

(C) Use computer technology for practice and efficiency;

(D) Develop strategies for increased parental and community involvement with the school;

(E) Develop programs of remediation for students and their families;

(F) Design, coordinate and facilitate programs such as suicide prevention, truancy and drop-out prevention, and prevention of teenage pregnancy;

(G) Provide staff development programs;

(H) Work collaboratively with educational staff to develop programs to address school-community identified needs; and

(I) Function as change agents.

(c) Research and evaluation. The candidate will have necessary skills and knowledge to:

(i) Collect and interpret data in order to evaluate student, school, and community needs;

(ii) Evaluate own practice;

(iii) Become consumer of research findings;

(iv) Understand use of program evaluation methods; and

(v) Utilize computer technology for research and evaluation.

(d) Context for educational system. The candidate will have necessary knowledge and skills to apply the following:

(i) State learning goals and essential academic learning requirements;

(ii) Theories of learning;

(iii) School law and professional ethics;

(iv) Computer technology in the workplace; and

(v) Understanding of policies, laws, and procedures.

WSR 03-23-029
PROPOSED RULES
STATE BOARD OF EDUCATION
[Filed November 12, 2003, 12:00 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 03-18-051.

Title of Rule: WAC 180-78A-100 Existing approved programs.

Purpose: The purpose of the proposed language is to remind the board to take into consideration the partnership agreement between Washington state and the National Council for the Accreditation of Teacher Education (NCATE), as that agreement relates to the NCATE seven years accreditation cycle vis-a-vis the state board's five years program approval cycle.

Statutory Authority for Adoption: RCW 28A.305.130 and 28A.410.010.

Summary: Teacher preparation programs will be reviewed on a seven-year cycle.

Reasons Supporting Proposal: To collaborate with the National Council for the Accreditation of Teacher Education and be on the same review cycle.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Larry Davis, State Board of Education, Olympia, (360) 725-6024.

Name of Proponent: State Board of Education, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: In determining the schedule for site visits, the State Board of Education will consider the partnership agreement between the state and the National Council for the Accreditation of Teacher Education (NCATE) related to the NCATE seven years accreditation cycle.

Proposal Changes the Following Existing Rules: Amends rules to change state board's program approval cycle to seven years.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not applicable.

RCW 34.05.328 does not apply to this rule adoption. Not applicable.

Hearing Location: Olympia School District, 1113 Legion Way S.E., Olympia, WA 98501-1967, on January 15, 2004, at 8:30 a.m.

Assistance for Persons with Disabilities: Contact Laura Moore by January 2, 2004, TTY (360) 664-3631 or (360) 725-6027.

Submit Written Comments to: Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, fax (360) 586-2357, by January 2, 2004.

Date of Intended Adoption: January 16, 2004.

October 31, 2003
Larry Davis
Executive Director

AMENDATORY SECTION (Amending WSR 02-18-037, filed 8/26/02, effective 9/26/02)

WAC 180-78A-100 Existing approved programs. Chapter 180-78A WAC rules shall govern all policies related to programs upon adoption by the state board of education, which shall provide assistance to colleges and universities in the revision of their existing programs.

(1) All professional education programs shall be reviewed for approval under the 1997 program approval standards of chapter 180-78A WAC by August 31, 2000. Colleges and universities may permit individuals accepted into preparation programs on or before August 31, 2000, to obtain certification by meeting requirements of programs approved under approval standards described in chapter 180-78 WAC if the individuals complete the program on or before August 31, 2003, and the college or university verifies program completion to the superintendent of public instruction on or before December 31, 2003: Provided, That the state board of education or its designee may waive this deadline on a case-by-case basis.

(2) All principal/program administrator programs shall be reviewed for approval under the 2002 program approval standards of chapter 180-78A WAC by August 31, 2004. Colleges and universities may permit individuals accepted into principal/program administrator programs on or before August 31, 2004, to obtain certification by meeting requirements of programs approved under 1997 approval standards described in chapter 180-78A WAC if the individuals complete the program on or before August 31, 2006, and the college or university verifies program completion to the superintendent of public instruction on or before December 31, 2006. Provided, That the state board of education or its designee may waive this deadline on a case-by-case basis.

(3) Institutions shall be given at least one year notification prior to a state board of education review for compliance with these standards: Provided, That if an institution requests a visit with less than a year's notice, the state board of education shall consider that request.

(4) The state board of education shall determine the schedule for such approval reviews and whether an on-site visit or other forms of documentation and validation shall be used for the purposes of granting approval under the 1997 program approval standards. In determining the schedule for site visits, the board shall take into consideration the partnership agreement between the state and the National Council for the Accreditation of Teacher Education (NCATE) as such agreement relates to the NCATE accreditation cycle of seven years.

(5) Each institution shall submit its program for review when requested by the state board of education to ensure that the program meets the state's program approval standards and to provide assessment data relative to the performance standards to the state board of education for the year prior to the site visit.

(6) Institutions seeking National Council for the Accreditation of Teacher Education, Council for Accreditation of Counseling and Related Education Programs, and National Association of School Psychologist accreditation may request from the state board of education approval for concurrent site visits which would utilize the same documentation with the exception of material submitted by the institution to the state for the professional education advisory boards and the accountability standards.

(7) In submitting a request for approval under these standards, the approved program shall provide a description of the criteria that the program will use to assess, in multiple ways, over time, its certification candidates' knowledge and skills, including, where appropriate, evidence related to positive impact on student learning. Based on the documentation submitted and/or an on-site visit, the state board of education shall grant approval or request specific revisions that need to be made in order to obtain state board of education approval.

PROPOSED

WSR 03-23-030
PROPOSED RULES
STATE BOARD OF EDUCATION
[Filed November 12, 2003, 12:01 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 03-18-049.

Title of Rule: WAC 180-51-061 Minimum requirements for high school graduation.

Purpose: The purpose is to change the "title" of the High School + Education Plan to properly communicate the dual nature of the plan requirement: What it will take to earn the diploma (first); and what the student expects to do the year following graduation. The new title proposed is: High School and Beyond Plan.

Statutory Authority for Adoption: RCW 28A.230.090.

Summary: Change title to High School and Beyond Plan.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Larry Davis, State Board of Education, Olympia, (360) 725-6024.

Name of Proponent: State Board of Education.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule outlines the state of Washington minimum high school graduation requirements.

Proposal Changes the Following Existing Rules: Changes title in language from High School + Education Plan to High School and Beyond Plan.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not applicable.

RCW 34.05.328 does not apply to this rule adoption. Not applicable.

PROPOSED

Hearing Location: Olympia School District, 1113 Legion Way S.E., Olympia, WA 98501-1967, on January 15, 2004, at 8:30 a.m.

Assistance for Persons with Disabilities: Contact Laura Moore by January 2, 2004, TTY (360) 664-3631 or (360) 725-6027.

Submit Written Comments to: Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, fax (360) 586-2357, by January 2, 2004.

Date of Intended Adoption: January 16, 2004.

October 31, 2003
Larry Davis
Executive Director

AMENDATORY SECTION (Amending WSR 01-13-114, filed 6/20/01, effective 7/21/01)

WAC 180-51-061 Minimum requirements for high school graduation. (1) The statewide minimum subject areas and credits required for high school graduation, beginning July 1, 2004, for students who enter the ninth grade or begin the equivalent of a four-year high school program, shall be as listed below.

(2) State board of education approved private schools under RCW 28A.305.130(6) may, but are not required to, align their curriculums with the state learning goals under RCW 28A.150.210 or the essential academic learning requirements under RCW 28A.665.060.

Subject Area	Essential Content	Minimum State Credits[1]	Assessment Includes
English • Reading • Writing • Communications (Student Learning Goal 1)	The Essential Academic Learning Requirements through benchmark three, plus content that is determined by the district to be beyond benchmark three level content	3	Secondary WASL[2] (beginning 2008)
Mathematics (Student Learning Goal 2)	The Essential Academic Learning Requirements through benchmark three, plus content that is determined by the district to be beyond benchmark three level content	2	Secondary WASL[2] (beginning 2008)
Science • Physical • Life • Earth (Student Learning Goal 2)	The Essential Academic Learning Requirements through benchmark three, plus content that is determined by the district to be beyond benchmark three level content At least one credit in laboratory science, which shall be defined locally	2	The assessment of achieved competence in this subject area remains at the local level[5]
Social Studies • Civics • History • Geography (Student Learning Goal 2)	The Essential Academic Learning Requirements through benchmark three, plus content that is determined by the district to be beyond benchmark three level content U.S. history and government, Washington state history and government, and including study of the U.S. and Washington state Constitutions[3] Contemporary world history, geography, and problems[4]	2.5	The assessment of achieved competence in this subject area remains at the local level[5]

Subject Area	Essential Content	Minimum State Credits[1]	Assessment Includes
Health and Fitness[6] (Student Learning Goal 2)	The Essential Academic Learning Requirements through benchmark three, plus content that is determined by the district to be beyond benchmark three level content	2	The assessment of achieved competence in this subject area remains at the local level[5]
Arts (Student Learning Goal 2)	The Essential Academic Learning Requirements through benchmark three, plus content that is determined by the district to be beyond benchmark three level content May be satisfied in the visual or performing arts	1	The assessment of achieved competence in this subject area remains at the local level[5]
Occupational Education	"Occupational education" means credits resulting from a series of learning experiences designed to assist the student to acquire and demonstrate competency of skills under student learning goal four and which skills are required for success in current and emerging occupations. At a minimum, these competencies shall align with the definition of an exploratory course as proposed or adopted in the career and technical education program standards of the superintendent of public instruction.	1	The assessment of achieved competence in this subject area remains at the local level[5]
Electives[7]	See footnote #7	5.5	The assessment of achieved competence in this subject area remains at the local level[5]
TOTAL		19	
Culminating Project[8]	See footnote #8		The assessment of achieved competence in this subject area remains at the local level[5]
High School ((~~+ Education~~)) <u>and Beyond</u> Plan[9]	See footnote #9		The assessment of achieved competence in this subject area remains at the local level[5]

1 See WAC 180-51-050 for definition of high school credit.

2 See WAC 180-51-063 for effective date.

3 The study of Washington state history and government is encouraged to include information on the culture, history, and government of the American Indian people who were the first inhabitants of the state. The study of the U.S. and Washington state Constitutions shall not be waived, but may be fulfilled through an alternative learning experience approved by the school principal pursuant to written district policy. Secondary school students who have completed and passed a state history and government course of study in another state may have the Washington state history and

government requirement waived by their principal. For purposes of the Washington state history and government requirement only, the term "secondary school students" shall mean a student who is in one of the grades seven through twelve.

4 Courses in economics, sociology, civics, political science, international relations, or related courses with emphasis on current problems may be accepted as equivalencies.

5 Locally determined assessment means whatever assessment or assessments, if any, the district determines are necessary.

6 The fitness portion of the requirement shall be met by course work in fitness education. The content of fitness courses shall be determined locally pursuant to WAC 180-51-025. Suggested fitness course outlines shall be developed by the office of the superintendent of public instruction. Students may be excused from the physical portion of the fitness requirement pursuant to RCW 28A.230.050. Such excused students shall be required to substitute equivalency credits in accordance with policies of boards of directors of districts, including demonstration of the knowledge portion of the fitness requirement. "Directed athletics" shall be interpreted to include community-based organized athletics.

7 Study in a world language other than English or study in a world culture may satisfy any or all of the required electives.

8 Each student shall complete a culminating project for graduation. The project consists of the student demonstrating both their learning competencies and preparations related to learning goals three and four. Each district shall define the process to implement this graduation requirement, including assessment criteria, in written district policy.

9 Each student shall have an education plan for their high school experience, including what they expect to do the year following graduation.

WSR 03-23-031
PROPOSED RULES
STATE BOARD OF EDUCATION
[Filed November 12, 2003, 12:03 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 03-19-018.

Title of Rule: WAC 180-24-225 Frequency of petitions—Limitations.

Purpose: The purpose of the proposed amendment is to balance the right of citizens to seek a transfer of territory and the impacts on the district and other district residents.

Statutory Authority for Adoption: Chapter 28A.315 RCW.

Summary: See Purpose above.

Reasons Supporting Proposal: At least one district is incurring repeated time, effort, and resource costs to respond to petitions involving some or all of territory included in a previous petition.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Larry Davis, State Board of Education, Olympia, (360) 725-6024.

Name of Proponent: State Board of Education, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: RCW 28A.315.195(4) authorizes the State Board of Education to establish rules limiting the frequency of petitions that may be filed pertaining to territory in whole or in part in a previous petition.

Proposal Changes the Following Existing Rules: The new section will establish a petition frequency limitation.

No small business economic impact statement has been prepared under chapter 19.85 RCW.

RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: Olympia School District, 1113 Legion Way S.E., Olympia, WA 98501-1967, on January 15, 2004, at 8:30 a.m.

Assistance for Persons with Disabilities: Contact Laura Moore by January 2, 2004, TTY (360) 664-3631 or (360) 725-6027.

Submit Written Comments to: Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, fax (360) 586-2357, by January 2, 2004.

Date of Intended Adoption: January 16, 2004.

October 31, 2003
Larry Davis
Executive Director

NEW SECTION

WAC 180-24-225 Frequency of petitions—Limitation. (1) The authority for this section is RCW 28A.315.195(4) which authorizes the state board of education to establish rules limiting the frequency of petitions that may be filed pertaining to territory included in whole or in part in a previous petition.

(2) An educational service district superintendent may not accept a petition to transfer territory if any portion of such territory was included in a previous petition brought before the regional committee, unless five years have expired since the date of final disposition of the previous petition.

WSR 03-23-032
PROPOSED RULES
STATE BOARD OF EDUCATION
[Filed November 12, 2003, 12:06 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 03-10-016 [03-10-076].

Title of Rule: WAC 180-78A-507 Overview—Principal/program administrator professional certificate program.

Purpose: The proposed amendments to this rule will clarify the requirements for the program administrator professional certificate.

Statutory Authority for Adoption: RCW 28A.410.010.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Larry Davis, State Board of Education, Olympia, (360) 725-6024.

Name of Proponent: State Board of Education.

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. Not applicable.

RCW 34.05.328 does not apply to this rule adoption. Not applicable.

Hearing Location: Olympia School District Administration Building, 1113 Legion Way S.E., Olympia, WA 98501-1967, on January 15, 2004, at 8:30 a.m.

Assistance for Persons with Disabilities: Contact Laura Moore by January 2, 2004, TDD (360) 664-3631 or (360) 725-6027.

Submit Written Comments to: Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, fax (360) 586-2357, by January 2, 2004.

Date of Intended Adoption: January 16, 2004.

November 2, 2003
Larry Davis
Executive Director

AMENDATORY SECTION (Amending WSR 02-18-037, filed 8/26/02, effective 9/26/02)

WAC 180-78A-507 Overview—Principal/program administrator professional certificate program. By September 1, 2004, all colleges and universities offering a professional certificate program for principals/program administrators must be in compliance with the new program standards. To obtain a professional certificate, the residency principal((~~/program administrator~~)) will need to complete a state board of education approved professional certificate program, have satisfactory district evaluations for an administrator role, and document three contracted school years of employment as a principal or assistant principal; the residency program administrator will need to complete a state board of education approved professional certificate program and have satisfactory district evaluations for an administrator role.

The professional certificate requires successful demonstration of six standards at the professional certification benchmark levels, or above, and the candidate will need to provide evidence that he/she has had a positive impact on student learning.

The candidate and college or university shall develop an individual professional growth plan to be reviewed and agreed upon after input from and consultation and collaboration with his/her professional growth team. The individual growth plan shall address the six knowledge and skills standards, focus on activities that enhance student learning, and be informed by the performance evaluation process, and an analysis of the administrative context and assignment.

WSR 03-23-033
PROPOSED RULES
STATE BOARD OF EDUCATION
[Filed November 12, 2003, 12:07 p.m.]

PROPOSED

Original Notice.

Preproposal statement of inquiry was filed as WSR 03-10-016 [03-10-076].

Title of Rule: WAC 180-79A-257 Out-of-state candidates.

Purpose: Amendments to this rule will require individuals applying from out-of-state for a Washington residency teacher certificate to meet all requirements for the residency certificate including testing requirements. They will also require individuals from out-of-state applying for a professional teacher certificate to meet all requirements for the residency certificate including all testing requirements.

Statutory Authority for Adoption: RCW 28A.410.010.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Larry Davis, State Board of Education, Olympia, (360) 725-6024.

Name of Proponent: State Board of Education.

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. Not applicable.

RCW 34.05.328 does not apply to this rule adoption. Not applicable.

Hearing Location: Olympia School District Administration Building, 1113 Legion Way S.E., Olympia, WA 98501-1967, on January 15, 2004, at 8:30 a.m.

Assistance for Persons with Disabilities: Contact Laura Moore by January 2, 2004, TDD (360) 664-3631 or (360) 725-6027.

Submit Written Comments to: Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, fax (360) 586-2357, by January 2, 2004.

Date of Intended Adoption: January 16, 2004.

November 2, 2003
Larry Davis
Executive Director

AMENDATORY SECTION (Amending WSR 01-18-043, filed 8/29/01, effective 9/29/01)

WAC 180-79A-257 Out-of-state candidates. Candidates for certification from other states who meet the general certificate requirements described in WAC 180-79A-150 (1) and (2) shall be eligible for Washington certificates as follows:

(1) Initial and residency certificates. The initial certificate (residency certificate for teachers after August 31, 2000,) shall be issued by the superintendent of public instruction to any candidate who meets requirements for the resi-

dency certificate including testing requirements as described in RCW 28A.410.220, and who meets one of the following:

(a) Qualifies under provisions of the interstate compact.

(b) Holds the appropriate degree and, if applicable, credit hours and/or licensing as set forth in this chapter and has completed a state approved preparation program at a regionally accredited college or university in the professional field for which the certificate is to be issued and such additional professional fields as required by WAC 180-79A-150(4).

(c) Provided, That if a candidate for administrator or educational staff associate certification does not meet the qualifications described in (a) or (b) of this subsection, an initial/residency certificate shall be issued to a candidate who holds an appropriate degree from a regionally accredited college or university and also holds or has held a certificate in the role, comparable to an initial/residency certificate, issued by another state and has practiced at the P-12 level in that respective role outside the state of Washington for three years.

(d) Provided further, That if a candidate for a teacher's certificate would qualify under (b) of this subsection, but for the fact that he or she has completed an approved teacher preparation program in a subject area that is not listed in chapter 180-82 WAC as a Washington endorsement, the candidate shall be issued a certificate that bears the out-of-state area of program preparation. It shall be noted on the certificate so issued that the subject area listed is not a Washington state endorsement.

(e) Holds an appropriate degree from a regionally accredited college or university and has practiced three years as an educational staff associate in that role in a state where such certificate was not required.

(f) Holds a valid Nationally Certified School Psychologist (NCSP) certificate issued by the National School Psychology Certification Board (NSPCB) after December 31, 1991, and applies for an initial educational staff associated school psychologist certificate.

(2) Continuing certificate. The continuing certificate shall be issued to administrators and educational staff associates on verification that the candidate has met all requirements for initial and continuing certification in the state of Washington.

(3) Professional certificate. After August 31, 2000, the professional certificate shall be issued to out-of-state candidates if the candidate meets requirements for the residency certificate including testing requirements as described in RCW 28A.410.220, meets the child abuse course work requirement as described in WAC 180-79A-206 (3)(b), and if one of the following conditions is met:

(a) The candidate has completed an advanced level certification procedure approved by the state board of education as equivalent to the approved program procedure required in Washington; or

(b) The candidate holds a valid teaching certificate issued by the National Board for Professional Teaching Standards; or

(c) A Washington state college or university with an approved professional certificate program verifies that the candidate has met all the requirements of that institution's approved program. The college/university shall evaluate the candidate's background to determine whether or not course work or certification activities are equivalent to that college/university's approved program.

WSR 03-23-035

PROPOSED RULES

STATE BOARD OF EDUCATION

[Filed November 12, 2003, 12:10 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 03-10-016 [03-12-036].

Title of Rule: WAC 180-79A-223 (1)(a)(ii) Academic and experience requirements for certification—School nurse, school occupational therapist, school physical therapist and school speech-language pathologist or audiologist.

Purpose: The proposed amendments to this rule will allow a school nurse to have a bachelor's or higher degree in nursing from a regionally accredited college/university. It will also align the degree requirements for a school nurse certificate with the degree requirements for the school occupational therapist, the school physical therapist, and the school speech-language pathologist or audiologist certificates.

Statutory Authority for Adoption: RCW 28A.410.010.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Larry Davis, State Board of Education, Olympia, (360) 725-6024.

Name of Proponent: State Board of Education.

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. Not applicable.

RCW 34.05.328 does not apply to this rule adoption. Not applicable.

Hearing Location: Olympia School District Administration Building, 1113 Legion Way S.E., Olympia, WA 98501-1967, on January 15, 2004, at 8:30 a.m.

Assistance for Persons with Disabilities: Contact Laura Moore by January 2, 2004, TDD (360) 664-3631 or (360) 725-6027.

Submit Written Comments to: Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, fax (360) 586-2357, by January 2, 2004.

Date of Intended Adoption: January 16, 2004.

November 2, 2003

Larry Davis

Executive Director

AMENDATORY SECTION (Amending WSR 99-14-012, filed 6/24/99, effective 7/25/99)

WAC 180-79A-223 Academic and experience requirements for certification—School nurse, school occupational therapist, school physical therapist and school speech-language pathologist or audiologist. Candidates for school nurse, school occupational therapist, school physical therapist and school speech-language pathologist or audiologist certification shall apply directly to the professional education and certification office. Such candidates shall complete the following requirements, in addition to those set forth in WAC 180-79A-150, except state approved college/university professional preparation program:

(1) School nurse.

(a) Initial.

(i) The candidate shall hold a valid license as a registered nurse (RN) in Washington state.

(ii) The candidate shall hold a baccalaureate degree or higher in nursing from a program accredited by the National League for Nursing Accrediting Commission or the Commission on Collegiate Nursing Education.

(iii) The candidate shall successfully complete thirty clock hours or three quarter hours (two semester hours) of course work approved by the state board of education which will include schools and society; human growth, development, and learning; American school law; legal responsibilities of the ESA; and the responsibilities of the specific ESA role in a school setting including the state learning goals and essential academic learning requirements: Provided, That an individual who meets all other requirements but who has not completed the required course work shall be issued a temporary permit valid for one hundred eighty calendar days which will allow the individual to practice in the role. The candidate shall verify to OSPI the completion of the required course work during the one hundred eighty-day period.

(b) Continuing.

(i) The candidate shall have completed the requirements for the initial certificate as a school nurse and have completed forty-five quarter hours (thirty semester hours) of postbaccalaureate course work in education, nursing, or other health sciences.

(ii) The candidate shall provide documentation of one hundred eighty days of full-time equivalent or more employment in the respective role with an authorized employer—i.e., school district, educational service district, state agency, college or university, private school, or private school system—and at least thirty days of such employment with the same employer.

(2) School occupational therapist.

(a) Initial.

(i) The candidate shall hold a valid license as an occupational therapist in Washington state.

(ii) The candidate shall hold a baccalaureate (or higher) degree from an American Occupational Therapy Association approved program in occupational therapy.

(iii) The candidate shall successfully complete thirty clock hours or three quarter hours (two semester hours) of course work approved by the state board of education which will include schools and society; human growth, development, and learning; American school law; legal responsibilities of the ESA; and the responsibilities of the specific ESA role in a school setting including the state learning goals and essential academic learning requirements: Provided, That an individual who meets all other requirements but who has not completed the required course work shall be issued a temporary permit valid for one hundred eighty calendar days which will allow the individual to practice in the role. The candidate shall verify to OSPI the completion of the required course work during the one hundred eighty-day period.

(b) Continuing.

(i) The candidate shall have completed the requirements for the initial certificate as a school occupational therapist and have completed at least fifteen quarter hours (ten semester hours) of course work beyond the baccalaureate degree in occupational therapy, other health sciences or education.

(ii) The candidate shall provide documentation of one hundred eighty days of full-time equivalent or more employment in the respective role with an authorized employer—i.e., school district, educational service district, state agency, college or university, private school, or private school system—and at least thirty days of such employment with the same employer.

(3) School physical therapist.

(a) Initial.

(i) The candidate shall hold a valid license as a physical therapist in Washington state.

(ii) The candidate shall hold a baccalaureate (or higher) degree from an American Physical Therapy Association accredited program in physical therapy.

(iii) The candidate shall successfully complete thirty clock hours or three quarter hours (two semester hours) of course work approved by the state board of education which will include schools and society; human growth, development, and learning; American school law; legal responsibilities of the ESA; and the responsibilities of the specific ESA role in a school setting including the state learning goals and essential academic learning requirements: Provided, That an individual who meets all other requirements but who has not completed the required course work shall be issued a temporary permit valid for one hundred eighty calendar days which will allow the individual to practice in the role. The candidate shall verify to OSPI the completion of the required course work during the one hundred eighty-day period.

(b) Continuing.

(i) The candidate shall have completed the requirements for the initial certificate as a school physical therapist and have completed fifteen quarter hours (ten semester hours) of course work beyond the baccalaureate degree in physical therapy, other health sciences or education.

(ii) The candidate shall provide documentation of one hundred eighty days of full-time equivalent or more employment in the respective role with an authorized employer—i.e., school district, educational service district, state agency, college or university, private school, or private school system—and at least thirty days of such employment with the same employer.

(4) School speech-language pathologist or audiologist.

(a) Initial.

(i) The candidate shall have completed all course work (except special project or thesis) for a master's degree from a

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college or university program accredited by the American Speech and Hearing Association (ASHA) with a major in speech pathology or audiology. Such program shall include satisfactory completion of a written comprehensive examination: Provided, That if any candidate has not completed a written comprehensive examination, the candidate may present verification from ASHA of a passing score on the National Teacher's Examination in speech pathology or audiology as a condition for certification.

(ii) The candidate shall successfully complete thirty clock hours or three quarter hours (two semester hours) of course work approved by the state board of education which will include schools and society; human growth, development, and learning; American school law; legal responsibilities of the ESA; and the responsibilities of the specific ESA role in a school setting including the state learning goals and essential academic learning requirements: Provided, That an individual who meets all other requirements but who has not completed the required course work shall be issued a temporary permit valid for one hundred eighty calendar days which will allow the individual to practice in the role. The candidate shall verify to OSPI the completion of the required course work during the one hundred eighty-day period.

(b) Continuing.

(i) The candidate shall hold a master's degree with a major in speech pathology or audiology, with the exception of a candidate who holds a current and valid Washington state conditional certificate in speech/language pathology as of June 30, 2003.

(ii) The candidate shall provide documentation of one hundred eighty days of full-time equivalent or more employment in the respective role with an authorized employer—i.e., school district, educational service district, state agency, college or university, private school, or private school system—and at least thirty days of such employment with the same employer.

WSR 03-23-036
PROPOSED RULES
STATE BOARD OF EDUCATION
[Filed November 12, 2003, 12:11 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 03-10-016 [03-10-076].

Title of Rule: WAC 180-79A-030 Definitions, 180-79A-206 Academic and experience requirements for certification—Teachers, 180-79A-213 Child abuse course work requirement for continuing certification—Administrators, and 180-79A-226 Child abuse course work requirement for continuing certification—Educational staff associate.

Purpose: The proposed amendments to these rules will clarify and align requirements for study in issues of abuse in the chapter definition, for all certificated roles (teacher, administrator, and educational staff associate) and with other references to issues of abuse in the Washington Administrative Code.

Statutory Authority for Adoption: RCW 28A.410.010.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Larry Davis, State Board of Education, Olympia, (360) 725-6024.

Name of Proponent: State Board of Education.

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. Not applicable.

RCW 34.05.328 does not apply to this rule adoption. Not applicable.

Hearing Location: Olympia School District Administration Building, 1113 Legion Way S.E., Olympia, WA 98501-1967, on January 15, 2004, at 8:30 a.m.

Assistance for Persons with Disabilities: Contact Laura Moore by January 2, 2004, TDD (360) 664-3631 or (360) 725-6027.

Submit Written Comments to: Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, fax (360) 586-2357, by January 2, 2004.

Date of Intended Adoption: January 16, 2004.

November 2, 2003
Larry Davis
Executive Director

AMENDATORY SECTION (Amending WSR 02-04-015, filed 1/24/02, effective 2/24/02)

WAC 180-79A-030 Definitions. The following definitions shall apply to terms used in this chapter:

(1) The terms, "program approval," "endorsement," "interstate compact," "college or university," and "regionally accredited institution of higher education," as defined in WAC 180-78-010 and 180-78A-010 shall apply to the provisions of this chapter.

(2) "Certificate" means the license issued by the superintendent of public instruction to teachers, administrators, and educational staff associates verifying that the individual has met the requirements set forth in this chapter.

(3) "Certificate renewal" means the process whereby the validity of a certificate, subject to expiration, is extended or regained.

(4) "Classroom teaching" means instructing pupils in an instructional setting.

(5) "Approved baccalaureate degree" for the purpose of this chapter, means a baccalaureate from a regionally accredited college or university in any of the subject areas of the endorsement listed in chapter 180-82 WAC as now or hereafter amended: Provided, That if a candidate is accepted into a program in Washington state on or before August 31, 2000, and completes the program on or before August 31, 2003, in accordance with WAC 180-79A-299, the candidate may hold a baccalaureate degree in any of the subject areas of the endorsements listed in WAC 180-79A-302. Such degrees shall require the completion of at least forty-five quarter hours (thirty semester hours) of course work in the subject

area: Provided, That a candidate who holds a baccalaureate degree in another academic field will not be required to obtain a second baccalaureate degree if the candidate provides evidence to the superintendent of public instruction that he or she has completed the required forty-five quarter or thirty semester hours of course work in one of the subject areas of the endorsements listed in chapter 180-82 WAC: Provided further, That a candidate who holds a baccalaureate degree in early childhood education, elementary education, or special education will not be required to obtain a second baccalaureate degree if the candidate provides evidence to the superintendent of public instruction that he or she has completed thirty quarter or twenty semester credit hours in one academic field.

(6) "((~~Child~~)) Issues of abuse course work requirement" means completion of course work or an in-service program ((~~including a minimum of ten clock hours of instruction~~)) on issues of abuse. The content ((~~of the course work or in-service program~~)) shall discuss 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 victims of abuse, and methods for teaching students about abuse of all types and their prevention.

(7) "Approved master's degree" for the purpose of this chapter, means a master's or doctorate degree from a regionally accredited college or university.

(8) "Credit hour(s)" means credit (normally 100 level or above) awarded by a regionally accredited institution of higher education.

(9) "Previous standards" means a certification system in place prior to a revision in rules that results in changed names and/or validity periods for the certificates issued.

(10) "Application for certification" means an application for a certificate or endorsement that includes a signed affidavit (as specified in WAC 180-79A-157) by the applicant. Such application shall be considered valid for two years from the date of receipt by the superintendent of public instruction, or its designee.

AMENDATORY SECTION (Amending WSR 02-14-111, filed 7/2/02, effective 8/2/02)

WAC 180-79A-206 Academic and experience requirements for certification—Teachers. Candidates for teachers' certificates shall complete the following requirements in addition to those set forth in WAC 180-79A-150.

(1) Initial/residency.

Candidates for the initial or residency certificate shall hold an approved baccalaureate degree from a regionally accredited college or university pursuant to WAC 180-79A-030(5).

(2) Continuing.

(a) Candidates who apply for a continuing certificate shall have at least forty-five quarter hours (thirty semester hours) of upper division and/or graduate work completed from a regionally accredited institution of higher education subsequent to the conferral of the baccalaureate degree: Provided, That if the individual is pursuing study in a new subject matter area or specialization, lower division (freshmen or sophomore level) credit hours in that subject area or specialization shall be accepted toward continuing certification upon completion of the requirements for an endorsement in that subject area or specialization.

(b) Candidates applying for a continuing certificate prior to September 1, 2000, shall have been granted at least two subject area endorsements.

(c) Candidates who apply for a continuing certificate who have not successfully completed course work or an in-service program ((~~including a minimum of ten clock hours of instruction~~)) on issues of abuse, must complete the ((~~child~~)) abuse course work requirement as defined in WAC 180-79A-030(6).

(d) Candidates for continuing teachers' certificates shall provide documentation of one hundred eighty days or full-time equivalent or more satisfactory teaching experience with an authorized employer—i.e., school district, state agency, college or university, private school, or private school system—and at least thirty days of such employment with the same employer.

(3) Professional.

(a) Candidates for the professional certificate shall have successfully completed a state board of education approved, professional certificate program, pursuant to WAC 180-78A-500 through 180-78A-540: Provided, That an individual who holds a teaching certificate issued by the National Board for Professional Teaching Standards (NBPTS) shall be deemed to have met the requirement for completion of a professional certificate program, in recognition that NBPTS certification is issued only to individuals who have demonstrated highly advanced skills as a teacher.

(b) Candidates who apply for a professional certificate who have not successfully completed course work or an in-service program ((~~including a minimum of ten clock hours of instruction~~)) on issues of abuse, must complete the ((~~child~~)) abuse course work requirement as defined in WAC 180-79A-030(6).

AMENDATORY SECTION (Amending WSR 99-23-023, filed 11/9/99, effective 12/10/99)

WAC 180-79A-213 ((~~Child~~)) Issues of abuse course work requirement for continuing certification—Administrators. Candidates who apply for a continuing administrator certificate after August 31, 1994, must have successfully completed the ((~~child~~)) abuse course work requirement as defined in WAC 180-79A-030(6).

AMENDATORY SECTION (Amending WSR 99-23-023, filed 11/9/99, effective 12/10/99)

WAC 180-79A-226 ((~~Child~~)) Issues of abuse course work requirement for continuing certification—Educational staff associate. Candidates who apply for a continuing educational staff associate certificate after August 31, 1994, must have successfully completed the ((~~child~~)) abuse course work requirement as defined in WAC 180-79A-030(6).

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AMENDATORY SECTION (Amending WSR 01-18-043, filed 8/29/01, effective 9/29/01)

WAC 180-79A-257 Out-of-state candidates. Candidates for certification from other states who meet the general certificate requirements described in WAC 180-79A-150 (1) and (2) shall be eligible for Washington certificates as follows:

(1) Initial and residency certificates. The initial certificate (residency certificate for teachers after August 31, 2000,) shall be issued by the superintendent of public instruction to any candidate who passes the WEST-B and meets one of the following:

(a) Qualifies under provisions of the interstate compact.

(b) Holds the appropriate degree and, if applicable, credit hours and/or licensing as set forth in this chapter and has completed a state approved preparation program at a regionally accredited college or university in the professional field for which the certificate is to be issued and such additional professional fields as required by WAC 180-79A-150(4).

(c) Provided, That if a candidate for administrator or educational staff associate certification does not meet the qualifications described in (a) or (b) of this subsection, an initial/residency certificate shall be issued to a candidate who holds an appropriate degree from a regionally accredited college or university and also holds or has held a certificate in the role, comparable to an initial/residency certificate, issued by another state and has practiced at the P-12 level in that respective role outside the state of Washington for three years.

(d) Provided further, That if a candidate for a teacher's certificate would qualify under (b) of this subsection, but for the fact that he or she has completed an approved teacher preparation program in a subject area that is not listed in chapter 180-82 WAC as a Washington endorsement, the candidate shall be issued a certificate that bears the out-of-state area of program preparation. It shall be noted on the certificate so issued that the subject area listed is not a Washington state endorsement.

(e) Holds an appropriate degree from a regionally accredited college or university and has practiced three years as an educational staff associate in that role in a state where such certificate was not required.

(f) Holds a valid Nationally Certified School Psychologist (NCSP) certificate issued by the National School Psychology Certification Board (NSPCB) after December 31, 1991, and applies for an initial educational staff associated school psychologist certificate.

(2) Continuing certificate. The continuing certificate shall be issued to administrators and educational staff associates on verification that the candidate has met all requirements for initial and continuing certification in the state of Washington.

(3) Professional certificate. After August 31, 2000, the professional certificate shall be issued to out-of-state candidates if the candidate meets the child abuse course work requirement as described in WAC 180-79A-206 (3)(b) and if one of the following conditions is met:

(a) The candidate has completed an advanced level certification procedure approved by the state board of education as equivalent to the approved program procedure required in Washington; or

(b) The candidate holds a valid teaching certificate issued by the National Board for Professional Teaching Standards; or

(c) A Washington state college or university with an approved professional certificate program verifies that the candidate has met all the requirements of that institution's approved program. The college/university shall evaluate the candidate's background to determine whether or not course work or certification activities are equivalent to that college/university's approved program.

WSR 03-23-049
PROPOSED RULES
DEPARTMENT OF REVENUE
[Filed November 14, 2003, 11:28 a.m.]

Original Notice.

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

Title of Rule: WAC 458-40-540 Forest land values—2004.

Purpose: RCW 84.33.120 requires that forest land values be adjusted annually by a statutory formula contained in RCW 84.33.120(2). County assessors will use these published land values for property tax purposes in 2004.

Statutory Authority for Adoption: RCW 82.32.300, 82.01.060(2), and 84.33.096.

Statute Being Implemented: RCW 84.33.120.

Summary: The proposed rule adjusts the table of forest land values in Washington as required by statute.

Reasons Supporting Proposal: RCW 84.33.120 requires the values provided in this rule be adjusted each year.

Name of Agency Personnel Responsible for Drafting: Gilbert Brewer, 1025 Union Avenue S.E., Suite #400, Olympia, WA, (360) 570-6133; Implementation and Enforcement: Ron Yamamoto, 2735 Harrison N.W., Building 4, Olympia, WA, (360) 753-2871.

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: WAC 458-40-540 adjusts the forest land values in accordance with the statutory formula found in RCW 84.33.120(2). County assessors use these land values to assess property tax for 2004.

Proposal Changes the Following Existing Rules: This revises an existing rule, WAC 458-40-540, to recognize that the forest land values are statutorily adjusted to reflect updated values each year. See Explanation of Rule 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 content/values set in this rule are explicitly and specifically dictated by statute. Such rules are not subject to RCW 34.05.328.

Hearing Location: Department of Revenue, Conference Room, Target Place Building, No. 4, 2735 Harrison Avenue N.W., Olympia, WA, on December 23, 2003, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Sandy Davis no later than ten days before the hearing date, TTY 1-800-451-7985 or (360) 570-6175.

Submit Written Comments to: Gilbert Brewer, Department of Revenue, P.O. Box 47467, Olympia, WA 98504-7467, fax (360) 664-0693, e-mail gilb@dor.wa.gov, by December 23, 2003.

Date of Intended Adoption: December 29, 2003.

November 13, 2003
Alan R. Lynn
Rules Coordinator
Legislation and Policy Division

AMENDATORY SECTION (Amending WSR 03-02-004, filed 12/19/02)

WAC 458-40-540 Forest land values—((~~2003~~)) 2004. The forest land values, per acre, for each grade of forest land for the ((~~2003~~)) 2004 assessment year are determined to be as follows:

LAND GRADE	OPERABILITY CLASS	((~~2003~~)) 2004 VALUES ROUNDED
1	1	$((~~218~~)) 210
	2	((~~215~~)) 207
	3	((~~203~~)) 196
	4	((~~147~~)) 142
2	1	((~~185~~)) 178
	2	((~~178~~)) 172
	3	((~~171~~)) 165
	4	((~~123~~)) 119
3	1	((~~144~~)) 139
	2	((~~140~~)) 135
	3	((~~139~~)) 134
	4	((~~106~~)) 102
4	1	((~~110~~)) 106
	2	((~~107~~)) 103
	3	((~~106~~)) 102
	4	((~~81~~)) 78
5	1	((~~80~~)) 77
	2	((~~73~~)) 70
	3	((~~72~~)) 69
	4	((~~49~~)) 47
6	1	((~~40~~)) 39
	2	((~~37~~)) 36
	3	((~~37~~)) 36
	4	((~~35~~)) 34
7	1	((~~19~~)) 18
	2	((~~19~~)) 18
	3	((~~18~~)) 17
	4	((~~18~~)) 17
8	1	1

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.

PROPOSED

WSR 03-23-052
PROPOSED RULES
STATE BOARD OF EDUCATION
[Filed November 14, 2003, 1:48 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 03-07-004.

Title of Rule: WAC 180-79A-117 Uniform expiration date.

Purpose: The purpose of this amendment is to clarify that the extension of time to complete certificate revalidation requirements is limited to those individuals who are called up to active duty for more than thirty consecutive days.

Statutory Authority for Adoption: RCW 28A/410/010 [28A.410.010] and 28A/305.130 [28A.305.130].

Summary: See Purpose above.

Reasons Supporting Proposal: This amendment allows certified teachers called to active military duty for more than thirty consecutive days the ability to complete teacher certificate revalidation requirements when military duty is complete.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Larry Davis, State Board of Education, Olympia, (360) 725-6024.

Name of Proponent: State Board of Education.

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

Explanation of Rule, its Purpose, and Anticipated Effects: In June and August 2003, the State Board of Education adopted a rule change to address teachers who are called up to active military service, and such call up will not allow them to complete necessary requirements to maintain the validity of their certificate. The purpose of this amendment is to clarify that the extension of time to complete certificate revalidation requirements is limited to those individuals who are called up to active duty for more than thirty consecutive days.

Proposal Changes the Following Existing Rules: Additional language in subsection (3) includes "for more than thirty consecutive days."

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not applicable.

RCW 34.05.328 does not apply to this rule adoption. Not applicable.

PROPOSED

Hearing Location: Olympia School District, 1113 Legion Way S.E., Olympia, WA 98501-1967, on January 15, 2004, at 8:30 a.m.

Assistance for Persons with Disabilities: Contact Laura Moore by January 2, 2004, TTY (360) 664-3631 or (360) 725-6027.

Submit Written Comments to: Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, fax (360) 586-2357, by January 2, 2004.

Date of Intended Adoption: January 16, 2004.

October 31, 2003
Larry Davis
Executive Director

AMENDATORY SECTION (Amending WSR 03-14-120, filed 6/30/03, effective 7/31/03)

WAC 180-79A-117 Uniform expiration date. (1) All certificates issued for one or more stated years shall expire on June 30 of the stated year and shall be calculated as follows:

(a) Certificates issued prior to June 30 of a calendar year, other than limited certificates issued pursuant to WAC 180-79A-231, shall have the expiration date of the certificate calculated on the basis such certificate was issued on June 30 of the same calendar year regardless of the date of issuance.

(b) Certificates issued July 1 or later in the calendar year, other than limited certificates issued pursuant to WAC 180-79A-231, shall have the expiration date of the certificate calculated on the basis such certificate was issued on June 30 of the next calendar year regardless of the date of issuance.

(c) All valid existing certificates scheduled to expire on August 31 of a given year shall be valid until June 30 of the following year.

(2) An applicant who holds a valid certificate, who submits an application for further certification prior to the expiration date of that certificate, and who meets all the requirements of WAC 180-79A-128, shall be granted a one hundred eighty-day permit as provided in chapter 180-79A WAC.

(3) Any educator who is called up to active duty by one of the U.S. military branches for more than thirty consecutive days shall be granted an extension of the expiration date of his/her certificate. The extension shall be equal to the length of active duty service calculated to the next uniform expiration date.

WSR 03-23-053
PROPOSED RULES
DEPARTMENT OF RETIREMENT SYSTEMS
[Filed November 14, 2003, 2:05 p.m.]

Original Notice.

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

Title of Rule: WAC 415-104-245 Am I required to meet minimum medical and health standards in order to establish or reestablish Plan 1 membership?

Purpose: Update cross-references, minor housekeeping changes.

Statutory Authority for Adoption: RCW 41.50.050(5).

Statute Being Implemented: RCW 41.26.035, 41.26.045 - [41.26.]047.

Summary: Update cross-references, minor housekeeping changes.

Reasons Supporting Proposal: Cross-references are out-of-date.

Name of Agency Personnel Responsible for Drafting: Merry A. Kogut, P.O. Box 48380, Olympia, WA 98504-8380, (360) 664-7291; Implementation and Enforcement: Zan Johnston, P.O. Box 48380, Olympia, WA 98504-8380, (360) 664-7049.

Name of Proponent: Department of Retirement Systems, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Update cross-references, minor housekeeping changes.

Proposal Changes the Following Existing Rules: Update cross-references, minor housekeeping changes.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These amendments have no effect on businesses.

RCW 34.05.328 does not apply to this rule adoption. The Department of Retirement Systems is not one of the named departments in RCW 34.05.328.

Hearing Location: Department of Retirement Systems, 6835 Capitol Boulevard, Conference Room 115, Tumwater, WA, on December 23, 2003, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact the rules coordinator by seven days before the hearing, if possible, phone (360) 664-7291, TTY (360) 586-5450, e-mail merryk@drs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Merry A. Kogut, Rules Coordinator, Department of Retirement Systems, P.O. Box 48380, Olympia, WA 98504-8380, e-mail Merryk@drs.wa.gov, fax (360) 753-3166, by 5:00 p.m. on December 23, 2003.

Date of Intended Adoption: No sooner than December 24, 2003.

November 12, 2003
Merry A. Kogut
Rules Coordinator

AMENDATORY SECTION (Amending WSR 95-16-053, filed 7/25/95, effective 8/25/95)

WAC 415-104-245 Am I required to meet minimum medical and health standards in order to establish or reestablish Plan ((1)) 1 membership? (1) You may be required to meet minimum medical and health standards in order to establish or reestablish Plan ((1)) 1 membership.

You are required to meet minimum medical and health standards codified in WAC 415-104-500 through 415-104-755, if you:

(a) Were first employed as a law enforcement officer or fire fighter on or after August 1, 1971, and before October 1, 1977; and

(b) Have been separated from service for more than six months for reasons other than a disability leave, a disability retirement, or an authorized leave of absence.

(2) **If you are an elected sheriff or an appointed police or fire chief, you are exempt from the age requirement of the standards.**

(3) **If you are required to meet the minimum medical and health standards, your employer will enroll you in Plan ((~~I~~)) 1 provisionally, depending on the results of your physical examination.**

(a) If you are required to meet the minimum medical and health standards, your employer will begin reporting you in LEOFF Plan ((~~I~~)) 1 from the first day of your employment. Your enrollment in Plan ((~~I~~)) 1, however, is provisional depending upon the results of your medical examination.

(b) Your employer is responsible for having you examined by a physician or surgeon appointed by the local disability board and for paying the cost of your examination. Your employer will send a copy of your examination report to the department along with a certification letter of whether you have met the standards.

(4) **If you are denied Plan ((~~I~~)) 1 membership because you did not meet minimum medical and health standards, you will enter membership in Plan ((~~II~~)) 2.**

(a) The department will review your examination report and if you meet the minimum medical and health standards you will be reported in membership in Plan ((~~I~~)) 1.

(b) If you do not meet the standards, your employer must stop reporting you to the department in Plan ((~~I~~)) 1 and report you in Plan ((~~II~~)) 2. The department will transfer your membership from Plan ((~~I~~)) 1 to Plan ((~~II~~)) 2 retroactively to the beginning of your term of employment.

(5) **Defined terms used.** Definitions for the following terms used in this section may be found in the sections listed.

(a) "Employer" - RCW 41.26.030.

(b) "Fire fighter" - RCW 41.26.030.

(c) "Full time" - WAC ((~~415-104-0114~~)) 415-104-011.

(d) "Fully compensated" - WAC ((~~415-104-0115~~)) 415-104-011.

(e) "Law enforcement officer" - RCW 41.26.030.

(f) "Member" - RCW 41.26.030.

(g) "Minimum medical and health standards" - WAC 415-104-500 through 415-104-755.

(h) "Plan ((~~I~~)) 1 and Plan ((~~II~~)) 2" - WAC ((~~415-104-0121~~)) 415-104-011.

WSR 03-23-054
PROPOSED RULES
DEPARTMENT OF RETIREMENT SYSTEMS
[Filed November 14, 2003, 2:07 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 02-08-063.

Title of Rule: WAC 415-111-220 How do I choose a defined contribution rate?

Purpose: The current WAC provides information about defined contribution rates. The amendment clarifies that TRS members can change their contribution rate choice every January. Amendments also clarify rules regarding changing employers.

Statutory Authority for Adoption: RCW 41.50.050(5).

Statute Being Implemented: RCW 41.34.040.

Summary: Amendment provides clarification.

Reasons Supporting Proposal: The legislature provided authority for members of TRS, PERS, and SERS to change contribution rates every January. To date, the Internal Revenue Service has only provided authority for TRS members to make the changes in January.

Name of Agency Personnel Responsible for Drafting: Merry A. Kogut, P.O. Box 48380, Olympia, WA 98504-8380, (360) 664-7291; Implementation and Enforcement: Dave Nelsen, P.O. Box 48380, Olympia, WA 98504-8380, (360) 664-7069.

Name of Proponent: Department of Retirement Systems, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Please see Purpose, Summary, and Reasons Supporting Proposal above.

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

No small business economic impact statement has been prepared under chapter 19.85 RCW. This amendment has no effect on businesses.

RCW 34.05.328 does not apply to this rule adoption. The Department of Retirement Systems is not one of the named departments in RCW 34.05.328.

Hearing Location: Department of Retirement Systems, 6835 Capitol Boulevard, Conference Room 115, Tumwater, WA, on December 23, 2003, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact the rules coordinator by seven days before the hearing, if possible, phone (360) 664-7291, TTY (360) 586-5450, e-mail merryk@drs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Merry A. Kogut, Rules Coordinator, Department of Retirement Systems, P.O. Box 48380, Olympia, WA 98504-8380, e-mail Merryk@drs.wa.gov, fax (360) 753-3166, by 5:00 p.m. on December 23, 2003.

Date of Intended Adoption: No sooner than December 24, 2003.

November 13, 2003
Merry A. Kogut
Rules Coordinator

AMENDATORY SECTION (Amending WSR 01-15-038, filed 7/13/01, effective 7/26/01)

WAC 415-111-220 How do I choose a defined contribution rate? (1) **Contribution rates:** If you are a member of the Teachers' Retirement System (TRS) Plan 3, the School

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Employees' Retirement System (SERS) Plan 3, or the Public Employees' Retirement System (PERS) Plan 3, you are required to contribute from your compensation according to one of the following rate structures:

((~~Option A~~	~~Contribution Rate~~
~~All ages~~	~~5.0% fixed~~
~~Option B~~	
~~Up to age 35~~	~~5.0%~~
~~Age 35 to 44~~	~~6.0%~~
~~Age 45 and above~~	~~7.5%~~
~~Option C~~	
~~Up to age 35~~	~~6.0%~~
~~Age 35 to 44~~	~~7.5%~~
~~Age 45 and above~~	~~8.5%~~
~~Option D~~	
~~All ages~~	~~7.0%~~
~~Option E~~	
~~All ages~~	~~10.0%~~
~~Option F~~	
~~All ages~~	~~15.0%~~))

	Base Rate	Additional Rate	Total Contribution Rate
Option A			
All ages	5.0%	0.0%	5.0%
Option B			
Up to age 35	5.0%	0.0%	5.0%
Age 35 to 44	5.0%	1.0%	6.0%
Age 45 and above	5.0%	2.5%	7.5%
Option C			
Up to age 35	5.0%	1.0%	6.0%
Age 35 to 44	5.0%	2.5%	7.5%
Age 45 and above	5.0%	3.5%	8.5%
Option D			
All ages	5.0%	2.0%	7.0%
Option E			
All ages	5.0%	5.0%	10.0%
Option F			
All ages	5.0%	10.0%	15.0%

(2) **How do I make the choice?** Under WAC 415-111-110, it is your responsibility to complete the correct form for choosing a contribution rate and submitting the form in a timely manner to your employer as directed on the form.

(3) **Where do I get the form to make my choice?** Your employer must provide the appropriate form to choose a contribution rate if you are enrolling in Plan 3 or transferring from Plan 2 to Plan 3.

(4) **When do I have to choose?** You must ((~~irrevocably~~)) choose a contribution rate within ninety calendar days from your date of hire in an eligible position. However, if you are transferring from Plan 2 to Plan 3, you must choose a contribution rate at the same time you transfer. The ninety-day period does not apply to a member transferring from Plan 2 to Plan 3.

(5) **When do contributions begin?**

(a) Once you choose a contribution rate, contributions will begin the first day of the pay cycle in which you make the choice.

(b) If the employer advises the department that you should be reported into Plan 3 membership retroactively, the ninety-day period starts from the date it is discovered that you should have been reported. The department will decide which date to use.

(6) **What if I work for more than one employer?** If you are a Plan 3 member working in eligible positions for more than one employer, you may select a different contribution rate with each employer.

(7) **What happens if I do not make a choice?** Under RCW 41.34.040, you will be ((~~irrevocably~~)) assigned ((~~to~~)) a base rate of 5% (Option A) if:

(a) You are a new employee or changing your employer, and do not choose a contribution rate within the ninety-day election period described in subsection (4) of this section; or

(b) You are transferring from Plan 2 to Plan 3 and do not choose a contribution rate at the time of transfer. Contributions required under subsection (a) or (b) will begin the first day of the pay cycle in which you are assigned to Option A.

(8) **Can I change my contribution rate?**

(a) Except as provided in (c) of this subsection, once you ((~~elect~~)) choose a contribution rate or are ((~~defaulted into~~)) assigned the base rate of 5% (Option A), you cannot change your contribution rate unless you change employers.

(b) Each time you change employers, you ((~~will be allowed the ninety-day period described in subsection (4) of this section to choose a new contribution rate~~)) must choose a new contribution rate within ninety days or you will be assigned a base rate of 5% (Option A). No contributions will be taken until you choose a rate or until the ninety-day period has elapsed, whichever occurs first.

(c) Each January, TRS Plan 3 members may change their contribution rate option by providing written notification to their employer as described in WAC 415-111-110(1).

WSR 03-23-055
WITHDRAWAL OF PROPOSED RULES
DEPARTMENT OF AGRICULTURE
[Filed November 14, 2003, 2:31 p.m.]

The department is formally withdrawing its proposed amendments to chapters 16-401 and 16-350 WAC. The CR-101 was filed on July 2, 2003 (WSR 03-14-135). An initial CR-102 was filed on September 3, 2003 (WSR 03-18-124). An additional CR-102 (Continuance of WSR 03-18-124) was filed on October 21, 2003, scheduling an additional hearing on the proposal. Public comments were received both against and supporting the proposal. The department has, after further review, decided to withdraw the proposal. By way of

this notice, we are canceling the hearing and withdrawing the proposed amendments.

Mary A. Martin Toohey
Assistant Director
Plant Protection Division

WSR 03-23-098
WITHDRAWAL OF PROPOSED RULES
DEPARTMENT OF LICENSING
(By the Code Reviser's Office)
[Filed November 18, 2003, 8:15 a.m.]

WAC 308-20-080, proposed by the Department of Licensing in WSR 03-10-085 appearing in issue 03-10 of the State Register, which was distributed on May 21, 2003, 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 03-23-100
PROPOSED RULES
DEPARTMENT OF LICENSING
[Filed November 18, 2003, 8:57 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 02-05-017.

Title of Rule: Chapter 308 [308-56A] WAC, Certificates of tile [title]—Motor vehicles, etc.

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 46.01.110, 46.12.020.

Summary: Amending WAC 308-56A-640 Odometer disclosure statement.

Reasons Supporting Proposal: Meet criteria supporting Governor Locke's Executive Order 97-02.

Name of Agency Personnel Responsible for Drafting: Katherine Iyall Vasquez, 1125 Washington Street S.E., Olympia, (360) 902-3718; Implementation and Enforcement: Eric Andersen, 1125 Washington Street S.E., Olympia, (360) 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 business 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 December 23, 2003, at 10:30 a.m.

Assistance for Persons with Disabilities: Contact Katherine Iyall Vasquez by May 30 [December 22], 2003, TTY (360) 664-8885, or (360) 902-3718.

Submit Written Comments to: Katherine Iyall Vasquez, Rules Manager, Title and Registration Services, P.O. Box 2957, Olympia, WA 98507-2957, fax (360) 664-0831, by December 22, 2003.

Date of Intended Adoption: January 6, 2004.

November 17, 2003
D. McCurley, Administrator
Title and Registration Services

AMENDATORY SECTION (Amending WSR 00-06-020, filed 2/23/00, effective 3/25/00)

WAC 308-56A-640 Odometer disclosure statement. (1) **When is an odometer disclosure statement required?** An odometer disclosure statement ((~~must be completed and submitted with every application for certificate~~)) is required on all transfers of ownership as required by RCW 46.12.124 and Title 49 of the Code of Federal Regulations (CFR), unless specifically exempted.

(2) ((~~May a power of attorney be used to disclose the mileage of a vehicle? The transferee and/or transferor may give a power of attorney to a disinterested third party for the purpose of odometer disclosure.~~

~~A secure power of attorney, power of attorney designated under chapter 11.94 RCW or other power of attorney approved by the department may be used with an odometer disclosure statement with the following limitations:~~

~~(a) The transferor may not give power of attorney to the transferee of the same vehicle for the purpose of odometer disclosure;~~

~~(b) The transferee may not give a power of attorney to the transferor of the same vehicle for the purpose of odometer disclosure;~~

~~(c) A power of attorney may not be used to complete another power of attorney for the purposes of odometer disclosure.~~

~~(3)~~)) **What odometer disclosure statement forms will the department accept?** The department will accept odometer disclosure statement forms ((~~approved by the department include, but are not limited to:~~

~~(a) An odometer disclosure statement on a certificate of ownership issued by any jurisdiction which complies with the Federal Truth in Mileage Act; or~~

~~(b) The odometer disclosure/title extension statement; or~~

~~(c) A form issued/approved by a foreign jurisdiction which satisfies the provisions of RCW 46.12.124 or the Federal Truth in Mileage Act.~~

~~(4)~~)) that comply with the Federal Truth in Mileage Act of 1986, Title 49 CFR, and RCW 46.12.124.

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Note: An odometer power of attorney used in compliance with Part 580, Title 49 of the Code of Federal Regulations (CFR) is acceptable, and will not violate the intention of this rule.

(3) **When is an odometer disclosure/title extension statement used?** An odometer disclosure/title extension statement is a form used:

(a) With a certificate of ownership when an odometer disclosure statement is required;

(b) If the certificate of ownership is unavailable; or

(c) If all reassignments on the certificate of ownership are full.

~~(((5) When must a vehicle dealer process an odometer disclosure statement as a transferee? A vehicle dealer must process an odometer disclosure statement as a transferee and obtain the signature of the transferor when taking a vehicle in on trade, purchase, or otherwise acquiring a vehicle.~~

~~(6) When must a vehicle dealer process an odometer disclosure statement as a transferor? The vehicle dealer must complete an odometer disclosure statement as transferor when selling a vehicle at either wholesale or retail.~~

~~(7) How is mileage disclosed when a vehicle is sold through an auction company? The seller/consignor signs as the transferor and the successful bidder/buyer signs as the transferee.~~

~~(8) How long must vehicle dealers and auction companies maintain odometer disclosure statements? The vehicle dealer or vehicle dealers doing business as an auction company must keep all odometer disclosure statement records for five years.~~

~~(9) Can one vehicle dealer representative sign as transferee and transferor for the same transaction? No. One person cannot represent both the transferor and transferee for the purposes of odometer disclosure.~~

~~(10) When are odometer statements needed for leased vehicles? Odometer statements are needed for leased vehicles when; establishing and terminating or buying out a lease. The lessor of a leased vehicle must notify the lessee in writing that the lessee is required to provide to the lessor a written odometer disclosure statement at the termination of the lease. That notice may be given any time after execution of the lease contract and prior to the termination of the lease or transfer of ownership.~~

~~(a) When establishing a lease, the dealer or other transferor must disclose the mileage to the lessee on a written odometer statement, and the lessee must acknowledge the written odometer statement as the transferee.~~

~~(b) When terminating a lease, the lessee as the transferor must disclose the mileage to the lessor and provide the lessor with a copy of the odometer disclosure statement.~~

~~(c) The lessor shall retain each odometer disclosure statement for five years following the date they terminate a lease or transfer ownership of the leased vehicle.~~

~~(11) Who discloses the mileage on the odometer disclosure statement on a lease buyout? The lessee shall disclose the mileage on the odometer disclosure statement as transferee if the lessee purchases the vehicle at the termination of the lease. A transferor signature is not required on the odometer disclosure statement when submitted with the application for certificate of ownership.~~

~~(12) Is an odometer statement required when there is involuntary divestiture? Yes. If the interest of an owner in a vehicle passes to another through involuntary divestiture, an odometer disclosure statement must be completed under RCW 46.12.124 and the rules under 49 Code of Federal Regulations.~~

~~(13) When a vehicle is acquired by involuntary divestiture, are there any circumstances that may allow odometer disclosure statements to be completed by transferee only? Yes. Circumstances that may allow odometer disclosure statements to be completed by only the transferee include, but are not limited to:~~

~~(a) Auction sale of an abandoned vehicle by a registered tow truck operator;~~

~~(b) Chattel/landlord lien;~~

~~(c) Court order;~~

~~(d) Divorce;~~

~~(e) Estate liquidation;~~

~~(f) Repossession;~~

~~(g) Seized vehicle;~~

~~(h) Sheriff sale.~~)) (4) **What are the odometer disclosure requirements for dealer transactions?** Dealers are required to obtain an odometer disclosure statement from the selling owner (transferor), and acknowledge the disclosure as transferee, when taking a vehicle in on trade, purchase, or otherwise acquiring a vehicle. Dealers must complete an odometer disclosure statement as transferor when selling a vehicle either wholesale or retail.

(5) **What are the odometer disclosure requirements for vehicles sold through an auction company?** The seller/consignor completes an odometer disclosure statement as transferor and the successful bidder/buyer acknowledges the disclosure as transferee.

(6) **How long must dealers and auction companies maintain odometer disclosure statement records?** Dealers and auction companies must keep odometer disclosure statement records for five years.

(7) **What are the odometer disclosure requirements for leased vehicles?** Odometer disclosure is required when establishing, terminating, or buying out a lease.

(a) When establishing a lease, the lessor must complete an odometer disclosure statement as transferor, and the lessee must acknowledge the disclosure as transferee.

(b) When terminating or buying out a lease, the lessee must complete an odometer disclosure statement as transferor, and the lessor must acknowledge the disclosure as transferee. Prior to the termination of the lease or any transfer of ownership, the lessor must notify the lessee in writing that the lessee must provide an odometer disclosure statement to the lessor.

(c) Only the former lessee needs to submit a completed odometer disclosure statement with an application for certificate of ownership following a lease buyout. The former lessee must complete the odometer disclosure statement as transferee. No transferor signature is required.

(8) **May a power of attorney be used to complete an odometer disclosure statement?** Yes, with the following restrictions:

(a) The transferor cannot authorize or give power of attorney to the transferee or dealer to complete the odometer disclosure statement.

(b) The transferee cannot authorize or give power of attorney to the transferor or dealer to complete the odometer disclosure statement.

(c) No person may sign an odometer disclosure statement as both the transferor and transferee in the same transaction.

Note: An odometer power of attorney used in compliance with Part 580, Title 49 of the Code of Federal Regulations (CFR) is acceptable, and will not violate the intention of this rule.

(9) **Is an odometer disclosure statement required when involuntary divestiture occurs?** Yes. The seller, although not the owner of record, must complete an odometer disclosure statement as transferor, and the buyer must acknowledge the disclosure as transferee. The department may approve disclosure by the transferee only in extenuating circumstances.

WSR 03-23-101
PROPOSED RULES
DEPARTMENT OF LABOR AND INDUSTRIES

[Filed November 18, 2003, 9:32 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 03-04-097.

Title of Rule: Chapter 296-802 WAC, Access to records; chapter 296-37 WAC, Safety standards for diving operations; chapter 296-62 WAC, General occupational health standards; chapter 296-155 WAC, Safety standards for construction workers; chapter 296-305 WAC, Safety standards for fire fighters; and chapter 296-800 WAC, Safety and health core rules.

Purpose: The department is rewriting and clarifying requirements relating to access to records. This will make the access to records requirements easy to read and understand, making them more useful for employers. This proposal will move access to records requirements from chapter 296-62 WAC, General occupational health standards, to a new chapter, chapter 296-802 WAC, Access to records.

Access to Records:

AMENDED SECTIONS: (In these sections we are correcting references, to refer to the new WACs):

WAC 296-37-575 Recordkeeping requirements, 296-62-07314 Medical surveillance, 296-62-07329 Vinyl chloride, 296-62-07336 Acrylonitrite, 296-62-07342 1, 2-Dibromo 3, Chloropropane, 296-62-07375 Recordkeeping, 296-62-07427 Recordkeeping, 296-62-07460 Butadiene, 296-62-07470 Methylene chloride, 296-62-07521 Lead, 296-62-07540 Formaldehyde, 296-62-07631 Recordkeeping, 296-62-07727 Recordkeeping, 296-62-09041 Recordkeeping, 296-62-14533 Cotton dust, 296-62-20023 Recordkeeping, 296-62-40019 Recordkeeping, 296-155-17331 Recordkeeping, 296-155-174 Cadmium, 296-305-02501 Emergency medical protection, 296-800-17005 Develop, implement, maintain and make available a written chemical hazard communication program, and 296-800-180 Material safety data sheets as exposure records.

NEW SECTIONS: WAC 296-802-100 Scope, 296-802-200 Keep employee medical and exposure records, 296-802-20005 Keep employee medical records, 296-802-20010 Keep employee exposure records, 296-802-20015 Keep analyses of medical or exposure records, 296-802-300 Inform employees about records, 296-802-30005 Inform current employees about their medical and exposure records, 296-802-400 Provide employees access to records and analyses, 296-802-40005 Provide access to employee medical or exposure records and analyses, 296-802-40010 Provide medical records, 296-802-40015 Provide exposure records, 296-802-500 Respond to medical record access orders, 296-802-50005 Respond to WISHA access orders for employee medical records, 296-802-50010 Content of WISHA written access orders, 296-802-600 Transfer and disposal of employee records, 296-802-60005 Transfer and dispose of employee medical and exposure records when you go out of business, and 296-802-900 Definitions.

REPEALED SECTIONS:

WAC 296-62-052 Access to employee exposure and medical records.

WAC 296-62-05201 Purpose.

- Requirements and information from this section are being moved to WAC 296-802-100.

WAC 296-62-05203 Scope and application.

- Requirements and information from this section are being moved to WAC 296-802-100.

WAC 296-62-05205 Definitions.

- Information from this section is being moved to WAC 296-802-900.

WAC 296-62-05207 Preservation of records.

- Requirements from this section are being moved to WAC 296-802-20005, 296-802-20010, and 296-802-20015.

WAC 296-62-05209 Access to records.

- Requirements from this section are being moved to WAC 296-802-40005, 296-802-40010, 296-802-40015, and 296-802-50005.

WAC 296-62-05213 Employee information.

- Requirements from this section are being moved to WAC 296-802-30005.

WAC 296-62-05215 Transfer of records.

- Requirements from this section are being moved to WAC 296-802-60005.

WAC 296-62-05217 Appendices.

WAC 296-62-05219 Effective date.

WAC 296-62-05221 Appendix A—Sample authorization letter for the release of employee medical record information to a designated representative.

WAC 296-62-05223 Appendix B—Availability of NIOSH registry of toxic effects of chemical substances (RTECS).

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

Statute Being Implemented: Chapter 49.17 RCW.

Summary: See Purpose above.

Name of Agency Personnel Responsible for Drafting: Tracy Spencer, Tumwater, (360) 902-5530; Implementation and Enforcement: Michael A. Silverstein, Tumwater, (360) 902-5495.

PROPOSED

Name of Proponent: Department of Labor and Industries, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The access to records rule, in chapter 296-62 WAC, General occupational health standards, contains requirements for maintaining medical records and employee exposure records. These requirements will [be] rewritten and moved into chapter 296-802 WAC, Access to records. There are no anticipated effects of this rule making.

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A number of criteria and exemptions were established by the small business economic impact statement (SBEIS) analysis. One key criteria that allows rule changes to be exempt from preparation of an SBEIS is presented in RCW 34.05.310 (4)(d), "rules that only correct typographical errors, make address or name changes, or clarify language of a rule without changing its effect" are not subject to the SBEIS requirements. Because the proposed rule changes make clarifying and organizational changes for ease of understanding and use, but do not in any way alter the content of the original rules, there should not be an economical impact on Washington state business.

The analysis of the rule reveals that in addition to not imposing new costs on businesses, these revisions will actually make WISHA rules easier for employers and employees to understand and use, and thus actually save them time.

RCW 34.05.328 does not apply to this rule adoption. Significant rule-making criteria does not apply to the rule amendments because the changes simply clarify the language of the rule without changing its effect.

Hearing Location: Department of Labor and Industries Building, Rooms S118 and S119, 7273 Linderson Way S.W., Tumwater, WA, on February 10, 2004, at 9:30 a.m.

Assistance for Persons with Disabilities: Contact Sally Elliott by January 5, 2004, at (360) 902-5484 or yous235@lni.wa.gov.

Submit Written Comments to: Kimberly Johnson, Administrative Regulations Analysis, WISHA Services, P.O. Box 44620, Olympia, WA 98504, fax (360) 902-5529, by February 20, 2004.

Date of Intended Adoption: April 1, 2004.

November 18, 2003
Paul Trause
Director

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 296-62-052	Access to employee exposure and medical records.
WAC 296-62-05201	Purpose.
WAC 296-62-05203	Scope and application.
WAC 296-62-05205	Definitions.
WAC 296-62-05207	Preservation of records.
WAC 296-62-05209	Access to records.
WAC 296-62-05213	Employee information.
WAC 296-62-05215	Transfer of records.
WAC 296-62-05217	Appendices.
WAC 296-62-05219	Effective date.
WAC 296-62-05221	Appendix A—Sample authorization letter for the release of employee medical record information to a designated representative.
WAC 296-62-05223	Appendix B—Availability of NIOSH Registry of Toxic Effects of Chemical Substances (RTECS).

AMENDATORY SECTION (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

WAC 296-37-575 Recordkeeping requirements. (1) Recording and reporting.

(a) The employer shall comply with the requirements of chapters 296-27, 296-350, and 296-800 WAC.

(b) The employer shall record the occurrence of any diving-related injury or illness which requires any dive team member to be hospitalized for 24 hours or more, specifying the circumstances of the incident and the extent of any injuries or illnesses.

(2) Availability of records.

(a) Upon the request of the director of the department of labor and industries or his duly authorized designees, the employer shall make available for inspection and copying any record or document required by this standard.

(b) Records and documents required by this standard shall be provided upon request to employees, designated representatives, and the assistant director in accordance with ((~~WAC 296-62-05201 through 296-62-05209 and 296-62-05213 through 296-62-05217~~)) chapter 296-802 WAC. Safe practices manuals (WAC 296-37-530), depth-time profiles (WAC 296-37-540), recording of dives (WAC 296-37-545), decompression procedure assessment evaluations (WAC 296-37-545), and records of hospitalizations (WAC 296-37-575) shall be provided in the same manner as employee exposure records or analyses using exposure or medical records. Equipment inspections and testing records which pertain to employees (WAC 296-37-570) shall also be provided upon request to employees and their designated representatives.

(c) Records and documents required by this standard shall be retained by the employer for the following period:

(i) Dive team member medical records (physician's reports) (WAC 296-37-525) - five years;

(ii) Safe practices manual (WAC 296-37-530) - current document only;

(iii) Depth-time profile (WAC 296-37-540) - until completion of the recording of dive, or until completion of decompression procedure assessment where there has been an incident of decompression sickness;

(iv) Recording dive (WAC 296-37-545) one year, except five years where there has been an incident of decompression sickness;

(v) Decompression procedure assessment evaluations (WAC 296-37-545) - five years;

(vi) Equipment inspections and testing records (WAC 296-37-570) - current entry or tag, or until equipment is withdrawn from service;

(vii) Records of hospitalizations (WAC 296-37-575) - five years.

(d) After the expiration of the retention period of any record required to be kept for five years, the employer shall forward such records to the National Institute for Occupational Safety and Health, Department of Health and Human Services. The employer shall also comply with any additional requirements set forth in ((~~WAC 296-62-05215~~)) chapter 296-802 WAC.

(e) In the event the employer ceases to do business:

(i) The successor employer shall receive and retain all dive and employee medical records required by this standard; or

(ii) If there is no successor employer, dive and employee medical records shall be forwarded to the National Institute for Occupational Safety and Health, Department of Health and Human Services.

AMENDATORY SECTION (Amending Order 92-15, filed 2/3/93, effective 3/15/93)

WAC 296-155-17331 Recordkeeping. (1) Objective data for exempted operations.

(a) Where the employer has relied on objective data that demonstrate that products made from or containing MDA are not capable of releasing MDA or do not present a dermal exposure problem under the expected conditions of processing, use, or handling to exempt such operations from the initial monitoring requirements under WAC 296-155-17311(2), the employer shall establish and maintain an accurate record of objective data reasonably relied upon in support of the exemption.

(b) The record shall include at least the following information:

(i) The product qualifying for exemption;

(ii) The source of the objective data;

(iii) The testing protocol, results of testing, and/or analysis of the material for the release of MDA;

(iv) A description of the operation exempted and how the data support the exemption; and

(v) Other data relevant to the operations, materials, processing, or employee exposures covered by the exemption.

(c) The employer shall maintain this record for the duration of the employer's reliance upon such objective data.

(2) Historical monitoring data.

(a) Where the employer has relied on historical monitoring data that demonstrate that exposures on a particular job will be below the action level to exempt such operations from the initial monitoring requirements under WAC 296-155-17311(2), the employer shall establish and maintain an accurate record of historical monitoring data reasonably relied upon in support of the exception.

(b) The record shall include information that reflect the following conditions:

(i) The data upon which judgments are based are scientifically sound and were collected using methods that are sufficiently accurate and precise;

(ii) The processes and work practices that were in use when the historical monitoring data were obtained are essentially the same as those to be used during the job for which initial monitoring will not be performed;

(iii) The characteristics of the MDA-containing material being handled when the historical monitoring data were obtained are the same as those on the job for which initial monitoring will not be performed;

(iv) Environmental conditions prevailing when the historical monitoring data were obtained are the same as those on the job for which initial monitoring will not be performed; and

(v) Other data relevant to the operations, materials, processing, or employee exposures covered by the exception.

(c) The employer shall maintain this record for the duration of the employer's reliance upon such historical monitoring data.

(3) The employer may utilize the services of competent organizations such as industry trade associations and employee associations to maintain the records required by this section.

(4) Exposure measurements.

(a) The employer shall keep an accurate record of all measurements taken to monitor employee exposure to MDA.

(b) This record shall include at least the following information:

(i) The date of measurement;

(ii) The operation involving exposure to MDA;

(iii) Sampling and analytical methods used and evidence of their accuracy;

(iv) Number, duration, and results of samples taken;

(v) Type of protective devices worn, if any; and

(vi) Name, Social Security number, and exposure of the employees whose exposures are represented.

(c) The employer shall maintain this record for at least thirty years in accordance with chapter 296-62 WAC, Part B.

(5) Medical surveillance.

(a) The employer shall establish and maintain an accurate record for each employee subject to medical surveillance by WAC 296-155-17327 in accordance with chapter 296-62 WAC, Part B.

(b) The record shall include at least the following information:

(i) The name and Social Security number of the employee;

(ii) A copy of the employee's medical examination results, including the medical history, questionnaire responses, results of any tests, and physician's recommendations;

(iii) Physician's written opinions;

(iv) Any employee medical complaints related to exposure to MDA; and

(v) A copy of the information provided to the physician as required by WAC 296-155-17327.

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(c) The employer shall ensure that this record is maintained for the duration of employment plus thirty years in accordance with chapter 296-62 WAC, Part B.

(d) A copy of the employee's medical removal and return to work status.

(6) Training records. The employer shall maintain all employee training records for one year beyond the last date of employment.

(7) Availability.

(a) The employer, upon written request, shall make all records required to be maintained by this section available to the assistant secretary and the director for examination and copying.

(b) The employer, upon request, shall make any exposure records required by WAC 296-155-17311 and 296-155-17327 available for examination and copying to affected employees, former employees, designated representatives, and the director, in accordance with ((~~WAC 296-62-05201 through 296-62-05209 and 296-62-05213 through 296-62-05223~~)) chapter 296-802 WAC.

(c) The employer, upon request, shall make employee medical records required by WAC 296-155-17327 and this section available for examination and copying to the subject employee, anyone having the specific written consent of the subject employee, and the director in accordance with chapter ((~~296-62~~)) 296-802 WAC((~~, Part B~~)).

(8) Transfer of records.

(a) The employer shall comply with the requirements concerning transfer of records set forth in ((~~WAC 296-62-05215~~)) chapter 296-802 WAC.

(b) Whenever the employer ceases to do business and there is no successor employer to receive and retain the records for the prescribed period, the employer shall notify the director at least 90 days prior to disposal and, upon request, transmit them to the director.

AMENDATORY SECTION (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

WAC 296-155-174 Cadmium. (1) Scope. This standard applies to all occupational exposures to cadmium and cadmium compounds, in all forms, in all construction work where an employee may potentially be exposed to cadmium. Construction work is defined as work involving construction, alteration, and/or repair, including but not limited to the following:

(a) Wrecking, demolition, or salvage of structures where cadmium or materials containing cadmium are present;

(b) Use of cadmium containing-paints and cutting, brazing, burning, grinding, or welding on surfaces that were painted with cadmium-containing paints;

(c) Construction, alteration, repair, maintenance, or renovation of structures, substrates, or portions thereof, that contain cadmium, or materials containing cadmium;

(d) Cadmium welding; cutting and welding cadmium-plated steel; brazing or welding with cadmium alloys;

(e) Installation of products containing cadmium;

(f) Electrical grounding with cadmium-welding, or electrical work using cadmium-coated conduit;

(g) Maintaining or retrofitting cadmium-coated equipment;

(h) Cadmium contamination/emergency cleanup; and

(i) Transportation, disposal, storage, or containment of cadmium or materials containing cadmium on the site or location at which construction activities are performed.

(2) Definitions.

(a) Action level (AL) is defined as an airborne concentration of cadmium of 2.5 micrograms per cubic meter of air (2.5 $\mu g/m^3$), calculated as an 8-hour time-weighted average (TWA).

(b) Authorized person means any person authorized by the employer and required by work duties to be present in regulated areas or any person authorized by WISHA or regulations issued under it to be in regulated areas.

(c) Competent person, in accordance with WAC 296-155-012(4), means a person designated by the employer to act on the employer's behalf who is capable of identifying existing and potential cadmium hazards in the workplace and the proper methods to control them in order to protect workers, and has the authority necessary to take prompt corrective measures to eliminate or control such hazards. The duties of a competent person include at least the following: Determining prior to the performance of work whether cadmium is present in the workplace; establishing, where necessary, regulated areas and assuring that access to and from those areas is limited to authorized employees; assuring the adequacy of any employee exposure monitoring required by this standard; assuring that all employees exposed to air cadmium levels above the PEL wear appropriate personal protective equipment and are trained in the use of appropriate methods of exposure control; assuring that proper hygiene facilities are provided and that workers are trained to use those facilities; and assuring that the engineering controls required by this standard are implemented, maintained in proper operating condition, and functioning properly.

(d) Director means the director of the department of labor and industries or authorized representative.

(e) Employee exposure and similar language referring to the air cadmium level to which an employee is exposed means the exposure to airborne cadmium that would occur if the employee were not using respiratory protective equipment.

(f) Final medical determination is the written medical opinion of the employee's health status by the examining physician under subsection (12)(c) through (l) of this section or, if multiple physician review under subsection (12)(m) of this section or the alternative physician determination under subsection (12)(n) of this section is invoked, it is the final, written medical finding, recommendation or determination that emerges from that process.

(g) High-efficiency particulate air (HEPA) filter means a filter capable of trapping and retaining at least 99.97 percent of mono-dispersed particles of 0.3 micrometers in diameter.

(h) Regulated area means an area demarcated by the employer where an employee's exposure to airborne concentrations of cadmium exceeds, or can reasonably be expected to exceed the permissible exposure limit (PEL).

(i) This section means this cadmium standard.

(3) Permissible exposure limit (PEL). The employer shall assure that no employee is exposed to an airborne concentration of cadmium in excess of five micrograms per cubic meter of air (5 $\mu g/m^3$), calculated as an 8-hour time-weighted average exposure (TWA).

(4) Exposure monitoring

(a) General.

(i) Prior to the performance of any construction work where employees may be potentially exposed to cadmium, the employer shall establish the applicability of this standard by determining whether cadmium is present in the workplace and whether there is the possibility that employee exposures will be at or above the action level. The employer shall designate a competent person who shall make this determination. Investigation and material testing techniques shall be used, as appropriate, in the determination. Investigation shall include a review of relevant plans, past reports, material safety data sheets, and other available records, and consultations with the property owner and discussions with appropriate individuals and agencies.

(ii) Where cadmium has been determined to be present in the workplace, and it has been determined that there is a possibility the employee's exposure will be at or above the action level, the competent person shall identify employees potentially exposed to cadmium at or above the action level.

(iii) Determinations of employee exposure shall be made from breathing-zone air samples that reflect the monitored employee's regular, daily 8-hour TWA exposure to cadmium.

(iv) Eight-hour TWA exposures shall be determined for each employee on the basis of one or more personal breathing-zone air samples reflecting full shift exposure on each shift, for each job classification, in each work area. Where several employees perform the same job tasks, in the same job classification, on the same shift, in the same work area, and the length, duration, and level of cadmium exposures are similar, an employer may sample a representative fraction of the employees instead of all employees in order to meet this requirement. In representative sampling, the employer shall sample the employee(s) expected to have the highest cadmium exposures.

(b) Specific.

(i) Initial monitoring. Except as provided for in (b)(iii) of this subsection, where a determination conducted under (a)(i) of this subsection shows the possibility of employee exposure to cadmium at or above the action level, the employer shall conduct exposure monitoring as soon as practicable that is representative of the exposure for each employee in the workplace who is or may be exposed to cadmium at or above the action level.

(ii) In addition, if the employee periodically performs tasks that may expose the employee to a higher concentration of airborne cadmium, the employee shall be monitored while performing those tasks.

(iii) Where the employer has objective data, as defined in subsection (14)(b) of this section, demonstrating that employee exposure to cadmium will not exceed airborne concentrations at or above the action level under the expected conditions of processing, use, or handling, the employer may rely upon such data instead of implementing initial monitoring.

(iv) Where a determination conducted under (a) or (b) of this subsection is made that a potentially exposed employee is not exposed to airborne concentrations of cadmium at or above the action level, the employer shall make a written record of such determination. The record shall include at least the monitoring data developed under (b)(i) through (iii) of this subsection, where applicable, and shall also include the date of determination, and the name and Social Security number of each employee.

(c) Monitoring frequency (periodic monitoring).

(i) If the initial monitoring or periodic monitoring reveals employee exposures to be at or above the action level, the employer shall monitor at a frequency and pattern needed to assure that the monitoring results reflect with reasonable accuracy the employee's typical exposure levels, given the variability in the tasks performed, work practices, and environmental conditions on the job site, and to assure the adequacy of respiratory selection and the effectiveness of engineering and work practice controls.

(ii) If the initial monitoring or the periodic monitoring indicates that employee exposures are below the action level and that result is confirmed by the results of another monitoring taken at least seven days later, the employer may discontinue the monitoring for those employees whose exposures are represented by such monitoring.

(d) Additional monitoring. The employer also shall institute the exposure monitoring required under (b)(i) and (c) of this subsection whenever there has been a change in the raw materials, equipment, personnel, work practices, or finished products that may result in additional employees being exposed to cadmium at or above the action level or in employees already exposed to cadmium at or above the action level being exposed above the PEL, or whenever the employer or competent person has any reason to suspect that any other change might result in such further exposure.

(e) Employee notification of monitoring results.

(i) No later than five working days after the receipt of the results of any monitoring performed under this section, the employer shall notify each affected employee individually in writing of the results. In addition, within the same time period, the employer shall post the results of the exposure monitoring in an appropriate location that is accessible to all affected employees.

(ii) Wherever monitoring results indicate that employee exposure exceeds the PEL, the employer shall include in the written notice a statement that the PEL has been exceeded and a description of the corrective action being taken by the employer to reduce employee exposure to or below the PEL.

(f) Accuracy of measurement. The employer shall use a method of monitoring and analysis that has an accuracy of not less than plus or minus 25 percent (± 25%), with a confidence level of 95 percent, for airborne concentrations of cadmium at or above the action level and the permissible exposure limit.

(5) Regulated areas.

(a) Establishment. The employer shall establish a regulated area wherever an employee's exposure to airborne concentrations of cadmium is, or can reasonably be expected to be in excess of the permissible exposure limit (PEL).

PROPOSED

(b) Demarcation. Regulated areas shall be demarcated from the rest of the workplace in any manner that adequately establishes and alerts employees of the boundaries of the regulated area, including employees who are or may be incidentally in the regulated areas, and that protects persons outside the area from exposure to airborne concentrations of cadmium in excess of the PEL.

(c) Access. Access to regulated areas shall be limited to authorized persons.

(d) Provision of respirators. Each person entering a regulated area shall be supplied with and required to use a respirator, selected in accordance with subsection (7)(b) of this section.

(e) Prohibited activities. The employer shall assure that employees do not eat, drink, smoke, chew tobacco or gum, or apply cosmetics in regulated areas, or carry the products associated with any of these activities into regulated areas or store such products in those areas.

(6) Methods of compliance.

(a) Compliance hierarchy.

(i) Except as specified in (a)(ii) of this subsection, the employer shall implement engineering and work practice controls to reduce and maintain employee exposure to cadmium at or below the PEL, except to the extent that the employer can demonstrate that such controls are not feasible.

(ii) The requirement to implement engineering controls to achieve the PEL does not apply where the employer demonstrates the following:

(A) The employee is only intermittently exposed; and

(B) The employee is not exposed above the PEL on 30 or more days per year (12 consecutive months).

(iii) Wherever engineering and work practice controls are not sufficient to reduce employee exposure to or below the PEL, the employer nonetheless shall implement such controls to reduce exposures to the lowest levels achievable. The employer shall supplement such controls with respiratory protection that complies with the requirements of subsection (7) of this section and the PEL.

(iv) The employer shall not use employee rotation as a method of compliance.

(b) Specific operations.

(i) Abrasive blasting. Abrasive blasting on cadmium or cadmium-containing materials shall be conducted in a manner that will provide adequate protection.

(ii) Heating cadmium and cadmium-containing materials. Welding, cutting, and other forms of heating of cadmium or cadmium-containing materials shall be conducted in accordance with the requirements of WAC 296-155-415 and 296-155-420, where applicable.

(c) Prohibitions.

(i) High speed abrasive disc saws and similar abrasive power equipment shall not be used for work on cadmium or cadmium-containing materials unless they are equipped with appropriate engineering controls to minimize emissions, if the exposure levels are above the PEL.

(ii) Materials containing cadmium shall not be applied by spray methods, if exposures are above the PEL, unless employees are protected with supplied-air respirators with full facepiece, hood, helmet, suit, operated in positive pressure mode and measures are instituted to limit overspray and prevent contamination of adjacent areas.

(d) Mechanical ventilation.

(i) When ventilation is used to control exposure, measurements that demonstrate the effectiveness of the system in controlling exposure, such as capture velocity, duct velocity, or static pressure shall be made as necessary to maintain its effectiveness.

(ii) Measurements of the system's effectiveness in controlling exposure shall be made as necessary within five working days of any change in production, process, or control that might result in a significant increase in employee exposure to cadmium.

(iii) Recirculation of air. If air from exhaust ventilation is recirculated into the workplace, the system shall have a high efficiency filter and be monitored to assure effectiveness.

(iv) Procedures shall be developed and implemented to minimize employee exposure to cadmium when maintenance of ventilation systems and changing of filters is being conducted.

(e) Compliance program.

(i) Where employee exposure to cadmium exceeds the PEL and the employer is required under (a) of this subsection to implement controls to comply with the PEL, prior to the commencement of the job the employer shall establish and implement a written compliance program to reduce employee exposure to or below the PEL. To the extent that engineering and work practice controls cannot reduce exposures to or below the PEL, the employer shall include in the written compliance program the use of appropriate respiratory protection to achieve compliance with the PEL.

(ii) Written compliance programs shall be reviewed and updated as often and as promptly as necessary to reflect significant changes in the employer's compliance status or significant changes in the lowest air cadmium level that is technologically feasible.

(iii) A competent person shall review the comprehensive compliance program initially and after each change.

(iv) Written compliance programs shall be provided upon request for examination and copying to the director, or authorized representatives, affected employees, and designated employee representatives.

(7) Respirator protection.

(a) General. For employees who use respirators required by this section, the employer must provide respirators that comply with the requirements of this section. Respirators must be used during:

(i) Periods necessary to install or implement feasible engineering and work-practice controls when employee exposures exceed the PEL.

(ii) Maintenance and repair activities, and brief or intermittent operations, for which employee exposures exceed the PEL and engineering and work-practice controls are not feasible or are not required.

(iii) Work operations in regulated areas specified in subsection (5) of this section.

(iv) Work operations for which the employer has implemented all feasible engineering and work-practice controls, and such controls are not sufficient to reduce exposures to or below the PEL.

(v) Emergencies.

(vi) Work operations for which an employee, who is exposed to cadmium at or above the action level, requests a respirator.

(vii) Work operations for which engineering controls are not required under (a)(ii) of this subsection to reduce employee exposures that exceed the PEL.

(b) Respirator program.

(i) The employer must implement a respiratory protection program as required by chapter 296-62 WAC, Part E (except WAC 296-62-07130(1) and 296-62-07150 through 296-62-07156).

(ii) If an employee has breathing difficulty during fit testing or respirator use, the employer must provide the employee with a medical examination as required by subsection (12)(f)(ii) of this section to determine if the employee can use a respirator while performing the required duties.

(iii) No employees must use a respirator when, based on their recent medical examination, the examining physician determines that the employee will be unable to continue to function normally while using a respirator. If the physician determines the employee must be limited in, or removed from, their current job because of the employee's inability to use a respirator, the job limitation or removal must be conducted as required by (k) and (l) of this subsection.

(c) Respirator selection.

(i) The employer must select the appropriate respirator from Table 1 of this section.

Table 1
Respiratory Protection for Cadmium

Airborne concentration or condition of use [a]	Required respirator type[b]
10 x or less	A half-mask, air-purifying respirator equipped with a HEPA[c] filter.[d]
25 x or less	A powered air-purifying respirator ("PAPR") with a loose-fitting hood or helmet equipped with a HEPA filter, or a supplied-air respirator with a loose-fitting hood or helmet facepiece operated in the continuous flow mode.
50 x or less	A full facepiece air-purifying respirator equipped with a HEPA filter, or a powered air-purifying respirator with a tight-fitting half-mask equipped with a HEPA filter, or a supplied air respirator with a tight-fitting half-mask operated in the continuous flow mode.
250 x or less	A powered air-purifying respirator with a tight-fitting full facepiece equipped with a HEPA filter, or a supplied-air respirator with a tight-fitting full facepiece operated in the continuous flow mode.
1000 x or less	A supplied-air respirator with half-mask or full facepiece operated in the pressure demand or other positive pressure mode.
>1000 x or unknown concentrations	A self-contained breathing apparatus with a full facepiece operated in the pressure demand or other positive pressure mode, or a supplied-air respirator with a full facepiece operated in the pressure demand or other positive pressure mode and equipped with an auxiliary escape type self-contained breathing apparatus operated in the pressure demand mode.
Fire fighting	A self-contained breathing apparatus with full facepiece operated in the pressure demand or other positive pressure mode.

Note:

[a] Concentrations expressed as multiple of the PEL.

[b] Respirators assigned for higher environmental concentrations may be used at lower exposure levels. Quantitative fit testing is required for all tight-fitting air purifying respirators where airborne concentration of cadmium exceeds 10 times the TWA PEL ($10 \times 5\ \mu g/m^3 = 50\ \mu g/m^3$). A full facepiece respirator is required when eye irritation is experienced.

[c] HEPA means High Efficiency Particulate Air.

[d] Fit testing, qualitative or quantitative, is required.

Source: Respiratory Decision Logic, NIOSH, 1987.

(ii) The employer shall provide a powered, air-purifying respirator (PAPR) instead of a negative-pressure respirator when an employee entitled to a respirator chooses to use this type of respirator and such a respirator will provide adequate protection to the employee.

(8) Emergency situations. The employer shall develop and implement a written plan for dealing with emergency situations involving substantial releases of airborne cadmium. The plan shall include provisions for the use of appropriate respirators and personal protective equipment. In addition, employees not essential to correcting the emergency situation

shall be restricted from the area and normal operations halted in that area until the emergency is abated.

(9) Protective work clothing and equipment

(a) Provision and use. If an employee is exposed to airborne cadmium above the PEL or where skin or eye irritation is associated with cadmium exposure at any level, the employer shall provide at no cost to the employee, and assure that the employee uses, appropriate protective work clothing and equipment that prevents contamination of the employee and the employee's garments. Protective work clothing and equipment includes, but is not limited to:

(i) Coveralls or similar full-body work clothing;

(ii) Gloves, head coverings, and boots or foot coverings; and

(iii) Face shields, vented goggles, or other appropriate protective equipment that complies with WAC 296-155-215.

(b) Removal and storage.

(i) The employer shall assure that employees remove all protective clothing and equipment contaminated with cadmium at the completion of the work shift and do so only in change rooms provided in accordance with subsection (10)(a) of this section.

(ii) The employer shall assure that no employee takes cadmium-contaminated protective clothing or equipment from the workplace, except for employees authorized to do so for purposes of laundering, cleaning, maintaining, or disposing of cadmium-contaminated protective clothing and equipment at an appropriate location or facility away from the workplace.

(iii) The employer shall assure that contaminated protective clothing and equipment, when removed for laundering, cleaning, maintenance, or disposal, is placed and stored in sealed, impermeable bags or other closed, impermeable containers that are designed to prevent dispersion of cadmium dust.

(iv) The employer shall assure that containers of contaminated protective clothing and equipment that are to be taken out of the change rooms or the workplace for laundering, cleaning, maintenance or disposal shall bear labels in accordance with subsection (13)(c) of this section.

(c) Cleaning, replacement, and disposal.

(i) The employer shall provide the protective clothing and equipment required by (a) of this subsection in a clean and dry condition as often as necessary to maintain its effectiveness, but in any event at least weekly. The employer is responsible for cleaning and laundering the protective clothing and equipment required by this subsection to maintain its effectiveness and is also responsible for disposing of such clothing and equipment.

(ii) The employer also is responsible for repairing or replacing required protective clothing and equipment as needed to maintain its effectiveness. When rips or tears are detected while an employee is working they shall be immediately mended, or the worksuit shall be immediately replaced.

(iii) The employer shall prohibit the removal of cadmium from protective clothing and equipment by blowing, shaking, or any other means that disperses cadmium into the air.

(iv) The employer shall assure that any laundering of contaminated clothing or cleaning of contaminated equipment in the workplace is done in a manner that prevents the release of airborne cadmium in excess of the permissible exposure limit prescribed in subsection (3) of this section.

(v) The employer shall inform any person who launders or cleans protective clothing or equipment contaminated with cadmium of the potentially harmful effects of exposure to cadmium, and that the clothing and equipment should be laundered or cleaned in a manner to effectively prevent the release of airborne cadmium in excess of the PEL.

(10) Hygiene areas and practices.

(a) General. For employees whose airborne exposure to cadmium is above the PEL, the employer shall provide clean change rooms, handwashing facilities, showers, and lunchroom facilities that comply with WAC 296-155-140.

(b) Change rooms. The employer shall assure that change rooms are equipped with separate storage facilities for street clothes and for protective clothing and equipment, which are designed to prevent dispersion of cadmium and contamination of the employee's street clothes.

(c) Showers and handwashing facilities.

(i) The employer shall assure that employees whose airborne exposure to cadmium is above the PEL shower during the end of the work shift.

(ii) The employer shall assure that employees who are exposed to cadmium above the PEL wash their hands and faces prior to eating, drinking, smoking, chewing tobacco or gum, or applying cosmetics.

(d) Lunchroom facilities.

(i) The employer shall assure that the lunchroom facilities are readily accessible to employees, that tables for eating are maintained free of cadmium, and that no employee in a lunchroom facility is exposed at any time to cadmium at or above a concentration of 2.5 $\mu g/m^3$.

(ii) The employer shall assure that employees do not enter lunchroom facilities with protective work clothing or equipment unless surface cadmium has been removed from the clothing and equipment by HEPA vacuuming or some other method that removes cadmium dust without dispersing it.

(11) Housekeeping.

(a) All surfaces shall be maintained as free as practicable of accumulations of cadmium.

(b) All spills and sudden releases of material containing cadmium shall be cleaned up as soon as possible.

(c) Surfaces contaminated with cadmium shall, wherever possible, be cleaned by vacuuming or other methods that minimize the likelihood of cadmium becoming airborne.

(d) HEPA-filtered vacuuming equipment or equally effective filtration methods shall be used for vacuuming. The equipment shall be used and emptied in a manner that minimizes the reentry of cadmium into the workplace.

(e) Shoveling, dry or wet sweeping, and brushing may be used only where vacuuming or other methods that minimize the likelihood of cadmium becoming airborne have been tried and found not to be effective.

(f) Compressed air shall not be used to remove cadmium from any surface unless the compressed air is used in conjunction with a ventilation system designed to capture the dust cloud created by the compressed air.

(g) Waste, scrap, debris, bags, containers, personal protective equipment, and clothing contaminated with cadmium

and consigned for disposal shall be collected and disposed of in sealed impermeable bags or other closed, impermeable containers. These bags and containers shall be labeled in accordance with subsection (13)(b) of this section.

(12) Medical surveillance.

(a) General.

(i) Scope.

(A) Currently exposed—The employer shall institute a medical surveillance program for all employees who are or may be exposed at or above the action level and all employees who perform the following tasks, operations, or jobs: Electrical grounding with cadmium-welding; cutting, brazing, burning, grinding, or welding on surfaces that were painted with cadmium-containing paints; electrical work using cadmium-coated conduit; use of cadmium containing paints; cutting and welding cadmium-plated steel; brazing or welding with cadmium alloys; fusing of reinforced steel by cadmium welding; maintaining or retrofitting cadmium-coated equipment; and, wrecking and demolition where cadmium is present. A medical surveillance program will not be required if the employer demonstrates that the employee:

(I) Is not currently exposed by the employer to airborne concentrations of cadmium at or above the action level on 30 or more days per year (twelve consecutive months); and

(II) Is not currently exposed by the employer in those tasks on 30 or more days per year (twelve consecutive months).

(B) Previously exposed—The employer shall also institute a medical surveillance program for all employees who might previously have been exposed to cadmium by the employer prior to the effective date of this section in tasks specified under (a)(i)(A) of this subsection, unless the employer demonstrates that the employee did not in the years prior to the effective date of this section work in those tasks for the employer with exposure to cadmium for an aggregated total of more than 12 months.

(ii) To determine an employee's fitness for using a respirator, the employer shall provide the limited medical examination specified in (f) of this subsection.

(iii) The employer shall assure that all medical examinations and procedures required by this section are performed by or under the supervision of a licensed physician, who has read and is familiar with the health effects WAC 296-62-07441, Appendix A, the regulatory text of this section, the protocol for sample handling and lab selection in WAC 296-62-07451, Appendix F, and the questionnaire of WAC 296-62-07447, Appendix D.

(iv) The employer shall provide the medical surveillance required by this section, including multiple physician review under (m) of this subsection without cost to employees, and at a time and place that is reasonable and convenient to employees.

(v) The employer shall assure that the collecting and handling of biological samples of cadmium in urine (CdU), cadmium in blood (CdB), and beta-2 microglobulin in urine (B_2-M) taken from employees under this section is done in a manner that assures their reliability and that analysis of biological samples of cadmium in urine (CdU), cadmium in blood (CdB), and beta-2 microglobulin in urine (B_2-M) taken from employees under this section is performed in laboratories with demonstrated proficiency to perform the particular analysis. (See WAC 296-62-07451, Appendix F.)

(b) Initial examination.

(i) For employees covered by medical surveillance under (a)(i) of this subsection, the employer shall provide an initial medical examination. The examination shall be provided to those employees within 30 days after initial assignment to a job with exposure to cadmium or no later than 90 days after the effective date of this section, whichever date is later.

(ii) The initial medical examination shall include:

(A) A detailed medical and work history, with emphasis on: Past, present, and anticipated future exposure to cadmium; any history of renal, cardiovascular, respiratory, hematopoietic, reproductive, and/or musculo-skeletal system dysfunction; current usage of medication with potential nephrotoxic side-effects; and smoking history and current status; and

(B) Biological monitoring that includes the following tests:

(I) Cadmium in urine (CdU), standardized to grams of creatinine (g/Cr);

(II) Beta-2 microglobulin in urine (B_2-M), standardized to grams of creatinine (g/Cr), with pH specified, as described in WAC 296-62-07451, Appendix F; and

(III) Cadmium in blood (CdB), standardized to liters of whole blood (lwb).

(iii) Recent examination: An initial examination is not required to be provided if adequate records show that the employee has been examined in accordance with the requirements of (b)(ii) of this subsection within the past 12 months. In that case, such records shall be maintained as part of the employee's medical record and the prior exam shall be treated as if it were an initial examination for the purposes of (c) and (d) of this subsection.

(c) Actions triggered by initial biological monitoring.

(i) If the results of the biological monitoring tests in the initial examination show the employee's CdU level to be at or below 3 μg/g Cr, B_2-M level to be at or below 300 μg/g Cr and CdB level to be at or below 5 μg/lwb, then:

(A) For employees who are subject to medical surveillance under (a)(i)(A) of this subsection because of current or anticipated exposure to cadmium, the employer shall provide the minimum level of periodic medical surveillance in accordance with the requirements in (d)(i) of this subsection; and

(B) For employees who are subject to medical surveillance under (a)(i)(B) of this subsection because of prior but not current exposure, the employer shall provide biological monitoring for CdU, B_2-M, and CdB one year after the initial biological monitoring and then the employer shall comply with the requirements of (d)(vi) of this subsection.

(ii) For all employees who are subject to medical surveillance under (a)(i) of this subsection, if the results of the initial biological monitoring tests show the level of CdU to exceed 3 μg/g Cr, the level of B_2-M to be in excess of 300 μg/g Cr, or the level of CdB to be in excess of 5 μg/lwb, the employer shall:

(A) Within two weeks after receipt of biological monitoring results, reassess the employee's occupational exposure to cadmium as follows:

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(I) Reassess the employee's work practices and personal hygiene;

(II) Reevaluate the employee's respirator use, if any, and the respirator program;

(III) Review the hygiene facilities;

(IV) Reevaluate the maintenance and effectiveness of the relevant engineering controls;

(V) Assess the employee's smoking history and status;

(B) Within 30 days after the exposure reassessment, specified in (c)(ii)(A) of this subsection, take reasonable steps to correct any deficiencies found in the reassessment that may be responsible for the employee's excess exposure to cadmium; and

(C) Within 90 days after receipt of biological monitoring results, provide a full medical examination to the employee in accordance with the requirements of (d)(ii) of this subsection. After completing the medical examination, the examining physician shall determine in a written medical opinion whether to medically remove the employee. If the physician determines that medical removal is not necessary, then until the employee's CdU level falls to or below 3 μg/g Cr, B_2-M level falls to or below 300 μg/g Cr and CdB level falls to or below 5 μg/lwb, the employer shall:

(I) Provide biological monitoring in accordance with (b)(ii)(B) of this subsection on a semiannual basis; and

(II) Provide annual medical examinations in accordance with (d)(ii) of this subsection.

(iii) For all employees who are subject to medical surveillance under (a)(i) of this subsection, if the results of the initial biological monitoring tests show the level of CdU to be in excess of 15 μg/g Cr, or the level of CdB to be in excess of 15 μg/lwb, or the level of B_2-M to be in excess of 1,500 μg/g Cr, the employer shall comply with the requirements of (c)(ii)(A) and (B) of this subsection. Within 90 days after receipt of biological monitoring results, the employer shall provide a full medical examination to the employee in accordance with the requirements of (d)(ii) of this subsection. After completing the medical examination, the examining physician shall determine in a written medical opinion whether to medically remove the employee. However, if the initial biological monitoring results and the biological monitoring results obtained during the medical examination both show that: CdU exceeds 15 μg/g Cr; or CdB exceeds 15 μg/lwb; or B_2-M exceeds 1500 μ/g Cr, and in addition CdU exceeds 3 μg/g Cr or CdB exceeds 5 μg/liter of whole blood, then the physician shall medically remove the employee from exposure to cadmium at or above the action level. If the second set of biological monitoring results obtained during the medical examination does not show that a mandatory removal trigger level has been exceeded, then the employee is not required to be removed by the mandatory provisions of this section. If the employee is not required to be removed by the mandatory provisions of this section or by the physician's determination, then until the employee's CdU level falls to or below 3 μg/g Cr, B_2-M level falls to or below 300 μg/g Cr and CdB level falls to or below 5 μg/lwb, the employer shall:

(A) Periodically reassess the employee's occupational exposure to cadmium;

(B) Provide biological monitoring in accordance with (b)(ii)(B) of this subsection on a quarterly basis; and

(C) Provide semiannual medical examinations in accordance with (d)(ii) of this subsection.

(iv) For all employees to whom medical surveillance is provided, beginning on January 1, 1999, and in lieu of (c)(iii) of this subsection, whenever the results of initial biological monitoring tests show the employee's CdU level to be in excess of 7 μg/g Cr, or B_2-M level to be in excess of 750 μg/g Cr, or CdB level to be in excess of 10 μg/lwb, the employer shall comply with the requirements of (c)(ii)(A) and (B) of this subsection. Within 90 days after receipt of biological monitoring results, the employer shall provide a full medical examination to the employee in accordance with the requirements of (d)(ii) of this subsection. After completing the medical examination, the examining physician shall determine in a written medical opinion whether to medically remove the employee. However, if the initial biological monitoring results and the biological monitoring results obtained during the medical examination both show that: CdU exceeds 7 μg/g Cr; or CdB exceeds 10 μg/lwb; or B_2-M exceeds 750 μg/g Cr, and in addition CdU exceeds 3 μg/g Cr or CdB exceeds 5 μg/liter of whole blood, then the physician shall medically remove the employee from exposure to cadmium at or above the action level. If the second set of biological monitoring results obtained during the medical examination does not show that a mandatory removal trigger level has been exceeded, then the employee is not required to be removed by the mandatory provisions of this section. If the employee is not required to be removed by the mandatory provisions of this section or by the physician's determination, then until the employee's CdU level falls to or below 3 μg/g Cr, B_2-M level falls to or below 300 μg/g Cr and CdB level falls to or below 5 μg/lwb, the employer shall:

(A) Periodically reassess the employee's occupational exposure to cadmium;

(B) Provide biological monitoring in accordance with (b)(ii)(B) of this subsection on a quarterly basis; and

(C) Provide semiannual medical examinations in accordance with (d)(ii) of this subsection.

(d) Periodic medical surveillance.

(i) For each employee who is covered by medical surveillance under (a)(i)(A) of this subsection because of current or anticipated exposure to cadmium, the employer shall provide at least the minimum level of periodic medical surveillance, which consists of periodic medical examinations and periodic biological monitoring. A periodic medical examination shall be provided within one year after the initial examination required by (b) of this subsection and thereafter at least biennially. Biological sampling shall be provided at least annually either as part of a periodic medical examination or separately as periodic biological monitoring.

(ii) The periodic medical examination shall include:

(A) A detailed medical and work history, or update thereof, with emphasis on: Past, present, and anticipated future exposure to cadmium; smoking history and current status; reproductive history; current use of medications with potential nephrotoxic side-effects; any history of renal, cardiovascular, respiratory, hematopoietic, and/or musculo-

skeletal system dysfunction; and as part of the medical and work history, for employees who wear respirators, questions 3 through 11 and 25 through 32 in WAC 296-62-07447, Appendix D;

(B) A complete physical examination with emphasis on: Blood pressure, the respiratory system, and the urinary system;

(C) A 14 inch by 17 inch, or a reasonably standard sized posterior-anterior chest X ray (after the initial X ray, the frequency of chest X rays is to be determined by the examining physician);

(D) Pulmonary function tests, including forced vital capacity (FVC) and forced expiratory volume at 1 second (FEV1);

(E) Biological monitoring, as required in (b)(ii)(B) of this subsection;

(F) Blood analysis, in addition to the analysis required under (b)(ii)(B) of this subsection, including blood urea nitrogen, complete blood count, and serum creatinine;

(G) Urinalysis, in addition to the analysis required under (b)(ii)(B) of this subsection, including the determination of albumin, glucose, and total and low molecular weight proteins;

(H) For males over 40 years old, prostate palpation, or other at least as effective diagnostic test(s); and

(I) Any additional tests or procedures deemed appropriate by the examining physician.

(iii) Periodic biological monitoring shall be provided in accordance with (b)(ii)(B) of this subsection.

(iv) If the results of periodic biological monitoring or the results of biological monitoring performed as part of the periodic medical examination show the level of the employee's CdU, B_2-M, or CdB to be in excess of the levels specified in (c)(ii) and (iii) of this subsection; or, beginning on January 1, 1999, in excess of the levels specified in (c)(ii) or (iv) of this subsection, the employer shall take the appropriate actions specified in (c)(ii) through (iv) of this subsection, respectively.

(v) For previously exposed employees under (a)(i)(B) of this subsection:

(A) If the employee's levels of CdU did not exceed 3 μg/g Cr, CdB did not exceed 5 μg/lwb, and B_2-M did not exceed 300 μg/g Cr in the initial biological monitoring tests, and if the results of the follow-up biological monitoring required by (c)(i)(B) of this subsection one year after the initial examination confirm the previous results, the employer may discontinue all periodic medical surveillance for that employee.

(B) If the initial biological monitoring results for CdU, CdB, or B_2-M were in excess of the levels specified in (c)(i) of this subsection, but subsequent biological monitoring results required by (c)(ii) through (iv) of this subsection show that the employee's CdU levels no longer exceed 3 μg/g Cr, CdB levels no longer exceed 5 μg/lwb, and B_2-M levels no longer exceed 300 μg/g Cr, the employer shall provide biological monitoring for CdU, CdB, and B_2-M one year after these most recent biological monitoring results. If the results of the follow-up biological monitoring specified in this section, confirm the previous results, the employer may discontinue all periodic medical surveillance for that employee.

(C) However, if the results of the follow-up tests specified in (d)(v)(A) or (B) of this subsection indicate that the level of the employee's CdU, B_2-M, or CdB exceeds these same levels, the employer is required to provide annual medical examinations in accordance with the provisions of (d)(ii) of this subsection until the results of biological monitoring are consistently below these levels or the examining physician determines in a written medical opinion that further medical surveillance is not required to protect the employee's health.

(vi) A routine, biennial medical examination is not required to be provided in accordance with (c)(i) and (d) of this subsection if adequate medical records show that the employee has been examined in accordance with the requirements of (d)(ii) of this subsection within the past 12 months. In that case, such records shall be maintained by the employer as part of the employee's medical record, and the next routine, periodic medical examination shall be made available to the employee within two years of the previous examination.

(e) Actions triggered by medical examinations. If the results of a medical examination carried out in accordance with this section indicate any laboratory or clinical finding consistent with cadmium toxicity that does not require employer action under (b), (c), or (d) of this subsection, the employer shall take the following steps and continue to take them until the physician determines that they are no longer necessary.

(i) Periodically reassess: The employee's work practices and personal hygiene; the employee's respirator use, if any; the employee's smoking history and status; the respiratory protection program; the hygiene facilities; the maintenance and effectiveness of the relevant engineering controls; and take all reasonable steps to correct the deficiencies found in the reassessment that may be responsible for the employee's excess exposure to cadmium.

(ii) Provide semiannual medical reexaminations to evaluate the abnormal clinical sign(s) of cadmium toxicity until the results are normal or the employee is medically removed; and

(iii) Where the results of tests for total proteins in urine are abnormal, provide a more detailed medical evaluation of the toxic effects of cadmium on the employee's renal system.

(f) Examination for respirator use.

(i) To determine an employee's fitness for respirator use, the employer shall provide a medical examination that includes the elements specified in (f)(i)(A) through (D) of this subsection. This examination shall be provided prior to the employee's being assigned to a job that requires the use of a respirator or no later than 90 days after this section goes into effect, whichever date is later, to any employee without a medical examination within the preceding 12 months that satisfies the requirements of this section.

(A) A detailed medical and work history, or update thereof, with emphasis on: Past exposure to cadmium; smoking history and current status; any history of renal, cardiovascular, respiratory, hematopoietic, and/or musculo-skeletal system dysfunction; a description of the job for which the res-

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pirator is required; and questions 3 through 11 and 25 through 32 in WAC 296-62-07447, Appendix D;

(B) A blood pressure test;

(C) Biological monitoring of the employee's levels of CdU, CdB and B_2-M in accordance with the requirements of (b)(ii)(B) of this subsection, unless such results already have been obtained within the twelve months; and

(D) Any other test or procedure that the examining physician deems appropriate.

(ii) After reviewing all the information obtained from the medical examination required in (f)(i) of this subsection, the physician shall determine whether the employee is fit to wear a respirator.

(iii) Whenever an employee has exhibited difficulty in breathing during a respirator fit test or during use of a respirator, the employer, as soon as possible, shall provide the employee with a periodic medical examination in accordance with (d)(ii) of this subsection to determine the employee's fitness to wear a respirator.

(iv) Where the results of the examination required under (f)(i), (ii), or (iii) of this subsection are abnormal, medical limitation or prohibition of respirator use shall be considered. If the employee is allowed to wear a respirator, the employee's ability to continue to do so shall be periodically evaluated by a physician.

(g) Emergency examinations.

(i) In addition to the medical surveillance required in (b) through (f) of this subsection, the employer shall provide a medical examination as soon as possible to any employee who may have been acutely exposed to cadmium because of an emergency.

(ii) The examination shall include the requirements of (d)(ii), of this subsection, with emphasis on the respiratory system, other organ systems considered appropriate by the examining physician, and symptoms of acute overexposure, as identified in Appendix A, WAC 296-62-07441 (2)(b)(i) and (ii) and (4).

(h) Termination of employment examination.

(i) At termination of employment, the employer shall provide a medical examination in accordance with (d)(ii) of this subsection, including a chest X ray where necessary, to any employee to whom at any prior time the employer was required to provide medical surveillance under (a)(i) or (g) of this subsection. However, if the last examination satisfied the requirements of (d)(ii) of this subsection and was less than six months prior to the date of termination, no further examination is required unless otherwise specified in (c) or (e) of this subsection;

(ii) In addition, if the employer has discontinued all periodic medical surveillance under (d)(v) of this subsection, no termination of employment medical examination is required.

(i) Information provided to the physician. The employer shall provide the following information to the examining physician:

(i) A copy of this standard and appendices;

(ii) A description of the affected employee's former, current, and anticipated duties as they relate to the employee's occupational exposure to cadmium;

(iii) The employee's former, current, and anticipated future levels of occupational exposure to cadmium;

(iv) A description of any personal protective equipment, including respirators, used or to be used by the employee, including when and for how long the employee has used that equipment; and

(v) Relevant results of previous biological monitoring and medical examinations.

(j) Physician's written medical opinion.

(i) The employer shall promptly obtain a written, signed, medical opinion from the examining physician for each medical examination performed on each employee. This written opinion shall contain:

(A) The physician's diagnosis for the employee;

(B) The physician's opinion as to whether the employee has any detected medical condition(s) that would place the employee at increased risk of material impairment to health from further exposure to cadmium, including any indications of potential cadmium toxicity;

(C) The results of any biological or other testing or related evaluations that directly assess the employee's absorption of cadmium;

(D) Any recommended removal from, or limitation on the activities or duties of the employee or on the employee's use of personal protective equipment, such as respirators;

(E) A statement that the physician has clearly and carefully explained to the employee the results of the medical examination, including all biological monitoring results and any medical conditions related to cadmium exposure that require further evaluation or treatment, and any limitation on the employee's diet or use of medications.

(ii) The employer shall promptly obtain a copy of the results of any biological monitoring provided by an employer to an employee independently of a medical examination under (b) and (d) of this subsection, and, in lieu of a written medical opinion, an explanation sheet explaining those results.

(iii) The employer shall instruct the physician not to reveal orally or in the written medical opinion given to the employer specific findings or diagnoses unrelated to occupational exposure to cadmium.

(k) Medical removal protection (MRP).

(i) General.

(A) The employer shall temporarily remove an employee from work where there is excess exposure to cadmium on each occasion that medical removal is required under (c), (d), or (f) of this subsection and on each occasion that a physician determines in a written medical opinion that the employee should be removed from such exposure. The physician's determination may be based on biological monitoring results, inability to wear a respirator, evidence of illness, other signs or symptoms of cadmium-related dysfunction or disease, or any other reason deemed medically sufficient by the physician.

(B) The employer shall medically remove an employee in accordance with (k) of this subsection regardless of whether at the time of removal a job is available into which the removed employee may be transferred.

(C) Whenever an employee is medically removed under (k) of this subsection, the employer shall transfer the removed employee to a job where the exposure to cadmium

is within the permissible levels specified in subsection (12) of this section as soon as one becomes available.

(D) For any employee who is medically removed under the provisions of (k)(i) of this subsection, the employer shall provide follow-up medical examinations semiannually until, in a written medical opinion, the examining physician determines that either the employee may be returned to his/her former job status or the employee must be permanently removed from excess cadmium exposure.

(E) The employer may not return an employee who has been medically removed for any reason to his/her former job status until a physician determines in a written medical opinion that continued medical removal is no longer necessary to protect the employee's health.

(ii) Where an employee is found unfit to wear a respirator under (f)(ii) of this subsection, the employer shall remove the employee from work where exposure to cadmium is above the PEL.

(iii) Where removal is based upon any reason other than the employee's inability to wear a respirator, the employer shall remove the employee from work where exposure to cadmium is at or above the action level.

(iv) Except as specified in (k)(v) of this subsection, no employee who was removed because his/her level of CdU, CdB and/or B_2-M exceeded the trigger levels in (c) or (d) of this subsection may be returned to work with exposure to cadmium at or above the action level until the employee's levels of CdU fall to or below 3 μg/g Cr, CdB fall to or below 5 μg/lwb, and B_2-M fall to or below 300 μg/g Cr.

(v) However, when in the examining physician's opinion continued exposure to cadmium will not pose an increased risk to the employee's health and there are special circumstances that make continued medical removal an inappropriate remedy, the physician shall fully discuss these matters with the employee, and then in a written determination may return a worker to his/her former job status despite what would otherwise be unacceptably high biological monitoring results. Thereafter and until such time as the employee's biological monitoring results have decreased to levels where he/she could have been returned to his/her former job status, the returned employee shall continue medical surveillance as if he/she were still on medical removal. Until such time, the employee is no longer subject to mandatory medical removal. Subsequent questions regarding the employee's medical removal shall be decided solely by a final medical determination.

(vi) Where an employer, although not required by this section to do so, removes an employee from exposure to cadmium or otherwise places limitations on an employee due to the effects of cadmium exposure on the employee's medical condition, the employer shall provide the same medical removal protection benefits to that employee under (l) of this subsection as would have been provided had the removal been required under (k) of this subsection.

(l) Medical removal protection benefits.

(i) The employer shall provide medical removal protection benefits to an employee for up to a maximum of 18 months each time, and while the employee is temporarily medically removed under (k) of this subsection.

(ii) For purposes of this section, the requirement that the employer provide medical removal protection benefits means that the employer shall maintain the total normal earnings, seniority, and all other employee rights and benefits of the removed employee, including the employee's right to his/her former job status, as if the employee had not been removed from the employee's job or otherwise medically limited.

(iii) Where, after 18 months on medical removal because of elevated biological monitoring results, the employee's monitoring results have not declined to a low enough level to permit the employee to be returned to his/her former job status:

(A) The employer shall make available to the employee a medical examination pursuant to this section in order to obtain a final medical determination as to whether the employee may be returned to his/her former job status or must be permanently removed from excess cadmium exposure; and

(B) The employer shall assure that the final medical determination indicates whether the employee may be returned to his/her former job status and what steps, if any, should be taken to protect the employee's health.

(iv) The employer may condition the provision of medical removal protection benefits upon the employee's participation in medical surveillance provided in accordance with this section.

(m) Multiple physician review.

(i) If the employer selects the initial physician to conduct any medical examination or consultation provided to an employee under this section, the employee may designate a second physician to:

(A) Review any findings, determinations, or recommendations of the initial physician; and

(B) Conduct such examinations, consultations, and laboratory tests as the second physician deems necessary to facilitate this review.

(ii) The employer shall promptly notify an employee of the right to seek a second medical opinion after each occasion that an initial physician provided by the employer conducts a medical examination or consultation pursuant to this section. The employer may condition its participation in, and payment for, multiple physician review upon the employee doing the following within fifteen (15) days after receipt of this notice, or receipt of the initial physician's written opinion, whichever is later:

(A) Informing the employer that he or she intends to seek a medical opinion; and

(B) Initiating steps to make an appointment with a second physician.

(iii) If the findings, determinations, or recommendations of the second physician differ from those of the initial physician, then the employer and the employee shall assure that efforts are made for the two physicians to resolve any disagreement.

(iv) If the two physicians have been unable to quickly resolve their disagreement, then the employer and the employee, through their respective physicians, shall designate a third physician to:

(A) Review any findings, determinations, or recommendations of the other two physicians; and

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(B) Conduct such examinations, consultations, laboratory tests, and discussions with the other two physicians as the third physician deems necessary to resolve the disagreement among them.

(v) The employer shall act consistently with the findings, determinations, and recommendations of the third physician, unless the employer and the employee reach an agreement that is consistent with the recommendations of at least one of the other two physicians.

(n) Alternate physician determination. The employer and an employee or designated employee representative may agree upon the use of any alternate form of physician determination in lieu of the multiple physician review provided by (m) of this subsection, so long as the alternative is expeditious and at least as protective of the employee.

(o) Information the employer must provide the employee.

(i) The employer shall provide a copy of the physician's written medical opinion to the examined employee within five working days after receipt thereof.

(ii) The employer shall provide the employee with a copy of the employee's biological monitoring results and an explanation sheet explaining the results within five working days after receipt thereof.

(iii) Within 30 days after a request by an employee, the employer shall provide the employee with the information the employer is required to provide the examining physician under (i) of this subsection.

(p) Reporting. In addition to other medical events that are required to be reported on the OSHA Form No. 200, the employer shall report any abnormal condition or disorder caused by occupational exposure to cadmium associated with employment as specified in Chapter (V)(E) of the Bureau of Labor Statistics Recordkeeping Guidelines for Occupational Injuries and Illnesses.

(13) Communication of cadmium hazards to employees

(a) General. In communications concerning cadmium hazards, employers shall comply with the requirements of WISHA's Hazard Communication Standard, chapter 296-62 WAC, Part C, including but not limited to the requirements concerning warning signs and labels, material safety data sheets (MSDS), and employee information and training. In addition, employers shall comply with the following requirements:

(b) Warning signs.

(i) Warning signs shall be provided and displayed in regulated areas. In addition, warning signs shall be posted at all approaches to regulated areas so that an employee may read the signs and take necessary protective steps before entering the area.

(ii) Warning signs required by (b)(i) of this subsection shall bear the following information:

Danger, Cadmium, Cancer Hazard, Can Cause Lung and Kidney Disease, Authorized Personnel Only, Respirators Required in This Area

(iii) The employer shall assure that signs required by this section are illuminated, cleaned, and maintained as necessary so that the legend is readily visible.

(c) Warning labels.

(i) Shipping and storage containers containing cadmium, cadmium compounds, or cadmium contaminated clothing, equipment, waste, scrap, or debris shall bear appropriate warning labels, as specified in (c)(ii) of this subsection.

(ii) The warning labels shall include at least the following information:

Danger, Contains Cadmium, Cancer Hazard, Avoid Creating Dust, Can Cause Lung and Kidney Disease

(iii) Where feasible, installed cadmium products shall have a visible label or other indication that cadmium is present.

(d) Employee information and training.

(i) The employer shall institute a training program for all employees who are potentially exposed to cadmium, assure employee participation in the program, and maintain a record of the contents of such program.

(ii) Training shall be provided prior to or at the time of initial assignment to a job involving potential exposure to cadmium and at least annually thereafter.

(iii) The employer shall make the training program understandable to the employee and shall assure that each employee is informed of the following:

(A) The health hazards associated with cadmium exposure, with special attention to the information incorporated in WAC 296-62-07441, Appendix A;

(B) The quantity, location, manner of use, release, and storage of cadmium in the workplace and the specific nature of operations that could result in exposure to cadmium, especially exposures above the PEL;

(C) The engineering controls and work practices associated with the employee's job assignment;

(D) The measures employees can take to protect themselves from exposure to cadmium, including modification of such habits as smoking and personal hygiene, and specific procedures the employer has implemented to protect employees from exposure to cadmium such as appropriate work practices, emergency procedures, and the provision of personal protective equipment;

(E) The purpose, proper selection, fitting, proper use, and limitations of respirators and protective clothing;

(F) The purpose and a description of the medical surveillance program required by subsection (12) of this section;

(G) The contents of this section and its appendices; and

(H) The employee's rights of access to records under chapter 296-62 WAC, Part B.

(iv) Additional access to information and training program and materials.

(A) The employer shall make a copy of this section and its appendices readily available to all affected employees and shall provide a copy without cost if requested.

(B) Upon request, the employer shall provide to the director or authorized representative, all materials relating to the employee information and the training program.

(e) Multiemployer workplace. In a multiemployer workplace, an employer who produces, uses, or stores cadmium in a manner that may expose employees of other employers to cadmium shall notify those employers of the potential hazard

in accordance with WAC 296-800-170 of the chemical hazard communication program standard.

(14) Recordkeeping.

(a) Exposure monitoring.

(i) The employer shall establish and keep an accurate record of all air monitoring for cadmium in the workplace.

(ii) This record shall include at least the following information:

(A) The monitoring date, shift, duration, air volume, and results in terms of an 8-hour TWA of each sample taken, and if cadmium is not detected, the detection level;

(B) The name, Social Security number, and job classification of all employees monitored and of all other employees whose exposures the monitoring result is intended to represent, including, where applicable, a description of how it was determined that the employee's monitoring result could be taken to represent other employee's exposures;

(C) A description of the sampling and analytical methods used and evidence of their accuracy;

(D) The type of respiratory protective device, if any, worn by the monitored employee and by any other employee whose exposure the monitoring result is intended to represent;

(E) A notation of any other conditions that might have affected the monitoring results;

(F) Any exposure monitoring or objective data that were used and the levels.

(iii) The employer shall maintain this record for at least thirty (30) years, in accordance with ((~~WAC 296-62-05207~~)) chapter 296-802 WAC.

(iv) The employer shall also provide a copy of the results of an employee's air monitoring prescribed in subsection (4) of this section to an industry trade association and to the employee's union, if any, or, if either of such associations or unions do not exist, to another comparable organization that is competent to maintain such records and is reasonably accessible to employers and employees in the industry.

(b) Objective data for exemption from requirement for initial monitoring.

(i) For purposes of this section, objective data are information demonstrating that a particular product or material containing cadmium or a specific process, operation, or activity involving cadmium cannot release dust or fumes in concentrations at or above the action level even under the worst-case release conditions. Objective data can be obtained from an industry-wide study or from laboratory product test results from manufacturers of cadmium-containing products or materials. The data the employer uses from an industry-wide survey must be obtained under workplace conditions closely resembling the processes, types of material, control methods, work practices, and environmental conditions in the employer's current operations.

(ii) The employer shall maintain the record for at least 30 years of the objective data relied upon.

(c) Medical surveillance.

(i) The employer shall establish and maintain an accurate record for each employee covered by medical surveillance under (a)(i) of this subsection.

(ii) The record shall include at least the following information about the employee:

(A) Name, Social Security number, and description of duties;

(B) A copy of the physician's written opinions and of the explanation sheets for biological monitoring results;

(C) A copy of the medical history, and the results of any physical examination and all test results that are required to be provided by this section, including biological tests, X rays, pulmonary function tests, etc., or that have been obtained to further evaluate any condition that might be related to cadmium exposure;

(D) The employee's medical symptoms that might be related to exposure to cadmium; and

(E) A copy of the information provided to the physician as required by subsection (12)(i) of this section.

(iii) The employer shall assure that this record is maintained for the duration of employment plus thirty (30) years, in accordance with ((~~WAC 296-62-05207~~)) chapter 296-802 WAC.

(iv) At the employee's request, the employer shall promptly provide a copy of the employee's medical record, or update as appropriate, to a medical doctor or a union specified by the employee.

(d) Training. The employer shall certify that employees have been trained by preparing a certification record which includes the identity of the person trained, the signature of the employer or the person who conducted the training, and the date the training was completed. The certification records shall be prepared at the completion of training and shall be maintained on file for one (1) year beyond the date of training of that employee.

(e) Availability.

(i) Except as otherwise provided for in this section, access to all records required to be maintained by (a) through (d) of this subsection shall be in accordance with the provisions of ((~~WAC 296-62-052~~)) chapter 296-802 WAC.

(ii) Within 15 days after a request, the employer shall make an employee's medical records required to be kept by (c) of this subsection available for examination and copying to the subject employee, to designated representatives, to anyone having the specific written consent of the subject employee, and after the employee's death or incapacitation, to the employee's family members.

(f) Transfer of records. Whenever an employer ceases to do business and there is no successor employer or designated organization to receive and retain records for the prescribed period, the employer shall comply with the requirements concerning transfer of records set forth in ((~~WAC 296-62-05215~~)) chapter 296-802 WAC.

(15) Observation of monitoring.

(a) Employee observation. The employer shall provide affected employees or their designated representatives an opportunity to observe any monitoring of employee exposure to cadmium.

(b) Observation procedures. When observation of monitoring requires entry into an area where the use of protective clothing or equipment is required, the employer shall provide the observer with that clothing and equipment and shall assure that the observer uses such clothing and equipment and complies with all other applicable safety and health procedures.

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(16) Appendices.

(a) Compliance with the fit testing requirements in WAC 296-62-07201 through 296-62-07248, Appendices A-1, A-2 and A-3 of chapter 296-62 WAC, Part E, are mandatory.

(b) Except where portions of WAC 296-62-07441, 296-62-07443, 296-62-07447, 296-62-07449, and 296-62-07451, Appendices A, B, D, E, and F, respectively, to this section are expressly incorporated in requirements of this section, these appendices are purely informational and are not intended to create any additional obligations not otherwise imposed or to detract from any existing obligations.

AMENDATORY SECTION (Amending WSR 03-09-110, filed 4/22/03, effective 8/1/03)

WAC 296-305-02501 Emergency medical protection. (1) Fire fighters who perform emergency medical care or otherwise may be exposed to blood or other body fluids shall be provided with emergency medical face protection devices, and emergency medical garments that meet the applicable requirements of NAPA, Standard on Protective Clothing for Emergency Medical Operations 1999, 1992 edition.

Note: Prior to purchase, fire departments should request the technical data package required in NAPA 1999, 1992 edition, in order to compare glove and garment performance data. Departments reviewing these packages should ensure a relative ranking of the performance data before they purchase in order to provide the best performance of the EMS personal protective clothing.

(2) Fire fighters shall don emergency medical gloves prior to initiating any emergency patient care.

(3) Fire fighters shall don emergency medical garments and emergency medical face protection devises prior to any patient care during which splashes of body fluids can occur such as situations involving spurting blood or childbirth.

Note: Fire fighter turnout gear and gloves with vapor barriers may be used in lieu of emergency medical gloves and garments.

(4) Contaminated emergency medical garments, emergency medical face protection, gloves, devices, and emergency medical gloves shall be cleaned and disinfected, or disposed of, in accordance with chapter 296-823 WAC, Occupational exposure to bloodborne pathogens.

(5) Fire departments shall establish a designated infection (exposure) control officer who shall ensure that an adequate infection control plan is developed and all personnel are trained and supervised on the plan.

(6) The infection control officer shall be responsible for establishing personnel exposure protocols so that a process for dealing with exposures is in writing and available to all personnel.

(7) The infection control officer or his/her designee will function as a liaison between area hospitals and fire department members to provide notification that a communicable disease exposure is suspected or has been determined by hospital medical personnel. The department infection control officer will institute the established exposure protocols immediately after report of an exposure. The infection control officer shall follow the confidentiality requirements of chapter 246-100 WAC and the medical protocol requirements of ((~~WAC 296-62-05209~~)) chapter 296-802 WAC.

(8) Fire departments shall have a written infection (exposure) control plan which clearly explains the intent, benefits, and purpose of the plan. The written document must cover the standards of exposure control such as establishing the infection control officer and all members affected; education and training; HB. vaccination requirements; documentation and record keeping; cleaning/disinfection of personnel and equipment; and exposure protocols.

(9) Policy statements and standard operating procedure guidelines shall provide general guidance and specific regulation of daily activities. Procedures shall include delegation of specific roles and responsibilities, such as regulation of infection control, as well as procedural guidelines for all required tasks and functions.

(10) Fire departments shall establish a records system for members health and training.

(11) Fire fighters shall be trained in the proper use of P.E., exposure protection, post exposure protocols, disease modes of transmission as it related to infectious diseases.

(12) Infectious disease programs shall have a process for monitoring fire fighters compliance with established guidelines and a means for correcting noncompliance.

(13) Fire department members shall be required to annually review the infectious disease plan, updates, protocols, and equipment used in the program.

(14) Fire departments shall comply with chapter 296-823 WAC, Occupational exposure to bloodborne pathogens, in its entirety.

(15) Tuberculosis (TB) exposure and respiratory protection requirements.

(a) Fire fighters shall wear a particulate respirator (PR) when entering areas occupied by individuals with suspected or confirmed TB, when performing high risk procedures on such individuals or when transporting individuals with suspected or confirmed TB in a closed vehicle.

(b) A NOSH-approved, 95% efficient particulate air respirator is the minimum acceptable level of respiratory protection.

(i) Fit tests are required.

(ii) Fit tests shall be done in accordance with chapter 296-62 WAC, Part E.

Note 1: Emergency-response personnel should be routinely screened for tuberculosis at regular intervals. The tuberculin skin test is the only method currently available that demonstrates infection with Mycobacterium tuberculosis (M. tuberculosis) in the absence of active tuberculosis.

Note 2: If possible, the rear windows of a vehicle transporting patients with confirmed, suspected, or active tuberculosis should be kept open, and the heater or air conditioner set on a noncirculating cycle.

Additional References:

Chapter 296-823 WAC, Occupational exposure to bloodborne pathogens.

WAC 296-62-08001(3), Exposure Control.

AMENDATORY SECTION (Amending WSR 03-18-090, filed 9/2/03, effective 11/1/03)

WAC 296-800-17005 Develop, implement, maintain, and make available a written Chemical Hazard Communication Program.

You must:

• Develop, implement, maintain, and make available a written Chemical Hazard Communication Program specific to your workplace. The Chemical Hazard Communication Program must, at a minimum, include:

– A list of hazardous chemicals known to be present in your workplace.

– Procedures for making sure all containers are properly labeled.

– A description of how you are going to obtain and maintain your material safety data sheets (MSDSs).

– A description of how you are going to train and inform your employees about hazardous chemicals in their workplace.

– A description of how you are going to inform your employees about:

✦ Chemical hazards used during nonroutine tasks.

✦ The hazards associated with chemicals contained in unlabeled pipes in employee work areas.

You must:

• Make your Chemical Hazard Communication Program available to your employees.

Note:
• You must make the written Chemical Hazard Communication Program available, upon request, to employees, their designated representatives, the department and NIOSH, in accordance with the requirements of ((~~Access to records, WAC 296-62-052~~)) chapter 296-802 WAC, Employee medical and exposure records.
• Where employees must travel between workplaces during a workshift, that is, if their work is carried out at more than one geographical location, the written Chemical Hazard Communication Program may be kept at the primary workplace facility.

AMENDATORY SECTION (Amending WSR 01-23-060, filed 11/20/01, effective 12/1/01)

WAC 296-800-180 Material safety data sheets (MSDSs) as exposure records. Important: Exposure records contain information about employees' exposure to toxic substances or harmful physical agents. Material safety data sheets (MSDSs) are one type of exposure record. The preservation of and access to exposure records is necessary to improve detection, treatment, and prevention of occupational diseases.

This rule supplements the chemical hazard communication rule by extending access to MSDSs, or their alternative, after employment and after the hazardous chemical is no longer used in the workplace.Your responsibility:

To preserve and provide access to material safety data sheets (MSDSs) or their alternative as exposure records.

You must:

Preserve exposure records for at least 30 years.
WAC 296-800-18005.

Inform current employees of exposure records.
WAC 296-800-18010.

Provide access to exposure records.
WAC 296-800-18015.

Transfer records when ceasing to do business.
WAC 296-800-18020.

Note:• ((~~Access to records, WAC 296-62-052~~)) Employee medical and exposure records, chapter 296-802 WAC, requires the preservation and access to other exposure records including records such as workplace monitoring data and biological monitoring results and medical records. If you keep these other types of employee exposure records or employee medical records, you must comply with these additional requirements.
• This rule applies to every employer who maintains, makes, contracts for, or has access to MSDSs for chemicals used in their workplace.
• The specific identity of a toxic substance may be withheld from a disclosable record if it is a verifiable trade secret. For trade secret requirements see ((~~WAC 296-62-053~~)) chapter 296-816 WAC.

PROPOSED

Chapter 296-802 WAC

EMPLOYEE MEDICAL AND EXPOSURE RECORDS

NEW SECTION

WAC 296-802-100 Scope. The purpose of this chapter is to provide employees and their designated representatives the right to access relevant medical and exposure records. It also describes the procedures WISHA will follow when accessing confidential medical information.

This chapter applies to:

• All employers who make, maintain, contract for, or have access to records relating to employee exposure to toxic substances or harmful physical agents, whether or not they are required by specific occupational safety and health rules. These records include:

– Employee medical records.

– Employee exposure records.

– Analyses of employee medical or exposure records.

IMPORTANT:

• The requirements of this chapter do not affect any other legal and ethical obligations the employer has to keep employee medical information confidential.

Exemption: Agricultural operations covered by chapter 296-307 WAC, Safety standards for agriculture, are exempt from the requirements of this chapter.

Reference:
• Requirements for material safety data sheets are found in WAC 296-800-180, Material safety data sheets (MSDSs) as exposure records.
• Additional information about accessing medical information can be found in chapter 70.02 RCW, Medical record—Health care information access and disclosure.

NEW SECTION

WAC 296-802-200 Keep employee medical and exposure records.

Summary:

Your responsibility:

To keep employee medical records, exposure records, and analyses.

IMPORTANT:

• Physicians or other health care personnel may keep medical records for you.

• You may keep information in any form as long as the information is retrievable.

• Unless a specific occupational safety and health rule provides a different time period, you must keep records for the period required by this chapter.

You must:

Keep employee medical records
WAC 296-802-20005.
Keep employee exposure records
WAC 296-802-20010.
Keep analyses of medical or exposure records
WAC 296-802-20015.

NEW SECTION

WAC 296-802-20005 Keep employee medical records.

You must:

• Keep medical records for at least as long as the employee works for you plus thirty years.

Exemption:
• If an employee works for you for less than one year and you provide the records to them when they leave employment, you do not have to keep their medical records.
• You do not need to keep the following records for any specific period:
– Health insurance claims records maintained separately from your medical program and records.
– Records of first-aid treatment, if made on-site by a nonphysician and if kept separately from the employee medical record.

You must:

• Keep chest X-ray films in their original state, such as film or electronic image.

NEW SECTION

WAC 296-802-20010 Keep employee exposure records.

You must:

• Keep employee exposure records for at least thirty years from the date the exposure record was made. These records include the following:

– The sampling results.

– The collection methodology (sampling plan).

– A description of the analytical and mathematical methods used.

– Background data to environmental monitoring or measuring, such as laboratory reports and work sheets.

Note: You do not have to keep the actual background data for more than one year if you keep a summary of the data for thirty years.

You must:

• Keep some record of the identity of the substance for at least thirty years, including:

– Where the substance was used.

– When the substance was used.

NEW SECTION

WAC 296-802-20015 Keep analyses of medical or exposure records.

You must:

• Keep each analysis using medical or exposure records for at least thirty years.

NEW SECTION

WAC 296-802-300 Inform employees about records.

Summary:

Your responsibility:

To inform current employees about their medical and exposure records.

You must:

Inform current employees about their medical and exposure records
WAC 296-802-30005.

NEW SECTION

WAC 296-802-30005 Inform current employees about their medical and exposure records.

You must:

• Inform employees covered by this rule about medical and exposure records when they first start employment, and then at least annually. Include the following information:

– Where the records are located.

– Who is responsible for the records.

– Who to contact for access to the records.

– Their rights to copy the records.

• Make copies of this rule available upon request to employees.

• Distribute to your employees any information about this chapter that you are given by the department.

Note: Some of the ways to inform employees that you have medical and exposure records include e-mail, letters, posters, or classroom training.

NEW SECTION

WAC 296-802-400 Provide employees access to records and analyses.

Summary:

Your Responsibility:

To provide employees access to records and analyses.

IMPORTANT:

• Employees or their designated representatives can use the collective bargaining process to gain access to records beyond what is required by this chapter.

• The requirements of this section apply to both current and former employees.

You must:

Provide access to employee medical records, exposure records, and analyses
WAC 296-802-40005.
Provide employee medical records
WAC 296-802-40010.
Provide employee exposure records
WAC 296-802-40015.

NEW SECTION

WAC 296-802-40005 Provide access to employee medical records, exposure records, and analyses.

You must:

• Provide employees and their designated representatives access to requested records and analyses as follows:

– In a reasonable time, place, and manner.

– Within fifteen working days.

■ If there is a delay, inform the requesting party of the reason and the earliest date the record will be made available.

Exemption: You do not have to provide analyses that are currently being worked on or have not been reported to you.

You must:

• Provide a copy of the record, when requested, to the employee or designated representative without cost. This may be done by one of the following methods:

– Make a copy for the requestor.

– Make the record and a copier available.

– Loan the record to the employee or designated representative for a reasonable time, so a copy can be made.

Note:

• To locate or identify the records being requested, you may request, from employees or their designated representatives, only known and necessary information. For example, you may request dates and location of where the employee worked during the time period in question.

• You are not required to perform an analysis of medical or exposure records at the request of an employee or designated representative.

• When there is an original X ray you may restrict access to an on-site examination or make other arrangements for a temporary loan.

• When a record has been provided without cost to an employee or designated representative, and they request additional copies, you may charge a reasonable, nondiscriminatory administrative cost. For example, you may charge search and copying expenses but not overhead expenses.

– A reasonable fee for copying, as defined in chapter 70.02 RCW, should not exceed sixty-five cents per page for the first thirty pages and fifteen cents per page for all additional pages. In addition, a clerical fee for searching and handling may be charged not to exceed fifteen dollars.

NEW SECTION

WAC 296-802-40010 Provide employee medical records.

You must:

• Make sure employees have access, upon request, to their own medical records.

Note:

• A physician, nurse, or other responsible health care personnel maintaining employee medical records may delete the following names from requested medical records:

– The identity of a family member.

– A personal friend or fellow employee who has provided confidential information concerning an employee's health status.

• If a physician represents you and believes that providing an employee access to their specific diagnosis of a terminal illness or psychiatric condition could harm the employee, they may request that the record be released only to a designated representative having specific written authorization.

• The physician representing you may recommend that the employee or designated representative do one of the following:

– Consult with the physician to review and discuss requested records.

– Accept a summary of facts and opinions instead of requested records.

– Accept the release of requested records only to another physician or designated representative.

You must:

• Make sure that individual employees are not identified in any portion of analyses that report the contents of employee medical records.

– Identifying information includes both direct identifiers such as name, address, Social Security number, and payroll number, and other information that could reasonably be used in the circumstances to identify individual employees such as exact age, height, or weight.

Note: If it is not feasible to remove personal identifying information from a document, you do not have to provide the portions where personal identifiers cannot be moved.

You must:

• Provide designated representatives access to employee medical records when the employee provides specific written authorization.

– If the written authorization does not contain an expiration date, it expires ninety days after it is signed.

– Release only medical information that exists on the date of the written employee consent, unless the consent specifically states that future information may be released.

Note: An employee may revoke the specific written authorization in writing at any time.

NEW SECTION

WAC 296-802-40015 Provide employee exposure records.

You must:

• Provide requested exposure records that show the type and amount of toxic substances or harmful physical agents to which the employee is or has been exposed, for an employee's current or transfer work assignment.

• Provide a designated representative, who does not have specific employee consent, access to employee exposure records only when a reasonable written request is made that includes the following:

– The records requested.

– The occupational health need for accessing these records.

Note: Trade secret information may be withheld from exposure records. See chapter 296-816 WAC, Protecting trade secrets, for more information.

NEW SECTION

WAC 296-802-500 Respond to medical record access orders.

Summary:

IMPORTANT:

This section describes how WISHA accesses employee medical records and your related rights and obligations.

Your responsibility:

To post written WISHA access orders.

You must:

Respond to WISHA access orders for employee medical records

WAC 296-802-50005.

Content of WISHA written access orders

WAC 296-802-50010.

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NEW SECTION

WAC 296-802-50005 Respond to WISHA access orders for employee medical records.

You must:

• Promptly respond to a written access order you receive from WISHA for personally identifiable employee medical information.

• Post a copy of the cover letter you receive from WISHA for fifteen working days where employees can easily review it.

NEW SECTION

WAC 296-802-50010 Content of WISHA written access orders. A written access order from WISHA will contain at least the following information:

• The identity of employees whose medical information is being requested.

– This may be either by name, job classification, time clock number, department, or similar identifier.

• A description of the medical information that will be examined.

• The purpose for seeking access to this medical information.

– Any additional evidence supporting access to the medical information.

• A step-by-step description of how the records will be obtained, copied, reviewed, and stored, specifying the following:

– Who will be in charge of on-site review of the records, or who will take possession of the records for off-site review.

– Where the records will be reviewed.

– When review or receipt of the records is to take place.

– If the records are to be reviewed on-site, what type of information will be copied and removed off-site.

• How personal identifiers will be separated from the medical information and how long this information will be kept.

• The principal WISHA investigator's full name, business address and telephone number.

• The full names and titles of all individuals that will review the records.

• The WISHA industrial hygiene program manager's full name, business address and telephone number.

Note: WISHA does not need a written access order for the following types of employee medical records:
• Medical records and analyses that do not contain personal identification information.
• Examination of records to verify compliance with the medical surveillance requirements of another occupational health and safety rule.
• The following records when required by another occupational health and safety rule:
– Medical opinions.
– Biological monitoring results.
– Results of medical examinations and laboratory tests.

NEW SECTION

WAC 296-802-600 Transfer and disposal of employee records.

Summary:

Your responsibility:

To transfer or dispose of employee medical and exposure records when you go out of business.

You must:

Transfer or dispose of employee medical and exposure records when you go out of business

WAC 296-802-60005.

NEW SECTION

WAC 296-802-60005 Transfer or dispose of employee medical and exposure records when you go out of business.

You must:

• Follow the requirements in Table 1 when transferring or disposing of records.

Table 1
Transfer or Disposal of Records

If	Then
Another employer continues the business when you go out of business.	Transfer all employee records to that employer.
No other employer continues the business. **OR** You intend to dispose of records after the retention period has expired.	Do the following: – Notify affected current employees of their rights of access to records at least three months prior to the termination of your business. **AND EITHER:** – Notify WISHA in writing of your impending decision to dispose of records at least three months prior to your planned disposal. **OR** – Transfer the records to WISHA, if required by a specific WISHA safety and health rule.

Note: The address to notify WISHA in writing is:
Department of Labor & Industries/WISHA Services
Attention: Medical Records
P.O. Box 44610
Olympia, WA 98504-4610

NEW SECTION

WAC 296-802-900 Definitions.

Access

The right and opportunity to examine and copy an employee record.

Analysis using exposure or medical records

• Any collection of data or a statistical study based on either:

– Information from individual employee exposure or medical records;

OR

– Information collected from health insurance claim records.

Designated representative

• Any individual or organization to which an employee gives written authorization.

• A recognized or certified collective bargaining agent without regard to written employee authorization.

• The legal representative of a deceased or legally incapacitated employee.

Employee exposure record

Means a record containing any of the following kinds of information:

• Environmental (workplace) monitoring or measuring of a toxic substance or harmful physical agent, including personal, area, grab, wipe, or other form of sampling, as well as related collection and analytical methodologies, calculations, and other background data relevant to interpretation of the results obtained.

• Biological monitoring results which directly assess the absorption of a toxic substance or harmful physical agent by body systems (such as the level of a chemical in the blood, urine, breath, hair, or fingernails) but not including results which assess the biological effect of a substance or agent or which assess an employee's use of alcohol or drugs.

• Material safety data sheets indicating that the material may pose a hazard to human health;

OR

• In the absence of the above:

– A chemical inventory or any other record that reveals where and when used and the identity (e.g., chemical, common or trade name) of a toxic substance or harmful physical agent.

– Exposure records of other employees with past or present job duties or related working conditions.

Employee medical record

A record concerning the health status of an employee which is made or maintained by a physician, nurse, or other health care personnel, or technician, including:

• Medical and employment questionnaires or histories (including job description and occupational exposures).

• The results of medical examinations (preemployment, preassignment, periodic, or episodic) and laboratory tests (including chest and other X-ray examinations taken for purposes of establishing a baseline or detecting occupational illness, and all biological monitoring not defined as an "employee exposure record").

• Medical opinions, diagnoses, progress notes, and recommendations.

• First-aid records.

• Descriptions of treatments and prescriptions.

• Employee medical complaints.

An employee medical record does **not** include any of these types of medical information:

• Physical specimens (for example, blood or urine samples), which are routinely discarded as a part of normal medical practice.

• Records concerning health insurance claims if maintained separately from the employer's medical program and its records, and not accessible to the employer by employee name or other direct personal identifier, such as Social Security number or payroll number.

• Records created solely in preparation for litigation that are privileged from discovery under applicable rules of procedure or evidence.

• Records concerning voluntary employee assistance programs, such as alcohol, drug abuse, or personal counseling programs, if maintained separately from the employer's medical program and records.

Exposure or exposed

The contact an employee has with a toxic substance, harmful physical agent or oxygen deficient condition. Exposure can occur through various routes, such as inhalation, ingestion, skin contact, or skin absorption.

First aid

Any of the following are considered first aid:

• Using a nonprescription medication at nonprescription strength.

• Administering tetanus immunizations. Other immunizations, such as Hepatitis B vaccine or rabies vaccine, are considered medical treatment.

• Cleaning, flushing or soaking wounds on the surface of the skin.

• Using wound coverings such as bandages, Band-Aids™, or gauze pads.

• Using butterfly bandages or Steri-Strips™.

• Using hot or cold therapy.

• Using any nonrigid means of support, such as elastic bandages, wraps, or nonrigid back belts.

• Using temporary immobilization devices, such as splints, slings, neck collars, or back boards, while transporting an accident victim.

• Drilling a fingernail or toenail to relieve pressure.

• Draining fluid from a blister.

• Using eye patches.

• Removing foreign bodies from the eye using only irrigation or a cotton swab.

• Removing splinters or foreign material from areas other than the eye by irrigation, tweezers, cotton swabs or other simple means.

• Using finger guards.

• Using massages.

• Drinking fluids for relief of heat stress.

Harmful physical agent

Any physical stress such as noise, vibration, repetitive motion, heat, cold, ionizing and nonionizing radiation, and hypo- or hyperbaric pressure which:

• Is listed in the latest edition of the National Institute for Occupational Safety and Health (NIOSH) *Registry of Toxic Effects of Chemical Substances* (RTECS);

OR

• Has shown positive evidence of an acute or chronic health hazard in testing conducted by, or known to, the employer;

OR

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• Is the subject of a material safety data sheet kept by or known to the employer showing that the material may pose a hazard to human health.

Health professional

A physician, occupational health nurse, industrial hygienist, toxicologist, or epidemiologist, who provides medical or other occupational health services to exposed employees.

Record

Any item, collection, or grouping of information. Examples include:

• Paper document.
• Microfiche.
• Microfilm.
• X-ray film.
• Computer record.

Specific chemical identity

Any other information that reveals the precise chemical designation of the substance, such as:

• Chemical name;

OR

• Chemical abstracts service (CAS) registry number.

Specific written authorization

A written authorization containing at least the following:

• The name and signature of the employee authorizing the release of medical information.

• The date of the written authorization.

• The name of the individual or organization that is authorized to release the medical information.

• The name of the designated representative (individual or organization) that is authorized to receive the information.

• A general description of the medical information that is authorized to be released.

• A general description of the purpose for the release of the medical information.

• A date or condition upon which the written authorization will expire.

Toxic substance

Any chemical substance or biological agent, such as bacteria, virus, and fungus, which is any of the following:

• Listed in the latest edition of the National Institute for Occupational Safety and Health (NIOSH) *Registry of Toxic Effects of Chemical Substances* (RTECS).

• Shows positive evidence of an acute or chronic health hazard in testing conducted by, or known to, the employer.

• The subject of a material safety data sheet kept by or known to the employer showing the material may pose a hazard to human health.

Trade secret

Any confidential:

• Formula.
• Pattern.
• Process.
• Device.
• Information.
• Collection of information.

The trade secret is used in an employer's business and gives an opportunity to gain an advantage over competitors who do not know or use it.

AMENDATORY SECTION (Amending WSR 02-12-098, filed 6/5/02, effective 8/1/02)

WAC 296-62-07314 Medical surveillance. (1) At no cost to the employee, a program of medical surveillance must be established and implemented for employees considered for assignment to enter regulated areas, and for authorized employees.

(2) Examinations.

(a) Before an employee is assigned to enter a regulated area, a preassignment physical examination by a physician must be provided and must include a personal history of the employee and/or his/her family and occupational background, including genetic and environmental factors.

(i) Taking of employees' medical history and background history must be considered to be a routine part of standard medical practice.

(ii) This provision does not require "genetic testing" of any employee.

(iii) This provision does not require the exclusion of otherwise qualified employees from jobs on the basis of genetic factors.

(b) Authorized employees must be provided periodic physical examination, not less often than annually, following the preassignment examination.

(c) In all physical examinations, the examining physician must be requested to consider whether there exist conditions of increased risk, including reduced immunological competence, pregnancy, cigarette smoking, and those undergoing treatment with steroids or cytotoxic agents.

(3) Records.

(a) Employers of employees examined pursuant to this subdivision must maintain complete and accurate records of all such medical examinations. Records must be maintained for the duration of the employee's employment. Upon termination of the employee's employment, including retirement or death, or in the event that the employer ceases business without a successor, records, or notarized true copies thereof, must be forwarded by registered mail to the director.

(b) Records required by this section must be provided upon request to employees, designated representatives, and the director in accordance with ((~~WAC 296-62-05201 through 296-62-05209 and 296-62-05213 through 296-62-05217~~)) chapter 296-802 WAC.

(c) Any employer who requests a physical examination of an employee or prospective employee as required by this section must obtain from the physician a statement of the employee's suitability for employment in the specific exposure.

AMENDATORY SECTION (Amending WSR 99-10-071, filed 5/4/99, effective 9/1/99)

WAC 296-62-07329 Vinyl chloride. (1) Scope and application.

(a) This section includes requirements for the control of employee exposure to vinyl chloride (chloroethene), Chemical Abstracts Service Registry No. 75014.

(b) This section applies to the manufacture, reaction, packaging, repackaging, storage, handling or use of vinyl chloride or polyvinyl chloride, but does not apply to the han-

dling or use of fabricated products made of polyvinyl chloride.

(c) This section applies to the transportation of vinyl chloride or polyvinyl chloride except to the extent that the department of transportation may regulate the hazards covered by this section.

(2) Definitions.

(a) "Action level" means a concentration of vinyl chloride of 0.5 ppm averaged over an 8-hour work day.

(b) "Authorized person" means any person specifically authorized by the employer whose duties require him/her to enter a regulated area or any person entering such an area as a designated representative of employees for the purpose of exercising an opportunity to observe monitoring and measuring procedures.

(c) "Director" means the director of department of labor and industries or his/her designated representative.

(d) "Emergency" means any occurrence such as, but not limited to, equipment failure, or operation of a relief device which is likely to, or does, result in massive release of vinyl chloride.

(e) "Fabricated product" means a product made wholly or partly from polyvinyl chloride, and which does not require further processing at temperatures, and for times, sufficient to cause mass melting of the polyvinyl chloride resulting in the release of vinyl chloride.

(f) "Hazardous operation" means any operation, procedure, or activity where a release of either vinyl chloride liquid or gas might be expected as a consequence of the operation or because of an accident in the operation, which would result in an employee exposure in excess of the permissible exposure limit.

(g) "Polyvinyl chloride" means polyvinyl chloride homopolymer or copolymer before such is converted to a fabricated product.

(h) "Vinyl chloride" means vinyl chloride monomer.

(3) Permissible exposure limit.

(a) No employee may be exposed to vinyl chloride at concentrations greater than 1 ppm averaged over any 8-hour period, and

(b) No employee may be exposed to vinyl chloride at concentrations greater than 5 ppm averaged over any period not exceeding 15 minutes.

(c) No employee may be exposed to vinyl chloride by direct contact with liquid vinyl chloride.

(4) Monitoring.

(a) A program of initial monitoring and measurement shall be undertaken in each establishment to determine if there is any employee exposed, without regard to the use of respirators, in excess of the action level.

(b) Where a determination conducted under subdivision (a) of this subsection shows any employee exposures without regard to the use of respirators, in excess of the action level, a program for determining exposures for each such employee shall be established. Such a program:

(i) Shall be repeated at least monthly where any employee is exposed, without regard to the use of respirators, in excess of the permissible exposure limit.

(ii) Shall be repeated not less than quarterly where any employee is exposed, without regard to the use of respirators, in excess of the action level.

(iii) May be discontinued for any employee only when at least two consecutive monitoring determinations, made not less than 5 working days apart, show exposures for that employee at or below the action level.

(c) Whenever there has been a production, process or control change which may result in an increase in the release of vinyl chloride, or the employer has any other reason to suspect that any employee may be exposed in excess of the action level, a determination of employee exposure under subdivision (a) of this subsection shall be performed.

(d) The method of monitoring and measurement shall have an accuracy (with a confidence level of 95 percent) of not less than plus or minus 50 percent from 0.25 through 0.5 ppm, plus or minus 35 percent from over 0.5 ppm through 1.0 ppm, plus or minus 25 percent over 1.0 ppm, (methods meeting these accuracy requirements are available from the director).

(e) Employees or their designated representatives shall be afforded reasonable opportunity to observe the monitoring and measuring required by this subsection.

(5) Regulated area.

(a) A regulated area shall be established where:

(i) Vinyl chloride or polyvinyl chloride is manufactured, reacted, repackaged, stored, handled or used; and

(ii) Vinyl chloride concentrations are in excess of the permissible exposure limit.

(b) Access to regulated areas shall be limited to authorized persons.

(6) Methods of compliance. Employee exposures to vinyl chloride shall be controlled to at or below the permissible exposure limit provided in subsection (3) of this section by engineering, work practice, and personal protective controls as follows:

(a) Feasible engineering and work practice controls shall immediately be used to reduce exposures to at or below the permissible exposure limit.

(b) Wherever feasible engineering and work practice controls which can be instituted immediately are not sufficient to reduce exposures to at or below the permissible exposure limit, they shall nonetheless be used to reduce exposures to the lowest practicable level, and shall be supplemented by respiratory protection in accordance with subsection (7) of this section. A program shall be established and implemented to reduce exposures to at or below the permissible exposure limit, or to the greatest extent feasible, solely by means of engineering and work practice controls, as soon as feasible.

(c) Written plans for such a program shall be developed and furnished upon request for examination and copying to the director. Such plans shall be updated at least every six months.

(7) Respiratory protection.

(a) General. For employees who use respirators required by this section, the employer must provide respirators that comply with the requirements of this section.

(b) Respirator program. The employer must establish, implement, and maintain a respiratory protection program as required in chapter 296-62 WAC, Part E (except WAC 296-

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62-07130(1), 296-62-07131 (4)(b)(i) and (ii), and 296-62-07150 through 296-62-17156).

(c) Respirator selection. Respirators must be selected from the following table.

	Atmospheric concentration of Vinyl Chloride	Apparatus
(i)	Not over 10 ppm	Any chemical cartridge respirator with a vinyl chloride cartridge which provides a service life of at least 1 hour for concentrations of vinyl chloride up to 10 ppm.
(ii)	Not over 25 ppm	(A) A powered air-purifying respirator with hood, helmet, full or half facepiece, and a canister which provides a service life of at least 4 hours for concentrations of vinyl chloride up to 25 ppm, or (B) Gas mask, front or back-mounted canister which provides a service life of at least 4 hours for concentrations of vinyl chloride up to 25 ppm.
(iii)	Not over 100 ppm	Supplied air respirator demand type, with full facepiece.
(iv)	Not over 250 ppm	Type C, supplied air respirator, continuous flow type, with full or half facepiece, helmet or hood.
(v)	Not over 3,600 ppm	Combination Type C supplied air respirator, pressure demand type, with full or half facepiece and auxiliary self-contained air supply.
(vi)	Unknown, or above 3,600 ppm	Open-circuit, self-contained breathing apparatus, pressure demand type, with full facepiece.

(d) Where air-purifying respirators are used:

(i) Air-purifying canisters or cartridges must be replaced prior to the expiration of their service life or the end of the shift in which they are first used, whichever occurs first, and

(ii) A continuous monitoring and alarm system must be provided when concentrations of vinyl chloride could reasonably exceed the allowable concentrations for the devices in use. Such system shall be used to alert employees when vinyl chloride concentrations exceed the allowable concentrations for the devices in use, and

(iii) Respirators specified for higher concentrations may be used for lower concentration.

(8) Hazardous operations.

(a) Employees engaged in hazardous operations, including entry of vessels to clean polyvinyl chloride residue from vessel walls, shall be provided and required to wear and use;

(i) Respiratory protection in accordance with subsections (3) and (7) of this section; and

(ii) Protective garments to prevent skin contact with liquid vinyl chloride or with polyvinyl chloride residue from vessel walls. The protective garments shall be selected for the operation and its possible exposure conditions.

(b) Protective garments shall be provided clean and dry for each use.

(c) Emergency situations. A written operational plan for emergency situations shall be developed for each facility storing, handling, or otherwise using vinyl chloride as a liquid or compressed gas. Appropriate portions of the plan shall be implemented in the event of an emergency. The plan shall specifically provide that:

(i) Employees engaged in hazardous operations or correcting situations of existing hazardous releases shall be equipped as required in subdivisions (a) and (b) of this subsection;

(ii) Other employees not so equipped shall evacuate the area and not return until conditions are controlled by the methods required in subsection (6) of this section and the emergency is abated.

(9) Training. Each employee engaged in vinyl chloride or polyvinyl chloride operations shall be provided training in a program relating to the hazards of vinyl chloride and precautions for its safe use.

(a) The program shall include:

(i) The nature of the health hazard from chronic exposure to vinyl chloride including specifically the carcinogenic hazard;

(ii) The specific nature of operations which could result in exposure to vinyl chloride in excess of the permissible limit and necessary protective steps;

(iii) The purpose for, proper use, and limitations of respiratory protective devices;

(iv) The fire hazard and acute toxicity of vinyl chloride, and the necessary protective steps;

(v) The purpose for and a description of the monitoring program;

(vi) The purpose for and a description of, the medical surveillance program;

(vii) Emergency procedures:

(A) Specific information to aid the employee in recognition of conditions which may result in the release of vinyl chloride; and

(B) A review of this standard at the employee's first training and indoctrination program, and annually thereafter.

(b) All materials relating to the program shall be provided upon request to the director.

(10) Medical surveillance. A program of medical surveillance shall be instituted for each employee exposed, without regard to the use of respirators, to vinyl chloride in excess of the action level. The program shall provide each such employee with an opportunity for examinations and tests in

accordance with this subsection. All medical examinations and procedures shall be performed by or under the supervision of a licensed physician and shall be provided without cost to the employee.

(a) At the time of initial assignment, or upon institution of medical surveillance;

(i) A general physical examination shall be performed with specific attention to detecting enlargement of liver, spleen or kidneys, or dysfunction in these organs, and for abnormalities in skin, connective tissues and the pulmonary system (see Appendix A).

(ii) A medical history shall be taken, including the following topics:

(A) Alcohol intake,

(B) Past history of hepatitis,

(C) Work history and past exposure to potential hepatotoxic agents, including drugs and chemicals,

(D) Past history of blood transfusions, and

(E) Past history of hospitalizations.

(iii) A serum specimen shall be obtained and determinations made of:

(A) Total bilirubin,

(B) Alkaline phosphatase,

(C) Serum glutamic oxalacetic transaminase (SGOT),

(D) Serum glutamic pyruvic transaminase (SGPT), and

(E) Gamma glustamyl transpeptidase.

(b) Examinations provided in accordance with this subdivision shall be performed at least:

(i) Every 6 months for each employee who has been employed in vinyl chloride or polyvinyl chloride manufacturing for 10 years or longer; and

(ii) Annually for all other employees.

(c) Each employee exposed to an emergency shall be afforded appropriate medical surveillance.

(d) A statement of each employee's suitability for continued exposure to vinyl chloride including use of protective equipment and respirators, shall be obtained from the examining physician promptly after any examination. A copy of the physician's statement shall be provided each employee.

(e) If any employee's health would be materially impaired by continued exposure, such employee shall be withdrawn from possible contact with vinyl chloride.

(f) Laboratory analyses for all biological specimens included in medical examinations shall be performed in laboratories licensed under 42 CFR Part 74.

(g) If the examining physician determines that alternative medical examinations to those required by subdivision (a) of this subsection will provide at least equal assurance of detecting medical conditions pertinent to the exposure to vinyl chloride, the employer may accept such alternative examinations as meeting the requirements of subdivision (a) of this subsection, if the employer obtains a statement from the examining physician setting forth the alternative examinations and the rationale for substitution. This statement shall be available upon request for examination and copying to authorized representatives of the director.

(11) Signs and labels.

(a) Entrances to regulated areas shall be posted with legible signs bearing the legend:

CANCER-SUSPECT AGENT AREA AUTHORIZED PERSONNEL ONLY

(b) Areas containing hazardous operations or where an emergency currently exists shall be posted with legible signs bearing the legend:

CANCER-SUSPECT AGENT IN THIS AREA PROTECTIVE EQUIPMENT REQUIRED AUTHORIZED PERSONNEL ONLY

(c) Containers of polyvinyl chloride resin waste from reactors or other waste contaminated with vinyl chloride shall be legibly labeled:

CONTAMINATED WITH VINYL CHLORIDE CANCER-SUSPECT AGENT

(d) Containers of polyvinyl chloride shall be legibly labeled:

POLYVINYL CHLORIDE (OR TRADE NAME) CONTAINS VINYL CHLORIDE VINYL CHLORIDE IS A CANCER-SUSPECT AGENT

(e) Containers of vinyl chloride shall be legibly labeled either:

VINYL CHLORIDE EXTREMELY FLAMMABLE GAS UNDER PRESSURE CANCER-SUSPECT AGENT

(or)

(f) In accordance with 49 CFR Part 173, Subpart H, with the additional legends:

CANCER-SUSPECT AGENT

Applied near the label or placard.

(g) No statement shall appear on or near any required sign, label or instruction which contradicts or detracts from the effect of any required warning, information or instruction.

(12) Records.

(a) All records maintained in accordance with this section shall include the name and social security number of each employee where relevant.

(b) Records of required monitoring and measuring and medical records shall be provided upon request to employees, designated representatives, and the director in accordance with ((~~WAC 296-62-05201 through 296-62-05209; and 296-62-05213 through 296-62-05217~~)) chapter 296-802 WAC. These records shall be provided upon request to the director. Authorized personnel rosters shall also be provided upon request to the director.

(i) Monitoring and measuring records shall:

(A) State the date of such monitoring and measuring and the concentrations determined and identify the instruments and methods used;

(B) Include any additional information necessary to determine individual employee exposures where such exposures are determined by means other than individual monitoring of employees; and

(C) Be maintained for not less than 30 years.

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(ii) Medical records shall be maintained for the duration of the employment of each employee plus 20 years, or 30 years, whichever is longer.

(c) In the event that the employer ceases to do business and there is no successor to receive and retain his/her records for the prescribed period, these records shall be transmitted by registered mail to the director, and each employee individually notified in writing of this transfer. The employer shall also comply with any additional requirements set forth in ((~~WAC 296-62-05215~~)) chapter 296-802 WAC.

(d) Employees or their designated representatives shall be provided access to examine and copy records of required monitoring and measuring.

(e) Former employees shall be provided access to examine and copy required monitoring and measuring records reflecting their own exposures.

(f) Upon written request of any employee, a copy of the medical record of that employee shall be furnished to any physician designated by the employee.

(13) Reports.

(a) Not later than 1 month after the establishment of a regulated area, the following information shall be reported to the director. Any changes to such information shall be reported within 15 days.

(i) The address and location of each establishment which has one or more regulated areas; and

(ii) The number of employees in each regulated area during normal operations, including maintenance.

(b) Emergencies and the facts obtainable at that time, shall be reported within 24 hours to the director. Upon request of the director, the employer shall submit additional information in writing relevant to the nature and extent of employee exposures and measures taken to prevent future emergencies of similar nature.

(c) Within 10 working days following any monitoring and measuring which discloses that any employee has been exposed, without regard to the use of respirators, in excess of the permissible exposure limit, each such employee shall be notified in writing of the results of the exposure measurement and the steps being taken to reduce the exposure to within the permissible exposure limit.

(14) Appendix A supplementary medical information.

When required tests under subsection (10)(a) of this section show abnormalities, the tests should be repeated as soon as practicable, preferably within 3 to 4 weeks. If tests remain abnormal, consideration should be given to withdrawal of the employee from contact with vinyl chloride, while a more comprehensive examination is made.

Additional tests which may be useful:

(A) For kidney dysfunction: Urine examination for albumin, red blood cells, and exfoliative abnormal cells.

(B) Pulmonary system: Forced vital capacity, forced expiratory volume at 1 second, and chest roentgenogram (posterior-anterior, 14 x 17 inches).

(C) Additional serum tests: Lactic acid dehydrogenase, lactic acid dehydrogenase isoenzyme, protein determination, and protein electrophoresis.

(D) For a more comprehensive examination on repeated abnormal serum tests: Hepatitis B antigen, and liver scanning.

AMENDATORY SECTION (Amending WSR 03-18-090, filed 9/2/03, effective 11/1/03)

WAC 296-62-07336 Acrylonitrile. (1) Scope and application.

(a) This section applies to all occupational exposure to acrylonitrile (AN), Chemical Abstracts Service Registry No. 000107131, except as provided in (b) and (c) of this subsection.

(b) This section does not apply to exposures which result solely from the processing, use, and handling of the following materials:

(i) ABS resins, SAN resins, nitrile barrier resins, solid nitrile elastomers, and acrylic and modacrylic fibers, when these listed materials are in the form of finished polymers, and products fabricated from such finished polymers;

(ii) Materials made from and/or containing AN for which objective data is reasonably relied upon to demonstrate that the material is not capable of releasing AN in airborne concentrations in excess of 1 ppm as an eight-hour time-weighted average, under the expected conditions of processing, use, and handling which will cause the greatest possible release; and

(iii) Solid materials made from and/or containing AN which will not be heated above 170°F during handling, use, or processing.

(c) An employer relying upon exemption under (1)(b)(ii) shall maintain records of the objective data supporting that exemption, and of the basis of the employer's reliance on the data as provided in subsection (17) of this section.

(2) Definitions, as applicable to this section:

(a) "Acrylonitrile" or "AN" - acrylonitrile monomer, chemical formula CH2=CHCN.

(b) "Action level" - a concentration of AN of 1 ppm as an eight-hour time-weighted average.

(c) "Authorized person" - any person specifically authorized by the employer whose duties require the person to enter a regulated area, or any person entering such an area as a designated representative of employees for the purpose of exercising the opportunity to observe monitoring procedures under subsection (18) of this section.

(d) "Decontamination" means treatment of materials and surfaces by water washdown, ventilation, or other means, to assure that the materials will not expose employees to airborne concentrations of AN above 1 ppm as an eight-hour time-weighted average.

(e) "Director" - the director of labor and industries, or his authorized representative.

(f) "Emergency" - any occurrence such as, but not limited to, equipment failure, rupture of containers, or failure of control equipment, which is likely to, or does, result in unexpected exposure to AN in excess of the ceiling limit.

(g) "Liquid AN" means AN monomer in liquid form, and liquid or semiliquid polymer intermediates, including slurries, suspensions, emulsions, and solutions, produced during the polymerization of AN.

(h) "Polyacrylonitrile" or "PAN" - polyacrylonitrile homopolymers or copolymers, except for materials as exempted under subsection (1)(b) of this section.

(3) Permissible exposure limits.

(a) Inhalation.

(i) Time-weighted average limit (TWA). The employer shall assure that no employee is exposed to an airborne concentration of acrylonitrile in excess of two parts acrylonitrile per million parts of air (2 ppm), as an eight-hour time-weighted average.

(ii) Ceiling limit. The employer shall assure that no employee is exposed to an airborne concentration of acrylonitrile in excess of 10 ppm as averaged over any fifteen-minute period during the working day.

(b) Dermal and eye exposure. The employer shall assure that no employee is exposed to skin contact or eye contact with liquid AN or PAN.

(4) Notification of use and emergencies.

(a) Use. Within ten days of the effective date of this standard, or within fifteen days following the introduction of AN into the workplace, every employer shall report, unless he has done so pursuant to the emergency temporary standard, the following information to the director for each such workplace:

(i) The address and location of each workplace in which AN is present;

(ii) A brief description of each process of operation which may result in employee exposure to AN;

(iii) The number of employees engaged in each process or operation who may be exposed to AN and an estimate of the frequency and degree of exposure that occurs; and

(iv) A brief description of the employer's safety and health program as it relates to limitation of employee exposure to AN. Whenever there has been a significant change in the information required by this subsection, the employer shall promptly amend such information previously provided to the director.

(b) Emergencies and remedial action. Emergencies, and the facts obtainable at that time, shall be reported within 24 hours of the initial occurrence to the director. Upon request of the director, the employer shall submit additional information in writing relevant to the nature and extent of employee exposures and measures taken to prevent future emergencies of a similar nature.

(5) Exposure monitoring.

(a) General.

(i) Determinations of airborne exposure levels shall be made from air samples that are representative of each employee's exposure to AN over an eight-hour period.

(ii) For the purposes of this section, employee exposure is that which would occur if the employee were not using a respirator.

(b) Initial monitoring. Each employer who has a place of employment in which AN is present shall monitor each such workplace and work operation to accurately determine the airborne concentrations of AN to which employees may be exposed. Such monitoring may be done on a representative basis, provided that the employer can demonstrate that the determinations are representative of employee exposures.

(c) Frequency.

(i) If the monitoring required by this section reveals employee exposure to be below the action level, the employer may discontinue monitoring for that employee. The employer shall continue these quarterly measurements until at least two consecutive measurements taken at least seven days apart, are below the action level, and thereafter the employer may discontinue monitoring for that employee.

(ii) If the monitoring required by this section reveals employee exposure to be at or above the action level but below the permissible exposure limits, the employer shall repeat such monitoring for each such employee at least quarterly.

(iii) If the monitoring required by this section reveals employee exposure to be in excess of the permissible exposure limits, the employer shall repeat these determinations for each such employee at least monthly. The employer shall continue these monthly measurements until at least two consecutive measurements, taken at least seven days apart, are below the permissible exposure limits, and thereafter the employer shall monitor at least quarterly.

(d) Additional monitoring. Whenever there has been a production, process, control or personnel change which may result in new or additional exposure to AN, or whenever the employer has any other reason to suspect a change which may result in new or additional exposures to AN, additional monitoring which complies with this subsection shall be conducted.

(e) Employee notification.

(i) Within five working days after the receipt of monitoring results, the employer shall notify each employee in writing of the results which represent that employee's exposure.

(ii) Whenever the results indicate that the representative employee exposure exceeds the permissible exposure limits, the employer shall include in the written notice a statement that the permissible exposure limits were exceeded and a description of the corrective action being taken to reduce exposure to or below the permissible exposure limits.

(f) Accuracy of measurement. The method of measurement of employee exposures shall be accurate, to a confidence level of 95 percent, to within plus or minus 25 percent for concentrations of AN at or above the permissible exposure limits, and plus or minus 35 percent for concentrations of AN between the action level and the permissible exposure limits.

(g) Weekly survey of operations involving liquid AN. In addition to monitoring of employee exposures to AN as otherwise required by this subsection, the employer shall survey areas of operations involving liquid AN at least weekly to detect points where AN liquid or vapor are being released into the workplace. The survey shall employ an infra-red gas analyzer calibrated for AN, a multipoint gas chromatographic monitor, or comparable system for detection of AN. A listing of levels detected and areas of AN release, as determined from the survey, shall be posted prominently in the workplace, and shall remain posted until the next survey is completed.

(6) Regulated areas.

(a) The employer shall establish regulated areas where AN concentrations are in excess of the permissible exposure limits.

(b) Regulated areas shall be demarcated and segregated from the rest of the workplace, in any manner that minimizes the number of persons who will be exposed to AN.

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(c) Access to regulated areas shall be limited to authorized persons or to persons otherwise authorized by the act or regulations issued pursuant thereto.

(d) The employer shall assure that in the regulated area, food or beverages are not present or consumed, smoking products are not present or used, and cosmetics are not applied, (except that these activities may be conducted in the lunchrooms, change rooms and showers required under subsections (13)(a)-(13)(c) of this section.

(7) Methods of compliance.

(a) Engineering and work practice controls.

(i) The employer shall institute engineering or work practice controls to reduce and maintain employee exposures to AN, to or below the permissible exposure limits, except to the extent that the employer establishes that such controls are not feasible.

(ii) Wherever the engineering and work practice controls which can be instituted are not sufficient to reduce employee exposures to or below the permissible exposure limits, the employer shall nonetheless use them to reduce exposures to the lowest levels achievable by these controls and shall supplement them by the use of respiratory protection which complies with the requirements of subsection (8) of this section.

(b) Compliance program.

(i) The employer shall establish and implement a written program to reduce employee exposures to or below the permissible exposure limits solely by means of engineering and work practice controls, as required by subsection (7)(a) of this section.

(ii) Written plans for these compliance programs shall include at least the following:

(A) A description of each operation or process resulting in employee exposure to AN above the permissible exposure limits;

(B) Engineering plans and other studies used to determine the controls for each process;

(C) A report of the technology considered in meeting the permissible exposure limits;

(D) A detailed schedule for the implementation of engineering or work practice controls; and

(E) Other relevant information.

(iii) The employer shall complete the steps set forth in the compliance program by the dates in the schedule.

(iv) Written plans for such a program shall be submitted upon request to the director, and shall be available at the worksite for examination and copying by the director, or any affected employee or representative.

(v) The plans required by this subsection shall be revised and updated at least every six months to reflect the current status of the program.

(8) Respiratory protection.

(a) General. For employees who use respirators required by this section, the employer must provide respirators that comply with the requirements of this subsection. Respirators must be used during:

(i) Periods necessary to install or implement feasible engineering and work-practice controls;

(ii) Work operations, such as maintenance and repair activities or reactor cleaning, for which the employer establishes that engineering and work-practice controls are not feasible;

(iii) Work operations for which feasible engineering and work-practice controls are not yet sufficient to reduce employee exposure to or below the permissible exposure limits;

(iv) In emergencies.

(b) Respirator program.

The employer must implement a respiratory protection program in accordance with chapter 296-62 WAC, Part E (except WAC 296-62-07130(1) and 296-62-07150 through 296-62-07156).

(c) Respirator selection. The employer must select the appropriate respirator from Table I of this subsection.

TABLE I

RESPIRATORY PROTECTION FOR ACRYLONITRILE (AN)

Concentration of AN or Condition of Use			Respirator Type
(a)	Less than or equal to 25 x permissible exposure limits.	(i)	Any Type C supplied air respirator.
(b)	Less than or equal to 100 x permissible exposure limits.	(i)	Any supplied air respirator with full facepiece; or
		(ii)	Any self-contained breathing apparatus with full facepiece.
(c)	Less than or equal to 250 x permissible exposure limits	(i)	Supplied air respirator in positive pressure mode with full facepiece, helmet, hood, or suit.
(d)	Greater than 250 x permissible exposure limits.	(i)	Supplied air respirator with full facepiece and an auxiliary self-contained air supply, operated in pressure demand mode; or
		(ii)	Open circuit self-contained breathing apparatus with full facepiece in positive pressure mode.
(e)	Emergency entry into unknown concentration or firefighting	(i)	Any self-contained breathing apparatus with full facepiece in positive pressure mode.
(f)	Escape.	(i)	Any organic vapor gas mask; or
		(ii)	Any self-contained breathing.

(9) Emergency situations.

(a) Written plans.

(i) A written plan for emergency situations shall be developed for each workplace where AN is present. Appropriate portions of the plan shall be implemented in the event of an emergency.

(ii) The plan shall specifically provide that employees engaged in correcting emergency conditions shall be equipped as required in subsection (8) of this section until the emergency is abated.

(b) Alerting employees.

(i) Where there is the possibility of employee exposure to AN in excess of the ceiling limit due to the occurrence of an emergency, a general alarm shall be installed and maintained to promptly alert employees of such occurrences.

(ii) Employees not engaged in correcting the emergency shall be evacuated from the area and shall not be permitted to return until the emergency is abated.

(10) Protective clothing and equipment.

(a) Provision and use. Where eye or skin contact with liquid AN or PAN may occur, the employer shall provide at no cost to the employee, and assure that employees wear, appropriate protective clothing or other equipment in accordance with WAC 296-800-160 to protect any area of the body which may come in contact with liquid AN or PAN.

(b) Cleaning and replacement.

(i) The employer shall clean, launder, maintain, or replace protective clothing and equipment required by this subsection, as needed to maintain their effectiveness. In addition, the employer shall provide clean protective clothing and equipment at least weekly to each affected employee.

(ii) The employer shall assure that impermeable protective clothing which contacts or is likely to have contacted liquid AN shall be decontaminated before being removed by the employee.

(iii) The employer shall assure that AN- or PAN-contaminated protective clothing and equipment is placed and stored in closable containers which prevent dispersion of the AN or PAN outside the container.

(iv) The employer shall assure that an employee whose nonimpermeable clothing becomes wetted with liquid AN shall immediately remove that clothing and proceed to shower. The clothing shall be decontaminated before it is removed from the regulated area.

(v) The employer shall assure that no employee removes AN- or PAN-contaminated protective equipment or clothing from the change room, except for those employees authorized to do so for the purpose of laundering, maintenance, or disposal.

(vi) The employer shall inform any person who launders or cleans AN- or PAN-contaminated protective clothing or equipment of the potentially harmful effects of exposure to AN.

(vii) The employer shall assure that containers of contaminated protective clothing and equipment which are to be removed from the workplace for any reason are labeled in accordance with subsection (16)(c)(ii) of this section, and that such labels remain affixed when such containers leave the employer's workplace.

(11) Housekeeping.

(a) All surfaces shall be maintained free of accumulations of liquid AN and of PAN.

(b) For operations involving liquid AN, the employer shall institute a program for detecting leaks and spills of liquid AN, including regular visual inspections.

(c) Where spills of liquid AN are detected, the employer shall assure that surfaces contacted by the liquid AN are decontaminated. Employees not engaged in decontamination activities shall leave the area of the spill, and shall not be permitted in the area until decontamination is completed.

(d) Liquids. Where AN is present in a liquid form, or as a resultant vapor, all containers or vessels containing AN shall be enclosed to the maximum extent feasible and tightly covered when not in use, with adequate provision made to avoid any resulting potential explosion hazard.

(e) Surfaces.

(i) Dry sweeping and the use of compressed air for the cleaning of floors and other surfaces where AN and PAN are found is prohibited.

(ii) Where vacuuming methods are selected, either portable units or a permanent system may be used.

(A) If a portable unit is selected, the exhaust shall be attached to the general workplace exhaust ventilation system or collected within the vacuum unit, equipped with high efficiency filters or other appropriate means of contaminant removal, so that AN is not reintroduced into the workplace air; and

(B) Portable vacuum units used to collect AN may not be used for other cleaning purposes and shall be labeled as prescribed by subsection (16)(c)(ii) of this section.

(iii) Cleaning of floors and other contaminated surfaces may not be performed by washing down with a hose, unless a fine spray has first been laid down.

(12) Waste disposal. AN and PAN waste, scrap, debris, bags, containers or equipment, shall be disposed of in sealed bags or other closed containers which prevent dispersion of AN outside the container, and labeled as prescribed in subsection (16)(c)(ii) of this section.

(13) Hygiene facilities and practices. Where employees are exposed to airborne concentrations of AN above the permissible exposure limits, or where employees are required to wear protective clothing or equipment pursuant to subsection (11) of this section, or where otherwise found to be appropriate, the facilities required by WAC 296-800-230 shall be provided by the employer for the use of those employees, and the employer shall assure that the employees use the facilities provided. In addition, the following facilities or requirements are mandated.

(a) Change rooms. The employer shall provide clean change rooms in accordance with WAC 296-800-230.

(b) Showers.

(i) The employer shall provide shower facilities in accordance with WAC 296-800-230.

(ii) In addition, the employer shall also assure that employees exposed to liquid AN and PAN shower at the end of the work shift.

(iii) The employer shall assure that, in the event of skin or eye exposure to liquid AN, the affected employee shall shower immediately to minimize the danger of skin absorption.

(c) Lunchrooms.

(i) Whenever food or beverages are consumed in the workplace, the employer shall provide lunchroom facilities which have a temperature controlled, positive pressure, filtered air supply, and which are readily accessible to employees exposed to AN above the permissible exposure limits.

(ii) In addition, the employer shall also assure that employees exposed to AN above the permissible exposure limits wash their hands and face prior to eating.

(14) Medical surveillance.

(a) General.

(i) The employer shall institute a program of medical surveillance for each employee who is or will be exposed to AN above the action level. The employer shall provide each such employee with an opportunity for medical examinations and tests in accordance with this subsection.

(ii) The employer shall assure that all medical examinations and procedures are performed by or under the supervision of a licensed physician, and shall be provided without cost to the employee.

(b) Initial examinations. At the time of initial assignment, or upon institution of the medical surveillance program, the employer shall provide each affected employee an opportunity for a medical examination, including at least the following elements:

(i) A work history and medical history with special attention to skin, respiratory, and gastrointestinal systems, and those nonspecific symptoms, such as headache, nausea, vomiting, dizziness, weakness, or other central nervous system dysfunctions that may be associated with acute or chronic exposure to AN.

(ii) A physical examination giving particular attention to central nervous system, gastrointestinal system, respiratory system, skin and thyroid.

(iii) A 14" x 17" posteroanterior chest X ray.

(iv) Further tests of the intestinal tract, including fecal occult blood screening, and proctosigmoidoscopy, for all workers 40 years of age or older, and for any other affected employees for whom, in the opinion of the physician, such testing is appropriate.

(c) Periodic examinations.

(i) The employer shall provide examinations specified in this subsection at least annually for all employees specified in subsection (14)(a) of this section.

(ii) If an employee has not had the examinations prescribed in subsection (14)(b) of this section within six months of termination of employment, the employer shall make such examination available to the employee upon such termination.

(d) Additional examinations. If the employee for any reason develops signs or symptoms commonly associated with exposure to AN, the employer shall provide appropriate examination and emergency medical treatment.

(e) Information provided to the physician. The employer shall provide the following information to the examining physician:

(i) A copy of this standard and its appendices;

(ii) A description of the affected employee's duties as they relate to the employee's exposure;

(iii) The employee's representative exposure level;

(iv) The employee's anticipated or estimated exposure level (for preplacement examinations or in cases of exposure due to an emergency);

(v) A description of any personal protective equipment used or to be used; and

(vi) Information from previous medical examinations of the affected employee, which is not otherwise available to the examining physician.

(f) Physician's written opinion.

(i) The employer shall obtain a written opinion from the examining physician which shall include:

(A) The results of the medical examination and test performed;

(B) The physician's opinion as to whether the employee has any detected medical condition which would place the employee at an increased risk of material impairment of the employee's health from exposure to AN;

(C) Any recommended limitations upon the employee's exposure to AN or upon the use of protective clothing and equipment such as respirators; and

(D) A statement that the employee has been informed by the physician of the results of the medical examination and any medical conditions which require further examination or treatment.

(ii) The employer shall instruct the physician not to reveal in the written opinion specific findings or diagnoses unrelated to occupational exposure to AN.

(iii) The employer shall provide a copy of the written opinion to the affected employee.

(15) Employee information and training.

(a) Training program.

(i) The employer shall institute a training program for all employees where there is occupational exposure to AN and shall assure their participation in the training program.

(ii) The training program shall be provided at the time of initial assignment, or upon institution of the training program, and at least annually thereafter, and the employer shall assure that each employee is informed of the following:

(A) The information contained in Appendices A, B and C;

(B) The quantity, location, manner of use, release or storage of AN and the specific nature of operations which could result in exposure to AN, as well as any necessary protective steps;

(C) The purpose, proper use, and limitations of respirators and protective clothing;

(D) The purpose and a description of the medical surveillance program required by subsection (14) of this section;

(E) The emergency procedures developed, as required by subsection (9) of this section; and

(F) The engineering and work practice controls, their function and the employee's relationship thereto; and

(G) A review of this standard.

(b) Access to training materials.

(i) The employer shall make a copy of this standard and its appendices readily available to all affected employees.

(ii) The employer shall provide, upon request, all materials relating to the employee information and training program to the director.

(16) Signs and labels.

(a) General.

(i) The employer may use labels or signs required by other statutes, regulations, or ordinances in addition to, or in combination with, signs and labels required by this subsection.

(ii) The employer shall assure that no statement appears on or near any sign or label, required by this subsection, which contradicts or detracts from such effects of the required sign or label.

(b) Signs.

(i) The employer shall post signs to clearly indicate all workplaces where AN concentrations exceed the permissible exposure limits. The signs shall bear the following legend:

DANGER
ACRYLONITRILE (AN)
CANCER HAZARD
AUTHORIZED PERSONNEL ONLY
RESPIRATORS REQUIRED

(ii) The employer shall assure that signs required by this subsection are illuminated and cleaned as necessary so that the legend is readily visible.

(c) Labels.

(i) The employer shall assure that precautionary labels are affixed to all containers of AN, and to containers of PAN and products fabricated from PAN, except for those materials for which objective data is provided as to the conditions specified in subsection (1)(b) of this section. The employer shall assure that the labels remain affixed when the AN or PAN are sold, distributed or otherwise leave the employer's workplace.

(ii) The employer shall assure that the precautionary labels required by this subsection are readily visible and legible. The labels shall bear the following legend:

DANGER
CONTAINS ACRYLONITRILE (AN)
CANCER HAZARD

(17) Recordkeeping.

(a) Objective data for exempted operations.

(i) Where the processing, use, and handling of products fabricated from PAN are exempted pursuant to subsection (1)(b) of this section, the employer shall establish and maintain an accurate record of objective data reasonably relied upon in support of the exemption.

(ii) This record shall include the following information:

(A) The relevant condition in subsection (1)(b) upon which exemption is based;

(B) The source of the objective data;

(C) The testing protocol, results of testing, and/or analysis of the material for the release of AN;

(D) A description of the operation exempted and how the data supports the exemption; and

(E) Other data relevant to the operations, materials, and processing covered by the exemption.

(iii) The employer shall maintain this record for the duration of the employer's reliance upon such objective data.

(b) Exposure monitoring.

(i) The employer shall establish and maintain an accurate record of all monitoring required by subsection (5) of this section.

(ii) This record shall include:

(A) The dates, number, duration, and results of each of the samples taken, including a description of the sampling procedure used to determine representative employee exposure;

(B) A description of the sampling and analytical methods used and the data relied upon to establish that the methods used meet the accuracy and precision requirements of subsection (5)(f) of this section;

(C) Type of respiratory protective devices worn, if any; and

(D) Name, social security number and job classification of the employee monitored and of all other employees whose exposure the measurement is intended to represent.

(iii) The employer shall maintain this record for at least 40 years or the duration of employment plus 20 years, whichever is longer.

(c) Medical surveillance.

(i) The employer shall establish and maintain an accurate record for each employee subject to medical surveillance as required by subsection (14) of this section.

(ii) This record shall include:

(A) A copy of the physicians' written opinions;

(B) Any employee medical complaints related to exposure to AN;

(C) A copy of the information provided to the physician as required by subsection (14)(f) of this section; and

(D) A copy of the employee's medical and work history.

(iii) The employer shall assure that this record be maintained for at least forty years or for the duration of employment plus twenty years, whichever is longer.

(d) Availability.

(i) The employer shall assure that all records required to be maintained by this section be made available upon request to the director for examination and copying.

(ii) Records required by subdivisions (a) through (c) of this subsection shall be provided upon request to employees, designated representatives, and the assistant director in accordance with ((~~WAC 296-62-05201 through 296-62-05209 and 296-62-05213 through 296-62-05217~~)) chapter 296-802 WAC. Records required by subdivision (a) of this section shall be provided in the same manner as exposure monitoring records.

(iii) The employer shall assure that employee medical records required to be maintained by this section, be made available, upon request, for examination and copying, to the affected employee or former employee, or to a physician designated by the affected employee, former employee, or designated representative.

(e) Transfer of records.

(i) Whenever the employer ceases to do business, the successor employer shall receive and retain all records required to be maintained by this section.

(ii) Whenever the employer ceases to do business and there is no successor employer to receive and retain the records for the prescribed period, these records shall be transmitted to the director.

(iii) At the expiration of the retention period for the records required to be maintained pursuant to this section, the employer shall transmit these records to the director.

(iv) The employer shall also comply with any additional requirements involving transfer of records set forth in ((~~WAC 296-62-05215~~)) chapter 296-802 WAC.

(18) Observation of monitoring.

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(a) Employee observation. The employer shall provide affected employees, or their designated representatives, an opportunity to observe any monitoring of employee exposure to AN conducted pursuant to subsection (5) of this section.

(b) Observation procedures.

(i) Whenever observation of the monitoring of employee exposure to AN requires entry into an area where the use of protective clothing or equipment is required, the employer shall provide the observer with personal protective clothing or equipment required to be worn by employees working in the area, assure the use of such clothing and equipment, and require the observer to comply with all other applicable safety and health procedures.

(ii) Without interfering with the monitoring, observers shall be entitled:

(A) To receive an explanation of the measurement procedures;

(B) To observe all steps related to the measurement of airborne concentrations of AN performed at the place of exposure; and

(C) To record the results obtained.

(19) Appendices. The information contained in the appendices is not intended, by itself, to create any additional obligation not otherwise imposed, or to detract from any obligation.

AMENDATORY SECTION (Amending WSR 03-18-090, filed 9/2/03, effective 11/1/03)

WAC 296-62-07342 1,2-Dibromo-3-chloropropane. (1) Scope and application.

(a) This section applies to occupational exposure to 1,2-dibromo-3-chloropropane (DBCP).

(b) This section does not apply to:

(i) Exposure to DBCP which results solely from the application and use of DBCP as a pesticide; or

(ii) The storage, transportation, distribution or sale of DBCP in intact containers sealed in such a manner as to prevent exposure to DBCP vapors or liquids, except for the requirements of subsections (11), (16) and (17) of this section.

(2) Definitions applicable to this section:

(a) "Authorized person" - any person specifically authorized by the employer and whose duties require the person to be present in areas where DBCP is present; and any person entering this area as a designated representative of employees exercising an opportunity to observe employee exposure monitoring.

(b) "DBCP" - 1,2-dibromo-3-chloropropane, Chemical Abstracts Service Registry Number 96-12-8, and includes all forms of DBCP.

(c) "Director" - the director of labor and industries, or his authorized representative.

(d) "Emergency" - any occurrence such as, but not limited to equipment failure, rupture of containers, or failure of control equipment which may, or does, result in unexpected release of DBCP.

(3) Permissible exposure limits.

(a) Inhalation.

(i) Time-weighted average limit (TWA). The employer shall assure that no employee is exposed to an airborne concentration in excess of 1 part DBCP per billion part of air (ppb) as an eight-hour time-weighted average.

(ii) Ceiling limit. The employer shall assure that no employee is exposed to an airborne concentration in excess of 5 parts DBCP per billion parts of air (ppb) as averaged over any 15 minutes during the working day.

(b) Dermal and eye exposure. The employer shall assure that no employee is exposed to eye or skin contact with DBCP.

(4) Notification of use. Within ten days of the effective date of this section or within ten days following the introduction of DBCP into the workplace, every employer who has a workplace where DBCP is present shall report the following information to the director for each such workplace:

(a) The address and location of each workplace in which DBCP is present;

(b) A brief description of each process or operation which may result in employee exposure to DBCP;

(c) The number of employees engaged in each process or operation who may be exposed to DBCP and an estimate of the frequency and degree of exposure that occurs;

(d) A brief description of the employer's safety and health program as it relates to limitation of employee exposure to DBCP.

(5) Regulated areas. The employer shall establish, within each place of employment, regulated areas wherever DBCP concentrations are in excess of the permissible exposure limit.

(a) The employer shall limit access to regulated areas to authorized persons.

(b) All employees entering or working in a regulated area shall wear respiratory protection in accordance with Table I.

(6) Exposure monitoring.

(a) General. Determinations of airborne exposure levels shall be made from air samples that are representative of each employee's exposure to DBCP over an eight-hour period. (For the purposes of this section, employee exposure is that exposure which would occur if the employee were not using a respirator.)

(b) Initial. Each employer who has a place of employment in which DBCP is present shall monitor each workplace and work operation to accurately determine the airborne concentrations of DBCP to which employees may be exposed.

(c) Frequency.

(i) If the monitoring required by this section reveals employee exposures to be below the permissible exposure limits, the employer shall repeat these determinations at least quarterly.

(ii) If the monitoring required by this section reveals employee exposure to be in excess of the permissible exposure limits, the employer shall repeat these determinations for each such employee at least monthly. The employer shall continue these monthly determinations until at least two consecutive measurements, taken at least seven days apart, are below the permissible exposure limit, thereafter the employer shall monitor at least quarterly.

(d) Additional. Whenever there has been a production process, control or personnel change which may result in any new or additional exposure to DBCP, or whenever the employer has any other reason to suspect a change which may result in new or additional exposure to DBCP, additional monitoring which complies with subsection (6) shall be conducted.

(e) Employee notification.

(i) Within five working days after the receipt of monitoring results, the employer shall notify each employee in writing of results which represent the employee's exposure.

(ii) Whenever the results indicate that employee exposure exceeds the permissible exposure limit, the employer shall include in the written notice a statement that the permissible exposure limit was exceeded and a description of the corrective action being taken to reduce exposure to or below the permissible exposure limits.

(f) Accuracy of measurement. The method of measurement shall be accurate, to a confidence level of 95 percent, to within plus or minus 25 percent for concentrations of DBCP at or above the permissible exposure limits.

(7) Methods of compliance.

(a) Priority of compliance methods. The employer shall institute engineering and work practice controls to reduce and maintain employee exposures to DBCP at or below the permissible exposure limit, except to the extent that the employer establishes that such controls are not feasible. Where feasible engineering and work practice controls are not sufficient to reduce employee exposures to within the permissible exposure limit, the employer shall nonetheless use them to reduce exposures to the lowest level achievable by these controls, and shall supplement them by use of respiratory protection.

(b) Compliance program.

(i) The employer shall establish and implement a written program to reduce employee exposure to DBCP to or below the permissible exposure limit solely by means of engineering and work practice controls as required by this section.

(ii) The written program shall include a detailed schedule for development and implementation of the engineering and work practice controls. These plans shall be revised at least every six months to reflect the current status of the program.

(iii) Written plans for these compliance programs shall be submitted upon request to the director, and shall be available at the worksite for examination and copying by the director, and any affected employee or designated representative of employees.

(iv) The employer shall institute and maintain at least the controls described in his most recent written compliance program.

(8) Respiratory protection.

(a) General. For employees who are required to use respirators under this section, the employer must provide respirators that comply with the requirements of this subsection. Respirators must be used during:

(i) Period necessary to install or implement feasible engineering and work-practice controls;

(ii) Maintenance and repair activities for which engineering and work-practice controls are not feasible;

(iii) Work operations for which feasible engineering and work-practice controls are not yet sufficient to reduce employee exposure to or below the permissible exposure limit;

(iv) Emergencies.

(b) The employer must establish, implement, and maintain a respiratory protection program as required by chapter 296-62 WAC, Part E (except WAC 296-62-07130(1) and 296-62-07150 through 296-62-07156).

(c) Respirator selection. The employer must select the appropriate respirator from Table I of this subsection.

TABLE I

RESPIRATORY PROTECTION FOR DBCP

Concentration Not Greater Than		Respirator Type
(a) 10 ppb:	(i)	Any supplied-air respirator.
	(ii)	Any self-contained breathing apparatus.
(b) 50 ppb:	(i)	Any supplied-air respirator with full facepiece, helmet or hood.
	(ii)	Any self-contained breathing apparatus with full facepiece.
(c) 250 ppb:	(i)	A Type C supplied-air respirator operated in pressure-demand or other positive pressure or continuous flow mode.
(d) 500 ppb:	(i)	A Type C supplied-air respirator with full facepiece operated in pressure-demand mode with full facepiece.
(e) Greater than 500 ppb or entry into unknown concentrations:	(i)	A combination respirator which includes a Type C supplied-air respirator with full facepiece operated in pressure-demand mode and an auxiliary self-contained breathing apparatus.
	(ii)	A self-contained breathing apparatus with full facepiece operated in pressure-demand mode.
(f) Fire fighting:	(i)	A self-contained breathing apparatus with full facepiece operated in pressure-demand mode.

(9) Reserved.

(10) Emergency situations.

(a) Written plans.

(i) A written plan for emergency situations shall be developed for each workplace in which DBCP is present.

(ii) Appropriate portions of the plan shall be implemented in the event of an emergency.

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(b) Employees engaged in correcting conditions shall be equipped as required in subsection (11) of this section until the emergency is abated.

(c) Evacuation. Employees not engaged in correcting the emergency shall be removed and restricted from the area and normal operations in the affected area shall not be resumed until the emergency is abated.

(d) Alerting employees. Where there is a possibility of employee exposure to DBCP due to the occurrence of an emergency, a general alarm shall be installed and maintained to promptly alert employees of such occurrences.

(e) Medical surveillance. For any employee exposed to DBCP in an emergency situation, the employer shall provide medical surveillance in accordance with subsection (14) of this section.

(f) Exposure monitoring.

(i) Following an emergency, the employer shall conduct monitoring which complies with subsection (6) of this section.

(ii) In workplaces not normally subject to periodic monitoring, the employer may terminate monitoring when two consecutive measurements indicate exposures below the permissible exposure limit.

(11) Protective clothing and equipment.

(a) Provision and use. Where eye or skin contact with liquid or solid DBCP may occur, employers shall provide at no cost to the employee, and assure that employees wear impermeable protective clothing and equipment in accordance with WAC 296-800-160 to protect the area of the body which may come in contact with DBCP.

(b) Cleaning and replacement.

(i) The employer shall clean, launder, maintain, or replace protective clothing and equipment required by this subsection to maintain their effectiveness. In addition, the employer shall provide clean protective clothing and equipment at least daily to each affected employee.

(ii) Removal and storage.

(A) The employer shall assure that employees remove DBCP contaminated work clothing only in change rooms provided in accordance with subsection (13) of this section.

(B) The employer shall assure that employees promptly remove any protective clothing and equipment which becomes contaminated with DBCP-containing liquids and solids. This clothing shall not be reworn until the DBCP has been removed from the clothing or equipment.

(C) The employer shall assure that no employee takes DBCP contaminated protective devices and work clothing out of the change room, except those employees authorized to do so for the purpose of laundering, maintenance, or disposal.

(iii) The employer shall assure that DBCP-contaminated protective work clothing and equipment is placed and stored in closed containers which prevent dispersion of DBCP outside the container.

(iv) The employer shall inform any person who launders or cleans DBCP-contaminated protective clothing or equipment of the potentially harmful effects of exposure to DBCP.

(v) The employer shall assure that the containers of contaminated protective clothing and equipment which are to be removed from the workplace for any reason are labeled in accordance with subsection (16)(c) of this section.

(vi) The employer shall prohibit the removal of DBCP from protective clothing and equipment by blowing or shaking.

(12) Housekeeping.

(a) Surfaces.

(i) All surfaces shall be maintained free of accumulations of DBCP.

(ii) Dry sweeping and the use of air for the cleaning of floors and other surfaces where DBCP dust or liquids are found is prohibited.

(iii) Where vacuuming methods are selected, either portable units or a permanent system may be used.

(A) If a portable unit is selected, the exhaust shall be attached to the general workplace exhaust ventilation system or collected within the vacuum unit, equipped with high efficiency filters or other appropriate means of contaminant removal, so that DBCP is not reintroduced into the workplace air; and

(B) Portable vacuum units used to collect DBCP may not be used for other cleaning purposes and shall be labeled as prescribed by subsection (16)(c) of this section.

(iv) Cleaning of floors and other contaminated surfaces may not be performed by washing down with a hose, unless a fine spray has first been laid down.

(b) Liquids. Where DBCP is present in a liquid form, or as a resultant vapor, all containers or vessels containing DBCP shall be enclosed to the maximum extent feasible and tightly covered when not in use.

(c) Waste disposal. DBCP waste, scrap, debris, bags, containers or equipment, shall be disposed in sealed bags or other closed containers which prevent dispersion of DBCP outside the container.

(13) Hygiene facilities and practices.

(a) Change rooms. The employer shall provide clean change rooms equipped with storage facilities for street clothes and separate storage facilities for protective clothing and equipment whenever employees are required to wear protective clothing and equipment in accordance with subsections (8), (9) and (11) of this section.

(b) Showers.

(i) The employer shall assure that employees working in the regulated area shower at the end of the work shift.

(ii) The employer shall assure that employees whose skin becomes contaminated with DBCP-containing liquids or solids immediately wash or shower to remove any DBCP from the skin.

(iii) The employer shall provide shower facilities in accordance with WAC 296-800-230.

(c) Lunchrooms. The employer shall provide lunchroom facilities which have a temperature controlled, positive pressure, filtered air supply, and which are readily accessible to employees working in regulated areas.

(d) Lavatories.

(i) The employer shall assure that employees working in the regulated area remove protective clothing and wash their hands and face prior to eating.

(ii) The employer shall provide a sufficient number of lavatory facilities which comply with WAC 296-800-230.

(e) Prohibition of activities in regulated areas. The employer shall assure that, in regulated areas, food or bever-

ages are not present or consumed, smoking products and implements are not present or used, and cosmetics are not present or applied.

(14) Medical surveillance.

(a) General. The employer shall institute a program of medical surveillance for each employee who is or will be exposed, without regard to the use of respirators, to DBCP. The employer shall provide each such employee with an opportunity for medical examinations and tests in accordance with this subsection. All medical examinations and procedures shall be performed by or under the supervision of a licensed physician, and shall be provided without cost to the employee.

(b) Frequency and content. At the time of initial assignment, annually thereafter, and whenever exposure to DBCP occurs, the employer shall provide a medical examination for employees who work in regulated areas, which includes at least the following:

(i) A complete medical and occupational history with emphasis on reproductive history.

(ii) A complete physical examination with emphasis on the genito-urinary tract, testicle size, and body habitus including the following tests:

(A) Sperm count;

(B) Complete urinalysis (U/A);

(C) Complete blood count; and

(D) Thyroid profile.

(iii) A serum specimen shall be obtained and the following determinations made by radioimmunoassay techniques utilizing National Institutes of Health (NIH) specific antigen or one of equivalent sensitivity:

(A) Serum multiphasic analysis (SMA 12);

(B) Serum follicle stimulating hormone (FSH);

(C) Serum luteinizing hormone (LH); and

(D) Serum estrogen (females).

(iv) Any other tests deemed appropriate by the examining physician.

(c) Additional examinations. If the employee for any reason develops signs or symptoms commonly associated with exposure to DBCP, the employer shall provide the employee with a medical examination which shall include those elements considered appropriate by the examining physician.

(d) Information provided to the physician. The employer shall provide the following information to the examining physician:

(i) A copy of this standard and its appendices;

(ii) A description of the affected employee's duties as they relate to the employee's exposure;

(iii) The level of DBCP to which the employee is exposed; and

(iv) A description of any personal protective equipment used or to be used.

(e) Physician's written opinion.

(i) For each examination under this section, the employer shall obtain and provide the employee with a written opinion from the examining physician which shall include:

(A) The results of the medical tests performed;

(B) The physician's opinion as to whether the employee has any detected medical condition which would place the employee at an increased risk of material impairment of health from exposure to DBCP;

(C) Any recommended limitations upon the employee's exposure to DBCP or upon the use of protective clothing and equipment such as respirators; and

(D) A statement that the employee was informed by the physician of the results of the medical examination, and any medical conditions which require further examination or treatment.

(ii) The employer shall instruct the physician not to reveal in the written opinion specific findings or diagnoses unrelated to occupational exposure to DBCP.

(iii) The employer shall provide a copy of the written opinion to the affected employee.

(f) Emergency situations. If the employee is exposed to DBCP in an emergency situation, the employer shall provide the employee with a sperm count test as soon as practicable, or, if the employee is unable to produce a semen specimen, the hormone tests contained in subsection (14)(b) of this section. The employer shall provide these same tests three months later.

(15) Employee information and training.

(a) Training program.

(i) Within thirty days of the effective date of this standard, the employer shall institute a training program for all employees who may be exposed to DBCP and shall assure their participation in such training program.

(ii) The employer shall assure that each employee is informed of the following:

(A) The information contained in Appendices A, B and C;

(B) The quantity, location, manner of use, release or storage of DBCP and the specific nature of operations which could result in exposure to DBCP as well as any necessary protective steps;

(C) The purpose, proper use, limitations, and other training requirements covering respiratory protection as required in chapter 296-62 WAC, Part E;

(D) The purpose and description of the medical surveillance program required by subsection (14) of this section; and

(E) A review of this standard.

(b) Access to training materials.

(i) The employer shall make a copy of this standard and its appendices readily available to all affected employees.

(ii) The employer shall provide, upon request, all materials relating to the employee information and training program to the director.

(16) Signs and labels.

(a) General.

(i) The employer may use labels or signs required by other statutes, regulations, or ordinances in addition to or in combination with, signs and labels required by this subsection.

(ii) The employer shall assure that no statement appears on or near any sign or label required by this subsection which contradicts or detracts from the required sign or label.

(b) Signs.

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(i) The employer shall post signs to clearly indicate all work areas where DBCP may be present. These signs shall bear the legend:

DANGER
1,2-Dibromo-3-chloropropane
(Insert appropriate trade or common names)

CANCER HAZARD
AUTHORIZED PERSONNEL ONLY

(ii) Where airborne concentrations of DBCP exceed the permissible exposure limits, the signs shall bear the additional legend:

RESPIRATOR REQUIRED

(c) Labels.

(i) The employer shall assure that precautionary labels are affixed to all containers of DBCP and of products containing DBCP, and that the labels remain affixed when the DBCP or products containing DBCP are sold, distributed, or otherwise leave the employer's workplace. Where DBCP or products containing DBCP are sold, distributed or otherwise leave the employer's workplace bearing appropriate labels required by EPA under the regulations in 40 CFR Part 162, the labels required by this subsection need not be affixed.

(ii) The employer shall assure that the precautionary labels required by this subsection are readily visible and legible. The labels shall bear the following legend:

DANGER
1,2-Dibromo-3-chloropropane
CANCER HAZARD

(17) Recordkeeping.

(a) Exposure monitoring.

(i) The employer shall establish and maintain an accurate record of all monitoring required by subsection (6) of this section.

(ii) This record shall include:

(A) The dates, number, duration and results of each of the samples taken, including a description of the sampling procedure used to determine representative employee exposure;

(B) A description of the sampling and analytical methods used;

(C) Type of respiratory worn, if any; and

(D) Name, Social Security number, and job classification of the employee monitored and of all other employees whose exposure the measurement is intended to represent.

(iii) The employer shall maintain this record for at least forty years or the duration of employment plus twenty years, whichever is longer.

(b) Medical surveillance.

(i) The employer shall establish and maintain an accurate record for each employee subject to medical surveillance required by subsection (14) of this section.

(ii) This record shall include:

(A) The name and Social Security number of the employee;

(B) A copy of the physician's written opinion;

(C) Any employee medical complaints related to exposure to DBCP;

(D) A copy of the information provided the physician as required by subsection (14)(c) of this section; and

(E) A copy of the employee's medical and work history.

(iii) The employer shall maintain this record for at least forty years or the duration of employment plus twenty years, whichever is longer.

(c) Availability.

(i) The employer shall assure that all records required to be maintained by this section be made available upon request to the director for examination and copying.

(ii) Employee exposure monitoring records and employee medical records required by this subsection shall be provided upon request to employees' designated representatives and the assistant director in accordance with ((~~WAC 296-62-05201 through 296-62-05209; and 296-62-05213 through 296-62-05217~~)) chapter 296-802 WAC.

(d) Transfer of records.

(i) If the employer ceases to do business, the successor employer shall receive and retain all records required to be maintained by this section for the prescribed period.

(ii) If the employer ceases to do business and there is no successor employer to receive and retain the records for the prescribed period, the employer shall transmit these records by mail to the director.

(iii) At the expiration of the retention period for the records required to be maintained under this section, the employer shall transmit these records by mail to the director.

(iv) The employer shall also comply with any additional requirements involving transfer of records set forth in ((~~WAC 296-62-05215~~)) chapter 296-802 WAC.

(18) Observation of monitoring.

(a) Employee observation. The employer shall provide affected employees, or their designated representatives, an opportunity to observe any monitoring of employee exposure to DBCP conducted under subsection (6) of this section.

(b) Observation procedures.

(i) Whenever observation of the measuring or monitoring of employee exposure to DBCP requires entry into an area where the use of protective clothing or equipment is required, the employer shall provide the observer with personal protective clothing or equipment required to be worn by employees working in the area, assure the use of such clothing and equipment, and require the observer to comply with all other applicable safety and health procedures.

(ii) Without interfering with the monitoring or measurement, observers shall be entitled to:

(A) Receive an explanation of the measurement procedures;

(B) Observe all steps related to the measurement of airborne concentrations of DBCP performed at the place of exposure; and

(C) Record the results obtained.

(19) Appendices. The information contained in the appendices is not intended, by itself, to create any additional

obligations not otherwise imposed or to detract from any existing obligation.

AMENDATORY SECTION (Amending Order 87-24, filed 11/30/87)

WAC 296-62-07375 Recordkeeping. (1) Objective data for exempted operations.

(a) Where the processing, use, or handling of products made from or containing EtO are exempted from other requirements of WAC 296-62-07355 through 296-62-07389 under WAC 296-62-07355, or where objective data have been relied on in lieu of initial monitoring under WAC 296-62-07361 (2)(b), the employer shall establish and maintain an accurate record of objective data reasonably relied upon in support of the exemption.

(b) This record shall include at least the following information:

(i) The product qualifying for exemption;

(ii) The source of the objective data;

(iii) The testing protocol, results of testing, and/or analysis of the material for the release of EtO;

(iv) A description of the operation exempted and how the data support the exemption; and

(v) Other data relevant to the operations, materials, processing, or employee exposures covered by the exemption.

(c) The employer shall maintain this record for the duration of the employer's reliance upon such objective data.

(2) Exposure measurements.

(a) The employer shall keep an accurate record of all measurements taken to monitor employee exposure to EtO as prescribed in WAC 296-62-07361.

(b) This record shall include at least the following information:

(i) The date of measurement;

(ii) The operation involving exposure to EtO which is being monitored;

(iii) Sampling and analytical methods used and evidence of their accuracy;

(iv) Number, duration, and results of samples taken;

(v) Type of protective devices worn, if any; and

(vi) Name, Social Security number and exposure of the employees whose exposures are represented.

(c) The employer shall maintain this record for at least thirty years, in accordance with ((~~WAC 296-62-05207~~)) chapter 296-802 WAC.

(3) Medical surveillance.

(a) The employer shall establish and maintain an accurate record for each employee subject to medical surveillance by WAC 296-62-07371 (1)(a), in accordance with ((~~WAC 296-62-05207~~)) chapter 296-802 WAC.

(b) The record shall include at least the following information:

(i) The name and Social Security number of the employee;

(ii) Physicians' written opinions;

(iii) Any employee medical complaints related to exposure to EtO; and

(iv) A copy of the information provided to the physician as required by WAC 296-62-07371(3).

(c) The employer shall ensure that this record is maintained for the duration of employment plus thirty years, in accordance with ((~~WAC 296-62-05207~~)) chapter 296-802 WAC.

(4) Availability.

(a) The employer, upon written request, shall make all records required to be maintained by WAC 296-62-07355 through 296-62-07389 available to the director for examination and copying.

(b) The employer, upon request, shall make any exemption and exposure records required by WAC 296-62-07377 (1) and (2) available for examination and copying to affected employees, former employees, designated representatives and the director, in accordance with ((~~WAC 296-62-05201 through 296-62-05209 and 296-62-05213 through 296-62-05217~~)) chapter 296-802 WAC.

(c) The employer, upon request, shall make employee medical records required by subsection (3) of this section available for examination and copying to the subject employee, anyone having the specific written consent of the subject employee, and the director, in accordance with ((~~WAC 296-62-052~~)) chapter 296-802 WAC.

(5) Transfer of records.

(a) The employer shall comply with the requirements concerning transfer of records set forth in ((~~WAC 296-62-05215~~)) chapter 296-802 WAC.

(b) Whenever the employer ceases to do business and there is no successor employer to receive and retain the records for the prescribed period, the employer shall notify the director at least ninety days prior to disposal and transmit them to the director.

AMENDATORY SECTION (Amending Order 93-01, filed 3/13/93, effective 4/27/93)

WAC 296-62-07427 Recordkeeping. (1) Exposure monitoring.

(a) The employer shall establish and keep an accurate record of all air monitoring for cadmium in the workplace.

(b) This record shall include at least the following information:

(i) The monitoring date, duration, and results in terms of an 8-hour TWA of each sample taken;

(ii) The name, Social Security number, and job classification of the employees monitored and of all other employees whose exposures the monitoring is intended to represent;

(iii) A description of the sampling and analytical methods used and evidence of their accuracy;

(iv) The type of respiratory protective device, if any, worn by the monitored employee;

(v) A notation of any other conditions that might have affected the monitoring results.

(c) The employer shall maintain this record for at least thirty years, in accordance with chapter ((~~296-62 WAC, Part B~~)) 296-802 WAC.

(2) Objective data for exemption from requirement for initial monitoring.

(a) For purposes of this section, objective data are information demonstrating that a particular product or material containing cadmium or a specific process, operation, or activ-

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ity involving cadmium cannot release dust or fumes in concentrations at or above the action level even under the worst-case release conditions. Objective data can be obtained from an industry-wide study or from laboratory product test results from manufacturers of cadmium-containing products or materials. The data the employer uses from an industry-wide survey must be obtained under workplace conditions closely resembling the processes, types of material, control methods, work practices and environmental conditions in the employer's current operations.

(b) The employer shall establish and maintain a record of the objective data for at least thirty years.

(3) Medical surveillance.

(a) The employer shall establish and maintain an accurate record for each employee covered by medical surveillance under WAC 296-62-07423 (1)(a).

(b) The record shall include at least the following information about the employee:

(i) Name, Social Security number, and description of the duties;

(ii) A copy of the physician's written opinions and an explanation sheet for biological monitoring results;

(iii) A copy of the medical history, and the results of any physical examination and all test results that are required to be provided by this section, including biological tests, X-rays, pulmonary function tests, etc., or that have been obtained to further evaluate any condition that might be related to cadmium exposure;

(iv) The employee's medical symptoms that might be related to exposure to cadmium; and

(v) A copy of the information provided to the physician as required by WAC 296-62-07423 (9)(b) through (e).

(c) The employer shall assure that this record is maintained for the duration of employment plus thirty years, in accordance with chapter ((~~296-62 WAC, Part B~~)) 296-802 WAC.

(4) Training. The employer shall certify that employees have been trained by preparing a certification record which includes the identity of the person trained, the signature of the employer or the person who conducted the training, and the date the training was completed. The certification records shall be prepared at the completion of training and shall be maintained on file for one year beyond the date of training of that employee.

(5) Availability.

(a) Except as otherwise provided for in this section, access to all records required to be maintained by subsections (1) through (4) of this section shall be in accordance with the provisions of chapter ((~~296-62 WAC, Part B~~)) 296-802 WAC.

(b) Within fifteen days after a request, the employer shall make an employee's medical records required to be kept by subsection (3) of this section available for examination and copying to the subject employee, to designated representatives, to anyone having the specific written consent of the subject employee, and after the employee's death or incapacitation, to the employee's family members.

(6) Transfer of records. Whenever an employer ceases to do business and there is no successor employer to receive and retain records for the prescribed period or the employer intends to dispose of any records required to be preserved for at least thirty years, the employer shall comply with the requirements concerning transfer of records set forth in ((~~WAC 296-62-05215~~)) chapter 296-802 WAC.

AMENDATORY SECTION (Amending WSR 03-18-090, filed 9/2/03, effective 11/1/03)

WAC 296-62-07460 Butadiene. (1) Scope and application.

(a) This section applies to all occupational exposures to 1,3-Butadiene (BD), Chemical Abstracts Service Registry No. 106-99-0, except as provided in (b) of this subsection.

(b)(i) Except for the recordkeeping provisions in subsection (13)(a) of this section, this section does not apply to the processing, use, or handling of products containing BD or to other work operations and streams in which BD is present where objective data are reasonably relied upon that demonstrate the work operation or the product or the group of products or operations to which it belongs may not reasonably be foreseen to release BD in airborne concentrations at or above the action level or in excess of the STEL under the expected conditions of processing, use, or handling that will cause the greatest possible release or in any plausible accident.

(ii) This section also does not apply to work operations, products or streams where the only exposure to BD is from liquid mixtures containing 0.1% or less of BD by volume or the vapors released from such liquids, unless objective data become available that show that airborne concentrations generated by such mixtures can exceed the action level or STEL under reasonably predictable conditions of processing, use or handling that will cause the greatest possible release.

(iii) Except for labeling requirements and requirements for emergency response, this section does not apply to the storage, transportation, distribution or sale of BD or liquid mixtures in intact containers or in transportation pipelines sealed in such a manner as to fully contain BD vapors or liquids.

(c) Where products or processes containing BD are exempted under (b) of this subsection, the employer shall maintain records of the objective data supporting that exemption and the basis for the employer's reliance on the data, as provided in subsection (13)(a) of this section.

(2) Definitions: For the purpose of this section, the following definitions shall apply:

"Action level" means a concentration of airborne BD of 0.5 ppm calculated as an 8-hour time-weighted average.

"Director" means the director of the department of labor and industries, or authorized representatives.

"Authorized person" means any person specifically designated by the employer, whose duties require entrance into a regulated area, or a person entering such an area as a designated representative of employees to exercise the right to observe monitoring and measuring procedures under subsection (4)(h) of this section, or a person designated under the WISH Act or regulations issued under the WISH Act to enter a regulated area.

"1,3-Butadiene" means an organic compound with chemical formula CH(2)=CH-CH=CH(2) that has a molecular weight of approximately 54.15 gm/mole.

"Business day" means any Monday through Friday, except those days designated as federal, state, local or company specific holidays.

"Complete blood count (CBC)" means laboratory tests performed on whole blood specimens and includes the following: White blood cell count (WBC), hematocrit (Hct), red blood cell count (RBC), hemoglobin (Hgb), differential count of white blood cells, red blood cell morphology, red blood cell indices, and platelet count.

"Day" means any part of a calendar day.

"Emergency situation" means any occurrence such as, but not limited to, equipment failure, rupture of containers, or failure of control equipment that may or does result in an uncontrolled significant release of BD.

"Employee exposure" means exposure of a worker to airborne concentrations of BD which would occur if the employee were not using respiratory protective equipment.

"Objective data" means monitoring data, or mathematical modelling or calculations based on composition, chemical and physical properties of a material, stream or product.

"Permissible exposure limits (PELs)" means either the 8-hour time-weighted average (8-hour TWA) exposure or the short-term exposure limit (STEL).

"Physician or other licensed health care professional" is an individual whose legally permitted scope of practice (i.e., license, registration, or certification) allows him or her to independently provide or be delegated the responsibility to provide one or more of the specific health care services required by (k) of this subsection.

"Regulated area" means any area where airborne concentrations of BD exceed or can reasonably be expected to exceed the 8-hour time-weighted average (8-hour TWA) exposure of 1 ppm or the short-term exposure limit (STEL) of 5 ppm for 15 minutes.

"This section" means this 1,3-butadiene standard.

(3) Permissible exposure limits (PELs).

(a) Time-weighted average (TWA) limit. The employer shall ensure that no employee is exposed to an airborne concentration of BD in excess of one part BD per million parts of air (ppm) measured as an eight (8)-hour time-weighted average.

(b) Short-term exposure limit (STEL). The employer shall ensure that no employee is exposed to an airborne concentration of BD in excess of five parts of BD per million parts of air (5 ppm) as determined over a sampling period of fifteen minutes.

(4) Exposure monitoring.

(a) General.

(i) Determinations of employee exposure shall be made from breathing zone air samples that are representative of the 8-hour TWA and 15-minute short-term exposures of each employee.

(ii) Representative 8-hour TWA employee exposure shall be determined on the basis of one or more samples representing full-shift exposure for each shift and for each job classification in each work area.

(iii) Representative 15-minute short-term employee exposures shall be determined on the basis of one or more samples representing 15-minute exposures associated with operations that are most likely to produce exposures above the STEL for each shift and for each job classification in each work area.

(iv) Except for the initial monitoring required under (b) of this subsection, where the employer can document that exposure levels are equivalent for similar operations on different work shifts, the employer need only determine representative employee exposure for that operation from the shift during which the highest exposure is expected.

(b) Initial monitoring.

(i) Each employer who has a workplace or work operation covered by this section, shall perform initial monitoring to determine accurately the airborne concentrations of BD to which employees may be exposed, or shall rely on objective data pursuant to subsection (1)(b)(i) of this section to fulfill this requirement.

(ii) Where the employer has monitored within two years prior to the effective date of this section and the monitoring satisfies all other requirements of this section, the employer may rely on such earlier monitoring results to satisfy the requirements of (b)(i) of this subsection, provided that the conditions under which the initial monitoring was conducted have not changed in a manner that may result in new or additional exposures.

(c) Periodic monitoring and its frequency.

(i) If the initial monitoring required by (b) of this subsection reveals employee exposure to be at or above the action level but at or below both the 8-hour TWA limit and the STEL, the employer shall repeat the representative monitoring required by (a) of this subsection every twelve months.

(ii) If the initial monitoring required by (b) of this subsection reveals employee exposure to be above the 8-hour TWA limit, the employer shall repeat the representative monitoring required by (a)(ii) of this subsection at least every three months until the employer has collected two samples per quarter (each at least 7 days apart) within a two-year period, after which such monitoring must occur at least every six months.

(iii) If the initial monitoring required by (b) of this subsection reveals employee exposure to be above the STEL, the employer shall repeat the representative monitoring required by (a)(iii) of this subsection at least every three months until the employer has collected two samples per quarter (each at least 7 days apart) within a two-year period, after which such monitoring must occur at least every six months.

(iv) The employer may alter the monitoring schedule from every six months to annually for any required representative monitoring for which two consecutive measurements taken at least 7 days apart indicate that employee exposure has decreased to or below the 8-hour TWA, but is at or above the action level.

(d) Termination of monitoring.

(i) If the initial monitoring required by (b) of this subsection reveals employee exposure to be below the action level and at or below the STEL, the employer may discontinue the monitoring for employees whose exposures are represented by the initial monitoring.

(ii) If the periodic monitoring required by (c) of this subsection reveals that employee exposures, as indicated by at least two consecutive measurements taken at least 7 days apart, are below the action level and at or below the STEL,

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the employer may discontinue the monitoring for those employees who are represented by such monitoring.

(e) Additional monitoring.

(i) The employer shall institute the exposure monitoring required under subsection (4) of this section whenever there has been a change in the production, process, control equipment, personnel or work practices that may result in new or additional exposures to BD or when the employer has any reason to suspect that a change may result in new or additional exposures.

(ii) Whenever spills, leaks, ruptures or other breakdowns occur that may lead to employee exposure above the 8-hour TWA limit or above the STEL, the employer shall monitor (using leak source, such as direct reading instruments, area or personal monitoring), after the cleanup of the spill or repair of the leak, rupture or other breakdown, to ensure that exposures have returned to the level that existed prior to the incident.

(f) Accuracy of monitoring.

Monitoring shall be accurate, at a confidence level of 95 percent, to within plus or minus 25 percent for airborne concentrations of BD at or above the 1 ppm TWA limit and to within plus or minus 35 percent for airborne concentrations of BD at or above the action level of 0.5 ppm and below the 1 ppm TWA limit.

(g) Employee notification of monitoring results.

(i) The employer shall, within 5 business days after the receipt of the results of any monitoring performed under this section, notify the affected employees of these results in writing either individually or by posting of results in an appropriate location that is accessible to affected employees.

(ii) The employer shall, within 15 business days after receipt of any monitoring performed under this section indicating the 8-hour TWA or STEL has been exceeded, provide the affected employees, in writing, with information on the corrective action being taken by the employer to reduce employee exposure to or below the 8-hour TWA or STEL and the schedule for completion of this action.

(h) Observation of monitoring.

(i) Employee observation. The employer shall provide affected employees or their designated representatives an opportunity to observe any monitoring of employee exposure to BD conducted in accordance with this section.

(ii) Observation procedures. When observation of the monitoring of employee exposure to BD requires entry into an area where the use of protective clothing or equipment is required, the employer shall provide the observer at no cost with protective clothing and equipment, and shall ensure that the observer uses this equipment and complies with all other applicable safety and health procedures.

(5) Regulated areas.

(a) The employer shall establish a regulated area wherever occupational exposures to airborne concentrations of BD exceed or can reasonably be expected to exceed the permissible exposure limits, either the 8-hour TWA or the STEL.

(b) Access to regulated areas shall be limited to authorized persons.

(c) Regulated areas shall be demarcated from the rest of the workplace in any manner that minimizes the number of employees exposed to BD within the regulated area.

(d) An employer at a multiemployer worksite who establishes a regulated area shall communicate the access restrictions and locations of these areas to other employers with work operations at that worksite whose employees may have access to these areas.

(6) Methods of compliance.

(a) Engineering controls and work practices.

(i) The employer shall institute engineering controls and work practices to reduce and maintain employee exposure to or below the PELs, except to the extent that the employer can establish that these controls are not feasible or where subsection (8)(a)(i) of this section applies.

(ii) Wherever the feasible engineering controls and work practices which can be instituted are not sufficient to reduce employee exposure to or below the 8-hour TWA or STEL, the employer shall use them to reduce employee exposure to the lowest levels achievable by these controls and shall supplement them by the use of respiratory protection that complies with the requirements of subsection (8) of this section.

(b) Compliance plan.

(i) Where any exposures are over the PELs, the employer shall establish and implement a written plan to reduce employee exposure to or below the PELs primarily by means of engineering and work practice controls, as required by (a) of this subsection, and by the use of respiratory protection where required or permitted under this section. No compliance plan is required if all exposures are under the PELs.

(ii) The written compliance plan shall include a schedule for the development and implementation of the engineering controls and work practice controls including periodic leak detection surveys.

(iii) Copies of the compliance plan required in (b) of this subsection shall be furnished upon request for examination and copying to the director, affected employees and designated employee representatives. Such plans shall be reviewed at least every 12 months, and shall be updated as necessary to reflect significant changes in the status of the employer's compliance program.

(iv) The employer shall not implement a schedule of employee rotation as a means of compliance with the PELs.

(7) Exposure goal program.

(a) For those operations and job classifications where employee exposures are greater than the action level, in addition to compliance with the PELs, the employer shall have an exposure goal program that is intended to limit employee exposures to below the action level during normal operations.

(b) Written plans for the exposure goal program shall be furnished upon request for examination and copying to the director, affected employees and designated employee representatives.

(c) Such plans shall be updated as necessary to reflect significant changes in the status of the exposure goal program.

(d) Respirator use is not required in the exposure goal program.

(e) The exposure goal program shall include the following items unless the employer can demonstrate that the item

is not feasible, will have no significant effect in reducing employee exposures, or is not necessary to achieve exposures below the action level:

(i) A leak prevention, detection, and repair program.

(ii) A program for maintaining the effectiveness of local exhaust ventilation systems.

(iii) The use of pump exposure control technology such as, but not limited to, mechanical double-sealed or seal-less pumps.

(iv) Gauging devices designed to limit employee exposure, such as magnetic gauges on rail cars.

(v) Unloading devices designed to limit employee exposure, such as a vapor return system.

(vi) A program to maintain BD concentration below the action level in control rooms by use of engineering controls.

(8) Respiratory protection.

(a) General. For employees who use respirators required by this section, the employer must provide respirators that comply with the requirements of this subsection. Respirators must be used during:

(i) Periods necessary to install or implement feasible engineering and work-practice controls;

(ii) Nonroutine work operations that are performed infrequently and for which exposures are limited in duration;

(iii) Work operations for which feasible engineering controls and work-practice controls are not yet sufficient to reduce employee exposures to or below the PELs;

(iv) Emergencies.

(b) Respirator program.

(i) The employer must implement a respiratory protection program as required by chapter 296-62 WAC, Part E (except WAC 296-62-07130(1), 296-62-07131 (4)(b)(i) and (ii), and 296-62-07150 through 296-62-07156).

(ii) If air-purifying respirators are used, the employer must replace the air-purifying filter elements according to the replacement schedule set for the class of respirators listed in Table 1 of this section, and at the beginning of each work shift.

(iii) Instead of using the replacement schedule listed in Table 1 of this section, the employer may replace cartridges or canisters at 90% of their expiration service life, provided the employer:

(A) Demonstrates that employees will be adequately protected by this procedure;

(B) Uses BD breakthrough data for this purpose that have been derived from tests conducted under worst-case conditions of humidity, temperature, and air-flow rate through the filter element, and the employer also describes the data supporting the cartridge- or canister-change schedule, as well as the basis for using the data in the employer's respirator program.

(iv) A label must be attached to each filter element to indicate the date and time it is first installed on the respirator.

(v) If NIOSH approves an end-of-service-life indicator (ESLI) for an air-purifying filter element, the element may be used until the ESLI shows no further useful service life or until the element is replaced at the beginning of the next work shift, whichever occurs first.

(vi) Regardless of the air-purifying element used, if an employee detects the odor of BD, the employer must replace the air-purifying element immediately.

(c) Respirator selection.

(i) The employer must select appropriate respirators from Table 1 of this section.

Table 1. - Minimum Requirements for Respiratory Protection for Airborne BD

Concentration of Airborne BD (ppm) or condition of use	Minimum required respirator
Less than or equal to 5 ppm (5 times PEL)	(a) Air-purifying half mask or full facepiece respirator equipped with approved BD or organic vapor cartridges or canisters. Cartridges or canisters shall be replaced every 4 hours.
Less than or equal to 10 ppm (10 times PEL)	(a) Air-purifying half mask or full facepiece respirator equipped with approved BD or organic vapor cartridges or canisters. Cartridges or canisters shall be replaced every 3 hours.
Less than or equal to 25 ppm (25 times PEL)	(a) Air-purifying full facepiece respirator equipped with approved BD or organic vapor cartridges or canisters. Cartridges or canisters shall be replaced every 2 hours. (b) Any powered air-purifying respirator equipped with approved BD or organic vapor cartridges. PAPR cartridges shall be replaced every 2 hours. (c) Continuous flow supplied air respirator equipped with a hood or helmet.
Less than or equal to 50 ppm (50 times PEL)	(a) Air-purifying full facepiece respirator equipped with approved BD or organic vapor cartridges or canisters. Cartridges or canisters shall be replaced every 1 hour.

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Table 1. - Minimum Requirements for Respiratory Protection for Airborne BD

Concentration of Airborne BD (ppm) or condition of use	Minimum required respirator
	(b) Powered air purifying respirator equipped with a tight-fitting facepiece and an approved BD or organic vapor cartridges. PAPR cartridges shall be replaced every 1 hour.
Less than or equal to 1,000 ppm (1,000 times PEL)	(a) Supplied air respirator equipped with a half mask or full facepiece and operated in a pressure demand or other positive pressure mode.
Greater than 1,000 ppm	(a) Self-contained breathing unknown concentration, or apparatus equipped with a fire fighting full facepiece and operated in a pressure demand or other positive pressure mode. (b) Any supplied air respirator equipped with a full facepiece and operated in a pressure demand or other positive pressure mode in combination with an auxiliary self-contained breathing apparatus operated in a pressure demand or other positive pressure mode.
Escape from IDLH Conditions	(a) Any positive pressure self-contained breathing apparatus with an appropriate service life. (b) Any air-purifying full facepiece respirator equipped with a front or back mounted BD or organic vapor canister.

Notes: Respirators approved for use in higher concentrations are permitted to be used in lower concentrations. Full facepiece is required when eye irritation is anticipated.

(ii) Air-purifying respirators must have filter elements certified by NIOSH for organic vapor or BD.

(iii) When an employee whose job requires the use of a respirator cannot use a negative-pressure respirator, the employer must provide the employee with a respirator that has less breathing resistance than the negative-pressure respirator, such as a powered air-purifying respirator or supplied-air respirator, when the employee is able to use it and if it provides the employee adequate protection.

(9) Protective clothing and equipment. Where appropriate to prevent eye contact and limit dermal exposure to BD, the employer shall provide protective clothing and equipment at no cost to the employee and shall ensure its use. Eye and face protection shall meet the requirements of WAC 296-800-160.

(10) Emergency situations. Written plan. A written plan for emergency situations shall be developed, or an existing plan shall be modified, to contain the applicable elements specified in WAC 296-24-567, Employee emergency plans and fire prevention plans, and in WAC 296-62-3112, hazardous waste operations and emergency responses, for each workplace where there is a possibility of an emergency.

(11) Medical screening and surveillance.

(a) Employees covered. The employer shall institute a medical screening and surveillance program as specified in this subsection for:

(i) Each employee with exposure to BD at concentrations at or above the action level on 30 or more days or for employees who have or may have exposure to BD at or above the PELs on 10 or more days a year;

(ii) Employers (including successor owners) shall continue to provide medical screening and surveillance for employees, even after transfer to a non-BD exposed job and regardless of when the employee is transferred, whose work histories suggest exposure to BD:

(A) At or above the PELs on 30 or more days a year for 10 or more years;

(B) At or above the action level on 60 or more days a year for 10 or more years; or

(C) Above 10 ppm on 30 or more days in any past year; and

(iii) Each employee exposed to BD following an emergency situation.

(b) Program administration.

(i) The employer shall ensure that the health questionnaire, physical examination and medical procedures are provided without cost to the employee, without loss of pay, and at a reasonable time and place.

(ii) Physical examinations, health questionnaires, and medical procedures shall be performed or administered by a physician or other licensed health care professional.

(iii) Laboratory tests shall be conducted by an accredited laboratory.

(c) Frequency of medical screening activities. The employer shall make medical screening available on the following schedule:

(i) For each employee covered under (a)(i) and (ii) of this subsection, a health questionnaire and complete blood count (CBC) with differential and platelet count every year, and a physical examination as specified below:

(A) An initial physical examination that meets the requirements of this rule, if twelve months or more have elapsed since the last physical examination conducted as part of a medical screening program for BD exposure;

(B) Before assumption of duties by the employee in a job with BD exposure;

(C) Every 3 years after the initial physical examination;

(D) At the discretion of the physician or other licensed health care professional reviewing the annual health questionnaire and CBC;

(E) At the time of employee reassignment to an area where exposure to BD is below the action level, if the employee's past exposure history does not meet the criteria of (a)(ii) of this subsection for continued coverage in the screening and surveillance program, and if twelve months or more have elapsed since the last physical examination; and

(F) At termination of employment if twelve months or more have elapsed since the last physical examination.

(ii) Following an emergency situation, medical screening shall be conducted as quickly as possible, but not later than 48 hours after the exposure.

(iii) For each employee who must wear a respirator, physical ability to perform the work and use the respirator must be determined as required by WAC 296-62-071.

(d) Content of medical screening.

(i) Medical screening for employees covered by (a)(i) and (ii) of this subsection shall include:

(A) A baseline health questionnaire that includes a comprehensive occupational and health history and is updated annually. Particular emphasis shall be placed on the hematopoietic and reticuloendothelial systems, including exposure to chemicals, in addition to BD, that may have an adverse effect on these systems, the presence of signs and symptoms that might be related to disorders of these systems, and any other information determined by the examining physician or other licensed health care professional to be necessary to evaluate whether the employee is at increased risk of material impairment of health from BD exposure. Health questionnaires shall consist of the sample forms in Appendix C to this section, or be equivalent to those samples;

(B) A complete physical examination, with special emphasis on the liver, spleen, lymph nodes, and skin;

(C) A CBC; and

(D) Any other test which the examining physician or other licensed health care professional deems necessary to evaluate whether the employee may be at increased risk from exposure to BD.

(ii) Medical screening for employees exposed to BD in an emergency situation shall focus on the acute effects of BD exposure and at a minimum include: A CBC within 48 hours of the exposure and then monthly for three months; and a physical examination if the employee reports irritation of the eyes, nose, throat, lungs, or skin, blurred vision, coughing, drowsiness, nausea, or headache. Continued employee participation in the medical screening and surveillance program, beyond these minimum requirements, shall be at the discretion of the physician or other licensed health care professional.

(e) Additional medical evaluations and referrals.

(i) Where the results of medical screening indicate abnormalities of the hematopoietic or reticuloendothelial systems, for which a nonoccupational cause is not readily apparent, the examining physician or other licensed health care professional shall refer the employee to an appropriate specialist for further evaluation and shall make available to the specialist the results of the medical screening.

(ii) The specialist to whom the employee is referred under this subsection shall determine the appropriate content for the medical evaluation, e.g., examinations, diagnostic tests and procedures, etc.

(f) Information provided to the physician or other licensed health care professional. The employer shall provide the following information to the examining physician or other licensed health care professional involved in the evaluation:

(i) A copy of this section including its appendices;

(ii) A description of the affected employee's duties as they relate to the employee's BD exposure;

(iii) The employee's actual or representative BD exposure level during employment tenure, including exposure incurred in an emergency situation;

(iv) A description of pertinent personal protective equipment used or to be used; and

(v) Information, when available, from previous employment-related medical evaluations of the affected employee which is not otherwise available to the physician or other licensed health care professional or the specialist.

(g) The written medical opinion.

(i) For each medical evaluation required by this section, the employer shall ensure that the physician or other licensed health care professional produces a written opinion and provides a copy to the employer and the employee within 15 business days of the evaluation. The written opinion shall be limited to the following information:

(A) The occupationally pertinent results of the medical evaluation;

(B) A medical opinion concerning whether the employee has any detected medical conditions which would place the employee's health at increased risk of material impairment from exposure to BD;

(C) Any recommended limitations upon the employee's exposure to BD; and

(D) A statement that the employee has been informed of the results of the medical evaluation and any medical conditions resulting from BD exposure that require further explanation or treatment.

(ii) The written medical opinion provided to the employer shall not reveal specific records, findings, and diagnoses that have no bearing on the employee's ability to work with BD.

Note: This provision does not negate the ethical obligation of the physician or other licensed health care professional to transmit any other adverse findings directly to the employee.

(h) Medical surveillance.

(i) The employer shall ensure that information obtained from the medical screening program activities is aggregated (with all personal identifiers removed) and periodically reviewed, to ascertain whether the health of the employee population of that employer is adversely affected by exposure to BD.

(ii) Information learned from medical surveillance activities must be disseminated to covered employees, as defined in (a) of this subsection, in a manner that ensures the confidentiality of individual medical information.

(12) Communication of BD hazards to employees.

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(a) Hazard communication. The employer shall communicate the hazards associated with BD exposure in accordance with the requirements of the chemical hazard communication standard, WAC 296-800-170.

(b) Employee information and training.

(i) The employer shall provide all employees exposed to BD with information and training in accordance with the requirements of the chemical hazard communication standard, WAC 296-800-170.

(ii) The employer shall institute a training program for all employees who are potentially exposed to BD at or above the action level or the STEL, ensure employee participation in the program and maintain a record of the contents of such program.

(iii) Training shall be provided prior to or at the time of initial assignment to a job potentially involving exposure to BD at or above the action level or STEL and at least annually thereafter.

(iv) The training program shall be conducted in a manner that the employee is able to understand. The employer shall ensure that each employee exposed to BD over the action level or STEL is informed of the following:

(A) The health hazards associated with BD exposure, and the purpose and a description of the medical screening and surveillance program required by this section;

(B) The quantity, location, manner of use, release, and storage of BD and the specific operations that could result in exposure to BD, especially exposures above the PEL or STEL;

(C) The engineering controls and work practices associated with the employee's job assignment, and emergency procedures and personal protective equipment;

(D) The measures employees can take to protect themselves from exposure to BD;

(E) The contents of this standard and its appendices; and

(F) The right of each employee exposed to BD at or above the action level or STEL to obtain:

(I) Medical examinations as required by subsection (10) of this section at no cost to the employee;

(II) The employee's medical records required to be maintained by subsection (13)(c) of this section; and

(III) All air monitoring results representing the employee's exposure to BD and required to be kept by subsection (13)(b) of this section.

(c) Access to information and training materials.

(i) The employer shall make a copy of this standard and its appendices readily available without cost to all affected employees and their designated representatives and shall provide a copy if requested.

(ii) The employer shall provide to the director, or the designated employee representatives, upon request, all materials relating to the employee information and the training program.

(13) Recordkeeping.

(a) Objective data for exemption from initial monitoring.

(i) Where the processing, use, or handling of products or streams made from or containing BD are exempted from other requirements of this section under subsection (1)(b) of this section, or where objective data have been relied on in lieu of initial monitoring under subsection (4)(b)(ii) of this section, the employer shall establish and maintain a record of the objective data reasonably relied upon in support of the exemption.

(ii) This record shall include at least the following information:

(A) The product or activity qualifying for exemption;

(B) The source of the objective data;

(C) The testing protocol, results of testing, and analysis of the material for the release of BD;

(D) A description of the operation exempted and how the data support the exemption; and

(E) Other data relevant to the operations, materials, processing, or employee exposures covered by the exemption.

(iii) The employer shall maintain this record for the duration of the employer's reliance upon such objective data.

(b) Exposure measurements.

(i) The employer shall establish and maintain an accurate record of all measurements taken to monitor employee exposure to BD as prescribed in subsection (4) of this section.

(ii) The record shall include at least the following information:

(A) The date of measurement;

(B) The operation involving exposure to BD which is being monitored;

(C) Sampling and analytical methods used and evidence of their accuracy;

(D) Number, duration, and results of samples taken;

(E) Type of protective devices worn, if any;

(F) Name, Social Security number and exposure of the employees whose exposures are represented; and

(G) The written corrective action and the schedule for completion of this action required by subsection (4)(g)(ii) of this section.

(iii) The employer shall maintain this record for at least 30 years in accordance with ((~~WAC 296-62-052~~)) chapter 296-802 WAC.

(c) Medical screening and surveillance.

(i) The employer shall establish and maintain an accurate record for each employee subject to medical screening and surveillance under this section.

(ii) The record shall include at least the following information:

(A) The name and Social Security number of the employee;

(B) Physician's or other licensed health care professional's written opinions as described in subsection (11)(e) of this section;

(C) A copy of the information provided to the physician or other licensed health care professional as required by subsection (11)(e) of this section.

(iii) Medical screening and surveillance records shall be maintained for each employee for the duration of employment plus 30 years, in accordance with ((~~WAC 296-62-052~~)) chapter 296-802 WAC.

(d) Availability.

(i) The employer, upon written request, shall make all records required to be maintained by this section available for examination and copying to the director.

(ii) Access to records required to be maintained by (a) and (b) of this subsection shall be granted in accordance with ((~~WAC 296-62-05209~~)) chapter 296-802 WAC.

(e) Transfer of records.

(i) Whenever the employer ceases to do business, the employer shall transfer records required by this section to the successor employer. The successor employer shall receive and maintain these records. If there is no successor employer, the employer shall notify the director, at least three months prior to disposal, and transmit them to the director if requested by the director within that period.

(ii) The employer shall transfer medical and exposure records as set forth in ((~~WAC 296-62-05215~~)) chapter 296-802 WAC.

(14) Dates.

(a) Effective date. This section shall become effective (day, month), 1997.

(b) Start-up dates.

(i) The initial monitoring required under subsection (4)(b) of this section shall be completed immediately or within sixty days of the introduction of BD into the workplace.

(ii) The requirements of subsections (3) through (13) of this section, including feasible work practice controls but not including engineering controls specified in subsection (6)(a) of this section, shall be complied with immediately.

(iii) Engineering controls specified by subsection (6)(a) of this section shall be implemented by February 4, 1999, and the exposure goal program specified in subsection (7) of this section shall be implemented by February 4, 2000.

(15) Appendices.

Appendices A, B, C, D, and F to this section are informational and are not intended to create any additional obligations not otherwise imposed or to detract from any existing obligations.

Appendix A. Substance Safety Data Sheet For 1,3-Butadiene (Non-Mandatory)

(1) Substance Identification.

(a) Substance: 1,3-Butadiene (CH(2)=CH-CH=CH(2)).

(b) Synonyms: 1,3-Butadiene (BD); butadiene; biethylene; bi-vinyl; divinyl; butadiene-1,3; buta-1,3-diene; erythrene; NCI-C50602; CAS-106-99-0.

(c) BD can be found as a gas or liquid.

(d) BD is used in production of styrene-butadiene rubber and polybutadiene rubber for the tire industry. Other uses include copolymer latexes for carpet backing and paper coating, as well as resins and polymers for pipes and automobile and appliance parts. It is also used as an intermediate in the production of such chemicals as fungicides.

(e) Appearance and odor: BD is a colorless, noncorrosive, flammable gas with a mild aromatic odor at standard ambient temperature and pressure.

(f) Permissible exposure: Exposure may not exceed 1 part BD per million parts of air averaged over the 8-hour workday, nor may short-term exposure exceed 5 parts of BD per million parts of air averaged over any 15-minute period in the 8-hour workday.

(2) Health Hazard Data.

(a) BD can affect the body if the gas is inhaled or if the liquid form, which is very cold (cryogenic), comes in contact with the eyes or skin.

(b) Effects of overexposure: Breathing very high levels of BD for a short time can cause central nervous system effects, blurred vision, nausea, fatigue, headache, decreased blood pressure and pulse rate, and unconsciousness. There are no recorded cases of accidental exposures at high levels that have caused death in humans, but this could occur. Breathing lower levels of BD may cause irritation of the eyes, nose, and throat. Skin contact with liquefied BD can cause irritation and frostbite.

(c) Long-term (chronic) exposure: BD has been found to be a potent carcinogen in rodents, inducing neoplastic lesions at multiple target sites in mice and rats. A recent study of BD-exposed workers showed that exposed workers have an increased risk of developing leukemia. The risk of leukemia increases with increased exposure to BD. OSHA has concluded that there is strong evidence that workplace exposure to BD poses an increased risk of death from cancers of the lymphohematopoietic system.

(d) Reporting signs and symptoms: You should inform your supervisor if you develop any of these signs or symptoms and suspect that they are caused by exposure to BD.

(3) Emergency First-Aid Procedures.

In the event of an emergency, follow the emergency plan and procedures designated for your work area. If you have been trained in first-aid procedures, provide the necessary first aid measures. If necessary, call for additional assistance from co-workers and emergency medical personnel.

(a) Eye and Skin Exposures: If there is a potential that liquefied BD can come in contact with eye or skin, face shields and skin protective equipment must be provided and used. If liquefied BD comes in contact with the eye, immediately flush the eyes with large amounts of water, occasionally lifting the lower and the upper lids. Flush repeatedly. Get medical attention immediately. Contact lenses should not be worn when working with this chemical. In the event of skin contact, which can cause frostbite, remove any contaminated clothing and flush the affected area repeatedly with large amounts of tepid water.

(b) Breathing: If a person breathes in large amounts of BD, move the exposed person to fresh air at once. If breathing has stopped, begin cardiopulmonary resuscitation (CPR) if you have been trained in this procedure. Keep the affected person warm and at rest. Get medical attention immediately.

(c) Rescue: Move the affected person from the hazardous exposure. If the exposed person has been overcome, call for help and begin emergency rescue procedures. Use extreme caution so that you do not become a casualty. Understand the plant's emergency rescue procedures and know the locations of rescue equipment before the need arises.

(4) Respirators and Protective Clothing.

(a) Respirators: Good industrial hygiene practices recommend that engineering and work practice controls be used to reduce environmental concentrations to the permissible exposure level. However, there are some exceptions where respirators may be used to control exposure. Respirators may be used when engineering and work practice controls are not technically feasible, when such controls are in the process of

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being installed, or when these controls fail and need to be supplemented or during brief, nonroutine, intermittent exposure. Respirators may also be used in situations involving nonroutine work operations which are performed infrequently and in which exposures are limited in duration, and in emergency situations. In some instances cartridge respirator use is allowed, but only with strict time constraints. For example, at exposure below 5 ppm BD, a cartridge (or canister) respirator, either full or half face, may be used, but the cartridge must be replaced at least every 4 hours, and it must be replaced every 3 hours when the exposure is between 5 and 10 ppm.

If the use of respirators is necessary, the only respirators permitted are those that have been approved by the National Institute for Occupational Safety and Health (NIOSH). In addition to respirator selection, a complete respiratory protection program must be instituted which includes regular training, maintenance, fit testing, inspection, cleaning, and evaluation of respirators. If you can smell BD while wearing a respirator, proceed immediately to fresh air, and change cartridge (or canister) before re-entering an area where there is BD exposure. If you experience difficulty in breathing while wearing a respirator, tell your supervisor.

(b) Protective Clothing: Employees should be provided with and required to use impervious clothing, gloves, face shields (eight-inch minimum), and other appropriate protective clothing necessary to prevent the skin from becoming frozen by contact with liquefied BD (or a vessel containing liquid BD).

Employees should be provided with and required to use splash-proof safety goggles where liquefied BD may contact the eyes.

(5) Precautions for Safe Use, Handling, and Storage.

(a) Fire and Explosion Hazards: BD is a flammable gas and can easily form explosive mixtures in air. It has a lower explosive limit of 2%, and an upper explosive limit of 11.5%. It has an autoignition temperature of 420 deg. C (788 deg. F). Its vapor is heavier than air (vapor density, 1.9) and may travel a considerable distance to a source of ignition and flash back. Usually it contains inhibitors to prevent self-polymerization (which is accompanied by evolution of heat) and to prevent formation of explosive peroxides. At elevated temperatures, such as in fire conditions, polymerization may take place. If the polymerization takes place in a container, there is a possibility of violent rupture of the container.

(b) Hazard: Slightly toxic. Slight respiratory irritant. Direct contact of liquefied BD on skin may cause freeze burns and frostbite.

(c) Storage: Protect against physical damage to BD containers. Outside or detached storage of BD containers is preferred. Inside storage should be in a cool, dry, well-ventilated, noncombustible location, away from all possible sources of ignition. Store cylinders vertically and do not stack. Do not store with oxidizing material.

(d) Usual Shipping Containers: Liquefied BD is contained in steel pressure apparatus.

(e) Electrical Equipment: Electrical installations in Class I hazardous locations, as defined in Article 500 of the National Electrical Code, should be in accordance with Article 501 of the Code. If explosion-proof electrical equipment is necessary, it shall be suitable for use in Group B. Group D equipment may be used if such equipment is isolated in accordance with Section 501-5(a) by sealing all conduit 1/2-inch size or larger. See Venting of Deflagrations (NFPA No. 68, 1994), National Electrical Code (NFPA No. 70, 1996), Static Electricity (NFPA No. 77, 1993), Lightning Protection Systems (NFPA No. 780, 1995), and Fire Hazard Properties of Flammable Liquids, Gases and Volatile Solids (NFPA No. 325, 1994).

(f) Fire Fighting: Stop flow of gas. Use water to keep fire-exposed containers cool. Fire extinguishers and quick drenching facilities must be readily available, and you should know where they are and how to operate them.

(g) Spill and Leak: Persons not wearing protective equipment and clothing should be restricted from areas of spills or leaks until clean-up has been completed. If BD is spilled or leaked, the following steps should be taken:

(i) Eliminate all ignition sources.

(ii) Ventilate area of spill or leak.

(iii) If in liquid form, for small quantities, allow to evaporate in a safe manner.

(iv) Stop or control the leak if this can be done without risk. If source of leak is a cylinder and the leak cannot be stopped in place, remove the leaking cylinder to a safe place and repair the leak or allow the cylinder to empty.

(h) Disposal: This substance, when discarded or disposed of, is a hazardous waste according to Federal regulations (40 CFR part 261). It is listed as hazardous waste number D001 due to its ignitability. The transportation, storage, treatment, and disposal of this waste material must be conducted in compliance with 40 CFR parts 262, 263, 264, 268 and 270. Disposal can occur only in properly permitted facilities. Check state and local regulation of any additional requirements as these may be more restrictive than federal laws and regulation.

(i) You should not keep food, beverages, or smoking materials in areas where there is BD exposure, nor should you eat or drink in such areas.

(j) Ask your supervisor where BD is used in your work area and ask for any additional plant safety and health rules.

(6) Medical Requirements.

Your employer is required to offer you the opportunity to participate in a medical screening and surveillance program if you are exposed to BD at concentrations exceeding the action level (0.5 ppm BD as an 8-hour TWA) on 30 days or more a year, or at or above the 8-hr TWA (1 ppm) or STEL (5 ppm for 15 minutes) on 10 days or more a year. Exposure for any part of a day counts. If you have had exposure to BD in the past, but have been transferred to another job, you may still be eligible to participate in the medical screening and surveillance program.

The WISHA rule specifies the past exposures that would qualify you for participation in the program. These past exposure are work histories that suggest the following:

(a) That you have been exposed at or above the PELs on 30 days a year for 10 or more years;

(b) That you have been exposed at or above the action level on 60 days a year for 10 or more years; or

(c) That you have been exposed above 10 ppm on 30 days in any past year.

Additionally, if you are exposed to BD in an emergency situation, you are eligible for a medical examination within 48 hours. The basic medical screening program includes a health questionnaire, physical examination, and blood test. These medical evaluations must be offered to you at a reasonable time and place, and without cost or loss of pay.

(7) Observation of Monitoring.

Your employer is required to perform measurements that are representative of your exposure to BD and you or your designated representative are entitled to observe the monitoring procedure. You are entitled to observe the steps taken in the measurement procedure, and to record the results obtained. When the monitoring procedure is taking place in an area where respirators or personal protective clothing and equipment are required to be worn, you or your representative must also be provided with, and must wear, the protective clothing and equipment.

(8) Access to Information.

(a) Each year, your employer is required to inform you of the information contained in this appendix. In addition, your employer must instruct you in the proper work practices for using BD, emergency procedures, and the correct use of protective equipment.

(b) Your employer is required to determine whether you are being exposed to BD. You or your representative has the right to observe employee measurements and to record the results obtained. Your employer is required to inform you of your exposure. If your employer determines that you are being overexposed, he or she is required to inform you of the actions which are being taken to reduce your exposure to within permissible exposure limits and of the schedule to implement these actions.

(c) Your employer is required to keep records of your exposures and medical examinations. These records must be kept by the employer for at least thirty (30) years.

(d) Your employer is required to release your exposure and medical records to you or your representative upon your request.

Appendix B. Substance Technical Guidelines for 1,3-Butadiene (Non-Mandatory)

(1) Physical and Chemical Data.

(a) Substance identification:

(i) Synonyms: 1,3-Butadiene (BD); butadiene; biethylene; bivinyl; divinyl; butadiene-1,3; buta-1,3-diene; erythrene; NCI-C50620; CAS-106-99-0.

(ii) Formula: (CH(2)=CH-CH=CH(2)).

(iii) Molecular weight: 54.1.

(b) Physical data:

(i) Boiling point (760 mm Hg): -4.7 deg. C (23.5 deg. F).

(ii) Specific gravity (water = 1):0.62 at 20 deg. C (68 deg. F).

(iii) Vapor density (air = 1 at boiling point of BD): 1.87.

(iv) Vapor pressure at 20 deg. C (68 deg. F): 910 mm Hg.

(v) Solubility in water, g/100 g water at 20 deg. C (68 deg. F): 0.05.

(vi) Appearance and odor: Colorless, flammable gas with a mildly aromatic odor. Liquefied BD is a colorless liquid with a mildly aromatic odor.

(2) Fire, Explosion, and Reactivity Hazard Data.

(a) Fire:

(i) Flash point: -76 deg. C (-105 deg. F) for take out; liquefied BD; Not applicable to BD gas.

(ii) Stability: A stabilizer is added to the monomer to inhibit formation of polymer during storage. Forms explosive peroxides in air in absence of inhibitor.

(iii) Flammable limits in air, percent by volume: Lower: 2.0; Upper: 11.5.

(iv) Extinguishing media: Carbon dioxide for small fires, polymer or alcohol foams for large fires.

(v) Special fire fighting procedures: Fight fire from protected location or maximum possible distance. Stop flow of gas before extinguishing fire. Use water spray to keep fire-exposed cylinders cool.

(vi) Unusual fire and explosion hazards: BD vapors are heavier than air and may travel to a source of ignition and flash back. Closed containers may rupture violently when heated.

(vii) For purposes of compliance with the requirements of WAC 296-24-330, BD is classified as a flammable gas. For example, 7,500 ppm, approximately one-fourth of the lower flammable limit, would be considered to pose a potential fire and explosion hazard.

(viii) For purposes of compliance with WAC 296-24-585, BD is classified as a Class B fire hazard.

(ix) For purposes of compliance with WAC 296-24-956 and 296-800-280, locations classified as hazardous due to the presence of BD shall be Class I.

(b) Reactivity:

(i) Conditions contributing to instability: Heat. Peroxides are formed when inhibitor concentration is not maintained at proper level. At elevated temperatures, such as in fire conditions, polymerization may take place.

(ii) Incompatibilities: Contact with strong oxidizing agents may cause fires and explosions. The contacting of crude BD (not BD monomer) with copper and copper alloys may cause formations of explosive copper compounds.

(iii) Hazardous decomposition products: Toxic gases (such as carbon monoxide) may be released in a fire involving BD.

(iv) Special precautions: BD will attack some forms of plastics, rubber, and coatings. BD in storage should be checked for proper inhibitor content, for self-polymerization, and for formation of peroxides when in contact with air and iron. Piping carrying BD may become plugged by formation of rubbery polymer.

(c) Warning Properties:

(i) Odor Threshold: An odor threshold of 0.45 ppm has been reported in The American Industrial Hygiene Association (AIHA) Report, Odor Thresholds for Chemicals with Established Occupational Health Standards. (Ex. 32-28C).

(ii) Eye Irritation Level: Workers exposed to vapors of BD (concentration or purity unspecified) have complained of irritation of eyes, nasal passages, throat, and lungs. Dogs and rabbits exposed experimentally to as much as 6700 ppm for 7 1/2 hours a day for 8 months have developed no histologically demonstrable abnormality of the eyes.

(iii) Evaluation of Warning Properties: Since the mean odor threshold is about half of the 1 ppm PEL, and more than 10-fold below the 5 ppm STEL, most wearers of air purifying

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respirators should still be able to detect breakthrough before a significant overexposure to BD occurs.

(3) Spill, Leak, and Disposal Procedures.

(a) Persons not wearing protective equipment and clothing should be restricted from areas of spills or leaks until cleanup has been completed. If BD is spilled or leaked, the following steps should be taken:

(i) Eliminate all ignition sources.

(ii) Ventilate areas of spill or leak.

(iii) If in liquid form, for small quantities, allow to evaporate in a safe manner.

(iv) Stop or control the leak if this can be done without risk. If source of leak is a cylinder and the leak cannot be stopped in place, remove the leaking cylinder to a safe place and repair the leak or allow the cylinder to empty.

(b) Disposal: This substance, when discarded or disposed of, is a hazardous waste according to Federal regulations (40 CFR part 261). It is listed by the EPA as hazardous waste number D001 due to its ignitability. The transportation, storage, treatment, and disposal of this waste material must be conducted in compliance with 40 CFR parts 262, 263, 264, 268 and 270. Disposal can occur only in properly permitted facilities. Check state and local regulations for any additional requirements because these may be more restrictive than federal laws and regulations.

(4) Monitoring and Measurement Procedures.

(a) Exposure above the Permissible Exposure Limit (8-hr TWA) or Short-Term Exposure Limit (STEL):

(i) 8-hr TWA exposure evaluation: Measurements taken for the purpose of determining employee exposure under this standard are best taken with consecutive samples covering the full shift. Air samples must be taken in the employee's breathing zone (air that would most nearly represent that inhaled by the employee).

(ii) STEL exposure evaluation: Measurements must represent 15 minute exposures associated with operations most likely to exceed the STEL in each job and on each shift.

(iii) Monitoring frequencies: Table 1 gives various exposure scenarios and their required monitoring frequencies, as required by the final standard for occupational exposure to butadiene.

Table 1. — Five Exposure Scenarios and Their Associated Monitoring Frequencies

Action Level	8-hr TWA	STEL	Required Monitoring Activity
—*	—	—	No 8-hour TWA or STEL monitoring required.
+*	—	—	No STEL monitoring required. Monitor 8-hr TWA annually.
+	—	—	No STEL monitoring required. Periodic monitoring 8-hour TWA, in accordance with (4)(c)(iii).**
+	+	+	Periodic monitoring 8-hour TWA, in accordance with (4)(c)(iii)**. Periodic monitoring STEL in accordance with (4)(c)(iii).
+	—	+	Periodic monitoring STEL, in accordance with (4)(c)(iii). Monitor 8-hour TWA annually.

Footnote (*) Exposure Scenario, Limit Exceeded: + = Yes, - = No.

Footnote (**) The employer may decrease the frequency of exposure monitoring to annually when at least 2 consecutive measurements taken at least 7 days apart show exposures to be below the 8-hour TWA, but at or above the action level.

(iv) Monitoring techniques: Appendix D describes the validated method of sampling and analysis which has been tested by OSHA for use with BD. The employer has the obligation of selecting a monitoring method which meets the accuracy and precision requirements of the standard under his or her unique field conditions. The standard requires that the method of monitoring must be accurate, to a 95 percent confidence level, to plus or minus 25 percent for concentrations of BD at or above 1 ppm, and to plus or minus 35 percent for concentrations below 1 ppm.

(5) Personal Protective Equipment.

(a) Employees should be provided with and required to use impervious clothing, gloves, face shields (eight-inch minimum), and other appropriate protective clothing necessary to prevent the skin from becoming frozen from contact with liquid BD.

(b) Any clothing which becomes wet with liquid BD should be removed immediately and not reworn until the butadiene has evaporated.

(c) Employees should be provided with and required to use splash proof safety goggles where liquid BD may contact the eyes.

(6) Housekeeping and Hygiene Facilities.

For purposes of complying with WAC 296-800-220 and 296-800-230, the following items should be emphasized:

(a) The workplace should be kept clean, orderly, and in a sanitary condition.

(b) Adequate washing facilities with hot and cold water are to be provided and maintained in a sanitary condition.

(7) Additional Precautions.

(a) Store BD in tightly closed containers in a cool, well-ventilated area and take all necessary precautions to avoid any explosion hazard.

(b) Nonsparking tools must be used to open and close metal containers. These containers must be effectively grounded.

(c) Do not incinerate BD cartridges, tanks or other containers.

(d) Employers must advise employees of all areas and operations where exposure to BD might occur.

Appendix C. Medical Screening and Surveillance for 1,3-Butadiene (Nonmandatory)

(1) Basis for Medical Screening and Surveillance Requirements.

(a) Route of Entry Inhalation.

(b) Toxicology.

Inhalation of BD has been linked to an increased risk of cancer, damage to the reproductive organs, and fetotoxicity. Butadiene can be converted via oxidation to epoxybutene and diepoxybutane, two genotoxic metabolites that may play a role in the expression of BD's toxic effects. BD has been tested for carcinogenicity in mice and rats. Both species responded to BD exposure by developing cancer at multiple primary organ sites. Early deaths in mice were caused by malignant lymphomas, primarily lymphocytic type, originating in the thymus.

Mice exposed to BD have developed ovarian or testicular atrophy. Sperm head morphology tests also revealed abnormal sperm in mice exposed to BD; lethal mutations were found in a dominant lethal test. In light of these results in animals, the possibility that BD may adversely affect the reproductive systems of male and female workers must be considered.

Additionally, anemia has been observed in animals exposed to butadiene. In some cases, this anemia appeared to be a primary response to exposure; in other cases, it may have been secondary to a neoplastic response.

(c) Epidemiology.

Epidemiologic evidence demonstrates that BD exposure poses an increased risk of leukemia. Mild alterations of hematologic parameters have also been observed in synthetic rubber workers exposed to BD.

(2) Potential Adverse Health Effects.

(a) Acute.

Skin contact with liquid BD causes characteristic burns or frostbite. BD in gaseous form can irritate the eyes, nasal passages, throat, and lungs. Blurred vision, coughing, and drowsiness may also occur. Effects are mild at 2,000 ppm and pronounced at 8,000 ppm for exposures occurring over the full workshift.

At very high concentrations in air, BD is an anesthetic, causing narcosis, respiratory paralysis, unconsciousness, and death. Such concentrations are unlikely, however, except in an extreme emergency because BD poses an explosion hazard at these levels.

(b) Chronic.

The principal adverse health effects of concern are BD-induced lymphoma, leukemia and potential reproductive toxicity. Anemia and other changes in the peripheral blood cells may be indicators of excessive exposure to BD.

(c) Reproductive.

Workers may be concerned about the possibility that their BD exposure may be affecting their ability to procreate a healthy child. For workers with high exposures to BD, especially those who have experienced difficulties in conceiving, miscarriages, or stillbirths, appropriate medical and laboratory evaluation of fertility may be necessary to determine if BD is having any adverse effect on the reproductive system or on the health of the fetus.

(3) Medical Screening Components At-A-Glance.

(a) Health Questionnaire.

The most important goal of the health questionnaire is to elicit information from the worker regarding potential signs or symptoms generally related to leukemia or other blood abnormalities. Therefore, physicians or other licensed health care professionals should be aware of the presenting symptoms and signs of lymphohematopoietic disorders and cancers, as well as the procedures necessary to confirm or exclude such diagnoses. Additionally, the health questionnaire will assist with the identification of workers at greatest risk of developing leukemia or adverse reproductive effects from their exposures to BD.

Workers with a history of reproductive difficulties or a personal or family history of immune deficiency syndromes, blood dyscrasias, lymphoma, or leukemia, and those who are or have been exposed to medicinal drugs or chemicals known to affect the hematopoietic or lymphatic systems may be at higher risk from their exposure to BD. After the initial administration, the health questionnaire must be updated annually.

(b) Complete Blood Count (CBC).

The medical screening and surveillance program requires an annual CBC, with differential and platelet count, to be provided for each employee with BD exposure. This test is to be performed on a blood sample obtained by phlebotomy of the venous system or, if technically feasible, from a fingerstick sample of capillary blood. The sample is to be analyzed by an accredited laboratory.

Abnormalities in a CBC may be due to a number of different etiologies. The concern for workers exposed to BD includes, but is not limited to, timely identification of lymphohematopoietic cancers, such as leukemia and non-Hodgkin's lymphoma. Abnormalities of portions of the CBC are identified by comparing an individual's results to those of an established range of normal values for males and females. A substantial change in any individual employee's CBC may also be viewed as "abnormal" for that individual even if all measurements fall within the population-based range of normal values. It is suggested that a flowsheet for laboratory values be included in each employee's medical record so that comparisons and trends in annual CBCs can be easily made.

A determination of the clinical significance of an abnormal CBC shall be the responsibility of the examining physician, other licensed health care professional, or medical specialist to whom the employee is referred. Ideally, an abnormal CBC should be compared to previous CBC measurements for the same employee, when available. Clinical common sense may dictate that a CBC value that is very slightly outside the normal range does not warrant medical concern. A CBC abnormality may also be the result of a temporary physical stressor, such as a transient viral illness, blood donation, or menorrhagia, or laboratory error. In these cases, the CBC should be repeated in a timely fashion, i.e.,

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within 6 weeks, to verify that return to the normal range has occurred. A clinically significant abnormal CBC should result in removal of the employee from further exposure to BD. Transfer of the employee to other work duties in a BD-free environment would be the preferred recommendation.

(c) Physical Examination.

The medical screening and surveillance program requires an initial physical examination for workers exposed to BD; this examination is repeated once every three years. The initial physical examination should assess each worker's baseline general health and rule out clinical signs of medical conditions that may be caused by or aggravated by occupational BD exposure. The physical examination should be directed at identification of signs of lymphohematopoietic disorders, including lymph node enlargement, splenomegaly, and hepatomegaly.

Repeated physical examinations should update objective clinical findings that could be indicative of interim development of a lymphohematopoietic disorder, such as lymphoma, leukemia, or other blood abnormality. Physical examinations may also be provided on an as needed basis in order to follow up on a positive answer on the health questionnaire, or in response to an abnormal CBC. Physical examination of workers who will no longer be working in jobs with BD exposure are intended to rule out lymphohematopoietic disorders.

The need for physical examinations for workers concerned about adverse reproductive effects from their exposure to BD should be identified by the physician or other licensed health care professional and provided accordingly. For these workers, such consultations and examinations may relate to developmental toxicity and reproductive capacity.

Physical examination of workers acutely exposed to significant levels of BD should be especially directed at the respiratory system, eyes, sinuses, skin, nervous system, and any region associated with particular complaints. If the worker has received a severe acute exposure, hospitalization may be required to assure proper medical management. Since this type of exposure may place workers at greater risk of blood abnormalities, a CBC must be obtained within 48 hours and repeated at one, two, and three months.

Appendix D: Sampling and Analytical Method for 1,3-Butadiene (Nonmandatory)

OSHA Method No.: 56.

Matrix: Air.

Target concentration: 1 ppm (2.21 mg/m(3)).

Procedure: Air samples are collected by drawing known volumes of air through sampling tubes containing charcoal adsorbent which has been coated with 4-tert-butylcatechol. The samples are desorbed with carbon disulfide and then analyzed by gas chromatography using a flame ionization detector.

Recommended sampling rate and air volume: 0.05 L/min and 3 L.

Detection limit of the overall procedure: 90 ppb (200 ug/m(3)) (based on 3 L air volume).

Reliable quantitation limit: 155 ppb (343 ug/m(3)) (based on 3 L air volume).

Standard error of estimate at the target concentration: 6.5%.

Special requirements: The sampling tubes must be coated with 4-tert-butylcatechol. Collected samples should be stored in a freezer.

Status of method: A sampling and analytical method has been subjected to the established evaluation procedures of the Organic Methods Evaluation Branch, OSHA Analytical Laboratory, Salt Lake City, Utah 84165.

(1) Background.

This work was undertaken to develop a sampling and analytical procedure for BD at 1 ppm. The current method recommended by OSHA for collecting BD uses activated coconut shell charcoal as the sampling medium (Ref. 5.2). This method was found to be inadequate for use at low BD levels because of sample instability.

The stability of samples has been significantly improved through the use of a specially cleaned charcoal which is coated with 4-tert-butylcatechol (TBC). TBC is a polymerization inhibitor for BD (Ref. 5.3).

(a) Toxic effects.

Symptoms of human exposure to BD include irritation of the eyes, nose and throat. It can also cause coughing, drowsiness and fatigue. Dermatitis and frostbite can result from skin exposure to liquid BD. (Ref. 5.1)

NIOSH recommends that BD be handled in the workplace as a potential occupational carcinogen. This recommendation is based on two inhalation studies that resulted in cancers at multiple sites in rats and in mice. BD has also demonstrated mutagenic activity in the presence of a liver microsomal activating system. It has also been reported to have adverse reproductive effects. (Ref. 5.1)

(b) Potential workplace exposure.

About 90% of the annual production of BD is used to manufacture styrene-butadiene rubber and Polybutadiene rubber. Other uses include: Polychloroprene rubber, acrylonitrile butadiene-styrene resins, nylon intermediates, styrene-butadiene latexes, butadiene polymers, thermoplastic elastomers, nitrile resins, methyl methacrylate-butadiene styrene resins and chemical intermediates. (Ref. 5.1)

(c) Physical properties (Ref. 5.1).

CAS No.: 106-99-0

Molecular weight: 54.1

Appearance: Colorless gas

Boiling point: -4.41 deg. C (760 mm Hg)

Freezing point: -108.9 deg. C

Vapor pressure: 2 atm (a) 15.3 deg. C; 5 atm (a) 47 deg. C

Explosive limits: 2 to 11.5% (by volume in air)

Odor threshold: 0.45 ppm

Structural formula: H(2)C:CHCH:CH(2)

Synonyms: BD; biethylene; bivinyl; butadiene; divinyl; buta-1,3-diene; alpha-gamma-butadiene; erythrene; NCI-C50602; pyrrolylene; vinylethylene.

(d) Limit defining parameters.

The analyte air concentrations listed throughout this method are based on an air volume of 3 L and a desorption volume of 1 mL. Air concentrations listed in ppm are referenced to 25 deg. C and 760 mm Hg.

(e) Detection limit of the analytical procedure.

The detection limit of the analytical procedure was 304 pg per injection. This was the amount of BD which gave a response relative to the interferences present in a standard.

(f) Detection limit of the overall procedure.

The detection limit of the overall procedure was 0.60 ug per sample (90 ppb or 200 ug/m(3)). This amount was determined graphically. It was the amount of analyte which, when spiked on the sampling device, would allow recovery approximately equal to the detection limit of the analytical procedure.

(g) Reliable quantitation limit.

The reliable quantitation limit was 1.03 ug per sample (155 ppb or 343 ug/m(3)). This was the smallest amount of analyte which could be quantitated within the limits of a recovery of at least 75% and a precision (+/- 1.96 SD) of +/- 25% or better.

(h) Sensitivity.(1)

Footnote (1) The reliable quantitation limit and detection limits reported in the method are based upon optimization of the instrument for the smallest possible amount of analyte. When the target concentration of an analyte is exceptionally higher than these limits, they may not be attainable at the routine operation parameters.

The sensitivity of the analytical procedure over a concentration range representing 0.6 to 2 times the target concentration, based on the recommended air volume, was 387 area units per ug/mL. This value was determined from the slope of the calibration curve. The sensitivity may vary with the particular instrument used in the analysis.

(i) Recovery.

The recovery of BD from samples used in storage tests remained above 77% when the samples were stored at ambient temperature and above 94% when the samples were stored at refrigerated temperature. These values were determined from regression lines which were calculated from the storage data. The recovery of the analyte from the collection device must be at least 75% following storage.

(j) Precision (analytical method only).

The pooled coefficient of variation obtained from replicate determinations of analytical standards over the range of 0.6 to 2 times the target concentration was 0.011.

(k) Precision (overall procedure).

The precision at the 95% confidence level for the refrigerated temperature storage test was +/- 12.7%. This value includes an additional +/- 5% for sampling error. The overall procedure must provide results at the target concentrations that are +/- 25% at the 95% confidence level.

(l) Reproducibility.

Samples collected from a controlled test atmosphere and a draft copy of this procedure were given to a chemist unassociated with this evaluation. The average recovery was 97.2% and the standard deviation was 6.2%.

(2) Sampling procedure.

(a) Apparatus. Samples are collected by use of a personal sampling pump that can be calibrated to within +/- 5% of the recommended 0.05 L/min sampling rate with the sampling tube in line.

(b) Samples are collected with laboratory prepared sampling tubes. The sampling tube is constructed of silane-treated glass and is about 5-cm long. The ID is 4 mm and the OD is 6 mm. One end of the tube is tapered so that a glass wool end plug will hold the contents of the tube in place during sampling. The opening in the tapered end of the sampling tube is at least one-half the ID of the tube (2 mm). The other end of the sampling tube is open to its full 4-mm ID to facilitate packing of the tube. Both ends of the tube are fire-polished for safety. The tube is packed with 2 sections of pretreated charcoal which has been coated with TBC. The tube is packed with a 50-mg backup section, located nearest the tapered end, and with a 100-mg sampling section of charcoal. The two sections of coated adsorbent are separated and retained with small plugs of silanized glass wool. Following packing, the sampling tubes are sealed with two 7/32 inch OD plastic end caps. Instructions for the pretreatment and coating of the charcoal are presented in Section 4.1 of this method.

(c) Reagents.

None required.

(d) Technique.

(i) Properly label the sampling tube before sampling and then remove the plastic end caps.

(ii) Attach the sampling tube to the pump using a section of flexible plastic tubing such that the larger front section of the sampling tube is exposed directly to the atmosphere. Do not place any tubing ahead of the sampling tube. The sampling tube should be attached in the worker's breathing zone in a vertical manner such that it does not impede work performance.

(iii) After sampling for the appropriate time, remove the sampling tube from the pump and then seal the tube with plastic end caps. Wrap the tube lengthwise.

(iv) Include at least one blank for each sampling set. The blank should be handled in the same manner as the samples with the exception that air is not drawn through it.

(v) List any potential interferences on the sample data sheet.

(vi) The samples require no special shipping precautions under normal conditions. The samples should be refrigerated if they are to be exposed to higher than normal ambient temperatures. If the samples are to be stored before they are shipped to the laboratory, they should be kept in a freezer. The samples should be placed in a freezer upon receipt at the laboratory.

(e) Breakthrough.

(Breakthrough was defined as the relative amount of analyte found on the backup section of the tube in relation to the total amount of analyte collected on the sampling tube. Five-percent breakthrough occurred after sampling a test atmosphere containing 2.0 ppm BD for 90 min. at 0.05 L/min. At the end of this time 4.5 L of air had been sampled and 20.1 ug of the analyte was collected. The relative humidity of the sampled air was 80% at 23 deg. C.)

Breakthrough studies have shown that the recommended sampling procedure can be used at air concentrations higher than the target concentration. The sampling time, however, should be reduced to 45 min. if both the expected BD level and the relative humidity of the sampled air are high.

(f) Desorption efficiency.

The average desorption efficiency for BD from TBC coated charcoal over the range from 0.6 to 2 times the target

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concentration was 96.4%. The efficiency was essentially constant over the range studied.

(g) Recommended air volume and sampling rate.

(h) The recommended air volume is 3 L.

(i) The recommended sampling rate is 0.05 L/min. for 1 hour.

(j) Interferences.

There are no known interferences to the sampling method.

(k) Safety precautions.

(i) Attach the sampling equipment to the worker in such a manner that it will not interfere with work performance or safety.

(ii) Follow all safety practices that apply to the work area being sampled.

(3) Analytical procedure.

(a) Apparatus.

(i) A gas chromatograph (GC), equipped with a flame ionization detector (FID).(2)

Footnote (2) A Hewlett-Packard Model 5840A GC was used for this evaluation. Injections were performed using a Hewlett-Packard Model 7671A automatic sampler.

(ii) A GC column capable of resolving the analytes from any interference.(3)

Footnote (3) A 20-ft x 1/8-inch OD stainless steel GC column containing 20% FFAP on 80/100 mesh Chromabsorb W-AW-DMCS was used for this evaluation.

(iii) Vials, glass 2-mL with Teflon-lined caps.

(iv) Disposable Pasteur-type pipets, volumetric flasks, pipets and syringes for preparing samples and standards, making dilutions and performing injections.

(b) Reagents.

(i) Carbon disulfide.(4)

Footnote (4) Fisher Scientific Company A.C.S. Reagent Grade solvent was used in this evaluation.

The benzene contaminant that was present in the carbon disulfide was used as an internal standard (ISTD) in this evaluation.

(ii) Nitrogen, hydrogen and air, GC grade.

(iii) BD of known high purity.(5)

Footnote (5) Matheson Gas Products, CP Grade 1,3-butadiene was used in this study.

(c) Standard preparation.

(i) Prepare standards by diluting known volumes of BD gas with carbon disulfide. This can be accomplished by injecting the appropriate volume of BD into the headspace above the 1-mL of carbon disulfide contained in sealed 2-mL vial. Shake the vial after the needle is removed from the septum.(6)

Footnote (6) A standard containing 7.71 ug/mL (at ambient temperature and pressure) was prepared by diluting 4 uL of the gas with 1-mL of carbon disulfide.

(ii) The mass of BD gas used to prepare standards can be determined by use of the following equations:

MV = (760/BP)(273+t)/(273)(22.41)

Where:

MV = ambient molar volume

BP = ambient barometric pressure

T = ambient temperature

ug/uL = 54.09/MV

ug/standard = (ug/uL)(uL) BD used to prepare the standard

(d) Sample preparation.

(i) Transfer the 100-mg section of the sampling tube to a 2-mL vial. Place the 50-mg section in a separate vial. If the glass wool plugs contain a significant amount of charcoal, place them with the appropriate sampling tube section.

(ii) Add 1-mL of carbon disulfide to each vial.

(iii) Seal the vials with Teflon-lined caps and then allow them to desorb for one hour. Shake the vials by hand vigorously several times during the desorption period.

(iv) If it is not possible to analyze the samples within 4 hours, separate the carbon disulfide from the charcoal, using a disposable Pasteur-type pipet, following the one hour. This separation will improve the stability of desorbed samples.

(v) Save the used sampling tubes to be cleaned and repacked with fresh adsorbent.

(e) Analysis.

(i) GC Conditions.

Column temperature: 95 deg. C

Injector temperature: 180 deg. C

Detector temperature: 275 deg. C

Carrier gas flow rate: 30 mL/min.

Injection volume: 0.80 uL

GC column: 20-ft x 1/8-in OD stainless steel GC column containing 20%

FFAP on 80/100 Chromabsorb W-AW-DMCS.

(ii) Chromatogram. See Section 4.2.

(iii) Use a suitable method, such as electronic or peak heights, to measure detector response.

(iv) Prepare a calibration curve using several standard solutions of different concentrations. Prepare the calibration curve daily. Program the integrator to report the results in ug/mL.

(v) Bracket sample concentrations with standards.

(f) Interferences (analytical).

(i) Any compound with the same general retention time as the analyte and which also gives a detector response is a potential interference. Possible interferences should be reported by the industrial hygienist to the laboratory with submitted samples.

(ii) GC parameters (temperature, column, etc.) may be changed to circumvent interferences.

(iii) A useful means of structure designation is GC/MS. It is recommended that this procedure be used to confirm samples whenever possible.

(g) Calculations.

(i) Results are obtained by use of calibration curves. Calibration curves are prepared by plotting detector response against concentration for each standard. The best line through the data points is determined by curve fitting.

(ii) The concentration, in ug/mL, for a particular sample is determined by comparing its detector response to the calibration curve. If any analyte is found on the backup section, this amount is added to the amount found on the front section. Blank corrections should be performed before adding the results together.

(iii) The BD air concentration can be expressed using the following equation:

mg/m(3) = (A)(B)/(C)(D)

Where:

A = ug/mL from Section 3.7.2

B = volume

C = L of air sampled

D = efficiency

(iv) The following equation can be used to convert results in mg/m(3) to ppm:

ppm = (mg/m(3))(24.46)/54.09

Where:

mg/m(3) = result from Section 3.7.3.

24.46 = molar volume of an ideal gas at 760 mm Hg and 25 deg. C.

(h) Safety precautions (analytical).

(i) Avoid skin contact and inhalation of all chemicals.

(ii) Restrict the use of all chemicals to a fume hood whenever possible.

(iii) Wear safety glasses and a lab coat in all laboratory areas.

(4) Additional Information.

(a) A procedure to prepare specially cleaned charcoal coated with TBC.

(i) Apparatus.

(A) Magnetic stirrer and stir bar.

(B) Tube furnace capable of maintaining a temperature of 700 deg. C and equipped with a quartz tube that can hold 30 g of charcoal.(8)

Footnote (8) A Lindberg Type 55035 Tube furnace was used in this evaluation.

(C) A means to purge nitrogen gas through the charcoal inside the quartz tube.

(D) Water bath capable of maintaining a temperature of 60 deg. C.

(E) Miscellaneous laboratory equipment: One-liter vacuum flask, 1-L Erlenmeyer flask, 350-M1 Buchner funnel with a coarse fitted disc, 4-oz brown bottle, rubber stopper, Teflon tape etc.

(ii) Reagents.

(A) Phosphoric acid, 10% by weight, in water.(9)

Footnote (9) Baker Analyzed Reagent grade was diluted with water for use in this evaluation.

(B) 4-tert-Butylcatechol (TBC).(10)

Footnote (10) The Aldrich Chemical Company 99% grade was used in this evaluation.

(C) Specially cleaned coconut shell charcoal, 20/40 mesh.(11)

Footnote (11) Specially cleaned charcoal was obtained from Supelco, Inc. for use in this evaluation. The cleaning process used by Supelco is proprietary.

(D) Nitrogen gas, GC grade.

(iii) Procedure.

Weigh 30g of charcoal into a 500-mL Erlenmeyer flask. Add about 250 mL of 10% phosphoric acid to the flask and then swirl the mixture. Stir the mixture for 1 hour using a magnetic stirrer. Filter the mixture using a fitted Buchner funnel. Wash the charcoal several times with 250-mL portions of deionized water to remove all traces of the acid. Transfer the washed charcoal to the tube furnace quartz tube. Place the quartz tube in the furnace and then connect the nitrogen gas purge to the tube. Fire the charcoal to 700 deg. C. Maintain that temperature for at least 1 hour. After the charcoal has cooled to room temperature, transfer it to a tared beaker. Determine the weight of the charcoal and then add an amount of TBC which is 10% of the charcoal, by weight.

CAUTION-TBC is toxic and should only be handled in a fume hood while wearing gloves.

Carefully mix the contents of the beaker and then transfer the mixture to a 4-oz bottle. Stopper the bottle with a clean rubber stopper which has been wrapped with Teflon tape. Clamp the bottle in a water bath so that the water level is above the charcoal level. Gently heat the bath to 60 deg. C and then maintain that temperature for 1 hour. Cool the charcoal to room temperature and then transfer the coated charcoal to a suitable container.

The coated charcoal is now ready to be packed into sampling tubes. The sampling tubes should be stored in a sealed container to prevent contamination. Sampling tubes should be stored in the dark at room temperature. The sampling tubes should be segregated by coated adsorbent lot number.

(b) Chromatograms.

The chromatograms were obtained using the recommended analytical method. The chart speed was set at 1 cm/min. for the first three min. and then at 0.2 cm/min. for the time remaining in the analysis.

The peak which elutes just before BD is a reaction product between an impurity on the charcoal and TBC. This peak is always present, but it is easily resolved from the analyte. The peak which elutes immediately before benzene is an oxidation product of TBC.

(5) References.

(a) "Current Intelligence Bulletin 41, 1,3-Butadiene", U.S. Dept. of Health and Human Services, Public Health Service, Center for Disease Control, NIOSH.

(b) "NIOSH Manual of Analytical Methods", 2nd ed.; U.S. Dept. of Health Education and Welfare, National Institute for Occupational Safety and Health: Cincinnati, OH. 1977, Vol. 2, Method No. S91 DHEW (NIOSH) Publ. (U.S.), No. 77-157-B.

(c) Hawley, G.C., Ed. "The Condensed Chemical Dictionary", 8th ed.; Van Nostrand Rienhold Company: New York, 1971; 139.5.4. Chem. Eng. News (June 10, 1985), (63), 22-66.

Appendix E: Reserved.

APPENDIX F, MEDICAL QUESTIONNAIRES, (Non-mandatory)

1,3-Butadiene (BD) Initial Health Questionnaire

DIRECTIONS:

You have been asked to answer the questions on this form because you work with BD (butadiene). These questions are about your work, medical history, and health concerns. Please do your best to answer all of the questions. If you need help, please tell the doctor or health care professional who reviews this form.

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This form is a confidential medical record. Only information directly related to your health and safety on the job may be given to your employer. Personal health information will not be given to anyone without your consent.

Date: _____

Name: _____ SSN__/__/__
Last First MI

Job Title: _____

Company's Name: _____

Supervisor's Name: _____

Supervisor's Phone No.: ( ) _____

Work History

1. Please list all jobs you have had in the past, starting with the job you have now and moving back in time to your first job. (For more space, write on the back of this page.)

Main Job Duty
Year
Company Name
City, State

Chemicals
1.
2.
3.
4.
5.
6.
7.
8.

2. Please describe what you do during a typical work day. Be sure to tell about your work with BD.

_____

_____

_____

3. Please check any of these chemicals that you work with now or have worked with in the past:

benzene ___
glues ___
toluene ___
inks, dyes ___
other solvents, grease cutters ___
insecticides (like DDT, lindane, etc.) ___
paints, varnishes, thinners, strippers ___
dusts ___
carbon tetrachloride ("carbon tet") ___
arsine ___
carbon disulfide ___
lead ___
cement ___
petroleum products ___
nitrites ___

4. Please check the protective clothing or equipment you use at the job you have now:

gloves ___
coveralls ___
respirator ___
dust mask ___
safety glasses, goggles ___

Please circle your answer.

5. Does your protective clothing or equipment fit you properly? yes no

6. Have you ever made changes in your protective clothing or equipment to make it fit better? yes no

7. Have you been exposed to BD when you were not wearing protective clothing or equipment? yes no

8. Where do you eat, drink and/or smoke when you are at work? (Please check all that apply.)

Cafeteria/restaurant/snack bar ___
Break room/employee lounge ___
Smoking lounge ___
At my work station ___

Please circle your answer.

9. Have you been exposed to radiation (like x-rays or nuclear material) at the job you have now or at past jobs? yes no

10. Do you have any hobbies that expose you to dusts or chemicals (including paints, glues, etc.)? yes no

11. Do you have any second or side jobs? yes no
If yes, what are your duties there?

_____

_____

12. Were you in the military? yes no

If yes, what did you do in the military? _____

_____

_____

_____

Family Health History

1. In the FAMILY MEMBER column, across from the disease name, write which family member, if any, had the disease.

DISEASE	FAMILY MEMBER
Cancer	
Lymphoma	
Sickle Cell Disease or Trait	
Immune Disease	
Leukemia	
Anemia	

2. Please fill in the following information about family health

Relative	Alive?	Age at Death?	Cause of Death?
Father			
Mother			
Brother/Sister			
Brother/Sister			
Brother/Sister			

Personal Health History

Birth Date ___/___/___Age Sex Height Weight _____

Please circle your answer.

1. Do you smoke any tobacco products? yes no

2. Have you ever had any kind of surgery or operation? yes no

If yes, what type of surgery:

_____

_____

_____

3. Have you ever been in the hospital for any other reasons? yes no

If yes, please describe the reason _____

_____

_____

_____

4. Do you have any on-going or current medical problems or conditions? yes no

If yes, please describe: _____

_____

_____

5. Do you now have or have you ever had any of the following? Please check all that apply to you.

unexplained fever	___
anemia ("low blood")	___
HIV/AIDS	___
weakness	___
sickle cell	___
miscarriage	___
skin rash	___
bloody stools	___
leukemia/lymphoma	___
neck mass/swelling	___
wheezing	___
yellowing of skin	___
bruising easily	___
lupus	___
weight loss	___
kidney problems	___
enlarged lymph nodes	___
liver disease	___
cancer	___
infertility	___
drinking problems	___
thyroid problems	___
night sweats	___
chest pain	___
still birth	___
eye redness	___
lumps you can feel	___
child with birth defect	___
autoimmune disease	___
overly tired	___
lung problems	___
rheumatoid arthritis	___
mononucleosis ("mono")	___
nagging cough	___

Please circle your answer.

6. Do you have any symptoms or health problems that you think may be related to your work with BD? yes no

If yes, please describe: _____

7. Have any of your co-workers had similar symptoms or problems? yes no don't know

If yes, please describe: _____

_____

8. Do you notice any irritation of your eyes, nose, throat, lungs, or skin when working with BD? yes no

9. Do you notice any blurred vision, coughing, drowsiness, nausea, or headache when working with BD? yes no

10. Do you take any medications (including birth control or over-the-counter)? yes no

If yes, please list: _____

_____

11. Are you allergic to any medication, food, or chemicals? yes no

If yes, please list: _____

_____

12. Do you have any health conditions not covered by this questionnaire that you think are affected by your work with BD? yes no

If yes, please explain: _____

_____

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13. Did you understand all the questions? yes no

_____

Signature

1,3-Butadiene (BD) Health Update Questionnaire

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DIRECTIONS:

You have been asked to answer the questions on this form because you work with BD (butadiene). These questions are about your work, medical history, and health concerns. Please do your best to answer all of the questions. If you need help, please tell the doctor or health care professional who reviews this form.

This form is a confidential medical record. Only information directly related to your health and safety on the job may be given to your employer. Personal health information will not be given to anyone without your consent.

Date: _____

Name: _____ SSN__/__/__

Last First MI

Job Title: _____

Company's Name: _____

Supervisor's Name: _____

Supervisor's Phone No.: ( ) _____

1. Please describe any NEW duties that you have at your job. _____

_____

_____

_____

2. Please describe any additional job duties you have:

_____ _____

_____ _____

_____ _____

_____ _____

Please circle your answer.

3. Are you exposed to any other chemicals in your work since the last time you were evaluated for exposure to BD? yes no

If yes, please list what they are: _____

_____

4. Does your personal protective equipment and clothing fit you properly? yes no

5. Have you made changes in this equipment or clothing to make if fit better? yes no

6. Have you been exposed to BD when you were not wearing protective clothing or equipment? yes no

7. Are you exposed to any NEW chemicals at home or while working on hobbies? yes no

If yes, please list what they are: _____

_____

8. Since your last BD health evaluation, have you started working any new second or side jobs? yes no

If yes, what are your duties there? _____

_____

_____

Personal Health History

1. What is your current weight? pounds

2. Have you been diagnosed with any new medical conditions or illness since your last evaluation? yes no

If yes, please tell what they are: _____

_____

3. Since your last evaluation, have you been in the hospital for any illnesses, injuries, or surgery? yes no

If yes, please describe: _____

_____

4. Do you have any of the following? Please place a check for all that apply to you.

unexplained fever ___
anemia ("low blood") ___
HIV/AIDS ___
weakness ___
sickle cell ___
miscarriage ___
skin rash ___
bloody stools ___
leukemia/lymphoma ___
neck mass/swelling ___
wheezing ___
yellowing of skin ___
bruising easily ___
lupus ___
weight loss ___
kidney problems ___
enlarged lymph nodes ___
liver disease ___
cancer ___
infertility ___
drinking problems ___
thyroid problems ___
night sweats ___

chest pain ___
still birth ___
eye redness ___
lumps you can feel ___
child with birth defect ___
autoimmune disease ___
overly tired ___
lung problems ___
rheumatoid arthritis ___
mononucleosis ("mono") ___
nagging cough ___

Please circle your answer.

5. Do you have any symptoms or health problems that you think may be related to your work with BD? yes no

If yes, please describe: _____

6. Have any of your co-workers had similar symptoms or problems? yes no don't know

If yes, please describe: _____

_____

7. Do you notice any irritation of your eyes, nose, throat, lungs, or skin when working with BD? yes no

8. Do you notice any blurred vision, coughing, drowsiness, nausea, or headache when working with BD? yes no

9. Have you been taking any NEW medications (including birth control or over-the-counter)? yes no

If yes, please list:

_____ _____ _____
_____ _____ _____

10. Have you developed any new allergies to medications, foods, or chemicals? yes no

If yes, please list:

_____ _____ _____
_____ _____ _____

11. Do you have any health conditions not covered by this questionnaire that you think are affected by your work with BD? yes no

If yes, please explain: _____

12. Do you understand all the questions? yes no

_____
Signature

AMENDATORY SECTION (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

WAC 296-62-07470 Methylene chloride. This occupational health standard establishes requirements for employers to control occupational exposure to methylene chloride (MC). Employees exposed to MC are at increased risk of developing cancer, adverse effects on the heart, central nervous system and liver, and skin or eye irritation. Exposure may occur through inhalation, by absorption through the skin, or through contact with the skin. MC is a solvent which is used in many different types of work activities, such as paint stripping, polyurethane foam manufacturing, and cleaning and degreasing. Under the requirements of subsection (4) of this section, each covered employer must make an initial determination of each employee's exposure to MC. If the employer determines that employees are exposed below the action level, the only other provisions of this section that apply are that a record must be made of the determination, the employees must receive information and training under subsection (12) of this section and, where appropriate, employees must be protected from contact with liquid MC under subsection (8) of this section.

The provisions of the MC standard are as follows:

(1) Scope and application. This section applies to all occupational exposures to methylene chloride (MC), Chemical Abstracts Service Registry Number 75-09-2, in general industry, construction and shipyard employment.

(2) Definitions. For the purposes of this section, the following definitions shall apply:

"Action level" means a concentration of airborne MC of 12.5 parts per million (ppm) calculated as an eight (8)-hour time-weighted average (TWA).

"Authorized person" means any person specifically authorized by the employer and required by work duties to be present in regulated areas, or any person entering such an area as a designated representative of employees for the purpose of exercising the right to observe monitoring and measuring procedures under subsection (4) of this section, or any other person authorized by the WISH Act or regulations issued under the act.

"Director" means the director of the department of labor and industries, or designee.

"Emergency" means any occurrence, such as, but not limited to, equipment failure, rupture of containers, or failure of control equipment, which results, or is likely to result in an uncontrolled release of MC. If an incidental release of MC can be controlled by employees such as maintenance personnel at the time of release and in accordance with the leak/spill provisions required by subsection (6) of this section, it is not considered an emergency as defined by this standard.

"Employee exposure" means exposure to airborne MC which occurs or would occur if the employee were not using respiratory protection.

"Methylene chloride (MC)" means an organic compound with chemical formula, CH2Cl2. Its Chemical Abstracts Service Registry Number is 75-09-2. Its molecular weight is 84.9 g/mole.

"Physician or other licensed health care professional" is an individual whose legally permitted scope of practice (i.e., license, registration, or certification) allows him or her to

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independently provide or be delegated the responsibility to provide some or all of the health care services required by subsection (10) of this section.

"Regulated area" means an area, demarcated by the employer, where an employee's exposure to airborne concentrations of MC exceeds or can reasonably be expected to exceed either the 8-hour TWA PEL or the STEL.

"Symptom" means central nervous system effects such as headaches, disorientation, dizziness, fatigue, and decreased attention span; skin effects such as chapping, erythema, cracked skin, or skin burns; and cardiac effects such as chest pain or shortness of breath.

"This section" means this methylene chloride standard.

(3) Permissible exposure limits (PELs).

(a) Eight-hour time-weighted average (TWA) PEL. The employer shall ensure that no employee is exposed to an airborne concentration of MC in excess of twenty-five parts of MC per million parts of air (25 ppm) as an 8-hour TWA.

(b) Short-term exposure limit (STEL). The employer shall ensure that no employee is exposed to an airborne concentration of MC in excess of one hundred and twenty-five parts of MC per million parts of air (125 ppm) as determined over a sampling period of fifteen minutes.

(4) Exposure monitoring.

(a) Characterization of employee exposure.

(i) Where MC is present in the workplace, the employer shall determine each employee's exposure by either:

(A) Taking a personal breathing zone air sample of each employee's exposure; or

(B) Taking personal breathing zone air samples that are representative of each employee's exposure.

(ii) Representative samples. The employer may consider personal breathing zone air samples to be representative of employee exposures when they are taken as follows:

(A) 8-hour TWA PEL. The employer has taken one or more personal breathing zone air samples for at least one employee in each job classification in a work area during every work shift, and the employee sampled is expected to have the highest MC exposure.

(B) Short-term exposure limits. The employer has taken one or more personal breathing zone air samples which indicate the highest likely 15-minute exposures during such operations for at least one employee in each job classification in the work area during every work shift, and the employee sampled is expected to have the highest MC exposure.

(C) Exception. Personal breathing zone air samples taken during one work shift may be used to represent employee exposures on other work shifts where the employer can document that the tasks performed and conditions in the workplace are similar across shifts.

(iii) Accuracy of monitoring. The employer shall ensure that the methods used to perform exposure monitoring produce results that are accurate to a confidence level of 95 percent, and are:

(A) Within plus or minus 25 percent for airborne concentrations of MC above the 8-hour TWA PEL or the STEL; or

(B) Within plus or minus 35 percent for airborne concentrations of MC at or above the action level but at or below the 8-hour TWA PEL.

(b) Initial determination. Each employer whose employees are exposed to MC shall perform initial exposure monitoring to determine each affected employee's exposure, except under the following conditions:

(i) Where objective data demonstrate that MC cannot be released in the workplace in airborne concentrations at or above the action level or above the STEL. The objective data shall represent the highest MC exposures likely to occur under reasonably foreseeable conditions of processing, use, or handling. The employer shall document the objective data exemption as specified in subsection (13) of this section;

(ii) Where the employer has performed exposure monitoring within 12 months prior to December 1, and that exposure monitoring meets all other requirements of this section, and was conducted under conditions substantially equivalent to existing conditions; or

(iii) Where employees are exposed to MC on fewer than 30 days per year (e.g., on a construction site), and the employer has measurements by direct reading instruments which give immediate results (such as a detector tube) and which provide sufficient information regarding employee exposures to determine what control measures are necessary to reduce exposures to acceptable levels.

(c) Periodic monitoring. Where the initial determination shows employee exposures at or above the action level or above the STEL, the employer shall establish an exposure monitoring program for periodic monitoring of employee exposure to MC in accordance with Table 1:

Table 1
Six Initial Determination Exposure Scenarios and Their Associated Monitoring Frequencies

Exposure scenario	Required monitoring activity
Below the action level and at or below the STEL.	No 8-hour TWA or STEL monitoring required.
Below the action level and above the STEL.	No 8-hour TWA monitoring required; monitor STEL exposures every three months.
At or above the action level, at or below the TWA, and at or below the STEL.	Monitor 8-hour TWA exposures every six months.
At or above the action level, at or below the TWA, and above the STEL.	Monitor 8-hour TWA exposures every six months and monitor STEL exposures every three months.
Above the TWA and at or below the STEL.	Monitor 8-hour TWA exposures every three months. In addition, without regard to the last sentence of the note to subsection (3) of this section,

Exposure scenario	Required monitoring activity
	the following employers must monitor STEL exposures every three months until either the date by which they must achieve the 8-hour TWAs PEL under subsection (3) of this section or the date by which they in fact achieve the 8-hour TWA PEL, whichever comes first: • Employers engaged in polyurethane foam manufacturing; • Foam fabrication; • Furniture refinishing; • General aviation aircraft stripping; • Product formulation; • Use of MC-based adhesives for boat building and repair; • Recreational vehicle manufacture, van conversion, or upholstery; and use of MC in construction work for restoration and preservation of buildings, painting and paint removal, cabinet making, or floor refinishing and resurfacing.
Above the TWA and above the STEL.	Monitor both 8-hour TWA exposures and STEL exposures every three months.

(Note to subsection (3)(c) of this section: The employer may decrease the frequency of exposure monitoring to every six months when at least 2 consecutive measurements taken at least 7 days apart show exposures to be at or below the 8-hour TWA PEL. The employer may discontinue the periodic 8-hour TWA monitoring for employees where at least two consecutive measurements taken at least 7 days apart are below the action level. The employer may discontinue the periodic STEL monitoring for employees where at least two consecutive measurements taken at least 7 days apart are at or below the STEL.)

(d) Additional monitoring.

(i) The employer shall perform exposure monitoring when a change in workplace conditions indicates that employee exposure may have increased. Examples of situations that may require additional monitoring include changes in production, process, control equipment, or work practices, or a leak, rupture, or other breakdown.

(ii) Where exposure monitoring is performed due to a spill, leak, rupture or equipment breakdown, the employer shall clean up the MC and perform the appropriate repairs before monitoring.

(e) Employee notification of monitoring results.

(i) The employer shall, within 15 working days after the receipt of the results of any monitoring performed under this section, notify each affected employee of these results in writing, either individually or by posting of results in an appropriate location that is accessible to affected employees.

(ii) Whenever monitoring results indicate that employee exposure is above the 8-hour TWA PEL or the STEL, the employer shall describe in the written notification the corrective action being taken to reduce employee exposure to or below the 8-hour TWA PEL or STEL and the schedule for completion of this action.

(f) Observation of monitoring.

(i) Employee observation. The employer shall provide affected employees or their designated representatives an opportunity to observe any monitoring of employee exposure to MC conducted in accordance with this section.

(ii) Observation procedures. When observation of the monitoring of employee exposure to MC requires entry into an area where the use of protective clothing or equipment is required, the employer shall provide, at no cost to the observer(s), and the observer(s) shall be required to use such clothing and equipment and shall comply with all other applicable safety and health procedures.

(5) Regulated areas.

(a) The employer shall establish a regulated area wherever an employee's exposure to airborne concentrations of MC exceeds or can reasonably be expected to exceed either the 8-hour TWA PEL or the STEL.

(b) The employer shall limit access to regulated areas to authorized persons.

(c) The employer shall supply a respirator, selected in accordance with subsection (7)(c) of this section, to each person who enters a regulated area and shall require each affected employee to use that respirator whenever MC exposures are likely to exceed the 8-hour TWA PEL or STEL.

(Note to subsection (5)(c) of this section: An employer who has implemented all feasible engineering, work practice and administrative controls (as required in subsection (6) of this section), and who has established a regulated area (as required by subsection (5)(a) of this section) where MC exposure can be reliably predicted to exceed the 8-hour TWA PEL or the STEL only on certain days (for example, because of work or process schedule) would need to have affected employees use respirators in that regulated area only on those days.)

(d) The employer shall ensure that, within a regulated area, employees do not engage in nonwork activities which may increase dermal or oral MC exposure.

(e) The employer shall ensure that while employees are wearing respirators, they do not engage in activities (such as taking medication or chewing gum or tobacco) which interfere with respirator seal or performance.

(f) The employer shall demarcate regulated areas from the rest of the workplace in any manner that adequately establishes and alerts employees to the boundaries of the area and minimizes the number of authorized employees exposed to MC within the regulated area.

(g) An employer at a multiemployer worksite who establishes a regulated area shall communicate the access restric-

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tions and locations of these areas to all other employers with work operations at that worksite.

(6) Methods of compliance.

(a) Engineering and work practice controls. The employer shall institute and maintain the effectiveness of engineering controls and work practices to reduce employee exposure to or below the PELs except to the extent that the employer can demonstrate that such controls are not feasible.

(b) Wherever the feasible engineering controls and work practices which can be instituted are not sufficient to reduce employee exposure to or below the 8-TWA PEL or STEL, the employer shall use them to reduce employee exposure to the lowest levels achievable by these controls and shall supplement them by the use of respiratory protection that complies with the requirements of subsection (7) of this section.

(c) Prohibition of rotation. The employer shall not implement a schedule of employee rotation as a means of compliance with the PELs.

(d) Leak and spill detection.

(i) The employer shall implement procedures to detect leaks of MC in the workplace. In work areas where spills may occur, the employer shall make provisions to contain any spills and to safely dispose of any MC-contaminated waste materials.

(ii) The employer shall ensure that all incidental leaks are repaired and that incidental spills are cleaned promptly by employees who use the appropriate personal protective equipment and are trained in proper methods of cleanup.

(Note to subsection (6)(d)(ii) of this section: See Appendix A of this section for examples of procedures that satisfy this requirement. Employers covered by this standard may also be subject to the hazardous waste and emergency response provisions contained in WAC 296-62-3112.)

(7) Respiratory protection.

(a) General requirements. For employees who use respirators required by this section, the employer must provide respirators that comply with the requirements of this subsection. Respirators must be used during:

(i) Periods when an employee's exposure to MC exceeds or can reasonably be expected to exceed the 8-hour TWA PEL or the STEL (for example, when an employee is using MC in a regulated area);

(ii) Periods necessary to install or implement feasible engineering and work-practice controls;

(iii) In a few work operations, such as some maintenance operations and repair activities, for which the employer demonstrates that engineering and work practice controls are infeasible;

(iv) Work operations for which feasible engineering and work practice controls are not sufficient to reduce exposures to or below the PELs;

(v) Emergencies.

(b) Respirator program.

(i) The employer must implement a respiratory protection program as required by chapter 296-62 WAC, Part E (except WAC 296-62-07130(1) and 296-62-07131 (4)(b)(i) and (ii)).

(ii) Employers who provide employees with gas masks with organic-vapor canisters for the purpose of emergency escape must replace the canisters after any emergency use and before the gas masks are returned to service.

(c) Respirator selection. The employer must select appropriate atmosphere-supplying respirators from Table 2 of this section.

Table 2.—Minimum Requirements for Respiratory Protection for Airborne Methylene Chloride

Methylene chloride airborne concentration (ppm) or condition of use	Minimum respirator required[1]
Up to 625 ppm (25 X PEL)	(1) Continuous flow supplied-air respirator, hood or helmet.
Up to 1250 ppm (50 X 8 hr TWA PEL)	(1) Full facepiece supplied-air respirator operated in negative pressure (demand) mode. (2) Full facepiece self-contained breathing apparatus (SCBA) operated in negative pressure (demand) mode.
Up to 5000 ppm (200 X 8-TWA PEL)	(1) Continuous flow supplied-air respirator, full facepiece. (2) Pressure demand supplied-air respirator, full facepiece. (3) Positive pressure full facepiece SCBA.
Unknown concentration, or above 5000 ppm (Greater than 200 X 8-TWA PEL)	(1) Positive pressure full facepiece SCBA. (2) Full facepiece pressure demand supplied-air respirator with an auxiliary self-contained air supply.
Fire fighting	Positive pressure full facepiece SCBA.
Emergency escape	(1) Any continuous flow or pressure demand SCBA. (2) Gas mask with organic vapor canister.

[1] Respirators assigned for higher airborne concentrations may be used at lower concentrations.

(d) Medical evaluation. Before having an employee use a supplied-air respirator in the negative-pressure mode, or a gas mask with an organic-vapor canister for emergency escape, the employer must:

(i) Have a physician or other licensed health care professional (PLHCP) evaluate the employee's ability to use such respiratory protection;

(ii) Ensure that the PLHCP provides their findings in a written opinion to the employee and the employer.

Note: See WAC 296-62-07150 through 296-62-07156 for medical evaluation requirements for employees using respirators.

(8) Protective work clothing and equipment.

(a) Where needed to prevent MC-induced skin or eye irritation, the employer shall provide clean protective clothing and equipment which is resistant to MC, at no cost to the employee, and shall ensure that each affected employee uses it. Eye and face protection shall meet the requirements of WAC 296-800-160, as applicable.

(b) The employer shall clean, launder, repair and replace all protective clothing and equipment required by this subsection as needed to maintain their effectiveness.

(c) The employer shall be responsible for the safe disposal of such clothing and equipment.

(Note to subsection (8)(c) of this section: See Appendix A for examples of disposal procedures that will satisfy this requirement.)

(9) Hygiene facilities.

(a) If it is reasonably foreseeable that employees' skin may contact solutions containing 0.1 percent or greater MC (for example, through splashes, spills or improper work practices), the employer shall provide conveniently located washing facilities capable of removing the MC, and shall ensure that affected employees use these facilities as needed.

(b) If it is reasonably foreseeable that an employee's eyes may contact solutions containing 0.1 percent or greater MC (for example through splashes, spills or improper work practices), the employer shall provide appropriate eyewash facilities within the immediate work area for emergency use, and shall ensure that affected employees use those facilities when necessary.

(10) Medical surveillance.

(a) Affected employees. The employer shall make medical surveillance available for employees who are or may be exposed to MC as follows:

(i) At or above the action level on 30 or more days per year, or above the 8-hour TWA PEL or the STEL on 10 or more days per year;

(ii) Above the 8-TWA PEL or STEL for any time period where an employee has been identified by a physician or other licensed health care professional as being at risk from cardiac disease or from some other serious MC-related health condition and such employee requests inclusion in the medical surveillance program;

(iii) During an emergency.

(b) Costs. The employer shall provide all required medical surveillance at no cost to affected employees, without loss of pay and at a reasonable time and place.

(c) Medical personnel. The employer shall ensure that all medical surveillance procedures are performed by a physician or other licensed health care professional, as defined in subsection (2) of this section.

(d) Frequency of medical surveillance. The employer shall make medical surveillance available to each affected employee as follows:

(i) Initial surveillance. The employer shall provide initial medical surveillance under the schedule provided by subsection (14)(b)(iii) of this section, or before the time of initial assignment of the employee, whichever is later. The employer need not provide the initial surveillance if medical records show that an affected employee has been provided with medical surveillance that complies with this section within 12 months before December 1.

(ii) Periodic medical surveillance. The employer shall update the medical and work history for each affected employee annually. The employer shall provide periodic physical examinations, including appropriate laboratory surveillance, as follows:

(A) For employees 45 years of age or older, within 12 months of the initial surveillance or any subsequent medical surveillance; and

(B) For employees younger than 45 years of age, within 36 months of the initial surveillance or any subsequent medical surveillance.

(iii) Termination of employment or reassignment. When an employee leaves the employer's workplace, or is reassigned to an area where exposure to MC is consistently at or below the action level and STEL, medical surveillance shall be made available if six months or more have elapsed since the last medical surveillance.

(iv) Additional surveillance. The employer shall provide additional medical surveillance at frequencies other than those listed above when recommended in the written medical opinion. (For example, the physician or other licensed health care professional may determine an examination is warranted in less than 36 months for employees younger than 45 years of age based upon evaluation of the results of the annual medical and work history.)

(e) Content of medical surveillance.

(i) Medical and work history. The comprehensive medical and work history shall emphasize neurological symptoms, skin conditions, history of hematologic or liver disease, signs or symptoms suggestive of heart disease (angina, coronary artery disease), risk factors for cardiac disease, MC exposures, and work practices and personal protective equipment used during such exposures.

(Note to subsection (10)(e)(i) of this section: See Appendix B of this section for an example of a medical and work history format that would satisfy this requirement.)

(ii) Physical examination. Where physical examinations are provided as required above, the physician or other licensed health care professional shall accord particular attention to the lungs, cardiovascular system (including blood pressure and pulse), liver, nervous system, and skin. The physician or other licensed health care professional shall determine the extent and nature of the physical examination based on the health status of the employee and analysis of the medical and work history.

(iii) Laboratory surveillance. The physician or other licensed health care professional shall determine the extent of any required laboratory surveillance based on the employee's observed health status and the medical and work history.

(Note to subsection (10)(e)(iii) of this section: See Appendix B of this section for information regarding medical tests. Laboratory surveillance may include before-and after-shift carboxyhemoglobin determinations, resting ECG, hematocrit, liver function tests and cholesterol levels.)

(iv) Other information or reports. The medical surveillance shall also include any other information or reports the physician or other licensed health care professional determines are necessary to assess the employee's health in relation to MC exposure.

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(f) Content of emergency medical surveillance. The employer shall ensure that medical surveillance made available when an employee has been exposed to MC in emergency situations includes, at a minimum:

(i) Appropriate emergency treatment and decontamination of the exposed employee;

(ii) Comprehensive physical examination with special emphasis on the nervous system, cardiovascular system, lungs, liver and skin, including blood pressure and pulse;

(iii) Updated medical and work history, as appropriate for the medical condition of the employee; and

(iv) Laboratory surveillance, as indicated by the employee's health status.

(Note to subsection (10)(f)(iv) of this section: See Appendix B for examples of tests which may be appropriate.)

(g) Additional examinations and referrals. Where the physician or other licensed health care professional determines it is necessary, the scope of the medical examination shall be expanded and the appropriate additional medical surveillance, such as referrals for consultation or examination, shall be provided.

(h) Information provided to the physician or other licensed health care professional. The employer shall provide the following information to a physician or other licensed health care professional who is involved in the diagnosis of MC-induced health effects:

(i) A copy of this section including its applicable appendices;

(ii) A description of the affected employee's past, current and anticipated future duties as they relate to the employee's MC exposure;

(iii) The employee's former or current exposure levels or, for employees not yet occupationally exposed to MC, the employee's anticipated exposure levels and the frequency and exposure levels anticipated to be associated with emergencies;

(iv) A description of any personal protective equipment, such as respirators, used or to be used; and

(v) Information from previous employment-related medical surveillance of the affected employee which is not otherwise available to the physician or other licensed health care professional.

(i) Written medical opinions.

(i) For each physical examination required by this section, the employer shall ensure that the physician or other licensed health care professional provides to the employer and to the affected employee a written opinion regarding the results of that examination within 15 days of completion of the evaluation of medical and laboratory findings, but not more than 30 days after the examination. The written medical opinion shall be limited to the following information:

(A) The physician's or other licensed health care professional's opinion concerning whether exposure to MC may contribute to or aggravate the employee's existing cardiac, hepatic, neurological (including stroke) or dermal disease or whether the employee has any other medical condition(s) that would place the employee's health at increased risk of material impairment from exposure to MC;

(B) Any recommended limitations upon the employee's exposure to MC, removal from MC exposure, or upon the employee's use of protective clothing or equipment and respirators;

(C) A statement that the employee has been informed by the physician or other licensed health care professional that MC is a potential occupational carcinogen, of risk factors for heart disease, and the potential for exacerbation of underlying heart disease by exposure to MC through its metabolism to carbon monoxide; and

(D) A statement that the employee has been informed by the physician or other licensed health care professional of the results of the medical examination and any medical conditions resulting from MC exposure which require further explanation or treatment.

(ii) The employer shall instruct the physician or other licensed health care professional not to reveal to the employer, orally or in the written opinion, any specific records, findings, and diagnoses that have no bearing on occupational exposure to MC.

(Note to subsection (10)(h)(ii) of this section: The written medical opinion may also include information and opinions generated to comply with other OSHA health standards.)

(j) Medical presumption. For purposes of this subsection (10), the physician or other licensed health care professional shall presume, unless medical evidence indicates to the contrary, that a medical condition is unlikely to require medical removal from MC exposure if the employee is not exposed to MC above the 8-hour TWA PEL. If the physician or other licensed health care professional recommends removal for an employee exposed below the 8-hour TWA PEL, the physician or other licensed health care professional shall cite specific medical evidence, sufficient to rebut the presumption that exposure below the 8-hour TWA PEL is unlikely to require removal, to support the recommendation. If such evidence is cited by the physician or other licensed health care professional, the employer must remove the employee. If such evidence is not cited by the physician or other licensed health care professional, the employer is not required to remove the employee.

(k) Medical removal protection (MRP).

(i) Temporary medical removal and return of an employee.

(A) Except as provided in (j) of this subsection, when a medical determination recommends removal because the employee's exposure to MC may contribute to or aggravate the employee's existing cardiac, hepatic, neurological (including stroke), or skin disease, the employer must provide medical removal protection benefits to the employee and either:

(I) Transfer the employee to comparable work where methylene chloride exposure is below the action level; or

(II) Remove the employee from MC exposure.

(B) If comparable work is not available and the employer is able to demonstrate that removal and the costs of extending MRP benefits to an additional employee, considering feasibility in relation to the size of the employer's business and the other requirements of this standard, make further reliance on MRP an inappropriate remedy, the employer may retain the additional employee in the existing job until transfer or removal becomes appropriate, provided:

(I) The employer ensures that the employee receives additional medical surveillance, including a physical examination at least every 60 days until transfer or removal occurs; and

(II) The employer or PLHCP informs the employee of the risk to the employee's health from continued MC exposure.

(C) The employer shall maintain in effect any job-related protective measures or limitations, other than removal, for as long as a medical determination recommends them to be necessary.

(ii) End of MRP benefits and return of the employee to former job status.

(A) The employer may cease providing MRP benefits at the earliest of the following:

(I) Six months;

(II) Return of the employee to the employee's former job status following receipt of a medical determination concluding that the employee's exposure to MC no longer will aggravate any cardiac, hepatic, neurological (including stroke), or dermal disease;

(III) Receipt of a medical determination concluding that the employee can never return to MC exposure.

(B) For the purposes of this subsection (10), the requirement that an employer return an employee to the employee's former job status is not intended to expand upon or restrict any rights an employee has or would have had, absent temporary medical removal, to a specific job classification or position under the terms of a collective bargaining agreement.

(l) Medical removal protection benefits.

(i) For purposes of this subsection (10), the term medical removal protection benefits means that, for each removal, an employer must maintain for up to six months the earnings, seniority, and other employment rights and benefits of the employee as though the employee had not been removed from MC exposure or transferred to a comparable job.

(ii) During the period of time that an employee is removed from exposure to MC, the employer may condition the provision of medical removal protection benefits upon the employee's participation in follow-up medical surveillance made available pursuant to this section.

(iii) If a removed employee files a workers' compensation claim for a MC-related disability, the employer shall continue the MRP benefits required by this section until either the claim is resolved or the 6-month period for payment of MRP benefits has passed, whichever occurs first. To the extent the employee is entitled to indemnity payments for earnings lost during the period of removal, the employer's obligation to provide medical removal protection benefits to the employee shall be reduced by the amount of such indemnity payments.

(iv) The employer's obligation to provide medical removal protection benefits to a removed employee shall be reduced to the extent that the employee receives compensation for earnings lost during the period of removal from either a publicly or an employer-funded compensation program, or receives income from employment with another employer made possible by virtue of the employee's removal.

(m) Voluntary removal or restriction of an employee. Where an employer, although not required by this section to do so, removes an employee from exposure to MC or otherwise places any limitation on an employee due to the effects of MC exposure on the employee's medical condition, the employer shall provide medical removal protection benefits to the employee equal to those required by (l) of this subsection.

(n) Multiple health care professional review mechanism.

(i) If the employer selects the initial physician or licensed health care professional (PLHCP) to conduct any medical examination or consultation provided to an employee under (k) of this subsection, the employer shall notify the employee of the right to seek a second medical opinion each time the employer provides the employee with a copy of the written opinion of that PLHCP.

(ii) If the employee does not agree with the opinion of the employer-selected PLHCP, notifies the employer of that fact, and takes steps to make an appointment with a second PLHCP within 15 days of receiving a copy of the written opinion of the initial PLHCP, the employer shall pay for the PLHCP chosen by the employee to perform at least the following:

(A) Review any findings, determinations or recommendations of the initial PLHCP; and

(B) Conduct such examinations, consultations, and laboratory tests as the PLHCP deems necessary to facilitate this review.

(iii) If the findings, determinations or recommendations of the second PLHCP differ from those of the initial PLHCP, then the employer and the employee shall instruct the two health care professionals to resolve the disagreement.

(iv) If the two health care professionals are unable to resolve their disagreement within 15 days, then those two health care professionals shall jointly designate a PLHCP who is a specialist in the field at issue. The employer shall pay for the specialist to perform at least the following:

(A) Review the findings, determinations, and recommendations of the first two PLHCPs; and

(B) Conduct such examinations, consultations, laboratory tests and discussions with the prior PLHCPs as the specialist deems necessary to resolve the disagreements of the prior health care professionals.

(v) The written opinion of the specialist shall be the definitive medical determination. The employer shall act consistent with the definitive medical determination, unless the employer and employee agree that the written opinion of one of the other two PLHCPs shall be the definitive medical determination.

(vi) The employer and the employee or authorized employee representative may agree upon the use of any expeditious alternate health care professional determination mechanism in lieu of the multiple health care professional review mechanism provided by this section so long as the alternate mechanism otherwise satisfies the requirements contained in this section.

(11) Hazard communication. The employer shall communicate the following hazards associated with MC on labels and in material safety data sheets in accordance with the requirements of the chemical hazard communication standard, WAC 296-800-170: Cancer, cardiac effects (including

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elevation of carboxyhemoglobin), central nervous system effects, liver effects, and skin and eye irritation.

(12) Employee information and training.

(a) The employer shall provide information and training for each affected employee prior to or at the time of initial assignment to a job involving potential exposure to MC.

(b) The employer shall ensure that information and training is presented in a manner that is understandable to the employees.

(c) In addition to the information required under the chemical hazard communication standard at WAC 296-800-170:

(i) The employer shall inform each affected employee of the requirements of this section and information available in its appendices, as well as how to access or obtain a copy of it in the workplace;

(ii) Wherever an employee's exposure to airborne concentrations of MC exceeds or can reasonably be expected to exceed the action level, the employer shall inform each affected employee of the quantity, location, manner of use, release, and storage of MC and the specific operations in the workplace that could result in exposure to MC, particularly noting where exposures may be above the 8-hour TWA PEL or STEL;

(d) The employer shall train each affected employee as required under the chemical hazard communication standard at WAC 296-800-170, as appropriate.

(e) The employer shall re-train each affected employee as necessary to ensure that each employee exposed above the action level or the STEL maintains the requisite understanding of the principles of safe use and handling of MC in the workplace.

(f) Whenever there are workplace changes, such as modifications of tasks or procedures or the institution of new tasks or procedures, which increase employee exposure, and where those exposures exceed or can reasonably be expected to exceed the action level, the employer shall update the training as necessary to ensure that each affected employee has the requisite proficiency.

(g) An employer whose employees are exposed to MC at a multiemployer worksite shall notify the other employers with work operations at that site in accordance with the requirements of the chemical hazard communication standard, WAC 296-800-170, as appropriate.

(h) The employer shall provide to the director, upon request, all available materials relating to employee information and training.

(13) Recordkeeping.

(a) Objective data.

(i) Where an employer seeks to demonstrate that initial monitoring is unnecessary through reasonable reliance on objective data showing that any materials in the workplace containing MC will not release MC at levels which exceed the action level or the STEL under foreseeable conditions of exposure, the employer shall establish and maintain an accurate record of the objective data relied upon in support of the exemption.

(ii) This record shall include at least the following information:

(A) The MC-containing material in question;

(B) The source of the objective data;

(C) The testing protocol, results of testing, and/or analysis of the material for the release of MC;

(D) A description of the operation exempted under subsection (4)(b)(i) of this section and how the data support the exemption; and

(E) Other data relevant to the operations, materials, processing, or employee exposures covered by the exemption.

(iii) The employer shall maintain this record for the duration of the employer's reliance upon such objective data.

(b) Exposure measurements.

(i) The employer shall establish and keep an accurate record of all measurements taken to monitor employee exposure to MC as prescribed in subsection (4) of this section.

(ii) Where the employer has 20 or more employees, this record shall include at least the following information:

(A) The date of measurement for each sample taken;

(B) The operation involving exposure to MC which is being monitored;

(C) Sampling and analytical methods used and evidence of their accuracy;

(D) Number, duration, and results of samples taken;

(E) Type of personal protective equipment, such as respiratory protective devices, worn, if any; and

(F) Name, Social Security number, job classification and exposure of all of the employees represented by monitoring, indicating which employees were actually monitored.

(iii) Where the employer has fewer than 20 employees, the record shall include at least the following information:

(A) The date of measurement for each sample taken;

(B) Number, duration, and results of samples taken; and

(C) Name, Social Security number, job classification and exposure of all of the employees represented by monitoring, indicating which employees were actually monitored.

(iv) The employer shall maintain this record for at least thirty (30) years, in accordance with ((~~WAC 296-62-052~~)) chapter 296-802 WAC.

(c) Medical surveillance.

(i) The employer shall establish and maintain an accurate record for each employee subject to medical surveillance under subsection (10) of this section.

(ii) The record shall include at least the following information:

(A) The name, Social Security number and description of the duties of the employee;

(B) Written medical opinions; and

(C) Any employee medical conditions related to exposure to MC.

(iii) The employer shall ensure that this record is maintained for the duration of employment plus thirty (30) years, in accordance with ((~~WAC 296-62-052~~)) chapter 296-802 WAC.

(d) Availability.

(i) The employer, upon written request, shall make all records required to be maintained by this section available to the director for examination and copying in accordance with ((~~WAC 296-62-052~~)) chapter 296-802 WAC.

(Note to subsection (13)(d)(i) of this section: All records required to be maintained by this section may be kept in the

most administratively convenient form (for example, electronic or computer records would satisfy this requirement).)

(ii) The employer, upon request, shall make any employee exposure and objective data records required by this section available for examination and copying by affected employees, former employees, and designated representatives in accordance with ((~~WAC 296-62-052~~)) chapter 296-802 WAC.

(iii) The employer, upon request, shall make employee medical records required to be kept by this section available for examination and copying by the subject employee and by anyone having the specific written consent of the subject employee in accordance with ((~~WAC 296-62-052~~)) chapter 296-802 WAC.

(e) Transfer of records. The employer shall comply with the requirements concerning transfer of records set forth in WAC 296-62-05215.

(14) Dates.

(a) Engineering controls required under subsection (6)(a) of this section shall be implemented according to the following schedule:

(i) For employers with fewer than 20 employees, no later than April 10, 2000.

(ii) For employers with fewer than 150 employees engaged in foam fabrication; for employers with fewer than 50 employees engaged in furniture refinishing, general aviation aircraft stripping, and product formulation; for employers with fewer than 50 employees using MC-based adhesives for boat building and repair, recreational vehicle manufacture, van conversion, and upholstering; for employers with fewer than 50 employees using MC in construction work for restoration and preservation of buildings, painting and paint removal, cabinet making and/or floor refinishing and resurfacing, no later than April 10, 2000.

(iii) For employers engaged in polyurethane foam manufacturing with 20 or more employees, no later than October 10, 1999.

(b) Use of respiratory protection whenever an employee's exposure to MC exceeds or can reasonably be expected to exceed the 8-hour TWA PEL, in accordance with subsection (3)(a), (5)(c), (6)(a) and (7)(a) of this section, shall be implemented according to the following schedule:

(i) For employers with fewer than 150 employees engaged in foam fabrication; for employers with fewer than 50 employees engaged in furniture refinishing, general aviation aircraft stripping, and product formulation; for employers with fewer than 50 employees using MC-based adhesives for boat building and repair, recreational vehicle manufacture, van conversion, and upholstering; for employers with fewer than 50 employees using MC in construction work for restoration and preservation of buildings, painting and paint removal, cabinet making and/or floor refinishing and resurfacing, no later than April 10, 2000.

(ii) For employers engaged in polyurethane foam manufacturing with 20 or more employees, no later than October 10, 1999.

(c) Notification of corrective action under subsection (4)(e)(ii) of this section, no later than 90 days before the compliance date applicable to such corrective action.

(d) Transitional dates. The exposure limits for MC specified in WAC 296-62-07515 Table 1, shall remain in effect until the start up dates for the exposure limits specified in subsection (14) of this section, or if the exposure limits in this section are stayed or vacated.

(e) Unless otherwise specified in this subsection (14), all other requirements of this section shall be complied with immediately.

(15) Appendices. The information contained in the appendices does not, by itself, create any additional obligations not otherwise imposed or detract from any existing obligation.

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AMENDATORY SECTION (Amending WSR 03-18-090, filed 9/2/03, effective 11/1/03)

WAC 296-62-07521 Lead. (1) Scope and application.

(a) This section applies to all occupational exposure to lead, except as provided in subdivision (1)(b).

(b) This section does not apply to the construction industry or to agricultural operations covered by chapter 296-307 WAC.

(2) Definitions as applicable to this part.

(a) "Action level" - employee exposure, without regard to the use of respirators, to an airborne concentration of lead of thirty micrograms per cubic meter of air (30 $\mu g/m^3$) averaged over an eight-hour period.

(b) "Director" - the director of the department of labor and industries.

(c) "Lead" - metallic lead, all inorganic lead compounds, and organic lead soaps. Excluded from this definition are all other organic lead compounds.

(3) General requirements.

(a) Employers will assess the hazards of lead in the work place and provide information to the employees about the hazards of the lead exposures to which they may be exposed.

(b) Information provided shall include:

(i) Exposure monitoring (including employee notification);

(ii) Written compliance programs;

(iii) Respiratory protection programs;

(iv) Personnel protective equipment and housekeeping;

(v) Medical surveillance and examinations;

(vi) Training requirements;

(vii) Recordkeeping requirements.

(4) Permissible exposure limit (PEL).

(a) The employer shall assure that no employee is exposed to lead at concentrations greater than fifty micrograms per cubic meter of air (50 $\mu g/m^3$) averaged over an eight-hour period.

(b) If an employee is exposed to lead for more than eight hours in any work day, the permissible exposure limit, as a time weighted average (TWA) for that day, shall be reduced according to the following formula:

Maximum permissible limit (in $\mu g/m^3$) = 400 ÷ hours worked in the day.

(c) When respirators are used to supplement engineering and work practice controls to comply with the PEL and all the requirements of subsection (7) have been met, employee

exposure, for the purpose of determining whether the employer has complied with the PEL, may be considered to be at the level provided by the protection factor of the respirator for those periods the respirator is worn. Those periods may be averaged with exposure levels during periods when respirators are not worn to determine the employee's daily TWA exposure.

(5) Exposure monitoring.

(a) General.

(i) For the purposes of subsection (5), employee exposure is that exposure which would occur if the employee were not using a respirator.

(ii) With the exception of monitoring under subdivision (5)(c), the employer shall collect full shift (for at least seven continuous hours) personal samples including at least one sample for each shift for each job classification in each work area.

(iii) Full shift personal samples shall be representative of the monitored employee's regular, daily exposure to lead.

(b) Initial determination. Each employer who has a workplace or work operation covered by this standard shall determine if any employee may be exposed to lead at or above the action level.

(c) Basis of initial determination.

(i) The employer shall monitor employee exposures and shall base initial determinations on the employee exposure monitoring results and any of the following, relevant considerations:

(A) Any information, observations, or calculations which would indicate employee exposure to lead;

(B) Any previous measurements of airborne lead; and

(C) Any employee complaints of symptoms which may be attributable to exposure to lead.

(ii) Monitoring for the initial determination may be limited to a representative sample of the exposed employees who the employer reasonably believes are exposed to the greatest airborne concentrations of lead in the workplace.

(iii) Measurements of airborne lead made in the preceding twelve months may be used to satisfy the requirement to monitor under item (5)(c)(i) if the sampling and analytical methods used meet the accuracy and confidence levels of subdivision (5)(i) of this section.

(d) Positive initial determination and initial monitoring.

(i) Where a determination conducted under subdivision (5)(b) and (5)(c) of this section shows the possibility of any employee exposure at or above the action level, the employer shall conduct monitoring which is representative of the exposure for each employee in the workplace who is exposed to lead.

(ii) Measurements of airborne lead made in the preceding twelve months may be used to satisfy this requirement if the sampling and analytical methods used meet the accuracy and confidence levels of subdivision (5)(i) of this section.

(e) Negative initial determination. Where a determination, conducted under subdivisions (5)(b) and (5)(c) of this section is made that no employee is exposed to airborne concentrations of lead at or above the action level, the employer shall make a written record of such determination. The record shall include at least the information specified in subdivision (5)(c) of this section and shall also include the date of determination, location within the worksite, and the name and social security number of each employee monitored.

(f) Frequency.

(i) If the initial monitoring reveals employee exposure to be below the action level the measurements need not be repeated except as otherwise provided in subdivision (5)(g) of this section.

(ii) If the initial determination or subsequent monitoring reveals employee exposure to be at or above the action level but below the permissible exposure limit the employer shall repeat monitoring in accordance with this subsection at least every six months. The employer shall continue monitoring at the required frequency until at least two consecutive measurements, taken at least seven days apart, are below the action level at which time the employer may discontinue monitoring for that employee except as otherwise provided in subdivision (5)(g) of this section.

(iii) If the initial monitoring reveals that employee exposure is above the permissible exposure limit the employer shall repeat monitoring quarterly. The employer shall continue monitoring at the required frequency until at least two consecutive measurements, taken at least seven days apart, are below the PEL but at or above the action level at which time the employer shall repeat monitoring for that employee at the frequency specified in item (5)(f)(ii), except as otherwise provided in subdivision (5)(g) of this section.

(g) Additional monitoring. Whenever there has been a production, process, control or personnel change which may result in new or additional exposure to lead, or whenever the employer has any other reason to suspect a change which may result in new or additional exposures to lead, additional monitoring in accordance with this subsection shall be conducted.

(h) Employee notification.

(i) Within five working days after the receipt of monitoring results, the employer shall notify each employee in writing of the results which represent that employee's exposure.

(ii) Whenever the results indicate that the representative employee exposure, without regard to respirators, exceeds the permissible exposure limit, the employer shall include in the written notice a statement that the permissible exposure limit was exceeded and a description of the corrective action taken or to be taken to reduce exposure to or below the permissible exposure limit.

(i) Accuracy of measurement. The employer shall use a method of monitoring and analysis which has an accuracy (to a confidence level of ninety-five percent) of not less than plus or minus twenty percent for airborne concentrations of lead equal to or greater than 30 $\mu g/m^3$.

(6) Methods of compliance.

(a) Engineering and work practice controls.

(i) Where any employee is exposed to lead above the permissible exposure limit for more than thirty days per year, the employer shall implement engineering and work practice controls (including administrative controls) to reduce and maintain employee exposure to lead in accordance with the implementation schedule in Table I below, except to the extent that the employer can demonstrate that such controls are not feasible. Wherever the engineering and work practice controls which can be instituted are not sufficient to reduce

employee exposure to or below the permissible exposure limit, the employer shall nonetheless use them to reduce exposures to the lowest feasible level and shall supplement them by the use of respiratory protection which complies with the requirements of subsection (7) of this section.

(ii) Where any employee is exposed to lead above the permissible exposure limit, but for thirty days or less per year, the employer shall implement engineering controls to reduce exposures to 200 $\mu g/m^3$, but thereafter may implement any combination of engineering, work practice (including administrative controls), and respiratory controls to reduce and maintain employee exposure to lead to or below 50 $\mu g/m^3$.

TABLE 1

Industry	Compliance dates:[1] (50 $\mu g/m^3$)
Lead chemicals, secondary copper smelting.	July 19, 1996
Nonferrous foundries	July 19, 1996.[2]
Brass and bronze ingot manufacture.	6 years.[3]

[1] Calculated by counting from the date the stay on implementation of subsection (6)(a) was lifted by the U.S. Court of Appeals for the District of Columbia, the number of years specified in the 1978 lead standard and subsequent amendments for compliance with the PEL of 50 $\mu g/m^3$ for exposure to airborne concentrations of lead levels for the particular industry.

[2] Large nonferrous foundries (20 or more employees) are required to achieve the PEL of 50 $\mu g/m^3$ by means of engineering and work practice controls. Small nonferrous foundries (fewer than 20 employees) are required to achieve an 8-hour TWA of 75 $\mu g/m^3$ by such controls.

[3] Expressed as the number of years from the date on which the Court lifts the stay on the implementation of subsection (6)(a) for this industry for employers to achieve a lead in air concentration of 75 $\mu g/m^3$. Compliance with subsection (6) in this industry is determined by a compliance directive that incorporates elements from the settlement agreement between OSHA and representatives of the industry.

(b) Respiratory protection. Where engineering and work practice controls do not reduce employee exposure to or below the 50 $\mu g/m^3$ permissible exposure limit, the employer shall supplement these controls with respirators in accordance with subsection (7).

(c) Compliance program.

(i) Each employer shall establish and implement a written compliance program to reduce exposures to or below the permissible exposure limit, and interim levels if applicable, solely by means of engineering and work practice controls in accordance with the implementation schedule in subdivision (6)(a).

(ii) Written plans for these compliance programs shall include at least the following:

(A) A description of each operation in which lead is emitted; e.g., machinery used, material processed, controls in place, crew size, employee job responsibilities, operating procedures and maintenance practices;

(B) A description of the specific means that will be employed to achieve compliance, including engineering plans and studies used to determine methods selected for controlling exposure to lead;

(C) A report of the technology considered in meeting the permissible exposure limit;

(D) Air monitoring data which documents the source of lead emissions;

(E) A detailed schedule for implementation of the program, including documentation such as copies of purchase orders for equipment, construction contracts, etc.;

(F) A work practice program which includes items required under subsections (8), (9) and (10) of this regulation;

(G) An administrative control schedule required by subdivision (6)(f), if applicable; and

(H) Other relevant information.

(iii) Written programs shall be submitted upon request to the director, and shall be available at the worksite for examination and copying by the director, any affected employee or authorized employee representatives.

(iv) Written programs shall be revised and updated at least every six months to reflect the current status of the program.

(d) Mechanical ventilation.

(i) When ventilation is used to control exposure, measurements which demonstrate the effectiveness of the system in controlling exposure, such as capture velocity, duct velocity, or static pressure shall be made at least every three months. Measurements of the system's effectiveness in controlling exposure shall be made within five days of any change in production, process, or control which might result in a change in employee exposure to lead.

(ii) Recirculation of air. If air from exhaust ventilation is recirculated into the workplace, the employer shall assure that (A) the system has a high efficiency filter with reliable back-up filter; and (B) controls to monitor the concentration of lead in the return air and to bypass the recirculation system automatically if it fails are installed, operating, and maintained.

(e) Administrative controls. If administrative controls are used as a means of reducing employees TWA exposure to lead, the employer shall establish and implement a job rotation schedule which includes:

(i) Name or identification number of each affected employee;

(ii) Duration and exposure levels at each job or work station where each affected employee is located; and

(iii) Any other information which may be useful in assessing the reliability of administrative controls to reduce exposure to lead.

(7) Respiratory protection.

(a) General. For employees who use respirators required by this section, the employer must provide respirators that comply with the requirements of this subsection. Respirators must be used during:

(i) Period necessary to install or implement engineering or work-practice controls;

(ii) Work operations for which engineering and work-practice controls are not sufficient to reduce exposures to or below the permissible exposure limit;

(iii) Periods when an employee requests a respirator.

(b) Respirator program.

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(i) The employer must implement a respiratory protection program as required by chapter 296-62 WAC, Part E (except WAC 296-62-07130(1) and 296-62-07150 through 296-62-07156).

(ii) If an employee has breathing difficulty during fit testing or respirator use, the employer must provide the employee with a medical examination as required by subsection (11)(c)(ii)(C) of this section to determine whether or not the employee can use a respirator while performing the required duty.

(c) Respirator selection.

(i) The employer must select the appropriate respirator or combination of respirators from Table II of this section.

(ii) The employer must provide a powered air-purifying respirator instead of the respirator specified in Table II of this section when an employee chooses to use this type of respirator and that such a respirator provides adequate protection to the employee.

TABLE II
RESPIRATORY PROTECTION FOR LEAD AEROSOLS

Airborne Concentration of Lead or Condition of Use	Required Respirator[1]
Not in excess of 0.5 mg/m^3 (10X PEL).	Half-mask, air-purifying respirator equipped with high efficiency filters.[2,3]
Not in excess of 2.5 mg/m^3 (50X PEL).	Full facepiece, air-purifying respirator with high efficiency filters.[3]
Not in excess of 50 mg/m^3 (1000X PEL).	(1) Any powered, air-purifying respirator with high efficiency filters[3]; or (2) Half-mask supplied-air respirator operated in positive-pressure mode.[2]
Not in excess of 100 mg/m^3 (2000X PEL).	Supplied-air respirators with full facepiece, hood, helmet, or suit, operated in positive pressure mode.
Greater than 100 mg/m^3, unknown concentration or fire fighting.	Full facepiece, self-contained breathing apparatus operated in positive-pressure mode.

Note: [1] Respirators specified for high concentrations can be used at lower concentrations of lead.
[2] Full facepiece is required if the lead aerosols cause eye or skin irritation at the use concentrations.
[3] A high efficiency particulate filter means 99.97 percent efficient against 0.3 micron size particles.

(8) Protective work clothing and equipment.

(a) Provision and use. If an employee is exposed to lead above the PEL, without regard to the use of respirators or where the possibility of skin or eye irritation exists, the employer shall provide at no cost to the employee and assure that the employee uses appropriate protective work clothing and equipment such as, but not limited to:

(i) Coveralls or similar full-body work clothing;

(ii) Gloves, hats, and shoes or disposable shoe coverlets; and

(iii) Face shields, vented goggles, or other appropriate protective equipment which complies with WAC 296-800-160.

(b) Cleaning and replacement.

(i) The employer shall provide the protective clothing required in subdivision (8)(a) of this section in a clean and dry condition at least weekly, and daily to employees whose exposure levels without regard to a respirator are over 200 μg/m^3 of lead as an eight-hour TWA.

(ii) The employer shall provide for the cleaning, laundering, or disposal of protective clothing and equipment required by subdivision (8)(a) of this section.

(iii) The employer shall repair or replace required protective clothing and equipment as needed to maintain their effectiveness.

(iv) The employer shall assure that all protective clothing is removed at the completion of a work shift only in change rooms provided for that purpose as prescribed in subdivision (10)(b) of this section.

(v) The employer shall assure that contaminated protective clothing which is to be cleaned, laundered, or disposed of, is placed in a closed container in the change-room which prevents dispersion of lead outside the container.

(vi) The employer shall inform in writing any person who cleans or launders protective clothing or equipment of the potentially harmful effects of exposure to lead.

(vii) The employer shall assure that the containers of contaminated protective clothing and equipment required by subdivision (8)(b)(v) are labeled as follows:

CAUTION: CLOTHING CONTAMINATED WITH LEAD.
DO NOT REMOVE DUST BY BLOWING OR SHAKING.
DISPOSE OF LEAD CONTAMINATED WASH WATER IN ACCORDANCE WITH APPLICABLE LOCAL, STATE, OR FEDERAL REGULATIONS.

(viii) The employer shall prohibit the removal of lead from protective clothing or equipment by blowing, shaking, or any other means which disperses lead into the air.

(9) Housekeeping.

(a) Surfaces. All surfaces shall be maintained as free as practicable of accumulations of lead.

(b) Cleaning floors.

(i) Floors and other surfaces where lead accumulates may not be cleaned by the use of compressed air.

(ii) Shoveling, dry or wet sweeping, and brushing may be used only where vacuuming or other equally effective methods have been tried and found not to be effective.

(c) Vacuuming. Where vacuuming methods are selected, the vacuums shall be used and emptied in a manner which minimizes the reentry of lead into the workplace.

(10) Hygiene facilities and practices.

(a) The employer shall assure that in areas where employees are exposed to lead above the PEL, without regard to the use of respirators, food or beverage is not present or consumed, tobacco products are not present or used, and cosmetics are not applied, except in change rooms, lunchrooms, and showers required under subdivision (10)(b) through (10)(d) of this section.

(b) Change rooms.

(i) The employer shall provide clean change rooms for employees who work in areas where their airborne exposure to lead is above the PEL, without regard to the use of respirators.

(ii) The employer shall assure that change rooms are equipped with separate storage facilities for protective work clothing and equipment and for street clothes which prevent cross-contamination.

(c) Showers.

(i) The employer shall assure that employees who work in areas where their airborne exposure to lead is above the PEL, without regard to the use of respirators, shower at the end of the work shift.

(ii) The employer shall provide shower facilities in accordance with WAC 296-800-230.

(iii) The employer shall assure that employees who are required to shower pursuant to item (10)(c)(i) do not leave the workplace wearing any clothing or equipment worn during the work shift.

(d) Lunchrooms.

(i) The employer shall provide lunchroom facilities for employees who work in areas where their airborne exposure to lead is above the PEL, without regard to the use of respirators.

(ii) The employer shall assure that lunchroom facilities have a temperature controlled, positive pressure, filtered air supply, and are readily accessible to employees.

(iii) The employer shall assure that employees who work in areas where their airborne exposure to lead is above the PEL without regard to the use of a respirator wash their hands and face prior to eating, drinking, smoking or applying cosmetics.

(iv) The employer shall assure that employees do not enter lunchroom facilities with protective work clothing or equipment unless surface lead dust has been removed by vacuuming, downdraft booth, or other cleaning method.

(e) Lavatories. The employer shall provide an adequate number of lavatory facilities which comply with WAC 296-800-230.

(11) Medical surveillance.

(a) General.

(i) The employer shall institute a medical surveillance program for all employees who are or may be exposed above the action level for more than thirty days per year.

(ii) The employer shall assure that all medical examinations and procedures are performed by or under the supervision of a licensed physician.

(iii) The employer shall provide the required medical surveillance including multiple physician review under item (11)(c)(iii) without cost to employees and at a reasonable time and place.

(b) Biological monitoring.

(i) Blood lead and ZPP level sampling and analysis. The employer shall make available biological monitoring in the form of blood sampling and analysis for lead and zinc protoporphyrin levels to each employee covered under item (11)(a)(i) of this section on the following schedule:

(A) At least every six months to each employee covered under item (11)(a)(i) of this section;

(B) At least every two months for each employee whose last blood sampling and analysis indicated a blood lead level at or above 40 μg/100 g of whole blood. This frequency shall continue until two consecutive blood samples and analyses indicate a blood lead level below 40 μg/100 g of whole blood; and

(C) At least monthly during the removal period of each employee removed from exposure to lead due to an elevated blood lead level.

(ii) Follow-up blood sampling tests. Whenever the results of a blood lead level test indicate that an employee's blood lead level exceeds the numerical criterion for medical removal under item (12)(a)(i)(A), the employer shall provide a second (follow-up) blood sampling test within two weeks after the employer receives the results of the first blood sampling test.

(iii) Accuracy of blood lead level sampling and analysis. Blood lead level sampling and analysis provided pursuant to this section shall have an accuracy (to a confidence level of ninety-five percent) within plus or minus fifteen percent or 6 μg/100 ml, whichever is greater, and shall be conducted by a laboratory licensed by the Center for Disease Control (CDC), United States Department of Health, Education and Welfare or which has received a satisfactory grade in blood lead proficiency testing from CDC in the prior twelve months.

(iv) Employee notification. Within five working days after the receipt of biological monitoring results, the employer shall notify in writing each employee whose blood lead level exceeds 40 μg/100 g: (A) of that employee's blood lead level and (B) that the standard requires temporary medical removal with medical removal protection benefits when an employee's blood lead level exceeds the numerical criterion for medical removal under item (12)(a)(i) of this section.

(c) Medical examinations and consultations.

(i) Frequency. The employer shall make available medical examinations and consultations to each employee covered under item (11)(a)(i) of this section on the following schedule:

(A) At least annually for each employee for whom a blood sampling test conducted at any time during the preceding twelve months indicated a blood lead level at or above 40 μg/100 g;

(B) Prior to assignment for each employee being assigned for the first time to an area in which airborne concentrations of lead are at or above the action level;

(C) As soon as possible, upon notification by an employee either that the employee has developed signs or symptoms commonly associated with lead intoxication, that the employee desires medical advice concerning the effects of current or past exposure to lead on the employee's ability to procreate a healthy child, or that the employee has demonstrated difficulty in breathing during a respirator fitting test or during use; and

(D) As medically appropriate for each employee either removed from exposure to lead due to a risk of sustaining material impairment to health, or otherwise limited pursuant to a final medical determination.

(ii) Content. Medical examinations made available pursuant to subitems (11)(c)(i)(A) through (B) of this section shall include the following elements:

(A) A detailed work history and a medical history, with particular attention to past lead exposure (occupational and nonoccupational), personal habits (smoking, hygiene), and

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past gastrointestinal, hematologic, renal, cardiovascular, reproductive and neurological problems;

(B) A thorough physical examination, with particular attention to teeth, gums, hematologic, gastrointestinal, renal, cardiovascular, and neurological systems. Pulmonary status should be evaluated if respiratory protection will be used;

(C) A blood pressure measurement;

(D) A blood sample and analysis which determines:

(I) Blood lead level;

(II) Hemoglobin and hematocrit determinations, red cell indices, and examination of peripheral smear morphology;

(III) Zinc protoporphyrin;

(IV) Blood urea nitrogen; and

(V) Serum creatinine;

(E) A routine urinalysis with microscopic examination; and

(F) Any laboratory or other test which the examining physician deems necessary by sound medical practice.

The content of medical examinations made available pursuant to subitems (11)(c)(i)(C) through (D) of this section shall be determined by an examining physician and, if requested by an employee, shall include pregnancy testing or laboratory evaluation of male fertility.

(iii) Multiple physician review mechanism.

(A) If the employer selects the initial physician who conducts any medical examination or consultation provided to an employee under this section, the employee may designate a second physician:

(I) To review any findings, determinations or recommendations of the initial physician; and

(II) To conduct such examinations, consultations, and laboratory tests as the second physician deems necessary to facilitate this review.

(B) The employer shall promptly notify an employee of the right to seek a second medical opinion after each occasion that an initial physician conducts a medical examination or consultation pursuant to this section. The employer may condition its participation in, and payment for, the multiple physician review mechanism upon the employee doing the following within fifteen days after receipt of the foregoing notification, or receipt of the initial physician's written opinion, whichever is later:

(I) The employee informing the employer that he or she intends to seek a second medical opinion, and

(II) The employee initiating steps to make an appointment with a second physician.

(C) If the findings, determinations or recommendations of the second physician differ from those of the initial physician, then the employer and the employee shall assure that efforts are made for the two physicians to resolve any disagreement.

(D) If the two physicians have been unable to quickly resolve their disagreement, then the employer and the employee through their respective physicians shall designate a third physician:

(I) To review any findings, determinations or recommendations of the prior physicians; and

(II) To conduct such examinations, consultations, laboratory tests and discussions with the prior physicians as the third physician deems necessary to resolve the disagreement of the prior physicians.

(E) The employer shall act consistent with the findings, determinations and recommendations of the third physician, unless the employer and the employee reach an agreement which is otherwise consistent with the recommendations of at least one of the three physicians.

(iv) Information provided to examining and consulting physicians.

(A) The employer shall provide an initial physician conducting a medical examination or consultation under this section with the following information:

(I) A copy of this regulation for lead including all appendices;

(II) A description of the affected employee's duties as they relate to the employee's exposure;

(III) The employee's exposure level or anticipated exposure level to lead and to any other toxic substance (if applicable);

(IV) A description of any personal protective equipment used or to be used;

(V) Prior blood lead determinations; and

(VI) All prior written medical opinions concerning the employee in the employer's possession or control.

(B) The employer shall provide the foregoing information to a second or third physician conducting a medical examination or consultation under this section upon request either by the second or third physician, or by the employee.

(v) Written medical opinions.

(A) The employer shall obtain and furnish the employee with a copy of a written medical opinion from each examining or consulting physician which contains the following information:

(I) The physician's opinion as to whether the employee has any detected medical condition which would place the employee at increased risk of material impairment of the employee's health from exposure to lead;

(II) Any recommended special protective measures to be provided to the employee, or limitations to be placed upon the employee's exposure to lead;

(III) Any recommended limitation upon the employee's use of respirators, including a determination of whether the employee can wear a powered air purifying respirator if a physician determines that the employee cannot wear a negative pressure respirator; and

(IV) The results of the blood lead determinations.

(B) The employer shall instruct each examining and consulting physician to:

(I) Not reveal either in the written opinion, or in any other means of communication with the employer, findings, including laboratory results, or diagnoses unrelated to an employee's occupational exposure to lead; and

(II) Advise the employee of any medical condition, occupational or nonoccupational, which dictates further medical examination or treatment.

(vi) Alternate physician determination mechanisms. The employer and an employee or authorized employee representative may agree upon the use of any expeditious alternate physician determination mechanism in lieu of the multiple physician review mechanism provided by this subsection so

long as the alternate mechanism otherwise satisfies the requirements contained in this subsection.

(d) Chelation.

(i) The employer shall assure that any person whom he retains, employs, supervises or controls does not engage in prophylactic chelation of any employee at any time.

(ii) If therapeutic or diagnostic chelation is to be performed by any person in item (11)(d)(i), the employer shall assure that it be done under the supervision of a licensed physician in a clinical setting with thorough and appropriate medical monitoring and that the employee is notified in writing prior to its occurrence.

(12) Medical removal protection.

(a) Temporary medical removal and return of an employee.

(i) Temporary removal due to elevated blood lead levels.

(A) The employer shall remove an employee from work having an exposure to lead at or above the action level on each occasion that a periodic and a follow-up blood sampling test conducted pursuant to this section indicate that the employee's blood lead level is at or above 60 μg/100 g of whole blood; and

(B) The employer shall remove an employee from work having an exposure to lead at or above the action level on each occasion that the average of the last three blood sampling tests conducted pursuant to this section (or the average of all blood sampling tests conducted over the previous six months, whichever is longer) indicates that the employee's blood lead level is at or above 50 μg/100 g of whole blood; provided, however, that an employee need not be removed if the last blood sampling test indicates a blood lead level at or below 40 μg/100 g of whole blood.

(ii) Temporary removal due to a final medical determination.

(A) The employer shall remove an employee from work having an exposure to lead at or above the action level on each occasion that a final medical determination results in a medical finding, determination, or opinion that the employee has a detected medical condition which places the employee at increased risk of material impairment to health from exposure to lead.

(B) For the purposes of this section, the phrase "final medical determination" shall mean the outcome of the multiple physician review mechanism or alternate medical determination mechanism used pursuant to the medical surveillance provisions of this section.

(C) Where a final medical determination results in any recommended special protective measures for an employee, or limitations on an employee's exposure to lead, the employer shall implement and act consistent with the recommendation.

(iii) Return of the employee to former job status.

(A) The employer shall return an employee to his or her former job status:

(I) For an employee removed due to a blood lead level at or above 60 μg/100 g, or due to an average blood lead level at or above 50 μg/100 g, when two consecutive blood sampling tests indicate that the employee's blood lead level is at or below 40 μg/100 g of whole blood;

(II) For an employee removed due to a final medical determination, when a subsequent final medical determination results in a medical finding, determination, or opinion that the employee no longer has a detected medical condition which places the employee at increased risk of material impairment to health from exposure to lead.

(B) For the purposes of this section, the requirement that an employer return an employee to his or her former job status is not intended to expand upon or restrict any rights an employee has or would have had, absent temporary medical removal, to a specific job classification or position under the terms of a collective bargaining agreement.

(iv) Removal of other employee special protective measure or limitations. The employer shall remove any limitations placed on an employee or end any special protective measures provided to an employee pursuant to a final medical determination when a subsequent final medical determination indicates that the limitations or special protective measures are no longer necessary.

(v) Employer options pending a final medical determination. Where the multiple physician review mechanism, or alternate medical determination mechanism used pursuant to the medical surveillance provisions of this section, has not yet resulted in a final medical determination with respect to an employee, the employer shall act as follows:

(A) Removal. The employer may remove the employee from exposure to lead, provide special protective measures to the employee, or place limitations upon the employee, consistent with the medical findings, determinations, or recommendations of any of the physicians who have reviewed the employee's health status.

(B) Return. The employer may return the employee to his or her former job status, end any special protective measures provided to the employee, and remove any limitations placed upon the employee, consistent with the medical findings, determinations, or recommendations of any of the physicians who have reviewed the employee's health status, with two exceptions. If:

(I) The initial removal, special protection, or limitation of the employee resulted from a final medical determination which differed from the findings, determinations, or recommendations of the initial physician; or

(II) The employee has been on removal status for the preceding eighteen months due to an elevated blood lead level, then the employer shall await a final medical determination.

(b) Medical removal protection benefits.

(i) Provision of medical removal protection benefits. The employer shall provide to an employee up to eighteen months of medical removal protection benefits on each occasion that an employee is removed from exposure to lead or otherwise limited pursuant to this section.

(ii) Definition of medical removal protection benefits. For the purposes of this section, the requirement that an employer provide medical removal protection benefits means that the employer shall maintain the earnings, seniority and other employment rights and benefits of an employee as though the employee had not been removed from normal exposure to lead or otherwise limited.

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(iii) Follow-up medical surveillance during the period of employee removal or limitation. During the period of time that an employee is removed from normal exposure to lead or otherwise limited, the employer may condition the provision of medical removal protection benefits upon the employee's participation in follow-up medical surveillance made available pursuant to this section.

(iv) Workers' compensation claims. If a removed employee files a claim for workers' compensation payments for a lead-related disability, then the employer shall continue to provide medical removal protection benefits pending disposition of the claim. To the extent that an award is made to the employee for earnings lost during the period of removal, the employer's medical removal protection obligation shall be reduced by such amount. The employer shall receive no credit for workers' compensation payments received by the employee for treatment related expenses.

(v) Other credits. The employer's obligation to provide medical removal protection benefits to a removed employee shall be reduced to the extent that the employee receives compensation for earnings lost during the period of removal either from a publicly or employer-funded compensation program, or receives income from employment with another employer made possible by virtue of the employee's removal.

(vi) Employees whose blood lead levels do not adequately decline within eighteen months of removal. The employer shall take the following measures with respect to any employee removed from exposure to lead due to an elevated blood lead level whose blood lead level has not declined within the past eighteen months of removal so that the employee has been returned to his or her former job status:

(A) The employer shall make available to the employee a medical examination pursuant to this section to obtain a final medical determination with respect to the employee;

(B) The employer shall assure that the final medical determination obtained indicates whether or not the employee may be returned to his or her former job status, and if not, what steps should be taken to protect the employee's health;

(C) Where the final medical determination has not yet been obtained, or once obtained indicates that the employee may not yet be returned to his or her former job status, the employer shall continue to provide medical removal protection benefits to the employee until either the employee is returned to former job status, or a final medical determination is made that the employee is incapable of ever safely returning to his or her former job status.

(D) Where the employer acts pursuant to a final medical determination which permits the return of the employee to his or her former job status despite what would otherwise be an unacceptable blood lead level, later questions concerning removing the employee again shall be decided by a final medical determination. The employer need not automatically remove such an employee pursuant to the blood lead level removal criteria provided by this section.

(vii) Voluntary removal or restriction of an employee. Where an employer, although not required by this section to do so, removes an employee from exposure to lead or otherwise places limitations on an employee due to the effects of lead exposure on the employee's medical condition, the employer shall provide medical removal protection benefits to the employee equal to that required by item (12)(b)(i) of this section.

(13) Employee information and training.

(a) Training program.

(i) Each employer who has a workplace in which there is a potential exposure to airborne lead at any level shall inform employees of the content of Appendices A and B of this regulation.

(ii) The employer shall institute a training program for and assure the participation of all employees who are subject to exposure to lead at or above the action level or for whom the possibility of skin or eye irritation exists.

(iii) The employer shall provide initial training by one hundred eighty days from the effective date for those employees covered by item (13)(a)(ii) on the standard's effective date and prior to the time of initial job assignment for those employees subsequently covered by this subsection.

(iv) The training program shall be repeated at least annually for each employee.

(v) The employer shall assure that each employee is informed of the following:

(A) The content of this standard and its appendices;

(B) The specific nature of the operations which could result in exposure to lead above the action level;

(C) The purpose, proper use, limitations, and other training requirements for respiratory protection as required by chapter 296-62 WAC, Part E;

(D) The purpose and a description of the medical surveillance program, and the medical removal protection program including information concerning the adverse health effects associated with excessive exposure to lead (with particular attention to the adverse reproductive effects on both males and females);

(E) The engineering controls and work practices associated with the employee's job assignment;

(F) The contents of any compliance plan in effect; and

(G) Instructions to employees that chelating agents should not routinely be used to remove lead from their bodies and should not be used at all except under the direction of a licensed physician.

(b) Access to information and training materials.

(i) The employer shall make readily available to all affected employees a copy of this standard and its appendices.

(ii) The employer shall provide, upon request, all materials relating to the employee information and training program to the director.

(iii) In addition to the information required by item (13)(a)(v), the employer shall include as part of the training program, and shall distribute to employees, any materials pertaining to the Occupational Safety and Health Act, the regulations issued pursuant to the act, and this lead standard, which are made available to the employer by the director.

(14) Signs.

(a) General.

(i) The employer may use signs required by other statutes, regulations or ordinances in addition to, or in combination with, signs required by this subsection.

(ii) The employer shall assure that no statement appears on or near any sign required by this subsection which contradicts or detracts from the meaning of the required sign.

(b) Signs.

(i) The employer shall post the following warning signs in each work area where the PEL is exceeded:

WARNING
LEAD WORK AREA
POISON
NO SMOKING OR EATING

(ii) The employer shall assure that signs required by this subsection are illuminated and cleaned as necessary so that the legend is readily visible.

(15) Recordkeeping.

(a) Exposure monitoring.

(i) The employer shall establish and maintain an accurate record of all monitoring required in subsection (5) of this section.

(ii) This record shall include:

(A) The date(s), number, duration, location and results of each of the samples taken, including a description of the sampling procedure used to determine representative employee exposure where applicable;

(B) A description of the sampling and analytical methods used and evidence of their accuracy;

(C) The type of respiratory protective devices worn, if any;

(D) Name, social security number, and job classification of the employee monitored and of all other employees whose exposure the measurement is intended to represent; and

(E) The environmental variables that could affect the measurement of employee exposure.

(iii) The employer shall maintain these monitoring records for at least forty years or for the duration of employment plus twenty years, whichever is longer.

(b) Medical surveillance.

(i) The employer shall establish and maintain an accurate record for each employee subject to medical surveillance as required by subsection (11) of this section.

(ii) This record shall include:

(A) The name, social security number, and description of the duties of the employee;

(B) A copy of the physician's written opinions;

(C) Results of any airborne exposure monitoring done for that employee and the representative exposure levels supplied to the physician; and

(D) Any employee medical complaints related to exposure to lead.

(iii) The employer shall keep, or assure that the examining physician keeps, the following medical records:

(A) A copy of the medical examination results including medical and work history required under subsection (11) of this section;

(B) A description of the laboratory procedures and a copy of any standards or guidelines used to interpret the test results or references to that information; and

(C) A copy of the results of biological monitoring.

(iv) The employer shall maintain or assure that the physician maintains those medical records for at least forty years, or for the duration of employment plus twenty years, whichever is longer.

(c) Medical removals.

(i) The employer shall establish and maintain an accurate record for each employee removed from current exposure to lead pursuant to subsection (12) of this section.

(ii) Each record shall include:

(A) The name and social security number of the employee;

(B) The date on each occasion that the employee was removed from current exposure to lead as well as the corresponding date on which the employee was returned to his or her former job status;

(C) A brief explanation of how each removal was or is being accomplished; and

(D) A statement with respect to each removal indicating whether or not the reason for the removal was an elevated blood lead level.

(iii) The employer shall maintain each medical removal record for at least the duration of an employee's employment.

(d) Availability.

(i) The employer shall make available upon request all records required to be maintained by subsection (15) of this section to the director for examination and copying.

(ii) Environmental monitoring, medical removal, and medical records required by this subsection shall be provided upon request to employees, designated representatives, and the assistant director in accordance with ((~~WAC 296-62-05201 through 296-62-05209 and 296-62-05213 through 296-62-05217~~)) chapter 296-802 WAC. Medical removal records shall be provided in the same manner as environmental monitoring records.

(iii) Upon request, the employer shall make an employee's medical records required to be maintained by this section available to the affected employee or former employee or to a physician or other individual designated by such affected employee or former employees for examination and copying.

(e) Transfer of records.

(i) Whenever the employer ceases to do business, the successor employer shall receive and retain all records required to be maintained by subsection (15) of this section.

(ii) Whenever the employer ceases to do business and there is no successor employer to receive and retain the records required to be maintained by this section for the prescribed period, these records shall be transmitted to the director.

(iii) At the expiration of the retention period for the records required to be maintained by this section, the employer shall notify the director at least three months prior to the disposal of such records and shall transmit those records to the director if requested within the period.

(iv) The employer shall also comply with any additional requirements involving transfer of records set forth in ((~~WAC 296-62-05215~~)) chapter 296-802 WAC.

(16) Observation of monitoring.

(a) Employee observation. The employer shall provide affected employees or their designated representatives an

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opportunity to observe any monitoring of employee exposure to lead conducted pursuant to subsection (5) of this section.

(b) Observation procedures.

(i) Whenever observation of the monitoring of employee exposure to lead requires entry into an area where the use of respirators, protective clothing or equipment is required, the employer shall provide the observer with and assure the use of such respirators, clothing and such equipment, and shall require the observer to comply with all other applicable safety and health procedures.

(ii) Without interfering with the monitoring, observers shall be entitled to:

(A) Receive an explanation of the measurement procedures;

(B) Observe all steps related to the monitoring of lead performed at the place of exposure; and

(C) Record the results obtained or receive copies of the results when returned by the laboratory.

(17) Appendices. The information contained in the appendices to this section is not intended by itself, to create any additional obligations not otherwise imposed by this standard nor detract from any existing obligation.

(a) Appendix A. Substance Data Sheet for Occupational Exposure to Lead.

(i) Substance identification.

(A) Substance. Pure lead (Pb) is a heavy metal at room temperature and pressure and is a basic chemical element. It can combine with various other substances to form numerous lead compounds.

(B) Compounds covered by the standard. The word "lead" when used in this standard means elemental lead, all inorganic lead compounds (except those which are not biologically available due to either solubility or specific chemical interaction), and a class of organic lead compounds called lead soaps. This standard does not apply to other organic lead compounds.

(C) Uses. Exposure to lead occurs in at least 120 different occupations, including primary and secondary lead smelting, lead storage battery manufacturing, lead pigment manufacturing and use, solder manufacturing and use, shipbuilding and ship repairing, auto manufacturing, and printing.

(D) Permissible exposure. The Permissible Exposure Limit (PEL) set by the standard is 50 micrograms of lead per cubic meter of air (50 $\mu g/m^3$), averaged over an eight-hour work day.

(E) Action level. The standard establishes an action level of 30 micrograms per cubic meter of air (30 $\mu g/m^3$) time weighted average, based on an eight-hour work day. The action level initiates several requirements of the standard, such as exposure monitoring, medical surveillance, and training and education.

(ii) Health hazard data.

(A) Ways in which lead enters your body.

(I) When absorbed into your body in certain doses lead is a toxic substance. The object of the lead standard is to prevent absorption of harmful quantities of lead. The standard is intended to protect you not only from the immediate toxic effects of lead, but also from the serious toxic effects that may not become apparent until years of exposure have passed.

(II) Lead can be absorbed into your body by inhalation (breathing) and ingestion (eating). Lead (except for certain organic lead compounds not covered by the standard, such as tetraethyl lead) is not absorbed through your skin. When lead is scattered in the air as a dust, fume or mist, it can be inhaled and absorbed through your lungs and upper respiratory tract. Inhalation of airborne lead is generally the most important source of occupational lead absorption. You can also absorb lead through your digestive system if lead gets into your mouth and is swallowed. If you handle food, cigarettes, chewing tobacco, or make-up which have lead on them or handle them with hands contaminated with lead, this will contribute to ingestion.

(III) A significant portion of the lead that you inhale or ingest gets into your blood stream. Once in your blood stream lead is circulated throughout your body and stored in various organs and body tissues. Some of this lead is quickly filtered out of your body and excreted, but some remains in your blood and other tissue. As exposure to lead continues, the amount stored in your body will increase if you are absorbing more lead than your body is excreting. Even though you may not be aware of any immediate symptoms of disease, this lead stored in your tissues can be slowly causing irreversible damage, first to individual cells, then to your organs and whole body systems.

(B) Effects of overexposure to lead.

(I) Short-term (acute) overexposure. Lead is a potent, systemic poison that serves no known useful function once absorbed by your body. Taken in large enough doses, lead can kill you in a matter of days. A condition affecting the brain called acute encephalopathy may arise which develops quickly to seizures, coma, and death from cardiorespiratory arrest. A short-term dose of lead can lead to acute encephalopathy. Short-term occupational exposures of this magnitude are highly unusual, but not impossible. Similar forms of encephalopathy may, however arise from extended, chronic exposure to lower doses of lead. There is no sharp dividing line between rapidly developing acute effects of lead, and chronic effects which take longer to acquire. Lead adversely affects numerous body systems, and causes forms of health impairment and disease which arise after periods of exposure as short as days or as long as several years.

(II) Long-term (chronic) overexposure.

a) Chronic overexposure to lead may result in severe damage to your blood-forming, nervous, urinary and reproductive systems. Some common symptoms of chronic overexposure include loss of appetite, metallic taste in the mouth, anxiety, constipation, nausea, pallor, excessive tiredness, weakness, insomnia, headache, nervous irritability, muscle and joint pain or soreness, fine tremors, numbness, dizziness, hyperactivity and colic. In lead colic there may be severe abdominal pain.

b) Damage to the central nervous system in general and the brain (encephalopathy) in particular is one of the most severe forms of lead poisoning. The most severe, often fatal, form of encephalopathy may be preceded by vomiting, a feeling of dullness progressing to drowsiness and stupor, poor memory, restlessness, irritability, tremor, and convulsions. It may arise suddenly with the onset of seizures, followed by coma, and death. There is a tendency for muscular weakness

to develop at the same time. This weakness may progress to paralysis often observed as a characteristic "wrist drop" or "foot drop" and is a manifestation of a disease to the nervous system called peripheral neuropathy.

c) Chronic overexposure to lead also results in kidney disease with few, if any, symptoms appearing until extensive and most likely permanent kidney damage has occurred. Routine laboratory tests reveal the presence of this kidney disease only after about two-thirds of kidney function is lost. When overt symptoms of urinary dysfunction arise, it is often too late to correct or prevent worsening conditions, and progression of kidney dialysis or death is possible.

d) Chronic overexposure to lead impairs the reproductive systems of both men and women. Overexposure to lead may result in decreased sex drive, impotence and sterility in men. Lead can alter the structure of sperm cells raising the risk of birth defects. There is evidence of miscarriage and stillbirth in women whose husbands were exposed to lead or who were exposed to lead themselves. Lead exposure also may result in decreased fertility, and abnormal menstrual cycles in women. The course of pregnancy may be adversely affected by exposure to lead since lead crosses the placental barrier and poses risks to developing fetuses. Children born of parents either one of whom were exposed to excess lead levels are more likely to have birth defects, mental retardation, behavioral disorders or die during the first year of childhood.

e) Overexposure to lead also disrupts the blood-forming system resulting in decreased hemoglobin (the substance in the blood that carries oxygen to the cells) and ultimately anemia. Anemia is characterized by weakness, pallor and fatigability as a result of decreased oxygen carrying capacity in the blood.

(III) Health protection goals of the standard.

a) Prevention of adverse health effects for most workers from exposure to lead throughout a working lifetime requires that worker blood lead (PbB) levels be maintained at or below forty micrograms per one hundred grams of whole blood (40 μg/100g). The blood lead levels of workers (both male and female workers) who intend to have children should be maintained below 30 μg/100g to minimize adverse reproductive health effects to the parents and to the developing fetus.

b) The measurement of your blood lead level is the most useful indicator of the amount of lead absorbed by your body. Blood lead levels (PbB) are most often reported in units of milligrams (mg) or micrograms (μg) of lead (1 mg = 1000 μg) per 100 grams (100g), 100 milliliters (100 ml) or deciliter (dl) of blood. These three units are essentially the same. Sometimes PbB's are expressed in the form of mg% or μg%. This is a shorthand notation for 100g, 100ml, or dl.

c) PbB measurements show the amount of lead circulating in your blood stream, but do not give any information about the amount of lead stored in your various tissues. PbB measurements merely show current absorption of lead, not the effect that lead is having on your body or the effects that past lead exposure may have already caused. Past research into lead-related diseases, however, has focused heavily on associations between PbBs and various diseases. As a result, your PbB is an important indicator of the likelihood that you will gradually acquire a lead-related health impairment or disease.

d) Once your blood lead level climbs above 40 μg/100g, your risk of disease increases. There is a wide variability of individual response to lead, thus it is difficult to say that a particular PbB in a given person will cause a particular effect. Studies have associated fatal encephalopathy with PbBs as low as 150 μg/100g. Other studies have shown other forms of disease in some workers with PbBs well below 80 μg/100g. Your PbB is a crucial indicator of the risks to your health, but one other factor is extremely important. This factor is the length of time you have had elevated PbBs. The longer you have an elevated PbB, the greater the risk that large quantities of lead are being gradually stored in your organs and tissues (body burden). The greater your overall body burden, the greater the chances of substantial permanent damage.

e) The best way to prevent all forms of lead-related impairments and diseases—both short-term and long-term—is to maintain your PbB below 40 μg/100g. The provisions of the standard are designed with this end in mind. Your employer has prime responsibility to assure that the provisions of the standard are complied with both by the company and by individual workers. You as a worker, however, also have a responsibility to assist your employer in complying with the standard. You can play a key role in protecting your own health by learning about the lead hazards and their control, learning what the standard requires, following the standard where it governs your own action, and seeing that your employer complies with the provisions governing his actions.

(IV) Reporting signs and symptoms of health problems. You should immediately notify your employer if you develop signs or symptoms associated with lead poisoning or if you desire medical advice concerning the effects of current or past exposure to lead on your ability to have a healthy child. You should also notify your employer if you have difficulty breathing during a respirator fit test or while wearing a respirator. In each of these cases your employer must make available to you appropriate medical examinations or consultations. These must be provided at no cost to you and at a reasonable time and place.

(b) Appendix B. Employee Standard Summary. This appendix summarizes key provisions of the standard that you as a worker should become familiar with. The appendix discusses the entire standard.

(i) Permissible exposure limit (PEL). The standard sets a permissible exposure limit (PEL) of fifty micrograms of lead per cubic meter of air (50 μg/m³), averaged over and eight-hour workday. This is the highest level of lead in air to which you may be permissibly exposed over an eight-hour workday. Since it is an eight-hour average it permits short exposures above the PEL so long as for each eight-hour workday your average exposure does not exceed the PEL.

(ii) Exposure monitoring.

(A) If lead is present in the work place where you work in any quantity, your employer is required to make an initial determination of whether the action level is exceeded for any employee. The initial determination must include instrument monitoring of the air for the presence of lead and must cover the exposure of a representative number of employees who are reasonably believed to have the highest exposure levels.

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If your employer has conducted appropriate air sampling for lead in the past year he may use these results. If there have been any employee complaints of symptoms which may be attributable to exposure to lead or if there is any other information or observations which would indicate employee exposure to lead, this must also be considered as part of the initial determination. If this initial determination shows that a reasonable possibility exists that any employee may be exposed, without regard to respirators, over the action level (30 μg/m³) your employer must set up an air monitoring program to determine the exposure level of every employee exposed to lead at your work place.

(B) In carrying out this air monitoring program, your employer is not required to monitor the exposure of every employee, but he or she must monitor a representative number of employees and job types. Enough sampling must be done to enable each employee's exposure level to be reasonably represented by at least one full shift (at least seven hours) air sample. In addition, these air samples must be taken under conditions which represent each employee's regular, daily exposure to lead.

(C) If you are exposed to lead and air sampling is performed, your employer is required to quickly notify you in writing of air monitoring results which represent your exposure. If the results indicate your exposure exceeds the PEL (without regard to your use of respirators), then your employer must also notify you of this in writing, and provide you with a description of the corrective action that will be taken to reduce your exposure.

(D) Your exposure must be rechecked by monitoring every six months if your exposure is over the action level but below the PEL. Air monitoring must be repeated every three months if you are exposed over the PEL. Your employer may discontinue monitoring for you if two consecutive measurements, taken at least two weeks apart, are below the action level. However, whenever there is a production, process, control, or personnel change at your work place which may result in new or additional exposure to lead, or whenever there is any other reason to suspect a change which may result in new or additional exposure to lead, your employer must perform additional monitoring.

(iii) Methods of compliance. Your employer is required to assure that no employee is exposed to lead in excess of the PEL. The standard establishes a priority of methods to be used to meet the PEL.

(iv) Respiratory protection.

(A) Your employer is required to provide and assure your use of respirators when your exposure to lead is not controlled below the PEL by other means. The employer must pay the cost of the respirator. Whenever you request one, your employer is also required to provide you a respirator even if your air exposure level does not exceed the PEL. You might desire a respirator when, for example, you have received medical advice that your lead absorption should be decreased. Or, you may intend to have children in the near future, and want to reduce the level of lead in your body to minimize adverse reproductive effects. While respirators are the least satisfactory means of controlling your exposure, they are capable of providing significant protection if properly chosen, fitted, worn, cleaned, maintained, and replaced when they stop providing adequate protection.

(B) Your employer is required to select respirators from the seven types listed in Table II of the respiratory protection section of this standard (see subsection (7)(c) of this section). Any respirator chosen must be certified by the National Institute for Occupational Safety and Health (NIOSH) under the provisions of 42 CFR part 84. This respirator selection table will enable your employer to choose a type of respirator which will give you a proper amount of protection based on your airborne lead exposure. Your employer may select a type of respirator that provides greater protection than that required by the standard; that is, one recommended for a higher concentration of lead than is present in your work place. For example, a powered air purifying respirator (PAPR) is much more protective than a typical negative-pressure respirator, and may also be more comfortable to wear. A PAPR has a filter, cartridge or canister to clean the air, and a power source which continuously blows filtered air into your breathing zone. Your employer might make a PAPR available to you to ease the burden of having to wear a respirator for long periods of time. The standard provides that you can obtain a PAPR upon request.

(C) Your employer must also start a respiratory protection program. This program must include written procedures for the proper selection, use, cleaning, storage, and maintenance of respirators.

(D) Your employer must assure that your respirator facepiece fits properly. Proper fit of a respirator facepiece is critical to your protection against air borne lead. Obtaining a proper fit on each employee may require your employer to make available several different types of respirator masks. To ensure that your respirator fits properly and that facepiece leakage is minimal, your employer must give you either a qualitative or quantitative fit test as required in chapter 296-62 WAC, Part E.

(E) You must also receive from your employer proper training in the use of respirators. Your employer is required to teach you how to wear a respirator, to know why it is needed, and to understand its limitations.

(F) The standard provides that if your respirator uses filter elements, you must be given an opportunity to change the filter elements whenever an increase in breathing resistance is detected. You also must be permitted to periodically leave your work area to wash your face and respirator facepiece whenever necessary to prevent skin irritation. If you ever have difficulty breathing during a fit test or while using a respirator, your employer must make a medical examination available to you to determine whether you can safely wear a respirator. The result of this examination may be to give you a positive pressure respirator (which reduces breathing resistance) or to provide alternative means of protection.

(v) Protective work clothing and equipment. If you are exposed to lead above the PEL, or if you are exposed to lead compounds such as lead arsenate or lead azide which can cause skin and eye irritation, your employer must provide you with protective work clothing and equipment appropriate for the hazard. If work clothing is provided, it must be provided in a clean and dry condition at least weekly, and daily if your airborne exposure to lead is greater than 200 μg/m³.

Appropriate protective work clothing and equipment can include coveralls or similar full-body work clothing, gloves, hats, shoes or disposable shoe coverlets, and face shields or vented goggles. Your employer is required to provide all such equipment at no cost to you. He or she is responsible for providing repairs and replacement as necessary and also is responsible for the cleaning, laundering or disposal of protective clothing and equipment. Contaminated work clothing or equipment must be removed in change rooms and not worn home or you will extend your exposure and expose your family since lead from your clothing can accumulate in your house, car, etc. Contaminated clothing which is to be cleaned, laundered or disposed of must be placed in closed containers in the change room. At no time may lead be removed from protective clothing or equipment by any means which disperses lead into the work room air.

(vi) Housekeeping. Your employer must establish a housekeeping program sufficient to maintain all surfaces as free as practicable of accumulations of lead dust. Vacuuming is the preferred method of meeting this requirement, and the use of compressed air to clean floors and other surfaces is absolutely prohibited. Dry or wet sweeping, shoveling, or brushing may not be used except where vacuuming or other equally effective methods have been tried and do not work. Vacuums must be used and emptied in a manner which minimizes the reentry of lead into the work place.

(vii) Hygiene facilities and practices.

(A) The standard requires that change rooms, showers and filtered air lunchrooms be constructed and made available to workers exposed to lead above the PEL. When the PEL is exceeded, the employer must assure that food and beverage is not present or consumed, tobacco products are not present or used, and cosmetics are not applied, except in these facilities. Change rooms, showers and lunchrooms, must be used by workers exposed in excess of the PEL. After showering, no clothing or equipment worn during the shift may be worn home and this includes shoes and underwear. Your own clothing worn during the shift should be carried home and cleaned carefully so that it does not contaminate your home. Lunchrooms may not be entered with protective clothing or equipment unless surface dust has been removed by vacuuming, downdraft booth or other cleaning methods. Finally, workers exposed above the PEL must wash both their hands and faces prior to eating, drinking, smoking or applying cosmetics.

(B) All of the facilities and hygiene practices just discussed are essential to minimize additional sources of lead absorption from inhalation or ingestion of lead that may accumulate on you, your clothes or your possessions. Strict compliance with these provisions can virtually eliminate several sources of lead exposure which significantly contribute to excessive lead absorption.

(viii) Medical surveillance.

(A) The medical surveillance program is part of the standard's comprehensive approach to the prevention of lead-related disease. Its purpose is to supplement the main thrust of the standard which is aimed at minimizing airborne concentrations of lead and sources of ingestion. Only medical surveillance can determine if the other provisions of the standard have effectively protected you as an individual. Compliance with the standard's provision will protect most workers from the adverse effects of lead exposure, but may not be satisfactory to protect individual workers (I) who have high body burdens of lead acquired over past years, (II) who have additional uncontrolled sources of nonoccupational lead exposure, (III) who exhibit unusual variations in lead absorption rates, or (IV) who have specific nonwork related medical conditions which could be aggravated by lead exposure (e.g., renal disease, anemia). In addition, control systems may fail, or hygiene and respirator programs may be inadequate. Periodic medical surveillance of individual workers will help detect those failures. Medical surveillance will also be important to protect your reproductive ability - regardless of whether you are a man or a woman.

(B) All medical surveillance required by the standard must be performed by or under the supervision of a licensed physician. The employer must provide required medical surveillance without cost to employees and at a reasonable time and place. The standard's medical surveillance program has two parts - periodic biological monitoring, and medical examinations.

(C) Your employer's obligation to offer medical surveillance is triggered by the results of the air monitoring program. Medical surveillance must be made available to all employees who are exposed in excess of the action level for more than 30 days a year. The initial phase of the medical surveillance program, which included blood lead level tests and medical examinations, must be completed for all covered employees no later than 180 days from the effective date of this standard. Priority within this first round of medical surveillance must be given to employees whom the employer believes to be at greatest risk from continued exposure (for example, those with the longest prior exposure to lead, or those with the highest current exposure). Thereafter, the employer must periodically make medical surveillance - both biological monitoring and medical examinations - available to all covered employees.

(D) Biological monitoring under the standard consists of blood lead level (PbB) and zinc protoporphyrin tests at least every six months after the initial PbB test. A zinc protoporphyrin (ZPP) test is a very useful blood test which measures an effect of lead on your body. If a worker's PbB exceeds 40 µg/100g, the monitoring frequency must be increased from every six months to at least every two months and not reduced until two consecutive PbBs indicate a blood lead level below 40 µg/100g. Each time your PbB is determined to be over 40 µg/100g, your employer must notify you of this in writing within five working days of the receipt of the test results. The employer must also inform you that the standard requires temporary medical removal with economic protection when your PbB exceeds certain criteria (see Discussion of Medical Removal Protection - subsection (12)). During the first year of the standard, this removal criterion is 80 µg/100g. Anytime your PbB exceeds 80 µg/100g your employer must make available to you a prompt follow-up PbB test to ascertain your PbB. If the two tests both exceed 80 µg/100g and you are temporarily removed, then your employer must make successive PbB tests available to you on a monthly basis during the period of your removal.

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(E) Medical examinations beyond the initial one must be made available on an annual basis if your blood lead levels exceeds 40µg/100g at any time during the preceding year. The initial examination will provide information to establish a baseline to which subsequent data can be compared. An initial medical examination must also be made available (prior to assignment) for each employee being assigned for the first time to an area where the airborne concentration of lead equals or exceeds the action level. In addition, a medical examination or consultation must be made available as soon as possible if you notify your employer that you are experiencing signs or symptoms commonly associated with lead poisoning or that you have difficulty breathing while wearing a respirator or during a respirator fit test. You must also be provided a medical examination or consultation if you notify your employer that you desire medical advice concerning the effects of current or past exposure to lead on your ability to procreate a healthy child.

(F) Finally, appropriate follow-up medical examinations or consultations may also be provided for employees who have been temporarily removed from exposure under the medical removal protection provisions of the standard (see item (ix) below).

(G) The standard specifies the minimum content of preassignment and annual medical examinations. The content of other types of medical examinations and consultations is left up to the sound discretion of the examining physician. Preassignment and annual medical examinations must include (I) a detailed work history and medical history, (II) a thorough physical examination, and (III) a series of laboratory tests designed to check your blood chemistry and your kidney function. In addition, at any time upon your request, a laboratory evaluation of male fertility will be made (microscopic examination of a sperm sample), or a pregnancy test will be given.

(H) The standard does not require that you participate in any of the medical procedures, tests, etc., which your employer is required to make available to you. Medical surveillance can, however, play a very important role in protecting your health. You are strongly encouraged, therefore, to participate in a meaningful fashion. Generally, your employer will choose the physician who conducts medical surveillance under the lead standard - unless you and your employer can agree on the choice of a physician or physicians. Some companies and unions have agreed in advance, for example, to use certain independent medical laboratories or panels of physicians. Any of these arrangements are acceptable so long as required medical surveillance is made available to workers.

(I) The standard requires your employer to provide certain information to a physician to aid in his or her examination of you. This information includes (I) the standard and its appendices, (II) a description of your duties as they relate to lead exposure, (III) your exposure level, (IV) a description of personal protective equipment you wear, (V) prior blood level results, and (VI) prior written medical opinions concerning you that the employer has. After a medical examination or consultation the physician must prepare a written report which must contain (I) the physician's opinion as to whether you have any medical conditions which places you at increased risk of material impairment to health from exposure to lead, (II) any recommended special protective measures to be provided to you, (III) any blood lead level determinations, and (IV) any recommended limitation on your use of respirators. This last element must include a determination of whether you can wear a powered air purifying respirator (PAPR) if you are found unable to wear a negative pressure respirator.

(J) The medical surveillance program of the lead standard may at some point in time serve to notify certain workers that they have acquired a disease or other adverse medical condition as a result of occupational lead exposure. If this is true these workers might have legal rights to compensation from public agencies, their employers, firms that supply hazardous products to their employers, or other persons. Some states have laws, including worker compensation laws, that disallow a worker to learn of a job-related health impairment to sue, unless the worker sues within a short period of time after learning of the impairment. (This period of time may be a matter of months or years.) An attorney can be consulted about these possibilities. It should be stressed that WISHA is in no way trying to either encourage or discourage claims or lawsuits. However, since results of the standard's medical surveillance program can significantly affect the legal remedies of a worker who has acquired a job-related disease or impairment, it is proper for WISHA to make you aware of this.

(K) The medical surveillance section of the standard also contains provisions dealing with chelation. Chelation is the use of certain drugs (administered in pill form or injected into the body) to reduce the amount of lead absorbed in body tissues. Experience accumulated by the medical and scientific communities has largely confirmed the effectiveness of this type of therapy for the treatment of very severe lead poisoning. On the other hand it has also been established that there can be a long list of extremely harmful side effects associated with the use of chelating agents. The medical community has balanced the advantages and disadvantages resulting from the use of chelating agents in various circumstances and has established when the use of these agents is acceptable. The standard includes these accepted limitations due to a history of abuse of chelation therapy by some lead companies. The most widely used chelating agents are calcium disodium EDTA, (Ca Na_2EDTA), Calcium Disodium Versenate (Versenate), and d-penicillamine (penicillamine or Cupramine).

(L) The standard prohibits "prophylactic chelation" of any employee by any person the employer retains, supervises or controls. "Prophylactic chelation" is the routine use of chelating or similarly acting drugs to prevent elevated blood levels in workers who are occupationally exposed to lead, or the use of these drugs to routinely lower blood lead levels to predesignated concentrations believed to be safe. It should be emphasized that where an employer takes a worker who has no symptoms of lead poisoning and has chelation carried out by a physician (either inside or outside of a hospital) solely to reduce the worker's blood lead level, that will generally be considered prophylactic chelation. The use of a hospital and a physician does not mean that prophylactic chelation is not being performed. Routine chelation to prevent increased or

reduce current blood lead levels is unacceptable whatever the setting.

(M) The standard allows the use of "therapeutic" or "diagnostic" chelation if administered under the supervision of a licensed physician in a clinical setting with thorough and appropriate medical monitoring. Therapeutic chelation responds to severe lead poisoning where there are marked symptoms. Diagnostic chelation, involves giving a patient a dose of the drug then collecting all urine excreted for some period of time as an aid to the diagnosis of lead poisoning.

(N) In cases where the examining physician determines that chelation is appropriate, you must be notified in writing of this fact before such treatment. This will inform you of a potentially harmful treatment, and allow you to obtain a second opinion.

(ix) Medical removal protection.

(A) Excessive lead absorption subjects you to increased risk of disease. Medical removal protection (MRP) is a means of protecting you when for whatever reasons, other methods, such as engineering controls, work practices, and respirators, have failed to provide the protection you need. MRP involves the temporary removal of a worker from his or her regular job to a place of significantly lower exposure without any loss of earnings, seniority, or other employment rights of benefits. The purpose of this program is to cease further lead absorption and allow your body to naturally excrete lead which has previously been absorbed. Temporary medical removal can result from an elevated blood lead level, or a medical opinion. Up to eighteen months of protection is provided as a result of either form of removal. The vast majority of removed workers, however, will return to their former jobs long before this eighteen month period expires. The standard contains special provisions to deal with the extraordinary but possible case where a long-term worker's blood lead level does not adequately decline during eighteen months of removal.

(B) During the first year of the standard, if your blood lead level is 80 µg/100g or above you must be removed from any exposure where your air lead level without a respirator would be 100 µg/m³ or above. If you are removed from your normal job you may not be returned until your blood lead level declines to at least 60 µg/100g. These criteria for removal and return will change according to the following schedule:

TABLE 1

Effective Date	Removal Blood Level (µg/100g)	Air Lead (µg/m³)	Return Blood Lead (µg/100g)
9/6/81	At or above 70	50 or above	At or below 50
9/6/82	At or above 60	30 or above	At or below 40
9/6/84	At or above 50 averaged over six months	30 or above	At or below 40

(C) You may also be removed from exposure even if your blood lead levels are below these criteria if a final medical determination indicates that you temporarily need reduced lead exposure for medical reasons. If the physician who is implementing your employer's medical program makes a final written opinion recommending your removal or other special protective measures, your employer must implement the physician's recommendation. If you are removed in this manner, you may only be returned when the physician indicates it is safe for you to do so.

(D) The standard does not give specific instructions dealing with what an employer must do with a removed worker. Your job assignment upon removal is a matter for you, your employer and your union (if any) to work out consistent with existing procedures for job assignments. Each removal must be accomplished in a manner consistent with existing collective bargaining relationships. Your employer is given broad discretion to implement temporary removals so long as no attempt is made to override existing agreements. Similarly, a removed worker is provided no right to veto an employer's choice which satisfies the standard.

(E) In most cases, employers will likely transfer removed employees to other jobs with sufficiently low lead exposure. Alternatively, a worker's hours may be reduced so that the time weighted average exposure is reduced, or he or she may be temporarily laid off if no other alternative is feasible.

(F) In all of these situations, MRP benefits must be provided during the period of removal - i.e., you continue to receive the same earnings, seniority, and other rights and benefits you would have had if you had not been removed. Earnings include more that just your base wage; it includes overtime, shift differentials, incentives, and other compensation you would have earned if you had not been removed. During the period of removal you must also be provided with appropriate follow-up medical surveillance. If you were removed because your blood lead level was too high, you must be provided with a monthly blood test. If a medical opinion caused your removal, you must be provided medical tests or examinations that the physician believes to be appropriate. If you do not participate in this follow-up medical surveillance, you may lose your eligibility for MRP benefits.

(G) When you are medically eligible to return to your former job, your employer must return you to your "former job status." This means that you are entitled to the position, wages, benefits, etc., you would have had if you had not been removed. If you would still be in your old job if no removal had occurred, that is where you go back. If not, you are returned consistent with whatever job assignment discretion your employer would have had if no removal had occurred. MRP only seeks to maintain your rights, not expand them or diminish them.

(H) If you are removed under MRP and you are also eligible for worker compensation or other compensation for lost wages, your employer's MRP benefits obligation is reduced by the amount that you actually receive from these other sources. This is also true if you obtain other employment during the time you are laid off with MRP benefits.

(I) The standard also covers situations where an employer voluntarily removes a worker from exposure to lead due to the effects of lead on the employee's medical condition, even though the standard does not require removal. In these situations MRP benefits must still be provided as though the standard required removal. Finally, it is important to note that in all cases where removal is required, respirators cannot be used as a substitute. Respirators may be used before removal becomes necessary, but not as an alternative

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to a transfer to a low exposure job, or to a lay-off with MRP benefits.

(x) Employee information and training.

(A) Your employer is required to provide an information and training program for all employees exposed to lead above the action level or who may suffer skin or eye irritation from lead. This program must inform these employees of the specific hazards associated with their work environment, protective measures which can be taken, the danger of lead to their bodies (including their reproductive systems), and their rights under the standard. In addition, your employer must make readily available to all employees, including those exposed below the action level, a copy of the standard and its appendices and must distribute to all employees any materials provided to the employer under the Washington Industrial Safety and Health Act (WISHA).

(B) Your employer is required to complete this training for all employees by March 4, 1981. After this date, all new employees must be trained prior to initial assignment to areas where there is possibility of exposure over the action level. This training program must also be provided at least annually thereafter.

(xi) Signs. The standard requires that the following warning sign be posted in work areas where the exposure to lead exceeds the PEL:

WARNING
LEAD WORK AREA
NO SMOKING OR EATING

(xii) Recordkeeping.

(A) Your employer is required to keep all records of exposure monitoring for airborne lead. These records must include the name and job classification of employees measured, details of the sampling and analytic techniques, the results of this sampling and the type of respiratory protection being worn by the person sampled. Your employer is also required to keep all records of biological monitoring and medical examination results. These must include the names of the employees, the physician's written opinion and a copy of the results of the examination. All of the above kinds of records must be kept for 40 years, or for at least 20 years after your termination of employment, whichever is longer.

(B) Recordkeeping is also required if you are temporarily removed from your job under the MRP program. This record must include your name and social security number, the date of your removal and return, how the removal was or is being accomplished, and whether or not the reason for the removal was an elevated blood lead level. Your employer is required to keep each medical removal record only for as long as the duration of an employee's employment.

(C) The standard requires that if you request to see or copy environmental monitoring, blood lead level monitoring, or medical removal records, they must be made available to you or to a representative that you authorize. Your union also has access to these records. Medical records other than PbBs must also be provided to you upon request, to your physician or to any other person whom you may specifically designate. Your union does not have access to your personal medical records unless you authorize their access.

(xiii) Observations of monitoring. When air monitoring for lead is performed at your work place as required by this standard, your employer must allow you or someone you designate to act as an observer of the monitoring. Observers are entitled to an explanation of the measurement procedure, and to record the results obtained. Since results will not normally be available at the time of the monitoring, observers are entitled to record or receive the results of the monitoring when returned by the laboratory. Your employer is required to provide the observer with any personal protective devices required to be worn by employees working in the areas that is being monitored. The employer must require the observer to wear all such equipment and to comply with all other applicable safety and health procedures.

(xiv) Effective date. The standard's effective date is September 6, 1980, and the employer's obligation under the standard begin to come into effect as of that date. The standard was originally adopted as WAC 296-62-07349 and later recodified to WAC 296-62-07521.

(c) Appendix C. Medical Surveillance Guidelines.

(i) Introduction.

(A) The primary purpose of the Washington Industrial Safety and Health Act of 1973 is to assure, so far as possible, safe and healthful working conditions for every working man and woman. The occupational health standard for inorganic lead* was promulgated to protect workers exposed to inorganic lead including metallic lead, all inorganic lead compounds and organic lead soaps.

*The term inorganic lead used throughout the medical surveillance appendices is meant to be synonymous with the definition of lead set forth in the standard.

(B) Under this final standard in effect as of September 6, 1980, occupational exposure to inorganic lead is to be limited to 50 $\mu g/m^3$ (micrograms per cubic meter) based on an eight-hour time-weighted average (TWA). This level of exposure eventually must be achieved through a combination of engineering, work practice and other administrative controls. Periods of time ranging from one to ten years are provided for different industries to implement these controls which are based on individual industry considerations. Until these controls are in place, respirators must be used to meet the 50 $\mu g/m^3$ exposure limit.

(C) The standard also provides for a program of biological monitoring and medical surveillance for all employees exposed to levels of inorganic lead above the action level of 30 $\mu g/m^3$ for more than thirty days per year.

(D) The purpose of this document is to outline the medical surveillance provisions of the standard for inorganic lead, and to provide further information to the physician regarding the examination and evaluation of workers exposed to inorganic lead.

(E) Item (ii) provides a detailed description of the monitoring procedure including the required frequency of blood testing for exposed workers, provisions for medical removal protection (MRP), the recommended right of the employee to a second medical opinion, and notification and recordkeeping requirements of the employer. A discussion of the requirements for respirator use and respirator monitoring and WISHA's position on prophylactic chelation therapy are also included in this section.

(F) Item (iii) discusses the toxic effects and clinical manifestations of lead poisoning and effects of lead intoxication on enzymatic pathways in heme synthesis. The adverse effects on both male and female reproductive capacity and on the fetus are also discussed.

(G) Item (iv) outlines the recommended medical evaluation of the worker exposed to inorganic lead including details of the medical history, physical examination, and recommended laboratory tests, which are based on the toxic effects of lead as discussed in item (ii).

(H) Item (v) provides detailed information concerning the laboratory tests available for the monitoring of exposed workers. Included also is a discussion of the relative value of each test and the limitations and precautions which are necessary in the interpretation of the laboratory results.

(I) Airborne levels to be achieved without reliance or respirator protection through a combination of engineering and work practice or other administrative controls are illustrated in the following table:

Industry	Permissible Lead Level/Compliance Date		
	200 $\mu g/m^3$	100 $\mu g/m^3$	50 $\mu g/m^3$
Primary Lead Production	1973	06/29/84	06/29/91
Secondary Lead Production	1973	06/29/84	06/29/91
Lead Acid Battery Manufacturing	1973	06/29/83	06/29/91
Automobile Mfg./Solder, Grinding	1973	N/A	03/08/97
Electronics, Gray Iron Foundries, Ink Mfg., Paints and Coatings Mfg., Can Mfg., Wallpaper Mfg., and Printing.	1973	N/A	06/29/91
Lead Chemical Mfg., Nonferrous Foundries, Leaded Steel Mfg., Battery Breaking in the Collection and Processing of Scrap (when not a part of secondary lead smelter) Secondary Copper Smelter, Brass and Bronze Ingot Production.	1973	N/A	N/A[1]*
All Other Industries	1973	N/A	09/08/92

* Feasibility of achieving the PEL by engineering and work practice controls for these industries has yet to be resolved in court, therefore no date has been scheduled.

(ii) Medical surveillance and monitoring requirements for workers exposed to inorganic lead.

(A) Under the occupational health standard for inorganic lead, a program of biological monitoring and medical surveillance is to be made available to all employees exposed to lead above the action level of 30 $\mu g/m^3$ TWA for more than thirty days each year. This program consists of periodic blood sampling and medical evaluation to be performed on a schedule which is defined by previous laboratory results, worker complaints or concerns, and the clinical assessment of the examining physician.

(B) Under this program, the blood lead level of all employees who are exposed to lead above the action level of 30 $\mu g/m^3$ is to be determined at least every six months. The frequency is increased to every two months for employees whose last blood lead level was between 40$\mu g/100g$ whole blood and the level requiring employee medical removal to be discussed below. For employees who are removed from exposure to lead due to an elevated blood lead, a new blood lead level must be measured monthly. Zinc protoporphyrin (ZPP) measurement is required on each occasion that a blood lead level measurement is made.

(C) An annual medical examination and consultation performed under the guidelines discussed in item (iv) is to be made available to each employee for whom a blood test conducted at any time during the preceding twelve months indicated a blood lead level at or above 40 $\mu g/100g$. Also, an examination is to be given to all employees prior to their assignment to an area in which airborne lead concentrations reach or exceed the action level. In addition, a medical examination must be provided as soon as possible after notification by an employee that the employee has developed signs or symptoms commonly associated with lead intoxication, that the employee desires medical advice regarding lead exposure and the ability to procreate a healthy child, or that the employee has demonstrated difficulty in breathing during a respirator fitting test or during respirator use. An examination is also to be made available to each employee removed from exposure to lead due to a risk of sustaining material impairment to health, or otherwise limited or specially protected pursuant to medical recommendations.

(D) Results of biological monitoring or the recommendations of an examining physician may necessitate removal of an employee from further lead exposure pursuant to the standard's medical removal program (MRP). The object of the MRP program is to provide temporary medical removals to workers either with substantially elevated blood lead levels or otherwise at risk of sustaining material health impairment from continued substantial exposure to lead. The following guidelines which are summarized in Table 10 were created under the standard for the temporary removal of an exposed employee and his or her subsequent return to work in an exposure area.

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TABLE 10

		EFFECTIVE DATE				
		Sept. 6, 1980	Sept. 6, 1981	Sept. 6, 1982	Sept. 6, 1983	Sept. 6, 1984
A.	Blood lead level requiring employee medical removal (level must be confirmed with second follow-up blood lead level within two weeks of first report).	>80 µg/100g.	>70 µg/100g.	>60 µg/100g.	>60 µg/100g.	>60 µg/100g or average of last three blood samples or all blood samples over previous 6 months (whichever is over a longer time period) is 50 µg/100g. or greater unless last sample is 40 µg/100g or less.
B.	Frequency which employees exposed is action level of lead (30 µg/m[8] TWA) must have blood lead level checked. (ZPP is also required in each occasion that a blood test is obtained):					
	1. Last blood lead level less than 40 µg/100g	Every 6 months.	Every 6 months.	Every 6 months.	Every 6 months.	Every 6 months.
	2. Last blood lead level between 40 µg/100g and level requiring medical removal (see A above)	Every 2 months.	Every 2 months.	Every 2 months.	Every 2 months.	Every 2 months.
	3. Employees removed from exposure to lead because of an elevated blood lead level.....	Every 1 month.	Every 1 month.	Every 1 month.	Every 1 month.	Every 1 month.
C.	Permissible airborne exposure limit for workers removed from work due to an elevated blood lead level (without regard to respirator protection).	100 µg/m³ 8 hr TWA	50 µg/m³ 8 hr TWA	30 µg/m³ 8 hr TWA	30 µg/m³ 8 hr TWA	30 µg/m³ 8 hr TWA
D.	Blood lead level confirmed with a second blood analysis, at which employee may return to work. Permissible exposure without regard to respirator protection is listed by industry in Table 1.	60 µg/100g	50 µg/100g	40 µg/100g	40 µg/100g	40 µg/100g

Note: Where medical opinion indicates that an employee is at risk of material impairment from exposure to lead, the physician can remove an employee from exposure exceeding the action level (or less) or recommend special protective measures as deemed appropriate and necessary. Medical monitoring during the medical removal period can be more stringent than noted in the table above if the physician so specifies. Return to work or removal of limitations and special protections is permitted when the physician indicates that the worker is no longer at risk of material impairment.

(E) Under the standard's ultimate worker removal criteria, a worker is to be removed from any work having any eight-hour TWA exposure to lead of 30 µg/m³ or more whenever either of the following circumstances apply. (I) a blood lead level of 60 µg/100g or greater is obtained and confirmed by a second follow-up blood lead level performed within two weeks after the employer receives the results of the first blood sample test, or (II) the average of the previous three blood lead determinations or the average of all blood lead determinations conducted during the previous six months, whichever encompasses the longest time period, equals or exceeds 50 µg/100g, unless the last blood sample indicates a blood lead level at or below 40 µg/100g, in which case the employee need not be removed. Medical removal is to continue until two consecutive blood lead levels are 40 µg/100g or less.

(F) During the first two years that the ultimate removal criteria are being phased in, the return criteria have been set to assure that a worker's blood lead level has substantially declined during the period of removal. From March 1, 1979, to March 1, 1980, the blood lead level requiring employee medical removal is 80 µg/100g. Workers found to have a confirmed blood lead at this level or greater need only be removed from work having a daily eight hour TWA exposure to lead at or above 100 µg/m³. Workers so removed are to be returned to work when their blood lead levels are at or below

60 µg/100g of whole blood. From March 1, 1980, to March 1, 1981, the blood lead level requiring medical removal is 70 µg/100g. During this period workers need only be removed from jobs having a daily eight hour TWA exposure to lead at or above 50 µg/m³ and are to be returned to work when a level of 50 µg/100g is achieved. Beginning March 1, 1981, return depends on the worker's blood lead level declining to 40 µg/100g of whole blood.

(G) As part of the standard, the employer is required to notify in writing each employee whose whole blood lead level exceeds 40 µg/100g. In addition, each such employee is to be informed that the standard requires medical removal with MRP benefits, discussed below, when an employee's blood lead level exceeds the above defined limits.

(H) In addition to the above blood lead level criteria, temporary worker removal may also take place as a result of medical determinations and recommendations. Written medical opinions must be prepared after each examination pursuant to the standard. If the examining physician includes medical finding, determination or opinion that the employee has a medical condition which places the employee at increased risk of material health impairment from exposure to lead, then the employee must be removed from exposure to lead at or above the action level. Alternatively, if the examining physician recommends special protective measures for an employee (e.g., use of a powered air purifying respirator) or recommends limitations on an employee's exposure to lead, then the employer must implement these recommendations. Recommendations may be more stringent than the specific provisions of the standard. The examining physician, therefore, is given broad flexibility to tailor special protective procedures to the needs of individual employees. This flexibility extends to the evaluation and management of pregnant workers and male and female workers who are planning to conceive children. Based on the history, physical examination, and laboratory studies, the physician might recommend special protective measures or medical removal for an employee who is pregnant or who is planning to conceive a child when, in the physician's judgment, continued exposure to lead at the current job would pose a significant risk. The return of the employee to his or her former job status, or the removal of special protections or limitations, depends upon the examining physician determining that the employee is no longer at increased risk of material impairment or that the special measures are no longer needed.

(I) During the period of any form of special protection or removal, the employer must maintain the worker's earnings, seniority, and other employment rights and benefits (as though the worker has not been removed) for a period of up to eighteen months. This economic protection will maximize meaningful worker participation in the medical surveillance program, and is appropriate as part of the employer's overall obligation to provide a safe and healthful work place. The provisions of MRP benefits during the employee's removal period may, however, be conditioned upon participation in medical surveillance.

(J) On rare occasions, an employee's blood lead level may not acceptably decline within eighteen months of removal. This situation will arise only in unusual circumstances, thus the standard relies on an individual medical examination to determine how to protect such an employee. This medical determination is to be based on both laboratory values, including lead levels, zinc protoporphyrin levels, blood counts, and other tests felt to be warranted, as well as the physician's judgment that any symptoms or findings on physical examination are a result of lead toxicity. The medical determination may be that the employee is incapable of ever safely returning to his or her former job status. The medical determination may provide additional removal time past eighteen months for some employees or specify special protective measures to be implemented.

(K) The lead standard provides for a multiple physician review in cases where the employee wishes a second opinion concerning potential lead poisoning or toxicity. If an employee wishes a second opinion, he or she can make an appointment with a physician of his or her choice. This second physician will review the findings, recommendations or determinations of the first physician and conduct any examinations, consultations or tests deemed necessary in an attempt to make a final medical determination. If the first and second physicians do not agree in their assessment they must try to resolve their differences. If they cannot reach an agreement then they must designate a third physician to resolve the dispute.

(L) The employer must provide examining and consulting physicians with the following specific information: A copy of the lead regulations and all appendices, a description of the employee's duties as related to exposure, the exposure level to lead and any other toxic substances (if applicable), a description of personal protective equipment used, blood lead levels, and all prior written medical opinions regarding the employee in the employer's possession or control. The employer must also obtain from the physician and provide the employee with a written medical opinion containing blood lead levels, the physician's opinion as to whether the employee is at risk of material impairment to health, any recommended protective measures for the employee if further exposure is permitted, as well as any recommended limitations upon an employee's use of respirators.

(M) Employers must instruct each physician not to reveal to the employer in writing or in any other way his or her findings, laboratory results, or diagnoses which are felt to be unrelated to occupational lead exposure. They must also instruct each physician to advise the employee of any occupationally or nonoccupationally related medical condition requiring further treatment or evaluation.

(N) The standard provides for the use of respirators when engineering and other primary controls have not been fully implemented. However, the use of respirator protection shall not be used in lieu of temporary medical removal due to elevated blood lead levels or findings that an employee is at risk of material health impairment. This is based on the numerous inadequacies of respirators including skin rash where the facepiece makes contact with the skin, unacceptable stress to breathing in some workers with underlying cardiopulmonary impairment, difficulty in providing adequate fit, the tendency for respirators to create additional hazards by interfering with vision, hearing, and mobility, and the difficulties of assuring the maximum effectiveness of a complicated work practice program involving respirators. Respirators do, however,

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serve a useful function where engineering and work practice are inadequate by providing interim or short-term protection, provided they are properly selected for the environment in which the employee will be working, properly fitted to the employee, maintained and cleaned periodically, and worn by the employee when required.

(O) In its final standard on occupational exposure to inorganic lead, WISHA has prohibited prophylactic chelation. Diagnostic and therapeutic chelation are permitted only under the supervision of a licensed physician with appropriate medical monitoring in an acceptable clinical setting. The decision to initiate chelation therapy must be made on an individual basis and take into account the severity of symptoms felt to be a result of lead toxicity along with blood lead levels, ZPP levels and other laboratory tests as appropriate. EDTA and penicillamine, which are the primary chelating agents used in the therapy of occupational lead poisoning, have significant potential side effects and their use must be justified on the basis of expected benefits to the worker.

(P) Unless frank and severe symptoms are present, therapeutic chelation is not recommended given the opportunity to remove a worker from exposure and allow the body to naturally excrete accumulated lead. As a diagnostic aid, the chelation mobilization test using CA-EDTA has limited applicability. According to some investigators, the tests can differentiate between lead-induced and other nephropathies. The test may also provide an estimation of the mobile fraction of the total body lead burden.

(Q) Employers are required to assure that accurate records are maintained on exposure monitoring, medical surveillance, and medical removal for each employee. Exposure monitoring and medical surveillance records must be kept for forty years or the duration of employment plus twenty years, whichever is longer, while medical removal records must be maintained for the duration of employment. All records required under the standard must be made available upon request to representatives of the director of the department of labor and industries. Employers must also make environmental and biological monitoring and medical removal records available to affected employees and to former employees or their authorized employee representatives. Employees or their specifically designated representatives have access to their entire medical surveillance records.

(R) In addition, the standard requires that the employer inform all workers exposed to lead at or above the action level of the provisions of the standard and all its appendices, the purpose and description of medical surveillance and provisions for medical removal protection if temporary removal is required. An understanding of the potential health effects of lead exposure by all exposed employees along with full understanding of their rights under the lead standard is essential for an effective monitoring program.

(iii) Adverse health effects of inorganic lead.

(A) Although the toxicity of lead has been known for 2,000 years, the knowledge of the complex relationship between lead exposure and human response is still being refined. Significant research into the toxic properties of lead continues throughout the world, and it should be anticipated that our understanding of thresholds of effects and margins of safety will be improved in future years. The provisions of the lead standard are founded on two prime medical judgments; first, the prevention of adverse health effects from exposure to lead throughout a working lifetime requires that worker blood lead levels be maintained at or below 40 µg/100g, and second, the blood lead levels of workers, male or female, who intend to parent in the near future should be maintained below 30 µg/100g to minimize adverse reproduction health effects to the parent and developing fetus. The adverse effects of lead on reproduction are being actively researched and WISHA encourages the physician to remain abreast of recent developments in the area to best advise pregnant workers or workers planning to conceive children.

(B) The spectrum of health effects caused by lead exposure can be subdivided into five developmental states; normal, physiological changes of uncertain significance, pathophysiological changes, overt symptoms (morbidity), and mortality. Within this process there are no sharp distinctions, but rather a continuum of effects. Boundaries between categories overlap due to the wide variation of individual responses and exposures in the working population. WISHA's development of the lead standard focused on pathophysiological changes as well as later stages of disease.

(I) Heme synthesis inhibition.

a) The earliest demonstrated effect of lead involves its ability to inhibit at least two enzymes of the heme synthesis pathway at very low blood levels. Inhibition of delta aminolevulinic acid dehydrase (ALA-D) which catalyzes the conversion of delta-aminolevulinic acid (ALA) to protoporphyrin is observed at a blood lead level below 20µg/100g whole blood. At a blood lead level of 40 µg/100g, more than twenty percent of the population would have seventy percent inhibition of ALA-D. There is an exponential increase in ALA excretion at blood lead levels greater than 40 µg/100g.

b) Another enzyme, ferrochelatase, is also inhibited at low blood lead levels. Inhibition of ferrochelatase leads to increased free erythrocyte protoporphyrin (FEP) in the blood which can then bind to zinc to yield zinc protoporphyrin. At a blood lead level of 50 µg/100g or greater, nearly 100 percent of the population will have an increase FEP. There is also an exponential relationship between blood lead levels greater than 40 µg/100g and the associated ZPP level, which has led to the development of the ZPP screening test for lead exposure.

c) While the significance of these effects is subject to debate, it is WISHA's position that these enzyme disturbances are early stages of a disease process which may eventually result in the clinical symptoms of lead poisoning. Whether or not the effects do progress to the later stages of clinical disease, disruption of these enzyme processes over a working lifetime is considered to be a material impairment of health.

d) One of the eventual results of lead-induced inhibition of enzymes in the heme synthesis pathway is anemia which can be asymptomatic if mild but associated with a wide array of symptoms including dizziness, fatigue, and tachycardia when more severe. Studies have indicated that lead levels as low as 50 µg/100g can be associated with a definite decreased hemoglobin, although most cases of lead-induced anemia, as well as shortened red-cell survival times, occur at lead levels

exceeding 80 µg/100g. Inhibited hemoglobin synthesis is more common in chronic cases whereas shortened erythrocyte life span is more common in acute cases.

e) In lead-induced anemias, there is usually a reticulocytosis along with the presence of basophilic stippling, and ringed sideroblasts, although none of the above are pathognomonic for lead-induced anemia.

(II) Neurological effects.

a) Inorganic lead had been found to have toxic effects on both the central and peripheral nervous systems. The earliest stage of lead-induced central nervous system effects first manifest themselves in the form of behavioral disturbances and central nervous system symptoms including irritability, restlessness, insomnia and other sleep disturbances, fatigue, vertigo, headache, poor memory, tremor, depression, and apathy. With more severe exposure, symptoms can progress to drowsiness, stupor, hallucinations, delirium, convulsions and coma.

b) The most severe and acute form of lead poisoning which usually follows ingestion or inhalation of large amounts of lead is acute encephalopathy which may arise precipitously with the onset of intractable seizures, coma, cardiorespiratory arrest, and death within 48 hours.

c) While there is disagreement about what exposure levels are needed to produce the earliest symptoms, most experts agree that symptoms definitely can occur at blood lead levels of 60 µg/100g whole blood and therefore recommend a 40 µg/100g maximum. The central nervous system effects frequently are not reversible following discontinued exposure or chelation therapy and when improvement does occur, it is almost always only partial.

d) The peripheral neuropathy resulting from lead exposure characteristically involves only motor function with minimal sensory damage and has a marked predilection for the extensor muscles of the most active extremity. The peripheral neuropathy can occur with varying degrees of severity. The earliest and mildest form which can be detected in workers with blood lead levels as low as 50 µg/100g is manifested by slowing or motor nerve conduction velocity often without clinical symptoms. With progression of the neuropathy there is development of painless extensor muscle weakness usually involving the extensor muscles of the fingers and hand in the most active upper extremity, followed in severe cases by wrist drop, much less commonly, foot drop.

e) In addition to slowing of nerve conduction, electromyographical studies in patients with blood lead levels greater than 50 µg/100g have demonstrated a decrease in the number of acting motor unit potentials, an increase in the duration of motor unit potentials, and spontaneous pathological activity including fibrillations and fasciculation. Whether these effects occur at levels of 40 µg/100g is undetermined.

f) While the peripheral neuropathies can occasionally be reversed with therapy, again such recovery is not assured particularly in the more severe neuropathies and often improvement is only partial. The lack of reversibility is felt to be due in part to segmental demyelination.

(III) Gastrointestinal. Lead may also effect the gastrointestinal system producing abdominal colic or diffuse abdominal pain, constipation, obstipation, diarrhea, anorexia, nausea and vomiting. Lead colic rarely develops at blood lead levels below 80 µg/100g.

(IV) Renal.

a) Renal toxicity represents one of the most serious health effects of lead poisoning. In the early stages of disease nuclear inclusion bodies can frequently be identified in proximal renal tubular cells. Renal functions remain normal and the changes in this stage are probably reversible. With more advanced disease there is progressive interstitial fibrosis and impaired renal function. Eventually extensive interstitial fibrosis ensues with sclerotic glomeruli and dilated and atrophied proximal tubules; all represent end stage kidney disease. Azotemia can be progressive, eventually resulting in frank uremia necessitating dialysis. There is occasionally associated hypertension and hyperuricemia with or without gout.

b) Early kidney disease is difficult to detect. The urinalysis is normal in early lead nephropathy and the blood urea nitrogen and serum creatinine increase only when two-thirds of kidney function is lost. Measurement of creatinine clearance can often detect earlier disease as can other methods of measurement of glomerular filtration rate. An abnormal Ca-EDTA mobilization test has been used to differentiate between lead-induced and other nephropathies, but this procedure is not widely accepted. A form of Fanconi syndrome with aminoaciduria, glycosuria, and hyperphosphaturia indicating severe injury to the proximal renal tubules is occasionally seen in children.

(V) Reproductive effects.

a) Exposure to lead can have serious effects on reproductive function in both males and females. In male workers exposed to lead there can be a decrease in sexual drive, impotence, decreased ability to produce healthy sperm, and sterility. Malformed sperm (teratospermia), decreased number of sperm (hypospermia), and sperm with decreased motility (asthenospermia) can occur. Teratospermia has been noted at mean blood lead levels of 53 µg/100g and hypospermia and asthenospermia at 41 µg/100g. Furthermore, there appears to be a dose-response relationship for teratospermia in lead exposed workers.

b) Women exposed to lead may experience menstrual disturbances including dysmenorrhea, menorrhagia and amenorrhea. Following exposure to lead, women have a higher frequency of sterility, premature births, spontaneous miscarriages, and stillbirths.

c) Germ cells can be affected by lead and cause genetic damage in the egg or sperm cells before conception and result in failure to implant, miscarriage, stillbirth, or birth defects.

d) Infants of mothers with lead poisoning have a higher mortality during the first year and suffer from lowered birth weights, slower growth, and nervous system disorders.

e) Lead can pass through the placental barrier and lead levels in the mother's blood are comparable to concentrations of lead in the umbilical cord at birth. Transplacental passage becomes detectable at 12-14 weeks of gestation and increases until birth.

f) There is little direct data on damage to the fetus from exposure to lead but it is generally assumed that the fetus and newborn would be at least as susceptible to neurological damage as young children. Blood lead levels of 50-60

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μg/100g in children can cause significant neurobehavioral impairments, and there is evidence of hyperactivity at blood levels as low as 25 μg/100g. Given the overall body of literature concerning the adverse health effects of lead in children, WISHA feels that the blood lead level in children should be maintained below 30 μg/100g with a population mean of 15 μg/100g. Blood lead levels in the fetus and newborn likewise should not exceed 30 μg/100g.

g) Because of lead's ability to pass through the placental barrier and also because of the demonstrated adverse effects of lead on reproductive function in both males and females as well as the risk of genetic damage of lead on both the ovum and sperm, WISHA recommends a 30 μg/100g maximum permissible blood lead level in both males and females who wish to bear children.

(IV) Other toxic effects.

a) Debate and research continue on the effects of lead on the human body. Hypertension has frequently been noted in occupationally exposed individuals although it is difficult to assess whether this is due to lead's adverse effects on the kidneys or if some other mechanism is involved.

b) Vascular and electrocardiographic changes have been detected but have not been well characterized. Lead is thought to impair thyroid function and interfere with the pituitary-adrenal axis, but again these effects have not been well defined.

(iv) Medical evaluation.

(A) The most important principle in evaluating a worker for any occupational disease including lead poisoning is a high index of suspicion on the part of the examining physician. As discussed in Section (ii), lead can affect numerous organ systems and produce a wide array of signs and symptoms, most of which are nonspecific and subtle in nature at least in the early stages of disease. Unless serious concern for lead toxicity is present, many of the early clues to diagnosis may easily be overlooked.

(B) The crucial initial step in the medical evaluation is recognizing that a worker's employment can result in exposure to lead. The worker will frequently be able to define exposures to lead and lead-containing materials but often will not volunteer this information unless specifically asked. In other situations the worker may not know of any exposures to lead but the suspicion might be raised on the part of the physician because of the industry or occupation of the worker. Potential occupational exposure to lead and its compounds occur in at least 120 occupations, including lead smelting, the manufacture of lead storage batteries, the manufacture of lead pigments and products containing pigments, solder manufacture, shipbuilding and ship repair, auto manufacturing, construction, and painting.

(C) Once the possibility for lead exposure is raised, the focus can then be directed toward eliciting information from the medical history, physical exam, and finally from laboratory data to evaluate the worker for potential lead toxicity.

(D) A complete and detailed work history is important in the initial evaluation. A listing of all previous employment with information on work processes, exposure to fumes or dust, known exposures to lead or other toxic substances, respiratory protection used, and previous medical surveillance should all be included in the worker's record. Where exposure to lead is suspected, information concerning on-the-job personal hygiene, smoking or eating habits in work areas, laundry procedures, and use of any protective clothing or respiratory protection equipment should be noted. A complete work history is essential in the medical evaluation of a worker with suspected lead toxicity, especially when long-term effects such as neurotoxicity and nephrotoxicity are considered.

(E) The medical history is also of fundamental importance and should include a listing of all past and current medical conditions, current medications including proprietary drug intake, previous surgeries and hospitalizations, allergies, smoking history, alcohol consumption, and also nonoccupational lead exposures such as hobbies (hunting, riflery). Also known childhood exposures should be elicited. Any previous history of hematological, neurological, gastrointestinal, renal, psychological, gynecological, genetic, or reproductive problems should be specifically noted.

(F) A careful and complete review of systems must be performed to assess both recognized complaints and subtle or slowly acquired symptoms which the worker might not appreciate as being significant. The review of symptoms should include the following:

General	- weight loss, fatigue, decreased appetite.
Head, Eyes, Ears, Nose, Throat (HEENT)	- headaches, visual disturbance or decreased visual acuity, hearing deficits or tinnitus, pigmentation of the oral mucosa, or metallic taste in mouth.
Cardiopulmonary	- shortness of breath, cough, chest pains, palpitations, or orthopnea.
Gastrointestinal	- nausea, vomiting, heartburn, abdominal pain, constipation or diarrhea.
Neurologic	- irritability, insomnia, weakness (fatigue), dizziness, loss of memory, confusion, hallucinations, incoordination, ataxia, decreased strength in hands or feet, disturbance in gait, difficulty in climbing stairs, or seizures.
Hematologic	- pallor, easy fatigability, abnormal blood loss, melena.
Reproductive (male or female and spouse where relevant)	- history of infertility, impotence, loss of libido, abnormal menstrual periods, history of miscarriages, stillbirths, or children with birth defects.
Musculoskeletal	- muscle and joint pains.

(G) The physical examination should emphasize the neurological, gastrointestinal, and cardiovascular systems. The

worker's weight and blood pressure should be recorded and the oral mucosa checked for pigmentation characteristic of a possible Burtonian or lead line on the gingiva. It should be noted, however, that the lead line may not be present even in severe lead poisoning if good oral hygiene is practiced.

(H) The presence of pallor on skin examination may indicate an anemia, which if severe might also be associated with a tachycardia. If an anemia is suspected, an active search for blood loss should be undertaken including potential blood loss through the gastrointestinal tract.

(I) A complete neurological examination should include an adequate mental status evaluation including a search for behavioral and psychological disturbances, memory testing, evaluation for irritability, insomnia, hallucinations, and mental clouding. Gait and coordination should be examined along with close observation for tremor. A detailed evaluation of peripheral nerve function including careful sensory and motor function testing is warranted. Strength testing particularly of extensor muscle groups of all extremities is of fundamental importance.

(J) Cranial nerve evaluation should also be included in the routine examination.

(K) The abdominal examination should include auscultation for bowel sounds and abnormal bruits and palpation for organomegaly, masses, and diffuse abdominal tenderness.

(L) Cardiovascular examination should evaluate possible early signs of congestive heart failure. Pulmonary status should be addressed particularly if respirator protection is contemplated.

(M) As part of the medical evaluation, the lead standard requires the following laboratory studies.

(I) Blood lead level.

(II) Hemoglobin and hematocrit determinations, red cell indices, and examination of the peripheral blood smear to evaluate red blood cell morphology.

(III) Blood urea nitrogen.

(IV) Serum creatinine.

(V) Routine urinalysis with microscopic examination.

(VI) A zinc protoporphyrin level.

(N) In addition to the above, the physician is authorized to order any further laboratory or other tests which he or she deems necessary in accordance with sound medical practice. The evaluation must also include pregnancy testing or laboratory evaluation of male fertility if requested by the employee.

(O) Additional tests which are probably not warranted on a routine basis but may be appropriate when blood lead and ZPP levels are equivocal include delta aminolevulinic acid and coproporphyrin concentrations in the urine, and dark-field illumination for detection of basophilic stippling in red blood cells.

(P) If an anemia is detected further studies including a careful examination of the peripheral smear, reticulocyte count, stool for occult blood, serum iron, total iron binding capacity, bilirubin, and, if appropriate vitamin B12 and folate may be of value in attempting to identify the cause of the anemia.

(Q) If a peripheral neuropathy is suspected, nerve conduction studies are warranted both for diagnosis and as a basis to monitor any therapy.

(R) If renal disease is questioned, a 24-hour urine collection for creatinine clearance, protein, and electrolytes may be indicated. Elevated uric acid levels may result from lead-induced renal disease and a serum uric acid level might be performed.

(S) An electrocardiogram and chest X ray may be obtained as deemed appropriate.

(T) Sophisticated and highly specialized testing should not be done routinely and where indicated should be under the direction of a specialist.

(v) Laboratory evaluation.

(A) The blood level at present remains the single most important test to monitor lead exposure and is the test used in the medical surveillance program under the lead standard to guide employee medical removal. The ZPP has several advantages over the blood lead level. Because of its relatively recent development and the lack of extensive data concerning its interpretation, the ZPP currently remains an ancillary test.

(B) This section will discuss the blood lead level and ZPP in detail and will outline their relative advantages and disadvantages. Other blood tests currently available to evaluate lead exposure will also be reviewed.

(C) The blood lead level is a good index of current or recent lead absorption when there is no anemia present and when the worker has not taken any chelating agents. However, blood lead levels along with urinary lead levels do not necessarily indicate the total body burden of lead and are not adequate measures of past exposure. One reason for this is that lead has a high affinity for bone and up to 90 percent of the body's total lead is deposited there. A very important component of the total lead body burden is lead in soft tissue (liver, kidneys, and brain). This fraction of the lead body burden, the biologically active lead, is not entirely reflected by blood lead levels since it is a function of the dynamics of lead absorption, distribution, deposition in bone and excretion. Following discontinuation of exposure to lead, the excess body burden is only slowly mobilized from bone and other relatively stable stores and excreted. Consequently, a high blood lead level may only represent recent heavy exposure to lead without a significant total body excess and likewise a low blood lead level does not exclude an elevated total body burden of lead.

(D) Also due to its correlation with recent exposures, the blood lead level may vary considerably over short time intervals.

(E) To minimize laboratory error and erroneous results due to contamination, blood specimens must be carefully collected after thorough cleaning of the skin with appropriate methods using lead-free containers and analyzed by a reliable laboratory. Under the standard, samples must be analyzed in laboratories which are approved by the Center for Disease Control (CDC) or which have received satisfactory grades in proficiency testing by the CDC in the previous year. Analysis is to be made using atomic absorption spectrophotometry anodic stripping; voltammetry or any method which meets the accuracy requirements set forth by the standard.

(F) The determination of lead in urine is generally considered a less reliable monitoring technique than analysis of whole blood primarily due to individual variability in urinary excretion capacity as well as the technical difficulty of

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obtaining accurate 24 hour urine collections. In addition, workers with renal insufficiency, whether due to lead or some other cause, may have decreased lead clearance and consequently urine lead levels may underestimate the true lead burden. Therefore, urine lead levels should not be used as a routine test.

(G) The zinc protoporphyrin test, unlike the blood lead determination, measures an adverse metabolic effect of lead and as such is a better indicator of lead toxicity than the level of blood lead itself. The level of ZPP reflects lead absorption over the preceding three to four months, and therefore is a better indicator of lead body burden. The ZPP requires more time than the blood lead to read significantly elevated levels; the return to normal after discontinuing lead exposure is also slower. Furthermore, the ZPP test is simpler, faster, and less expensive to perform and no contamination is possible. Many investigators believe it is the most reliable means of monitoring chronic lead absorption.

(H) Zinc protoporphyrin results from the inhibition of the enzyme ferrochelatase which catalyzes the insertion of an iron molecule into the protoporphyrin molecule, which then becomes heme. If iron is not inserted into the molecule then zinc, having a greater affinity for protoporphyrin, takes place in the iron, forming ZPP.

(I) An elevation in the level of circulating ZPP may occur at blood lead levels as low as 20-30 μg/100g in some workers. Once the blood lead level has reached 40 μg/100g there is more marked rise in the ZPP value from its normal range of less than 100 μg/100ml. Increases in blood lead levels beyond 40 μg/100g are associated with exponential increases in ZPP.

(J) Whereas blood lead levels fluctuate over short time spans, ZPP levels remain relatively stable. ZPP is measured directly in red blood cells and is present for the cell's entire 120 day lifespan. Therefore, the ZPP level in blood reflects the average ZPP production over the previous three to four months and consequently the average lead exposure during that time interval.

(K) It is recommended that a hematocrit be determined whenever a confirmed ZPP of 50 μg/100ml whole blood is obtained to rule out a significant underlying anemia. If the ZPP is in excess of 100 μg/100ml and not associated with abnormal elevations in blood lead levels, the laboratory should be checked to be sure the blood leads were determined using atomic absorption spectrophotometry, anodic stripping voltammetry or any method which meets the accuracy requirements set forth by the standard, by a CDC approved laboratory which is experienced in lead level determinations. Repeat periodic blood lead studies should be obtained in all individuals with elevated ZPP levels to be certain that an associated elevated blood lead level has not been missed due to transient fluctuations in blood leads.

(L) ZPP has characteristic fluorescence spectrum with a peak at 594nm which is detectable with a hematofluorimeter. The hematofluorimeter is accurate and portable and can provide on-site, instantaneous results for workers who can be frequently tested via a finger prick.

(M) However, careful attention must be given to calibration and quality control procedures. Limited data on blood lead - ZPP correlations and the ZPP levels which are associated with the adverse health effects discussed in item (ii) are the major limitations of the test. Also it is difficult to correlate ZPP levels with environmental exposure and there is some variation of response with age and sex. Nevertheless, the ZPP promises to be an important diagnostic test for the early detection of lead toxicity and its value will increase as more data is collected regarding its relationship to other manifestations of lead poisoning.

(N) Levels of delta-aminolevulinic acid (ALA) in the urine are also used as a measure of lead exposure. Increasing concentrations of ALA are believed to result from the inhibition of the enzyme delta-aminolevulinic acid dehydrase (ALA-D). Although the test is relatively easy to perform, inexpensive, and rapid, the disadvantages include variability in results, the necessity to collect a complete 24 hour urine sample which has a specific gravity greater than 1.010, and also the fact that ALA decomposes in the presence of light.

(O) The pattern of porphyrin excretion in the urine can also be helpful in identifying lead intoxication. With lead poisoning, the urine concentrations of coproporphyrins I and II, porphobilinogen and uroporphyrin I rise. The most important increase, however, is that of coproporphyrin III; levels may exceed 5,000 μg/l in the urine in lead poisoned individuals, but its correlation with blood lead levels and ZPP are not as good as those of ALA. Increases in urinary porphyrins are not diagnostic of lead toxicity and may be seen in porphyria, some liver diseases, and in patients with high reticulocyte counts.

(vi) Summary.

(A) The WISHA standard for inorganic lead places significant emphasis on the medical surveillance of all workers exposed to levels of inorganic lead above the action level of 30 $\mu g/m^3$ TWA. The physician has a fundamental role in this surveillance program, and in the operation of the medical removal protection program.

(B) Even with adequate worker education on the adverse health effects of lead and appropriate training in work practices, personal hygiene and other control measures, the physician has a primary responsibility for evaluating potential lead toxicity in the worker. It is only through a careful and detailed medical and work history, a complete physical examination and appropriate laboratory testing that an accurate assessment can be made. Many of the adverse health effects of lead toxicity are either irreversible or only partially reversible and therefore early detection of disease is very important.

(C) This document outlines the medical monitoring program as defined by the occupational safety and health standard for inorganic lead. It reviews the adverse health effects of lead poisoning and describes the important elements of the history and physical examinations as they relate to these adverse effects.

(D) It is hoped that this review and discussion will give the physician a better understanding of the WISHA standard with the ultimate goal of protecting the health and well-being of the worker exposed to lead under his or her care.

(d) Appendix D. Recommendations to employers concerning high-risk tasks (nonmandatory).

The department advises employers that the following tasks have a high risk for lead overexposure (this list is not complete; other tasks also can result in lead over-exposure):

- Any open flame operation involving lead-containing solder in a manner producing molten solder, including the manufacture or repair of motor vehicle radiators;
- Sanding, cutting or grinding of lead-containing solder;
- Breaking, recycling or manufacture of lead-containing batteries;
- Casting objects using lead, brass, or lead-containing alloys;
- Where lead-containing coatings or paints are present:
  - abrasive blasting
  - welding
  - cutting
  - torch burning
  - manual demolition of structures
  - manual scraping
  - manual sanding
  - heat gun applications
  - power tool cleaning
  - rivet busting
  - clean-up activities where dry expendable abrasives are used
  - abrasive blasting enclosure movement and removal;
- Spray-painting with lead-containing paint;
- Using lead-containing mortar;
- Lead burning;
- Operation or cleaning of shooting facilities where lead bullets are used;
- Formulation or processing of lead-containing pigments or paints;
- Cutting, burning, or melting of lead-containing materials.

The department recommends that annual blood lead testing be offered to all employees potentially overexposed to lead, including those performing the tasks listed above, regardless of air lead levels. Research has shown that air lead levels often do not accurately predict workers' lead overexposure. The blood lead testing will provide the most information if performed during a period of peak lead exposure.

Employers should be aware that the United States Public Health Service has set a goal of eliminating occupational exposures which result in whole blood lead levels of 25 µg/dl or greater. This goal should guide whether employees' blood lead levels indicate lead overexposure.

If blood lead levels are elevated in an employee performing a task associated with lead overexposure, employers should assess the maintenance and effectiveness of exposure controls, hygiene facilities, respiratory protection program, the employee's work practices and personal hygiene, and the employee's respirator use, if any. If a deficiency exists in any of these areas, the employer should correct the problem.

AMENDATORY SECTION (Amending WSR 02-12-098, filed 6/5/02, effective 8/1/02)

WAC 296-62-07540 Formaldehyde. (1) Scope and application. This standard applies to all occupational exposures to formaldehyde, i.e., from formaldehyde gas, its solutions, and materials that release formaldehyde.

(2) Definitions. For purposes of this standard, the following definitions shall apply:

(a) "Action level" means a concentration of 0.5 part formaldehyde per million parts of air (0.5 ppm) calculated as an 8-hour time-weighted average (TWA) concentration.

(b) "Approved" means approved by the director of the department of labor and industries or his/her authorized representative: Provided, however, That should a provision of this chapter state that approval by an agency or organization other than the department of labor and industries is required, such as Underwriters' Laboratories or the Mine Safety and Health Administration and the National Institute for Occupational Safety and Health, the provision of WAC 296-800-370 shall apply.

(c) "Authorized person" means any person required by work duties to be present in regulated work areas, or authorized to do so by the employer, by this section of the standard, or by the WISHA Act.

(d) "Director" means the director of the department of labor and industries, or his/her designated representative.

(e) "Emergency" is any occurrence, such as but not limited to equipment failure, rupture of containers, or failure of control equipment that results in an uncontrolled release of a significant amount of formaldehyde.

(f) "Employee exposure" means the exposure to airborne formaldehyde which would occur without corrections for protection provided by any respirator that is in use.

(g) "Formaldehyde" means the chemical substance, HCHO, Chemical Abstracts Service Registry No. 50-00-0.

(3) Permissible exposure limit (PEL).

(a) TWA: The employer shall assure that no employee is exposed to an airborne concentration of formaldehyde which exceeds 0.75 part formaldehyde per million parts of air as an 8-hour TWA.

(b) Short term exposure limit (STEL): The employer shall assure that no employee is exposed to an airborne concentration of formaldehyde which exceeds two parts formaldehyde per million parts of air (2 ppm) as a fifteen-minute STEL.

(4) Exposure monitoring.

(a) General.

(i) Each employer who has a workplace covered by this standard shall monitor employees to determine their exposure to formaldehyde.

(ii) Exception. Where the employer documents, using objective data, that the presence of formaldehyde or formaldehyde-releasing products in the workplace cannot result in airborne concentrations of formaldehyde that would cause any employee to be exposed at or above the action level or the STEL under foreseeable conditions of use, the employer will not be required to measure employee exposure to formaldehyde.

(iii) When an employee's exposure is determined from representative sampling, the measurements used shall be representative of the employee's full shift or short-term exposure to formaldehyde, as appropriate.

(iv) Representative samples for each job classification in each work area shall be taken for each shift unless the employer can document with objective data that exposure

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levels for a given job classification are equivalent for different workshifts.

(b) Initial monitoring. The employer shall identify all employees who may be exposed at or above the action level or at or above the STEL and accurately determine the exposure of each employee so identified.

(i) Unless the employer chooses to measure the exposure of each employee potentially exposed to formaldehyde, the employer shall develop a representative sampling strategy and measure sufficient exposures within each job classification for each workshift to correctly characterize and not underestimate the exposure of any employee within each exposure group.

(ii) The initial monitoring process shall be repeated each time there is a change in production, equipment, process, personnel, or control measures which may result in new or additional exposure to formaldehyde.

(iii) If the employer receives reports or signs or symptoms of respiratory or dermal conditions associated with formaldehyde exposure, the employer shall promptly monitor the affected employee's exposure.

(c) Periodic monitoring.

(i) The employer shall periodically measure and accurately determine exposure to formaldehyde for employees shown by the initial monitoring to be exposed at or above the action level or at or above the STEL.

(ii) If the last monitoring results reveal employee exposure at or above the action level, the employer shall repeat monitoring of the employees at least every six months.

(iii) If the last monitoring results reveal employee exposure at or above the STEL, the employer shall repeat monitoring of the employees at least once a year under worst conditions.

(d) Termination of monitoring. The employer may discontinue periodic monitoring for employees if results from two consecutive sampling periods taken at least seven days apart show that employee exposure is below the action level and the STEL. The results must be statistically representative and consistent with the employer's knowledge of the job and work operation.

(e) Accuracy of monitoring. Monitoring shall be accurate, at the ninety-five percent confidence level, to within plus or minus twenty-five percent for airborne concentrations of formaldehyde at the TWA and the STEL and to within plus or minus thirty-five percent for airborne concentrations of formaldehyde at the action level.

(f) Employee notification of monitoring results. Within fifteen days of receiving the results of exposure monitoring conducted under this standard, the employer shall notify the affected employees of these results. Notification shall be in writing, either by distributing copies of the results to the employees or by posting the results. If the employee exposure is over either PEL, the employer shall develop and implement a written plan to reduce employee exposure to or below both PELs, and give written notice to employees. The written notice shall contain a description of the corrective action being taken by the employer to decrease exposure.

(g) Observation of monitoring.

(i) The employer shall provide affected employees or their designated representatives an opportunity to observe any monitoring of employee exposure to formaldehyde required by this standard.

(ii) When observation of the monitoring of employee exposure to formaldehyde requires entry into an area where the use of protective clothing or equipment is required, the employer shall provide the clothing and equipment to the observer, require the observer to use such clothing and equipment, and assure that the observer complies with all other applicable safety and health procedures.

(5) Regulated areas.

(a) The employer shall establish regulated areas where the concentration of airborne formaldehyde exceeds either the TWA or the STEL and post all entrances and accessways with signs bearing the following information:

DANGER
FORMALDEHYDE
IRRITANT AND POTENTIAL CANCER HAZARD
AUTHORIZED PERSONNEL ONLY

(b) The employer shall limit access to regulated areas to authorized persons who have been trained to recognize the hazards of formaldehyde.

(c) An employer at a multiemployer worksite who establishes a regulated area shall communicate the access restrictions and locations of these areas to other employers with work operations at that worksite.

(6) Methods of compliance.

(a) Engineering controls and work practices. The employer shall institute engineering and work practice controls to reduce and maintain employee exposures to formaldehyde at or below the TWA and the STEL.

(b) Exception. Whenever the employer has established that feasible engineering and work practice controls cannot reduce employee exposure to or below either of the PELs, the employer shall apply these controls to reduce employee exposures to the extent feasible and shall supplement them with respirators which satisfy this standard.

(7) Respiratory protection.

(a) General. For employees who use respirators required by this section, the employer must provide respirators that comply with the requirements of this subsection. Respirators must be used during:

(i) Periods necessary to install or implement feasible engineering and work-practice controls;

(ii) Work operations, such as maintenance and repair activities or vessel cleaning, for which the employer establishes that engineering and work-practice controls are not feasible;

(iii) Work operations for which feasible engineering and work-practice controls are not yet sufficient to reduce exposure to or below the PELs;

(iv) Emergencies.

(b) Respirator program.

(i) The employer must implement a respiratory protection program as required by chapter 296-62 WAC, Part E (except WAC 296-62-07130(1), 296-62-07131(4), and 296-62-07150 through 296-62-07156).

(ii) If air-purifying chemical-cartridge respirators are used, the employer must:

(A) Replace the cartridge after three hours of use or at the end of the workshift, whichever occurs first, unless the cartridge contains a NIOSH-certified end-of-service-life indicator (ESLI) to show when breakthrough occurs.

(B) Unless the canister contains a NIOSH-certified ESLI to show when breakthrough occurs, replace canisters used in atmospheres up to 7.5 ppm (10 x PEL) every four hours and industrial-sized canisters used in atmospheres up to 75 ppm (100 x PEL) every two hours, or at the end of the workshift, whichever occurs first.

(c) Respirator selection.

(i) The employer must select appropriate respirators from Table 1 of this section.

TABLE 1
MINIMUM REQUIREMENTS FOR RESPIRATORY PROTECTION AGAINST FORMALDEHYDE

Condition of use or formaldehyde concentration (ppm)	Minimum respirator required[1]
Up to 7.5 ppm (10 x PEL)	Full facepiece with cartridges or canisters specifically approved for protection against formaldehyde[2].
Up to 75 ppm (100 x PEL).....	Full-face mask with chin style or chest or back mounted type industrial size canister specifically approved for protection against formaldehyde. Type C supplied-air respirator pressure demand or continuous flow type, with full facepiece, hood, or helmet.
Above 75 ppm or unknown (emergencies) (100 x PEL).....	Self-contained breathing apparatus (SCBA) with positive-pressure full facepiece. Combination supplied-air, full facepiece positive-pressure respirator with auxiliary self-contained air supply.
Fire fighting	SCBA with positive-pressure in full facepiece.
Escape.....	SCBA in demand or pressure demand mode. Full-face mask with chin style or front or back mounted type industrial size canister specifically approved for protection against formaldehyde.

[1] Respirators specified for use at higher concentrations may be used at lower concentrations.

[2] A half-mask respirator with cartridges specifically approved for protection against formaldehyde can be substituted for the full facepiece respirator providing that effective gas-proof goggles are provided and used in combination with the half-mask respirator.

(ii) The employer must provide a powered air-purifying respirator adequate to protect against formaldehyde exposure to any employee who has difficulty using a negative-pressure respirator.

(8) Protective equipment and clothing. Employers shall comply with the provisions of WAC 296-800-160. When protective equipment or clothing is provided under these provisions, the employer shall provide these protective devices at no cost to the employee and assure that the employee wears them.

(a) Selection. The employer shall select protective clothing and equipment based upon the form of formaldehyde to be encountered, the conditions of use, and the hazard to be prevented.

(i) All contact of the eyes and skin with liquids containing one percent or more formaldehyde shall be prevented by the use of chemical protective clothing made of material impervious to formaldehyde and the use of other personal protective equipment, such as goggles and face shields, as appropriate to the operation.

(ii) Contact with irritating or sensitizing materials shall be prevented to the extent necessary to eliminate the hazard.

(iii) Where a face shield is worn, chemical safety goggles are also required if there is a danger of formaldehyde reaching the area of the eye.

(iv) Full body protection shall be worn for entry into areas where concentrations exceed 100 ppm and for emergency reentry into areas of unknown concentration.

(b) Maintenance of protective equipment and clothing.

(i) The employer shall assure that protective equipment and clothing that has become contaminated with formaldehyde is cleaned or laundered before its reuse.

(ii) When ventilating formaldehyde-contaminated clothing and equipment, the employer shall establish a storage area so that employee exposure is minimized. Containers for contaminated clothing and equipment and storage areas shall have labels and signs containing the following information:

DANGER
FORMALDEHYDE-CONTAMINATED (CLOTHING) EQUIPMENT
AVOID INHALATION AND SKIN CONTACT

(iii) The employer shall assure that only persons trained to recognize the hazards of formaldehyde remove the contaminated material from the storage area for purposes of cleaning, laundering, or disposal.

(iv) The employer shall assure that no employee takes home equipment or clothing that is contaminated with formaldehyde.

(v) The employer shall repair or replace all required protective clothing and equipment for each affected employee as necessary to assure its effectiveness.

(vi) The employer shall inform any person who launders, cleans, or repairs such clothing or equipment of formaldehyde's potentially harmful effects and of procedures to safely handle the clothing and equipment.

(9) Hygiene protection.

(a) The employer shall provide change rooms, as described in WAC 296-24-120 for employees who are required to change from work clothing into protective clothing to prevent skin contact with formaldehyde.

(b) If employees' skin may become splashed with solutions containing one percent or greater formaldehyde, for example because of equipment failure or improper work practices, the employer shall provide conveniently located quick drench showers and assure that affected employees use these facilities immediately.

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(c) If there is any possibility that an employee's eyes may be splashed with solutions containing 0.1 percent or greater formaldehyde, the employer shall provide acceptable eyewash facilities within the immediate work area for emergency use.

(10) Housekeeping. For operations involving formaldehyde liquids or gas, the employer shall conduct a program to detect leaks and spills, including regular visual inspections.

(a) Preventative maintenance of equipment, including surveys for leaks, shall be undertaken at regular intervals.

(b) In work areas where spillage may occur, the employer shall make provisions to contain the spill, to decontaminate the work area, and to dispose of the waste.

(c) The employer shall assure that all leaks are repaired and spills are cleaned promptly by employees wearing suitable protective equipment and trained in proper methods for cleanup and decontamination.

(d) Formaldehyde-contaminated waste and debris resulting from leaks or spills shall be placed for disposal in sealed containers bearing a label warning of formaldehyde's presence and of the hazards associated with formaldehyde.

(11) Emergencies. For each workplace where there is the possibility of an emergency involving formaldehyde, the employer shall assure appropriate procedures are adopted to minimize injury and loss of life. Appropriate procedures shall be implemented in the event of an emergency.

(12) Medical surveillance.

(a) Employees covered.

(i) The employer shall institute medical surveillance programs for all employees exposed to formaldehyde at concentrations at or exceeding the action level or exceeding the STEL.

(ii) The employer shall make medical surveillance available for employees who develop signs and symptoms of overexposure to formaldehyde and for all employees exposed to formaldehyde in emergencies. When determining whether an employee may be experiencing signs and symptoms of possible overexposure to formaldehyde, the employer may rely on the evidence that signs and symptoms associated with formaldehyde exposure will occur only in exceptional circumstances when airborne exposure is less than 0.1 ppm and when formaldehyde is present in materials in concentrations less than 0.1 percent.

(b) Examination by a physician. All medical procedures, including administration of medical disease questionnaires, shall be performed by or under the supervision of a licensed physician and shall be provided without cost to the employee, without loss of pay, and at a reasonable time and place.

(c) Medical disease questionnaire. The employer shall make the following medical surveillance available to employees prior to assignment to a job where formaldehyde exposure is at or above the action level or above the STEL and annually thereafter. The employer shall also make the following medical surveillance available promptly upon determining that an employee is experiencing signs and symptoms indicative of possible overexposure to formaldehyde.

(i) Administration of a medical disease questionnaire, such as in Appendix D, which is designed to elicit information on work history, smoking history, any evidence of eye, nose, or throat irritation; chronic airway problems or hyperreactive airway disease; allergic skin conditions or dermatitis; and upper or lower respiratory problems.

(ii) A determination by the physician, based on evaluation of the medical disease questionnaire, of whether a medical examination is necessary for employees not required to wear respirators to reduce exposure to formaldehyde.

(d) Medical examinations. Medical examinations shall be given to any employee who the physician feels, based on information in the medical disease questionnaire, may be at increased risk from exposure to formaldehyde and at the time of initial assignment and at least annually thereafter to all employees required to wear a respirator to reduce exposure to formaldehyde. The medical examination shall include:

(i) A physical examination with emphasis on evidence of irritation or sensitization of the skin and respiratory system, shortness of breath, or irritation of the eyes.

(ii) Laboratory examinations for respirator wearers consisting of baseline and annual pulmonary function tests. As a minimum, these tests shall consist of forced vital capacity (FVC), forced expiratory volume in one second (FEV1), and forced expiratory flow (FEF).

(iii) Any other test which the examining physician deems necessary to complete the written opinion.

(iv) Counseling of employees having medical conditions that would be directly or indirectly aggravated by exposure to formaldehyde on the increased risk of impairment of their health.

(e) Examinations for employees exposed in an emergency. The employer shall make medical examinations available as soon as possible to all employees who have been exposed to formaldehyde in an emergency.

(i) The examination shall include a medical and work history with emphasis on any evidence of upper or lower respiratory problems, allergic conditions, skin reaction or hypersensitivity, and any evidence of eye, nose, or throat irritation.

(ii) Other examinations shall consist of those elements considered appropriate by the examining physician.

(f) Information provided to the physician. The employer shall provide the following information to the examining physician:

(i) A copy of this standard and Appendices A, C, D, and E;

(ii) A description of the affected employee's job duties as they relate to the employee's exposure to formaldehyde;

(iii) The representative exposure level for the employee's job assignment;

(iv) Information concerning any personal protective equipment and respiratory protection used or to be used by the employee; and

(v) Information from previous medical examinations of the affected employee within the control of the employer.

(vi) In the event of a nonroutine examination because of an emergency, the employer shall provide to the physician as soon as possible: A description of how the emergency occurred and the exposure the victim may have received.

(g) Physician's written opinion.

(i) For each examination required under this standard, the employer shall obtain a written opinion from the examining physician. This written opinion shall contain the results of

the medical examination except that it shall not reveal specific findings or diagnoses unrelated to occupational exposure to formaldehyde. The written opinion shall include:

(A) The physician's opinion as to whether the employee has any medical condition that would place the employee at an increased risk of material impairment of health from exposure to formaldehyde;

(B) Any recommended limitations on the employee's exposure or changes in the use of personal protective equipment, including respirators;

(C) A statement that the employee has been informed by the physician of any medical conditions which would be aggravated by exposure to formaldehyde, whether these conditions may have resulted from past formaldehyde exposure or from exposure in an emergency, and whether there is a need for further examination or treatment.

(ii) The employer shall provide for retention of the results of the medical examination and tests conducted by the physician.

(iii) The employer shall provide a copy of the physician's written opinion to the affected employee within fifteen days of its receipt.

(h) Medical removal.

(i) The provisions of this subdivision apply when an employee reports significant irritation of the mucosa of the eyes or of the upper airways, respiratory sensitization, dermal irritation, or dermal sensitization attributed to workplace formaldehyde exposure. Medical removal provisions do not apply in case of dermal irritation or dermal sensitization when the product suspected of causing the dermal condition contains less than 0.05% formaldehyde.

(ii) An employee's report of signs or symptoms of possible overexposure to formaldehyde shall be evaluated by a physician selected by the employer pursuant to (c) of this subsection. If the physician determines that a medical examination is not necessary under (c)(ii) of this subsection, there shall be a two-week evaluation and remediation period to permit the employer to ascertain whether the signs or symptoms subside untreated or with the use of creams, gloves, first-aid treatment, or personal protective equipment. Industrial hygiene measures that limit the employee's exposure to formaldehyde may also be implemented during this period. The employee shall be referred immediately to a physician prior to expiration of the two-week period if the signs or symptoms worsen. Earnings, seniority, and benefits may not be altered during the two-week period by virtue of the report.

(iii) If the signs or symptoms have not subsided or been remedied by the end of the two-week period, or earlier if signs or symptoms warrant, the employee shall be examined by a physician selected by the employer. The physician shall presume, absent contrary evidence, that observed dermal irritation or dermal sensitization are not attributable to formaldehyde when products to which the affected employee is exposed contain less than 0.1% formaldehyde.

(iv) Medical examinations shall be conducted in compliance with the requirements of (e)(i) and (ii) of this subsection. Additional guidelines for conducting medical exams are contained in WAC 296-62-07546, Appendix C.

(v) If the physician finds that significant irritation of the mucosa of the eyes or the upper airways, respiratory sensitization, dermal irritation, or dermal sensitization result from workplace formaldehyde exposure and recommends restrictions or removal. The employer shall promptly comply with the restrictions or recommendations of removal. In the event of a recommendation of removal, the employer shall remove the affected employee from the current formaldehyde exposure and if possible, transfer the employee to work having no or significantly less exposure to formaldehyde.

(vi) When an employee is removed pursuant to item (v) of this subdivision, the employer shall transfer the employee to comparable work for which the employee is qualified or can be trained in a short period (up to six months), where the formaldehyde exposures are as low as possible, but not higher than the action level. The employer shall maintain the employee's current earnings, seniority, and other benefits. If there is no such work available, the employer shall maintain the employee's current earnings, seniority, and other benefits until such work becomes available, until the employee is determined to be unable to return to workplace formaldehyde exposure, until the employee is determined to be able to return to the original job status, or for six months, whichever comes first.

(vii) The employer shall arrange for a follow-up medical examination to take place within six months after the employee is removed pursuant to this subsection. This examination shall determine if the employee can return to the original job status, or if the removal is to be permanent. The physician shall make a decision within six months of the date the employee was removed as to whether the employee can be returned to the original job status, or if the removal is to be permanent.

(viii) An employer's obligation to provide earnings, seniority, and other benefits to a removed employee may be reduced to the extent that the employee receives compensation for earnings lost during the period of removal either from a publicly or employer-funded compensation program or from employment with another employer made possible by virtue of the employee's removal.

(ix) In making determinations of the formaldehyde content of materials under this subsection the employer may rely on objective data.

(i) Multiple physician review.

(i) After the employer selects the initial physician who conducts any medical examination or consultation to determine whether medical removal or restriction is appropriate, the employee may designate a second physician to review any findings, determinations, or recommendations of the initial physician and to conduct such examinations, consultations, and laboratory tests as the second physician deems necessary and appropriate to evaluate the effects of formaldehyde exposure and to facilitate this review.

(ii) The employer shall promptly notify an employee of the right to seek a second medical opinion after each occasion that an initial physician conducts a medical examination or consultation for the purpose of medical removal or restriction.

(iii) The employer may condition its participation in, and payment for, the multiple physician review mechanism upon the employee doing the following within fifteen days after receipt of the notification of the right to seek a second medi-

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cal opinion, or receipt of the initial physician's written opinion, whichever is later:

(A) The employee informs the employer of the intention to seek a second medical opinion; and

(B) The employee initiates steps to make an appointment with a second physician.

(iv) If the findings, determinations, or recommendations of the second physician differ from those of the initial physician, then the employer and the employee shall assure that efforts are made for the two physicians to resolve the disagreement. If the two physicians are unable to quickly resolve their disagreement, then the employer and the employee through their respective physicians shall designate a third physician who shall be a specialist in the field at issue:

(A) To review the findings, determinations, or recommendations of the prior physicians; and

(B) To conduct such examinations, consultations, laboratory tests, and discussions with prior physicians as the third physician deems necessary to resolve the disagreement of the prior physicians.

(v) In the alternative, the employer and the employee or authorized employee representative may jointly designate such third physician.

(vi) The employer shall act consistent with the findings, determinations, and recommendations of the third physician, unless the employer and the employee reach an agreement which is otherwise consistent with the recommendations of at least one of the three physicians.

(13) Hazard communication.

(a) General. Notwithstanding any exemption granted in WAC 296-800-170 for wood products, each employer who has a workplace covered by this standard shall comply with the requirements of WAC 296-800-170. The definitions of the chemical hazard communication standard shall apply under this standard.

(i) The following shall be subject to the hazard communication requirements of this section: Formaldehyde gas, all mixtures or solutions composed of greater than 0.1 percent formaldehyde, and materials capable of releasing formaldehyde into the air under reasonably foreseeable concentrations reaching or exceeding 0.1 ppm.

(ii) As a minimum, specific health hazards that the employer shall address are: Cancer, irritation and sensitization of the skin and respiratory system, eye and throat irritation, and acute toxicity.

(b) Manufacturers and importers who produce or import formaldehyde or formaldehyde-containing products shall provide downstream employers using or handling these products with an objective determination through the required labels and MSDSs ((~~if these items may constitute a health hazard within the meaning of WAC 296-62-05407 under normal conditions of use~~)) as required by chapter 296-839 WAC.

(c) Labels.

(i) The employer shall assure that hazard warning labels complying with the requirements of WAC 296-800-170 are affixed to all containers of materials listed in (a)(i) of this subsection, except to the extent that (a)(i) of this subsection is inconsistent with this item.

(ii) Information on labels. As a minimum, for all materials listed in (a)(i) of this subsection, capable of releasing formaldehyde at levels of 0.1 ppm to 0.5 ppm, labels shall identify that the product contains formaldehyde: List the name and address of the responsible party; and state that physical and health hazard information is readily available from the employer and from material safety data sheets.

(iii) For materials listed in (a)(i) of this subsection, capable of releasing formaldehyde at levels above 0.5 ppm, labels shall appropriately address all the hazards as defined in WAC 296-800-170, and Appendices A and B, including respiratory sensitization, and shall contain the words "Potential Cancer Hazard."

(iv) In making the determinations of anticipated levels of formaldehyde release, the employer may rely on objective data indicating the extent of potential formaldehyde release under reasonably foreseeable conditions of use.

(v) Substitute warning labels. The employer may use warning labels required by other statutes, regulations, or ordinances which impart the same information as the warning statements required by this subitem.

(d) Material safety data sheets.

(i) Any employer who uses formaldehyde-containing materials listed in (a)(i) of this subsection shall comply with the requirements of WAC 296-800-170 with regard to the development and updating of material safety data sheets.

(ii) Manufacturers, importers, and distributors of formaldehyde containing materials listed in (a)(i) of this subsection shall assure that material safety data sheets and updated information are provided to all employers purchasing such materials at the time of the initial shipment and at the time of the first shipment after a material safety data sheet is updated.

(e) Written hazard communication program. The employer shall develop, implement, and maintain at the workplace, a written hazard communication program for formaldehyde exposures in the workplace, which at a minimum describes how the requirements specified in this section for labels and other forms of warning and material safety data sheets, and subsection (14) of this section for employee information and training, will be met. Employees in multiemployer workplaces shall comply with the requirements of WAC 296-800-170.

(14) Employee information and training.

(a) Participation. The employer shall assure that all employees who are assigned to workplaces where there is a health hazard from formaldehyde participate in a training program, except that where the employer can show, using objective data, that employees are not exposed to formaldehyde at or above 0.1 ppm, the employer is not required to provide training.

(b) Frequency. Employers shall provide such information and training to employees at the time of their initial assignment and whenever a new exposure to formaldehyde is introduced into their work area. The training shall be repeated at least annually.

(c) Training program. The training program shall be conducted in a manner which the employee is able to understand and shall include:

(i) A discussion of the contents of this regulation and the contents of the material safety data sheet;

(ii) The purpose for and a description of the medical surveillance program required by this standard, including:

(A) A description of the potential health hazards associated with exposure to formaldehyde and a description of the signs and symptoms of exposure to formaldehyde.

(B) Instructions to immediately report to the employer the development of any adverse signs or symptoms that the employee suspects is attributable to formaldehyde exposure.

(iii) Description of operations in the work area where formaldehyde is present and an explanation of the safe work practices appropriate for limiting exposure to formaldehyde in each job;

(iv) The purpose for, proper use of, and limitations of personal protective clothing;

(v) Instructions for the handling of spills, emergencies, and clean-up procedures;

(vi) An explanation of the importance of engineering and work practice controls for employee protection and any necessary instruction in the use of these controls;

(vii) A review of emergency procedures including the specific duties or assignments of each employee in the event of an emergency; and

(viii) The purpose, proper use, limitations, and other training requirements for respiratory protection as required by chapter 296-62 WAC, Part E.

(d) Access to training materials.

(i) The employer shall inform all affected employees of the location of written training materials and shall make these materials readily available, without cost, to the affected employees.

(ii) The employer shall provide, upon request, all training materials relating to the employee training program to the director of labor and industries, or his/her designated representative.

(15) Recordkeeping.

(a) Exposure measurements. The employer shall establish and maintain an accurate record of all measurements taken to monitor employee exposure to formaldehyde. This record shall include:

(i) The date of measurement;

(ii) The operation being monitored;

(iii) The methods of sampling and analysis and evidence of their accuracy and precision;

(iv) The number, durations, time, and results of samples taken;

(v) The types of protective devices worn; and

(vi) The names, job classifications, Social Security numbers, and exposure estimates of the employees whose exposures are represented by the actual monitoring results.

(b) Exposure determinations. Where the employer has determined that no monitoring is required under this standard, the employer shall maintain a record of the objective data relied upon to support the determination that no employee is exposed to formaldehyde at or above the action level.

(c) Medical surveillance. The employer shall establish and maintain an accurate record for each employee subject to medical surveillance under this standard. This record shall include:

(i) The name and Social Security number of the employee;

(ii) The physician's written opinion;

(iii) A list of any employee health complaints that may be related to exposure to formaldehyde; and

(iv) A copy of the medical examination results, including medical disease questionnaires and results of any medical tests required by the standard or mandated by the examining physician.

(d) Record retention. The employer shall retain records required by this standard for at least the following periods:

(i) Exposure records and determinations shall be kept for at least thirty years; and

(ii) Medical records shall be kept for the duration of employment plus thirty years.

(e) Availability of records.

(i) Upon request, the employer shall make all records maintained as a requirement of this standard available for examination and copying to the director of labor and industries, or his/her designated representative.

(ii) The employer shall make employee exposure records, including estimates made from representative monitoring and available upon request for examination and copying, to the subject employee, or former employee, and employee representatives in accordance with ((~~WAC 296-62-052 through 296-62-05209 and 296-62-05213 through 296-62-05217 and WAC 296-800-180~~)) chapter 296-802 WAC.

(iii) Employee medical records required by this standard shall be provided upon request for examination and copying, to the subject employee, or former employee, or to anyone having the specific written consent of the subject employee or former employee in accordance with ((~~WAC 296-62-05201 through 296-62-05209, and 296-62-05213 through 296-62-05217~~)) chapter 296-802 WAC.

AMENDATORY SECTION (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

WAC 296-62-07631 Recordkeeping. (1) Monitoring data for exempted employers.

(a) Where as a result of the initial monitoring the processing, use, or handling of products made from or containing MDA are exempted from other requirements of this section under WAC 296-62-07601(2), the employer shall establish and maintain an accurate record of monitoring relied on in support of the exemption.

(b) This record shall include at least the following information:

(i) The product qualifying for exemption;

(ii) The source of the monitoring data (e.g., was monitoring performed by the employer or a private contractor);

(iii) The testing protocol, results of testing, and/or analysis of the material for the release of MDA;

(iv) A description of the operation exempted and how the data support the exemption (e.g., are the monitoring data representative of the conditions at the affected facility); and

(v) Other data relevant to the operations, materials, processing, or employee exposures covered by the exemption.

(c) The employer shall maintain this record for the duration of the employer's reliance upon such objective data.

(2) Objective data for exempted employers.

(a) Where the processing, use, or handling of products made from or containing MDA are exempted from other

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requirements of WAC 296-62-076 under WAC 296-62-07601, the employer shall establish and maintain an accurate record of objective data relied upon in support of the exemption.

(b) This record shall include at least the following information:

(i) The product qualifying for exemption;

(ii) The source of the objective data;

(iii) The testing protocol, results of testing, and/or analysis of the material for the release of MDA;

(iv) A description of the operation exempted and how the data support the exemption; and

(v) Other data relevant to the operations, materials, processing, or employee exposures covered by the exemption.

(c) The employer shall maintain this record for the duration of the employer's reliance upon such objective data.

(3) Exposure measurements.

(a) The employer shall establish and maintain an accurate record of all measurements required by WAC 296-62-07609, in accordance with Part B of this chapter.

(b) This record shall include:

(i) The dates, number, duration, and results of each of the samples taken, including a description of the procedure used to determine representative employee exposures;

(ii) Identification of the sampling and analytical methods used;

(iii) A description of the type of respiratory protective devices worn, if any; and

(iv) The name, Social Security number, job classification, and exposure levels of the employee monitored and all other employees whose exposure the measurement is intended to represent.

(c) The employer shall maintain this record for at least 30 years, in accordance with Part B of this chapter.

(4) Medical surveillance.

(a) The employer shall establish and maintain an accurate record for each employee subject to medical surveillance required by WAC 296-62-07625, 296-62-07627, and 296-62-07629, in accordance with Part B of this chapter.

(b) This record shall include:

(i) The name, Social Security number, and description of the duties of the employee;

(ii) The employer's copy of the physician's written opinion on the initial, periodic, and any special examinations, including results of medical examination and all tests, opinions, and recommendations;

(iii) Results of any airborne exposure monitoring done for that employee and the representative exposure levels supplied to the physician; and

(iv) Any employee medical complaints related to exposure to MDA.

(c) The employer shall keep, or assure that the examining physician keeps, the following medical records:

(i) A copy of this standard and its appendices, except that the employer may keep one copy of the standard and its appendices for all employees provided the employer references the standard and its appendices in the medical surveillance record of each employee;

(ii) A copy of the information provided to the physician as required by any sections in the regulatory text;

(iii) A description of the laboratory procedures and a copy of any standards or guidelines used to interpret the test results or references to the information;

(iv) A copy of the employee's medical and work history related to exposure to MDA.

(d) The employer shall maintain this record for at least the duration of employment plus 30 years, in accordance with Part B of this chapter.

(5) Medical removals.

(a) The employer shall establish and maintain an accurate record for each employee removed from current exposure to MDA pursuant to WAC 296-62-07625, 296-62-07627, and 296-62-07629.

(b) Each record shall include:

(i) The name and Social Security number of the employee;

(ii) The date of each occasion that the employee was removed from current exposure to MDA as well as the corresponding date on which the employee was returned to his or her former job status;

(iii) A brief explanation of how each removal was or is being accomplished; and

(iv) A statement with respect to each removal indicating the reason for the removal.

(c) The employer shall maintain each medical removal record for at least the duration of an employee's employment plus 30 years.

(6) Availability.

(a) The employer shall assure that records required to be maintained by WAC 296-62-076 shall be made available, upon request, to the director for examination and copying.

(b) Employee exposure monitoring records required by WAC 296-62-076 shall be provided upon request for examination and copying to employees, employee representatives, and the director in accordance with the applicable sections of WAC 296-800-170.

(c) Employee medical records required by this section shall be provided upon request for examination and copying, to the subject employee, to anyone having the specific written consent of the subject employee, and to the director in accordance with Part B of this chapter.

(7) Transfer of records.

(a) The employer shall comply with the requirements involving transfer of records set forth in ((~~WAC 296-62-05215~~)) chapter 296-802 WAC.

(b) If the employer ceases to do business and there is no successor employer to receive and retain the records for the prescribed period, the employer shall notify the director, at least 90 days prior to disposal, and transmit the records to the director if so requested by the director within that period.

AMENDATORY SECTION (Amending WSR 00-06-075, filed 3/1/00, effective 4/10/00)

WAC 296-62-07727 Recordkeeping. (1) Exposure measurements.

(a) The employer shall keep an accurate record of all measurements taken to monitor employee exposure to asbestos as prescribed in WAC 296-62-07709.

(b) This record shall include at least the following information:

(i) Name of employer;

(ii) Name of person conducting monitoring;

(iii) The date of measurement;

(iv) Address of operation or activity;

(v) Description of the operation or activity involving exposure to asbestos that is being monitored;

(vi) Personal or area sample;

(vii) Name, Social Security number, and exposure level of the employees whose exposures are represented;

(viii) Type of protective devices worn, if any;

(ix) Pump calibration date and flow rate;

(x) Total volume of air sampled;

(xi) Name and address of analytical laboratory;

(xii) Number, duration, and results (f/cc) of samples taken;

(xiii) Date of analysis; and

(xiv) Sampling and analytical methods used and evidence of their accuracy.

(c) The employer shall maintain this record for the duration of employment plus thirty years, in accordance with ((~~WAC 296-62-052~~)) chapter 296-802 WAC.

(2) Objective data for exempted operations.

(a) Where the processing, use, or handling of products made from or containing asbestos is exempted from other requirements of this section under WAC 296-62-07709 (2)(a)(iii) and (3)(b)(i), the employer shall establish and maintain an accurate record of objective data reasonably relied upon in support of the exemption.

(b) The record shall include at least the following:

(i) The product qualifying for exemption;

(ii) The source of the objective data;

(iii) The testing protocol, results of testing, and/or analysis of the material for the release of asbestos;

(iv) A description of the operation exempted and how the data support the exemption; and

(v) Other data relevant to the operations, materials, processing, or employee exposures covered by the exemption.

(c) The employer shall maintain this record for the duration of the employer's reliance upon such objective data.

Note: The employer may utilize the services of competent organizations such as industry trade associations and employee associations to maintain the records required by this section.

(3) Medical surveillance.

(a) The employer shall establish and maintain an accurate record for each employee subject to medical surveillance by WAC 296-62-07725 (1)(a), in accordance with ((~~WAC 296-62-052~~)) chapter 296-802 WAC.

(b) The record shall include at least the following information:

(i) The name and Social Security number of the employee;

(ii) Physician's written opinions;

(iii) Any employee medical complaints related to exposure to asbestos;

(iv) A copy of the information provided to the physician as required by WAC 296-62-07725(6); and

(v) A copy of the employee's medical examination results, including the medical history, questionnaire responses, results of any tests, and physicians recommendations.

(c) The employer shall ensure that this record is maintained for the duration of employment plus thirty years, in accordance with ((~~WAC 296-62-052~~)) chapter 296-802 WAC.

(4) Training. The employer shall maintain all employee training records for one year beyond the last date of employment of that employee.

(5) Availability.

(a) The employer, upon written request, shall make all records required to be maintained by this section available to the director for examination and copying.

(b) The employer, upon request, shall make any exposure records required by subsection (1) of this section available for examination and copying to affected employees, former employees, designated representatives, and the director, in accordance with ((~~WAC 296-62-05201 through 296-62-05209 and 296-62-05213 through 296-62-05217~~)) chapter 296-802 WAC.

(c) The employer, upon request, shall make employee medical records required by subsection (2) of this section available for examination and copying to the subject employee, to anyone having the specific written consent of the subject employee, and the director, in accordance with ((~~WAC 296-62-052~~)) chapter 296-802 WAC.

(6) Transfer of records.

(a) The employer shall comply with the requirements concerning transfer of records set forth in ((~~WAC 296-62-05215~~)) chapter 296-802 WAC.

(b) Whenever the employer ceases to do business and there is no successor employer to receive and retain the records for the prescribed period, the employer shall notify the director at least ninety days prior to disposal of records and, upon request, transmit them to the director.

(7) Data to rebut PACM. Where the building owner and employer have relied on data to demonstrate that PACM is not asbestos-containing, such data shall be maintained for as long as they are relied upon to rebut the presumption.

(8) Records of required notifications. Where the building owner has communicated and received information concerning the identification, location and quantity of ACM and PACM, written records of such notifications and their content shall be maintained by the building owner for the duration of ownership and shall be transferred to successive owners of such buildings/facilities.

AMENDATORY SECTION (Amending Order 83-34, filed 11/30/83)

WAC 296-62-09041 Recordkeeping. (1) Exposure measurements. The employer shall maintain an accurate record of all employee exposure measurements required by this section.

(2) Audiometric tests.

(a) The employer shall retain a legible copy of all employee audiograms obtained pursuant to WAC 296-62-09027.

(b) This record shall include:

(i) Name and job classification of the employee;

(ii) Date of the audiogram;

(iii) The examiner's name;

(iv) Date of the last acoustic or exhaustive calibration of the audiometer; and

(v) Employee's most recent noise exposure assessment.

(3) Audiometric test rooms. The employer shall maintain accurate records of the measurements of the background sound pressure levels in audiometric test rooms.

(4) Record retention. The employer shall retain records required in this section for at least the following periods:

(a) Noise exposure measurement records shall be retained for two years.

(b) Audiometric test records shall be retained for the duration of the affected employee's employment.

(5) Access to records. All records required by this section shall be provided upon request to employees, former employees, representatives designated by the individual employee, and the director. The provisions of ((~~WAC 296-62-05201 through 296-62-05209 and 296-62-05213 through 296-62-05217~~)) chapter 296-802 WAC apply to access to records under this section.

(6) Transfer of records. If the employer ceases to do business, the employer shall transfer to the successor employer all records required to be maintained by this section, and the successor employer shall retain them for the remainder of the period prescribed in WAC 296-62-09041(4).

AMENDATORY SECTION (Amending WSR 01-19-065, filed 9/18/01, effective 11/1/01)

WAC 296-62-14533 Cotton dust. (1) Scope and application.

(a) This section, in its entirety, applies to the control of employee exposure to cotton dust in all workplaces where employees engage in yarn manufacturing, engage in slashing and weaving operations, or work in waste houses for textile operations.

(b) This section does not apply to the handling or processing of woven or knitted materials; to maritime operations covered by chapters 296-56 and 296-304 WAC; to harvesting or ginning of cotton; or to the construction industry.

(c) Only subsection (8) Medical surveillance, subsection (11)(b) Medical surveillance, subsection (11)(c) Availability, subsection (11)(d) Transfer of records, and Appendices B, C, and D of this section apply in all work places where employees exposed to cotton dust engage in cottonseed processing or waste processing operations.

(d) This section applies to yarn manufacturing and slashing and weaving operations exclusively using washed cotton (as defined by subsection (14) of this section) only to the extent specified by subsection (14) of this section.

(e) This section, in its entirety, applies to the control of all employees exposure to the cotton dust generated in the preparation of washed cotton from opening until the cotton is thoroughly wetted.

(f) This section does not apply to knitting, classing or warehousing operations except that employers with these operations, if requested by WISHA, shall grant WISHA access to their employees and workplaces for exposure monitoring and medical examinations for purposes of a health study to be performed by WISHA on a sampling basis.

(2) Definitions applicable to this section:

(a) "Blow down" - the cleaning of equipment and surfaces with compressed air.

(b) "Blow off" - the use of compressed air for cleaning of short duration and usually for a specific machine or any portion of a machine.

(c) "Cotton dust" - dust present in the air during the handling or processing of cotton, which may contain a mixture of many substances including ground-up plant matter, fiber, bacteria, fungi, soil, pesticides, noncotton plant matter and other contaminants which may have accumulated with the cotton during the growing, harvesting and subsequent processing or storage periods. Any dust present during the handling and processing of cotton through the weaving or knitting of fabrics, and dust present in other operations or manufacturing processes using raw or waste cotton fibers or cotton fiber byproducts from textile mills are considered cotton dust within this definition. Lubricating oil mist associated with weaving operations is not considered cotton dust.

(d) "Director" - the director of labor and industries or his authorized representative.

(e) "Equivalent instrument" - a cotton dust sampling device that meets the vertical elutriator equivalency requirements as described in subsection (4)(a)(iii) of this section.

(f) "Lint-free respirable cotton dust" - particles of cotton dust of approximately 15 microns or less aerodynamic equivalent diameter.

(g) "Vertical elutriator cotton dust sampler" or "vertical elutriator" - a dust sampler which has a particle size cut-off at approximately 15 microns aerodynamic equivalent diameter when operating at the flow rate of 7.4 ± 0.2 liters per minute.

(h) "Waste processing" - waste recycling (sorting, blending, cleaning and willowing) and garnetting.

(i) "Yarn manufacturing" - all textile mill operations from opening to, but not including, slashing and weaving.

(3) Permissible exposure limits and action levels.

(a) Permissible exposure limits (PEL).

(i) The employer shall assure that no employee who is exposed to cotton dust in yarn manufacturing and cotton washing operations is exposed to airborne concentrations of lint-free respirable cotton dust greater than 200 $\mu g/m^3$ mean concentration, averaged over an eight-hour period, as measured by a vertical elutriator or an equivalent instrument.

(ii) The employer shall assure than no employee who is exposed to cotton dust in textile mill waste house operations or is exposed in yarn manufacturing to dust from "lower grade washed cotton" as defined in subsection (14)(e) of this section is exposed to airborne concentrations of lint-free respirable cotton dust greater than 500 $\mu g/m^3$ mean concentration, averaged over an eight-hour period, as measured by a vertical elutriator or an equivalent instrument.

(iii) The employer shall assure that no employee who is exposed to cotton dust in the textile processes known as slashing and weaving is exposed to airborne concentrations of lint-free respirable cotton dust greater than 750 $\mu g/m^3$

mean concentration, averaged over an eight-hour period, as measured by a vertical elutriator or an equivalent instrument.

(b) Action levels.

(i) The action level for yarn manufacturing and cotton washing operations is an airborne concentration of lint-free respirable cotton dust of 100 $\mu g/m^3$ mean concentration, averaged over an eight-hour period, as measured by a vertical elutriator or an equivalent instrument.

(ii) The action level for waste houses for textile operations is an airborne concentration of lint-free respirable cotton dust of 250 $\mu g/m^3$ mean concentration, averaged over an eight-hour period, as measured by a vertical elutriator or an equivalent instrument.

(iii) The action level for the textile processes known as slashing and weaving is an airborne concentration of lint-free respirable cotton dust of 375 $\mu g/m^3$ mean concentration, averaged over an eight-hour period, as measured by a vertical elutriator or an equivalent instrument.

(4) Exposure monitoring and measurement.

(a) General.

(i) For the purposes of this section, employee exposure is that exposure which would occur if the employee were not using a respirator.

(ii) The sampling device to be used shall be either the vertical elutriator cotton dust sampler or an equivalent instrument.

(iii) If an alternative to the vertical elutriator cotton dust sampler is used, the employer shall establish equivalency by demonstrating that the alternative sampling devices:

(A) It collects respirable particulates in the same range as the vertical elutriator (approximately 15 microns);

(B) Replicate exposure data used to establish equivalency are collected in side-by-side field and laboratory comparisons; and

(C) A minimum of 100 samples over the range of 0.5 to 2 times the permissible exposure limit are collected, and ninety percent of these samples have an accuracy range of plus or minus twenty-five percent of the vertical elutriator reading with a ninety-five percent confidence level as demonstrated by a statistically valid protocol. (An acceptable protocol for demonstrating equivalency is described in Appendix E of this section.)

(iv) WISHA will issue a written opinion stating that an instrument is equivalent to a vertical elutriator cotton dust sampler if:

(A) A manufacturer or employer requests an opinion in writing and supplies the following information:

(I) Sufficient test data to demonstrate that the instrument meets the requirements specified in this paragraph and the protocol specified in Appendix E of this section;

(II) Any other relevant information about the instrument and its testing requested by WISHA; and

(III) A certification by the manufacturer or employer that the information supplied is accurate, and

(B) If WISHA finds, based on information submitted about the instrument, that the instrument meets the requirements for equivalency specified by this subsection.

(b) Initial monitoring. Each employer who has a place of employment within the scope of subsections (1)(a), (d) or (e) of this section shall conduct monitoring by obtaining measurements which are representative of the exposure of all employees to airborne concentrations of lint-free respirable cotton dust over an eight-hour period. The sampling program shall include at least one determination during each shift for each work area.

(c) Periodic monitoring.

(i) If the initial monitoring required by (4)(b) of this section or any subsequent monitoring reveals employee exposure to be at or below the permissible exposure limit, the employer shall repeat the monitoring for those employees at least annually.

(ii) If the initial monitoring required by (4)(b) of this section or any subsequent monitoring reveals employee exposure to be above the PEL, the employer shall repeat the monitoring for those employees at least every six months.

(iii) Whenever there has been a production, process, or control change which may result in new or additional exposure to cotton dust, or whenever the employer has any other reason to suspect an increase in employee exposure, the employer shall repeat the monitoring and measurements for those employees affected by the change or increase.

(d) Employee notification.

(i) Within twenty working days after the receipt of monitoring results, the employer shall notify each employee in writing of the exposure measurements which represent that employee's exposure.

(ii) Whenever the results indicate that the employee's exposure exceeds the applicable permissible exposure limit specified in subsection (3) of this section, the employer shall include in the written notice a statement that the permissible exposure limit was exceeded and a description of the corrective action taken to reduce exposure below the permissible exposure limit.

(5) Methods of compliance.

(a) Engineering and work practice controls. The employer shall institute engineering and work practice controls to reduce and maintain employee exposure to cotton dust at or below the permissible exposure limit specified in subsection (3) of this section, except to the extent that the employer can establish that such controls are not feasible.

(b) Whenever feasible engineering and work practice controls are not sufficient to reduce employee exposure to or below the permissible exposure limit, the employer shall nonetheless institute these controls to immediately reduce exposure to the lowest feasible level, and shall supplement these controls with the use of respirators which shall comply with the provisions of subsection (6) of this section.

(c) Compliance program.

(i) Where the most recent exposure monitoring data indicates that any employee is exposed to cotton dust levels greater than the permissible exposure limit, the employer shall establish and implement a written program sufficient to reduce exposures to or below the permissible exposure limit solely by means of engineering controls and work practices as required by (a) of this subsection.

(ii) The written program shall include at least the following:

(A) A description of each operation or process resulting in employee exposure to cotton dust;

(B) Engineering plans and other studies used to determine the controls for each process;

(C) A report of the technology considered in meeting the permissible exposure limit;

(D) Monitoring data obtained in accordance with subsection (4) of this section;

(E) A detailed schedule for development and implementation of engineering and work practice controls, including exposure levels projected to be achieved by such controls;

(F) Work practice program; and

(G) Other relevant information.

(iii) The employer's schedule as set forth in the compliance program, shall project completion of the implementation of the compliance program no later than March 27, 1984 or as soon as possible if monitoring after March 27, 1984 reveals exposures over the PEL, except as provided in (13)(b)(ii)(B) of this section.

(iv) The employer shall complete the steps set forth in his program by the dates in the schedule.

(v) Written programs shall be submitted, upon request, to the director, and shall be available at the worksite for examination and copying by the director, and any affected employee or their designated representatives.

(vi) The written programs required under subsection (5)(c) of this section shall be revised and updated at least every six months to reflect the current status of the program and current exposure levels.

(d) Mechanical ventilation. When mechanical ventilation is used to control exposure, measurements which demonstrate the effectiveness of the system to control exposure, such as capture velocity, duct velocity, or static pressure shall be made at reasonable intervals.

(6) Use of respirators.

(a) General. For employees who are required to use respirators by this section, the employer must provide respirators that comply with the requirements of this section. Respirators must be used during:

(i) Periods necessary to install or implement feasible engineering controls and work-practice controls;

(ii) Maintenance and repair activities for which engineering and work-practice controls are not feasible;

(iii) Work operations for which feasible engineering and work-practice controls are not yet sufficient to reduce employee exposure to or below the permissible exposure limits;

(iv) Work operations specified under subsection (7)(a) of this section;

(v) Periods for which an employee requests a respirator.

(b) Respirator program.

(i) The employer must implement a respiratory protection program as required by chapter 296-62 WAC, Part E (except WAC 296-62-07130(1) and 296-62-07150 through 296-62-07156).

(ii) Whenever a physician determines that an employee who works in an area in which the cotton-dust concentration exceeds the PEL is unable to use a respirator, including a powered air-purifying respirator, the employee must be given the opportunity to transfer to an available position, or to a position that becomes available later, that has a cotton-dust concentration at or below the PEL. The employer must ensure that such employees retain their current wage rate or other benefits as a result of the transfer.

(c) Respirator selection.

(i) The employer must select the appropriate respirator from Table 1 of this section.

TABLE - 1

Cotton dust concentration		Required respirator
Not greater than—		
(a)	5 x the applicable permissible exposure limit (PEL).	A disposable respirator with a particulate filter.
(b)	10 x the applicable PEL.	A quarter or half-mask respirator, other than a disposable respirator, equipped with particulate filters.
(c)	100 x the applicable PEL.	A full facepiece respirator equipped with high-efficiency particulate filters.
(d)	Greater than 100 x the applicable PEL.	A powered air-purifying respirator equipped with high-efficiency particulate filters.

Notes
1. A disposable respirator means the filter element is an inseparable part of the respirator.
2. Any respirators permitted at higher environmental concentrations can be used at lower concentrations.
3. Self-contained breathing apparatus are not required respirators but are permitted respirators.
4. Supplied air respirators are not required but are permitted under the following conditions: Cotton dust concentration not greater than 10X the PEL—Any supplied air respirator; not greater than 100X the PEL—Any supplied air respirator with full facepiece, helmet or hood; greater than 100X the PEL—A supplied air respirator operated in positive pressure mode.

(ii) Whenever respirators are required by this section for cotton-dust concentrations that do not exceed the applicable permissible exposure limit by a multiple of 100 (100 x), the employer must, when requested by an employee, provide a powered air-purifying respirator with a high-efficiency particulate filter instead of the respirator specified in (a), (b), or (c) of Table 1 of this section.

(7) Work practices. Each employer shall, regardless of the level of employee exposure, immediately establish and implement a written program of work practices which shall minimize cotton dust exposure. The following shall be included where applicable:

(a) Compressed air "blow down" cleaning shall be prohibited, where alternative means are feasible. Where compressed air is used for cleaning, the employees performing the "blow down" or "blow off" shall wear suitable respirators. Employees whose presence is not required to perform "blow down" or "blow off" shall be required to leave the area affected by the "blow down" or "blow off" during this cleaning operation.

(b) Cleaning of clothing or floors with compressed air shall be prohibited.

(c) Floor sweeping shall be performed with a vacuum or with methods designed to minimize dispersal of dust.

(d) In areas where employees are exposed to concentrations of cotton dust greater than the permissible exposure limit, cotton and cotton waste shall be stacked, sorted, baled,

dumped, removed or otherwise handled by mechanical means, except where the employer can show that it is infeasible to do so. Where infeasible, the method used for handling cotton and cotton waste shall be the method which reduces exposure to the lowest level feasible.

(8) Medical surveillance.

(a) General.

(i) Each employer covered by the standard shall institute a program of medical surveillance for all employees exposed to cotton dust.

(ii) The employer shall assure that all medical examinations and procedures are performed by or under the supervision of a licensed physician and are provided without cost to the employee.

(iii) Persons other than licensed physicians, who administer the pulmonary function testing required by this section shall have completed a NIOSH approved training course in spirometry.

(b) Initial examinations. The employer shall provide medical surveillance to each employee who is or may be exposed to cotton dust. For new employees' this examination shall be provided prior to initial assignment. The medical surveillance shall include at least the following:

(i) A medical history;

(ii) The standardized questionnaire contained in WAC 296-62-14537; and

(iii) A pulmonary function measurement, including a determination of forced vital capacity (FVC) and forced expiratory volume in one second (FEV_1), the FEV_1/FVC ratio, and the percentage that the measured values of FEV_1 and FVC differ from the predicted values, using the standard tables in WAC 296-62-14539. These determinations shall be made for each employee before the employee enters the workplace on the first day of the work week, preceded by at least thirty-five hours of no exposure to cotton dust. The tests shall be repeated during the shift, no less than four hours and no more than ten hours after the beginning of the work shift; and, in any event, no more than one hour after cessation of exposure. Such exposure shall be typical of the employee's usual workplace exposure. The predicted FEV_1 and FVC for blacks shall be multiplied by 0.85 to adjust for ethnic differences.

(iv) Based upon the questionnaire results, each employee shall be graded according to Schilling's byssinosis classification system.

(c) Periodic examinations.

(i) The employer shall provide at least annual medical surveillance for all employees exposed to cotton dust above the action level in yarn manufacturing, slashing and weaving, cotton washing and waste house operations. The employer shall provide medical surveillance at least every two years for all employees exposed to cotton dust at or below the action level, for all employees exposed to cotton dust from washed cotton (except from washed cotton defined in subsection (9)(c) of this section), and for all employees exposed to cotton dust in cottonseed processing and waste processing operations. Periodic medical surveillance shall include at least an update of the medical history, standardized questionnaire (Appendix B-111), Schilling byssinosis grade, and the pulmonary function measurements in (b)(iii) of this subsection.

(ii) Medical surveillance as required in (c)(i) of this subsection shall be provided every six months for all employees in the following categories:

(A) An FEV_1 of greater than eighty percent of the predicted value, but with an FEV_1 decrement of five percent or 200 ml. on a first working day;

(B) An FEV_1 of less than eighty percent of the predicted value; or

(C) Where, in the opinion of the physician, any significant change in questionnaire findings, pulmonary function results, or other diagnostic tests have occurred.

(iii) An employee whose FEV_1 is less than sixty percent of the predicted value shall be referred to a physician for a detailed pulmonary examination.

(iv) A comparison shall be made between the current examination results and those of previous examinations and a determination made by the physician as to whether there has been a significant change.

(d) Information provided to the physician. The employer shall provide the following information to the examining physician:

(i) A copy of this regulation and its appendices;

(ii) A description of the affected employee's duties as they relate to the employee's exposure;

(iii) The employee's exposure level or anticipated exposure level;

(iv) A description of any personal protective equipment used or to be used; and

(v) Information from previous medical examinations of the affected employee which is not readily available to the examining physician.

(e) Physician's written opinion.

(i) The employer shall obtain and furnish the employee with a copy of a written opinion from the examining physician containing the following:

(A) The results of the medical examination and tests including the FEV_1, FVC, and FEV_1/FVC ratio;

(B) The physician's opinion as to whether the employee has any detected medical conditions which would place the employee at increased risk of material impairment of the employee's health from exposure to cotton dust;

(C) The physician's recommended limitations upon the employee's exposure to cotton dust or upon the employee's use of respirators including a determination of whether an employee can wear a negative pressure respirator, and where the employee cannot, a determination of the employee's ability to wear a powered air purifying respirator; and

(D) A statement that the employee has been informed by the physician of the results of the medical examination and any medical conditions which require further examination or treatment.

(ii) The written opinion obtained by the employer shall not reveal specific findings or diagnoses unrelated to occupational exposure.

(9) Employee education and training.

(a) Training program.

(i) The employer shall provide a training program for all employees exposed to cotton dust and shall assure that each employee is informed of the following:

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(A) The acute and long term health hazards associated with exposure to cotton dust;

(B) The names and descriptions of jobs and processes which could result in exposure to cotton dust at or above the PEL.

(C) The measures, including work practices required by subsection (7) of this section, necessary to protect the employee from exposures in excess of the permissible exposure limit;

(D) The purpose, proper use, limitations, and other training requirements for respiratory protection as required by subsection (6) of this section and chapter 296-62 WAC, Part E (see WAC 296-62-07117, 296-62-07172, and 296-62-01786 through 296-62-07190);

(E) The purpose for and a description of the medical surveillance program required by subsection (8) of this section and other information which will aid exposed employees in understanding the hazards of cotton dust exposure; and

(F) The contents of this standard and its appendices.

(ii) The training program shall be provided prior to initial assignment and shall be repeated annually for each employee exposed to cotton dust, when job assignments or work processes change and when employee performance indicates a need for retraining.

(b) Access to training materials.

(i) Each employer shall post a copy of this section with its appendices in a public location at the workplace, and shall, upon request, make copies available to employees.

(ii) The employer shall provide all materials relating to the employee training and information program to the director upon request.

(10) Signs. The employer shall post the following warning sign in each work area where the permissible exposure limit for cotton dust is exceeded:

WARNING
COTTON DUST WORK AREA
MAY CAUSE ACUTE OR DELAYED LUNG INJURY
(BYSSINOSIS)
RESPIRATORS REQUIRED IN THIS AREA

(11) Recordkeeping.

(a) Exposure measurements.

(i) The employer shall establish and maintain an accurate record of all measurements required by subsection (4) of this section.

(ii) The record shall include:

(A) A log containing the items listed in WAC 296-62-14535 (4)(a), and the dates, number, duration, and results of each of the samples taken, including a description of the procedure used to determine representative employee exposures;

(B) The type of protective devices worn, if any, and length of time worn; and

(C) The names, social security number, job classifications, and exposure levels of employees whose exposure the measurement is intended to represent.

(iii) The employer shall maintain this record for at least twenty years.

(b) Medical surveillance.

(i) The employer shall establish and maintain an accurate medical record for each employee subject to medical surveillance required by subsection (8) of this section.

(ii) The record shall include:

(A) The name and social security number and description of the duties of the employee;

(B) A copy of the medical examination results including the medical history, questionnaire response, results of all tests, and the physician's recommendation;

(C) A copy of the physician's written opinion;

(D) Any employee medical complaints related to exposure to cotton dust;

(E) A copy of this standard and its appendices, except that the employer may keep one copy of the standard and the appendices for all employees, provided that he references the standard and appendices in the medical surveillance record of each employee; and

(F) A copy of the information provided to the physician as required by subsection (8)(d) of this section.

(iii) The employer shall maintain this record for at least twenty years.

(c) Availability.

(i) The employer shall make all records required to be maintained by subsection (11) of this section available to the director for examination and copying.

(ii) Employee exposure measurement records and employee medical records required by this subsection shall be provided upon request to employees, designated representatives, and the assistant director in accordance with ((~~WAC 296-62-05201 through 296-62-05209 and 296-62-05213 through 296-62-05217~~)) chapter 296-802 WAC.

(d) Transfer of records.

(i) Whenever the employer ceases to do business, the successor employer shall receive and retain all records required to be maintained by subsection (11) of this section.

(ii) Whenever the employer ceases to do business, and there is no successor employer to receive and retain the records for the prescribed period, these records shall be transmitted to the director.

(iii) At the expiration of the retention period for the records required to be maintained by this section, the employer shall notify the director at least three months prior to the disposal of such records and shall transmit those records to the director if he requests them within that period.

(iv) The employer shall also comply with any additional requirements involving transfer of records set forth in ((~~WAC 296-62-05215~~)) chapter 296-802 WAC.

(12) Observation of monitoring.

(a) The employer shall provide affected employees or their designated representatives an opportunity to observe any measuring or monitoring of employee exposure to cotton dust conducted pursuant to subsection (4) of this section.

(b) Whenever observation of the measuring or monitoring of employee exposure to cotton dust requires entry into an area where the use of personal protective equipment is required, the employer shall provide the observer with and assure the use of such equipment and shall require the observer to comply with all other applicable safety and health procedures.

(c) Without interfering with the measurement, observers shall be entitled to:

(i) An explanation of the measurement procedures;

(ii) An opportunity to observe all steps related to the measurement of airborne concentrations of cotton dust performed at the place of exposure; and

(iii) An opportunity to record the results obtained.

(13) Washed cotton.

(a) Exemptions. Cotton, after it has been washed by the processes described in this section is exempt from all or parts of this section as specified if the requirements of this section are met.

(b) Initial requirements.

(i) In order for an employer to qualify as exempt or partially exempt from this standard for operations using washed cotton, the employer must demonstrate that the cotton was washed in a facility which is open to inspection by the director and the employer must provide sufficient accurate documentary evidence to demonstrate that the washing methods utilized meet the requirements of this section.

(ii) An employer who handles or processes cotton which has been washed in a facility not under the employer's control and claims an exemption or partial exemption under this paragraph, must obtain from the cotton washer and make available at the worksite, to the director, or his designated representative, to any affected employee, or to their designated representative the following:

(A) A certification by the washer of the cotton of the grade of cotton, the type of washing process, and that the batch meets the requirements of this section:

(B) Sufficient accurate documentation by the washer of the cotton grades and washing process; and

(C) An authorization by the washer that the director may inspect the washer's washing facilities and documentation of the process.

(c) Medical and dyed cotton. Medical grade (USP) cotton, cotton that has been scoured, bleached and dyed, and mercerized yarn shall be exempt from all provisions of this standard.

(d) Higher grade washed cotton. The handling or processing of cotton classed as "low middling light spotted or better" (color grade 52 or better and leaf grade code 5 or better according to the 1993 USDA classification system) shall be exempt from all provisions of the standard except requirements of subsection (8) of this section, medical surveillance; subsection (11)(b) through (d) of this section, recordkeeping-medical records, and Appendices B, C, and D of this section, if they have been washed on one of the following systems:

(i) On a continuous batt system or a rayon rinse system including the following conditions:

(A) With water;

(B) At a temperature of no less than 60°C;

(C) With a water-to-fiber ratio of no less than 40:1; and

(D) With the bacterial levels in the wash water controlled to limit bacterial contamination of the cotton.

(ii) On a batch kier washing system including the following conditions:

(A) With water;

(B) With cotton fiber mechanically opened and thoroughly prewetted before forming the cake;

(C) For low-temperature processing, at a temperature of no less than 60°C with a water-to-fiber ratio of no less than 40:1; or, for high-temperature processing, at a temperature of no less than 93°C with a water-to-fiber ratio of no less than 15:1;

(D) With a minimum of one wash cycle followed by two rinse cycles for each batch, using fresh water in each cycle; and

(E) With bacterial levels in the wash water controlled to limit bacterial contamination of the cotton.

(e) Lower grade washed cotton. The handling and processing of cotton of grades lower than "low middling light spotted," that has been washed as specified in (d) of this subsection and has also been bleached, shall be exempt from all provisions of the standard except the requirements of subsection (3)(a) Permissible exposure limits, subsection (4) Exposure monitoring and measurement, subsection (8) Medical surveillance, subsection (11) Recordkeeping, and Appendices B, C and D of this section.

(f) Mixed grades of washed cotton. If more than one grade of washed cotton is being handled or processed together, the requirements of the grade with the most stringent exposure limit, medical and monitoring requirements shall be followed.

(14) Appendices.

(a) Appendix B (B-I, B-II and B-III), WAC 296-62-14537, Appendix C, WAC 296-62-14539 and Appendix D, WAC 296-62-14541 are incorporated as part of this chapter and the contents of these appendices are mandatory.

(b) Appendix A of this chapter, WAC 296-62-14535 contains information which is not intended to create any additional obligations not otherwise imposed or to detract from any existing obligations.

(c) Appendix E of this chapter is a protocol which may be followed in the validation of alternative measuring devices as equivalent to the vertical elutriator cotton dust sampler. Other protocols may be used if it is demonstrated that they are statistically valid, meet the requirements in subsection (4)(a)(iii) of this section, and are appropriate for demonstrating equivalency.

AMENDATORY SECTION (Amending Order 81-21, filed 8/27/81)

WAC 296-62-20023 Recordkeeping. (1) Exposure measurements. The employer shall establish and maintain an accurate record of all measurements taken to monitor employee exposure to coke oven emissions required in WAC 296-62-20007.

(a) This record shall include:

(i) Name, social security number, and job classification of the employees monitored;

(ii) The date(s), number, duration and results of each of the samples taken, including a description of the sampling procedure used to determine representative employee exposure where applicable;

(iii) The type of respiratory protective devices worn, if any;

(iv) A description of the sampling and analytical methods used and evidence of their accuracy; and

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(v) The environment variables that could affect the measurement of employee exposure.

(b) The employer shall maintain this record for at least 40 years or for the duration of employment plus 20 years, whichever is longer.

(2) Medical surveillance. The employer shall establish and maintain an accurate record for each employee subject to medical surveillance as required by WAC 296-62-20017.

(a) The record shall include:

(i) The name, social security number, and description of duties of the employee;

(ii) A copy of the physician's written opinion;

(iii) The signed statement of any refusal to take a medical examination under WAC 296-62-20017; and

(iv) Any employee medical complaints related to exposure to coke oven emissions.

(b) The employer shall keep, or assure that the examining physician keeps, the following medical records:

(i) A copy of the medical examination results including medical and work history required under WAC 296-62-20017;

(ii) A description of the laboratory procedures used and a copy of any standards or guidelines used to interpret the test results;

(iii) The initial X ray;

(iv) The X rays for the most recent 5 years;

(v) Any X ray with a demonstrated abnormality and all subsequent X rays;

(vi) The initial cytologic examination slide and written description;

(vii) The cytologic examination slide and written description for the most recent 10 years; and

(viii) Any cytologic examination slides with demonstrated atypia, if such atypia persists for 3 years, and all subsequent slides and written descriptions.

(c) The employer shall maintain medical records required under subsection (2) of this section for at least 40 years, or for the duration of employment plus 20 years, whichever is longer.

(3) Availability.

(a) The employer shall make available upon request all records required to be maintained by this section to the director for examination and copying.

(b) Employee exposure measurement records and employee medical records required by this subsection shall be provided upon request to employees, designated representatives, and the assistant director in accordance with ((~~WAC 296-62-05201 through 296-62-05209 and 296-62-05213 through 296-62-05217~~)) chapter 296-802 WAC.

(c) The employer shall make available upon request employee medical records required to be maintained by subsection (2) of this section to a physician designated by the affected employee or former employee.

(4) Transfer of records.

(a) Whenever the employer ceases to do business, the successor employer shall receive and retain all records required to be maintained by this section.

(b) Whenever the employer ceases to do business and there is no successor employer to receive and retain the records for the prescribed period, these records shall be transmitted by registered mail to the director.

(c) At the expiration of the retention period for the records required to be maintained under subsections (1) and (2) of this section, the employer shall transmit these records by registered mail to the director or shall continue to retain such records.

(d) The employer shall also comply with any additional requirements involving transfer of records set forth in ((~~WAC 296-62-05215~~)) chapter 296-802 WAC.

AMENDATORY SECTION (Amending Order 90-10, filed 8/13/90, effective 9/24/90)

WAC 296-62-40019 Recordkeeping. (1) The employer shall establish and maintain for each employee an accurate record of any measurements taken to monitor employee exposures and any medical consultation and examinations including tests or written opinions required by this standard.

(2) The employer shall assure that such records are kept, transferred, and made available in accordance with ((~~WAC 296-62-052~~)) chapter 296-802 WAC.

WSR 03-23-103
PROPOSED RULES
DEPARTMENT OF FINANCIAL INSTITUTIONS
[Filed November 18, 2003, 11:29 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 02-23-026.

Title of Rule: Exchange and national market system exemption—Toronto Stock Exchange.

Purpose: Amend WAC 460-42A-081 to create a secondary trading exemption for securities listed on the Toronto Stock Exchange (TSE).

Other Identifying Information: WAC 460-42A-081.

Statutory Authority for Adoption: RCW 21.20.450, 21.20.310(8).

Statute Being Implemented: RCW 21.20.310(8).

Summary: Amend WAC 460-42A-081 to create a securities registration exemption for companies whose securities are listed on the TSE. The exemption would be limited to nonissuer transactions and companies relying on the exemption must be reporting companies in Canada for one hundred eighty days prior to any transaction in reliance upon the exemption. The amendment also allows the director to exempt, by rule or order, other foreign exchanges for purposes the exemption.

Reasons Supporting Proposal: The proposal would amend WAC 460-42A-081 to provide a secondary trading exemption based upon listing on the TSE. The proposal would also allow the director of the Department of Financial Institutions to exempt other foreign exchanges by rule or order.

This would allow Washington residents to engage in secondary trading of TSE listed securities. Given the proximity of our state to Canada and the level of commerce between

Washington and Canada, proving an exemption for securities listed on the TSE, Canada's senior exchange, is appropriate provided that the exchange is operated and regulated in a manner that provides adequate investor protection.

This proposal is based upon a model rule adopted by the North American Securities Administrators Association (NASAA) on April 14, 2002. NASAA's Trading and Exchanges Project Group, which studied the TSE specifically and Canadian securities regulation in general, concluded that investor protection will not be compromised by adopting this amendment. The project group made the following findings in its final report:

1. Securities legislation in Canada has developed in close proximity to United States securities legislation and generally has adopted the same basic goals, language, and mechanisms to insure investor protection.

2. Canadian stock exchanges have evolved along the same lines as their United States counterparts, with the same basic self-regulatory structure and responsibilities.

3. The comparability of the Canadian and United States securities regulatory systems is demonstrated by the multi-jurisdictional disclosure system, which permits certain offers to take place in both countries using disclosure documents prepared in accordance with the requirements of the home jurisdiction (see chapter 460-11A WAC).

4. The TSE is the third largest exchange in North America and is ranked eighth among world stock exchanges.

5. Listing on the TSE requires the filing of a comprehensive application and that the issuer meet certain minimum listing criteria. In order to maintain a listing, a company must meet certain maintenance listing requirements including the periodic filing of reports and financial information.

6. In many circumstances the TSE has broader discretion than United States exchanges or the NASDAQ regarding matters such as investigations of the background of officers and directors of listed companies and the right to review and approve the terms of private placements of the securities of listed issuers.

By allowing the director to designate other foreign countries and/or exchanges by rule or order, the proposal, like the model rule, is structured to comply with the North American Free Trade Agreement (NAFTA) and the General Agreement on Trade in Services (GATS), which require that administrative action providing special treatment to certain foreign countries or entities not precluding other foreign countries or entities from applying for equivalent treatment.

Because the proposal broadens the universe of securities in which United States persons may invest via secondary market transactions while preserving investor protection, it should be adopted.

Name of Agency Personnel Responsible for Drafting: William M. Beatty, 150 Israel Road S.W., Olympia, WA 98501, (360) 902-8760; Implementation: Helen P. Howell, 150 Israel Road S.W., Olympia, WA 98501, (360) 902-8760; and Enforcement: Deborah R. Bortner, 150 Israel Road S.W., Olympia, WA 98501, (360) 902-8760.

Name of Proponent: Department of Financial Institutions, Securities Division, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Reasons Supporting Proposal above.

Proposal Changes the Following Existing Rules: The proposed rule would amend WAC 460-42A-081 to provide a registration exemption companies whose securities are listed on the TSE. The proposal would also allow the director of the Department of Financial Institutions to exempt other foreign exchanges by rule or order.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposal does not impose additional costs on business.

RCW 34.05.328 does not apply to this rule adoption. The Department of Financial Institutions is not one of the agencies listed in RCW 34.05.328.

Hearing Location: Department of Financial Institutions, Boardroom, 150 Israel Road S.W., Olympia, WA 98501, on December 23, 2003, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Darlene Christianson by December 16, 2003, TDD (360) 664-8126 or (360) 902-8760.

Submit Written Comments to: William M. Beatty, Securities Division, P.O. Box 9033, Olympia, WA 98507-9033, fax (360) 704-6923, e-mail bbeatty@dfi.wa.gov, by December 22, 2003.

Date of Intended Adoption: December 24, 2003.

November 5, 2003
Helen P. Howell
Director

AMENDATORY SECTION (Amending WSR 96-11-016, filed 5/6/96, effective 6/6/96)

WAC 460-42A-081 Exchange and national market system exemption. (1) Any securities listed or designated, or approved for listing or designation upon notice of issuance, on (a) the New York Stock Exchange, (b) the American Stock Exchange, (c) the NASDAQ/NMS interdealer quotation system pursuant to the Memorandum of Understanding between the North American Securities Administrators Association (NASAA) and the National Association of Securities Dealers (NASD) adopted April 28, 1990, (d) the Chicago Board Options Exchange pursuant to the Memorandum of Understanding between NASAA and the Chicago Board Options Exchange dated May 30, 1991, (e) Tier I on the Pacific Stock Exchange pursuant to the Memorandum of Understanding between NASAA and the Pacific Stock Exchange dated October 12, 1994, or (f) Tier I on the Philadelphia Stock Exchange pursuant to the Memorandum of Understanding between NASAA and the Philadelphia Stock Exchange dated October 12, 1994, any other security of the same issuer which is of senior or substantially equal rank, any security called for by subscription rights or warrants so listed or approved, or any warrant or right to purchase or subscribe to any of the foregoing is exempt under RCW 21.20.310(8). ((~~The administrator may by order withdraw this exemption as to an exchange or interdealer quotation system or a particular security when necessary in the public interest for the protection of investors.~~))

(2) For the purposes of nonissuer transactions only, any security listed or approved for listing upon notice of issuance

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on (a) the NASDAQ/NMS interdealer quotation system, (b) the New York Stock Exchange, (c) the American Stock Exchange, (d) the Chicago Stock Exchange, (e) the Chicago Board Options Exchange, (f) the Pacific Stock Exchange, (g) the Philadelphia Stock Exchange, or any other stock exchange registered with the federal securities and exchange commission and approved by the director; any other security of the same issuer which is of senior or substantially equal rank; any security called for by subscription rights or warrants so listed or approved; or any warrant or right to purchase or subscribe to any of the foregoing, is exempted under RCW 21.20.310(8).

(3)(a) For the purposes of nonissuer transactions only, any security meeting the following requirements is exempted under RCW 21.20.310(8):

(i) The issuer of the security is a reporting issuer in a foreign country or jurisdiction designated in (b) of this subsection, or by rule or order of the director, and has been subject to continuous reporting requirements in such foreign country for not less than one hundred eighty days before the transaction; and

(ii) The security is listed on such foreign country's securities exchange which has been designated in (b) of this subsection, or by rule or order of the director, or is a security of the same issuer which is of senior or substantially equal rank to such listed security or is a warrant or right to purchase or subscribe to any of the foregoing.

(b) For purposes of (a) of this subsection, Canada together with its provinces and territories is a designated foreign jurisdiction and the Toronto Stock Exchange is a designated securities exchange.

(4) The director may by order withdraw the exemptions provided by subsection (1), (2), or (3) of this section as to an exchange or interdealer quotation system or a particular security when necessary in the public interest for the protection of investors.

WSR 03-23-105
PROPOSED RULES
OFFICE OF THE INSURANCE COMMISSIONER
[Filed November 18, 2003, 2:33 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 03-07-005.

Title of Rule: 2001 commissioner's standard ordinary (CSO) mortality table.

Purpose: The 2001 CSO mortality table is a new mortality table developed by the American Academy of Actuaries to reflect changes in mortality since the development of the 1980 CSO table. The 1980 CSO table is the current mortality table; the 2001 table would provide a new minimum valuation standard of mortality for life insurance products.

Other Identifying Information: Insurance Commissioner Matter No. R 2003-02.

Statutory Authority for Adoption: RCW 48.02.060, 48.74.030, 48.76.050.

Statute Being Implemented: RCW 48.74.030, 48.76.050.

Summary: The National Association of Insurance Commissioner's (NAIC) recently adopted the 2001 commissioner's standard ordinary (CSO) mortality tables. The commissioner has reviewed the new table and proposes to adopt it.

Reasons Supporting Proposal: The National Association of Insurance Commissioner (NAIC) recently adopted the 2001 commissioner's standard ordinary (CSO) mortality tables; this standard will be adopted in jurisdictions across the nation. The 2001 CSO mortality table reflects changes in mortality statistics. General, the increase in the life expectancies will allow insurers to decrease the amount that needs to be reserved on some policies.

Name of Agency Personnel Responsible for Drafting: Roy Olson, P.O. Box 40255, Olympia, WA 98504-0255, (360) 725-7136; Implementation: Beth Berendt, P.O. Box 40255, Olympia, WA 98504-0255, (360) 725-7117; and Enforcement: Carol Sureau, P.O. Box 40255, Olympia, WA 98504-0255, (360) 725-7050.

Name of Proponent: Mike Kreidler, Insurance Commissioner, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The National Association of Insurance Commissioner (NAIC) recently adopted the 2001 commissioner's standard ordinary (CSO) mortality tables. The new table addresses plans of insurance that have separate rates for nonsmokers and smokers and for plans of insurance that have the same rates for males and females. The 2001 CSO mortality table was developed by the American Academy of Actuaries to reflect changes in mortality since the development of the 1980 CSO table. The 1980 CSO table is the current mortality table used by life insurers; the 2001 table would provide an alternate minimum valuation standard of mortality for life insurance products. The 2001 CSO mortality table also reflects changes in mortality statistics. The updated table will lead to more accurate standards. Generally, the increase in the life expectancies will allow insurers to decrease the amount that needs to be reserved on some policies.

Proposal Changes the Following Existing Rules: The proposal allows insurers to use the 2001 CSO table or continue to use the 1980 CSO table (see WAC 284-74-300/284-74-380) until January 1, 2009. For policies written after January 1, 2009, insurers would be required to use the 2001 CSO table.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed rule should have no negative economic impacts on small businesses.

RCW 34.05.328 applies to this rule adoption. This proposal is a significant legislative rule for the purposes of RCW 34.05.328. A copy of the preliminary cost-benefit analysis is available upon request. Contact Kacy Scott, Kacys@oic.wa.gov, (360) 725-7041.

Hearing Location: Insurance Commissioner's Office, Room TR 120, 5000 Capitol Boulevard, Tumwater, WA 98501, on December 23, 2003, at 10:00.

Assistance for Persons with Disabilities: Contact Lori Villaflores by December 21, 2003, TDD (360) 664-3154 or (360) 407-0198.

Submit Written Comments to: Kacy Scott, P.O. Box 40255, Olympia, WA 98504-0255, e-mail Kacys@oic.wa.gov, fax (360) 586-3109.

Date of Intended Adoption: December 30, 2003.

November 18, 2003
Mike Kreidler
Insurance Commissioner

NEW SECTION

WAC 284-74-400 Purpose. The purpose of this regulation, WAC 284-74-400 through 284-74-460, is to recognize and prescribe the use of the 2001 commissioners standard ordinary (CSO) mortality table in compliance with RCW 48.74.030 (1)(a)(iii), 48.76.050 (4)(h)(vi), and WAC 284-74-340 (1) and (2).

NEW SECTION

WAC 284-74-410 Definitions. (1) "2001 CSO mortality table" means that mortality table, consisting of separate rates of mortality for male and female lives, adopted by the National Association of Insurance Commissioners (NAIC) in December of 2002. The 2001 CSO mortality table is included in the *Proceedings of the NAIC (2nd Quarter 2002)*. Unless the context indicates otherwise, the "2001 CSO mortality table" includes both the ultimate form and the select and ultimate form of that table and includes both the smoker and nonsmoker mortality tables and the composite mortality tables. It also includes both the age-nearest-birthday and age-last-birthday bases of the mortality tables.

(2) "2001 CSO mortality table (F)" means that mortality table consisting of the rates of mortality for female lives from the 2001 CSO mortality table.

(3) "2001 CSO mortality table (M)" means that mortality table consisting of the rates of mortality for male lives from the 2001 CSO mortality table.

(4) "Composite mortality tables" means mortality tables with rates of mortality that do not distinguish between smokers and nonsmokers.

(5) "Smoker and nonsmoker mortality tables" means mortality tables with separate rates of mortality for smokers and nonsmokers.

NEW SECTION

WAC 284-74-420 2001 CSO mortality table. (1) The 2001 commissioners standard ordinary (CSO) mortality table may be used as allowed in RCW 48.74.030 (1)(a)(iii), 48.76.050 (4)(h)(vi), and WAC 284-74-340 (1) and (2), subject to the conditions in this regulation.

(2) An insurer may elect to use the 2001 CSO mortality table as the minimum standard for policies issued on or after January 1, 2004, until January 1, 2009. This table may be used for any one or more specified plans of insurance subject to the conditions in this regulation. If the insurer elects to use the 2001 CSO mortality table, it must do so for both valuation and nonforfeiture purposes.

(3) An insurer must use the 2001 CSO mortality table as the minimum standard for policies issued on or after January 1, 2009.

NEW SECTION

WAC 284-74-430 Conditions. (1) For each plan of insurance with separate rates for smokers and nonsmokers an insurer may use:

(a) Composite mortality tables to determine minimum reserve liabilities and minimum cash surrender values and amounts of paid-up nonforfeiture benefits;

(b) Smoker and nonsmoker mortality tables to determine the valuation net premiums and additional minimum reserves, if any, required by RCW 48.74.070 and use composite mortality tables to determine the basic minimum reserves, minimum cash surrender values and amounts of paid-up nonforfeiture benefits; or

(c) Smoker and nonsmoker mortality to determine minimum reserve liabilities and minimum cash surrender values and amounts of paid-up nonforfeiture benefits.

(2) The composite mortality tables must be used for plans of insurance without separate rates for smokers and nonsmokers.

(3) The insurer for each plan of insurance may use the 2001 CSO mortality table in its ultimate or select and ultimate form to determine minimum reserve liabilities and minimum cash surrender values and amounts of paid-up nonforfeiture benefits. This is subject to the restrictions of WAC 284-74-440 and WAC 284-74-300 through 284-74-380 regarding the use of the select and ultimate form.

(4) When the 2001 CSO mortality table is the minimum reserve standard for any plan for an insurer, the actuarial opinion in the annual statement filed with the commissioner must be based on an asset adequacy analysis as specified in WAC 284-07-380. The commissioner may exempt an insurer from this requirement if it only does business in Washington.

NEW SECTION

WAC 284-74-440 Applicability to WAC 284-74-300 through 284-74-380. (1) The 2001 CSO mortality table may be used in applying WAC 284-74-300 through 284-74-380 in the following manner, subject to the transition dates for use of the 2001 CSO mortality table in WAC 284-74-420 of this regulation (unless otherwise noted, the references in this section are to WAC 284-74-300 through 284-74-380):

(a) WAC 284-74-320 (1)(b)(ii): The net level reserve premium is based on the ultimate mortality rates in the 2001 CSO mortality table.

(b) WAC 284-74-330(2): All calculations are made using the 2001 CSO mortality rate, and, if elected, the optional minimum mortality standard for deficiency reserves stipulated in (d) of this subsection. The value of "$q_{x+k+t-1}$" is the valuation mortality rate for deficiency reserves in policy year k+t, but using the unmodified select mortality rates if

modified select mortality rates are used in the computation of deficiency reserves.

(c) WAC 284-74-340(1): The 2001 CSO mortality table is the minimum standard for basic reserves.

(d) WAC 284-74-340(2): The 2001 CSO mortality table is the minimum standard for deficiency reserves. If select mortality rates are used, they may be multiplied by X percent for durations in the first segment, subject to the conditions specified in WAC 284-74-340 (3)(a) through (i). In demonstrating compliance with those conditions, the demonstrations may not combine the results of tests that utilize the 1980 CSO mortality table with those tests that utilize the 2001 CSO mortality table, unless the combination is explicitly required by regulation or necessary to be in compliance with relevant actuarial standards of practice.

(e) WAC 284-74-350(3): The valuation mortality table used in determining the tabular cost of insurance is the ultimate mortality rates in the 2001 CSO mortality table.

(f) WAC 284-74-350 (5)(e): The calculations specified in WAC 284-74-350(5) must use the ultimate mortality rates in the 2001 CSO mortality table.

(g) WAC 284-74-350 (6)(e): The calculations specified in WAC 284-74-350(6) must use the ultimate mortality rates in the 2001 CSO mortality table.

(h) WAC 284-74-350 (7)(b): The calculations specified in WAC 284-74-350(7) must use the ultimate mortality rates in the 2001 CSO mortality table.

(i) WAC 284-74-360 (1)(a)(ii): The one-year valuation premium must be calculated using the ultimate mortality rates in the 2001 CSO mortality table.

(2) Nothing in this section expands the applicability of WAC 284-74-300 through 284-74-380 to include life insurance policies exempted under WAC 284-74-320(1).

NEW SECTION

WAC 284-74-450 Gender blended tables. (1) On or after January 1, 2004, an insurer may substitute a blended mortality table for the 2001 CSO mortality table for any ordinary life insurance policy delivered or issued for delivery in this state. The ordinary life policy must have (a) utilized the same premium rates and charges for male and female lives and (b) been issued in circumstances where applicable law does not permit distinctions on the basis of gender. The substituted table may blend the 2001 CSO mortality table (M) and the 2001 CSO mortality table (F) for use in determining minimum cash surrender values and amounts of paid-up nonforfeiture benefits. The table may be used for any one or more specified plans of insurance subject to the conditions in this regulation. No change in minimum valuation standards is implied by this subsection.

(2) The insurer may choose from among the blended tables developed by the American Academy of Actuaries CSO task force and adopted by the NAIC in December of 2002. The mortality table chosen must be based on the blend of lives by gender expected for the policies to be issued. The 2001 CSO mortality table (M) and 2001 CSO mortality table (F) may only be used where the proportion of individuals insured is anticipated to be ninety percent or more of one gender or the other.

(3) An insurer shall not use gender blended mortality tables unless:

(a) The Norris decision (Arizona Governing Committee v. Norris, 463 U.S. 1073, 103 S. Ct. 3492, 77 1. Ed 2d 1236 (1983)) or other federal law is known to apply to the policies involved; or

(b) The insurer has a bona fide concern that the Norris decision or other federal law might reasonably be construed to apply by a court having jurisdiction.

(4) It is not a violation of RCW 48.30.300 for an insurer to issue the same kind of policy of life insurance on both a gender distinct and gender neutral basis.

NEW SECTION

WAC 284-74-460 Effective date. The effective date of this regulation is January 1, 2004.

WSR 03-23-109
PROPOSED RULES
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
[Filed November 18, 2003, 4:04 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 03-19-033 on September 9, 2003.

Title of Rule: WAC 388-450-0200 Medical expenses may be used as an income deduction for food assistance households containing an elderly or disabled household member.

Purpose: The department is amending the rule to update program language, clarify when the department allows a medical expense as an income deduction, and correct references in the rule.

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

Statute Being Implemented: RCW 74.04.050, 74.04.-055, 74.04.057, 74.04.510.

Summary: This rule explains who can use medical expenses as an income deduction for the Washington basic food program and which types of medical expenses may be used for this deduction.

Reasons Supporting Proposal: The proposed amendments are necessary to be consistent with federal regulations for food stamps. This revision is intended to update program language, clarify when the department allows a medical expense as an income deduction, and correct references in the rule.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: John Camp, 1009 College S.E., Lacey, WA 98504, (360) 413-3232.

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

Rule is necessary because of federal law, Title 7 of the Code of Federal Regulations, Part 273-273.9 (d)(3).

Explanation of Rule, its Purpose, and Anticipated Effects: Rule: WAC 388-450-0200 Medical expenses may

be used as an income deduction for food assistance households containing an elderly or disabled household member.

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

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

No small business economic impact statement has been prepared under chapter 19.85 RCW. This proposed rule does not have an economic impact on small businesses; it only affects DSHS clients by clarifying who can receive an income deduction based on medical expenses for basic food.

RCW 34.05.328 does not apply to this rule adoption. These amendments are exempt as allowed under RCW 34.05.328 (5)(b)(vii) which states in-part, "[t]his section does not apply to...rules of the department of social and health services relating only to client medical or financial eligibility and rules concerning liability for care of dependents." This rule adopts federal requirements mandated by Title 7 of the Code of Federal Regulations, Part 273, 273.9 (d)(3) regarding how the excess medical expense deduction affects financial eligibility for food stamps.

Hearing Location: Blake Office Park (behind Goodyear Courtesy Tire), 4500 10th Avenue S.E., Rose Room, Lacey, WA 98503, on December 23, 2003, at 10:00 a.m.

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

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, mail to P.O. Box 45850, Olympia, WA 98504-5850, deliver to 4500 10th Avenue S.E., Lacey WA, fax (360) 664-6185, e-mail fernaax@dshs.wa.gov, by 5:00 p.m., December 23, 2003.

Date of Intended Adoption: Not earlier than December 24, 2003.

November 12, 2003
Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 99-23-083, filed 11/16/99, effective 1/1/00)

WAC 388-450-0200 Will the medical expenses ((~~may be used as an income deduction for food assistance households containing~~)) of an elderly or disabled ((~~household member.~~)) person in my assistance unit be used as an income deduction for Basic Food? (1) If your Basic Food Assistance ((~~households can use medical expenses in excess of thirty-five dollars monthly as an income deduction for members that are:~~

~~(a) Age sixty or older; or~~

~~(b)~~)) (AU) includes an elderly or disabled person as defined in WAC 388-400-0040, your AU may be eligible for an income deduction for the elderly or disabled person's out-of-pocket medical expenses. We allow the deduction for medical expenses over thirty-five dollars each month.

(2) ((~~The department allows deductions for expenses to cover~~)) You can use a medical expense toward this deduction if the expense covers services, supplies, ((~~or~~)) medication, or other medically needed items prescribed by a state-licensed practitioner or other state-certified, qualified, health professional((~~, such as~~)). Examples of expenses you can use for this deduction include those for:

(a) Medical, psychiatric, naturopathic physician, dental, or chiropractic care;

(b) Prescribed alternative therapy such as massage or acupuncture;

(c) Prescription drugs;

(((~~e~~))) (d) Over the counter drugs;

(((~~d~~))) (e) Eye glasses;

(((~~e~~))) (f) Medical supplies other than special diets;

(((~~f~~))) (g) Medical equipment((~~, (g)~~)) or medically needed changes to your home;

(h) Shipping and handling charges for an allowable medical item. This includes shipping and handling charges for items purchased through mail order or the Internet;

(i) Long distance calls to a medical provider;

(j) Hospital and outpatient treatment including:

(i) Nursing care; or

(ii) Nursing home care including payments made for a person who was an assistance unit member at the time of placement.

(((~~h~~))) (k) Health insurance premiums paid by the client including:

(i) Medicare premiums ((~~or cost sharing~~)); and

(ii) Insurance deductibles and co-payments.

(((~~i~~))) (l) Out-of-pocket expenses used to meet a spenddown ((~~expenses~~)) as defined in WAC 388-519-0010. We do not allow your entire spenddown ((~~expenses are allowed~~)) obligation as a deduction. We allow the expense as a deduction as ((~~they are~~)) it is estimated to occur or as the expense ((~~become~~)) becomes due;

(((~~j~~))) (m) Dentures, hearing aids, and prosthetics;

(((~~k~~))) (n) Cost ((~~of obtaining and caring~~)) to obtain and care for a seeing eye ((~~or~~)), hearing, or other specially trained service animal((~~, including~~)). This includes the cost of food and veterinarian bills. We do not allow the expense of ((~~guide dog~~)) food for a service animal as a deduction if you receive ongoing additional requirements under WAC 388-255-1050 to pay for this need;

(((~~l~~))) (o) Reasonable costs of transportation and lodging to obtain medical treatment or services;

(((~~m~~))) (p) Attendant care necessary due to age, infirmity, or illness. If your ((~~household~~)) AU provides most of the attendant's meals, we allow an additional deduction equal to a one-person allotment.

(3) There are two types of deductions:

(a) One-time expenses are expenses that cannot be estimated to occur on a regular basis. You can choose to have us:

(i) Allow the one-time expense as a deduction when it is billed or due; ((~~or~~))

(ii) Average the expense through the remainder of your certification period; or

(iii) If your AU has a twenty-four-month certification period, you can choose to use the expense as a one-time deduction, average the expense for the first twelve months of your certification period, or average it for the remainder of our certification period.

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(b) Recurring expenses are expenses that happen on a regular basis. We estimate your monthly expenses for the certification period.

(4) We do not allow a medical expense as an income deduction if:

(a) The expense ((~~has already been~~)) was paid before you applied for benefits or in a previous certification period;

(b) The expense ((~~is repaid~~)) was paid or will be paid by someone else;

(c) The expense ((~~is~~)) was paid or will be paid by the department or another agency;

(d) The expense is covered by medical insurance;

(e) ((~~You claim the expense later than the first billing, even if:~~

~~(i) You did not claim the expense the first time it was billed;~~

~~(ii) The expense is included in the current billing; and~~

~~(iii) You paid the bill.~~

~~(f)~~)) We previously allowed the expense, and you did not pay it. We do not allow the expense again even if it is part of a repayment agreement;

((~~(g)~~)) (f) You included the expense in a repayment agreement after failing to meet a previous agreement for the same expense;

((~~(h)~~)) (g) You claim the expense after you have been denied for presumptive SSI; and you are not considered disabled by any other criteria; or

((~~(i)~~)) (h) The provider considers the expense overdue.

WSR 03-23-110
PROPOSED RULES
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
(Economic Services Administration)

[Filed November 18, 2003, 4:05 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 03-20-024.

Title of Rule: WAC 388-426-0005 Client complaints.

Purpose: Correcting a typographical error in the reference listed in subsection (2)(d) from WAC 388-08-413 to chapter 388-02 WAC.

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

Statute Being Implemented: RCW 74.04.050, 74.04.055, 74.04.057.

Summary: Correction of a typographical error in the reference listed in subsection (2)(d) from WAC 388-08-413 to chapter 388-02 WAC.

Reasons Supporting Proposal: Use of correct cross-references in WAC is necessary to accurately determine eligibility and benefit levels.

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

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: Rule: WAC 388-426-0005 Client complaints.

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

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

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

RCW 34.05.328 does not apply to this rule adoption. This amendment is exempt as allowed under RCW 34.05.328 (5)(b) which states in-part, "[t]his section does not apply to...(iv) [r]ules that only correct typographical errors, make address or name changes, or clarify language of a rule without changing its effect; ...(vii) [r]ules of the department of social and health services relating only to client medical or financial eligibility and rules concerning liability for care of dependents."

Hearing Location: Blake Office Park (behind Goodyear Courtesy Tire), 4500 10th Avenue S.E., Rose Room, Lacey, WA 98503, on December 23, 2003, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Andy Fernando, DSHS Rules Coordinator, by December 19, 2003, phone (360) 664-6094, TTY (360) 664-6178, e-mail FernAX@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, mail to P.O. Box 45850, Olympia, WA 98504-5850, deliver to 4500 10th Avenue S.E., Lacey, WA, fax (360) 664-6185, e-mail fernaax@dshs.wa.gov, by 5:00 p.m., December 23, 2003.

Date of Intended Adoption: Not earlier than December 24, 2003.

November 14, 2003
Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 99-17-025, filed 8/10/99, effective 10/1/99)

WAC 388-426-0005 Client complaints. (1) Clients who believe they have been discriminated against by the department for reason of race, color, creed, political affiliation, national origin, religion, age, gender, disability, or birthplace have the right to file a complaint. Clients can file discrimination complaints with the:

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

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

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

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

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

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

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

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

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

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

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

(d) The filing of a written complaint does not prevent a client from requesting a fair hearing under ((~~WAC 388-08-413~~)) chapter 388-02 WAC.

(e) Clients have the right to speak to a worker's supervisor or have a decision or action reviewed by the supervisor, whether or not a formal complaint has been filed.

WSR 03-23-111
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
[Filed November 18, 2003, 4:06 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 03-18-100 on September 2, 2003.

Title of Rule: WAC 388-450-0170 TANF/SFA earned income incentive and deduction.

Purpose: This change is necessary because the dependent care maximum deductions were listed under the wrong age group in error. The deduction for children two years of age and under is more than the deduction for children over two years of age. This proposed rule is to correct the error.

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

Statute Being Implemented: None, RCW 74.08.090, 74.04.050, 74.04.055, 74.04.057.

Summary: Correcting benefit amount errors in WAC 388-450-0170.

Reasons Supporting Proposal: Correcting the benefit amounts in this WAC will give the public correct information.

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

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: Rule: WAC 388-450-0170 TANF/SFA earned income incentive and deduction.

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

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

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

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

Hearing Location: Blake Office Park (behind Goodyear Courtesy Tire), 4500 10th Avenue S.E., Rose Room, Lacey, WA 98503, on December 23, 2003, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Andy Fernando, DSHS Rules Coordinator, by December 19, 2003, phone (360) 664-6094, TTY (360) 664-6178, e-mail FernAX@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, mail to P.O. Box 45850, Olympia, WA 98504-5850, deliver to 4500 10th Avenue S.E., Lacey, WA, fax (360) 664-6185, e-mail fernaax@dshs.wa.gov, by 5:00 p.m., December 23, 2003.

Date of Intended Adoption: Not earlier than December 24, 2003.

November 14, 2003
Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

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

WAC 388-450-0170 TANF/SFA earned income incentive and deduction. This section applies to TANF/SFA, RCA, and medical programs for children, pregnant women, and families except as specified under WAC 388-450-0210.

(1) If a client works, the department only counts some of the income to determine eligibility and benefit level.

(2) We only count fifty percent of your monthly gross earned income. We do this to encourage you to work.

(3) If you pay for care before we approve your benefits, we subtract the amount you pay for those dependent children or incapacitated adults who get cash assistance with you.

(a) The amount we subtract is:

(i) Prorated according to the date you are eligible for benefits;

(ii) Cannot be more than your gross monthly income; and

(iii) Cannot exceed the following for each dependent child or incapacitated adult:

Dependent Care Maximum Deductions

Hours Worked Per Month	Child ((~~Under~~)) Two Years of Age & Under	Child Over Two Years of Age or Incapacitated Adult
0 - 40	$ ((~~43.75~~)) 50.00	$ ((~~50.00~~)) 43.75

41 - 80	$ ((~~87.50~~)) 100.00	$ ((~~100.00~~)) 87.50
81 - 120	$ ((~~131.25~~)) 150.00	$ ((~~150.00~~)) 131.25
121 or More	$ ((~~175.00~~)) 200.00	$ ((~~200.00~~)) 175.00

(b) In order to get this deduction:

(i) The person providing the care must be someone other than the parent or stepparent of the child or incapacitated adult; and

(ii) You must verify the expense.

PROPOSED

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

Original Notice.

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

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

Purpose: Correcting typographical errors and obsolete cross-references.

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

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

Statute Being Implemented: RCW 74.04.050, 74.04.055, 74.04.057.

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

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

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

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: Rule: See Title of Rule above.

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

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

- WAC 388-310-1500 WorkFirst—Employment conditions, subsection (4)(b)(i) incorrect WAC 388-200-1100 to correct WAC 388-426-0005, and subsection (4)(b)(ii) incorrect chapter 388-08 WAC to correct chapter 388-02 WAC.
- WAC 388-310-2000 Individual development accounts (IDA), subsection (8) incorrect WAC 388-470-0065 to correct WAC 388-470-0045.
- WAC 388-410-0001 What is a cash/medical assistance overpayment, subsection (3)(a) incorrect WAC 388-418-0030 to correct WAC 388-418-0020.
- WAC 388-436-0040 Excluded income and resources for CEAP, subsection (1) incorrect WAC 388-470-0030 to correct WAC 388-470-0045, and subsection (12) incorrect WAC 388-470-0020 to correct WAC 388-470-0045.
- WAC 388-440-0001 Exceptions to rule, subsection (3) incorrect chapter 388-08 WAC to correct chapter 388-02 WAC.
- WAC 388-444-0055 What are the penalties for refusing or failing to comply?, subsection (9) incorrect WAC 388-08-413 to correct WAC 388-02-0080.
- WAC 388-450-0005 Income—Ownership and availability, subsection (3)(a) incorrect WAC 388-405-0100 to correct WAC 388-450-0100.
- WAC 388-450-0165 Gross earned income limit for TANF/SFA, subsection (3)(b) incorrect WAC 388-255-1050 through 388-225-1250 to correct chapter 388-473 WAC.
- WAC 388-466-0130 Refugee medical assistance (RMA), subsection (2)(a)(ii) incorrect WAC 388-466-0010 to correct WAC 388-466-0140.
- WAC 388-478-0005 Cash assistance need and payment standards and grant maximum, subsection (3)(c) incorrect WAC 388-478-0025 to correct WAC 388-468-0005.
- WAC 388-484-0005 There is a five year (sixty-month) time limit for TANF, SFA and GA-S cash assistance, subsection (4)(a) incorrect WAC 488-454-0010 to correct WAC 388-454-0010.

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

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

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

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

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

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

November 14, 2003
Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

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 03-24 issue of the Register.

WSR 03-23-126
PROPOSED RULES
ENVIRONMENTAL HEARINGS OFFICE
[Filed November 19, 2003, 9:36 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 03-20-121.

Title of Rule: Livestock nutrient management program procedural rules.

Purpose: Explains that while an appeal of other agency enforcement action is to the director of agriculture, an appeal of any Department of Agriculture action in the livestock nutrient management program is under the jurisdiction of the Pollution Control Hearings Board (PCHB).

Statutory Authority for Adoption: Chapter 43.21B RCW.

Statute Being Implemented: Chapter 43.21B RCW.

Summary: Appeals of LNMP orders and penalties cannot be appealed using the procedural rules in chapter 16-08 WAC, instead they can only be appealed to the PCHB under chapters 43.21B RCW and chapter 371-08 WAC and must be served on and handled by the Department Agriculture rather than the Department of Ecology.

Reasons Supporting Proposal: The proposed rule clarifies the process of how appeals under the statute will be processed.

Name of Agency Personnel Responsible for Drafting: Eric Z. Lucas, Lacey, Washington, (360) 459-6327; Implementation and Enforcement: Robyn Bryant, Lacey, Washington, (360) 459-6327.

Name of Proponent: Pollution Control Hearings Board, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: Proposed rule pursuant to the 2003 legislature passing ESSB 5889 transferring the livestock nutrient management program to the Department of Agriculture.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The 2003 legislature passed ESSB 5889 transferring the livestock nutrient management program (LNMP) to the Washington State Department of Agriculture (WSDA). WSDA has the authority to take immediate corrective action and formal, regulatory enforcement action for violations of chapters 90.64 and 90.48 RCW. While an appeal of other agency enforcement action is to the director of WSDA, an appeal of any WSDA action in the LNMP is under the jurisdiction of the Pollution Control Hearings Board (PCHB). Permanent rules will clarify that appeals of LNMP orders and penalties cannot be appealed using the procedural rules in chapter 16-08 WAC, but instead can only be appealed to the PCHB under chapters 43.21B RCW and 371-08 WAC and must be served on and handled by WSDA rather than the Department of Ecology.

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed rule is procedural in nature and does not place new requirements on those it may affect.

RCW 34.05.328 does not apply to this rule adoption. The Department of Agriculture is not a named agency in RCW 34.05.328.

Hearing Location: Department of Agriculture, Conference Room 205, 1111 Washington Street S.E., Olympia, WA 98504-2560, on December 30, 2003, at 1:30 p.m.

Assistance for Persons with Disabilities: Contact Jodi Jones by December 15, 2003.

Submit Written Comments to: Eric Z. Lucas, P.O. Box 40903, Lacey, WA 98504-0903, EricL@eho.wa.gov, fax (360) 438-7699, by 5:00 p.m. on January 5, 2004.

Date of Intended Adoption: January 5, 2004.

Eric Z. Lucas
AAJ/Rules Coordinator

NEW SECTION

WAC 371-08-306 Livestock nutrient management program (LNMP). As used in this chapter, and chapter 43.21B RCW, when referring to appeals related to civil penalties and orders issued by the department of agriculture, under the LNMP, pursuant to chapters 90.48 and 90.64 RCW, the following terms shall have the following meaning:

(1) "Department" means the department of agriculture.

(2) "Director" means the director of the department of agriculture.

AMENDATORY SECTION (Amending WSR 96-15-003, filed 7/3/96, effective 8/3/96)

WAC 371-08-315 Membership, function and jurisdiction. (1) **Members.** The board is composed of three members appointed by the governor, with the advice and consent of the senate, for a term of six years. The members are to be qualified by experience or training in pertinent matters

pertaining to the environment, and at least one member shall be a lawyer, and not more than two members shall be of the same political party.

(2) **Function and jurisdiction.** The function of this board is to provide an expeditious and efficient disposition of appeals from the decisions and orders of the department of agriculture pursuant to chapters 90.48 and 90.64 RCW, the department of ecology, from the decisions of air pollution control authorities established pursuant to chapter 70.94 RCW, and from the decisions of local health departments, when such orders and decisions concern matters within the jurisdiction of the board as provided in RCW 43.21B.110:

(a) Civil penalties imposed pursuant to RCW 18.104.155, 70.94.431, 70.105.080, 70.105.095, 70.107.050, 86.16.081, 88.46.090, 90.03.600, 90.48.144, 90.56.310, 90.56.320, 90.56.330 ((~~and~~)), 90.58.560 and chapter 90.64 RCW.

(b) Orders issued pursuant to RCW 18.104.043, 18.104.060, 18.104.065, 43.27A.190, 70.94.211, 70.94.332, 70.105.095, 70.107.060, 88.46.070, 90.14.130, 90.14.190 ((~~and~~)), 90.48.120 and chapter 90.64 RCW.

(c) The issuance, modification, termination or denial of any permit certificate or license by the department of ecology or any air pollution control authority.

(d) Decisions of local health departments regarding the grant or denial of solid waste permits or of biosolid permits pursuant to chapter 70.95 RCW.

(e) Disputes between the department and the governing bodies of local governments regarding local planning requirements under RCW 70.105.220 and zone designation under RCW 70.105.225, pursuant to RCW 70.105.250.

(f) Any other decision by the department of ecology, the administrator of marine safety or an air pollution control authority which pursuant to law must be decided as an adjudicative proceeding under chapter 34.05 RCW.

(3) This section is intended to be general and informational only, and failure herein to list matters over which the board has jurisdiction at law shall not constitute any waiver or withdrawal whatsoever from such jurisdiction.

WSR 03-23-133
PROPOSED RULES
DEPARTMENT OF HEALTH
[Filed November 19, 2003, 10:47 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 03-17-021.

Title of Rule: Generally licensed radioactive devices.

Purpose: To protect public health by tracking certain general licensees and the devices they possess, and assuring that general licensees are aware of and understand the requirements for possession of devices containing radioactive materials.

Other Identifying Information: Proposed amendatory sections WAC 246-232-020, 246-232-040, 246-232-050, 246-232-060, 246-233-001, 246-233-020, 246-235-093, 246-235-095, 246-235-097, 246-239-080, and 246-254-090. Proposed new sections WAC 246-233-005, 246-233-015, 246-233-025, 246-233-030, 246-233-035, and 246-233-040.

Statutory Authority for Adoption: RCW 70.98.050.

Statute Being Implemented: RCW 70.98.050.

Summary: The proposed rule modifies requirements for registration of general licensees and the devices they possess containing radioactive materials, establishes a license fee, and modifies reporting, record-keeping, and labeling requirements for specific licensees who distribute generally licensed devices.

Reasons Supporting Proposal: The proposal is necessary to conform state regulations with the United States Nuclear Regulatory Commission (NRC) regulations and is a requirement of Washington's formal agreement with the NRC and to provide national uniformity regarding regulation of radioactive materials.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Terry Frazee, Tumwater, Washington, (360) 236-3213.

Name of Proponent: Department of Health, governmental.

Rule is necessary because of federal law, 10 C.F.R. Parts 30, 31, and 32.

Explanation of Rule, its Purpose, and Anticipated Effects: This proposed rule is designed to better track certain general licensees and the devices they possess by modifying registration criteria, and to assure that general licensees are aware of and understand the requirements for the possession of devices containing radioactive materials. The proposal also modifies reporting, record-keeping, and labeling requirements for specific licensees who distribute these generally licensed devices. A new fee is also proposed for general licensees who are required to register their devices.

The rule is necessary to protect public health and conform state regulations to the recently amended national standards for radiation protection. This rule addresses a federal rule change which has been deemed "a matter of compatibility" for agreement states by the NRC. Washington, as an agreement state, is required to adopt the federal rule change in order to maintain a state program that is compatible with that of the NRC.

The anticipated effects of the rule are to provide a more detailed and accurate tracking system for generally licensed devices, provide revenue for administration of the program, and to maintain national uniformity of regulations pertaining to radioactive devices.

Proposal Changes the Following Existing Rules: The rule modifies registration criteria (WAC 246-233-020), establishes a new fee for general licensees (WAC 246-254-090), and modifies reporting, record-keeping, and labeling requirements for specific licensees who distribute generally licensed devices (WAC 246-232-050 and 246-235-093). Additionally, some subsections of WAC 246-233-020 were separated into several smaller new sections for usability (WAC 246-233-005, 246-233-015, 246-233-025, 246-233-030, 246-233-035, and 246-233-040). Other sections were amended for clarification and to conform to the new section numbers noted above (WAC 246-232-040, 246-232-060, 246-233-001, 246-235-095, 246-235-097, and 246-239-080).

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule change is exempt from the small business impact statement requirement under RCW 19.85.025(3) because it adopts federal regulations without material change. This rule includes several federal rule changes for which "regulatory flexibility certifications" were prepared by NRC stating that the "rule will not have a significant economic impact upon a substantial number of small entities."

RCW 34.05.328 does not apply to this rule adoption. Under RCW 34.05.328 (5)(b)(iii) and (iv), RCW 34.05.328 does not apply to this rule adoption because this rule adopts federal regulations without material change and clarifies the language of the rule and makes housekeeping changes without changing the effect of the rule.

Hearing Location: Department of Health, Radioactive Materials Section, Building 5, NewMarket Industrial Center, 7171 Cleanwater Lane, Tumwater, WA 98504, on January 6, 2004, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Terry Frazee by December 30, 2003, TDD (800) 833-6388 or (360) 236-3213.

Submit Written Comments to: Terry Frazee, Radioactive Materials Section, P.O. Box 47827, Olympia, WA 98504-7827, e-mail terry.frazee@doh.wa.gov, fax (360) 236-2255, by January 6, 2004.

Date of Intended Adoption: January 13, 2004.

November 18, 2003
M. C. Selecky
Secretary

AMENDATORY SECTION (Amending WSR 98-13-037, filed 6/8/98, effective 7/9/98)

WAC 246-235-093 Manufacture, assembly or distribution of devices under general license. (1) An application for a specific license to manufacture or initially transfer or distribute devices containing radioactive material, excluding special nuclear material, to persons generally licensed under WAC 246-233-020(((4))) or equivalent regulations of the United States Nuclear Regulatory Commission, an agreement state or a licensing state will be approved if:

(a) The applicant satisfies the general requirements of WAC 246-235-020;

(b) The applicant submits sufficient information relating to the design, manufacture, prototype testing, quality control, labels, proposed uses, installation, servicing, leak testing, operating and safety instructions, and potential hazards of the device to provide reasonable assurance that:

(i) The device can be safely operated by persons not having training in radiological protection;

(ii) Under ordinary conditions of handling, storage and use of the device, the radioactive material contained in the device will not be released or inadvertently removed from the device, and it is unlikely that any person will receive in one year a dose in excess of ten percent of the limits specified in the table in WAC 246-221-010(1); and

(iii) Under accident conditions (such as fire and explosion) associated with handling, storage and use of the device, it is unlikely that any person would receive an external radiation dose or dose commitment in excess of the following organ doses:

Whole body; head and trunk; active blood-forming organs; gonads; or lens of eye ..... 15 rems

Hands and forearms; feet and ankles; localized areas of skin averaged over areas no larger than one square centimeter ..... 200 rems

Other organs ..... 50 rems

(c) Each device bears a durable, legible, clearly visible label or labels approved by the department, which contain in a clearly identified and separate statement:

(i) Instructions and precautions necessary to assure safe installation, operation and servicing of the device (documents such as operating and service manuals may be identified in the label and used to provide this information);

(ii) The requirement, or lack of requirement, for leak testing, or for testing any on-off mechanism and indicator, including the maximum time interval for such testing, and the identification of radioactive material by isotope, quantity of radioactivity, and date of determination of the quantity; and

(iii) The information called for in one of the following statements, as appropriate, in the same or substantially similar form:

(A) The receipt, possession, use and transfer of this device, Model....., Serial No..... Note*, are subject to a general license or the equivalent, and the regulations of the United States Nuclear Regulatory Commission or a state with which the United States Nuclear Regulatory Commission has entered into an agreement for the exercise of regulatory authority. This label shall be maintained on the device in a legible condition. Removal of this label is prohibited.

CAUTION - RADIOACTIVE MATERIAL

.....

(Name of manufacturer or distributor)*

(B) The receipt, possession, use and transfer of this device, Model....., Serial No..... Note*, are subject to a general license or the equivalent, and the regulations of a licensing state. This label shall be maintained on the device in a legible condition. Removal of this label is prohibited.

CAUTION - RADIOACTIVE MATERIAL

.....

(Name of manufacturer or distributor)*

*Note: The model, serial number, and name of the manufacturer or distributor may be omitted from this label provided the information is elsewhere specified in labeling affixed to the device.

(d) Each device having a separable source housing that provides the primary shielding for the source also bears, on the source housing, a durable label containing the device model number and serial number, the isotope and quantity, the words, "CAUTION - RADIOACTIVE MATERIAL," the radiation symbol described in WAC 246-221-120, and the name of the manufacturer or initial distributor;

(e) Each device meeting the criteria of WAC 246-233-020 (3)(k), bears a permanent (e.g., embossed, etched,

stamped, or engraved) label affixed to the source housing if separable, or the device if the source housing is not separable, that includes the words, "CAUTION - RADIOACTIVE MATERIAL," and, if practicable, the radiation symbol described in WAC 246-221-120.

(2) In the event the applicant desires that the device be required to be tested at intervals longer than six months, either for proper operation of the on-off mechanism and indicator, if any, or for leakage of radioactive material or for both, the applicant shall include in the application sufficient information to demonstrate that such longer interval is justified by performance characteristics of the device or similar devices and by design features which have a significant bearing on the probability or consequences of leakage of radioactive material from the device or failure of the on-off mechanism and indicator. In determining the acceptable interval for the test for leakage of radioactive material, the department will consider information which includes, but is not limited to:

(a) Primary containment (source capsule);

(b) Protection of primary containment;

(c) Method of sealing containment;

(d) Containment construction materials;

(e) Form of contained radioactive material;

(f) Maximum temperature withstood during prototype tests;

(g) Maximum pressure withstood during prototype tests;

(h) Maximum quantity of contained radioactive material;

(i) Radiotoxicity of contained radioactive material; and

(j) Operating experience with identical devices or similarly designed and constructed devices.

(3) In the event the applicant desires that the general licensee under WAC 246-233-020(((~~4~~))), or under equivalent regulations of the United States Nuclear Regulatory Commission, an agreement state or a licensing state be authorized to install the device, collect the sample to be analyzed by a specific licensee for leakage of radioactive material, service the device, test the on-off mechanism and indicator, or remove the device from installation, the applicant shall include in the application written instructions to be followed by the general licensee, estimated calendar quarter doses associated with such activity or activities, and bases for such estimates. The submitted information shall demonstrate that performance of such activity or activities by an individual untrained in radiological protection, in addition to other handling, storage, and use of devices under the general license, is unlikely to cause that individual to receive in one year a radiation dose in excess of ten percent of the limits specified in the table in WAC 246-221-010(1).

(4) Each person licensed under subsection (1) of this section to distribute or initially transfer devices to generally licensed persons shall, prior to the transfer to the intended user or the initial transfer to an intermediate person, if used:

(a) Furnish to the intended user and to each person to whom a device is transferred as an intermediary, the following:

(i) A copy of the general license contained in WAC 246-233-020(((~~(4) to each person to whom the person directly or through an intermediate person transfers radioactive material in a device for use pursuant to the general license contained in WAC 246-233-020(4)~~))). If WAC 246-233-020 (3)(b), (c), and (d) or (k) do not apply, those subsections may be omitted;

(ii) A copy of WAC 246-232-050, 246-221-230, 246-221-240, and 246-221-250;

(iii) A list of the services that can only be performed by a specific licensee; and

(iv) Information on acceptable disposal options including estimated costs of disposal;

(b) Furnish to the intended user in another jurisdiction and to each person to whom a device is transferred as an intermediary, the following:

(i) A copy of the ((~~general license~~)) appropriate regulations, equivalent to WAC 246-233-020, 246-232-050, 246-221-230, 246-221-240, and 246-221-250, contained in the United States Nuclear Regulatory Commission's, agreement state's, or licensing state's regulation ((~~equivalent to WAC 246-233-020(4), or alternatively, furnish a copy of the general license contained in WAC 246-233-020(4) to each person to whom, directly or through an intermediate person, is transferred radioactive material in a device for use pursuant to the general license of the United States Nuclear Regulatory Commission, the agreement state or the licensing state~~)). If a copy of the general license in WAC 246-233-020(((~~4~~))) is furnished to such a person, it shall be accompanied by a note explaining that the use of the device is regulated by the United States Nuclear Regulatory Commission, agreement state or licensing state under requirements substantially the same as those in WAC 246-233-020(((~~4~~))). If certain subsections do not apply to the particular device, those subsections may be omitted;

(ii) A list of the services that can only be performed by a specific licensee;

(iii) Information on acceptable disposal options including estimated cost of disposal;

(iv) The name or title, address, and phone number of the contact at the appropriate regulatory agency from which additional information may be obtained; and

(v) An indication that U.S. Nuclear Regulatory Commission policy is to issue high civil penalties for improper disposal;

(c) Report to the department all transfers of such devices to persons for use under the general license in WAC 246-233-020(((~~4~~))) and all receipts of devices from persons licensed under WAC 246-233-020.

(i) Such report shall ((~~identify~~)) include:

(A) The identity of each general licensee by name and mailing address((~~, an individual by name and/or position who may constitute a point of contact between the department and the general licensee,~~)) for the location of use; if there is no mailing address for the location of use, an alternative address for the general licensee shall be submitted along with information on the actual location of use;

(B) The name, title, and phone number of the person identified by the general licensee as having knowledge of and authority to take required actions to ensure compliance with the appropriate regulations and requirements;

(C) The date of transfer;

(D) The type ((~~and~~)), model number and serial number of device transferred((~~,~~)); and

(E) The quantity and type of radioactive material contained in the device.

(ii) If one or more intermediate persons will temporarily possess the device at the intended place of use prior to its possession by the user, the report shall include identification of each intermediate person by name, address, contact, and relationship to the intended user.

(iii) For devices received from persons generally licensed under WAC 246-233-020, the report must include:

(A) The identity of the general licensee by name and address;

(B) The type, model number, and serial number of the device received;

(C) The date of receipt; and

(D) In the case of devices not initially transferred by the reporting licensee, the name of the manufacturer or initial transferor.

(iv) If the licensee makes changes to a device possessed by a person generally licensed under WAC 246-233-020, such that the label must be changed to update required information, the report must identify the general licensee, the device, and the changes to information on the device label.

(v) If no transfers have been made to or from persons generally licensed under WAC 246-233-020((~~(4)~~)) during the reporting period, the report shall so indicate.

(vi) The report shall cover each calendar quarter, shall clearly indicate the period covered by the report, and shall be filed within thirty days ((~~thereafter~~)) of the end of the calendar quarter.

(vii) The report shall clearly identify the specific licensee submitting the report and include the license number of the specific licensee.

(d) Reports to other departments.

(i) Report to the United States Nuclear Regulatory Commission all transfers of such devices to persons for use under the United States Nuclear Regulatory Commission general license in Section 31.5 of 10 CFR Part 31 and all receipts of devices therefrom.

(ii) Report to the responsible department all transfers of devices manufactured and distributed pursuant to this section for use under a general license in that state's regulations equivalent to WAC 246-233-020((~~(4)~~)) and all receipts of devices from persons generally licensed under WAC 246-233-020 or equivalent.

(iii) Such reports shall ((~~identify each general licensee by name and address, an individual by name and/or position who may constitute a point of contact between the department and the general licensee,~~)) include:

(A) The identity of each general licensee by name and mailing address for the location of use; if there is no mailing address for the location of use, an alternative address for the general licensee shall be submitted along with information on the actual location of use;

(B) The name, title, and phone number of the person identified by the general licensee as having knowledge of and authority to take required actions to ensure compliance with the appropriate regulations and requirements;

(C) The date of transfer;

(D) The type and model of the device transferred((~~,~~)); and

(E) The quantity and type of radioactive material contained in the device.

(iv) If one or more intermediate persons will temporarily possess the device at the intended place of use prior to its possession by the user, the report shall include identification of each intermediate person by name, address, contact, and relationship to the intended user.

(v) For devices received from persons generally licensed under WAC 246-233-020, the report must include:

(A) The identity of the general licensee by name and address;

(B) The type, model number, and serial number of the device received;

(C) The date of receipt; and

(D) In the case of devices not initially transferred by the reporting licensee, the name of the manufacturer or initial transferor.

(vi) If the licensee makes changes to a device possessed by a person generally licensed under WAC 246-233-020, such that the label must be changed to update required information, the report must identify the general licensee, the device, and the changes to information on the device label.

(vii) The report shall be submitted within thirty days after the end of each calendar quarter in which such a device is transferred to the generally licensed person and shall clearly indicate the period covered by the report.

(((~~iv~~))) (viii) The report shall clearly identify the specific licensee submitting the report and include the license number of the specific licensee.

(ix) If no transfers have been made to United States Nuclear Regulatory Commission licensees during the reporting period, this information shall be reported to the United States Nuclear Regulatory Commission.

(((~~v~~))) (x) If no transfers have been made to general licensees within a particular state during the reporting period, this information shall be reported to the responsible department upon request of the department.

(e) Keep records ((~~showing the name, address and the point of contact for each general licensee to whom the person directly or through an intermediate person transfers radioactive material in devices for use pursuant to the general license provided in WAC 246-233-020(4), or equivalent regulations of the United States Nuclear Regulatory Commission, an agreement state or a licensing state. The records shall show the date of each transfer, the radionuclide and the quantity of radioactivity in each device transferred, the identity of any intermediate person, and compliance with the report requirements of subsection (4) of this section~~)) concerning transfers and receipts of devices that support the reports required by this section. Records required by this section shall be maintained for a period of three years following the date of the recorded event.

(f) If a notification of bankruptcy has been made under WAC 246-233-050 or the license is to be terminated, each person licensed under this section shall provide, upon request, to the department, the United States Nuclear Regulatory Commission, an agreement state, or a licensing state, records of final disposition required under subsection (4) of this section.

AMENDATORY SECTION (Amending WSR 98-13-037, filed 6/8/98, effective 7/9/98)

WAC 246-235-095 Manufacture, assembly, or distribution of luminous safety devices, certain calibration sources or ice detectors under general license. (1) *Special requirements for the manufacture, assembly or repair of luminous safety devices for use in aircraft.* An application for a specific license to manufacture, assemble or repair luminous safety devices containing tritium or promethium-147 for use in aircraft for distribution to persons generally licensed under WAC ((~~246-233-020(5)~~)) 246-233-025 will be approved subject to the following conditions:

(a) The applicant satisfies the general requirements specified in WAC 246-235-020; and

(b) The applicant satisfies the requirements of Sections 32.53, 32.54, 32.55, 32.56, 32.101 of 10 CFR Part 32 or their equivalent.

(2) *Special requirements for license to manufacture calibration sources containing americium-241, plutonium or radium-226 for distribution to persons generally licensed under WAC ((~~246-233-020(7)~~)) 246-233-035.* An application for a specific license to manufacture calibration and reference sources containing americium-241, plutonium or radium-226 to persons generally licensed under WAC ((~~246-233-020(7)~~)) 246-233-035 will be approved subject to the following conditions:

(a) The applicant satisfies the general requirement of WAC 246-235-020; and

(b) The applicant satisfies the requirements of Sections 32.57, 32.58, 32.59, 32.102 of 10 CFR Part 32 and Section 70.39 of 10 CFR Part 70 or their equivalent.

(3) *Licensing the manufacture and distribution of ice detection devices.* An application for a specific license to manufacture and distribute ice detection devices to persons generally licensed under WAC ((~~246-233-020(9)~~)) 246-233-030 will be approved subject to the following conditions:

(a) The applicant satisfies the general requirements of WAC 246-235-020; and

(b) The criteria of Sections 32.61, 32.62, 32.103 of 10 CFR Part 32 are met.

AMENDATORY SECTION (Amending WSR 98-13-037, filed 6/8/98, effective 7/9/98)

WAC 246-235-097 Manufacture and distribution of radioactive material for certain in vitro clinical or laboratory testing under general license. An application for a specific license to manufacture or distribute radioactive material for use under the general license of WAC ((~~246-233-020(8)~~)) 246-233-040 will be approved if:

(1) The applicant satisfies the general requirements specified in WAC 246-235-020;

(2) The radioactive material is to be prepared for distribution in prepackaged units of:

(a) Iodine-125 in units not exceeding 10 microcuries each;

(b) Iodine-131 in units not exceeding 10 microcuries each;

(c) Carbon-14 in units not exceeding 10 microcuries each;

(d) Hydrogen-3 (tritium) in units not exceeding 50 microcuries each;

(e) Iron-59 in units not exceeding 20 microcuries each;

(f) Cobalt-57 in units not exceeding 10 microcuries each;

(g) Selenium-75 in units not exceeding 10 microcuries each;

(h) Mock Iodine-125 in units not exceeding 0.05 microcurie of iodine-129 and 0.005 microcurie of americium-241 each.

(3) Each prepackaged unit bears a durable, clearly visible label:

(a) Identifying the radioactive contents as to chemical form and radionuclide, and indicating that the amount of radioactivity does not exceed 10 microcuries of iodine-125, iodine-131, carbon-14, cobalt-57, or selenium-75; 50 microcuries of hydrogen-3 (tritium); 20 microcuries of iron-59; or Mock Iodine-125 in units not exceeding 0.05 microcurie of iodine-129 and 0.005 microcurie of americium-241 each; and

(b) Displaying the radiation caution symbol described in WAC 246-221-120 (1)(a) and the words, "CAUTION, RADIOACTIVE MATERIAL," and "Not for internal or external use in humans or animals."

(4) One of the following statements, as appropriate, or a substantially similar statement which contains the information called for in one of the following statements, appears on a label affixed to each prepackaged unit or appears in a leaflet or brochure which accompanies the package:

(a) This radioactive material may be received, acquired, possessed and used only by physicians, veterinarians, clinical laboratories or hospitals and only for *in vitro* clinical or laboratory tests not involving internal or external administration of the material, or the radiation therefrom, to human beings or animals. Its receipt, acquisition, possession, use and transfer are subject to the regulations and a general license of the United States Nuclear Regulatory Commission or of a state with which the commission has entered into an agreement for the exercise of regulatory authority.

.....

Name of manufacturer

(b) This radioactive material may be received, acquired, possessed and used only by physicians, veterinarians, clinical laboratories or hospitals and only for *in vitro* clinical or laboratory tests not involving internal or external administration of the material, or the radiation therefrom, to human beings or animals. Its receipt, acquisition, possession, use and transfer are subject to the regulations and a general license of a licensing state.

.....

Name of manufacturer

(5) The label affixed to the unit, or the leaflet or brochure which accompanies the package, contains adequate information as to the precautions to be observed in handling and storing such radioactive material. In the case of the Mock Iodine-125 reference or calibration source, the information accompanying the source must also contain directions to the licensee regarding the waste disposal requirements set out in WAC 246-221-170 of these regulations.

AMENDATORY SECTION (Amending WSR 03-14-034, filed 6/23/03, effective 7/24/03)

WAC 246-254-090 Fees for industrial radioactive material licenses. (1) Persons licensed or authorized to possess or use radioactive material in the following industrial categories shall forward annual fees to the department as follows:

(a) Five thousand five hundred thirty-five dollars for a license authorizing the use of radiographic exposure devices in one or more permanent radiographic vaults in a single facility.

(b) Seven thousand four hundred fifteen dollars for a license authorizing the use of radiographic exposure devices at temporary job sites but operating from a single storage facility.

(c) Three thousand six hundred thirty-five dollars for a license authorizing well-logging activities including the use of radioactive tracers operating from a single storage facility.

(d) Seven hundred eighty-five dollars for a license authorizing possession of portable sealed sources including moisture/density gauges and excluding radiographic exposure devices operating from a single storage facility.

(e) Eight hundred sixty dollars for a license authorizing possession of any nonportable sealed source, including special nuclear material and excluding radioactive material used in a gas chromatograph at a single facility.

(f) Five hundred forty dollars for a license authorizing possession of gas chromatograph units containing radioactive material at a single facility.

(g) One thousand four hundred ninety-five dollars for a license authorizing possession of any self-shielded or pool type irradiator with sealed source total quantity greater than one hundred curies at a single facility.

(h) Seven thousand nine hundred thirty dollars for a license authorizing possession of sealed sources for a walk-in type irradiator at a single facility.

(i) Six thousand nine hundred dollars for a license authorizing possession of greater than one gram of unsealed special nuclear material or greater than five hundred kilograms of source material at a single facility.

(j) Two thousand two hundred ten dollars for a license authorizing possession of less than or equal to one gram of unsealed special nuclear material or five hundred kilograms of source material at a single facility.

(k) Three hundred fifty dollars for a license authorizing possession of static elimination devices not covered by a general license.

(2) Persons with licenses authorizing multiple locations of permanent storage shall increase the annual fee by fifty percent for each additional location.

(3) Depleted uranium registrants required to file Form RHF-20 shall forward an annual fee of seventy-two dollars to the department.

(4) General licensees required to register in accordance with WAC 246-233-020 (3)(k) shall forward an annual fee of two hundred fourteen dollars to the department.

AMENDATORY SECTION (Amending WSR 94-06-017, filed 2/22/94, effective 3/25/94)

WAC 246-239-080 Calibration and reference sources. (1) Any licensee who owns, receives, acquires, possesses, uses, or transfers calibration reference sources pursuant to the general license authorized in WAC ((~~246-233-020(7)~~)) 246-233-035 shall:

(a) Maintain a file or log identifying such sources, including nuclide, activity, model and serial numbers, manufacturer, date of receipt, date of transfer, and to whom transferred (where applicable);

(b) Possess at any one time, and at any one location of storage or use, no more than five uCi (0.185 megabecquerels) of Am-241 and five uCi (0.185 megabecquerels) of Pu and five uCi (0.185 megabecquerels) of Ra-226 in such sources;

(c) Store such source(s), except when the source(s) is being used, in a closed container adequately designed and constructed to contain Americium-241, Plutonium, or Radium 226 which might otherwise escape during storage; and

(d) Not use such source(s) for any purpose other than the calibration of radiation detectors or the standardization of other sources.

(2) Any licensee who receives, possesses, or uses calibration and reference standards pursuant to the group licensing provisions of WAC 246-235-080 (3)(c):

(a) Shall conduct leak tests in accordance with WAC 246-235-080 (3)(d);

(b) Shall follow the radiation safety and handling instructions approved by the department, the United States Nuclear Regulatory Commission, and agreement state or a licensing state and furnished by the manufacturer on the label attached to the source, or permanent container thereof, or in the leaflet or brochure that accompanies the source, and maintain such instruction in a legible and conveniently available form; and

(c) Shall conduct a quarterly physical inventory to account for all sources received and possessed. Records of the inventory shall be maintained for inspection by the department, and shall include, but not be limited to, the quantities and kinds of radioactive material, the serial number of each source, location of sources, the initials or name of the person performing the inventory, and the date of inventory.

(3) Any licensee authorized for medical Group I, II, or III is also authorized to receive, use, possess, store, transfer and/or dispose of sealed sources containing Cobalt-57 in amounts not exceeding 22 millicuries (814 megabecquerels) per source which are designed, intended, and used solely for required imaging system or dose calibrator quality assurance tests.

AMENDATORY SECTION (Amending Order 184, filed 7/24/91, effective 8/24/91)

WAC 246-232-020 Types of licenses. Licenses for radioactive materials are of two types: General and specific.

(1) General licenses provided in chapter 246-233 WAC are effective without the filing of applications with the department or the issuance of licensing documents to the particular persons, although registration or the filing of a certifi-

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cate with the department may be required by the particular general license. The general licensee is subject to all other applicable portions of these regulations and any limitations of the general license.

(2) Specific licenses require the submission of an application to the department and the issuance of a licensing document by the department. The licensee is subject to all applicable portions of these regulations as well as any limitations specified in the licensing document. (See chapter 246-235 WAC.)

AMENDATORY SECTION (Amending WSR 01-02-068, filed 12/29/00, effective 1/29/01)

WAC 246-232-040 Reciprocal recognition of licenses. (1) Subject to these regulations, any person who holds a specific license from the United States Nuclear Regulatory Commission or any agreement state or licensing state, and issued by the agency having jurisdiction where the licensee maintains an office for directing the licensed activity and at which radiation safety records are normally maintained, is hereby granted a general license to conduct the activities authorized in such licensing document within this state for a period not in excess of one hundred eighty days in that twelve month period which commences the date approval is granted, and the appropriate fee received, by the department provided that:

(a) The licensing document does not limit the activity authorized by such document to specified installations or locations;

(b) The licensed activity is not conducted in an area under exclusive federal jurisdiction;

(c) The out-of-state licensee notifies the department in writing and pays or has paid the appropriate fee (refer to chapter 246-254 WAC), at least three days prior to each entry to the state to engage in such activity. The written notification must be sent to the Radioactive Materials Section, Department of Health, Mailstop 47827, Olympia, Washington 98504-7827 and the fee should be sent to Washington State Department of Health, Revenue Accounting, P.O. Box 1099, Olympia, Washington 98504. Such notification shall indicate the location, period, and type of proposed possession and use within the state, and shall be accompanied by copies of the pertinent licensing documents. If, for a specific case, the three-day period would impose an undue hardship on the out-of-state licensee, the licensee may, upon telephone application to the department (360 236-3220), obtain permission to proceed sooner. The department may waive the requirement for filing additional written notifications during the remainder of the twelve months following the receipt of the initial notification from a person engaging in activities under the general license provided in this subsection;

(d) The out-of-state licensee complies with all applicable regulations of the department and with all the terms and conditions of the licensing document, except any such terms and conditions which may be inconsistent with applicable regulations of the department;

(e) The out-of-state licensee supplies such other information as the department may request; and

(f) The out-of-state licensee shall not transfer or dispose of radioactive material possessed or used under the general license provided in this subsection except by transfer to a person:

(i) Specifically licensed by the department or by the United States Nuclear Regulatory Commission, an agreement state or a licensing state to receive such material; or

(ii) Exempt from the requirements for a license for such material under WAC 246-232-010(1).

(2) Notwithstanding the provisions of subsection (1) of this section, any person who holds a specific license issued by the United States Nuclear Regulatory Commission, an agreement state or a licensing state authorizing the holder to manufacture, transfer, install, or service a device described in WAC 246-233-020(((~~4~~))) within the areas subject to the jurisdiction of the licensing body is hereby granted a general license to install, transfer, demonstrate or service a device in this state in areas not under exclusive federal jurisdiction provided that:

(a) Such person shall file a report with the department within thirty days after the end of each calendar quarter in which any device is transferred to or installed in this state. Each such report shall identify each general licensee to whom such device is transferred by name and address, the type of device transferred, and the quantity and type of radioactive material contained in the device;

(b) The device has been manufactured, labeled, installed, and serviced in accordance with applicable provisions of the specific license issued to such person by the United States Nuclear Regulatory Commission, an agreement state or a licensing state;

(c) Such person shall assure that any labels required to be affixed to the device under regulations of the authority which licensed manufacture of the device bear a statement that "Removal of this label is prohibited"; and

(d) The holder of the specific license shall furnish to each general licensee to whom such device is transferred or on whose premises such device is installed a copy of the general license contained in WAC 246-233-020(4).

(3) The department may withdraw, limit, or qualify its acceptance of any specific license or equivalent licensing document issued by another agency, or any product distributed pursuant to such licensing document, upon determining that such action is necessary in order to prevent undue hazard to public health and safety or property.

AMENDATORY SECTION (Amending Order 245, filed 2/21/92, effective 3/23/92)

WAC 246-232-050 Terms and conditions of licenses. (1) Each license issued pursuant to this part shall be subject to all the provisions of the act, as now or hereafter in effect, and to all rules, regulations, and orders of the department.

(2) No license issued or granted under chapters 246-233 and 246-235 WAC and no right to possess or utilize radioactive material granted by any license issued pursuant to chapters 246-233 and 246-235 WAC shall be transferred, assigned, or in any manner disposed, either voluntarily or involuntarily, directly or indirectly, through transfer of control of any license to any person unless the department shall,

after securing full information find that the transfer is in accordance with the provisions of the act, and shall give its consent in writing.

(3) Each person licensed by the department pursuant to chapters 246-233 and 246-235 WAC shall confine use and possession of the material licensed to the locations and purposes authorized by the license.

(4) Approval of licensee's procedures by the department does not release the licensee from responsibility if adherence to these procedures results in undue exposure to individuals or loss of control of radioactive material.

(5) Each specific licensee shall notify the department of health, ((~~division of~~)) radiation protection, in writing, within five working days following the filing of a voluntary or involuntary petition for bankruptcy by or against:

(a) The licensee;

(b) A person controlling the licensee or listing the license or licensee as property of the estate; or

(c) An affiliate of the licensee.

(6) ((~~This~~)) The specific licensee's bankruptcy notification must include:

(a) The bankruptcy court in which the petition for bankruptcy was filed;

(b) The date of the filing of the petition;

(c) A complete and detailed inventory of all radioactive material possessed under the license including nuclide, form, activity and planned disposition;

(d) An estimation of the type and quantities of radioactive material the licensee plans to continue to receive and/or use on a routine basis;

(e) A description of security and storage for the radioactive material currently possessed;

(f) A plan for radioactive waste disposal, the estimated completion date(s), and the cost;

(g) An evaluation of facility and equipment contamination, estimate of clean up costs, and a decontamination plan which includes a thorough description of how the clean up will be funded and how it will be accomplished;

(h) An organizational chart specifying sole owners, partnerships, or officers in the corporation who have legal and fiscal responsibilities for the licensee;

(i) A description of any other changes affecting the terms and conditions of the radioactive materials license.

(7) Each specific licensee shall notify the department within five working days if any items in subsection (6) of this section change during bankruptcy proceedings.

(8) The department will consider clean up costs as part of the licensee's administrative costs if decontamination is necessary to comply with these regulations;

(9) Each general licensee that is required to register by WAC 246-233-020 (3)(k) shall notify the department of health, radiation protection, in writing, immediately following the filing of a voluntary or involuntary petition for bankruptcy by or against:

(a) The licensee;

(b) A person controlling the licensee or listing the license or licensee as property of the estate; or

(c) An affiliate of the licensee.

(10) The general licensee's bankruptcy notification must include:

(a) The bankruptcy court in which the petition for bankruptcy was filed; and

(b) The date of the filing of the petition.

(11) For the purposes of this section, "affiliate" means:

(a) A person as defined in WAC 246-220-010 that directly or indirectly owns, controls, or holds with power to vote, twenty percent or more of the outstanding voting securities of the licensee (unless that person holds such securities (i) in a fiduciary or agency capacity without sole discretionary power to vote such securities, or (ii) solely to secure a debt, if such person has not in fact exercised such power to vote);

(b) A corporation, twenty percent or more of whose outstanding voting securities are directly or indirectly owned, controlled, or held with power to vote, by the licensee;

(c) A person whose business is operated under a lease or operating agreement by a licensee, or person substantially all of whose property is operated under an operating agreement with the licensee; or

(d) A person that operates the business or substantially all of the property of the licensee under a lease or operating agreement.

AMENDATORY SECTION (Amending WSR 00-07-085, filed 3/15/00, effective 4/15/00)

WAC 246-232-060 Termination of licenses and decommissioning of sites and separate buildings or outdoor areas. (1) Each specific licensee shall immediately notify the department in writing when the licensee decides to permanently discontinue all activities involving materials authorized under the license and request termination of the license. This notification and request for termination of the license must include the reports and information specified in subsection (3)(c) and (d) of this section. The licensee is subject to the provisions of subsections (3) and (4) of this section, as applicable.

(2) No less than thirty days before the expiration date specified in a specific license, the licensee shall either:

(a) Submit an application for license renewal under WAC 246-235-050; or

(b) Notify the department in writing if the licensee decides not to renew the license.

(3) If a specific licensee does not submit an application for license renewal under WAC 246-235-050, the licensee shall on or before the expiration date specified in the license:

(a) Terminate use of radioactive material;

(b) Properly dispose of radioactive material;

(c) Submit a completed departmental form "Certificate of disposition of radioactive material" or equivalent; and

(d) Submit a radiation survey report to confirm the absence of radioactive materials or establish the levels of radioactive contamination, unless the department determines a radiation survey report is not necessary.

(i) If no radioactive contamination attributable to activities conducted under the license is detected, the licensee shall submit a certification that no detectable radioactive contamination was found. If the information submitted under this paragraph and subsection (3)(c) and (d) of this section is ade-

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quate, the department will notify the licensee in writing that the license is terminated.

(ii) If detectable levels of radioactive contamination attributable to activities conducted under the license are found, the license continues in effect beyond the expiration date, if necessary, with respect to possession of residual radioactive material present as contamination until the licensee meets the criteria established in chapter 246-246 WAC and the department notifies the licensee in writing that the license is terminated. During this time, the licensee is subject to the provisions of subsection (4) of this section. In addition to the information submitted under subsection (3)(c) and (d) of this section, the licensee shall submit a plan for decontamination, if necessary.

(4) Each specific licensee who possesses residual radioactive material under subsection (3)(d)(ii) of this section, following the expiration of the facility and/or equipment date specified in the license, shall:

(a) Be limited to actions, involving radioactive material related to decontamination and preparation for release in accordance with chapter 246-246 WAC; and

(b) Continue to control entry to restricted areas until:

(i) Such areas are suitable for release in accordance with chapter 246-246 WAC;

(ii) Contaminated equipment complies with guidance contained in WAC 246-232-140, Schedule D; and

(iii) The department notifies the licensee in writing that the license is terminated.

(5) Each general licensee licensed under the provisions of WAC ((~~246-233-020(8)~~)) 246-233-040, shall immediately notify the department in writing when the licensee decides to discontinue all activities involving radioactive materials authorized under the general license. Such notification shall include a description of how the generally licensed material was disposed and the results of facility surveys, if applicable, to confirm the absence of radioactive materials.

(6) Within sixty days of the occurrence of any of the following, each specific licensee shall provide notification to the department in writing of such occurrence, and either begin decommissioning its site, or any separate building or outdoor area that contains residual radioactivity so that the site, building, or outdoor area is suitable for release in accordance with chapter 246-246 WAC, or submit within twelve months of notification a decommissioning plan, if required by subsection (10)(a) of this section, and begin decommissioning upon approval of that plan if:

(a) The license has expired or has been revoked by the department; or

(b) The licensee has decided to permanently cease principal activities, as defined in this section, at the entire site or in any separate building or outdoor area that contains residual radioactivity such that the site, building, or outdoor area is unsuitable for release in accordance with chapter 246-246 WAC; or

(c) No principal activities under the license have been conducted for a period of twenty-four months; or

(d) No principal activities have been conducted for a period of twenty-four months in any separate building or outdoor area that contains residual radioactivity such that the building or outdoor area is unsuitable for release in accordance with chapter 246-246 WAC.

(7) As used in this section, principal activities means activities authorized by the license which are essential to achieving the purpose(s) for which the license was issued or amended. Storage during which no licensed material is accessed for use or disposal and activities incidental to decontamination or decommissioning are not principal activities.

(8) Coincident with the notification required by subsection (6) of this section, the licensee shall maintain in effect all decommissioning financial assurances established by the licensee pursuant to WAC 246-235-075 or as required by this section. The amount of the financial assurance must be increased, or may be decreased, as appropriate, to cover the detailed cost estimate for decommissioning established pursuant to subsection (10)(d)(v) of this section. Following approval of the decommissioning plan, a licensee may reduce the amount of the financial assurance as decommissioning proceeds and radiological contamination is reduced at the site with the approval of the department.

(9) The department may grant a request to extend the time periods established in subsection (6) of this section if the department determines that this relief is not detrimental to the public health and safety and is otherwise in the public interest. The request must be submitted no later than thirty days before notification pursuant to subsection (6) of this section. The schedule for decommissioning set forth in subsection (6) of this section may not commence until the department has made a determination on the request.

(10)(a) A decommissioning plan must be submitted if required by license condition or if the procedures and activities necessary to carry out decommissioning of the site or separate building or outdoor area have not been previously approved by the department and these procedures could increase potential health and safety impacts to workers or to the public, such as in any of the following cases:

(i) Procedures would involve techniques not applied routinely during cleanup or maintenance operations;

(ii) Workers would be entering areas not normally occupied where surface contamination and radiation levels are significantly higher than routinely encountered during operation;

(iii) Procedures could result in significantly greater airborne concentrations of radioactive materials than are present during operation; or

(iv) Procedures could result in significantly greater releases of radioactive material to the environment than those associated with operation.

(b) The department may approve an alternate schedule for submittal of a decommissioning plan required pursuant to subsection (6) of this section if the department determines that the alternative schedule is necessary to the effective conduct of decommissioning operations and presents no undue risk from radiation to the public health and safety and is otherwise in the public interest.

(c) Procedures such as those listed in (a) of this subsection with potential health and safety impacts may not be carried out prior to approval of the decommissioning plan.

(d) The proposed decommissioning plan for the site or separate building or outdoor area must include:

(i) A description of the conditions of the site or separate building or outdoor area sufficient to evaluate the acceptability of the plan;

(ii) A description of planned decommissioning activities;

(iii) A description of methods used to ensure protection of workers and the environment against radiation hazards during decommissioning;

(iv) A description of the planned final radiation survey;

(v) An updated detailed cost estimate for decommissioning, comparison of that estimate with present funds set aside for decommissioning, and a plan for assuring the availability of adequate funds for completion of decommissioning;

(vi) A description of the physical security plan and material control and accounting plan provisions in place during decommissioning;

(vii) For decommissioning plans calling for completion of decommissioning later than twenty-four months after plan approval, the plan shall include a justification for the delay based on the criteria in subsection (12) of this section.

(e) The proposed decommissioning plan will be approved by the department if the information therein demonstrates that the decommissioning will be completed as soon as practicable and that the health and safety of workers and the public will be adequately protected.

(11)(a) Except as provided in subsection (12) of this section, licensees shall complete decommissioning of the site or separate building or outdoor area as soon as practicable but no later than twenty-four months following the initiation of decommissioning.

(b) Except as provided in subsection (12) of this section, when decommissioning involves the entire site, the licensee shall request license termination as soon as practicable but no later than twenty-four months following the initiation of decommissioning.

(12) The department may approve a request for an alternative schedule for completion of decommissioning of the site or separate building or outdoor area, and license termination if appropriate, if the department determines that the alternative is warranted by consideration of the following:

(a) Whether it is technically feasible to complete decommissioning within the allotted twenty-four-month period;

(b) Whether sufficient waste disposal capacity is available to allow completion of decommissioning within the allotted twenty-four-month period;

(c) Whether a significant volume reduction in wastes requiring disposal will be achieved by allowing short-lived radionuclides to decay;

(d) Whether a significant reduction in radiation exposure to workers can be achieved by allowing short-lived radionuclides to decay; and

(e) Other site-specific factors which the department may consider appropriate on a case-by-case basis, such as the regulatory requirements of other government agencies, lawsuits, ground water treatment activities, monitored natural ground water restoration, actions that could result in more environmental harm than deferred cleanup, and other factors beyond the control of the licensee.

(13) As the final step in decommissioning, the licensee shall:

(a) Certify the disposition of all licensed material, including accumulated wastes, by submitting a completed certificate of disposition of radioactive material or equivalent information; and

(b) Conduct a radiation survey of the premises where the licensed activities were carried out and submit a report of the results of this survey, unless the licensee demonstrates in some other manner that the premises are suitable for release in accordance with the criteria for decommissioning in chapter 246-246 WAC. The licensee shall, as appropriate:

(i) Report levels of gamma radiation in units of millisieverts (microroentgen) per hour at one meter from surfaces, and report levels of radioactivity, including alpha and beta, in units of megabecquerels (disintegrations per minute or microcuries) per one hundred square centimeters—removable and fixed—for surfaces, megabecquerels (microcuries) per milliliter for water, and becquerels (picocuries) per gram for solids such as soils or concrete; and

(ii) Specify the survey instrument(s) used and certify that each instrument is properly calibrated and tested.

(14) Specific licenses, including expired licenses, will be terminated by written notice to the licensee when the department determines that:

(a) Radioactive material has been properly disposed;

(b) Reasonable effort has been made to eliminate residual radioactive contamination, if present; and

(c)(i) A radiation survey has been performed which demonstrates that the premises are suitable for release in accordance with the criteria for decommissioning in chapter 246-246 WAC; or

(ii) Other information submitted by the licensee is sufficient to demonstrate that the premises are suitable for release in accordance with the criteria for decommissioning in chapter 246-246 WAC; and

(d) Records required by subsections (16) and (18) of this section have been received.

(15) Specific licenses for uranium and thorium milling are exempt from subsections (6)(d), (9) and (10) of this section with respect to reclamation of tailings impoundments and/or waste disposal areas.

(16) Prior to license termination, each licensee authorized to possess radioactive material with a half-life greater than one hundred twenty days, in an unsealed form, shall forward the following records to the department:

(a) Records of disposal required by WAC 246-221-230 (8)(a); and

(b) Records of results required by WAC 246-221-230 (7)(h).

(17) If licensed activities are transferred or assigned in accordance with WAC 246-232-050(2), each licensee authorized to possess radioactive material, with a half-life greater than one hundred twenty days, in an unsealed form, shall transfer the following records to the new licensee and the new licensee will be responsible for maintaining these records until the license is terminated:

(a) Records of disposal required by WAC 246-221-230 (8)(a); and

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(b) Records of results required by WAC 246-221-230 (7)(h).

(18) Prior to license termination, each licensee shall forward the records required by WAC 246-235-075(6) to the department.

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AMENDATORY SECTION (Amending Order 184, filed 7/24/91, effective 8/24/91)

WAC 246-233-001 Purpose and scope. This chapter establishes general licenses for the possession and use of radioactive material contained in certain items and a general license for ownership of radioactive material. Chapter 246-232 WAC also contains provisions applicable to the ((~~subject matter of~~)) general licenses established in this part.

NEW SECTION

WAC 246-233-005 Ownership of radioactive material. A general license is hereby issued to own radioactive material without regard to quantity. Notwithstanding any other provisions of this chapter, this general license does not authorize the manufacture, production, transfer, receipt, possession or use of radioactive material.

NEW SECTION

WAC 246-233-015 Certain devices and equipment. A general license is hereby issued to transfer, receive, acquire, own, possess, and use radioactive material incorporated in the following devices or equipment which have been manufactured, tested and labeled by the manufacturer in accordance with a specific license issued to the manufacturer by the United States Nuclear Regulatory Commission for use pursuant to Section 31.3 of 10 CFR Part 31. This general license is subject to the provisions of WAC 246-220-020, 246-220-030, 246-220-040, 246-220-050, 246-220-060, 246-220-070, chapters 246-232, 246-221** and 246-222 WAC.

(1) *Static elimination device.* Devices designed for use as static eliminators which contain, as a sealed source or sources, radioactive material consisting of a total of not more than 500 microcuries of Polonium-210 per device.

(2) *Ion generating tube.* Devices designed for ionization of air which contain, as a sealed source or sources, radioactive material consisting of a total of not more than 500 microcuries of Polonium-210 per device or a total of not more than 50 millicuries of Hydrogen-3 (tritium) per device.

** Attention is directed particularly to the provisions of chapter 246-221 WAC which relate to the labeling of containers.

AMENDATORY SECTION (Amending WSR 98-13-037, filed 6/8/98, effective 7/9/98)

WAC 246-233-020 General ((~~licenses*—Radioactive material other than source material~~)) license—Certain measuring, gauging or controlling devices.

((~~*Note: Different general licenses are issued in this section, each of which has its own specific conditions and requirements.~~))

(1) ((~~Certain devices and equipment. A general license is hereby issued to transfer, receive, acquire, own, possess, and use radioactive material incorporated in the following devices or equipment which have been manufactured, tested and labeled by the manufacturer in accordance with a specific license issued to the manufacturer by the United States Nuclear Regulatory Commission for use pursuant to Section 31.3 of 10 CFR Part 31. This general license is subject to the provisions of WAC 246-220-020, 246-220-030, 246-220-040, 246-220-050, 246-220-060, 246-220-070, chapters 246-232, 246-221** and 246-222 WAC.~~

~~(a) Static elimination device. Devices designed for use as static eliminators which contain, as a sealed source or sources, radioactive material consisting of a total of not more than 500 microcuries of Polonium-210 per device.~~

~~(b) Ion generating tube. Devices designed for ionization of air which contain, as a sealed source or sources, radioactive material consisting of a total of not more than 500 microcuries of Polonium-210 per device or a total of not more than 50 millicuries of Hydrogen-3 (tritium) per device.~~

~~** Attention is directed particularly to the provisions of chapter 246-221 WAC of these regulations which relate to the labeling of containers.~~

~~(2) Reserved.~~

~~(3) Reserved.~~

~~(4) Certain measuring, gauging or controlling devices.~~

~~(a)~~)) A general license is hereby issued to commercial and industrial firms and research, educational and medical institutions, individuals in the conduct of their business, and state or local government agencies to own, acquire, receive, possess, use or transfer, in accordance with the provisions of ((~~(b), (c), and (d)~~)) subsections (2), (3), and (4) of this ((~~subsection~~)) section, radioactive material excluding special nuclear material contained in devices designed and manufactured for the purpose of detecting, measuring, gauging or controlling thickness, density, level, interface location, radiation, leakage, or qualitative or quantitative chemical composition, or for producing light or an ionized atmosphere.

((~~(b)~~)) (2) The general license in ((~~(a)~~)) subsection (1) of this ((~~subsection~~)) section applies only to radioactive material contained in devices which have been manufactured or initially transferred and labeled in accordance with the specifications contained in a specific license issued by the department pursuant to WAC 246-235-093 or in accordance with the Nuclear Regulatory Commission, an agreement state or a licensing state, which authorizes distribution or transfer of devices to persons generally licensed by the United States Nuclear Regulatory Commission, an agreement state or licensing state**. The devices shall have been received from one of the specific licensees described in this subsection or through a transfer made under subsection (3)(h) of this section.

*Note: Regulations under the Federal Food, Drug, and Cosmetic Act authorizing the use of radioactive control devices in food production require certain additional labeling thereon which is found in Section 179.21 of 21 CFR Part 179.

((~~(c)~~)) (3) Any person who owns, acquires, receives, possesses, uses or transfers radioactive material in a device pursuant to the general license in ((~~(a)~~)) subsection (1) of this ((~~subsection~~)) section:

((~~(i)~~)) (a) Shall assure that all labels affixed to the device at the time of receipt and bearing a statement that removal of

the label is prohibited are maintained thereon and shall comply with all instructions and precautions provided by such labels;

(((~~(ii)~~))) (b) Shall assure that the device is tested for leakage of radioactive material and proper operation of the on-off mechanism and indicator, if any, at no longer than six-month intervals or at such other intervals as are specified in the label, however:

(((~~(A)~~))) (i) Devices containing only krypton need not be tested for leakage of radioactive material; and

(((~~(B)~~))) (ii) Devices containing only tritium or not more than 100 microcuries of other beta and/or gamma emitting material or 10 microcuries of alpha emitting material need not be tested for any purpose. Devices held in storage in the original shipping container prior to initial installation need not be tested until immediately prior to use;

(((~~(iii)~~))) (c) Shall assure that the tests required by (((~~(c)(ii)~~))) (b) of this subsection and other testing, installing, servicing, and removing from installation involving the radioactive materials, its shielding or containment, are performed:

(((~~(A)~~))) (i) In accordance with the instructions provided by the labels; or

(((~~(B)~~))) (ii) By a person holding a specific license from the department or from the United States Nuclear Regulatory Commission or from any agreement state or from a licensing state to perform such activities;

(((~~(iv)~~))) (d) Shall maintain records showing compliance with the requirements of (((~~(c)(ii) and (iii)~~))) (b) and (c) of this subsection. The records shall show the results of tests. The records also shall show the dates of performance and the names of persons performing, testing, installing, servicing, and removing from installation concerning the radioactive material, its shielding or containment. Records of tests for leakage of radioactive material required by (((~~(c)(ii)~~))) (b) of this subsection shall be maintained for ((~~one year~~)) three years after the next required leak test is performed or the sealed source is transferred or disposed. Records of tests of the on/off mechanism and indicator required by (((~~(c)(ii)~~))) (b) of this subsection shall be maintained for ((~~one year~~)) three years after the next required test of the on/off mechanism and indicator is performed or the sealed source is transferred or disposed. Records of other testing, installation, servicing, and removal from installation required by (c)(((~~(iii)~~))) of this subsection shall be maintained for a period of ((~~two~~)) three years from the date of the recorded event or until the device is transferred or disposed;

(((~~(v)~~))) (e) Upon the occurrence of a failure of or damage to, or any indication of a possible failure of or damage to, the shielding of the radioactive material or the on/off mechanism or indicator, or upon the detection of 0.005 microcuries or more removable radioactive material, shall immediately suspend operation of the device until it has been repaired by the manufacturer or other person holding a specific license from the department, the United States Nuclear Regulatory Commission, or from an agreement state or a licensing state to repair such devices, or disposed by transfer to a person authorized by a specific license to receive the radioactive material contained in the device and, within thirty days, furnish to the department a written report containing a brief description of the event and the remedial action taken; and, in the case of detection of 0.005 microcuries or more of removable radioactive material or failure of or damage to a source likely to result in contamination of the premises or the environs, a plan for ensuring that the premises and environs are acceptable for unrestricted use (see WAC 246-246-020);

(((~~(vi)~~))) (f) Shall not abandon the device containing radioactive material;

(((~~(vii)~~))) (g) Except as provided in (((~~(e)(viii)~~))) (h) of this subsection, shall transfer or dispose the device containing radioactive material only by transfer to a person holding a specific license of the department, the United States Nuclear Regulatory Commission, or an agreement state, or a licensing state whose specific license authorizes the person to receive the device and within thirty days after transfer of a device to a specific licensee shall furnish to the department a report containing identification of the device by manufacturer's (or initial transferor's) name, model number, and serial number; ((~~and~~)) the name ((~~and~~)), address, and license number of the person receiving the device, and the date of transfer. ((~~No report is required if the device is transferred to the specific licensee in order to obtain a replacement device~~)) Prior written approval from the department is required before transferring the device to any other specific licensee not specifically identified in this subsection;

(((~~(viii)~~))) (h) Shall transfer the device to another general licensee only:

(((~~(A)~~))) (i) Where the device remains in use at a particular location. In such case, the transferor shall give the transferee a copy of this ((~~subsection~~)) section, a copy of WAC 246-221-240, 246-221-250, 246-232-050, and 246-232-060, and any safety documents identified in the label of the device and within thirty days of the transfer, report to the department the manufacturer's (or transferor's) name, model number, and serial number of device transferred, the transferee's name and mailing address ((~~of the transferee~~)) for the location of use, and the name ((~~and/or position of an individual who may constitute a point of contact between the department and the transferee~~)), title, and phone number of the responsible individual identified by the transferee in accordance with (j) of this subsection to have knowledge of and authority to take actions to ensure compliance with the appropriate regulations and requirements; or

(((~~(B)~~))) (ii) Where the device is held in storage in the original shipping container at its intended location of use prior to initial use by a general licensee((~~:~~));

(((~~(ix)~~))) (i) Shall comply with the provisions of WAC 246-221-240 and 246-221-250 for reporting radiation incidents, theft or loss of licensed material, but shall be exempt from the other requirements of chapters 246-221 and 246-222 WAC;

(j) Shall appoint an individual responsible for having knowledge of the appropriate regulations and requirements and the authority for taking required actions to comply with appropriate regulations and requirements. The general licensee, through this individual, shall ensure the day-to-day compliance with appropriate regulations and requirements. This appointment does not relieve the general licensee of any of its responsibility in this regard;

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(k)(i) Shall register, in accordance with (k)(i) and (iii) of this subsection, devices containing at least 370 MBq (10 mCi) of Cesium-137, 3.7 MBq (0.1 mCi) of Strontium-90, 37 MBq (1 mCi) of Cobalt-60, or 37 MBq (1 mCi) of Americium-241 or any other transuranic (i.e., element with atomic number greater than uranium (92)), based on the activity indicated on the label. Each address for a location of use, as described under (k)(iii)(D) of this subsection, represents a separate general licensee and requires a separate registration and fee;

(ii) If in possession of a device meeting the criteria of (k)(i) of this subsection, shall register these devices annually with the department and shall pay the fee required by WAC 246-254-090. Registration must be done by verifying, correcting, and/or adding to the information provided in a request for registration received from the department. The registration information must be submitted to the department within thirty days of the date of the request for registration or as otherwise indicated in the request. In addition, a general licensee holding devices meeting the criteria of (k)(i) of this subsection is subject to the bankruptcy notification requirement in WAC 246-232-050;

(iii) In registering devices, the general licensee shall furnish the following information and any other information specifically requested by the department:

(A) Name and mailing address of the general licensee;

(B) Information about each device: The manufacturer (or initial transferor), model number, serial number, the radionuclide and activity (as indicated on the label);

(C) Name, title, and telephone number of the responsible person designated as a representative of the general licensee under (j) of this subsection;

(D) Address or location at which the device(s) are used and/or stored. For portable devices, the address of the primary place of storage;

(E) Certification by the responsible representative of the general licensee that the information concerning the device(s) has been verified through a physical inventory and checking of label information;

(F) Certification by the responsible representative of the general licensee that they are aware of the requirements of the general license;

(iv) Persons generally licensed by the U.S. Nuclear Regulatory Commission, or an agreement state with respect to devices meeting the criteria in (k)(i) of this subsection are not subject to registration requirements if the devices are used in areas subject to Washington state jurisdiction for a period less than one hundred eighty days in any calendar year. The department will not request registration information from such licensees;

(l) Shall report changes to the mailing address for the location of use (including change in name of general licensee) to the department within thirty days of the effective date of the change. For a portable device, a report of address change is only required for a change in the device's primary place of storage;

(m) Shall not hold devices that are not in use for longer than two years. If devices with shutters are not being used, the shutter must be locked in the closed position. The testing required by (b) of this subsection need not be performed during the period of storage only. However, when devices are put back into service or transferred to another person, and have not been tested within the required test interval, they must be tested for leakage before use or transfer and the shutter tested before use. Devices kept in standby for future use are excluded from the two-year time limit if the general licensee performs quarterly physical inventories of these devices while they are in standby.

(((~~d~~))) (4) The general license in (((~~a~~))) subsection (1) of this ((~~subsection~~)) section does not authorize the manufacture, import or export of devices containing radioactive material.

(((~~e~~))) (5) The general license provided in this subsection is subject to the provisions of WAC 246-220-020, 246-220-030, 246-220-040, 246-220-060, 246-220-070, 246-220-100, 246-221-240, 246-221-250, 246-232-050, 246-232-060, 246-232-070, 246-232-080, and 246-232-090.

~~(((5) Luminous safety devices for aircraft.~~

~~(a) A general license is hereby issued to own, receive, acquire, possess and use tritium or Promethium-147 contained in luminous safety devices for use in aircraft, provided:~~

~~(i) Each device contains not more than 10 curies of tritium or 300 millicuries of Promethium-147; and~~

~~(ii) Each device has been manufactured, assembled or imported in accordance with a specific license issued by the United States Nuclear Regulatory Commission, or each device has been manufactured or assembled in accordance with the specifications contained in a specific license issued by the department or any agreement state to the manufacturer or assembler of such device pursuant to licensing requirements equivalent to those in Section 32.53 of 10 CFR Part 32 of the regulations of the United States Nuclear Regulatory Commission.~~

~~(b) Persons who own, receive, acquire, possess or use luminous safety devices pursuant to the general license in this subsection are exempt from the requirements of chapters 246-221 and 246-222 WAC except that they shall comply with the provisions of WAC 246-221-240 and 246-221-250.~~

~~(c) This general license does not authorize the manufacture, assembly, or repair of luminous safety devices containing tritium or Promethium-147.~~

~~(d) This general license does not authorize the ownership, receipt, acquisition, possession or use of Promethium-147 contained in instrument dials.~~

~~(e) This general license is subject to the provisions of WAC 246-220-020, 246-220-030, 246-220-040, 246-220-050, 246-220-060, 246-220-070, 246-220-100, 246-232-050, 246-232-070, 246-232-080, and 246-232-090.~~

~~(6) Ownership of radioactive material. A general license is hereby issued to own radioactive material without regard to quantity. Notwithstanding any other provisions of this chapter, this general license does not authorize the manufacture, production, transfer, receipt, possession or use of radioactive material.~~

~~(7) Calibration and reference sources.~~

~~(a) A general license is hereby issued to those persons listed below to own, receive, acquire, possess, use and transfer, in accordance with the provisions of (d) and (e) of this~~

subsection, Americium-241 in the form of calibration or reference sources:

(i) Any person who holds a specific license issued by the department which authorizes that person to receive, possess, use and transfer radioactive material; or

(ii) Any person who holds a specific license issued by the United States Nuclear Regulatory Commission which authorizes that person to receive, possess, use and transfer special nuclear material.

(b) A general license is hereby issued to own, receive, possess, use and transfer plutonium in the form of calibration or reference sources in accordance with the provisions of (d) and (e) of this subsection to any person who holds a specific license issued by the department which authorizes that person to receive, possess, use and transfer radioactive material.

(c) A general license is hereby issued to own, receive, possess, use and transfer Radium-226 in the form of calibration or reference sources in accordance with the provisions of (d) and (e) of this subsection to any person who holds a specific license issued by the department which authorizes that person to receive, possess, use and transfer radioactive material.

(d) The general licenses in (a), (b) and (c) of this subsection apply only to calibration or reference sources which have been manufactured in accordance with the specifications contained in a specific license issued to the manufacturer or importer of the sources by the United States Nuclear Regulatory Commission pursuant to Section 32.57 of 10 CFR Part 32 or Section 70.39 of 10 CFR Part 70 or which have been manufactured in accordance with the specifications contained in a specific license issued to the manufacturer by the department or any agreement state or licensing state pursuant to licensing requirements equivalent to those contained in Section 32.57 of 10 CFR Part 32 or Section 70.39 of 10 CFR Part 70 of the regulations of the United States Nuclear Regulatory Commission.

(e) The general licenses provided in (a), (b) and (c) of this subsection are subject to the provisions of WAC 246-220-020, 246-220-030, 246-220-040, 246-220-060, 246-220-070, 246-220-100, 246-232-050, 246-232-070, 246-232-080, 246-232-090, chapters 246-221 and 246-222 WAC.

In addition, persons who own, receive, acquire, possess, use or transfer one or more calibration or reference sources pursuant to these general licenses:

(i) Shall not possess at any one time, at any one location of storage or use, more than 5 microcuries of Americium-241 and 5 microcuries of plutonium and 5 microcuries of Radium-226 in such sources;

(ii) Shall not receive, possess, use or transfer such source unless the source, or the storage container, bears a label which includes one of the following statements or a substantially similar statement which contains the information called for in the following statement:

(A) The receipt, possession, use and transfer of this source, Model . . . . . , Serial No. . . . . , are subject to a general license and the regulations of the United States Nuclear Regulatory Commission or of a state with which the commission has entered into an agreement for the exercise of regulatory authority. Do not remove this label.

caution - radioactive material - this source contains (americium-241). (plutonium)*. do not touch radioactive portion of this source

. . . . . .

Name of manufacturer or importer

((*Note: Showing only the name of the appropriate material.

(B) The receipt, possession, use and transfer of this source, Model . . . . . , Serial No. . . . . , are subject to a general license and the regulations of any licensing state. Do not remove this label.

caution - radioactive material - this source contains radium-226. do not touch radioactive portion of this source.

. . . . . .

Name of manufacturer or importer

(iii) Shall not transfer, abandon, or dispose of such source except by transfer to a person authorized by a license from the department, the United States Nuclear Regulatory Commission, or an agreement state or licensing state to receive the source;

(iv) Shall store such source, except when the source is being used, in a closed container adequately designed and constructed to contain Americium-241, Plutonium, or Radium-226/Radon-222 which might otherwise escape during storage; and

(v) Shall not use such source for any purpose other than the calibration of radiation detectors or the standardization of other sources.

(f) These general licenses do not authorize the manufacture of calibration or reference sources containing Americium-241, Plutonium, or Radium-226.

(8) General license for use of radioactive material for certain in vitro clinical or laboratory testing.*

(a) A general license is hereby issued to any physician, veterinarian, clinical laboratory or hospital to receive, acquire, possess, transfer or use, for any of the following stated tests, in accordance with the provisions of or use, for any of the following stated tests, in accordance with the provisions of (b), (c), (d), (e), and (f) of this subsection the following radioactive materials in prepackaged units:

(i) Iodine-125, in units not exceeding 10 microcuries each for use in in vitro clinical or laboratory tests not involving internal or external administration of radioactive material, or the radiation therefrom, to human beings or animals.

(ii) Iodine-131, in units not exceeding 10 microcuries each for use in in vitro clinical or laboratory tests not involving internal or external administration of radioactive material, or the radiation therefrom, to human beings or animals.

(iii) Carbon-14, in units not exceeding 10 microcuries each for use in in vitro clinical or laboratory tests not involving internal or external administration of radioactive material, or the radiation therefrom, to human beings or animals.

(iv) Hydrogen-3 (tritium), in units not exceeding 50 microcuries each for use in in vitro clinical or laboratory tests not involving internal or external administration of radioactive material, or the radiation therefrom, to human beings or animals.

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(v) Iron-59, in units not exceeding 20 microcuries each for use in in vitro clinical or laboratory tests not involving internal or external administration of radioactive material, or the radiation therefrom, to human beings or animals.

(vi) Cobalt-57, in units not exceeding 10 microcuries each for use in in vitro clinical or laboratory tests not involving internal or external administration of radioactive material, or the radiation therefrom, to human beings or animals.

(vii) Selenium-75, in units not to exceed 10 microcuries each for use in in vitro clinical or laboratory tests not involving internal or external administration of radioactive material, or the radiation therefrom, to human beings or animals.

(viii) Mock Iodine-125 reference or calibration sources, in units not exceeding 0.05 microcurie of Iodine-129 and 0.005 microcurie of Americium-241 each for use in in vitro clinical or laboratory tests not involving internal or external administration of radioactive material, or the radiation therefrom, to human beings or animals.

*Note: The new drug provisions of the Federal Food, Drug and Cosmetic Act also govern the availability and use of any specific diagnostic drugs in interstate commerce.

(b) No person shall receive, acquire, possess, use or transfer radioactive material pursuant to the general license established by (a) of this subsection until that person has received a validated copy of department Form RHF-15 "Certificate-in vitro testing with radioactive material under general license." Annual validation requires resubmittal of revised department Form RHF-15 and submittal of the annual fee to the department. The physician, veterinarian, clinical laboratory or hospital shall furnish on department Form RHF-15 the following information and such other information as may be required by that form:

(i) Name and address of the physician, veterinarian, clinical laboratory or hospital;

(ii) The location of use; and

(iii) A statement that the physician, veterinarian, clinical laboratory or hospital has appropriate radiation measuring instruments to carry out in vitro clinical or laboratory tests with radioactive material as authorized under the general license in (a) of this subsection and that such tests will be performed only by personnel competent in the use of such instruments and in the handling of the radioactive material.

(c) A person who receives, acquires, possesses or uses radioactive material pursuant to the general license established by (a) of this subsection shall comply with the following:

(i) The general licensee shall not possess at any one time, pursuant to the general license in (a) of this subsection at any one location of storage or use, a total amount of Iodine-125, Iodine-131, Selenium-75, Iron-59, and/or Cobalt-57 in excess of 200 microcuries.

(ii) The general licensee shall store the radioactive material, until used, in the original shipping container or in a container providing equivalent radiation protection.

(iii) The general licensee shall use the radioactive material only for the uses authorized by (a) of this subsection.

(iv) The general licensee shall not transfer the radioactive material to a person who is not authorized to receive it pursuant to a license issued by the department, the United States Nuclear Regulatory Commission, any agreement state or licensing state, nor transfer the radioactive material in any manner other than in the unopened, labeled shipping container as received from the supplier.

(v) The general licensee shall dispose of the Mock Iodine-125 reference or calibration sources described in (a)(viii) of this subsection as required by WAC 246-221-170.

(d) The general licensee shall not receive, acquire, possess, or use radioactive material pursuant to (a) of this subsection:

(i) Except as prepackaged units which are labeled in accordance with the provision of an applicable specific license issued pursuant to WAC 246-235-097 or in accordance with the provisions of a specific license issued by the United States Nuclear Regulatory Commission, or any agreement state or licensing state which authorizes the manufacture and distribution of Iodine-125, Iodine-131, Carbon-14, Hydrogen-3 (tritium), Iron-59, Selenium-75, Cobalt-57, or Mock Iodine-125 to persons generally licensed under this subsection or its equivalent; and

(ii) Unless one of the following statements, as appropriate, or a substantially similar statement which contains the information called for in one of the following statements, appears on a label affixed to each prepackaged unit or appears in a leaflet or brochure which accompanies the package:

This radioactive material shall be received, acquired, possessed and used only by physicians, veterinarians, clinical laboratories or hospitals and only for in vitro clinical or laboratory tests not involving internal or external administration of the material, or the radiation therefrom, to human beings or animals. Its receipt, acquisition, possession, use and transfer are subject to the regulations and a general license of the United States Nuclear Regulatory Commission or of a state with which the commission has entered into an agreement for the exercise of regulatory authority.

.....

Name of manufacturer

This radioactive material shall be received, acquired, possessed and used only by physicians, veterinarians, clinical laboratories or hospitals and only for in vitro clinical or laboratory tests not involving internal or external administration of the material, or the radiation therefrom, to human beings or animals. Its receipt, acquisition, possession, use and transfer are subject to the regulations and a general license of a licensing state.

.....

Name of manufacturer

(e) The physician, veterinarian, clinical laboratory or hospital possessing or using radioactive material under the general license of (a) of this subsection shall report in writing to the department, any changes in the information previously furnished in the "Certificate - in vitro testing with radioactive material under general license," department Form RHF-15.

~~The report shall be furnished within thirty days after the effective date of such change.~~

~~(f) This general license is subject to the provisions of WAC 246-220-020, 246-220-030, 246-220-040, 246-220-060, 246-220-070, 246-220-090 and 246-220-100. In addition, any person using radioactive material pursuant to the general license of (a) of this subsection is exempt from the requirements of chapters 246-221 and 246-222 WAC with respect to radioactive material covered by that general license, except that such persons using the Mock Iodine-125 described in (a)(viii) of this subsection shall comply with the provisions of WAC 246-221-170, 246-221-240, and 246-221-250 and of these regulations.~~

~~(9) Ice detection devices.~~

~~(a) A general license is hereby issued to own, receive, acquire, possess, use and transfer Strontium-90 contained in ice detection devices, provided each device contains not more than 50 microcuries of Strontium-90 and each device has been manufactured or imported in accordance with a specific license issued by the United States Nuclear Regulatory Commission or each device has been manufactured in accordance with the specifications contained in a specific license issued by the department or any agreement state to the manufacturer of such device pursuant to licensing requirements equivalent to those in Section 32.61 of 10 CFR Part 32 of the regulations of the United States Nuclear Regulatory Commission.~~

~~(b) Persons who own, receive, acquire, possess, use or transfer Strontium-90 contained in ice detection devices pursuant to the general license in (a) of this subsection:~~

~~(i) Shall, upon occurrence of visually observable damage, such as a bend or crack or discoloration from overheating to the device, discontinue use of the device until it has been inspected, tested for leakage and repaired by a person holding a specific license from the United States Nuclear Regulatory Commission or an agreement state to manufacture or service such devices; or shall dispose of the device pursuant to the provisions of these regulations;~~

~~(ii) Shall assure that all labels affixed to the device at the time of receipt, and which bear a statement which prohibits removal of the labels, are maintained thereon; and~~

~~(iii) Are exempt from the requirements of chapters 246-221 and 246-222 WAC except that such persons shall comply with the provisions of WAC 246-221-170, 246-221-240, and 246-221-250.~~

~~(c) This general license does not authorize the manufacture, assembly, disassembly or repair of Strontium-90 sources in ice detection devices.~~

~~(d) This general license is subject to the provisions of WAC 246-220-020, 246-220-030, 246-220-040, 246-220-060, 246-220-070, 246-220-100, 246-232-050, 246-232-070, 246-232-080, and 246-232-090.~~))

NEW SECTION

WAC 246-233-025 General license—Luminous safety devices for aircraft. (1) A general license is hereby issued to own, receive, acquire, possess and use tritium or Promethium-147 contained in luminous safety devices for use in aircraft, provided:

(a) Each device contains not more than 10 curies of tritium or 300 millicuries of Promethium-147; and

(b) Each device has been manufactured, assembled or imported in accordance with a specific license issued by the United States Nuclear Regulatory Commission, or each device has been manufactured or assembled in accordance with the specifications contained in a specific license issued by the department or any agreement state to the manufacturer or assembler of such device pursuant to licensing requirements equivalent to those in Section 32.53 of 10 CFR Part 32 of the regulations of the United States Nuclear Regulatory Commission.

(2) Persons who own, receive, acquire, possess or use luminous safety devices pursuant to the general license in this subsection are exempt from the requirements of chapters 246-221 and 246-222 WAC except that they shall comply with the provisions of WAC 246-221-240 and 246-221-250.

(3) This general license does not authorize the manufacture, assembly, or repair of luminous safety devices containing tritium or Promethium-147.

(4) This general license does not authorize the ownership, receipt, acquisition, possession or use of Promethium-147 contained in instrument dials.

(5) This general license is subject to the provisions of WAC 246-220-020, 246-220-030, 246-220-040, 246-220-050, 246-220-060, 246-220-070, 246-220-100, 246-232-050, 246-232-070, 246-232-080, and 246-232-090.

NEW SECTION

WAC 246-233-030 General license—Ice detection devices. (1) A general license is hereby issued to own, receive, acquire, possess, use and transfer Strontium-90 contained in ice detection devices, provided each device contains not more than 50 microcuries of Strontium-90 and each device has been manufactured or imported in accordance with a specific license issued by the United States Nuclear Regulatory Commission or each device has been manufactured in accordance with the specifications contained in a specific license issued by the department or any agreement state to the manufacturer of such device pursuant to licensing requirements equivalent to those in Section 32.61 of 10 CFR Part 32 of the regulations of the United States Nuclear Regulatory Commission.

(2) Persons who own, receive, acquire, possess, use or transfer Strontium-90 contained in ice detection devices pursuant to the general license in (a) of this subsection:

(a) Shall, upon occurrence of visually observable damage, such as a bend or crack or discoloration from overheating to the device, discontinue use of the device until it has been inspected, tested for leakage and repaired by a person holding a specific license from the United States Nuclear Regulatory Commission or an agreement state to manufacture or service such devices; or shall dispose of the device pursuant to the provisions of these regulations;

(b) Shall assure that all labels affixed to the device at the time of receipt, and which bear a statement which prohibits removal of the labels, are maintained thereon; and

(c) Are exempt from the requirements of chapters 246-221 and 246-222 WAC except that such persons shall comply

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with the provisions of WAC 246-221-170, 246-221-240, and 246-221-250.

(3) This general license does not authorize the manufacture, assembly, disassembly or repair of Strontium-90 sources in ice detection devices.

(4) This general license is subject to the provisions of WAC 246-220-020, 246-220-030, 246-220-040, 246-220-060, 246-220-070, 246-220-100, 246-232-050, 246-232-070, 246-232-080, and 246-232-090.

NEW SECTION

WAC 246-233-035 General license—Calibration and reference sources. (1) A general license is hereby issued to those persons listed below to own, receive, acquire, possess, use and transfer, in accordance with the provisions of subsections (4) and (5) of this section, Americium-241 in the form of calibration or reference sources:

(a) Any person who holds a specific license issued by the department which authorizes that person to receive, possess, use and transfer radioactive material; or

(b) Any person who holds a specific license issued by the United States Nuclear Regulatory Commission which authorizes that person to receive, possess, use and transfer special nuclear material.

(2) A general license is hereby issued to own, receive, possess, use and transfer plutonium in the form of calibration or reference sources in accordance with the provisions of subsections (4) and (5) of this section to any person who holds a specific license issued by the department which authorizes that person to receive, possess, use and transfer radioactive material.

(3) A general license is hereby issued to own, receive, possess, use and transfer Radium-226 in the form of calibration or reference sources in accordance with the provisions of subsections (4) and (5) of this section to any person who holds a specific license issued by the department which authorizes that person to receive, possess, use and transfer radioactive material.

(4) The general licenses in subsections (1), (2) and (3) of this section apply only to calibration or reference sources which have been manufactured in accordance with the specifications contained in a specific license issued to the manufacturer or importer of the sources by the United States Nuclear Regulatory Commission pursuant to Section 32.57 of 10 CFR Part 32 or Section 70.39 of 10 CFR Part 70 or which have been manufactured in accordance with the specifications contained in a specific license issued to the manufacturer by the department or any agreement state or licensing state pursuant to licensing requirements equivalent to those contained in Section 32.57 of 10 CFR Part 32 or Section 70.39 of 10 CFR Part 70 of the regulations of the United States Nuclear Regulatory Commission.

(5) The general licenses provided in subsections (1), (2) and (3) of this section are subject to the provisions of WAC 246-220-020, 246-220-030, 246-220-040, 246-220-060, 246-220-070, 246-220-100, 246-232-050, 246-232-070, 246-232-080, 246-232-090, chapters 246-221 and 246-222 WAC.

In addition, persons who own, receive, acquire, possess, use or transfer one or more calibration or reference sources pursuant to these general licenses:

(a) Shall not possess at any one time, at any one location of storage or use, more than 5 microcuries of Americium-241 and 5 microcuries of plutonium and 5 microcuries of Radium-226 in such sources;

(b) Shall not receive, possess, use or transfer such source unless the source, or the storage container, bears a label which includes one of the following statements or a substantially similar statement which contains the information called for in the following statement:

(i) The receipt, possession, use and transfer of this source, Model . . . . . , Serial No.. . . . . , are subject to a general license and the regulations of the United States Nuclear Regulatory Commission or of a state with which the commission has entered into an agreement for the exercise of regulatory authority. Do not remove this label.

CAUTION - RADIOACTIVE MATERIAL - THIS SOURCE CONTAINS (AMERICIUM-241). (PLUTONIUM)*. DO NOT TOUCH RADIOACTIVE PORTION OF THIS SOURCE

. . . . . .
Name of manufacturer or importer

*Note: Showing only the name of the appropriate material.

(ii) The receipt, possession, use and transfer of this source, Model . . . . . , Serial No. . . . . , are subject to a general license and the regulations of any licensing state. Do not remove this label.

CAUTION - RADIOACTIVE MATERIAL - THIS SOURCE CONTAINS RADIUM-226. DO NOT TOUCH RADIOACTIVE PORTION OF THIS SOURCE

. . . . . .
Name of manufacturer or importer

(c) Shall not transfer, abandon, or dispose of such source except by transfer to a person authorized by a license from the department, the United States Nuclear Regulatory Commission, or an agreement state or licensing state to receive the source;

(d) Shall store such source, except when the source is being used, in a closed container adequately designed and constructed to contain Americium-241, plutonium, or Radium-226/Radon-222 which might otherwise escape during storage; and

(e) Shall not use such source for any purpose other than the calibration of radiation detectors or the standardization of other sources.

(6) These general licenses do not authorize the manufacture of calibration or reference sources containing Americium-241, plutonium, or Radium-226.

NEW SECTION

WAC 246-233-040 General license for use of radioactive material for certain *in vitro* clinical or laboratory testing.* (1) A general license is hereby issued to any physician, veterinarian, clinical laboratory or hospital to receive, acquire, possess, transfer or use, for any of the following

stated tests, in accordance with the provisions of subsections (2), (3), (4), (5), and (6) of this section the following radioactive materials in prepackaged units:

(a) Iodine-125, in units not exceeding 10 microcuries each for use in *in vitro* clinical or laboratory tests not involving internal or external administration of radioactive material, or the radiation therefrom, to human beings or animals.

(b) Iodine-131, in units not exceeding 10 microcuries each for use in *in vitro* clinical or laboratory tests not involving internal or external administration of radioactive material, or the radiation therefrom, to human beings or animals.

(c) Carbon-14, in units not exceeding 10 microcuries each for use in *in vitro* clinical or laboratory tests not involving internal or external administration of radioactive material, or the radiation therefrom, to human beings or animals.

(d) Hydrogen-3 (tritium), in units not exceeding 50 microcuries each for use in *in vitro* clinical or laboratory tests not involving internal or external administration of radioactive material, or the radiation therefrom, to human beings or animals.

(e) Iron-59, in units not exceeding 20 microcuries each for use in *in vitro* clinical or laboratory tests not involving internal or external administration of radioactive material, or the radiation therefrom, to human beings or animals.

(f) Cobalt-57, in units not exceeding 10 microcuries each for use in *in vitro* clinical or laboratory tests not involving internal or external administration of radioactive material, or the radiation therefrom, to human beings or animals.

(g) Selenium-75, in units not to exceed 10 microcuries each for use in *in vitro* clinical or laboratory tests not involving internal or external administration of radioactive material, or the radiation therefrom, to human beings or animals.

(h) Mock Iodine-125 reference or calibration sources, in units not exceeding 0.05 microcurie of Iodine-129 and 0.005 microcurie of Americium-241 each for use in *in vitro* clinical or laboratory tests not involving internal or external administration of radioactive material, or the radiation therefrom, to human beings or animals.

*Note: The new drug provisions of the Federal Food, Drug and Cosmetic Act also govern the availability and use of any specific diagnostic drugs in interstate commerce.

(2) No person shall receive, acquire, possess, use or transfer radioactive material pursuant to the general license established by subsection (1) of this section until that person has received a validated copy of department Form RHF-15 "Certificate - *in vitro* testing with radioactive material under general license." Annual validation requires resubmittal of revised department Form RHF-15 and submittal of the annual fee to the department. The physician, veterinarian, clinical laboratory or hospital shall furnish on department Form RHF-15 the following information and such other information as may be required by that form:

(a) Name and address of the physician, veterinarian, clinical laboratory or hospital;

(b) The location of use; and

(c) A statement that the physician, veterinarian, clinical laboratory or hospital has appropriate radiation measuring instruments to carry out *in vitro* clinical or laboratory tests with radioactive material as authorized under the general license in subsection (1) of this section and that such tests will be performed only by personnel competent in the use of such instruments and in the handling of the radioactive material.

(3) A person who receives, acquires, possesses or uses radioactive material pursuant to the general license established by subsection (1) of this section shall comply with the following:

(a) The general licensee shall not possess at any one time, pursuant to the general license in subsection (1) of this section at any one location of storage or use, a total amount of Iodine-125, Iodine-131, Selenium-75, Iron-59, and/or Cobalt-57 in excess of 200 microcuries.

(b) The general licensee shall store the radioactive material, until used, in the original shipping container or in a container providing equivalent radiation protection.

(c) The general licensee shall use the radioactive material only for the uses authorized by subsection (1) of this section.

(d) The general licensee shall not transfer the radioactive material to a person who is not authorized to receive it pursuant to a license issued by the department, the United States Nuclear Regulatory Commission, any agreement state or licensing state, nor transfer the radioactive material in any manner other than in the unopened, labeled shipping container as received from the supplier.

(e) The general licensee shall dispose of the Mock Iodine-125 reference or calibration sources described in subsection (1)(h) of this section as required by WAC 246-221-170.

(4) The general licensee shall not receive, acquire, possess, or use radioactive material pursuant to subsection (1) of this section:

(a) Except as prepackaged units which are labeled in accordance with the provision of an applicable specific license issued pursuant to WAC 246-235-097 or in accordance with the provisions of a specific license issued by the United States Nuclear Regulatory Commission, or any agreement state or licensing state which authorizes the manufacture and distribution of Iodine-125, Iodine-131, Carbon-14, Hydrogen-3 (tritium), Iron-59, Selenium-75, Cobalt-57, or Mock Iodine-125 to persons generally licensed under this subsection or its equivalent; and

(b) Unless one of the following statements, as appropriate, or a substantially similar statement which contains the information called for in one of the following statements, appears on a label affixed to each prepackaged unit or appears in a leaflet or brochure which accompanies the package:

This radioactive material shall be received, acquired, possessed and used only by physicians, veterinarians, clinical laboratories or hospitals and only for *in vitro* clinical or laboratory tests not involving internal or external administration of the material, or the radiation therefrom, to human beings or animals. Its receipt, acquisition, possession, use and transfer are subject to the regulations and a general license of the United States Nuclear Regulatory Commission or of a state with which the commission has entered into an agreement for the exercise of regulatory authority.

.....

Name of manufacturer

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This radioactive material shall be received, acquired, possessed and used only by physicians, veterinarians, clinical laboratories or hospitals and only for *in vitro* clinical or laboratory tests not involving internal or external administration of the material, or the radiation therefrom, to human beings or animals. Its receipt, acquisition, possession, use and transfer are subject to the regulations and a general license of a licensing state.

. . . . . .

Name of manufacturer

(5) The physician, veterinarian, clinical laboratory or hospital possessing or using radioactive material under the general license of subsection (1) of this section shall report in writing to the department, any changes in the information previously furnished in the "Certificate - *in vitro* testing with radioactive material under general license," department Form RHF-15. The report shall be furnished within thirty days after the effective date of such change.

(6) This general license is subject to the provisions of WAC 246-220-020, 246-220-030, 246-220-040, 246-220-060, 246-220-070, 246-220-090 and 246-220-100. In addition, any person using radioactive material pursuant to the general license of subsection (1) of this section is exempt from the requirements of chapters 246-221 and 246-222 WAC with respect to radioactive material covered by that general license, except that such persons using the Mock Iodine-125 described in subsection (1)(h) of this section shall comply with the provisions of WAC 246-221-170, 246-221-240, and 246-221-250 and of these regulations.

WSR 03-23-134
PROPOSED RULES
DEPARTMENT OF HEALTH
[Filed November 19, 2003, 10:49 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 03-04-044.

Title of Rule: Drinking water operating permits, chapter 246-294 WAC.

Purpose: The purpose of this rule revision is to update the criteria for compliance regarding public water system performance and to be consistent with other drinking water regulations.

Statutory Authority for Adoption: Chapter 70.119A RCW.

Statute Being Implemented: Chapter 70.119A RCW.

Summary: This rule revision updates the structure for the annual evaluation of water system performance based on compliance with chapter 246-290 WAC and public health risk. The criteria for compliance will be consistent with new drinking water regulations that have been adopted since this rule was first enacted.

Reasons Supporting Proposal: RCW 70.119A.100 requires the department to develop rules necessary to implement sections 5 through 7 of chapter 70.119A RCW.

Name of Agency Personnel Responsible for Drafting: Sean Orr, Tumwater, (360) 236-3153; Implementation and Enforcement: John Aden, Tumwater, (360) 236-3157.

Name of Proponent: Department of Health, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The purpose of the operating permit rule requirements are to assure that public water systems provide safe and reliable drinking water to the public. The department conducts comprehensive and systematic evaluations to assess the adequacy and financial viability of public water systems. The department may impose permit conditions, requirements for public water system improvements and compliance criteria to carry out the purpose of this rule. The revision of this rule is necessary to coordinate the operating permit categories to other drinking water regulations that have been revised since this rule became effective in 1993. The rule revision provides relief to water systems that have not obtained design approval, but are maintaining compliance and are in good operating condition. The rule revision improves the meaning and clarity of the permit categories by more closely relating violations and public health risk to the appropriate category.

Proposal Changes the Following Existing Rules: Adds definitions in WAC 246-294-010 Definitions, for "adequacy" and "drinking water regulations" and modifies "state significant noncomplier," "nonresident," and "satellite management agency" to ensure the definitions are consistent with other drinking water regulations. Revises WAC 246-294-030 Application process and 246-294-040 Operating permit categories to be more user friendly and to cross-reference other health regulations. WAC 246-294-040 Operating permit categories, adds criteria to the yellow permit category and revises the definition; revises the definition for the blue permit category and clarifies that the category is determined to be "adequate"; and clarifies that the red permit category is determined to mean "inadequate." Eliminates the requirement in WAC 246-294-060 Transfer of ownership, for a water system to prepare a water system plan prior to transfer of ownership to be consistent with WAC 246-290-100. Removes the $5.00 per service fee in WAC 246-294-070 Fees.

No small business economic impact statement has been prepared under chapter 19.85 RCW. RCW 19.85.030(1) states that "an agency shall prepare a small business economic impact statement (SBEIS): (a) If the proposed rule will impose more than a minor cost on a business in an industry;" The department has determined that the rule revision does not impose additional costs on the regulated community so an SBEIS is not required.

RCW 34.05.328 applies to this rule adoption. Parts of the rule are exempt from the requirements of RCW 34.05.328 because they "...clarify language of a rule without changing its effect." Parts of the rule qualify as legislatively significant because they amend standards for the issuance of a permit and make significant amendments to a regulatory program.

Hearing Location: Department of Health, 310 Israel Road S.E., Tumwater, WA 98501, on January 12, 2004, at 10:00 a.m.

Assistance for Persons with Disabilities: Theresa Phillips by January 2, 2004, TDD (800) 833-6388 or (360) 236-3147.

Submit Written Comments to: Theresa Phillips, Department of Health, P.O. Box 47822, Olympia, WA 98504-7822, fax (360) 236-2253, by January 12, 2004.

Date of Intended Adoption: February 13, 2004.

November 18, 2003
Mary C. Selecky
Secretary

AMENDATORY SECTION (Amending Order 325, filed 1/14/93, effective 2/14/93)

WAC 246-294-001 Purpose. ((~~The rules set forth in~~)) This chapter ((~~are adopted for the purpose of implementing the provisions of~~)) implements chapter 70.119A RCW and sets operating permit requirements to help assure ((~~that~~)) Group A water systems provide safe and reliable drinking water to the public ((~~in accordance~~)) consistent with chapter 246-290 WAC, state board of health drinking water regulations and chapter 246-292 WAC, water works operator certification regulations.

AMENDATORY SECTION (Amending Order 325, filed 1/14/93, effective 2/14/93)

WAC 246-294-010 Definitions. Abbreviations:

EPA - Environmental Protection Agency
MCL - maximum contaminant level
NTNC - nontransient noncommunity
SMA - satellite ((~~system~~)) management agency
SSNC - state significant noncomplier
TNC - transient noncommunity
VOC - volatile organic chemical
WFI - water facilities inventory

"Adequacy" means an assessment, based upon evaluation of the department's records, of a water system's current ability to provide safe and reliable drinking water in accordance with applicable drinking water statutes and regulations.

"Community water system" means any Group A water system:

With fifteen or more services used by residents for one hundred eighty or more days within a calendar year, regardless of the number of people; or

Regularly serving twenty-five or more residents for one hundred eighty or more days within the calendar year, regardless of the number of services.

"Department" means the Washington state department of health.

"Drinking water regulations" means the provisions of chapter 70.119A RCW, chapter 246-290 WAC, state board of health drinking water regulations and chapter 246-292 WAC, water works operator certification regulations, that help assure Group A public water systems provide safe and reliable drinking water.

"Group A water systems" ((~~and "system" means a public water system:~~

~~With fifteen or more service connections, regardless of the number of people; or~~

~~Serving an average of twenty-five or more people per day for sixty or more days within a calendar year, regardless of the number of service connections~~)) are defined as community and noncommunity water systems.

(a) Community water system means any Group A water system providing service to fifteen or more service connections used by year-round residents for one hundred eighty or more days within a calendar year, regardless of the number of people, or regularly serving at least twenty-five year-round (i.e., more than one hundred eighty days per year) residents.

(b) Noncommunity water system means a Group A water system that is not a community water system. Noncommunity water systems are further defined as:

(i) Nontransient (NTNC) water systems that provide service opportunity to twenty-five or more of the same nonresidential people for one hundred eighty or more days within a calendar year.

(ii) Transient (TNC) water systems that serve:

(A) Twenty-five or more different people each day for sixty or more days within a calendar year;

(B) Twenty-five or more of the same people each day for sixty or more days, but less than one hundred eighty days in a calendar year; or

(C) One thousand or more people for two or more consecutive days within a calendar year.

"Maximum contaminant level (MCL)" means the maximum permissible level of a contaminant in water the purveyor delivers to any public water system user, measured at the locations identified under WAC 246-290-300, Table ((4)) 3.

((~~"New Group A water system" means a system designed for fifteen or more services or to serve twenty-five or more people which:~~

~~The department has not acknowledged receipt of the form titled Construction Report for Public Water System Projects before the effective date of this chapter; or~~

~~Has been in existence but has not received department as-built approval or does not have a WFI on record with the department.~~))

"Nonresident" means a person ((~~without a permanent home or without a home served by the system, such as~~)) having access to drinking water from a public water system who lives elsewhere. Examples include travelers, transients, employees, students, etc.

((~~"Nontransient noncommunity water system (NTNC)" means a Group A water system regularly serving twenty-five or more of the same nonresidents for one hundred eighty or more days within a calendar year.~~))

"Owner" means any agency, subdivision of the state, municipal corporation, firm, company, mutual or cooperative association, institution, partnership, or person or any other entity, that holds as property, a public water system.

"Public water system" means any system, providing water for human consumption through pipes or other constructed conveyances, excluding a system serving only one single-family residence and a system with four or fewer connections all of which serve residences on the same farm((~~,~~

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~~providing piped water for human consumption, including any~~)). The term includes:

(a) Collection, treatment, storage, and/or distribution facilities under control of the purveyor and used primarily in connection with the system((~~; and~~)).

(b) Collection or pretreatment storage facilities not under control of the purveyor, but primarily used in connection with the system((~~, including:~~

~~Any collection, treatment, storage, and distribution facilities under control of the purveyor and used primarily in connection with such system; and~~

~~Any collection or pretreatment storage facilities not under control of the purveyor which are primarily used in connection with such system~~)).

"Resident" means an individual living in a dwelling unit served by a public water system.

"Satellite ((~~system~~)) management agency (SMA)" means ((~~a person~~)) an individual, purveyor, or entity that is ((~~certified~~)) approved by the department in accordance with chapter 246-295 WAC to own ((~~and~~/))or operate more than one public water system on a regional or county-wide basis, without the necessity for a physical connection between such systems.

"Service connection" means a connection to a public water system designed to ((~~serve~~)) provide potable water to a single-family residence, ((~~dwelling unit, or equivalent use~~)) or other residential or nonresidential population. When the connection ((~~is a group home or barracks type accommodation, two and one half persons shall be equivalent to one service~~)) provides water to a residential population without clearly defined single-family residences, the following formulas shall be used in determining the number of services to be included as residential connections on the WFI form:

• Divide the average population served each day by two and one-half; or

• Using actual water use data, calculate the total ERU's represented by the service connection in accordance with department design guidance.

• In no case shall the calculated number of services be less than one.

"State significant noncomplier (SSNC)" means a ((~~Group A water~~)) system that is ((~~in violation of state drinking water rules and such violation or~~)) violating or has violated department rules, and violations may ((~~present~~)) create, or have created an ((~~immediate~~)) imminent or a significant risk to ((~~the~~)) human health ((~~of consumers~~)). Such violations include, but are not limited to, repeat violations of monitoring requirements, failure to address exceedance of permissible levels of regulated contaminants, failure to comply with treatment technique standards or requirements, failure to comply with water works operator certification requirements, or failure to submit to a sanitary survey.

((~~"Transient noncommunity (TNC)" means a Group A water system:~~

~~Having fifteen or more services used less than one hundred eighty days within a calendar year; or~~

~~Serving twenty five or more different nonresidents for sixty or more days within a calendar year; or~~

~~Serving twenty five or more of the same nonresidents for sixty or more days, but less than one hundred eighty days within a calendar year; or~~

~~Serving twenty five or more residents for sixty or more days, but less than one hundred eighty days within a calendar year.~~))

"Water facilities inventory (WFI)" means the department form summarizing each public water system's characteristics.

AMENDATORY SECTION (Amending Order 325, filed 1/14/93, effective 2/14/93)

WAC 246-294-020 Applicability. Owners of all Group A water systems ((~~and owners of satellite system management agencies (SMAs)~~)) shall obtain an annual operating permit from the department for each system owned. The operating permit shall be valid until the next renewal date in accordance with WAC 246-294-050. Any change in ownership of the permitted system shall require a new permit in accordance with WAC 246-294-060.

AMENDATORY SECTION (Amending Order 325, filed 1/14/93, effective 2/14/93)

WAC 246-294-030 Application ((~~process~~)) and issuance of operating permits. (1) No person may operate and no owner shall permit the operation of a Group A water system unless the owner annually submits an application along with the required fee to the department and the department has issued an operating permit to the system owner. Any owner operating a system ((~~or SMA~~)) may continue to operate until the department takes final action on granting or denying the operating permit, in accordance with WAC 246-294-050.

(2) The department shall ((~~begin the operating permit application process for the initial and succeeding years based on size and type of system as follows:~~

~~(a) During the first calendar quarter of each year - community water systems greater than or equal to five hundred services and SMAs shall be sent operating permit applications;~~

~~(b) During the second calendar quarter of each year - community water systems less than five hundred services shall be sent operating permit applications;~~

~~(c) During the third calendar quarter of each year - nontransient noncommunity (NTNC) and transient noncommunity (TNC) water systems shall be sent operating permit applications; and~~

~~(d) During the fourth calendar quarter of each year - all remaining Group A water systems~~)) mail an application to water systems annually using a schedule that is based on the size and type of water system.

(3) In addition to the ((~~schedule outlined in subsection (2) of this section~~)) regularly scheduled issuance of annual operating permits, new or revised operating permits shall be required when:

(a) The owner of a new Group A system receives all required department approvals relating to water system operation (see WAC 246-294-030(4)); or

(b) Ownership of a Group A system changes (see WAC 246-294-060).

(4) The department may also issue a revised operating permit when there is a change in a systems compliance that necessitates a change to a different permit category.

(5) New Group A systems shall be sent operating permit applications at the time construction documents are submitted to the department for approval. The deadline for submitting the completed application and full payment to the department shall be the same date as:

(a) The *Construction Completion Report* ~~((for Public Water System Projects))~~ required by WAC ~~((246-290-040(2)))~~ 246-290-120(5); or

(b) The existing system as-built approval required by WAC 246-290-140~~(((4)))~~.

~~(((5)))~~ (6) Initial and renewal applications shall be based on information from the most recent WFIs on file with the department, and sent to owners ~~((according to the phase-in schedule in subsection (2) of this section))~~ on an annual basis. In the case of a SMA, the department will send a complete list of systems owned, along with the corresponding system identification numbers~~((,))~~. The SMA shall ~~((also be included))~~ verify the information, make corrections or additions and then return the list with the application.

~~(((6)))~~ (7) Upon receipt of the application, the owner or other legally authorized person shall:

(a) Complete portions of the form which need completing;

(b) Ensure that information on the form is accurate; ~~((and))~~

(c) Sign the form; and

(d) Return the application to the department within seventy days of the department's mailing date, accompanied by the applicable fee.

~~(((7) The application shall be signed by the owner or other legally authorized person:~~

~~(a) In the case of a corporation, by an authorized corporate officer;~~

~~(b) In the case of a partnership, by a general partner;~~

~~(c) In the case of a sole proprietorship, by the proprietor;~~

~~(d) In the case of a municipal or other public facility, by a legally authorized officer; or~~

~~(e) In the case of an association, by the head of the association or a person responsible for operation of the system.~~))

(8) The applicable fee shall be in the form of a check or money order made payable to the "Department of Health" or successor organization as designated by the department and mailed ~~((to Department of Health, Revenue Unit, P.O. Box 1099, Olympia, Washington 98507-1099, or such successor organization or address as designated by the department))~~ in accordance with the directions on the application.

(9) Systems which do not return operating permit applications along with the required fee by the deadline specified on the notice shall:

(a) Not be issued an operating permit; and

(b) Be subject to the enforcement provisions in WAC 246-294-090.

(10) An additional charge of ten percent or twenty-five dollars, whichever is greater, shall be added to the applicable fee listed in WAC 246-294-070 if the owner fails to return the completed application with applicable fee to the department within seventy days of the department's mailing date.

(11) The department shall review each submitted application ~~((to verify the information contained in the application))~~. Any changes made on the application by the applicant shall ~~((result in updating))~~ be evaluated by the department and may result in an update of the system's WFI ~~((and shall))~~ form, which would be reflected on the next renewal application.

(12) If after issuing an operating permit, the department determines that the permit holder has made false statements, the department may, in addition to taking other actions provided by law, revise both current and previously granted permit fee determinations and charge the owner accordingly.

(13) If the department discovers that an owner has been operating a system without an operating permit and such system is covered by the requirements of this chapter, the department may charge the owner an operating permit fee ~~((that is the total of the one-time five-dollar per service fee for new Group A water systems))~~ plus permit fees owed for each year, including late fees, since the effective date of this chapter.

AMENDATORY SECTION (Amending Order 325, filed 1/14/93, effective 2/14/93)

WAC 246-294-040 Operating permit categories. (1) The department shall evaluate and place each system ~~((for placement))~~ into one of the categories ~~((listed in Table 1, except as noted))~~ in subsection ~~(((3)(d)))~~ (2) of this section. Each permit ~~((issued))~~ shall clearly identify the category into which the system is placed. ~~((The department shall provide a determination of system adequacy and the reasons for this determination, to any person on request.~~

~~(2) The criteria used for evaluation may include, but not be limited to the following:~~

~~(a) Whether the system is subject to an order under WAC 246-290-050, for one or more of the following:~~

~~(i) Failure to have approved construction documents; or~~

~~(ii) Stopping work on system improvements; or~~

~~(iii) Failure to meet pressure requirements; or~~

~~(iv) Failure to meet water treatment requirements; or~~

~~(v) Failure to have a certified water treatment plant operator; or~~

~~(vi) Failure to meet water quality maximum contaminant levels; or~~

~~(vii) Placement of a moratorium on the system.~~

~~(b) Whether the system is in violation of any departmental order issued under WAC 246-290-050 or federal administrative order issued under §1414(g) of the Safe Drinking Water Act, 42 U.S.C. §300g-3(g);~~

~~(c) Whether the system is confirmed by the department as an unresolved significant noncomplier (SNC). Unresolved shall mean any system which:~~

~~(i) The department determines has not returned to compliance;~~

~~(ii) Does not have a signed compliance agreement with the department; or~~

~~(iii) Has not been issued a departmental order under WAC 246-290-050.~~

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~~(d) Whether the system has reached the maximum number of services allowed in the distribution system by department approval;~~

~~(e) Whether the system has complied with water system plan provisions of WAC 246-290-100;~~

~~(f) Whether the system has complied with the water system financial viability provisions of RCW 70.119A.100 and WAC 246-290-100 (4)(d);~~

~~(g) Whether the system has complied with operator certification provisions of chapter 246-292 WAC;~~

~~(h) Whether the system has complied with coliform and inorganic chemical monitoring provisions of WAC 246-290-300; and~~

~~(i) Whether the system has complied with inorganic chemical and volatile organic chemical MCLs in accordance with WAC 246-290-310.~~

~~(3) Operating permit categories shall be as follows:~~

~~(a) Category green. This category shall identify systems which are substantially in compliance with all the applicable criteria in subsection (2) of this section. Placement in this category shall result in:~~

~~(i) Permit issuance without conditions; and~~

~~(ii) Determination that the system is adequate.~~

~~(b) Category yellow. This category shall represent systems which are substantially in compliance with the applicable criteria in subsection (2)(a), (b), (c), and (d) of this section, but which do not satisfy one or more of the criteria in subsection (2)(e) through (i) of this section and any additional criteria as determined by the department. Placement in this category shall result in:~~

~~(i) Permit issuance with conditions; and~~

~~(ii) Determination that the system is adequate or inadequate, depending on the nature of noncompliance.~~

~~(c) Category red. This category shall represent systems which do not satisfy one or more of the criteria in subsection (2)(a), (b), (c), or (d) of this section. Such systems shall also be evaluated against subsection (2)(e) through (i) of this section and any additional criteria as determined by the department. Placement in this category shall mean that the system is inadequate and result in:~~

~~(i) Permit issuance with conditions; or~~

~~(ii) Permit denial with appropriate enforcement.~~

~~(d) Category blue. This category shall identify systems which the department has elected to evaluate at a later date. Placement in this category shall result in no conditions and no determination that the system is adequate until the system is evaluated.~~

((~~TABLE 1~~
~~OPERATING PERMIT CATEGORIES~~

~~Category~~	~~Basic Description~~	~~Response to Adequacy Requests~~	~~Conditions~~
~~Green~~	~~Substantial Compliance~~	~~Yes~~	~~No~~
~~Yellow~~	~~Conditional Compliance~~	~~Yes or No1~~	~~Yes~~
~~Red~~	~~Substantial Noncompliance~~	~~No~~	~~Yes~~
~~Blue~~	~~Undetermined~~	~~(Will be evaluated at a later date)~~	

~~1Response will be determined on a case-by-case basis for each system and shall depend on the nature of noncompliance.~~))

(2) The department will use the criteria from drinking water regulations to evaluate systems and place them into the following operating permit categories:

(a) Category green. This category represents systems that are in substantial compliance with drinking water regulations. The department considers systems in this category as adequate for existing uses and adding new service connections up to the number of approved service connections.

(b) Category yellow. This category represents systems that are substantially in compliance with drinking water regulations, except that the system:

(i) Has been notified of the water system planning provisions of WAC 246-290-100 and has failed to satisfy the requirements; and/or

(ii) Is a state significant noncomplier that has signed a compliance agreement with the department to resolve the violations and is acting in accordance with the compliance agreement.

The department considers systems in the yellow category as adequate for existing uses and new service connections up to the number of approved service connections unless otherwise limited by a compliance agreement.

(c) Category blue. This category represents systems that are substantially in compliance with drinking water regulations except that the system:

(i) Does not meet the design approval requirements of WAC 246-290-120 and 246-290-140; or

(ii) Has exceeded the number of department approved service connections.

The department considers systems in this category as adequate for existing uses but are not considered adequate for adding new service connections.

(d) Category red. This category represents systems that are substantially out of compliance with drinking water regulations. The department will place a system in this category if it is:

(i) A state significant noncomplier and has not signed a compliance agreement with the department or has signed a compliance agreement but is not acting in accordance with the compliance agreement; or

(ii) In violation of a departmental order; or

(iii) Under a departmental order for violations that pose an imminent threat to public health.

The department considers systems in this category inadequate for existing uses and for additional service connections.

AMENDATORY SECTION (Amending Order 325, filed 1/14/93, effective 2/14/93)

WAC 246-294-050 Permit issuance. (1) The department shall grant or deny the operating permit within one hundred twenty days of ((~~receipt of the~~)) receiving a completed application and full payment.

(2) Issuance of an operating permit ((~~shall~~)) means that the owner may operate the permitted system until the date specified on the permit unless protection of the public health, safety, and welfare requires immediate response or the imposition of conditions.

(3) At the time of permit issuance, the department may impose ((~~such~~)) permit conditions and compliance schedules

((as)) that the department determines are ((reasonable and)) necessary to ensure that the system will provide safe and reliable drinking water, ((including, but not limited to, conditions necessary to ensure that the system is brought into compliance)) consistent with the provisions of chapters 246-290 and 246-292 WAC.

(4) The department may modify an operating permit at any time based on review of the evaluation criteria in WAC 246-294-040(2). ((When modification occurs,)) If the department modifies a permit, the department will send the owner a revised permit with the same expiration date ((will be sent to the owner)). The department will also notify the appropriate local jurisdiction ((shall also be notified)) of the change in status.

(5) The department may revoke an operating permit or deny an operating permit application if the department determines that the system operation constitutes or ((would)) may constitute a public health hazard to consumers.

(6) When the department takes action to deny, condition, modify, or revoke an operating permit, the department shall follow the steps outlined in RCW 43.70.115 ((when taking action to deny, condition, modify, or revoke an operating permit)).

(7) An operating permit applicant ((for an operating permit shall be entitled to)) may file an appeal ((in accordance with)) under chapter 34.05 RCW, if the department denies, conditions, modifies, or revokes the operating permit. To appeal a department action, the owner shall ((file in writing with the department in a manner that shows proof of receipt)) submit to the department a written appeal within twenty-eight days of ((the applicant's receipt of)) receiving the adverse notice.

The appeal shall state:

(a) The issue or issues and law involved; and

(b) The ((grounds)) basis for ((contesting)) appealing the department's decision.

(8) Any owner that requests a hearing under chapter 34.05 RCW may continue to operate the system until the department issues a final departmental decision ((is issued)), unless the department determines protection of the public health, safety, and welfare requires summary action.

AMENDATORY SECTION (Amending Order 325, filed 1/14/93, effective 2/14/93)

WAC 246-294-060 Transfer of ownership. (1) A prospective new owner of a Group A water system ((shall)) may not take possession of the system without first obtaining a new operating permit.

(2) ((The prospective new owner shall secure department approval of a new, updated, or altered water system plan as required by WAC 246-290-100 (2)(c) before the new permit is issued. The water system plan required under WAC 246-290-100 shall be prepared with special emphasis on sections dealing with implications of the change of ownership.

(3)) The department shall send an application to the prospective new owner ((at the time)) when the department is notified of transfer of ownership in accordance with WAC ((246-290-430(1))) 246-290-035(2). The new owner shall proceed with the permit process ((in accordance with)) under WAC 246-294-030((, except the deadline for submitting the completed application to the department shall be the same date the water system plan is submitted for department approval)).

(((4))) (3) The department shall not charge a fee for a new permit resulting from a change in ownership. The permit shall be effective from the date of issuance by the department until the next scheduled permit renewal date, at which time ((a fee shall be charged)) the department will charge a renewal fee.

(((5) Change of ownership operating permit requirements of this section affect)) (4) This section applies to the prospective owner, and ((shall be in addition to)) the ((continuity of service)) requirements of WAC ((246-290-430 affecting)) 246-290-035(2) apply to the owner transferring the system.

AMENDATORY SECTION (Amending Order 325, filed 1/14/93, effective 2/14/93)

WAC 246-294-070 Fees. (1) The fees for Group A water system operating permits ((shall be as indicated)) are authorized under RCW 70.119A.110 and are listed in Table 2.

TABLE 2
OPERATING PERMIT FEES

Classification	Fee
0 - 14 services	None
15 - 49 services	$25.00 per year
50 - 3,333 services	$1.50 per service per year
3,334 - 53,333 services	$4,999.50+ .10 per service over 3,333 services per year
53,334 or more services	$10,000.00 per year
Satellite ((System)) Management Agency (based on total services in all systems owned by SMA)	$1.00 per service per year or the fee from the appropriate category above, whichever is less
((New Group A water system	One-time charge of $5.00 per service))
Late charge	Additional 10% of applicable charge stated above or $25.00, whichever is greater

(2) ((For NTNC and TNC systems, owners shall pay the applicable fee from Table 2 based on equivalent number of services. Population information used in calculating equivalent number of services shall come from the WFI. The following formulas shall be used in determining equivalent number of services:

(a) For NTNC divide the average population served each day by two and one half; and

(b) For TNC divide the average population served each day by twenty-five.

(3) Where)) If systems serve both resident and nonresident populations, the department shall determine the permit fee category ((shall be determined)) by adding the number of services and an equivalent for the NTNC and TNC nonresident population served as calculated in subsection (3) of this section.

PROPOSED

(3) For NTNC and TNC systems, owners shall pay the fee in Table 2 based on equivalent number of services. Population information used in calculating equivalent number of services shall come from the WFI. The department shall use the following formulas to determine equivalent number of services:

(a) For NTNC population, divide the average population served each day by two and one-half; and

(b) For TNC population, divide the average population served each day by twenty-five.

(4) ((~~In addition to submitting an annual fee, all new Group A water systems shall be charged a one-time fee of five dollars for each service or equivalent, based on the department approved design or as-built approval (see WAC 246-294-030(4)).~~

~~(5)~~)) Any county or SMA assuming ownership of a Group A water system, or court appointed receiver of a Group A water system ((~~shall be~~)) is exempt from the operating permit fee for ((~~a period of~~)) one year after the next renewal date.

AMENDATORY SECTION (Amending Order 325, filed 1/14/93, effective 2/14/93)

WAC 246-294-080 Public notification. An owner issued a category red operating permit shall notify the water system users in accordance with WAC ((~~246-290-330 and shall include mandatory language contained in the department publication titled Mandatory Language For Drinking Water Public Notification. The mandatory language will be included with issuance of a category red operating permit, or may be obtained from the department on request by contacting the Division of Drinking Water, Airdustrial Center #3, P.O. Box 47822, Olympia, Washington 98504-7822~~)) 246-290-71001, 246-290-71003, and 246-290-71004.

AMENDATORY SECTION (Amending Order 325, filed 1/14/93, effective 2/14/93)

WAC 246-294-090 Enforcement. ((~~When any~~)) The department may initiate appropriate enforcement actions if an owner is out of compliance with these rules or any ((~~conditions identified on the operating permit, the department may initiate appropriate enforcement actions~~)) applicable drinking water regulations. These actions may include any one or combination of the following:

(1) Issuance of informal letters instructing or requiring appropriate corrective measures; or

(2) Issuance of a compliance agreement or schedule; or

(3) Issuance of departmental orders requiring any person to apply for an operating permit as required by these rules and RCW 70.119A.110 or to comply with ((~~any conditions or requirements~~)) applicable drinking water regulations imposed as part of an operating permit; or

(4) Issuance of civil penalties for up to five thousand dollars per day per violation for failure to comply with departmental orders issued in accordance with subsection (3) of this section; or

(5) Legal action by the attorney general or local prosecutor.

WSR 03-23-136
PROPOSED RULES
DEPARTMENT OF AGRICULTURE
[Filed November 19, 2003, 11:06 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 03-20-121.

Title of Rule: Livestock nutrient management program procedural rules.

Purpose: Explains that while an appeal of other agency enforcement action is to the director of agriculture, an appeal of any Department of Agriculture action in the livestock nutrient management program is under the jurisdiction of the Pollution Control Hearings Board (PCHB).

Statutory Authority for Adoption: Chapters 90.64 and 34.05 RCW.

Statute Being Implemented: Chapter 90.64 RCW.

Summary: Appeals of LNMP orders and penalties cannot be appealed using the procedural rules in chapter 16-08 WAC, instead they can only be appealed to the PCHB under chapters 43.21B RCW and 371-08 WAC and must be served on and handled by the Department of Agriculture rather than the Department of Ecology.

Reasons Supporting Proposal: The proposed rule clarifies the process of how appeals under the statute will be processed.

Name of Agency Personnel Responsible for Drafting: Dannie McQueen, Olympia, Washington, (360) 902-1809; Implementation and Enforcement: Nora Mena, Olympia, Washington, (360) 902-1982.

Name of Proponent: Pollution Control Hearings Board, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: Proposed rule pursuant to the 2003 legislature passing ESSB 5889 transferring the livestock nutrient management program to the Department of Agriculture.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The 2003 legislature passed ESSB 5889 transferring the livestock nutrient management program (LNMP) to the Washington state Department of Agriculture (WSDA). WSDA has the authority to take immediate corrective action and formal, regulatory enforcement action for violations of chapters 90.64 and 90.48 RCW. While an appeal of other agency enforcement action is to the director of WSDA, an appeal of any WSDA action in the LNMP is under the jurisdiction of the Pollution Control Hearings Board (PCHB). Permanent rules will clarify that appeals of LNMP orders and penalties cannot be appealed using the procedural rules in chapter 16-08 WAC, but instead can only be appealed to the PCHB under chapters 43.21B RCW and 371-08 WAC and must be served on and handled by WSDA rather than the Department of Ecology.

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed rule is procedural in nature and does not place new requirements on those it may affect.

RCW 34.05.328 does not apply to this rule adoption. The Department of Agriculture is not a named agency in RCW 34.05.328.

Hearing Location: Department of Agriculture, Natural Resources Building, 2nd Floor Conference Room 205, 1111 Washington Street S.E., Olympia, WA 98504-2560, on December 30, 2003, at 1:30 p.m.

Assistance for Persons with Disabilities: Contact Jodi Jones by December 15, 2003, TDD (360) 902-1996.

Submit Written Comments to: Dannie McQueen, P.O. Box 42560, Olympia, WA 98504-2560, dmcqueen@agr.wa.gov, fax (360) 902-2092, by 5:00 p.m. on January 5, 2004.

Date of Intended Adoption: January 5, 2004.

November 18, 2003
Kathryn Kravit-Smith
Assistant Director

NEW SECTION

WAC 16-08-003 Declaration of purpose and applicability. This chapter sets forth the rules of procedure that are applicable to adjudicative proceedings before the department. Because civil penalties and orders issued by the department pursuant to chapters 90.64 and 90.48 RCW in the livestock nutrient management program are appealable only to the pollution control hearings board (PCHB) under chapter 43.21B RCW and chapter 371-08 WAC, this chapter is not applicable to those proceedings.

NEW SECTION

WAC 16-08-004 Livestock nutrient management program (LNMP) appeals. (1) All appeals of civil penalties and orders issued by the department in the livestock nutrient management program shall be filed with the PCHB at the environmental hearings office and shall be served on the department of agriculture pursuant to RCW 43.21B.230 and 43.21B.300, and WAC 371-08-335 and 371-08-345.

(2) Pursuant to WAC 371-08-306, when referring to appeals related to civil penalties and orders issued by the department of agriculture in the livestock nutrient management program, all references to "department" in both chapters 43.21B RCW and 371-08 WAC shall mean department of agriculture; all references to "director" shall mean director of agriculture.

PROPOSED

WSR 03-23-004
EXPEDITED RULES
DEPARTMENT OF FISH AND WILDLIFE
[Filed November 6, 2003, 4:30 p.m.]

Title of Rule: License renewal rules.

Purpose: Repeal WAC 220-20-056.

Statutory Authority for Adoption: RCW 77.12.047.

Statute Being Implemented: Section 5, chapter 386, Laws of 2000.

Summary: Repeal one year renewal upon death of licensee rule.

Reasons Supporting Proposal: Specifically required by statutory change.

Name of Agency Personnel Responsible for Drafting: Evan Jacoby, 1111 Washington Street, Olympia, 902-2930; Implementation: Jim Lux, 1111 Washington Street, Olympia, 902-2444; and Enforcement: Bruce Bjork, 1111 Washington Street, Olympia, 902-2372.

Name of Proponent: Department of Fish and Wildlife, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The legislature changed "a reasonable opportunity" to "an additional one hundred eighty days." The department had defined the reasonable opportunity as the following calendar year, which is voided by the express statutory language.

Proposal does not change existing rules. Amend rule to comply with statutory change.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THE USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Evan Jacoby, Department of Fish and Wildlife, 600 Capitol Way, Olympia, WA 98501-1091, AND RECEIVED BY January 19, 2004.

November 6, 2003
Evan Jacoby
Rules Coordinator

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-20-056	Commercial fishing license renewal upon the death of the holder. (01-222)

WSR 03-23-051
EXPEDITED RULES
MILITARY DEPARTMENT
[Filed November 14, 2003, 12:44 p.m.]

Title of Rule: Chapter 118-33 WAC, Disaster recovery program.

Purpose: Expedited repeal of chapter 118-33 WAC for compliance with Title 44 C.F.R., Part 206 §206.10 and §206.120.

Other Identifying Information: Disaster Mitigation Act of 2000, Public Law 106-390, the Stafford Act.

Statute Being Implemented: Title 44 C.F.R.

Summary: The Disaster Mitigation Act of 2000 amended the Stafford Act and eliminated the individual and family grant program as described in chapter 118-33 WAC. Two separate provisions of the Stafford Act were combined into one section, titled federal assistance to individuals and households, or the individual and households program (IHP).

Reasons Supporting Proposal: The federal rules to manage the new IHP are delineated in Title 44 C.F.R., Part 206 §206.10 and in a state administrative plan as may be required by §206.120. As a result, additional program guidance, clarification, and instructions are no longer required in the form of a WAC. Current 44 C.F.R. rules and the state administrative plan address the current components of the program and represent the sections of the IHP that the state may administer. The disaster recovery program described in chapter 118-33 WAC no longer exists and an expedited repeal is required for full compliance with Title 44 C.F.R. A complete revision of chapter 118-33 WAC would be required to address the changes in the federal law and would be redundant to the rules in place for program administration.

Name of Agency Personnel Responsible for Drafting: Dianna Staley, Mailstop TA-20, Camp Murray, WA 98430-5122, (253) 512-7462; Implementation and Enforcement: John Vollmer, Mailstop TA-20, Camp Murray, WA 98430-5122, (253) 512-7076.

Name of Proponent: Federal Emergency Management Agency (FEMA), governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: No change in fiscal impact. Immediate implementation is required for federal compliance.

Rule is necessary because of federal law, [Title 44 C.F.R., Part 206, §206.10 and §206.120.]

Explanation of Rule, its Purpose, and Anticipated Effects: The current rule delineates the now obsolete individual and family grant program, a disaster recovery program that provided emergency assistance to eligible individuals and families for losses incurred as the result of a presidentially declared disaster. A new federal program, the individual and households program, is now in effect to provide assistance to eligible individuals and households. Repeal of the existing WAC will not affect potential recipients of disaster assistance.

Proposal Changes the Following Existing Rules: The proposed change repeals chapter 118-33 WAC. This action is necessary due to amendments in Title 44 C.F.R., the Stafford Act, and brings the state into compliance with the existing C.F.R.

EXPEDITED

Chapter 118-33 WAC addresses an obsolete federal disaster assistance program, the individual and family grant program (IFG). When the Disaster Mitigation Act of 2000, Public Law 106-390, subsection 206(a) was enacted, two separate provisions of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act) were combined into one section. This eliminated the IFG program as it is described in chapter 118-33 WAC. The new program title for the combined sections is federal assistance to individuals and households, or the individual and households program (IHP).

The federal rules to manage the new IHP are delineated in Title 44 C.F.R., Part 206, §206.10 and in a state administrative plan as may be required by §206.120. As a result, additional program guidance, clarification, and instructions are no longer required in the form of a WAC. Current 44 C.F.R. rules and the state administrative plan address components of the program that were previously addressed in chapter 118-33 WAC. These C.F.R. rules and the state administrative plan represent the sections of the IHP that the state may administer.

An expedited repeal of chapter 118-33 WAC for the disaster recovery program that no longer exists as a federal program is required for compliance with Title 44 C.F.R. A complete revision of chapter 118-33 WAC would be required to address the changes in the federal law and would be redundant to the rules in place for program administration.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THE USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Maillian Uphaus, Military Department, Building 20, Mailstop TA-20, Camp Murray, WA 98430-5122, AND RECEIVED BY January 19, 2004.

October 21, 2003
Timothy J. Lowenberg
Major General
The Adjutant General

WSR 03-23-104
EXPEDITED RULES
DEPARTMENT OF TRANSPORTATION
[Filed November 18, 2003, 12:13 p.m.]

Title of Rule: WAC 468-100-306 Reestablishment expenses—Nonresidential moves.

Purpose: To amend WAC 468-100-306 to reflect the recent change to RCW 8.26.035 (1)(d) pertaining to actual reasonable expenses necessary to reestablish a displaced farm, nonprofit organization, or small business at its new site.

Other Identifying Information: Changes statutory limit from $10,000 to $50,000.

Statutory Authority for Adoption: RCW 8.26.035.

Statute Being Implemented: WAC 4681-100-306 [468-100-306].

Summary: The Washington State Department of Transportation, based on authority granted in RCW 8.26.035, is using the expedited process to amend the statutory limit to reflect the new amount of $50,000.

Reasons Supporting Proposal: The Washington State Department of Transportation must comply with legislation passed as supported in RCW 8.26.035.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Dianna Ayers, Real Estate Services, P.O. Box 47338, Olympia, WA 98504-7338, (360) 705-7329.

Name of Proponent: Washington State Department of Transportation, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: Dianna Ayers, Washington State Department of Transportation, Real Estate Services, Relocation Assistance, P.O. Box 47338, Olympia, WA 98504-7338.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The new state law removes the statutorily established $10,000 maximum payment for reestablishment expenses for relocating a farm, nonprofit organization, or small business that is impacted by public projects and provides for a new maximum payment of $50,000. The old amount was inadequate to provide real assistance to a displaced business. The new state law will reduce the financial burden taken on by a displaced small business, farm or nonprofit organization that is required to relocate. As lead agency, this state law impacts local public agencies and other governmental agencies displacing businesses as a result of public projects involving federal assistance.

Proposal Changes the Following Existing Rules: The existing rule will be changed by replacing the current stated $10,000 to $50,000. This change must be made to comply with state law as amended by the 2003 legislature.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THE USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Gerald L. Gallinger, Director, Real Estate Services, Washington State Department of Transportation, P.O. Box 47338, Olympia, WA 98504-

7338, e-mail gallingerg@wsdot.wa.gov, fax (360) 705-6811, AND RECEIVED BY January 19, 2004.

November 17, 2003
John F. Conrad
Assistant Secretary

AMENDATORY SECTION (Amending WSR 01-02-027, filed 12/22/00, effective 1/22/01)

WAC 468-100-306 Reestablishment expenses—Nonresidential moves. In addition to the payments available under WAC 468-100-303, a small business, as defined in WAC 468-100-002((~~(16)~~[~~(17)~~])) (17), farm or nonprofit organization may be eligible to receive a payment, not to exceed ((~~ten~~)) fifty thousand dollars, for expenses actually incurred in relocating and reestablishing such small business, farm, or nonprofit organization at a replacement site.

(1) Eligible expenses. Reestablishment expenses must be reasonable and necessary, as determined by the agency. They may include, but are not limited to, the following:

(a) Repairs or improvements to the replacement real property as required by federal, state, or local law, code, or ordinance.

(b) Modifications to the replacement property to accommodate the business operation or make replacement structures suitable for conducting the business.

(c) Construction and installation costs for exterior signing to advertise the business.

(d) Provision of utilities from right of way to improvements on the replacement site.

(e) Redecoration or replacement of soiled or worn surfaces at the replacement site, such as paint, panelling, or carpeting.

(f) Licenses, fees, and permits when not paid as part of moving expenses.

(g) Feasibility surveys, soil testing and marketing studies.

(h) Advertisement of replacement location.

(i) Professional services in connection with the purchase or lease of a replacement site.

(j) Increased costs of operation during the first two years at the replacement site for such items as:

(i) Lease or rental charges;

(ii) Personal or real property taxes;

(iii) Insurance premiums; and

(iv) Utility charges, excluding impact fees.

(k) Impact fees or one-time assessments for anticipated heavy utility usage.

(l) Other items that the agency considers essential to the reestablishment of the business.

(m) Expenses in excess of the regulatory maximums set forth in (c), (h) and (j) of this subsection may be considered eligible if large and legitimate disparities exist between costs of operation at the displacement site and costs of operation at an otherwise similar replacement site. In such cases the regulatory limitation for reimbursement of such costs may, at the request of the agency, be waived by the agency funding the program or project, but in no event shall total costs payable under this section exceed the ten thousand dollar statutory maximum.

(2) Ineligible expenses. The following is a nonexclusive listing of reestablishment expenditures not considered to be reasonable, necessary, or otherwise eligible:

(a) Purchase of capital assets, such as, office furniture, filing cabinets, machinery, or trade fixtures.

(b) Purchase of manufacturing materials, production supplies, product inventory, or other items used in the normal course of the business operation.

(c) Interior or exterior refurbishments at the replacement site which are for aesthetic purposes, except as provided in WAC 468-100-306 (1)(e).

(d) Interest on money borrowed to make the move or purchase the replacement property.

(e) Payment to a part-time business in the home which does not contribute materially to the household income.

EXPEDITED

WSR 03-23-135
EXPEDITED RULES
DEPARTMENT OF HEALTH
[Filed November 19, 2003, 10:51 a.m.]

Title of Rule: Chapter 246-50 WAC, Coordinated quality improvement program.

Purpose: Chapter 246-50 WAC establishes the criterial and approval process that health care entities must meet to apply for and maintain status as a coordinated quality improvement program.

Statutory Authority for Adoption: RCW 43.70.510.

Statute Being Implemented: RCW 43.70.510.

Summary: The proposed revisions to chapter 246-50 WAC retain most of the language and intent of the original chapter. The proposed changes clarify existing rules, and repeals the language requiring programs must be consistent with principles for continuous improvement published by the Health Care Policy Board. In 1996 the Health Care Policy Board was abolished through legislative action and is no longer in existence.

Reasons Supporting Proposal: The restructuring of the rules provide clearer guidance and reflect the current law.

Name of Agency Personnel Responsible for Drafting: Anh Berry, P.O. Box 47890, Olympia, WA 98504-7879 [7890], (360) 236-4028; Implementation and Enforcement: Patti Rathbun, P.O. Box 47890, Olympia, WA 98504-7879 [7890], (360) 236-4627.

Name of Proponent: Department of Health, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed rules outline the process and the required criteria the department uses to evaluate applications for the coordinated quality improvement program. The purpose of the proposed changes is to delete the outdated sections, update the current reference RCW, and to improve the clarity and readability of the rules. It is anticipated that applicants will find the proposed rules easier to read and to understand.

Proposal Changes the Following Existing Rules: The proposal updates WAC 246-50-001 Purpose and scope, by

eliminating the outdated language requiring programs must be consistent with principles for continuous improvement published by the Health Care Policy Board. In 1996 the Health Care Policy Board was abolished through legislative action and is no longer in existence; updates WAC 246-50-010 Definitions, to accurately reflect the current CQIP statute reference instead of the hospital statute; updates WAC 246-50-020 by eliminating the redundant responsibilities of the quality committee and replacing lengthy language of assuring patient confidentiality with a concise description of the criteria; streamlines WAC 246-50-030 Approval process—Public disclosure, by replacing lengthy approval process with a concise description on how a health care entity can apply for the program and the approval process and by removing the public disclosure paragraph to the new section WAC 246-50-035 Is submitted program plan subject to public disclosure law; and eliminates WAC 246-50-040 Alternative program, because the information is best reflected under WAC 246-50-030. The proposal also creates WAC 246-50-005 Who is eligible to apply for the coordinated quality improvement program, to help stakeholders to determine their eligibility to apply for the program.

EXPEDITED

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THE USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Patti Rathbun, Department of Health, P.O. Box 47890, Olympia, WA 98504-7890, AND RECEIVED BY January 20, 2004.

November 18, 2003
M. C. Selecky
Secretary

AMENDATORY SECTION (Amending WSR 96-09-042, filed 4/11/96, effective 5/12/96)

WAC 246-50-001 ((~~Purpose and scope.~~)) What is the purpose of the coordinated quality improvement program? (((~~(1) This chapter establishes the criteria and approval process for health care entities who choose to apply for a department of health approved coordinated quality improvement program pursuant to RCW 43.70.510. Coordinated quality improvement programs approved by the department are provided discovery limitations pursuant to RCW 43.70.510 (3) and (4).~~)) The purpose of the coordinated quality improvement program is to improve the quality of health care services by identifying and preventing health care malpractice. This is a voluntary program that protects the confidentiality of information and documents that are collected for the purpose of improving the quality of health care as defined in RCW 43.70.510 (3) and (4). Information and documents specifically created ((~~specifically for, and collected~~)), and maintained by an approved quality improvement committee are ((~~also~~)) exempt from disclosure under chapter 42.17 RCW.

(((~~(2) This chapter allows health care provider groups, professional societies or organizations, health care service contractors, health maintenance organizations, health carriers approved pursuant to chapter 48.43 RCW, and any other person or entity providing health care coverage under chapter 48.42 RCW that is subject to the jurisdiction and regulation of any state agency or any subdivision thereof and health care institutions and medical facilities other than hospitals, to maintain a department approved coordinated quality improvement program for the purpose of improving the quality of health care and identifying and preventing health care malpractice.~~

~~(3) Programs submitted for department approval should be consistent with the principles for the continuous improvement of the Washington state health care system published by the health care policy board.~~

~~(4) This chapter does not apply to hospital quality improvement programs required by RCW 70.41.200.~~))

NEW SECTION

WAC 246-50-005 Who is eligible to apply for the coordinated quality improvement program? (1) The following health care entities can apply for the coordinated quality improvement program:

(a) Provider groups of ten or more providers;

(b) Health care professional societies or organizations, including, but not limited to, state or local health care professional associations;

(c) Health care service contractors as defined in RCW 48.44.010;

(d) Health maintenance organizations as defined in RCW 48.46.020;

(e) Health carriers as defined in RCW 48.43.005;

(f) Health care institutions or medical facilities other than hospitals; and

(g) Any person or entity providing personal coverage under chapter 48.42 RCW, and is subject to the jurisdiction and regulation of any state agency or subdivision.

(2) This chapter does not apply to hospital quality improvement programs required by RCW 70.41.200.

AMENDATORY SECTION (Amending WSR 96-09-042, filed 4/11/96, effective 5/12/96)

WAC 246-50-010 ((~~Definitions.~~)) What are the meanings of words and phrases used in this chapter? The words and phrases in this chapter have the following meanings ((~~unless the context clearly indicates otherwise.~~)):

(1) "Alternative program" means a coordinated quality improvement program ((~~determined by~~)) that the department ((~~to be substantially equivalent to RCW 70.41.200(1)~~)) determines sufficiently meets the components in WAC 246-50-020.

(2) "Department" means the Washington state department of health.

(3) "Governing body" means:

(a) The person, persons or board responsible for the ((~~health care~~)) entity; or

(b) In the case of a provider group where no person, persons or board is in charge of all providers; the person, persons or group identified by the provider group ((~~to be~~)) is responsible for the coordinated quality improvement program.

(4) ((~~"Health care entity" means a health care institution, medical facility, provider group, professional society or organization, health care service contractors, health maintenance organizations, health carriers approved pursuant to chapter 48.43 RCW, and any other person or entity providing health care coverage under chapter 48.42 RCW that is subject to the jurisdiction of any state agency or any subdivision thereof, authorized by RCW 43.70.510 to have a department approved coordinated quality improvement program.~~

~~(5)~~)) "Health care institution" or "medical facility" includes the following:

(a) ((~~Adult residential rehabilitation centers regulated pursuant to chapter 71.12 RCW;~~

~~(b) Alcoholism~~)) Alcohol and drug treatment facilities, or hospitals, regulated ((~~pursuant to chapters 71.12 and~~)) under chapter 70.96A RCW;

(((~~c) Alcoholism hospitals regulated pursuant to chapters 71.12 and 70.96A RCW;~~

~~(d) Ambulance and aid services regulated pursuant to chapter 18.73 RCW;~~

~~(e)~~)) (b) Boarding homes regulated ((~~pursuant to~~)) under chapter 18.20 RCW;

(((~~f)~~)) (c) Childbirth centers regulated ((~~pursuant to~~)) under chapter 18.46 RCW;

(((~~g)~~)) (d) Community mental health centers regulated ((~~pursuant to~~)) under chapter 71.05 or 71.24 RCW;

(((~~h) Eye banks regulated pursuant to RCW 68.50.630;~~

~~(i) Home health agencies regulated pursuant to chapter 70.127 RCW;~~

~~(j) Hospice care centers regulated pursuant to chapter 70.41 RCW;~~

~~(k)~~)) (e) Emergency medical care and transportation services regulated under chapter 18.73 RCW;

(f) Home health, hospice ((~~agencies~~)), and home care agencies regulated ((~~pursuant to~~)) under chapter 70.127 RCW;

(((~~l)~~)) (g) Medical test sites regulated ((~~pursuant to~~)) under chapter 70.42 RCW;

(((~~m)~~)) (h) Nursing homes regulated ((~~pursuant to~~)) under chapter 18.51 RCW;

(((~~n)~~)) (i) Pharmacies regulated ((~~pursuant to~~)) under chapter 18.64 RCW;

(((~~o)~~)) (j) Private establishments regulated under chapter 71.12 RCW include:

(i) Private psychiatric hospitals ((~~regulated pursuant to chapter 71.12 RCW~~)); and

(((~~p)~~)) (ii) Residential treatment facilities for psychiatrically impaired children and youth ((~~regulated pursuant to chapter 71.12 RCW~~));

(((~~q)~~)) (k) Rural health care facilities regulated ((~~pursuant to~~)) under chapter 70.175 RCW;

(((~~r)~~)) (l) Organizations that provide designated trauma care services individually or jointly under chapter 70.168 RCW;

(m) Facilities owned and operated by a political subdivision or instrumentality of the state, including, but not limited to:

(i) Public health departments;

(ii) Fire districts and departments;

(iii) Soldiers' and veterans' homes;

(iv) State mental health institutions;

(v) Health clinics operated by educational institutions;

(vi) Department of corrections health care facilities;

(vii) County jail health clinics; and

(viii) County drug and alcohol treatment facilities;

(((~~s)~~)) (n) Facilities required by federal law and implementing regulations, including, but not limited to:

(i) Native American health facilities; ((~~and~~))

(ii) Veterans' affairs health services; and

(((~~t)~~)) (o) Other facilities determined by the department to be within the parameters of the definition of "health care facility" in RCW ((~~43.72.010~~)) 48.43.005.

(6) "Health care provider" or "provider" means:

(a) A person regulated under Title 18 RCW to practice health or health related services or otherwise practicing health care services in this state consistent with state law; or

(b) An employee or agent of a person described in (a) of this subsection, acting in the course and scope of ((~~the employee's or agent's employment performing health care or auxiliary services~~)) his or her employment.

(7) "Health care provider group" or "provider group" means an organized body of ten or more providers.

(8) "Negative health care outcome" means a patient death or impairment of bodily function other than those related to the natural course of illness, disease or proper treatment in accordance with generally accepted health care standards.

(9) ((~~"Professional society or organization" means a group of health care professionals, including, but not limited to, state or local health care professional associations.~~

~~(10)~~)) "Program" means coordinated quality improvement program pursuant to RCW 43.70.510.

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 94-24-001, filed 11/23/94, effective 12/24/94)

WAC 246-50-020 ((~~Coordinated quality improvement program—Components.~~)) What are the components for a coordinated quality improvement program? (1) A coordinated quality improvement program ((~~under the provisions of RCW 43.70.510 shall~~)) must include((~~, at a minimum:~~

~~(1)~~)) the following components:

(a) A governing body;

(b) A committee, appointed by the governing body, with a broad representation of the services offered, responsible for:

(i) ((~~Reviewing services rendered, both retrospectively and prospectively, to improve the quality of health care by measuring key characteristics such as effectiveness, accuracy, timeliness, and cost;~~

EXPEDITED

~~(ii) Reviewing categories and methodologies of services rendered and to be rendered with the goal of improving health care outcomes;~~

~~(iii) Overseeing and coordinating the program;~~

~~(iv) Ensuring information gathered for the program is reviewed and used to revise health care policies and procedures; and~~

~~(v) Reporting to the governing body, at least semiannually, on program activities and actions taken as a result of those activities;~~)) Overseeing and coordinating the program;

(ii) Reporting semiannually to the governing body on program activities and actions taken as a result of those activities;

(iii) Ensuring information gathered for the program is reviewed and used to revise health care policies and procedures; and

(iv) Reviewing categories, methodologies, services offered currently, and services to be offered in the future to ensure the quality of health care outcomes.

(c) Periodic evaluation of each provider ((~~under the purview of the program,~~)) including mental and physical capacity, competence in delivering health care, and verification of current credentials;

(d) A procedure for promptly resolving all complaints pertaining to accidents, injuries, treatment and other events that may result in claims of health care malpractice;

(e) A method for continually collecting and maintaining information concerning:

(i) Experience with negative health care outcomes and injurious incidents; and

(ii) Professional liability premiums, settlements, awards, costs for injury prevention and safety improvement activities;

(f) ((~~A method for maintaining information gathered under the purview of the program concerning a provider in that provider's personnel or credential file, assuring patient confidentiality;~~)) A process assuring patient confidentiality when the program gathers provider's personnel or credential information;

(g) A process for reporting accidents, injuries, negative health outcomes, and other pertinent information to the quality improvement committee;

(h) A process assuring compliance with reporting requirements to appropriate local, state and federal authorities;

(i) A method for identifying documents and records specifically created ((~~specifically for and~~)), collected, and maintained by the quality improvement committee;

(j) Educational or informational activities for personnel engaged in health care activities, including, but not limited to:

(i) Quality improvement;

(ii) Safety and injury prevention;

(iii) Responsibilities for reporting professional misconduct;

(iv) Legal aspects of providing health care;

(v) Improving communication with health care recipients; and

(vi) Causes of malpractice claims; or

(2) Components determined by the department to be substantially equivalent to subsection (1) of this section.

AMENDATORY SECTION (Amending WSR 94-24-001, filed 11/23/94, effective 12/24/94)

WAC 246-50-030 ((~~**Approval process—Public disclosure.**~~)) **How do I apply for the coordinated quality improvement program?** (1) ((~~A health care entity seeking department approval of a program shall submit to the department:~~)) To apply for an original program, an applicant must submit the following items to the department:

(a) An official department application ((~~on~~)) form((~~s provided by the department~~));

(b) The program plan, printed on 8 1/2 by 11 inch paper, including:

(i) A table of contents ((~~clearly denoting, at a minimum, where~~)) identifying each component specified in WAC 246-50-020 ((~~is located within the program plan~~)); and

(ii) A detailed description of ((~~every aspect of the program~~)) each required component;

(c) The fee specified in WAC 246-50-990; and

(d) Other information ((~~as may be~~)) required by the department.

(2)((~~To maintain department approval, a health care entity modifying the scope, components or operation of an approved program, shall submit to the department:~~

~~(a) An application package specified in subsection (1) of this section; and~~

~~(b) A detailed description of the modification and how it affects the program.~~

~~(3) The department shall review each application package submitted pursuant to this section, and:~~

~~(a) Send written notification of approval to a health care entity submitting a program with the components specified in WAC 246-50-020; or~~

~~(b) Provide the health care entity an opportunity for a brief adjudicative proceeding according to RCW 34.05.482 when the department declines to approve a program.~~

~~(4) The department shall retain a copy of the program plan. Material received by the department will be subject to the public disclosure law, chapter 42.17 RCW. Health care entities submitting material that they believe is exempt from public disclosure should conspicuously mark the portion or portions and state the basis for exemption. The department will give notice to the submitting entity of any request under the Public Disclosure Act for public disclosure of material that has been marked in accordance with this subsection at least ten working days in advance of releasing the information. This will allow the submitting party to invoke the provisions of RCW 42.17.330.~~)) To apply for an alternative program, an applicant must submit the following items to the department:

(a) An application package specified in WAC 246-50-030(1); and

(b) Verification of accreditation or certification by an organization approved by the department.

(3) To apply for modification of an approved program, an applicant must submit the following items to the department:

(a) An application package specified in WAC 246-50-030(1); and

(b) A detailed description of the modification and how it affects the program.

(4) Upon approval or disapproval of the application, the department will send written notification to the applicant. A notification of disapproval will specify the reasons for denial, and offer the applicant an opportunity for a brief adjudicative proceeding according to RCW 34.05.482.

NEW SECTION

WAC 246-50-035 Is submitted program plan subject to public disclosure law? A program plan submitted to the department is subject to the public disclosure law, chapter 42.17 RCW. If an entity considers submitting material that is exempt from public disclosure, then the entity must clearly mark those portions as exempt and state the basis for the exemption. The department will notify the entity of any request of record that has been marked as exempt at least ten working days before releasing the record. The entity must seek an injunction under RCW 42.17.330 to prohibit the department from releasing the record that has been marked as exempt.

AMENDATORY SECTION (Amending WSR 94-24-001, filed 11/23/94, effective 12/24/94)

WAC 246-50-990 Fees. ((~~A health care entity shall submit a fee with each application for department approval as follows:~~

~~(1) A coordinated quality improvement program pursuant to WAC 246-50-030(1) — two hundred fifty dollars;~~

~~(2) An alternative program pursuant to WAC 246-50-040 — forty dollars; and~~

~~(3) Modification of a department-approved program pursuant to WAC 246-50-030(2) — sixty-five dollars.~~)) An entity must submit the following fee to the department at the time of the application:

Title of Fee	Fee
Original application	$250.00
Alternative application	40.00
Modification application of a department-approved program	65.00

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 246-50-040	Alternative programs.

EXPEDITED

WSR 03-21-045
PERMANENT RULES
SOUTHWEST CLEAN AIR AGENCY
[Filed October 9, 2003, 3:02 p.m.]

Date of Adoption: October 2, 2003.

Purpose: SWCAA 400-030 Definitions, this is an existing section. Proposed revisions to this section incorporate recent changes made in WAC 173-400-030, and the addition of new definitions that do not appear in the current version of SWCAA 400-030.

SWCAA 400-040 General Standards for Maximum Emissions, this is an existing section. The proposed changes consist of minor administrative editing.

SWCAA 400-045 Permit Application for Nonroad Engines, this is a new section. The proposed section is intended to provide a mechanism for the submittal of permit applications for projects involving units that meet the federal definition of "nonroad engine."

SWCAA 400-046 Application Review Process for Nonroad Engines, this is a new section. The proposed section is intended to provide a mechanism for the review and approval of projects involving units that meet the federal definition of "nonroad engine."

SWCAA 400-050 Emission Standards for Combustion and Incineration Units, this is an existing section. The proposed changes incorporate new standards for "commercial and industrial solid waste incineration units" and "small municipal waste combustion units." The proposed standards are consistent with requirements adopted by ecology in 2001.

SWCAA 400-052 Stack Sampling of Large Combustion Sources, this is an existing section. The proposed changes are intended to clarify the requirements of the section. The intent and meaning of the section remain unchanged with no significant changes in testing frequency or methodology.

SWCAA 400-060 Emission Standards for General Process Units, this is an existing section. The date of the EPA test method reference contained in the section (40 C.F.R. 60, Appendix A) is being updated. No other changes are proposed.

SWCAA 400-070 Emission Standards for Certain Source Categories, this is an existing section. The proposed changes incorporate requirements for source categories recently added to WAC 173-400-070, and the addition of new emission standards for source categories not currently included in WAC 173-400-070.

SWCAA 400-075 Emission Standards for Sources Emitting Hazardous Air Pollutants, this is an existing section. The proposed changes update adoption reference dates and incorporate new federal regulations contained in 40 C.F.R. Parts 63 and 65.

SWCAA 400-076 Emission Standards for Sources Emitting Toxic Air Pollutants, this is an existing section. The proposed changes update the definitions, cross sectional references, and sectional titles found in the text of SWCAA 400-076, and make minor corrections to maintain consistency with other sections of SWCAA 400.

SWCAA 400-081 Startup and Shutdown, this is an existing section. The proposed changes consist of minor administrative editing and small changes made in response to EPA comments. The proposed revision does not contain any substantive changes.

SWCAA 400-091 Voluntary Limits on Emissions, this is an existing section. The proposed changes consist of minor changes in terminology to maintain consistency with other sections of SWCAA 400.

SWCAA 400-100 Registration Requirements, this is an existing section. The proposed changes correct outdated text and remove the operating permit program fee schedule (SWCAA 400-100(4)) from the section. The operating permit fee schedule is being moved to a new section because operating permit sources are not subject to the registration program, and the current format can be confusing to the public and affected sources.

SWCAA 400-101 Emission Units Exempt from Registration Requirements, this is an existing section. The proposed changes clarify the applicability language of the section and remove a number of exemption categories.

SWCAA 400-103 Operating Permit Fees, this a new section. The proposed section makes the fee schedule for operating permit sources into a self-contained rule section. The fee schedule is currently contained within the text of SWCAA 400-100 "Registration Requirements and Operating Permit Fees" along with requirements for SWCAA's registration program. This format is confusing and inappropriate because operating permit sources are not subject to any element of the registration program.

SWCAA 400-105 Records, Monitoring and Reporting, this is an existing section. The proposed changes update references to the Code of Federal Regulations and make administrative corrections.

SWCAA 400-106 Emission Testing and Monitoring at Air Contaminant Sources, this is an existing section. The proposed changes incorporate new monitoring requirements for combustion sources. The new requirements are equivalent to the emission monitoring requirements currently implemented on a case-by-case basis in approval orders for combustion sources.

SWCAA 400-107 Excess Emissions, this is an existing section. The proposed changes expand the existing section to include notification and reporting requirements for all excess emissions. The proposed language provides more detailed requirements for reporting excess emissions than found in the existing section.

SWCAA 400-109 Air Discharge Permit Applications, this is an existing section. The proposed changes incorporate new terminology, addition of the existing permit application fee table from SWCAA 400-110, and minor administrative changes.

SWCAA 400-110 Application Review Process for Stationary Sources (New Source Review), this is an existing section. The proposed changes incorporate new terminology, removal of the Notice of Construction application fee schedule, new requirements consistent with SWCAA 400-117, clarification of portable source applicability under SWCAA 400-110(6), approval criteria for modification of approval conditions, and minor administrative changes.

SWCAA 400-111 Requirements for New Sources in a Maintenance Plan Area, this is an existing section. The proposed changes incorporate administrative editing and minor

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text changes intended to improve consistency with the format of SWCAA 400-112 and 400-113.

SWCAA 400-112 Requirements for New Sources in Nonattainment Areas, this is an existing section. The proposed changes incorporate administrative changes, previously uncited requirements from 40 C.F.R. 51, Appendix S, new requirements consistent with WAC 173-400-117, changes in terminology, and correction of outdated references and requirements.

SWCAA 400-113 Requirements for New Sources in Attainment or Nonclassifiable Areas, this is an existing section. The proposed changes incorporate minor text changes intended to improve consistency with the format of SWCAA 400-111 and 400–112, new requirements consistent with WAC 173-400-117, and administrative editing.

SWCAA 400-114 Requirements for Replacement or Substantial Alteration of Emission Control Technology at an Existing Stationary Source, this is an existing section. The proposed changes incorporate new terminology and minor administrative editing.

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SWCAA 400-115 Standards of Performance for New Sources, this is an existing section. The proposed changes incorporate updated adoption references and minor format changes intended to improve consistency with the corresponding sections of the WAC.

SWCAA 400-116 Maintenance of Equipment, this is an existing section. The proposed changes incorporate new terminology and clarification of requirements.

SWCAA 400-130 Use of Emission Reduction Credits, this is an existing section. The proposed changes correct outdated references in the text of the section.

SWCAA 400-131 Deposit of Emission Reduction Credits Into Bank, this is an existing section. The proposed changes incorporate administrative changes and a modification of the processing timeline for ERC applications.

SWCAA 400-136 Maintenance of Emission Reduction Credits in Bank, this is an existing section. The proposed changes incorporate minor clarifications and administrative changes.

SWCAA 400-140 Protection of Ambient Air Increments, this is a new section. The proposed section creates a mechanism for protection of ambient air increments pursuant to 40 C.F.R. 51.166 et seq.

SWCAA 400-141 Prevention of Significant Deterioration (PSD), this is an existing section. The proposed changes update the section to match the format and meaning of WAC 173-400-141 as currently adopted.

SWCAA 400-151 Retrofit Requirements for Visibility Protection, this is an existing section. The proposed changes update the section to match the format and meaning of WAC 173-400-151 as currently adopted.

SWCAA 400-171 Public Involvement, this is an existing section. The proposed changes revise the public involvement requirements for agency permitting and other proposed actions. These changes incorporate public notice via the internet, and correct a number of identified deficiencies in the current public involvement provisions of SWCAA 400-171.

SWCAA 400-180 Variance, this is an existing section. The proposed changes incorporate an updated reference to EPA.

SWCAA 400-190 Requirements for Nonattainment Areas, this is an existing section. The proposed changes incorporate new terminology.

SWCAA 400-230 Regulatory Actions and Civil Penalties, this is an existing section. The proposed changes incorporate new terminology and administrative editing.

SWCAA 400-250 Appeals, this is an existing section. The proposed changes revise existing provisions to improve consistency with applicable state regulations.

SWCAA 400-270 Confidentiality of Records and Information, this is an existing section. The proposed changes are intended to make the definition of confidential information more consistent with applicable state regulations and clarify how SWCAA uses and handles such information.

SWCAA 400, Appendix A, SWCAA Method 9/Visual Opacity Determination Method, this is an existing section. The proposed changes incorporate minor administrative editing and an updated federal regulation reference.

Citation of Existing Rules Affected by this Order: Amending SWCAA 400-030, 400-040, 400-050, 400-052, 400-060, 400-070, 400-075, 400-076, 400-081, 400-091, 400-100, 400-101, 400-105, 400-106, 400-107, 400-109, 400-110, 400-111, 400-112, 400-113, 400-114, 400-115, 400-116, 400-130, 400-131, 400-136, 400-141, 400-151, 400-171, 400-180, 400-190, 400-230, 400-250, 400-270, Appendix A.

Statutory Authority for Adoption: RCW 70.94.141.

Adopted under notice filed as WSR 03-15-098 on July 21, 2003.

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

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

Number of Sections Adopted on the Agency's Own Initiative: New 4, Amended 35, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 4, Amended 35, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 4, Amended 35, Repealed 0.

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

October 7, 2003
Robert D. Elliott
Executive Director

SWCAA 400 - General Regulations for Air Pollution Sources

AMENDATORY SECTION (Amending WSR 01-05-055, filed 2/15/01, effective 3/18/01)

SWCAA 400-030 Definitions

[Statutory Authority: Chapter 70.94.030 RCW, and 70.94.141 RCW. Original adoption by Board 12/17/68 (Regulation 1); Amended by Board 10/29/69 (Regulation 2); Amended by Board 3/20/84; Amended by Board 12/16/86; 93-21-003 filed 10/7/93, effective 11/8/93; 95-17-084 filed

8/21/95, effective 9/21/95; 99-07-027 filed 3/10/99, effective 4/11/99; 01-05-055 filed 2/15/01, effective 3/18/01]

Except as provided elsewhere in this regulation the following definitions apply throughout the regulation:

(1) "**Actual emissions**" means the actual rate of emissions of a pollutant from an emission unit, as determined in accordance with (a) through (c) of this subsection.

(a) In general, actual emissions as of a particular date shall equal the average rate, in tons per year, at which the emission((s)) unit actually emitted the pollutant during a two-year period which precedes the particular date and which is representative of normal "source" operation. The Agency shall allow the use of a different time period upon a determination that it is more representative of normal "source" operation. Actual emissions shall be calculated using the emission((s)) unit's actual operating hours, production rates, and types of materials processed, stored, or combusted during the selected time period.

(b) The Agency may presume that "source" specific allowable emissions for the unit are equivalent to the actual emissions of the emission((s)) unit.

(c) For any emission((s)) unit that has not begun normal operations on the particular date, actual emissions shall equal the potential to emit of the emission((s)) unit on that date.

(2) "**Adverse impact on visibility**" means visibility impairment that interferes with the management, protection, preservation, or enjoyment of the visitor's visual experience of a Federal Class I area. This determination must be made on a case-by-case basis taking into account the geographic extent, intensity, duration, frequency, and time of visibility impairment, and how these factors correlate with (a) times of visitor use of the Federal Class I area and (b) the frequency and timing of natural conditions that reduce visibility. ((~~This term does not include effects on integral vistas.~~))

(3) "**Agency**" means the Southwest Clean Air Agency (SWCAA).

(((~~3~~))) (4) "**Air contaminant**" or "**air pollutant**" means dust, fumes, mist, smoke, other particulate matter, vapor, gas, odorous substance, or any combination thereof. This includes any substance regulated as an air pollutant under ((~~WAC~~)) Chapter 173-460 WAC, ((~~NESHAPS,~~)) Sections 111 and 112 of the Federal Clean Air Act ((~~Amendments of~~)), ozone depleting substances (Title VI of the Federal Clean Air Act), any substance for which a primary or secondary National Ambient Air Quality Standard has been established, and volatile organic compounds. ((~~"Air pollutant" means the same as "air contaminant." A criteria pollutant is an air pollutant for which a criteria document has been prepared by EPA and has a primary or secondary ambient air quality standard. These pollutants are identified at 40 CFR Part 50 and include sulfur oxides (measured as sulfur dioxide), particulate matter, carbon monoxide, ozone, nitrogen dioxide, and lead. Volatile organic compounds as a category are no longer identified as a criteria pollutant.~~))

(5) "**Air discharge permit**" means the same as "Order of Approval." This term does not apply to any permitting action conducted pursuant to 40 CFR Part 70 or Chapter 173-401 WAC.

(6) "**Air discharge permit application**" means the same as "Notice of Construction application." This term does not apply to any permitting action conducted pursuant to 40 CFR Part 70 or Chapter 173-401 WAC.

(((~~4~~))) (7) "**Air pollution**" means the presence in the outdoor atmosphere of one or more air contaminants in sufficient quantities, and of such characteristics and duration as is, or is likely to be, injurious to human health, plant or animal life, or property, or which unreasonably interferes with enjoyment of life and property. For the purposes of this regulation, air pollution shall not include air contaminants emitted in compliance with Chapter 17.21 RCW, the Washington Pesticide Application Act, which regulates the application and control of various pesticides.

(((~~5~~))) (8) "**Allowable emissions**" means the emission rate of a "stationary source" calculated using the maximum rated capacity of the "stationary source" (unless the "stationary source" is subject to federally enforceable limits which restrict the operating rate, or hours of operation, or both) and the most stringent of the following:

(a) The applicable standards ((~~as set forth~~)) in 40 CFR Parts 60, 61, or 63;

(b) Any applicable State Implementation Plan SIP emission limitation including those with a future compliance date;

(c) The emission((s)) rate specified as a federally enforceable permit condition, including those with a future compliance date; or

(d) The emission rate specified by ((~~an applicable~~)) a federally enforceable regulatory order.

(9) "**Alteration**" means the act of altering, which means to change or make different. Alteration includes, but is not limited to, any enlargement, replacement, or change in the design, operation, capacity, or arrangement of a process; any increase in the connected loading of process or control equipment; and any change in fuels, method of operation or hours of operation not previously approved by the Agency.

(((~~6~~))) (10) "**Ambient air**" means the surrounding outside air.

(((~~7~~))) (11) "**Ambient air quality standard**" (AAQS) means an established concentration, exposure time, and frequency of occurrence of an air contaminant or multiple air contaminants in the ambient air that shall not be exceeded.

((~~(8) "Agency" means the Southwest Clean Air Agency (SWCAA).~~))

(12) "**Attainment area**" means a geographic area designated by EPA at 40 CFR Part 81 as having attained the National Ambient Air Quality Standard for a given criteria pollutant.

(13) "**Authority**" means any air pollution control agency whose jurisdictional boundaries are coextensive with the boundaries of one or more counties.

(14) "**Begin actual construction**" means, in general, initiation of physical on-site construction activities on an emission unit, which are of a permanent nature. Such activities include, but are not limited to, installation of building supports and foundations, laying underground pipe work and construction of permanent storage structures. With respect to a change in method of operations, this term refers to those on-site activities other than preparatory activities that mark the initiation of the change.

(((~~9~~))) (15) "**Best available control technology**" (BACT) means an emission limitation (including a visible

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emission standard) based on the maximum degree of reduction for each air pollutant subject to regulation under Chapter 70.94 RCW which would be emitted from or which results from any new or modified "stationary source," which the Agency, on a case-by-case basis, taking into account energy, environmental, and economic impacts and other costs, determines is achievable for such "stationary source" or modification through application of production processes and available methods, systems, and techniques, including fuel cleaning or treatment, clean fuels, or innovative fuel combustion techniques for control of each such pollutant. In no event shall application of ((~~the~~)) "best available control technology" result in emissions of any air pollutants which will exceed the emissions allowed by any applicable standard under 40 CFR Part 60, Part 61, and Part 63 ((~~as they exist on July 1, 2000, or their later enactments as adopted by reference by the Agency by rule~~)). Emissions from any "stationary source" utilizing clean fuels, or any other means, to comply with this paragraph shall not be allowed to increase above levels that would have been required under the definition of BACT in the Federal Clean Air Act as it existed prior to enactment of the Clean Air Act Amendments of 1990.

(((~~10~~))) (16) "**Best available retrofit technology**" (BART) means an emission limitation based on the degree of reduction achievable through the application of the best system of continuous emission reduction for each pollutant that is emitted by an existing stationary facility. The emission limitation must be established, on a case-by-case basis, taking into consideration the technology available, the costs of compliance, the energy and non-air quality environmental impacts of compliance, any pollution control equipment in use or in existence at the "stationary source," the remaining useful life of the "stationary source," and the degree of improvement in visibility which may reasonably be anticipated to result from the use of such technology.

(((~~11~~))) (17) "**Board**" means the Board of Directors of the Southwest Clean Air Agency.

(((~~12~~))) (18) "**Bubble**" means a set of emission limits which allows an increase in emissions from a given emission((s)) unit(((~~s~~))) in exchange for a decrease in emissions from another emission((s)) unit(((~~s~~))), pursuant to RCW 70.94.155((,)) and SWCAA 400-120.

(((~~13~~))) (19) "**Capacity factor**" means the ratio of the average load on a machine or piece of equipment ((~~for the period of time considered,~~)) to the manufacturer's capacity rating of the machine or equipment for the period of time considered.

(((~~14~~))) (20) "**Class I area**" means any area designated pursuant to ((~~§§~~)) Sections 162 or 164 of the Federal Clean Air Act as a Class I area. The following areas are the Class I areas ((~~potentially affected by emissions from sources within SWCAA jurisdiction~~)) located within Washington state:

(a) Alpine Lakes Wilderness;

(b) Glacier Peak Wilderness;

(c) Goat Rocks Wilderness;

(d) Mount Adams Wilderness;

(e) Mount Rainier National Park;

(((~~(f) Mt. Hood Wilderness Area;~~

~~(g) Mt. Jefferson Wilderness Area.~~))

(f) North Cascades National Park;

(g) Olympic National Park;

(h) Pasayten Wilderness; and

(i) Spokane Indian Reservation.

(21) "**Climate change**" means a reported meteorological phenomenon, according to which the average temperature on earth is gradually increasing over its level in recent history. This rise in temperature is attributed to the increased concentration in the atmosphere of gases such as carbon dioxide that trap heat radiating upward and reradiate it toward earth.

(((~~15 "Closure" means permanently stopping or terminating all processes at a facility. Such termination of processes shall result in no emissions of pollutants to the ambient air. Closure does not mean temporary shutdown of operations. A facility shall be considered "permanently closed" if operations have ceased and registration fees are not paid as set forth in SWCAA 400-100(2)(e). Process and pollution control equipment may remain in place and on site but shall be configured such that the equipment or processes are incapable of generating emissions to the atmosphere (e.g. disconnection of power to equipment, mechanical positioning that inhibits processing; placing of padlocks on equipment to prevent operation). Closure of a facility requires notification to SWCAA in accordance with SWCAA 400-100 (2)(d). New Source Review and applicable emission control technology requirements in accordance with current requirements for similar facilities will be required of the facility prior to restart if the annual registration fee is not paid.~~))

(((~~16~~))) (22) "**Combustion and incineration ((~~sources~~)) units**" means emission units using combustion for waste disposal, steam production, chemical recovery or other process requirements, but excludes open or outdoor burning.

(((~~17~~))) (23) "**Commenced ((~~construction~~))**" as applied to construction, means that an owner or operator has all the necessary preconstruction approvals or permits and either has:

(a) Begun, or caused to begin, a continuous program of actual on-site construction of the "stationary source," to be completed within a reasonable time; or

(b) Entered into binding agreements or contractual obligations, which cannot be cancelled or modified without substantial loss to the owner or operator, to undertake a program of actual construction of the "stationary source" to be completed within a reasonable time. (((~~ref. 40 CFR 52.21~~)))

(c) For the purposes of this definition, "necessary preconstruction approvals" means those permits or orders of approval required under federal air quality control laws and regulations, including state, local, and federal regulations and orders contained in the Washington SIP.

(24) "**Composting**" means the biological degradation and transformation of organic solid waste under controlled conditions designed to promote aerobic decomposition. Natural decay of organic solid waste under uncontrolled conditions is not composting.

(((~~18~~))) (25) "**Concealment**" means any action taken to reduce the observed or measured concentrations of a pollutant in a gaseous effluent while, in fact, not reducing the total amount of pollutant discharged.

(((~~19~~))) (26) "**Construction**" means any physical change or change in ((~~the~~)) method of operation (including fabrica-

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tion, erection, installation, demolition, or modification of an emissions unit) which would result in a change in actual emissions. (ref. 40 CFR 52.21)

(27) "**Criteria pollutant" or "criteria air pollutant**" means an air pollutant for which a criteria document has been prepared by EPA and has a primary or secondary ambient air quality standard. These pollutants are identified in 40 CFR Part 50 and include sulfur oxides (measured as sulfur dioxide), particulate matter, carbon monoxide, ozone, oxides of nitrogen (measured as nitrogen dioxide), and lead. Although volatile organic compounds are no longer identified as a criteria pollutant category, they are regulated together with oxides of nitrogen as a precursor to ozone.

(((~~20~~))) (28) "**Control Officer**" means the Executive Director of the Southwest Clean Air Agency.

(29) "**Deviation from approval conditions**" means an instance when any approval condition is not met, including, but not limited to, conditions that establish emission limitations, emission standards, control equipment requirements, work practices, parameter ranges, and those designed to assure compliance with such requirements, such as monitoring, recordkeeping, and reporting. A deviation does not necessarily constitute a violation.

(((~~21~~))) (30) "**Director**" means the director of the Washington State Department of Ecology (((~~WDOE~~))) or duly authorized representative.

(((~~22~~))) (31) "**Dispersion technique**" means a method that attempts to affect the concentration of a pollutant in the ambient air other than by the use of pollution abatement equipment or integral process pollution controls.

(32) "**Distillate oil**" means fuel oil that complies with the specifications for fuel oil numbers 1 or 2, as defined by the American Society for Testing and Materials in ASTM D396-01 "Standard Specification for Fuel Oils."

(((~~23~~))) (33) "**Ecology**" means the Washington State Department of Ecology (((~~WDOE~~))).

(((~~24~~))) (34) "**Emission**" means a release of air contaminants into the ambient air.

(((~~25~~))) (35) "**Emission control technology**" means emission control equipment integral or in addition to the emission unit or other technology, device, component or control parameter that is integral to ((~~the design of an emission unit or~~)) the basic design ((~~to the~~)) of an emission unit; i.e., low NOx burner for a boiler or turbine.

(((~~26~~))) (36) "**Emission reduction credit**" (ERC) means a credit granted pursuant to SWCAA 400-131. This is a voluntary reduction in emissions beyond required levels of control. ERCs may be sold, leased, banked for future use or traded in accordance with applicable regulations. Emission reduction credits shall provide an incentive for reducing emissions below the required levels and ((~~to~~)) establish a framework to promote a market based approach to air pollution control.

(((~~27~~))) (37) "**Emission standard**" and "**emission limitation**" mean a requirement established under the ((~~FCAA~~)) Federal Clean Air Act, ((~~or~~)) Chapter 70.94 RCW or a local regulation ((~~which~~)) that limits the quantity, rate, or concentration of ((~~emissions of~~)) air contaminant((~~s~~)) emissions on a continuous basis, including any requirement relating to the operation or maintenance of a "stationary source" to assure continuous emission reduction and any design, equipment, work practice, or operational standard ((~~promulgated~~)) adopted under the ((~~FCAA~~)) Federal Clean Air Act or Chapter 70.94 RCW.

(((~~28~~))) (38) "**Emission((~~s~~)) unit**" means any part of a "stationary source" that emits or would have the potential to emit any air pollutant subject to regulation under the ((~~FCAA~~)) Federal Clean Air Act, Chapter 70.94 RCW, or Chapter 70.98 RCW.

(((~~29~~))) (39) "**Excess emissions**" means emissions of an air pollutant in excess of any applicable emission standard or emission limit.

(((~~30~~))) (40) "**Excess stack height**" means that portion of a stack which exceeds the greater of sixty-five meters (213.25 feet) or the calculated stack height described in SWCAA 400-200(2).

(((~~31~~))) (41) "**Executive Director**" means the Control Officer of the Southwest Clean Air Agency.

(((~~32~~))) (42) "**Existing stationary facility**" ((~~means a stationary source of air pollutants that has the potential to emit two hundred fifty tons per year or more of any air pollutant. In determining potential to emit, fugitive emissions, to the extent quantifiable, must be counted. For purposes of determining whether a stationary source is an existing stationary facility the term "building, structure, facility, or installation" means all of the pollutant emitting activities which belong to the same industrial grouping, are located on one or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control). Pollutant emitting activities shall be considered as part of the same major group (i.e., which have the same two digit code) as described in the Standard Industrial Classification Manual, 1987.~~)) means a "stationary source" that meets all of the following conditions:

(a) The "stationary source" was not in operation prior to August 7, 1962, and was in existence on August 7, 1977;

(b) The "stationary source" is one of the following:

(i) Fossil fuel-fired steam electric plants of more than 250 million British thermal units per hour heat input,

(ii) Coal cleaning plants (thermal dryers),

(iii) Kraft pulp mills,

(iv) Portland cement plants,

(v) Primary zinc smelters,

(vi) Iron and steel mills,

(vii) Primary aluminum ore reduction plants,

(viii) Primary copper smelters,

(ix) Municipal incinerators capable of charging more than 250 tons of refuse per day,

(x) Hydrofluoric, sulfuric, or nitric acid plants,

(xi) Petroleum refineries,

(xii) Lime plants,

(xiii) Phosphate rock processing plants,

(xiv) Coke oven batteries,

(xv) Sulfur recovery plants,

(xvi) Carbon black plants (furnace process),

(xvii) Primary lead smelters,

(xviii) Fuel conversion plants,

(xix) Sintering plants,

(xx) Secondary metal production plants,

(xxi) Chemical process plants,

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(xxii) Fossil-fuel boilers of more than 250 million British thermal units per hour heat input,

(xxiii) Petroleum storage and transfer units with a total capacity exceeding 300,000 barrels,

(xxiv) Taconite ore processing plants,

(xxv) Glass fiber processing plants,

(xxvi) Charcoal production plants; and

(c) The "stationary source" has the potential to emit 250 tons per year or more of any air contaminant. Fugitive emissions, to the extent quantifiable, must be counted in determining the potential to emit.

(d) For purposes of determining whether a stationary source is an existing stationary facility the term "building, structure, facility, or installation" means all of the pollutant-emitting activities which belong to the same industrial grouping, are located on one or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control). Pollutant emitting activities shall be considered as part of the same major group (i.e., which have the same two digit code) as described in the *Standard Industrial Classification Manual (1972)*, as amended by the 1977 supplement.

(((~~33~~))) (43) "**Federal Clean Air Act**" (FCAA) means the Federal Clean Air Act, also known as Public Law 88-206, 77 Stat. 392, December 17, 1963, 42 U.S.C. 7401 et seq., as last amended by the Clean Air Act Amendments of 1990, P.L. 101-549, November 15, 1990.

(44) "**Federal Class I area**" means any federal land that is classified or reclassified as Class I. The Federal Class I areas in Washington State are as follows:

(a) Alpine Lakes Wilderness;

(b) Glacier Peak Wilderness;

(c) Goat Rocks Wilderness;

(d) Mount Adams Wilderness;

(e) Mount Rainier National Park;

(f) North Cascades National Park;

(g) Olympic National Park; and

(h) Pasayten Wilderness.

(((~~34~~))) (45) "**Federal land manager**" means ((~~, with respect to any lands in the United States, the Secretary of the department with authority over such lands~~)) the secretary of the department with authority over federal lands in the United States. This includes, but is not limited to, the U.S. Department of the Interior-National Park Service, the U.S. Department of Agriculture-Forest Service, and/or the U.S. Department of the Interior-Bureau of Land Management.

(46) "**Federally enforceable**" means all limitations and conditions which are enforceable by the EPA, including those requirements developed under 40 CFR Parts 60, 61 and 63, requirements within the Washington SIP, requirements within any permit established under 40 CFR 52.21 or any order of approval established under a SIP approved new source review regulation, or any voluntary limits on emissions pursuant to WAC 173-400-091 or SWCAA 400-091.

(((~~35~~))) (47) "**Fossil fuel-fired steam generator**" means a device, furnace, or boiler used in the process of burning fossil fuel for the primary purpose of producing steam by heat transfer.

(((~~36~~))) (48) "**Fugitive dust**" means a type of particulate emission made airborne by forces of wind, human activity, or both. Unpaved roads, construction sites, and tilled land are examples of areas that originate fugitive dust. Fugitive dust is a type of fugitive emission.

(((~~37~~))) (49) "**Fugitive emissions**" means emissions which ((~~do not pass and which~~)) could not reasonably ((~~be collected to~~)) pass through a stack, chimney, vent, or other functionally equivalent opening.

(((~~38~~))) (50) "**General process unit**" means an emission((~~s~~)) unit using a procedure or a combination of procedures for the purpose of causing a change in material by either chemical or physical means, excluding combustion.

(((~~39~~))) (51) "**Good agricultural practices**" means economically feasible practices that are customary among or appropriate to farms and ranches of a similar nature in the local area.

(((~~40~~))) (52) "**Good engineering practice**" (GEP) refers to a calculated stack height based on the equation specified in SWCAA 400-200 (2)(a)(ii).

(53) "**Greenhouse gas**" means a gas that has the ability to contribute to a greenhouse effect in the ambient atmosphere. Greenhouse gases include carbon dioxide, methane, nitrous oxide, sulfur hexafluoride, hydrofluorocarbons (HFCs), and perfluorocarbons (PFCs).

(((~~41~~))) (54) "**Incinerator**" means a furnace used primarily for the thermal destruction of waste.

(((~~42~~))) (55) "**In operation**" means engaged in activity related to the primary design function of ((~~the~~)) a "stationary source."

(56) "**Installation**" means the act of installing, which means placing, assembling or constructing process equipment or control equipment at the premises where the equipment will be used. Installation includes all preparatory work at such premises.

(((~~43) "Integral vista" means a view perceived from within a mandatory Class I federal area of a specific landmark or panorama located outside the boundary of the mandatory Class I federal area.~~)))

(((~~44~~))) (57) "**Lowest achievable emission rate**" (LAER) means for any "stationary source" that rate of emissions which reflects the more stringent of:

(a) The most stringent emission limitation which is contained in the implementation plan of any state for such class or category of "stationary source," unless the owner or operator of the proposed new or modified "stationary source" demonstrates that such limitations are not achievable; or

(b) The most stringent emission limitation which is achieved in practice by such class or category of "stationary source."

In no event shall the application of this term permit a proposed new or modified "stationary source" to emit any pollutant in excess of the amount allowable under applicable new source performance standards.

(((~~45~~))) (58) "**Maintenance Area**" or "**Maintenance Plan Area**" means a geographical area ((~~of~~)) within the jurisdiction of SWCAA which was formerly designated as a nonattainment area and which has been redesignated as an attainment area as provided under ((~~40 CFR 52~~)) Section 107(d) of the Clean Air Act. The maintenance area designation shall be in effect as long as there is a federal or state requirement to have a maintenance plan in effect.

~~(((46)))~~ (59) "**Maintenance pollutant**" means a pollutant for which a maintenance plan area was formerly designated as a nonattainment area.

~~(((47) "**Major modification,**" means any physical change in or change in the method of operation of a major stationary source that would result in a significant net emissions increase of any pollutant subject to regulation under the Federal Clean Air Act. Any net emissions increase that is considered significant for volatile organic compounds or oxides of nitrogen shall be considered significant for ozone. A physical change or change in the method of operation shall not include:~~

~~(a) Routine maintenance, repair, and replacement;~~

~~(b) Use of an alternative fuel or raw material by reason of an order under sections 2 (a) and (b) of the Energy Supply and Environmental Supply Coordination Act of 1974 (or any superseding legislation) or by reason of a natural gas curtailment plan pursuant to the Federal Power Act;~~

~~(c) Use of an alternative fuel by reason of an order or rule under section 125 of the FCAA, 42 U.S.C. 7425;~~

~~(d) Use of an alternative fuel at a steam generating unit to the extent that the fuel is generated from municipal solid waste;~~

~~(e) Use of an alternative fuel or raw material by a stationary source which:~~

~~(i) The source was capable of accommodating before December 21, 1976, unless such change would be prohibited under any federally enforceable permit condition which was established after December 12, 1976, in a Prevention of Significant Deterioration permit or an Order of Approval for a Notice of Construction application; or~~

~~(ii) The source is approved to use under any federally enforceable notice of construction approval or a PSD permit issued by the Environmental Protection Agency;~~

~~(f) An increase in the hours of operation or in the production rate, unless such change is prohibited under any federally enforceable permit condition that was established after December 21, 1976, in a Prevention of Significant Deterioration permit or an Order of Approval for a Notice of Construction application;~~

~~(g) Any change in ownership at a stationary source.~~))

(60)(a) "**Major modification**," as it applies to "stationary sources" subject to requirements for "new sources" in maintenance plan or nonattainment areas (SWCAA 400-111 and -112), means any physical change in, or change in the method of operation of, a "major stationary source" that would result in a significant net emissions increase of any pollutant subject to regulation under the Federal Clean Air Act.

(i) Any net emissions increase that is considered significant for volatile organic compounds or nitrogen oxides shall be considered significant for ozone.

(ii) A physical change or change in the method of operation shall not include:

(A) Routine maintenance, repair, and replacement;

(B) Use of an alternative fuel or raw material by reason of an order under Section 2 (a) and (b) of the Energy Supply and Environmental Coordination Act of 1974 (or any superseding legislation) or by reason of a natural gas curtailment plan pursuant to the Federal Power Act;

(C) Use of an alternative fuel by reason of an order or rule under Section 125 of the Federal Clean Air Act;

(D) Use of an alternative fuel at a steam generating unit to the extent that the fuel is generated from municipal solid waste;

(E) Use of an alternative fuel or raw material by a "stationary source" which:

(I) The "stationary source" was capable of accommodating before December 21, 1976, unless such change would be prohibited under any federally enforceable permit or approval order condition which was established after December 12, 1976, pursuant to 40 CFR 52.21 or a SIP approved new source review regulation; or

(II) The "stationary source" is approved to use under any permit or approval order issued under SWCAA 400-112 or WAC 173-400-112;

(F) An increase in the hours of operation or in the production rate, unless such change is prohibited under any federally enforceable permit or approval order condition which was established after December 21, 1976, pursuant to 40 CFR 52.21 or a SIP approved new source review regulation;

(G) Any change in ownership at a "stationary source;"

(H) The addition, replacement, or use of a pollution control project (as defined in 40 CFR 51.165 (a)(1)(xxv), in effect on July 1, 2002) at an existing electric utility steam generating unit, unless the permitting agency determines that such addition, replacement, or use renders the unit less environmentally beneficial, or except:

(I) When the permitting agency has reason to believe that the pollution control project would result in a significant net emissions increase in representative actual annual emissions of any criteria pollutant over levels used for that "stationary source" in the most recent air quality impact analysis in the area conducted for the purpose of Title I of the Federal Clean Air Act, if any; and

(II) The permitting agency determines that the increase will cause or contribute to a violation of any National Ambient Air Quality Standard or PSD increment, or visibility limitation; or

(I) The installation, operation, cessation, or removal of a temporary clean coal technology demonstration project, provided that the project complies with the Washington SIP; and other requirements necessary to attain and maintain the National Ambient Air Quality Standard during the project and after it is terminated.

(b) "**Major modification**," as it applies to "stationary sources" subject to requirements for "new sources" in attainment or unclassified areas (SWCAA 400-113), means any physical change in, or change in the method of operation of, a "major stationary source" that would result in a significant net emissions increase of any pollutant subject to regulation under the Federal Clean Air Act.

(i) Any net emissions increase that is considered significant for volatile organic compounds or nitrogen oxides shall be considered significant for ozone.

(ii) A physical change or change in the method of operation shall not include:

(A) Routine maintenance, repair and replacement;

(B) Use of an alternative fuel or raw material by reason of an order under Section 2 (a) and (b) of the Energy Supply

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and Environmental Coordination Act of 1974 (or any superseding legislation) or by reason of a natural gas curtailment plan pursuant to the Federal Power Act;

(C) Use of an alternative fuel by reason of an order or rule under Section 125 of the Federal Clean Air Act;

(D) Use of an alternative fuel at a steam generating unit to the extent that the fuel is generated from municipal solid waste;

(E) Use of an alternative fuel or raw material by a "stationary source" which:

(I) The "stationary source" was capable of accommodating before January 6, 1975, unless such change would be prohibited under any federally enforceable permit condition or Order of Approval which was established after January 6, 1975, pursuant to 40 CFR 52.21 or a SIP approved new source review regulation, or

(II) The "stationary source" is approved to use under any PSD permit;

(F) An increase in the hours of operation or in the production rate, unless such change is prohibited under any federally enforceable permit condition or an approval order which was established after January 6, 1975, pursuant to 40 CFR 52.21 or a SIP approved new source review regulation;

(G) Any change in ownership at a "stationary source;"

(H) The addition, replacement, or use of a pollution control project at an existing electric utility steam generating unit, unless the permitting agency determines that such addition, replacement, or use renders the unit less environmentally beneficial, or except:

(I) When the permitting agency has reason to believe that the pollution control project (as defined in 40 CFR 51.166, in effect on July 1, 2002) would result in a significant net emissions increase in representative actual annual emissions of any criteria pollutant over levels used for that "stationary source" in the most recent air quality impact analysis in the area conducted for the purpose of Title I of the Federal Clean Air Act, if any, and

(II) The permitting agency determines that the increase will cause or contribute to a violation of any National Ambient Air Quality Standard or PSD increment, or visibility limitation; or

(J) The installation, operation, cessation, or removal of a temporary clean coal technology demonstration project, provided that the project complies with the Washington SIP, and other requirements necessary to attain and maintain the National Ambient Air Quality Standard during the project and after it is terminated.

~~(((48) "**Major stationary source**" means:~~

~~(a) Any stationary source which:~~

~~(i) Emits or has the potential to emit one hundred tons per year or more of any air contaminant regulated by the Washington State or Federal Clean Air Acts;~~

~~(ii) Is located in a "marginal" or "moderate" ozone nonattainment area and which emits or has the potential to emit one hundred tons per year or more of volatile organic compounds or oxides of nitrogen;~~

~~(iii) Is located in a "serious" carbon monoxide nonattainment area where stationary sources contribute significantly to carbon monoxide levels and which emits or has the potential to emit fifty tons per year or more of carbon monoxide; or~~

~~(iv) Is located in a "serious" particulate matter (PM_{10}) nonattainment area and which emits or has the potential to emit seventy tons per year or more of PM_{10} emissions.~~

~~(b) Any physical change that would occur at a stationary source not qualifying under (a) of this subsection as a major stationary source, if the change would constitute a major stationary source by itself;~~

~~(c) A major stationary source that is major for VOCs or NOx shall be considered major for ozone;~~

~~(d) The fugitive emissions of a stationary source shall not be included in determining whether it is a major stationary source, unless the stationary source belongs to one of the following categories of stationary sources or the source is a major stationary source due to (a)(iii) or (iv) of this subsection:~~

~~(i) Coal cleaning plants (with thermal dryers);~~

~~(ii) Kraft pulp mills;~~

~~(iii) Portland cements plants;~~

~~(iv) Primary zinc smelters;~~

~~(v) Iron and steel mills;~~

~~(vi) Primary aluminum ore reduction plants;~~

~~(vii) Primary copper smelters;~~

~~(viii) Municipal incinerators capable of charging more than two hundred fifty tons of refuse per day;~~

~~(ix) Hydrofluoric, sulfuric, or nitric acid plants;~~

~~(x) Petroleum refineries;~~

~~(xi) Lime plants;~~

~~(xii) Phosphate rock processing plants;~~

~~(xiii) Coke oven batteries;~~

~~(xiv) Sulfur recovery plants;~~

~~(xv) Carbon black plants (furnace process);~~

~~(xvi) Primary lead smelters;~~

~~(xvii) Fuel conversion plants;~~

~~(xviii) Sintering plants;~~

~~(xix) Secondary metal production plants;~~

~~(xx) Chemical process plants;~~

~~(xxi) Fossil fuel boilers (or combination thereof) totaling more than two hundred fifty million British thermal units per hour heat input;~~

~~(xxii) Petroleum storage and transfer units with a total storage capacity exceeding three hundred thousand barrels (12,600,000 gallons);~~

~~(xxiii) Taconite ore processing plants;~~

~~(xxiv) Glass fiber processing plants;~~

~~(xxv) Charcoal production plants;~~

~~(xxvi) Fossil fuel fired steam electric plants of more than two hundred fifty million British thermal units per hour heat input; and~~

~~(xxvii) Any other stationary source category which, as of August 7, 1980, was being regulated under sections 111 or 112 of the Federal Clean Air Act.~~

~~(e) For purposes of determining whether a stationary source is a major stationary source, the term "building, structure, facility, or installation" means all the pollutant emitting activities which belong to the same industrial grouping, are located on one or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control). Pollutant emitting activities shall be considered as part of the same industrial grouping if they belong to the same major group (i.e., which have the same two digit~~

~~code) as described in the Standard Industrial Classification Manual, 1987.~~))

(61)(a) "**Major stationary source**," as it applies to "stationary sources" subject to requirements for "new sources" in maintenance plan or nonattainment areas (SWCAA 400-111 and -112), means:

(i) Any "stationary source" of air pollutants which emits, or has the potential to emit, 100 tons per year or more of any pollutant subject to regulation under the Federal Clean Air Act, except that lower emissions thresholds shall apply as follows:

(A) 70 tons per year of PM_{10} in any "serious" nonattainment area for PM_{10}.

(B) 50 tons per year of carbon monoxide (CO) in any "serious" nonattainment area for CO where "stationary sources" contribute significantly to CO levels in the area.

(ii) Any physical change that would occur at a "stationary source" not qualifying under (a)(i) of this subsection as a "major stationary source," if the change would constitute a "major stationary source" by itself.

(iii) A "major stationary source" that is major for volatile organic compounds or NO_x shall be considered major for ozone.

(iv) The fugitive emissions of a "stationary source" shall not be included in determining whether it is a "major stationary source," unless the "stationary source" belongs to one of the following categories of "stationary sources" or the "stationary source" is major due to (a)(i)(A) or (a)(i)(B) of this subsection:

(A) Coal cleaning plants (with thermal dryers);
(B) Kraft pulp mills;
(C) Portland cement plants;
(D) Primary zinc smelters;
(E) Iron and steel mills;
(F) Primary aluminum ore reduction plants;
(G) Primary copper smelters;
(H) Municipal incinerators capable of charging more than 50 tons of refuse per day;
(I) Hydrofluoric, sulfuric, or nitric acid plants;
(J) Petroleum refineries;
(K) Lime plants;
(L) Phosphate rock processing plants;
(M) Coke oven batteries;
(N) Sulfur recovery plants;
(O) Carbon black plants (furnace process);
(P) Primary lead smelters;
(Q) Fuel conversion plants;
(R) Sintering plants;
(S) Secondary metal production plants;
(T) Chemical process plants;
(U) Fossil-fuel boilers (or combination thereof) totaling more than 250 million British thermal units per hour heat input;
(V) Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels;
(W) Taconite ore processing plants;
(X) Glass fiber processing plants;
(Y) Charcoal production plants;
(Z) Fossil fuel-fired steam electric plants of more than 250 million British thermal units per hour heat input; and
(AA) Any other "stationary source" category, which, as of August 7, 1980, is being regulated under Section 111 or 112 of the Federal Clean Air Act.

(v) For purposes of determining whether a "stationary source" is a "major stationary source," the term "building, structure, facility, or installation" means all of the pollutant-emitting activities which belong to the same industrial grouping, are located on one or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control). Pollutant-emitting activities shall be considered as part of the same industrial grouping if they belong to the same major group (i.e., which have the same two-digit code) as described in the *Standard Industrial Classification Manual (1972)*, as amended by the 1977 supplement.

(b) "**Major stationary source**," as it applies to "stationary sources" subject to requirements for "new sources" in attainment or unclassified areas (SWCAA 400-113), means:

(i) Any of the following "stationary sources" of air pollutants which emits, or has the potential to emit, 100 tons per year or more of any pollutant subject to regulation under the Federal Clean Air Act:

(A) Fossil fuel-fired steam electric plants of more than 250 million British thermal units per hour heat input;
(B) Coal cleaning plants (with thermal dryers);
(C) Kraft pulp mills;
(D) Portland cement plants;
(E) Primary zinc smelters;
(F) Iron and steel mill plants;
(G) Primary aluminum ore reduction plants;
(H) Primary copper smelters;
(I) Municipal incinerators capable of charging more than 50 tons of refuse per day;
(J) Hydrofluoric, sulfuric, and nitric acid plants;
(K) Petroleum refineries;
(L) Lime plants;
(M) Phosphate rock processing plants;
(N) Coke oven batteries;
(O) Sulfur recovery plants;
(P) Carbon black plants (furnace process);
(Q) Primary lead smelters;
(R) Fuel conversion plants;
(S) Sintering plants;
(T) Secondary metal production plants;
(U) Chemical process plants;
(V) Fossil fuel boilers (or combinations thereof) totaling more than 250 million British thermal units per hour heat input;
(W) Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels;
(X) Taconite ore processing plants;
(Y) Glass fiber processing plants; and
(Z) Charcoal production plants.

(ii) Regardless of the "stationary source" size specified in (b)(i) of this subsection, any "stationary source" which emits, or has the potential to emit, 250 tons per year or more of any air pollutant subject to regulation under the Federal Clean Air Act; or

(iii) Any physical change that would occur at a "stationary source" not otherwise qualifying under (b)(i) or (ii) of this

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subsection, as a "major stationary source" if the change would constitute a "major stationary source" by itself.

(iv) A "major stationary source" that is major for volatile organic compounds or NO_x shall be considered major for ozone.

(v) The fugitive emissions of a "stationary source" shall not be included in determining whether it is a "major stationary source," unless the "stationary source" belongs to one of the following categories:

(A) Coal cleaning plants (with thermal dryers);
(B) Kraft pulp mills;
(C) Portland cement plants;
(D) Primary zinc smelters;
(E) Iron and steel mills;
(F) Primary aluminum ore reduction plants;
(G) Primary copper smelters;
(H) Municipal incinerators capable of charging more than 50 tons of refuse per day;
(I) Hydrofluoric, sulfuric, or nitric acid plants;
(J) Petroleum refineries;
(K) Lime plants;
(L) Phosphate rock processing plants;
(M) Coke oven batteries;
(N) Sulfur recovery plants;
(O) Carbon black plants (furnace process);
(P) Primary lead smelters;
(Q) Fuel conversion plants;
(R) Sintering plants;
(S) Secondary metal production plants;
(T) Chemical process plants;
(U) Fossil-fuel boilers (or combination thereof) totaling more than 250 million British thermal units per hour heat input;
(V) Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels;
(W) Taconite ore processing plants;
(X) Glass fiber processing plants;
(Y) Charcoal production plants;
(Z) Fossil fuel-fired steam electric plants of more than 250 million British thermal units per hour heat input;
(AA) Any other "stationary source" category that is being regulated under Section 111 or 112 of the Federal Clean Air Act as of August 7, 1980.

(vi) For purposes of determining whether a "stationary source" is a "major stationary source," the term "building, structure, facility, or installation" means all of the pollutant-emitting activities which belong to the same industrial grouping, are located on one or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control). Pollutant-emitting activities shall be considered as part of the same industrial grouping if they belong to the same major group (i.e., which have the same two digit code) as described in the *Standard Industrial Classification Manual (1972)*, as amended by the 1977 supplement.

(((~~49~~))) (62) "**Mandatory Class I federal area**" means any area defined in Section 162(a) of the ((~~FCAA~~)) Federal Clean Air Act. The mandatory Class I federal areas potentially affected by emissions from "sources" within SWCAA jurisdiction ((~~are as follows~~)) include the following:

(a) Alpine Lakes Wilderness;
(b) Glacier Peak Wilderness;
(c) Goat Rocks Wilderness;
(d) Mount Adams Wilderness;
(e) Mount Rainier National Park;
(f) Mt. Hood Wilderness Area;
(g) Mt. Jefferson Wilderness Area;
(h) North Cascades National Park;
(i) Olympic National Park; and
(j) Pasayten Wilderness.

(((~~50~~))) (63) "**Masking**" means the mixing of a chemically nonreactive control agent with a malodorous gaseous effluent to change the perceived odor. ((~~usually to a less offensive odor.~~))

(((~~51~~))) (64) "**Materials handling**" means the handling, transporting, loading, unloading, storage, and transfer of materials with no significant alteration of the chemical or physical properties of the material.

(((~~52~~))) (65) "**Modification**" means any physical change in, or change in the method of operation of, a "stationary source" that increases the amount of any air contaminant emitted by such "stationary source" or that results in the emissions of any air contaminant not previously emitted. The term modification shall be construed consistent with the definitions of modification in Section 7411, Title 42, United States Code, and with rules implementing that section.

(66) "**Motor vehicle**" means any self propelled vehicle required to be licensed pursuant to Chapter 46.16 RCW.

(67) "**National Ambient Air Quality Standard**" (NAAQS) means an ambient air quality standard set forth in 40 CFR Part 50, which includes standards for carbon monoxide (CO), particulate matter (PM_{10}, $PM_{2.5}$), ozone (O_3), sulfur dioxide (SO_2), lead (Pb), and nitrogen dioxide (NO_2).

(((~~53~~))) (68) "**National Emission Standards for Hazardous Air Pollutants**" (NESHAPS) means the federal ((~~regulations set forth~~)) rules in 40 CFR Part 61 ((~~or Part 63~~)).

(69) "**National Emission Standards for Hazardous Air Pollutants for Source Categories**" means the federal rules in 40 CFR Part 63. These rules are commonly referred to as Maximum Available Control Technology (MACT) standards.

(((~~54~~))) (70) "**Natural conditions**" means naturally occurring phenomena that reduce visibility as measured in terms of light extinction, visual range, contrast, or coloration.

~~(((55) "Net emissions increase" means:~~

~~(a) The amount by which the sum of the following exceeds zero:~~

~~(i) Any increase in actual emissions from a particular change or change in method of operation at a source; and~~

~~(ii) Any other increases and decreases in actual emissions at the source that are contemporaneous with the particular change and are otherwise creditable.~~

~~(b) An increase or decrease in actual emissions is contemporaneous with the increase from the particular change only if the changes in actual emissions occur between the date ten years before construction on the particular change commences and the date that the increase from the particular change occurs.~~

~~(c) An increase or decrease in actual emissions is creditable only if:~~

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~~(i) It occurred no more than one year prior to the date of submittal of a complete Notice of Construction application for the particular change, or it has been documented by an emission reduction credit, in which case the credit shall expire ten years after the date of original issue of the ERC. Any emissions increases occurring between the date of issuance of the ERC and the date when a particular change becomes operational shall be counted against the ERC.~~

~~(ii) The Agency or Ecology has not relied on it in issuing any permit or Order of Approval for the source under regulations approved pursuant to 40 CFR 51 Subpart I or the EPA has not relied on it in issuing a PSD permit pursuant to 40 CFR 52.21, which order or permit is in effect when the increase in emissions from the particular change occurs.~~

~~(d) An increase in actual emissions is creditable only to the extent that the new level of actual emissions exceeds the old level.~~

~~(e) A decrease in actual emissions is creditable only to the extent that:~~

~~(i) The old level of actual emissions or the old level of allowable emissions, whichever is lower, exceeds the new level of actual emissions;~~

~~(ii) It is federally enforceable at and after the time that actual construction on the particular change begins;~~

~~(iii) It has approximately the same qualitative significance for public health and welfare as that attributed to the increase from the particular change; and~~

~~(iv) The Agency has not relied on it in issuing any permit, regulatory order or Order of Approval under regulations approved pursuant to 40 CFR 51 Subpart I, the EPA has not relied on it in issuing a PSD permit pursuant to 40 CFR 52.21 or Ecology or the Agency has not relied on it in demonstrating attainment or reasonable further progress.~~

~~(f) An increase that results from a physical change at a source occurs when the emission unit on which construction occurred becomes operational and begins to emit a particular pollutant. Any replacement unit that requires shakedown becomes operational only after a reasonable shakedown period, not to exceed one hundred eighty days.~~))

(71)(a) "**Net emissions increase**," as it applies to "stationary sources" subject to requirements for "new sources" in maintenance plan or nonattainment areas (SWCAA 400-111 and -112), means:

(i) The amount by which the sum of the following exceeds zero:

(A) Any increase in actual emissions from a particular physical change or change in method of operation at a "stationary source"; and

(B) Any other increases and decreases in actual emissions at the "stationary source" that are contemporaneous with the particular change and are otherwise creditable.

(ii) An increase or decrease in actual emissions is contemporaneous with the increase from the particular change only if it occurs before the date that the increase from the particular change occurs.

(iii) An increase or decrease in actual emissions is creditable only if:

(A) It occurred no more than one year prior to the date of submittal of a complete air discharge permit application for the particular change, or it has been documented by an emission reduction credit (ERC). Any emissions increases occurring between the date of issuance of the ERC and the date when a particular change becomes operational shall be counted against the ERC.

(B) The permitting agency has not relied on it in issuing any permit or order of approval for the "stationary source" under this section or a previous SIP approved nonattainment area new source review regulation, which order or permit is in effect when the increase in actual emissions from the particular change occurs.

(iv) An increase in actual emissions is creditable only to the extent that the new level of actual emissions exceeds the old level.

(v) A decrease in actual emissions is creditable only to the extent that:

(A) The old level of actual emissions or the old level of allowable emissions, whichever is lower, exceeds the new level of actual emissions;

(B) It is federally enforceable at and after the time that actual construction on the particular change begins;

(C) It has approximately the same qualitative significance for public health and welfare as that attributed to the increase from the particular change; and

(D) The permitting agency has not relied on it in issuing any permit or order of approval under this section or a SIP approved nonattainment area new source review regulation; or the permitting agency has not relied on it in demonstrating attainment or reasonable further progress.

(vi) An increase that results from a physical change at a "stationary source" occurs when the emission unit on which construction occurred becomes operational and begins to emit a particular pollutant. Any replacement unit that requires shakedown becomes operational only after a reasonable shakedown period, not to exceed one hundred eighty days.

(b) "**Net emissions increase**," as it applies to "stationary sources" subject to requirements for "new sources" in attainment or unclassified areas (SWCAA 400-113), means:

(i) The amount by which the sum of the following exceeds zero:

(A) Any increase in actual emissions from a particular physical change or change in the method of operation at a "stationary source"; and

(B) Any other increases and decreases in actual emissions at the "stationary source" that are contemporaneous with the particular change and are otherwise creditable.

(ii) An increase or decrease in actual emissions is contemporaneous with the increase from the particular change only if it occurs within five years before the date that the increase from the particular change occurs.

(iii) An increase or decrease in actual emissions is creditable only if the permitting agency or EPA has not relied on it in issuing a PSD permit for the "stationary source," which permit is in effect when the increase in actual emissions from the particular change occurs.

(iv) An increase or decrease in actual emissions of sulfur dioxide, particulate matter, or nitrogen oxides, which occurs before the applicable minor source baseline date is creditable only if it is required to be considered in calculating the amount of maximum allowable increases remaining avail-

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able. With respect to particulate matter, only PM_{10} emissions can be used to evaluate the net emissions increase for PM_{10}.

(v) An increase in actual emissions is creditable only to the extent that the new level of actual emissions exceeds the old level.

(vi) A decrease in actual emissions is creditable only to the extent that:

(A) The old level of actual emissions or the old level of allowable emissions, whichever is lower, exceeds the new level of actual emissions;

(B) It is federally enforceable at and after the time that actual construction on the particular change begins; and

(C) It has approximately the same qualitative significance for public health and welfare as that attributed to the increase from the particular change.

(vii) An increase that results from a physical change at a "stationary source" occurs when the emission unit on which construction occurred becomes operational and begins to emit a particular pollutant. Any replacement unit that requires shakedown becomes operational only after a reasonable shakedown period, not to exceed one hundred eighty days.

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((~~(56)~~)) (72) "**New source**" means one or more of the following:

(a) The construction or modification of a "stationary source" that increases the amount of any air contaminant emitted by such "stationary source" or that results in the emission of any air contaminant not previously emitted;

(b) Any other project that constitutes a "new source" under the Federal Clean Air Act;

((~~(c) Restart after a lapse in one year or more in payment of registration fees or operating permit fees;~~

~~(d)~~)) (c) Restart of a "stationary source" after ((~~a period of five years of non-operation where registration or operating permit fees have been paid~~)) permanent shutdown; or

((~~(e)~~)) (d) Relocation of ((~~an existing business~~)) a "stationary source" to a new location, except in the case of portable sources operating under a valid permit as provided in SWCAA 400-110(6).

((~~(57)~~)) (73) "**New Source Performance Standards**" (NSPS) means the federal ((~~regulations set forth~~)) rules in 40 CFR Part 60 ((~~and adopted by the Agency in SWCAA 400-115~~)).

((~~(58)~~)) (74) "**Nonattainment area**" means a ((~~clearly delineated~~)) geographic area ((~~that has been~~)) designated by EPA ((~~promulgation~~)) in 40 CFR Part 81 as exceeding a National Ambient Air Quality Standard ((~~or standards~~)) (NAAQS) for a given criteria air pollutant. An area is nonattainment only for the pollutants for which the area has been designated nonattainment.

(75) "**Nonroad engine**"

(a) Except as discussed in (b) of this subsection, a nonroad engine is any internal combustion engine:

(i) In or on a piece of equipment that is self-propelled or serves a dual purpose by both propelling itself and performing another function (such as garden tractors, off-highway mobile cranes and bulldozers); or

(ii) In or on a piece of equipment that is intended to be propelled while performing its function (such as lawnmowers and string trimmers); or

(iii) That, by itself or in or on a piece of equipment, is portable or transportable, meaning designed to be and capable of being carried or moved from one location to another. Indications of transportability include, but are not limited to, wheels, skids, carrying handles, dolly, trailer, or platform.

(b) An internal combustion engine is not a nonroad engine if:

(i) The engine is used to propel a motor vehicle or a vehicle used solely for competition, or is subject to standards promulgated under Section 202 of the Federal Clean Air Act; or

(ii) The engine is regulated by a New Source Performance Standard promulgated under Section 111 of the Federal Clean Air Act; or

(iii) The engine otherwise included in (a)(iii) of this subsection remains or will remain at a location for more than twelve consecutive months or a shorter period of time for an engine located at a seasonal source. A location is any single site at a building, structure, facility, or installation. Any engine(s) that replace(s) an engine at a location and that is intended to perform the same or similar function as the engine(s) replaced will be included in calculating the consecutive time period. An engine located at a seasonal source is an engine that remains at a seasonal source during the full annual operating period of the seasonal source. A seasonal source is a "stationary source" that remains in a single location on a permanent basis (i.e., two seasons or more) and that operates at that single location approximately three months (or more) each year. This paragraph does not apply to an engine after the engine is removed from the location. (ref. 40 CFR 89.2)

(76) "**Nonroad engine permit**" means a regulatory order issued by the Agency to approve the installation, replacement or alteration of a nonroad engine. This term does not apply to any permitting action conducted pursuant to SWCAA 400-110 or Chapter 173-401 WAC.

(77) "**Nonroad engine permit application**" means a written application for installation, replacement or alteration of a nonroad engine. This term does not apply to any permitting action conducted pursuant to SWCAA 400-110 or Chapter 173-401 WAC.

((~~(59)~~)) (78) "**Notice of Construction application**" (NOC) means a written application ((~~from the source by which the Agency records and tracks requests from registered and nonregistered sources for the purpose of obtaining information regarding proposed changes or activities~~)) requesting approval for installation, replacement, modification, or other alteration of an emission unit at an air contaminant source or replacement or substantial alteration of control technology at an existing "stationary source." ((~~Types of changes~~)) Affected activities ((~~may~~)) include, but are not limited to, equipment modifications((~~,~~)) or alterations, changes to process or control equipment, establishment of emission limits, installation of "new sources," control technology determinations, PSD determinations, and other items specified by the Agency. ((~~A Notice of Construction application shall be submitted to the Agency for review and approval prior to construction of a new source, modification of an existing stationary source or replacement or substantial alteration of control technology at an existing stationary source or portable source. A Notice of Construction application may be submit-~~

~~ted to the Agency for activities not requiring New Source Review and shall not automatically impose New Source Review requirements~~)). "Notice of Construction application" means the same as "air discharge permit application." (For more information refer to SWCAA 400-109.)

(((~~60~~))) (79) "**Opacity**" means the degree to which an object seen through a plume is obscured, stated as a percentage.

(((~~61~~))) (80) "**Open** or **outdoor burning**" means the combustion of material in an open fire or in an outdoor container, without providing for the control of combustion or the control of the emissions from the combustion. Open burning includes all forms of outdoor burning except those listed as exempt in SWCAA 425-020. Wood waste disposal in wigwam burners is not considered open or outdoor burning.

(81) "**Operating permit**" means a permit issued pursuant to 40 CFR Part 70 or Chapter 173-401 WAC.

(82) "**Operating permit application**" means the same as "application" as described in WAC 173-401-500 and -510.

(((~~62~~))) (83) "**Order**" ((~~or "Regulatory Order"~~)) means any regulatory order issued by Ecology or the Agency pursuant to Chapter 70.94 RCW, including, but not limited to RCW 70.94.332, 70.94.152, 70.94.153 and 70.94.141(3), and includes, where used in the generic sense, the terms order, corrective action order, order of approval, air discharge permit, nonroad engine permit, compliance schedule order, consent order, order of denial, order of violation, order of prevention, order of discontinuance, administrative order, and regulatory order.

(((~~63~~))) (84) "**Order of Approval**" ((~~and "Approval Order"~~)) means a regulatory order issued by Ecology or the Agency to approve a Notice of Construction or air discharge permit application ((~~for a proposed new source or modification, or the replacement or substantial alteration of control technology at an existing stationary source or portable source~~)). "Order of Approval" means the same as "air discharge permit." Note: For more information refer to SWCAA 400-230 (((~~1~~)(~~a~~))).

(85) "**Ozone depleting substance**" means any substance listed in Appendices A and B to Subpart A of 40 CFR Part 82.

(((~~64~~))) (86) "**Particulate matter**" ((~~or "particulates"~~)) (PM) means any airborne finely divided solid or liquid material with an aerodynamic diameter smaller than 100 micrometers.

(((~~65~~))) (87) "**Particulate matter emissions**" means all finely divided solid or liquid material, other than uncombined water, emitted to the ambient air as measured by applicable reference methods, or an equivalent or alternative method specified in ((~~40 CFR Part 60~~)) Title 40, Chapter I of the Code of Federal Regulations or by a test method specified in the Washington ((~~State Implementation Plan~~)) SIP.

(((~~66~~))) (88) "**Parts per million by volume**" (ppmv) means parts of a contaminant per million parts of gas or carrier medium, by volume. When calculating or measuring the ppmv of a given gas or carrier stream, such measurement or calculation shall be exclusive of water and particulate matter.

(89) "**Permanent Shutdown**" means permanently stopping or terminating all processes at a "stationary source" or "emission unit." Except as provided in subsections (a), (b) and (c), whether a shutdown is permanent depends on the intention of the owner or operator at the time of the shutdown as determined from all facts and circumstances, including the cause of the shutdown and the payment status of registration fees. Failure to pay registration fees for greater than one year is presumed to constitute a permanent shutdown. A shutdown lasting two or more years is presumed to be permanent, except that this presumption does not apply in the case of portable equipment operating under a valid permit pursuant to SWCAA 400-110(6).

(a) A shutdown is permanent if the owner or operator files a report of shutdown, as provided in SWCAA 400-100(5). Failure to file such a report does not mean that a shutdown was not permanent.

(b) Failure to pay registration fees for greater than two years shall constitute a permanent shutdown.

(c) Any shutdown lasting five or more years is considered to be permanent.

(90) "**Permitting agency**" means Ecology or the local air pollution control agency with jurisdiction over a "source."

(((~~67~~))) (91) "**Person**" means an individual, firm, public or private corporation, owner, owner's agent, operator, contractor, association, partnership, political subdivision, municipality, or government agency.

(92) "**Pipeline quality natural gas**" means natural gas fuel with a total fuel sulfur content of 0.5 grains per 100 standard cubic feet or less.

(((~~68~~))) (93) "PM_{10}" means particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers as measured by a reference method based on 40 CFR Part 50 Appendix J and designated in accordance with 40 CFR Part 53 or by an equivalent method designated in accordance with 40 CFR Part 53.

(((~~69~~))) (94) "PM_{10} **emissions**" means finely divided solid or liquid material, including condensable particulate matter, with an aerodynamic diameter less than or equal to a nominal 10 micrometers emitted to the ambient air as measured by an applicable reference method, or an equivalent or alternate method, specified in Appendix M of 40 CFR Part 51 or by a test method specified in the Washington ((~~State Implementation Plan~~)) SIP.

(95) "$PM_{2.5}$" means particulate matter with an aerodynamic diameter less than or equal to a nominal 2.5 micrometers as measured by a reference method based on 40 CFR Part 50 Appendix L and designated in accordance with 40 CFR Part 53 or by an equivalent method designated in accordance with 40 CFR Part 53.

(((~~70~~))) (96) "$PM_{2.5}$ **emissions**" means finely divided solid or liquid material, including condensable particulate matter, with an aerodynamic diameter less than or equal to a nominal 2.5 micrometers emitted to the ambient air as measured by an applicable reference method, or an equivalent or alternate method, specified in 40 CFR Part 50 or by a test method specified in the Washington ((~~State Implementation Plan~~)) SIP.

(((~~71~~))) (97) "**Pollutant**" means the same as air contaminant, air pollutant and air pollution. (Refer to definitions ((~~3,~~)) (4) and ((~~78~~)) (7))

(98) "**Portable equipment**" means a "stationary source" consisting of one or more emission units that is portable or transportable and capable of being operated at multiple loca-

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tions. Portable equipment is subject to the requirements of SWCAA 400-109 and 400-110. Portable equipment includes, but is not limited to, rock crushers, portable asphalt plants, and portable concrete mixing plants (Portland cement).

(((~~72~~))) (99) "**Potential to emit**" means the maximum capacity (i.e., design capacity) of a "stationary source" to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the "stationary source" to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design only if the limitation or the effect it would have on emissions is federally enforceable. Secondary emissions do not count in determining the potential to emit of a "stationary source."

(((~~73~~))) (100) "**Prevention of Significant Deterioration**" (PSD) means the program set forth in ((~~SWCAA 400-141 and~~)) WAC 173-400-141 and adopted by reference in SWCAA 400-141.

(((~~74~~))) (101) "**Projected width**" means that dimension of a structure determined from the frontal area of the structure, projected onto a plane perpendicular to a line between the center of the stack and the center of the building.

(((~~75~~))) (102) "**Reasonably attributable**" means attributable by visual observation or any other technique the Agency deems appropriate.

(((~~76~~))) (103) "**Reasonably available control technology**" (RACT) means the lowest emission limit that a particular "stationary source" or source category is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility. RACT is determined on a case-by-case basis for an individual "stationary source" or source category taking into account the impact of the "stationary source" upon air quality, the availability of additional controls, the emission reduction to be achieved by additional controls, the impact of additional controls on air quality, and the capital and operating costs of the additional controls. RACT requirements for any "stationary source" or source category shall be adopted only after public notice and opportunity for comment are afforded. RACT shall apply to existing "stationary sources."

(((~~77~~))) (104) "**Regulatory order**" means an order issued by Ecology or the Agency to an air contaminant source ((~~which applies to that source~~)), any applicable provision of Chapter 70.94 RCW, or the rules adopted there under, or, the regulations of the Agency. Note: For further clarification, refer ((~~also~~)) to the definitions of "Order," ((~~and~~)) "Order of Approval," "air discharge permit," "nonroad engine permit," and SWCAA 400-230.

(105) "**Residual Oil**" means crude oil, fuel oil that does not comply with the specifications for "distillate oil," and all fuel oil numbers 4, 5, and 6 as defined by the American Society for Testing and Materials in ASTM D396-01.

(106) "**Secondary emissions**" means emissions which would occur as a result of the construction or operation of a "major stationary source" or "major modification," but do not come from the "major stationary source" or "major modification" itself. Secondary emissions must be specific, well defined, quantifiable, and impact the same general area as the "major stationary source" or "major modification" which causes the secondary emissions. Secondary emissions may include, but are not limited to:

(a) Emissions from ships or trains located at the new or modified "major stationary source"; and

(b) Emissions from any off-site support facility which would not otherwise be constructed or increase its emissions as a result of the construction or operation of the "major stationary source" or "major modification."

(((~~78) "Significant" or "significant emission rate" means, in reference to a net emissions increase or the potential of a source to emit any of the following pollutants, a rate of emission equal to or greater than any one of the following rates:~~

~~Pollutant~~	~~Tons/Year~~
~~Carbon monoxide~~	~~100~~
~~Nitrogen oxides~~	~~40~~
~~Sulfur dioxide~~	~~40~~
~~Particulate matter (PM)~~	~~25~~
~~Fine particulate matter (PM_{10})~~	~~15~~
~~Volatile organic compounds (VOC)~~	~~40~~
~~Lead~~	~~0.6~~
~~Fluorides~~	~~3~~
~~Sulfuric acid mist~~	~~7~~
~~Hydrogen sulfide (H_2S)~~	~~10~~
~~Total reduced sulfur (including H_2S)~~	~~10~~
~~Municipal waste combustor organics (measured as total tetra- through octa-chlorinated dibenzo-p-dioxins and dibenzofurans~~	~~0.0000035~~
~~Municipal waste combustor metals (measured as PM)~~	~~15~~
~~Municipal waste combustor acid gases (measured as SO_2 and hydrogen chloride)~~)))	~~40~~

(107)(a) "**Significant,**" as it applies to "stationary sources" subject to requirements for "new sources" in maintenance plan or nonattainment areas (SWCAA 400-111 and -112), means, in reference to a net emissions increase or the potential of a "stationary source" to emit any of the following pollutants, a rate of emissions that would equal or exceed any of the following rates:

Pollutant	*Emission Rate*
Carbon monoxide:	100 tons per year (tpy)
Nitrogen oxides:	40 tpy
Sulfur dioxide:	40 tpy
Volatile organic compounds:	40 tpy
Lead:	0.6 tpy
PM_{10}:	15 tpy

(b) "**Significant,**" as it applies to "stationary sources" subject to requirements for "new sources" in attainment or unclassified areas (SWCAA 400-113), means:

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(i) In reference to a net emissions increase or the potential of a "stationary source" to emit any of the following pollutants, a rate of emissions that would equal or exceed any of the following rates:

Pollutant	*Emission Rate*
Carbon monoxide:	100 tons per year (tpy)
Nitrogen oxides:	40 tpy
Sulfur dioxide:	40 tpy
Particulate matter:	25 tpy - PM
	15 tpy - PM_{10}
Volatile organic compounds:	40 tpy
Fluorides:	3 tpy
Lead:	0.6 tpy
Sulfuric acid mist:	7 tpy
Hydrogen sulfide (H_2S):	10 tpy
Total reduced sulfur (including H_2S):	10 tpy
Reduced sulfur compounds (including H_2S):	10 tpy
Municipal waste combustor organics: (measured as total tetra-through octa-chlorinated dibenzo-p-dioxins and dibenzofurans)	3.2 grams per year (0.112 oz. per year or 49 grains per year)
Municipal waste combustor metals: (measured as particulate matter)	14 megagrams per year (15 tpy)
Municipal waste combustor acid gases: (measured as sulfur dioxide and hydrogen chloride)	36 megagrams per year (40 tpy)
Municipal solid waste landfill emissions: (measured as nonmethane organic compounds)	45 megagrams per year (50 tpy)
Ozone-depleting substances (in effect on July 1, 2000):	100 tpy

(ii) In reference to a "net emissions increase" or the potential of a "stationary source" to emit a pollutant subject to regulation under the Federal Clean Air Act that the definition in (b)(i) of this subsection does not list, any emissions rate. However, for purposes of the applicability of this section, the hazardous air pollutants listed under Section 112(b) of the Federal Clean Air Act, including the hazardous air pollutants that may have been added to the list, are not considered subject to regulation.

(iii) Regardless of the definition in (b)(i) of this subsection, significant means any emissions rate or any net emissions increase associated with a "major stationary source" or "major modification" which would construct within 10 kilometers of a Class I area, and have an impact on such area equal to or greater than 1 microgram per cubic meter (twenty-four-hour average).

((~~(79) "Significant visibility impairment" means visibility impairment which interferes with the management, protection, preservation, or enjoyment of visitor visual experience of a Class I area as defined in Section 162(a) of the FCAA. The determination must be made on a case-by-case basis, taking into account the geographic extent, intensity, duration, frequency, and time of the visibility impairment, and how these factors correlate with the time of visitor use of the Class I area and frequency and timing of natural conditions that reduce visibility.~~))

((~~(80)~~)) (108) "**Source**" means all of the emission((s ~~unit(s)~~)) units (including quantifiable fugitive emissions) that are located on one or more contiguous and adjacent properties, and are under the control of the same person (or persons under common control), whose activities are ancillary to the production of a single product or functionally related groups of products. Activities shall be considered ancillary to the production of a single product or functionally related group of products if they belong to the same major group (i.e., which have the same two-digit code) as described in the *Standard Industrial Classification Manual (1972)*, ((~~1987~~)) as amended by the 1977 supplement.

((~~(81)~~)) (109) "**Source category**" means all "sources" or "stationary sources" of the same type or classification as described in the *Standard Industrial Classification Manual (1972)*, ((~~1987~~)) as amended by the 1977 supplement.

((~~(82)~~)) (110) "**Southwest Clean Air Agency**" ((~~or "Agency"~~)) (SWCAA) means the local air pollution agency empowered to enforce and implement the Federal Clean Air Act (42 U.S.C. 7401, et seq.) and the Clean Air Washington Act (((~~RCW~~)) Chapter 70.94 RCW) in Clark, Cowlitz, Lewis, Skamania, and Wahkiakum Counties of Washington State.

((~~(83)~~)) (111) "**Stack**" means any emission point in a "stationary source" designed to emit solids, liquids, or gases into the air, including a pipe or duct.

((~~(84)~~)) (112) "**Stack height**" means the height of an emission point measured from the ground-level elevation at the base of the stack.

((~~(85)~~)) (113) "**Standard conditions**" means a temperature of 20 degrees C (68 degrees F) and a pressure of 29.92 inches (760 mm) of mercury ((~~except as otherwise specified~~)).

((~~(86)~~)) (114) "**State Implementation Plan**" (((~~SIP~~))) or "Washington SIP" means ((~~a comprehensive plan developed/prepared by the Washington State Department of Ecology with assistance from the Southwest Clean Air Agency, other regional air pollution control authorities and other interested planning and governing entities, and submitted to EPA for approval, which provides for implementation, maintenance and enforcement of the primary and secondary~~)) the Washington SIP in 40 CFR Part 52, Subpart WW. The SIP contains federal, state and local regulations and orders, the state plan and compliance schedules approved and promulgated by EPA, for the purpose of implementing, maintaining, and enforcing the National Ambient Air Quality Standards.

((~~(87)~~)) (115) "**Stationary source**" means any building, structure, facility, or installation that emits or may emit any air contaminant. This term does not include emissions resulting directly from an internal combustion engine for transpor-

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tation purposes or from a non-road engine or non-road vehicle as defined in Section 216(11) of the ((~~FCAA~~)) Federal Clean Air Act.

(((~~88~~))) (116) "**Sulfuric acid plant**" means any facility producing sulfuric acid by the contact process by burning elemental sulfur, alkylation acid, hydrogen sulfide, or acid sludge.

(117) "**Synthetic minor**" means any "stationary source" whose potential to emit has been limited below applicable thresholds by means of a federally enforceable order, rule or permit condition.

(((~~89~~))) (118) "**Total reduced sulfur**" (TRS) means the sum of the sulfur compounds hydrogen sulfide, mercaptans, dimethyl sulfide, dimethyl disulfide, and any other organic sulfides emitted and measured by EPA Method 16 in 40 CFR Part 60, Appendix A or an EPA approved equivalent method and expressed as hydrogen sulfide.

(((~~90~~))) (119) "**Total suspended particulate**" (TSP) means particulate matter as measured by the method described in 40 CFR Part 50 Appendix B ((~~as in effect on July 1, 2000~~)).

(120) "**Toxic air pollutant**" (TAP) means any Class A or B toxic air pollutant listed in WAC 173-460-150 or -160. The term toxic air pollutant may include particulate matter and volatile organic compounds if an individual substance or a group of substances within either of these classes is listed in WAC 173-460-150 or -160. The term toxic air pollutant does not include particulate matter and volatile organic compounds as generic classes of compounds.

(121) "**Unclassifiable area**" means an area that cannot be designated attainment or nonattainment on the basis of available information as meeting or not meeting the National Ambient Air Quality Standard for the criteria pollutant and that is listed by EPA in 40 CFR Part 81.

(((~~91~~))) (122) "**United States Environmental Protection Agency**" (USEPA) shall be referred to as EPA.

(((~~92~~))) (123) "**Upgraded**" is defined only for gasoline dispensing facilities and means the modification of a gasoline storage tank or piping to add cathodic protection, tank lining or spill and overfill protection that involve((~~d~~))s removal of ground or ground cover above a portion of the product piping. ((~~"Modification" of a gasoline dispensing facility means the same as "upgraded."~~))

(124) "**Upset condition**" means a failure, breakdown, or malfunction of any piece of process equipment or pollution control equipment that causes, or has the potential to cause, excess emissions.

(((~~93~~))) (125) "**Visibility impairment**" means any humanly perceptible ((~~degradation~~)) change in visibility (light extinction, visual range, contrast, or coloration) ((~~not caused by~~)) from that which would have existed under natural conditions.

(((~~94~~))) (126) "**Visibility impairment of Class I areas**" means visibility impairment within the Class I area and visibility impairment of any formally designated integral vista associated with the Class I area.

(((~~95~~))) (127) "**Volatile organic compound**" (VOC) means:

(a) Any carbon compound ((~~of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, which~~)) that participates in atmospheric photochemical reactions. ((~~This includes any organic compound other than the following, which have negligible photochemical activity:~~)) Exceptions: The following compounds are not a VOC: acetone; ammonium carbonate; carbon monoxide; carbon dioxide; carbonic acid; metallic carbides or carbonates; ethane; methane; methyl acetate; ((~~t-butyl acetate (TBAC);~~)) methylene chloride (dichloromethane); 1,1,1-trichloroethane (methyl chloroform); 1,1,2-trichloro 1,2,2-trifluoroethane (CFC-113); trichlorofluoromethane (CFC-11); dichlorodifluoromethane (CFC-12); chlorodifluoromethane (HCFC-22); trifluoromethane (HFC-23); 1,2-dichloro 1,1,2,2 tetrafluoroethane (CFC-114); chloropentafluoroethane (CFC-115); 1,1,1-trifluoro 2,2-dichloroethane (HCFC-123); 1,1,1,2-tetrafluoroethane (HFC-134a); 1,1,-dichloro 1-fluoroethane (HCFC-141b); 1-chloro 1,1-difluoroethane (HCFC-142b); 2-chloro 1,1,1,2-tetrafluoroethane (HCFC-124); pentafluoroethane (HFC-125); 1,1,2,2-tetrafluoroethane (HFC-134); 1,1,1-trifluoroethane (HFC-143a); 1,1-difluoroethane (HFC-152a); parachlorobenzotrifluoride (PCBTF); cyclic, branched, or linear completely methylated siloxanes; perchloroethylene (tetrachloroethylene); 3,3-dichloro-1,1,1,2,2-pentafluoropropane (HCFC-225ca); 1,3-dichloro-1,1,2,2,3-pentafluoropropane (HCFC-225cb); 1,1,1,2,3,4,4,5,5,5-decafluoropentane (HFC-43-10mee); difluoromethane (HFC-32); ethylfluoride (HFC-161); 1,1,1,3,3,3-hexafluoropropane (HFC-236fa); 1,1,2,2,3-pentafluoropropane (HFC-245ca); 1,1,2,3,3-pentafluoropropane (HFC-245ea); 1,1,1,2,3-pentafluoropropane (HFC-245eb); 1,1,1,3,3-pentafluoropropane (HFC-245fa); 1,1,1,2,3,3-hexafluoropropane (HFC-236ea); 1,1,1,3,3-pentafluorobutane (HFC-365mfc); chlorofluoromethane (HCFC-31); 1-chloro-1-fluoroethane (HCFC-151a); 1,2-dichloro-1,1,2-trifluoroethane (HCFC-123a); 1,1,1,2,2,3,3,4,4-nonafluoro-4-methoxy-butane ($C_4F_9OCH_3$); 2-(difluoromethoxymethyl)-1,1,1,2,3,3,3-heptafluoropropane ($(CF_3)_2CFCF_2OCH_3$); 1-ethoxy-1,1,2,2,3,3,4,4,4-nonafluorobutane ($C_4F_9OC_2H_5$); 2-(ethoxydifluoromethyl)-1,1,1,2,3,3,3-heptafluoropropane ($(CF_3)_2CFCF_2OC_2H_5$); and perfluorocarbon compounds ((~~which~~)) that fall into these classes:

(i) Cyclic, branched, or linear, completely fluorinated alkanes;

(ii) Cyclic, branched, or linear, completely fluorinated ethers with no unsaturations;

(iii) Cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations; and

(iv) Sulfur containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine.

(b) For the purpose of determining compliance with emission limits, VOCs will be measured by the appropriate methods in 40 CFR Part 60 Appendix A. Where ((~~such a~~)) the method also measures compounds with negligible photochemical reactivity, these negligibly-reactive compounds may be excluded as VOC if the amount of the compounds is accurately quantified, and the exclusion is approved by the Agency or EPA.

(c) As a precondition to excluding negligibly-reactive compounds as VOC, or at any time thereafter, the Agency may require an owner or operator to provide monitoring or

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testing methods and results demonstrating to the satisfaction of the Agency the amount of negligibly-reactive compounds in the "source's" emissions.

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.

Reviser's note: The typographical errors in the above material occurred in the copy filed by the Southwest Clean Air Agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 01-05-055, filed 2/15/01, effective 3/18/01)

SWCAA 400-040 General Standards for Maximum Emissions

[Statutory Authority: Chapter 70.94.040 RCW, 70.94.141 RCW, and 70.94.154 RCW. Original adoption by Board 12/17/68 (Regulation 1); Amended by Board 10/29/69 (Regulation 2); Amended by Board 12/18/79; Amended by Board 3/20/84; 93-21-003 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95; 96-21-098 filed 10/21/96, effective 11/21/96; 99-07-027 filed 3/10/99, effective 4/11/99; 01-05-055 filed 2/15/01, effective 3/18/01].

All "stationary sources" and emission((s)) units are required to meet the emission standards of this section. Where an emission standard listed in another section is applicable to a specific emission((s)) unit, such standard shall take precedent over a general emission standard listed in this section. When two or more emission((s)) units are connected to a common stack and the operator elects not to provide the means or facilities to sample emissions from the individual emission((s)) units, and the relative contributions of the individual emission((s)) units to the common discharge are not readily distinguishable, then the emissions of the common stack must meet the most restrictive standard of any of the connected emission((s)) units. Further, all emission((s)) units are required to use reasonably available control technology (RACT) that may be determined for some "stationary sources" or "source categories" to be more stringent than the applicable emission limitations of this regulation or any Chapter of Title 173 WAC. Where current controls are determined to be less than RACT, the Agency shall, as provided in RCW 70.94.154, define RACT for each "stationary source" or "source category" and issue a rule or regulatory order requiring the installation of RACT.

(1) **Visible emissions**. No person shall cause or permit the emission for more than three minutes, in any one hour, of an air contaminant from any emission((s)) unit which at the emission point, or within a reasonable distance of the emission point, exceeds twenty percent opacity as determined in accordance with ((~~Appendix A by a Certified Observer certified in accordance with EPA Method 9 "Visual Determination of the Opacity of Emissions from Stationary Sources" as specified in 40 CFR Part 60 Appendix A~~)) SWCAA Method 9, Ecology Method 9A or 9A-Alternate 1 (LIDAR) except:

(a) When the emissions occur due to soot blowing/grate cleaning and the operator can demonstrate that the emissions will not exceed twenty percent opacity for more than fifteen minutes in any eight consecutive hours. The intent of this provision is to permit the soot blowing and grate cleaning necessary to the operation of boiler facilities. This practice, except for testing and trouble shooting, is to be scheduled for the same approximate times each day and the Agency shall be advised of the schedule.

(b) When the owner or operator of an ((~~source~~)) emission unit supplies valid data to show that the presence of uncombined water is the only reason for the opacity to exceed twenty percent.

(c) When two or more ((~~sources~~)) emission units are connected to a common stack, the Agency may allow or require the use of an alternate time period if it is more representative of normal operations.

(d) When an alternate opacity limit has been established per RCW 70.94.331 (2)(c).

(2) **Fallout**. No person shall cause or permit the emission of particulate matter from any "stationary source" to be deposited beyond the property under direct control of the owner(((~~s~~))) or operator(((~~s~~))) of the "stationary source" in sufficient quantity to interfere unreasonably with the use and enjoyment of the property upon which the material is deposited.

(3) **Fugitive emissions**. The owner or operator of any emission((s)) unit engaging in materials handling, construction, demolition or any other operation that ((~~is a source of~~)) emits fugitive emissions:

(a) If located in an attainment area and not impacting any nonattainment area, shall take reasonable precautions to prevent the release of air contaminants from the operation.

(b) If the emission((s)) unit has been identified as a significant contributor to the nonattainment status of a designated nonattainment area, shall be required to use reasonable and available control methods, which shall include any necessary changes in technology, process, or other control strategies to control emissions of the air contaminants for which nonattainment has been designated.

(4) **Odors.**

(a) Any person who shall cause or allow the generation of any odor from any "source," which may unreasonably interfere with any other property owner's use and enjoyment of his property must use recognized good practice and procedures to reduce these odors to a reasonable minimum.

((~~(b) A scentometer No. 1 odor strength or equivalent dilution in residential and commercial areas shall not be exceeded.~~

~~(c) A scentometer No. 3 odor strength or equivalent dilution in all other land use areas shall not be exceeded.~~

~~Scentometer Readings~~

~~Scentometer No.~~	~~Concentration Range No. of Thresholds~~
~~0~~	~~1 to 2~~
~~1~~	~~2 to 8~~
~~2~~	~~8 to 32~~
~~3~~	~~32 to 128~~
~~4~~	~~128~~

~~(d) A violation of this section shall have occurred when two measurements made within a period of one (1) hour, separated by at least fifteen (15) minutes, off the property surrounding the air contaminant source exceeds the scentometer limitations set hereunder.~~))

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(((e))) (b) ((When the)) A "stationary source" that is a manufacturing process ((, no violation of this section shall have occurred)) shall not be considered in violation of this section provided that:

(i) The "stationary source" is implementing all reasonable means of odor control and abatement including, but not limited to, Best Available Control Technology (BACT), Maximum Available Control Technology (MACT), or Lowest Achievable Emission Rate (LAER), as applicable for odor control and abatement ((is provided and));

(ii) All odor control measures are properly maintained and operated; and

(iii) The "stationary source" is operating in compliance with other applicable regulations and emission limits.

(((f))) (c) When the "source" is using "good agricultural practices," as provided in RCW 70.94.640, no violation of this section shall have occurred.

(5) **Emissions detrimental to persons or property**. No person shall cause or permit the emission of any air contaminant from any "source" if it is detrimental to the health, safety, or welfare of any person, or causes damage to property or business.

(6) **Sulfur dioxide.**

No person shall cause or permit the emission of a gas containing sulfur dioxide from any emission((s)) unit in excess of one thousand ppm of sulfur dioxide on a dry basis, corrected to seven percent oxygen or twelve percent ((CO_2)) carbon dioxide as required by the applicable emission standard for combustion sources, and based on the average of any period of sixty consecutive minutes.

(7) **Concealment and masking**. No person shall cause or permit the installation or use of any means that conceals or masks an emission of an air contaminant which would otherwise violate any provisions of this section.

(8) **Fugitive dust sources.**

(a) The owner or operator of a "stationary source" of fugitive dust shall take reasonable precautions to prevent fugitive dust from becoming airborne and shall maintain and operate the "stationary source" to minimize emissions.

(b) The owner(s) or operator(s) of any existing "stationary source(s)" of fugitive dust that has been identified as a significant contributor to a PM_{10} nonattainment area shall be required to use reasonably available control technology (RACT) to control emissions. ((Significance)) The status of a "stationary source" as a significant contributor will be determined by the criteria found in SWCAA 400-113(3).

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.

Reviser's note: The typographical error in the above material occurred in the copy filed by the Southwest Clean Air Agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

NEW SECTION

SWCAA 400-045 Permit Application for Nonroad Engines

[Statutory Authority: Chapter 70.94.040 RCW, 70.94.141 RCW, Original adoption WSR 02-XX-XXX, filed XX/XX/02, effective XX/XX/02]

(1) **Purpose**. A nonroad engine permit application is the document used by the Agency to record and track requests to approve the installation, replacement, or other alteration of a nonroad engine.

(2) **Applicability**. The requirements of this section apply to all nonroad engines as defined in SWCAA 400-030(74) except for the following:

(a) Nonroad engine projects with an aggregate power rating less than 200 horsepower;

(b) Well drilling rigs;

(c) Portable firefighting equipment;

(d) Mobile cranes and pile drivers;

(e) Engines used for emergency flood control; or

(f) Engines used to power carnival or amusement rides.

(3) **Application Submittal**. A complete nonroad engine permit application shall be submitted for each new installation, replacement, or other alteration of a nonroad engine.

(4) **Application Fees**. A filing fee of $300.00 and a review fee, as shown in Table A, shall be submitted with the applicant prior to Agency review. If other types of review, as identified in Table B, are required by the Agency as a result of the proposed installation, replacement or alteration, an additional review fee shall be paid as described in Table B. (Total Fee = Filing Fee + Review Fee [Table A] + Additional Review Fee [Table B]).

TABLE A
Nonroad Engine Permit Application Review Fees

i.	Nonroad Engine (Aggregate horsepower rating):	
	Less than 500	400.00
	500 or more but less than 2,000	700.00
	2,000 or more but less than 5,000	1,500.00
	5,000 or more but less than 10,000	3,000.00
	10,000 or more	6,000.00
ii.	Minor Change to Existing Permit Conditions:	$ 300.00
iii.	Other (Not classified above):	$200.00/ton of emission
iv.	Emergency Applications	Double the normal application and review fee

TABLE B
Other Review Fees

v.	State Environmental Policy Act (SEPA) - Lead Agency	$ 1,000.00
vi.	Environmental Impact Statement (EIS) Review	$ 500.00
vii.	Variance request	$ 500.00
viii.	Review of ambient impact analysis	$ 50.00/hr

(5) **Agency actions**. Each acceptable and complete nonroad engine permit application shall result in the issuance of a nonroad engine permit or other regulatory order by the Agency in accordance with SWCAA 400-046. The require-

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ments of SEPA (State Environmental Policy Act) shall be complied with for each application.

(6) **Withdrawn or exempt applications.**

(a) An applicant may withdraw an application at any time prior to issuance of a final nonroad engine permit. The applicant must provide a written and signed request to the Agency indicating their desire to withdraw the application and certification that the proposed equipment or alteration will not be installed or operated without prior review and approval from the Agency. The Agency shall provide written response to acknowledge withdrawal of the application.

(b) After review by the Agency, an application may be determined to be exempt from the requirements of SWCAA 400-046 and 400-100. The Agency shall provide written notification to the applicant for all applications that are determined to be exempt. Exemption status shall not take effect until confirmed in writing.

(c) For withdrawn or exempt applications, filing fees will not be refunded to the applicant. Review fees may be refunded upon request, provided that substantial time has not been expended by the Agency for review of the application.

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.

NEW SECTION

SWCAA 400-046 Application Review Process for Nonroad Engines

[Statutory Authority: Chapter 70.94.040 RCW, 70.94.141 RCW, Original adoption WSR 02-XX-XXX, filed XX/XX/02, effective XX/XX/02]

(1) **Applicability.**

(a) All nonroad engine permit applications submitted to the Agency pursuant to SWCAA 400-045 shall be reviewed and processed as described in this section.

(b) Review of a permit application shall be limited to the nonroad engine proposed to be installed, replaced or altered and the air contaminants whose emissions would increase as a result.

(c) The requirements of this section do not apply to "stationary sources" as defined in SWCAA 400-030(110). Permit applications for "stationary sources" are reviewed and processed in accordance with SWCAA 400-110.

(2) **Requirements.**

(a) Provided that all review requirements are met, a nonroad engine permit shall be issued by the Agency prior to the installation, replacement or alteration of any nonroad engine subject to the requirements of SWCAA 400-045 and this section.

(b) A completed environmental checklist or a completed determination, as provided in Chapter 197-11 WAC, shall be submitted with each application.

(c) Each nonroad engine permit application shall demonstrate that the proposed nonroad engine complies with applicable requirements for ambient air increments and ambient air quality standards (See Table A below). Regulation of nonroad engines pursuant to this section shall be consistent with Appendix A of 40 CFR 89 Subpart A.

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TABLE A

Emission Concentration Regulatory Standards

Pollutant	Averaging Period	PSD Ambient Increment *40 CFR 51.166(c)* Class I µg/m³	PSD Ambient Increment *40 CFR 51.166(c)* Class II µg/m³	National Ambient Air Quality Standards (NAAQS) *40 CFR 50* Primary Standard µg/m³ (ppm)	National Ambient Air Quality Standards (NAAQS) *40 CFR 50* Secondary Standard µg/m³ (ppm)	State Ambient Air Quality Standards *173-470, 474, and 475 WAC* Ambient Standard µg/m³ (ppm)
Carbon Monoxide (CO)	8-Hour	—	—	10,000[b] (9.0)	—	10,000[b] (9.0)
	1-Hour	—	—	40,000[b] (35.0)	—	40,000[b](35.0)
Nitrogen Dioxide (NO_2)	Annual[a] (arithmetic mean)	2.5	25	100 (0.05)	100 (0.05)	100 (0.05)
Ozone (O_3)	1-Hour[e]	—	—	(0.12)	(0.12)	(0.12)
	8-Hour[f]	—	—	(0.08)	(0.08)	—
Sulfur Dioxide (SO_2)	Annual[a]	2	20	80 (0.03)	—	53 (0.02)
	24-Hour	5	91	365[b] (0.14)	—	260[b] (0.10)
	3-Hour	25	512	—	1,300[b] (0.50)	—
	1-Hour	—	—	—	—	1,065[b] (0.40)[d]
Lead	Quarterly Average	—	—	1.5	1.5	1.5
Total Suspended Particulates (TSP)	Annual[a] (geometric mean)	—	—	—	—	60
	24-Hour	—	—	—	—	150[b]
Particulate Matter less than 10 µm (PM_{10})	Annual (arithmetic mean)	4	17	50	50	50
	24-Hour[i]	8	30	150[b]	150[b]	150[b]
Particulate Matter less than 2.5 µm ($PM_{2.5}$)	Annual[g] (arithmetic mean)	—	—	15	15	—
	24-Hour[h]	—	—	65	65	—

If the ambient impact in a Class I or Class II area of a proposed project is predicted to be less than the respective ambient air increments, the air quality analysis is complete at that point. If the ambient impact of a proposed project could potentially exceed the applicable ambient air increments, the applicant shall demonstrate compliance with available ambient air increments and applicable Ambient Air Quality Standards (AAQS) using a modeling technique consistent with 40 CFR Part 51, Appendix W (as in effect on July 1, 2002). Monitoring of existing ambient air quality may be required if data sufficient to characterize background air quality are not available.

(3) **Application processing/completeness determination.** Within thirty (30) calendar days of receipt of a nonroad engine permit application, the Agency shall either notify the applicant in writing that the application is complete or notify the applicant in writing of all additional information necessary to complete the application.

(4) **Final determination.** Within sixty (60) calendar days of receipt of a complete nonroad engine permit application, the Agency shall either issue a final decision on the application or initiate public notice on a proposed decision, followed as promptly as possible by a final decision. All actions taken under this subsection must meet the public involvement requirements of SWCAA 400-171.

(5) **Appeals.** A nonroad engine permit, any conditions contained in a nonroad engine permit, the denial of a nonroad engine permit application, or any other regulatory order issued pursuant to this section, may be appealed to the Pollution Control Hearings Board within 30 calendar days of receipt as provided in Chapter 43.21B RCW and Chapter 371-08 WAC. The Agency shall promptly mail copies of each nonroad engine permit or order to the applicant and any other party who submitted timely comments on the application, along with a notice advising the parties of their rights of appeal to the Pollution Control Hearings Board.

(6) **Compliance.** Noncompliance with any term or condition identified in a nonroad engine permit issued pursuant to this section shall be considered a violation of this section.

(7) **Expiration.** Nonroad engine permits issued pursuant to this section shall become invalid if installation or alteration is not commenced within eighteen months after the date of issuance of a permit or if installation or alteration is discontinued for a period of eighteen months or more. The Agency may extend the eighteen-month period upon a satisfactory demonstration that an extension is justified. This provision does not apply to the time period between construction of the approved phases of a phased construction project. Each phase must commence construction within eighteen months of the projected and approved commencement date. The Agency may specify an earlier date for commencement of construction in a nonroad engine permit.

(8) **Change of conditions.**

(a) The owner or operator may request, at any time, a change in conditions of an existing nonroad engine permit. The request may be approved provided the Agency finds that:

(i) No ambient air quality standard or ambient air increment will be exceeded as a result of the change;

(ii) The change will not adversely impact the ability of the Agency to determine compliance with an applicable permit term or condition; and

(iii) The revised permit meets the requirements of SWCAA 400-046.

(b) A request to change existing approval conditions shall be filed as a nonroad engine permit application. The application shall demonstrate compliance with the requirements of subsection (2) of this section, and be acted upon according to the timelines in subsections (3) and (4) of this section. The fee schedule found in SWCAA 400-045(3) shall apply to these requests.

(c) All actions taken under this subsection shall be subject to the public involvement provisions of SWCAA 400-171.

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.

Reviser's note: The unnecessary underscoring 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.

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AMENDATORY SECTION (Amending WSR 01-05-055, filed 2/15/01, effective 3/18/01)

SWCAA 400-050 Emission Standards for Combustion and Incineration Units

[Statutory Authority: Chapter 70.94.141 RCW. Original adoption by board 12/18/79; 93-21-003 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95; 96-21-098 filed 10/21/96, effective 11/21/96; 01-05-055 filed 2/15/01, effective 3/18/01]

(1) **Particulate matter emissions.** Combustion and incineration emission((s)) units shall meet all requirements of SWCAA 400-040 and, in addition, no person shall cause or permit emissions of particulate matter in excess of 0.23 gram per dry cubic meter at standard conditions (0.1 grain/dscf), except, for an emission((s)) unit combusting wood derived fuels for the production of steam. No person shall allow or permit the emission of particulate matter from an emission((s)) unit combusting wood derived fuels for the production of steam in excess of 0.46 gram per dry cubic meter at standard conditions (0.2 grain/dscf), as measured by EPA Method 5 in 40 CFR Part 60, Appendix A or other acceptable sampling methods approved in advance by both the Agency and EPA.

(2) **Incinerators.** For any incinerator, no person shall cause or permit emissions in excess of one hundred (100) ppm of total carbonyls as measured by applicable sampling methods or other ((~~acceptable~~)) procedures approved in advance by the Agency including but not limited to those methods contained in "Source Test Manual - Procedures for Compliance Testing," State of Washington, Department of Ecology. Incinerators shall be operated only during daylight hours unless written permission to operate at other times is received from the Agency.

(3) **Measurement correction.** Measured concentrations for combustion and incineration ((~~sources~~)) units shall be adjusted in accordance with the following listing. "Source categories" not identified shall have measured concentrations for volumes corrected to ((~~seven percent~~)) 7% oxygen, except

when the Agency determines that an alternate oxygen correction factor is more representative of normal operations. Concentrations for the following "source((s)) categories" shall normally be adjusted to the following oxygen concentrations: gas, diesel, ((&)) and oil-fired boilers: 3%; medical/hospital waste incinerators: 12%; natural gas turbines: 15%.

(4) **Commercial and industrial solid waste incineration units constructed on or before November 30, 1999.** (See SWCAA 400-115(1) for the requirements for a commercial and industrial solid waste incineration unit constructed after November 30, 1999, or modified or reconstructed after June 1, 2001.)

(a) Definitions.

(i) "Commercial and industrial solid waste incineration (CISWI) unit" means any combustion device that combusts commercial and industrial waste, as defined in this subsection. The boundaries of a CISWI unit are defined as, but not limited to, the commercial or industrial solid waste fuel feed system, grate system, flue gas system, and bottom ash. The CISWI unit does not include air pollution control equipment or the stack. The CISWI unit boundary starts at the commercial and industrial solid waste hopper (if applicable) and extends through two areas:

(A) The combustion unit flue gas system, which ends immediately after the last combustion chamber.

(B) The combustion unit bottom ash system, which ends at the truck loading station or similar equipment that transfers the ash to final disposal. It includes all ash handling systems connected to the bottom ash handling system.

(ii) "Commercial and industrial solid waste" means solid waste combusted in an enclosed device using controlled flame combustion without energy recovery that is a distinct operating unit of any commercial or industrial facility (including field erected, modular, and custom built incineration units operating with starved or excess air), or solid waste combusted in an air curtain incinerator without energy recovery that is a distinct operating unit of any commercial or industrial facility.

(b) Applicability. This section applies to incineration units that meet all three criteria:

(i) The incineration unit meets the definition of CISWI unit in this subsection.

(ii) The incineration unit commenced construction on or before November 30, 1999.

(iii) The incineration unit is not exempt under (4)(c) of this subsection.

(c) Exempted units. The following types of incineration units are exempt from this subsection:

(i) Pathological waste incineration units. Incineration units burning 90 percent or more by weight (on a calendar quarter basis and excluding the weight of auxiliary fuel and combustion air) of pathological waste, low-level radioactive waste, and/or chemotherapeutic waste as defined in 40 CFR 60.2265 (in effect on January 30, 2001) that meet the two requirements specified in (c)(i)(A) and (B) of this subsection.

(A) Notify the permitting agency that the unit meets these criteria.

(B) Keep records on a calendar quarter basis of the weight of pathological waste, low-level radioactive waste, and/or chemotherapeutic waste burned, and the weight of all other fuels and wastes burned in the unit.

(ii) Agricultural waste incineration units. Incineration units burning 90 percent or more by weight (on a calendar quarter basis and excluding the weight of auxiliary fuel and combustion air) of agricultural wastes as defined in 40 CFR 60.2265 (in effect on January 30, 2001) that meet the two requirements specified in (c)(ii)(A) and (B) of this subsection.

(A) Notify the permitting agency that the unit meets these criteria.

(B) Keep records on a calendar quarter basis of the weight of agricultural waste burned, and the weight of all other fuels and wastes burned in the unit.

(iii) Municipal waste combustion units. Incineration units that meet either of the two criteria specified in (c)(iii)(A) and (B) of this subsection.

(A) Units regulated under 40 CFR Part 60, Subpart Ea or Subpart Eb (in effect on July 1, 2000); 40 CFR Part 60, Subpart AAAA (in effect on June 1, 2001); or WAC 173-400-050(5).

(B) Units burning greater than 30 percent municipal solid waste or refuse-derived fuel, as defined in 40 CFR Part 60, Subparts Ea (in effect on July 1, 2000), Eb (in effect on July 1, 2000), and AAAA (in effect on June 1, 2001), and SWCAA 400-050(5), and that have the capacity to burn less than 35 tons (32 megagrams) per day of municipal solid waste or refuse-derived fuel, if the two requirements in (c)(iii)(B)(I) and (II) of this subsection are met.

(I) Notify the Agency that the unit meets these criteria.

(II) Keep records on a calendar quarter basis of the weight of municipal solid waste burned and the weight of all other fuels and wastes burned in the unit.

(iv) Medical waste incineration units. Incineration units regulated under 40 CFR Part 60, Subpart Ec (Standards of Performance for Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996) (in effect on July 1, 2000);

(v) Small power production facilities. Units that meet the three requirements specified in (c)(v)(A) through (C) of this subsection.

(A) The unit qualifies as a small power-production facility under section 3 (17)(C) of the Federal Power Act (16 U.S.C. 796 (17)(C)).

(B) The unit burns homogeneous waste (not including refuse-derived fuel) to produce electricity.

(C) The owner or operator of the unit has notified the permitting agency that the unit meets all of these criteria.

(vi) Cogeneration facilities. Units that meet the three requirements specified in (c)(vi)(A) through (C) of this subsection.

(A) The unit qualifies as a cogeneration facility under section 3 (18)(B) of the Federal Power Act (16 U.S.C. 796 (18)(B)).

(B) The unit burns homogeneous waste (not including refuse-derived fuel) to produce electricity and steam or other forms of energy used for industrial, commercial, heating, or cooling purposes.

(C) The owner or operator of the unit has notified the permitting agency that the unit meets all of these criteria.

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(vii) Hazardous waste combustion units. Units that meet either of the two criteria specified in (c)(vii)(A) or (B) of this subsection.

(A) Units for which you are required to get a permit under Section 3005 of the Solid Waste Disposal Act.

(B) Units regulated under Subpart EEE of 40 CFR Part 63 (National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors) (in effect on July 1, 2002).

(viii) Materials recovery units. Units that combust waste for the primary purpose of recovering metals, such as primary and secondary smelters;

(ix) Air curtain incinerators. Air curtain incinerators that burn only the materials listed in (c)(ix)(A) through (C) of this subsection are only required to meet the requirements under "Air Curtain Incinerators" in 40 CFR 60.2245 through 60.2260 (in effect on July 1, 2002).

(A) 100 percent wood waste.

(B) 100 percent clean lumber.

(C) 100 percent mixture of only wood waste, clean lumber, and/or yard waste.

(x) Cyclonic barrel burners. See 40 CFR 60.2265 (in effect on July 1, 2002).

(xi) Rack, part, and drum reclamation units. See 40 CFR 60.2265 (in effect on July 1, 2002).

(xii) Cement kilns. Kilns regulated under Subpart LLL of 40 CFR Part 63 (National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry) (in effect on July 1, 2002).

(xiii) Sewage sludge incinerators. Incineration units regulated under 40 CFR Part 60, (Standards of Performance for Sewage Treatment Plants) (in effect on July 1, 2002).

(xiv) Chemical recovery units. Combustion units burning materials to recover chemical constituents or to produce chemical compounds where there is an existing commercial market for such recovered chemical constituents or compounds. The seven types of units described in (c)(xiv)(A) through (G) of this subsection are considered chemical recovery units.

(A) Units burning only pulping liquors (i.e., black liquor) that are reclaimed in a pulping liquor recovery process and reused in the pulping process.

(B) Units burning only spent sulfuric acid used to produce virgin sulfuric acid.

(C)Units burning only wood or coal feedstock for the production of charcoal.

(D) Units burning only manufacturing by-product streams/residues containing catalyst metals which are reclaimed and reused as catalysts or used to produce commercial grade catalysts.

(E) Units burning only coke to produce purified carbon monoxide that is used as an intermediate in the production of other chemical compounds.

(F) Units burning only hydrocarbon liquids or solids to produce hydrogen, carbon monoxide, synthesis gas, or other gases for use in other manufacturing processes.

(G) Units burning only photographic film to recover silver.

(xv) Laboratory analysis units. Units that burn samples of materials for the purpose of chemical or physical analysis.

(d) Exceptions.

(i) Physical or operational changes to a CISWI unit made primarily to comply with this section do not qualify as a "modification" or "reconstruction" (as defined in 40 CFR 60.2815, in effect on July 1, 2002).

(ii) Changes to a CISWI unit made on or after June 1, 2001, that meet the definition of "modification" or "reconstruction" as defined in 40 CFR 60.2815 (in effect on July 1, 2002) mean the CISWI unit is considered a new unit and subject to SWCAA 400-115(1), which adopts 40 CFR Part 60, Subpart CCCC by reference.

(e) A CISWI unit must comply with 40 CFR 60.2575 through 60.2875, in effect on July 1, 2002, which is adopted by reference.

(i) The federal rule contains these major components:

(A) Increments of progress towards compliance in 60.2575 through 60.2630;

(B) Waste management plan requirements in 60.2620 through 60.2630;

(C) Operator training and qualification requirements in 60.2635 through 60.2665;

(D) Emission limitations and operating limits in 60.2670 through 60.2685;

(E) Performance testing requirements in 60.2690 through 60.2725;

(F) Initial compliance requirements in 60.2700 through 60.2725;

(G) Continuous compliance requirements in 60.2710 through 60.2725;

(H) Monitoring requirements in 60.2730 through 60.2735;

(I) Recordkeeping and reporting requirements in 60.2740 through 60.2800;

(J) Title V operating permits requirements in 60.2805;

(K) Air curtain incinerator requirements in 60.2810 through 60.2870;

(L) Definitions in 60.2875; and

(M) Tables in 60.2875. In Table 1, the final control plan must be submitted before June 1, 2004, and final compliance must be achieved by June 1, 2005.

(ii) Exception to adopting the federal rule. For purposes of this section, "administrator" includes the Agency.

(iii) Exception to adopting the federal rule. For purposes of this section, "you" means the owner or operator.

(iv) Exception to adopting the federal rule. For purposes of this section, each reference to "the effective date of state plan approval" means July 1, 2002.

(v) Exception to adopting the federal rule. The Title V operating permit requirements in 40 CFR 2805(a) are not adopted by reference. Each CISWI unit, regardless of whether it is a major or nonmajor unit, is subject to the air operating permit regulation, Chapter 173-401 WAC, beginning on July 1, 2002. See WAC 173-401-500 for the permit application requirements and deadlines.

(vi) Exception to adopting the federal rule. The following compliance dates apply:

(A) The final control plan (Increment 1) must be submitted no later than January 1, 2004. (See Increment 1 in Table 1.)

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(B) Final compliance (Increment 2) must be achieved no later than July 1, 2005. (See Increment 2 in Table 1.)

(5) **Small municipal waste combustion units.** Small Municipal waste combustion units constructed on or before August 30, 1999. (See SWCAA 400-115(1) for the requirements for a municipal waste combustion unit constructed after August 30, 1999, or reconstructed or modified after June 6, 2001.)

(a) Definition. "Municipal waste combustion unit" means any setting or equipment that combusts, liquid, or gasified municipal solid waste including, but not limited to, field-erected combustion units (with or without heat recovery), modular combustion units (starved-air or excess-air), boilers (for example, steam generating units), furnaces (whether suspension-fired, grate-fired, mass-fired, air-curtain incinerators, or fluidized bed-fired), and pyrolysis/combustion units. Two criteria further define municipal waste combustion units:

(i) Municipal waste combustion units do not include the following units:

(A) Pyrolysis or combustion units located at a plastics or rubber recycling unit as specified under the exemptions in (c)(viii) and (ix) of this subsection.

(B) Cement kilns that combust municipal solid waste as specified under the exemptions in (c)(x) of this subsection.

(C) Internal combustion engines, gas turbines, or other combustion devices that combust landfill gases collected by landfill gas collection systems.

(ii) The boundaries of a municipal waste combustion unit are defined as follows. The municipal waste combustion unit includes, but is not limited to, the municipal solid waste fuel feed system, grate system, flue gas system, bottom ash system, and the combustion unit water system. The municipal waste combustion unit does not include air pollution control equipment, the stack, water treatment equipment, or the turbine-generator set. The municipal waste combustion unit boundary starts at the municipal solid waste pit or hopper and extends through three areas:

(A) The combustion unit flue gas system, which ends immediately after the heat recovery equipment or, if there is no heat recovery equipment, immediately after the combustion chamber.

(B) The combustion unit bottom ash system, which ends at the truck loading station or similar equipment that transfers the ash to final disposal. It includes all ash handling systems connected to the bottom ash handling system.

(C) The combustion unit water system, which starts at the feed water pump and ends at the piping that exits the steam drum or superheater.

(b) Applicability. This section applies to a municipal waste combustion unit that meets these three criteria:

(i) The municipal waste combustion unit has the capacity to combust at least 35 tons per day of municipal solid waste but no more than 250 tons per day of municipal solid waste or refuse-derived fuel.

(ii) The municipal waste combustion unit commenced construction on or before August 30, 1999.

(iii) The municipal waste combustion unit is not exempt under (c) of this section.

(c) Exempted units. The following municipal waste combustion units are exempt from the requirements of this section:

(i) Small municipal waste combustion units that combust less than 11 tons per day. Units are exempt from this section if four requirements are met:

(A) The municipal waste combustion unit is subject to a federally enforceable permit limiting the amount of municipal solid waste combusted to less than 11 tons per day.

(B) The owner or operator notifies the permitting agency that the unit qualifies for the exemption.

(C) The owner or operator of the unit sends a copy of the federally enforceable permit to the permitting agency.

(D) The owner or operator of the unit keeps daily records of the amount of municipal solid waste combusted.

(ii) Small power production units. Units are exempt from this section if four requirements are met:

(A) The unit qualifies as a small power production facility under Section 3 (17)(C) of the Federal Power Act (16 U.S.C. 796 (17)(C)).

(B) The unit combusts homogeneous waste (excluding refuse-derived fuel) to produce electricity.

(C) The owner or operator notifies the permitting agency that the unit qualifies for the exemption.

(D) The owner or operator submits documentation to the permitting agency that the unit qualifies for the exemption.

(iii) Cogeneration units. Units are exempt from this section if four requirements are met:

(A) The unit qualifies as a small power production facility under Section 3 (18)(C) of the Federal Power Act (16 U.S.C. 796 (18)(C)).

(B) The unit combusts homogeneous waste (excluding refuse-derived fuel) to produce electricity and steam or other forms of energy used for industrial, commercial, heating, or cooling purposes.

(C) The owner or operator notifies the permitting agency that the unit qualifies for the exemption.

(D) The owner or operator submits documentation to the permitting agency that the unit qualifies for the exemption.

(iv) Municipal waste combustion units that combust only tires. Units are exempt from this section if three requirements are met:

(A) The municipal waste combustion unit combusts a single-item waste stream of tires and no other municipal waste (the unit can co-fire coal, fuel oil, natural gas, or other nonmunicipal solid waste).

(B) The owner or operator notifies the permitting agency that the unit qualifies for the exemption.

(C) The owner or operator submits documentation to the permitting agency that the unit qualifies for the exemption.

(v) Hazardous waste combustion units. Units are exempt from this section if the units have received a permit under Section 3005 of the Solid Waste Disposal Act.

(vi) Materials recovery units. Units are exempt from this section if the units combust waste mainly to recover metals. Primary and secondary smelters may qualify for the exemption.

(vii) Co-fired units. Units are exempt from this section if four requirements are met:

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(A) The unit has a federally enforceable permit limiting municipal solid waste combustion to no more than 30 percent of total fuel input by weight.

(B) The owner or operator notifies the permitting agency that the unit qualifies for the exemption.

(C) The owner or operator submits a copy of the federally enforceable permit to the permitting agency.

(D) The owner or operator records the weights, each quarter, of municipal solid waste and of all other fuels combusted.

(viii) Plastics/rubber recycling units. Units are exempt from this section if four requirements are met:

(A) The pyrolysis/combustion unit is an integrated part of a plastics/rubber recycling unit as defined in 40 CFR 60.1940 (in effect on July 1, 2002).

(B) The owner or operator of the unit records the weight, each quarter, of plastics, rubber, and rubber tires processed.

(C) The owner or operator of the unit records the weight, each quarter, of feed stocks produced and marketed from chemical plants and petroleum refineries.

(D) The owner or operator of the unit keeps the name and address of the purchaser of the feed stocks.

(ix) Units that combust fuels made from products of plastics/rubber recycling plants. Units are exempt from this section if two requirements are met:

(A) The unit combusts gasoline, diesel fuel, jet fuel, fuel oils, residual oil, refinery gas, petroleum coke, liquefied petroleum gas, propane, or butane produced by chemical plants or petroleum refineries that use feed stocks produced by plastics/rubber recycling units.

(B) The unit does not combust any other municipal solid waste.

(x) Cement kilns. Cement kilns that combust municipal solid waste are exempt.

(xi) Air curtain incinerators. If an air curtain incinerator as defined under 40 CFR 60.1910 (in effect on July 1, 2002) combusts 100 percent yard waste, then those units must only meet the requirements under 40 CFR 60.1910 through 60.1930 (in effect on July 1, 2002).

(d) Exceptions.

(i) Physical or operational changes to an existing municipal waste combustion unit made primarily to comply with this section do not qualify as a modification or reconstruction, as those terms are defined in 40 CFR 60.1940 (in effect on July 1, 2002).

(ii) Changes to an existing municipal waste combustion unit made on or after June 6, 2001, that meet the definition of modification or reconstruction, as those terms are defined in 40 CFR 60.1940 (in effect on July 1, 2002), mean the unit is considered a new unit and subject to SWCAA 400-115(1), which adopts 40 CFR Part 60, Subpart AAAA (in effect on July 1, 2002).

(e) Municipal waste combustion units are divided into two subcategories based on the aggregate capacity of the municipal waste combustion plant as follows:

(i) Class I units. Class I units are small municipal waste combustion units that are located at municipal waste combustion plants with an aggregate plant combustion capacity greater than 250 tons per day of municipal solid waste. See the definition of "municipal waste combustion plant capacity" in 40 CFR 60.1940 (in effect on July 1, 2002) for the specification of which units are included in the aggregate capacity calculation.

(ii) Class II units. Class II units are small municipal waste combustion units that are located at municipal waste combustion plants with an aggregate plant combustion capacity less than or equal to 250 tons per day of municipal solid waste. See the definition of "municipal waste combustion plant capacity" in 40 CFR 60.1940 (in effect on July 1, 2002) for the specification of which units are included in the aggregate capacity calculation.

(f) Compliance option 1.

(i) A municipal solid waste combustion unit may choose to reduce, by the final compliance date of June 1, 2005, the maximum combustion capacity of the unit to less than 35 tons per day of municipal solid waste. The owner or operator must submit a final control plan and the notifications of achievement of increments of progress as specified in 40 CFR 60.1610 (in effect on July 1, 2002).

(ii) The final control plan must, at a minimum, include two items:

(A) A description of the physical changes that will be made to accomplish the reduction.

(B) Calculations of the current maximum combustion capacity and the planned maximum combustion capacity after the reduction. Use the equations specified in 40 CFR 60.1935 (d) and (e) (in effect on July 1, 2002) to calculate the combustion capacity of a municipal waste combustion unit.

(iii) A permit restriction or a change in the method of operation does not qualify as a reduction in capacity. Use the equations specified in 40 CFR 60.1935 (d) and (e) (in effect on July 1, 2002) to calculate the combustion capacity of a municipal waste combustion unit.

(g) Compliance option 2. The municipal waste combustion unit must comply with 40 CFR 60.1585 through 60.1905, and 60.1935 (in effect on July 1, 2002), which is adopted by reference.

(i) The rule contains these major components:

(A) Increments of progress towards compliance in 60.1585 through 60.1640;

(B) Good combustion practices - operator training in 60.1645 through 60.1670;

(C) Good combustion practices - operator certification in 60.1675 through 60.1685;

(D) Good combustion practices - operating requirements in 60.1690 through 60.1695;

(E) Emission limits in 60.1700 through 60.1710;

(F) Continuous emission monitoring in 60.1715 through 60.1770;

(G) Stack testing in 60.1775 through 60.1800;

(H) Other monitoring requirements in 60.1805 through 60.1825;

(I) Recordkeeping reporting in 60.1830 through 60.1855;

(J) Reporting in 60.1860 through 60.1905;

(K) Equations in 60.1935; and

(L) Tables 2 through 8.

(ii) Exception to adopting the federal rule. For purposes of this section, each reference to the following is amended in the following manner:

(A) "State plan" in the federal rule means SWCAA 400-050(5);

(B) "You" in the federal rule means the owner or operator;

(C) "Administrator" includes the permitting agency;

(D) Table 1 in (h)(ii) of this subsection substitutes for Table 1 in the federal rule; and

(E) "The effective date of the state plan approval" in the federal rule means December 6, 2002.

(h) Compliance schedule.

(i) Small municipal waste combustion units must achieve final compliance or cease operation not later than December 1, 2005.

(ii) Small municipal waste combustion units must comply with Table 1.

Table 1 Compliance Schedules and Increments of Progress

Affected units	Increment 1 (Submit final control plan)	Increment 2 (Award contracts)	Increment 3 (Begin on-site construction)	Increment 4 (Complete on-site construction)	Increment 5 (Final compliance)
All Class I units	August 6, 2003	April 6, 2004	October 6, 2004	October 6, 2005	November 6, 2005
All Class II units	September 6, 2003	Not applicable	Not applicable	Not applicable	May 6, 2005

(iii) Class I units must comply with these additional requirements:

(A) The owner or operator must submit the dioxins/furans stack test results for at least one test conducted during or after 1990. The stack test must have been conducted according to the procedures specified under 40 CFR 60.1790 (in effect on July 1, 2002).

(B) Class I units that commenced construction after June 26, 1987, must comply with the dioxins/furans and mercury limits specified in Tables 2 and 3 in 40 CFR Part 60, Subpart BBBB (in effect on July 1, 2002) by the later of two dates:

(I) December 6, 2003; or

(II) One year following the issuance of an order of approval (revised construction permit or operation permit) if a permit modification is required.

(i) Air operating permit. Chapter 173-401 WAC, the air operating permit regulation, applicability begins on July 1, 2002. See WAC 173-401-500 for permit application requirements and deadlines.

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 01-05-055, filed 2/15/01, effective 3/18/01)

SWCAA 400-052 Stack Sampling of ((~~Major~~)) Large Combustion Sources

[Statutory Authority: Chapter 70.94.141 RCW. Original adoption 93-21-003 filed 10/7/93, effective 11/8/93; 99-07-027 filed 3/10/99, effective 4/11/99; 01-05-055 filed 2/15/01, effective 3/18/01]

((~~(1) General requirements. No owner or operator of a major source which is also a combustion or incineration source shall operate the source except in compliance with the requirements of this section.~~))

(((~~(2)~~)))(1) **Applicability**. ((~~All sources that are designated as major as a result of the operation of a combustion or incineration unit (or units) where the combined emissions of a single pollutant from the combustion or incineration unit (or units) are 100 tons per year or more of oxides of nitrogen, carbon monoxide, particulate matter, sulfur dioxide or volatile organic compounds.~~)) The requirements of this section apply to each "stationary source" which emits 100 tons per year or more of nitrogen oxides, carbon monoxide, particulate matter, sulfur dioxide or volatile organic compounds due to the operation of one or more combustion or incineration units. Individual emission units with a potential to emit of less than 10 tons per year of the qualifying pollutant are exempt from the requirements of this section.

(((~~(3) Emissions sampling requirements. The owner or operator of a major combustion or incineration source identified in (2) shall cause or conduct emissions tests at least once every two calendar years to quantify emissions of the pollutants for which the source has been designated major. In the event that the combined emissions of a single pollutant from several emissions units establishes the source as major, emissions tests shall be conducted at least once every two calendar years for all emissions units which emit 30 percent or more of the emissions of the pollutant for which the source has been designated major. Emissions testing shall be performed in accordance with SWCAA 400-106.~~))

(2) **Emission testing requirements**. The owner or operator of a "stationary source" subject to this section shall conduct emission testing to quantify emissions of each qualifying pollutant. Unless an alternative schedule has been provided in accordance with subsections (5) or (6) below, emission testing shall be conducted according to the following schedule:

(a) "Stationary sources" subject to the requirements of this section with more than one combustion or incineration unit shall divide affected combustion or incineration units into test groups. The collective emissions of each test group shall comprise at least 25 percent of the potential emissions of the qualifying pollutant. One test group shall be emission tested at least once every two calendar years. Test groups shall be tested in rotation so that one group is tested during each test period, and each group is tested before any other group is tested twice in the same rotation.

(b) Regardless of subsection (2)(a), any individual combustion or incineration unit that has the potential to emit greater than 100 tons per year of any pollutant listed in subsection (1) shall be emission tested at least once every two calendar years.

(((~~(4)~~)))(3) **Sampling methods**. ((~~All emissions tests shall be conducted in accordance with the specific test methods approved in advance by the Agency.~~)) All emission testing shall be conducted in accordance with the requirements of SWCAA 400-106.

(((~~(5)~~)))(4) **Additional requirements**. Nothing in this section shall be construed as to limit the ability of the Agency to impose additional or supplemental emission((~~s~~)) testing

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requirements for any emission((s)) unit within the Agency's jurisdiction in accordance with SWCAA 400-((~~105(4)~~)) 105(2) or 400-106 (1)(a).

(((~~6~~)))(5) **Alternative sampling schedules.** ((~~The Agency may on a case-by-case basis, accept or require an alternative emissions sampling schedule provided sufficient source-specific sampling data exists to adequately demonstrate that the source is capable of continuous compliance with any emission standards that are applicable to the source. Alternative sampling schedules shall be based upon measured emissions relative to the applicable emissions limitation. The Agency may reduce the frequency of the required emissions testing.~~)) The Agency may accept or require an alternative to the emission testing schedule in subsection (2). Such an alternative emission testing schedule must be specified in writing by the Agency.

(((~~7~~)))(6) **Continuous emission((s)) monitors.** ((~~The use of continuous emissions monitors shall be acceptable as an alternative emissions sampling schedule.~~)) Continuous emission monitors may be utilized as an alternative to the emission testing requirements in subsection (2) provided the monitors are operated and maintained in accordance with the applicable performance specification(s) in 40 CFR Part 60, Appendix B and the quality assurance procedures of 40 CFR Part 60, Appendix F, both as in effect on July 1, 2002.

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 01-05-055, filed 2/15/01, effective 3/18/01)

SWCAA 400-060 Emission Standards for General Process Units

[Statutory Authority: Chapter 70.94.141 RCW. Original adoption by Board 12/18/79; 93-21-003 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95; 96-21-098 filed 10/21/96, effective 11/21/96; 99-07-027 filed 3/10/99, effective 4/11/99; 01-05-055 filed 2/15/01, effective 3/18/01]

General process units shall meet all applicable provisions of SWCAA 400-040, and((,)) no person shall cause or permit the emission of particulate material from any general process operation in excess of 0.23 grams per dry cubic meter of exhaust gas at standard conditions (0.1 grain/dscf) ((~~of exhaust gas~~)). EPA test methods from 40 CFR Parts 51, 60, 61 and 63 ((~~Appendix A which are adopted by reference~~)) as in effect July 1, 2002 and any other appropriate test procedures approved in advance by both the Agency and EPA shall be used to determine 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 01-05-055, filed 2/15/01, effective 3/18/01)

SWCAA 400-070 Emission Standards for Certain Source Categories

[Statutory Authority: Chapter 70.94.141 RCW. Original adoption 93-21-003 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95; 96-21-098 filed 10/21/96, effective 11/21/96; 99-07-027 filed 3/10/99, effective 4/11/99; 01-05-055 filed 2/15/01, effective 3/18/01]

The Agency finds that the reasonable regulation of "stationary sources" within certain categories requires separate standards applicable to such categories. The standards set forth in this section shall be the maximum allowable standards for emission((s)) units within the categories listed.

(1) **Wigwam burners.** The use of wigwam ("tee-pee", "conical", or equivalent type) burners is prohibited effective January 1, 1994.

(2) **Hog fuel boilers.**

(a) Hog fuel boilers shall meet all provisions of SWCAA 400-040 and SWCAA 400-050(1), except that emissions may exceed twenty percent opacity for up to fifteen consecutive minutes once in any consecutive eight hours. The intent of this provision is to permit the soot blowing and grate cleaning necessary for efficient operation of these units. This practice is to be scheduled for the same specific times each day and the Agency shall be notified of the schedule or any changes.

(b) All hog fuel boilers shall utilize RACT and shall be operated and maintained to minimize emissions.

(3) **Orchard heating.**

(a) Burning of rubber materials, asphaltic products, crankcase oil or petroleum wastes, plastic, or garbage is prohibited.

(b) It is unlawful to burn any material or operate any orchard-heating device that causes a visible emission exceeding twenty percent opacity, except during the first thirty minutes after such device or material is ignited.

(4) **Catalytic cracking units.**

((~~(a) All existing catalytic cracking units shall meet all provisions of SWCAA 400-040:~~

~~(i) No person shall cause or permit the emission for more than three minutes, in any one hour, of an air contaminant from any catalytic cracking unit which at the emission point, or within a reasonable distance of the emission point, exceeds twenty percent opacity.~~

~~(ii) No person shall cause or permit the emission of particulate material in excess of 0.46 grams per dry cubic meter at standard conditions (0.20 grains/dscf) of exhaust gas.~~

~~(b)~~)) All new catalytic cracking units shall install BACT ((~~that may be more stringent than the provisions of SWCAA 400-115.~~)) and meet all requirements applicable to a new "stationary source." As of January 1, 2002, there are no existing catalytic cracking units in SWCAA's jurisdiction.

(5) **Sulfuric acid plants.** No person shall cause to be discharged into the atmosphere from a sulfuric acid plant, any gases which contain acid mist, expressed as H_2SO_4, in excess of 0.15 pounds per ton of acid produced. Sulfuric acid production shall be expressed as one hundred percent H_2SO_4.

(6) **Gasoline dispensing facilities.**

(a) All gasoline dispensing facilities shall meet all the provisions of SWCAA 491 "Emission Standards and Controls for Sources Emitting Gasoline Vapors."

(b) Methyl tertiary-butyl ether (MTBE) may not be intentionally added to any gasoline, motor fuel, or clean fuel produced for sale or use in the state of Washington after December 31, 2003, and in no event may MTBE be knowingly mixed in gasoline above six-tenths of one percent by volume. [RCW 19.112.100]

(((~~(7) Dry cleaning facilities. All dry cleaning facilities shall meet all the provisions of SWCAA 494 "Dry Cleaning Operations".~~)))

(7) **Perchloroethylene Dry Cleaners.**

(a) Applicability.

(i) This section applies to all dry cleaning systems that use perchloroethylene (PCE). Table 1 divides dry cleaning facilities into 3 source categories by the type of equipment they use and the volume of PCE purchased.

TABLE 1. PCE Dry Cleaner Source Categories

Dry cleaning facilities with:	Small area source purchases less than:	Large area source purchases between:	Major source purchases more than:
(1) Only Dry-to-Dry Machines	140 gallons PCE/yr	140-2,100 gallons PCE/yr	2,100 gallons PCE/yr
(2) Only Transfer Machines	200 gallons PCE/yr	200-1,800 gallons PCE/yr	1,800 gallons PCE/yr
(3) Both Dry-to-Dry and Transfer Machines	140 gallons PCE/yr	140-1,800 gallons PCE/yr	1,800 gallons PCE/yr

(ii) Major sources. In addition to the requirements in this section, a dry cleaning system that is considered a major source according to Table 1 must follow the federal requirements for major sources in 40 CFR Part 63, Subpart M (in effect on July 1, 2002).

(b) Operations and maintenance record.

(i) Each dry cleaning facility must keep an operations and maintenance record that is available upon request.

(ii) The information in the operations and maintenance record must be kept on-site for five years.

(iii) The operations and maintenance record must contain the following information:

(A) Inspection. The date and result of each inspection of the dry cleaning system. The inspection must note the condition of the system and the time any leaks were observed;

(B) Repair. The date, time, and result of each repair of the dry cleaning system;

(C) Refrigerated condenser information. If a refrigerated condenser is being used, record the following information:

(I) The air temperature at the inlet of the refrigerated condenser,

(II) The air temperature at the outlet of the refrigerated condenser,

(III) The difference between the inlet and outlet temperature readings, and

(IV) The date the temperature was taken;

(D) Carbon adsorber information. If a carbon adsorber is being used, record the following information:

(I) The concentration of PCE in the exhaust of the carbon adsorber, and

(II) The date the concentration was measured;

(E) A record of the volume of PCE purchased each month must be entered by the first of the following month;

(F) A record of the total amount of PCE purchased over the previous twelve months must be entered by the first of each month;

(G) All receipts of PCE purchases; and

(H) A record of any pollution prevention activities that have been accomplished.

(c) General operations and maintenance requirements.

(i) Drain cartridge filters in their housing or other sealed container for at least twenty-four hours before discarding the cartridges.

(ii) Close the door of each dry cleaning machine except when transferring articles to or from the machine.

(iii) Store all PCE, and wastes containing PCE, in a closed container with no perceptible leaks.

(iv) Operate and maintain the dry cleaning system according to the manufacturer's specifications and recommendations.

(v) Keep a copy on-site of the design specifications and operating manuals for all dry cleaning equipment.

(vi) Keep a copy on-site of the design specifications and operating manuals for all emissions control devices.

(vii) Route the PCE gas-vapor stream from the dry cleaning system through the applicable equipment in Table 2:

TABLE 2. Minimum PCE Vapor Vent Control Requirements

Small area source	Large area source	Major source
Refrigerated condenser for all machines installed after September 21, 1993.	Refrigerated condenser for all machines.	Refrigerated condenser with a carbon adsorber for all machines installed after September 21, 1993.

(d) Inspection.

(i) The owner or operator must inspect the dry cleaning system at a minimum following the requirements in Table 3:

TABLE 3. Minimum Inspection Frequency

Small area source	Large area source	Major source
Once every 2 weeks.	Once every week.	Once every week.

(ii) An inspection must include an examination of these components for condition and perceptible leaks:

(A) Hose and pipe connections, fittings, couplings, and valves;

(B) Door gaskets and seatings;

(C) Filter gaskets and seatings;

(D) Pumps;

(E) Solvent tanks and containers;

(F) Water separators;

(G) Muck cookers;

(H) Stills;

(I) Exhaust dampers; and

(J) Cartridge filter housings.

(iii) The dry cleaning system must be inspected while it is operating.

(iv) The date and result of each inspection must be entered in the operations and maintenance record at the time of the inspection.

(e) Repair.

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(i) Leaks must be repaired within twenty-four hours of detection if repair parts are available.

(ii) If repair parts are unavailable, they must be ordered within two working days of detecting the leak.

(iii) Repair parts must be installed as soon as possible, and no later than five working days after arrival.

(iv) The date and time each leak was discovered must be entered in the operations and maintenance record.

(v) The date, time, and result of each repair must be entered in the operations and maintenance record at the time of the repair.

(f) Requirements for systems with refrigerated condensers. A dry cleaning system using a refrigerated condenser must meet all of the following requirements:

(i) Outlet air temperature.

(A) Each week the air temperature sensor at the outlet of the refrigerated condenser must be checked.

(B) The air temperature at the outlet of the refrigerated condenser must be less than or equal to 45°F (7.2°C) during the cool-down period.

(C) The air temperature must be entered in the operations and maintenance record manual at the time it is checked.

(D) The air temperature sensor must meet these requirements:

(I) An air temperature sensor must be permanently installed on a dry-to-dry machine, dryer or reclaimer at the outlet of the refrigerated condenser. The air temperature sensor must be installed by September 23, 1996, if the dry cleaning system was constructed before December 9, 1991;

(II) The air temperature sensor must be accurate to within 2°F (1.1°C);

(III) The air temperature sensor must be designed to measure at least a temperature range from 32°F (0°C) to 120°F (48.9°C); and

(IV) The air temperature sensor must be labeled "RC outlet."

(ii) Inlet air temperature.

(A) Each week the air temperature sensor at the inlet of the refrigerated condenser installed on a washer must be checked.

(B) The inlet air temperature must be entered in the operations and maintenance record at the time it is checked.

(C) The air temperature sensor must meet these requirements:

(I) An air temperature sensor must be permanently installed on a washer at the inlet of the refrigerated condenser. The air temperature sensor must be installed by September 23, 1996, if the dry cleaning system was constructed before December 9, 1991;

(II) The air temperature sensor must be accurate to within 2°F (1.1°C);

(III) The air temperature sensor must be designed to measure at least a temperature range from 32°F (0°C) to 120°F (48.9°C); and

(IV) The air temperature sensor must be labeled "RC inlet."

(iii) For a refrigerated condenser used on the washer unit of a transfer system, the following are additional requirements:

(A) Each week the difference between the air temperature at the inlet and outlet of the refrigerated condenser must be calculated.

(B) The difference between the air temperature at the inlet and outlet of a refrigerated condenser installed on a washer must be greater than or equal to 20°F (11.1°C).

(C) The difference between the inlet and outlet air temperature must be entered in the operations and maintenance record each time it is checked.

(iv) A converted machine with a refrigerated condenser must be operated with a diverter valve that prevents air drawn into the dry cleaning machine from passing through the refrigerated condenser when the door of the machine is open;

(v) The refrigerated condenser must not vent the air-PCE gas-vapor stream while the dry cleaning machine drum is rotating or, if installed on a washer, until the washer door is opened; and

(vi) The refrigerated condenser in a transfer machine may not be coupled with any other equipment.

(g) Requirements for systems with carbon adsorbers. A dry cleaning system using a carbon adsorber must meet all of the following requirements:

(i) Each week the concentration of PCE in the exhaust of the carbon adsorber must be measured at the outlet of the carbon adsorber using a colorimetric detector tube.

(ii) The concentration of PCE must be recorded in the operations and maintenance record each time the concentration is checked.

(iii) If the dry cleaning system was constructed before December 9, 1991, monitoring must begin by September 23, 1996.

(iv) The colorimetric tube must meet these requirements:

(A) The colorimetric tube must be able to measure a concentration of 100 parts per million of PCE in air.

(B) The colorimetric tube must be accurate to within 25 parts per million.

(C) The concentration of PCE in the exhaust of the carbon adsorber must not exceed 100 ppm while the dry cleaning machine is venting to the carbon adsorber at the end of the last dry cleaning cycle prior to desorption of the carbon adsorber.

(v) If the dry cleaning system does not have a permanently fixed colorimetric tube, a sampling port must be provided within the exhaust outlet of the carbon adsorber. The sampling port must meet all of these requirements:

(A) The sampling port must be easily accessible.

(B) The sampling port must be located eight stack or duct diameters downstream from a bend, expansion, contraction or outlet.

(C) The sampling port must be two stack or duct diameters upstream from a bend, expansion, contraction, inlet or outlet.

(8) **Abrasive blasting.**

(a) Abrasive blasting shall be performed inside a booth or structure designed to capture the blast grit, overspray, and removed material except that outdoor blasting of structures or items too large to be reasonably handled indoors or in an enclosure shall employ control measures such as curtailment during windy periods, wet blasting, and/or enclosure of the area being blasted with tarps.

(b) Outdoor blasting shall be performed with either steel shot or an abrasive material containing less than one percent (by mass) ((~~which~~)) of material that would pass through a No. 200 sieve.

(c) All abrasive blasting with sand shall be performed inside a blasting booth, enclosure, or structure designed to capture fugitive particulate matter.

(d) All abrasive blasting of materials that have a coating or that may contain a substance that is identified as a toxic air pollutant in ((~~WAC~~)) Chapter 173-460 WAC or a hazardous substance shall be analyzed prior to blast operations. If a toxic or hazardous material is present in the blast media or removed media, all material shall be handled and disposed of in accordance with applicable regulations.

(9) **Sewage sludge incinerators.** Standards for the incineration of sewage sludge found in 40 CFR 503, Subparts A (General Provisions) and E (Incineration) in effect on July 1, 2002, are adopted by reference.

(10) **Municipal solid waste landfills constructed, reconstructed, or modified before May 30, 1991.** A municipal solid waste landfill (MSW landfill) is an entire disposal facility in a contiguous geographical space where household waste is placed in or on the land. A MSW landfill may also receive other types of waste regulated under Subtitle D of the Federal Recourse Conservation and Recovery Act including the following: Commercial solid waste, nonhazardous sludge, conditionally exempt small quantity generator waste, and industrial solid waste. Portions of an MSW landfill may be separated by access roads. An MSW landfill may be either publicly or privately owned. An MSW landfill may be a new MSW landfill, an existing MSW landfill, or a lateral expansion. All references in this subsection to 40 CFR Part 60 rules mean those rules in effect on July 1, 2000.

(a) Applicability. These rules apply to each MSW landfill constructed, reconstructed, or modified before May 30, 1991; and the MSW landfill accepted waste at any time since November 8, 1987 or the landfill has additional capacity for future waste deposition. (See SWCAA 400-115(1) for the requirements for MSW landfills constructed, reconstructed, or modified on or after May 30, 1991.) Terms in this subsection have the meaning given them in 40 CFR 60.751, except that every use of the word "administrator" in the federal rules referred to in this subsection includes the Agency.

(b) Exceptions. Any physical or operational change to an MSW landfill made solely to comply with these rules is not considered a modification or rebuilding.

(c) Standards for MSW landfill emissions.

(i) An MSW landfill having a design capacity less than 2.5 million megagrams or 2.5 million cubic meters must comply with the requirements of 40 CFR 60.752(a) in addition to the applicable requirements specified in this section.

(ii) An MSW landfill having design capacity equal to or greater than 2.5 million megagrams and 2.5 million cubic meters must comply with the requirements of 40 CFR 60.752(b) in addition to the applicable requirements specified in this section.

(d) Recordkeeping and reporting. An MSW landfill must follow the recordkeeping and reporting requirements in 40 CFR 60.757 (submittal of an initial design capacity report) and 40 CFR 60.758 (recordkeeping requirements), as applicable, except as provided for under (d)(i) and (ii).

(i) The initial design capacity report for the facility is due before September 20, 2001.

(ii) The initial nonmethane organic compound (NMOC) emissions rate report is due before September 20, 2001.

(e) Test methods and procedures.

(i) An MSW landfill having a design capacity equal to or greater than 2.5 million megagrams and 2.5 million cubic meters must calculate the landfill nonmethane organic compound emission rates following the procedures listed in 40 CFR 60.754, as applicable, to determine whether the rate equals or exceeds 50 megagrams per year.

(ii) Gas collection and control systems must meet the requirements in 40 CFR 60.752 (b)(2)(ii) through the following procedures:

(A) The systems must follow the operational standards in 40 CFR 60.753.

(B) The systems must follow the compliance provisions in 40 CFR 60.755 (a)(1) through (a)(6) to determine whether the system is in compliance with 40 CFR 60.752 (b)(2)(ii).

(C) The system must follow the applicable monitoring provisions in 40 CFR 60.756.

(f) Conditions. Existing MSW landfills that meet the following conditions must install a gas collection and control system:

(i) The landfill accepted waste at any time since November 8, 1987, or the landfill has additional design capacity available for future waste deposition;

(ii) The landfill has a design capacity greater than or equal to 2.5 million megagrams or 2.5 million cubic meters. The landfill may calculate design capacity in either megagrams or cubic meters for comparison with the exception values. Any density conversions shall be documented and submitted with the report; and

(iii) The landfill has an NMOC emission rate of 50 megagrams per year or greater.

(g) Change in conditions. After the adoption date of this rule, a landfill that meets all three conditions in (e) of this subsection must comply with all the requirements of this section within thirty months of the date when the conditions were met. This change will usually occur because the NMOC emission rate equaled or exceeded the rate of 50 megagrams per year.

(h) Gas collection and control systems.

(i) Gas collection and control systems must meet the requirements in 40 CFR 60.752 (b)(2)(ii).

(ii) The design plans must be prepared by a licensed professional engineer and submitted to the Agency within one year after the adoption date of this section.

(iii) The system must be installed within eighteen months after the submittal of the design plans.

(iv) The system must be operational within thirty months after the adoption date of this section.

(v) The emissions that are collected must be controlled in one of three ways:

(A) An open flare designed and operated according to 40 CFR 60.18;

(B) A control system designed and operated to reduce NMOC by 98 percent by weight; or

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(C) An enclosed combustor designed and operated to reduce the outlet NMOC concentration to 20 parts per million as hexane by volume, dry basis to three percent oxygen or less.

(i) Air operating permit.

(i) An MSW landfill that has a design capacity less than 2.5 million megagrams or 2.5 million cubic meters on January 7, 2000, is not subject to the air operating permit regulation, unless the landfill is subject to WAC 173-401 for some other reason. If the design capacity of an exempted MSW landfill subsequently increases to equal or exceed 2.5 million megagrams or 2.5 million cubic meters by a change that is not a modification or reconstruction, the landfill is subject to Chapter 173-401 WAC on the date the amended design capacity report is due.

(ii) An MSW landfill that has a design capacity equal to or greater than 2.5 million megagrams or 2.5 million cubic meters on January 7, 2000, is subject to Chapter 173-401 WAC beginning on the effective date of this section. (Note: Under 40 CFR 62.14352(e), an applicable MSW landfill must have submitted its application so that by April 6, 2001, the permitting agency was able to determine that it was timely and complete. Under 40 CFR 70.7(b), no "source" may operate after the time that it is required to submit a timely and complete application.)

(iii) When an MSW landfill is closed, the owner or operator is no longer subject to the requirement to maintain an operating permit for the landfill if the landfill is not subject to Chapter 173-401 WAC for some other reason and if either of the following conditions are met:

(A) The landfill was never subject to the requirement for a control system under 40 CFR 62.14353; or

(B) The landfill meets the conditions for control system removal specified in 40 CFR 60.752 (b)(2)(v).

(11) **Used oil burners.**

(a) Applicability. The requirements of this section do not apply to:

(i) Facilities operating in accordance with an air discharge permit or other regulatory order issued by the Agency;

(ii) Used oil burned in used oil fired space heaters provided that (40 CFR 279.23):

(a) The space heater burns only used oil that the owner or operator generates or used oil received from household do-it-yourself used oil generators,

(b) The space heater is designed to have a maximum capacity of not more than 0.5 million Btu per hour, and

(c) Combustion gases from the space heater are vented to the ambient air;

(iii) Ocean-going vessels (40 CFR 279.20 (a)(2)); and

(iv) Mixtures of used oil and diesel fuel mixed by the generator of the used oil for use in the generator's own vehicles (40 CFR 279.20 (a)(3)).

(b) No person shall burn as fuel used oil that exceeds any of the following specification levels:

(i) Arsenic - 5 ppm maximum;

(ii) Cadmium - 2 ppm maximum;

(iii) Chromium - 10 ppm maximum;

(iv) Lead - 100 ppm maximum;

(v) Flash point - 100 °F minimum; and

(vi) Total halogens - 4,000 ppm maximum. Used oil containing more than 1,000 ppm total halogens is presumed to be a hazardous waste under the rebuttable presumption provided under 40 CFR 279.10 (b)(1). Such used oil is subject to 40 CFR 266, Subpart H when burned for energy recovery unless the presumption of mixing can be successfully rebutted.

Note: 40 CFR 761.20(e) imposes standards for the burning of used oil containing polychlorinated biphenyls (PCBs).

(12) **Coffee roasters.**

(a) Batch coffee roasters with a capacity of 10 pounds or greater of green coffee beans per batch are required to maintain and operate an afterburner that treats all roasting and cooling exhaust streams prior to discharge to the ambient air.

(b) The following equipment is subject to the provisions of SWCAA 400-109 and 400-110:

(i) All batch process coffee roasters with a capacity of 10 pounds or greater of green coffee beans per batch;

(ii) Batch process coffee roasters with a capacity of 10 pounds or less of green coffee beans per batch on a case-by-case basis;

(iii) Continuous process coffee roasters regardless of capacity; and

(iv) Coffee roasting processes involving decaffeination regardless of capacity.

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 01-05-055, filed 2/15/01, effective 3/18/01)

SWCAA 400-075 Emission Standards for Stationary Sources Emitting Hazardous Air Pollutants

[Statutory Authority: Chapter 70.94.141 RCW. Original Board adoption 12/18/79; Amended by Board 12/16/86; 93-21-003 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95; 96-21-098 filed 10/21/96, effective 11/21/96; 99-07-027 filed 3/10/99, effective 4/11/99; 01-05-055 filed 2/15/01, effective 3/18/01]

(1) The national emission standards for hazardous air pollutants promulgated by ((~~the United States Environmental Protection Agency (USEPA)~~)) EPA as in effect July 1, ((~~2000~~)) 2002, as contained in ((~~Title 40, Code of Federal Regulations,~~)) 40 CFR Part 61 ((~~and Part 63~~)), are adopted by reference. The term "Administrator" in 40 CFR Part 61 shall mean the Administrator of EPA((~~, the Director of Ecology~~)) and the ((~~Control Officer~~)) Executive Director of the Agency.

(2) The Agency may require that ((~~source~~)) emission tests be conducted and require access to records, books, files, and other information specific to the control, recovery, or release of those pollutants regulated under 40 CFR Part 61, ((~~and/or~~)) Part 63, or Part 65 in order to determine the status of compliance of sources of these contaminants and to carry out its enforcement responsibilities.

(3) ((~~Source~~)) Emission testing, monitoring, and analytical methods for sources of hazardous air pollutants shall conform with the requirements of ((~~Title 40, Code of Federal Regulations,~~)) 40 CFR Part 61 ((~~and/or~~)), Part 63 and/or Part 65, as in effect on July 1, ((~~2000~~)) 2002.

(4) This section shall not apply to any "stationary source" operating pursuant to a waiver granted by EPA or an exemption granted by the President of the United States during the effective life of such waiver or exemption.

(5) Specific standards of performance referred to as Maximum Achievable Control Technology (MACT) have been promulgated by ((~~the US~~)) EPA.

(a) As of July 1, ((~~2000~~)) 2002, ((~~the following standards of performance as set forth in~~)) 40 CFR Part 63 and appendices are hereby adopted by reference. The following list is provided for informational purposes:

Subpart A	National Emission Standards for Hazardous Air Pollutants for Source Categories: General Provisions (ref. 40 CFR 63.1 et seq.)
Subpart B	National Emission Standards for Hazardous Air Pollutants for Source Categories: Equivalent Emission Limitation By Permit (ref. 40 CFR 63.50 et seq.)
Subpart D	National Emission Standards for Hazardous Air Pollutants for Source Categories: Early Reduction Program (ref. 40 CFR 63.70 et seq.)
Subpart F	National Emission Standards for Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry (ref. 40 CFR 63.100 et seq.)
Subpart G	National Emission Standards for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater (ref. 40 CFR 63.110 et seq.)
Subpart H	National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks (ref. 40 CFR 63.160 et seq.)
Subpart I	National Emission Standards for Organic Hazardous Air Pollutants for Certain Processes Subject to the Negotiated Regulation for Equipment Leaks (ref. 40 CFR 60.190 et seq.)
Subpart L	National Emission Standards for Hazardous Air Pollutants for Coke Oven Operations (ref. 40 CFR 63.300 et seq.)
Subpart M	National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities - as it applies to major sources (ref. 40 CFR 63.320 et seq.)
Subpart N	National Emission Standards for Hazardous Air Pollutants from Hard and Decorative Electroplating and Anodizing Operations (ref. 40 CFR 63.340 et seq.)
Subpart O	National Ethylene Oxide Air Emission Standards for Commercial Sterilizers (ref. 40 CFR 63.360 et seq.)
Subpart Q	National Emission Standards for Hazardous Air Pollutants for Industrial Process Cooling Towers (ref. 40 CFR 63.400 et seq.)
Subpart R	National Emission Standards for Hazardous Air Pollutants for Gasoline Distribution Operations (Stage I) (ref. 40 CFR 63.420 et seq.)
Subpart S	National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry (ref. 40 CFR 63.440 et seq.)
Subpart T	National Emission Standards for Hazardous Air Pollutants for Halogenated Solvents Cleaning Operations (ref. 40 CFR 63.460 et seq.)
Subpart U	National Emission Standards for Hazardous Air Pollutant Emissions: Group I Polymers and Resins and Group IV Polymers and Resins (ref. 40 CFR 63.480 et seq.)
Subpart W	National Emission Standards for Hazardous Air Pollutants for Epoxy Resins Production and Non-Nylon Polyamides Production (ref. 40 CFR 63.520 et seq.)
Subpart X	National Emission Standards for Hazardous Air Pollutants for Secondary Lead Smelting Manufacturing Operations (ref. 40 CFR 63.541 et seq.)
Subpart Y	National Emission Standards for Hazardous Air Pollutants for Marine Vessel Loading Operations (ref. 40 CFR 63.560 et seq.)
Subpart AA	National Emission Standards for Hazardous Air Pollutants for Phosphoric Acid Manufacturing Plants (ref. 40 CFR 63.600 et seq.)
Subpart BB	National Emission Standards for Hazardous Air Pollutants for Phosphate Fertilizers Production Plants (ref. 40 CFR 63.620 et seq.)
Subpart CC	National Emission Standards for Hazardous Air Pollutants from Petroleum Refineries (ref. 40 CFR 63.640 et seq.)
Subpart DD	National Emission Standards for Hazardous Air Pollutants from Off-Site Waste and Recovery Operations (ref. 40 CFR 63.680 et seq.)
Subpart EE	National Emission Standards for Hazardous Air Pollutants for Magnetic Tape Manufacturing Operations (ref. 40 CFR 63.710 et seq.)
Subpart GG	National Emission Standards for Hazardous Air Pollutants for Aerospace Manufacturing Operations (ref. 40 CFR 63.740 et seq.)
Subpart HH	National Emission Standards for Hazardous Air Pollutants for Oil and Natural Gas Production Facilities (ref. 40 CFR 63.760 et seq.)
Subpart II	National Emission Standards for Hazardous Air Pollutants for Shipbuilding and Ship Repair (Surface Coating) (ref. 40 CFR 63.780 et seq.)

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Subpart JJ	National Emission Standards for Hazardous Air Pollutants for Wood Furniture Manufacturing Operations (ref. 40 CFR 63.800 et seq.)
Subpart KK	National Emission Standards for Hazardous Air Pollutants for the Printing and Publishing Industry (ref. 40 CFR 63.820 et seq.)
Subpart LL	National Emission Standards for Hazardous Air Pollutants for Primary Aluminum Reduction Plants (ref. 40 CFR 63.840 et seq.)
Subpart OO	National Emission Standards for Tanks - Level 1 (ref. 40 CFR 63.900 et seq.)
Subpart PP	National Emission Standards for Containers (ref. 40 CFR 63.920 et seq.)
Subpart QQ	National Emission Standards for Surface Impoundments (ref. 40 CFR 63.940 et seq.)
Subpart RR	National Emission Standards for Individual Drain Systems (ref. 40 CFR 63.960 et seq.)
Subpart SS	National Emission Standards for Hazardous Air Pollutants for Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process (ref. 40 CFR 63.980 et seq.)
Subpart TT	National Emission Standards for Hazardous Air Pollutants for Equipment Leaks - Control Level 1 (ref. 40 CFR 63.1000 et seq.)
Subpart UU	National Emission Standards for Hazardous Air Pollutants for Equipment Leaks - Control Level 2 (ref. 40 CFR 63.1019 et seq.)
Subpart VV	National Emission Standards for Oil-Water Separators and Organic-Water Separators (ref. 40 CFR 63.1040 et seq.)
Subpart WW	National Emission Standards for Hazardous Air Pollutants for Storage Vessels (Tanks) - Control Level 2 (ref. 40 CFR 63.1060 et seq.)
Subpart YY	National Emission Standards for Hazardous Air Pollutants for Source Categories: Generic MACT (ref. 40 CFR 63.1100 et seq.)
Subpart CCC	National Emission Standards for Hazardous Air Pollutants for Steel Pickling - HCL Process Facilities and Hydrochloric Acid Regeneration Plants (ref. 40 CFR 63.1155 et seq.)
Subpart DDD	National Emission Standards for Hazardous Air Pollutants for Mineral Wool Production (ref. 40 CFR 63.1175 et seq.)
Subpart EEE	National Emission Standards for ((~~h~~))Hazardous Air Pollutants from Hazardous Waste Combustors (ref. 40 CFR 63.1211 et seq.)
Subpart GGG	National Emission Standards for Hazardous Air Pollutants for Pharmaceuticals Production (ref. 40 CFR 63.1250 et seq.)
Subpart HHH	National Emission Standards for Hazardous Air Pollutants for Natural Gas Transmission and Storage Facilities (ref. 40 CFR 63.1270 et seq.)
Subpart III	National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Production (ref. 40 CFR 63.1290 et seq.)
Subpart JJJ	National Emission Standards for Hazardous Air Pollutants Emissions: Group IV Polymers and Resins (ref. 40 CFR 63.1310 et seq.)
Subpart LLL	National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry (ref. 40 CFR 63.1340 et seq.)
Subpart MMM	National Emission Standards for Hazardous Air Pollutants for Pesticide Active Ingredient Production (ref. 40 CFR 63.1360 et seq.)
Subpart NNN	National Emission Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing (ref. 40 CFR 63.1380 et seq.)
Subpart OOO	National Emission Standards for Hazardous Air Pollutants for Manufacture of Amino/Phenolic Resins (ref. 40 CFR 63.1400 et seq.)
Subpart PPP	National Emission Standards for Hazardous Air Pollutants for Polyether Polyols Production (ref. 40 CFR 63.1420 et seq.)
Subpart RRR	National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production (ref. 40 CFR 63.1500 et seq.)
Subpart TTT	National Emission Standards for Hazardous Air Pollutants for Primary Smelting (ref. 40 CFR 63.1541 et seq.)
Subpart VVV	National Emission Standards for Hazardous Air Pollutants for Publicly Owned Treatment Works (ref. 40 CFR 63.1580 et seq.)
Subpart XXX	National Emission Standards for Hazardous Air Pollutants for Ferroalloys Production: Ferromanganese and Silicomanganese (ref. 40 CFR 63.1650 et seq.)
Subpart CCCC	National Emission Standards for Hazardous Air Pollutants for Manufacturing of Nutritional Yeast (ref. 40 CFR 63.2130 et seq.)
Subpart GGGG	National Emission Standards for Hazardous Air Pollutants: Solvent Extraction for Vegetable Oil Production (ref. 40 CFR 63.2830 et seq.)

Subpart HHHH	National Emission Standards for Hazardous Air Pollutants for Wet-Formed Fiberglass Mat Production (ref. 40 CFR 63.2980 et seq.)
Subpart TTTT	National Emission Standards for Hazardous Air Pollutants for Leather Tanning and Finishing Operations (ref. 40 CFR 63.5280 et seq.)
Subpart VVVV	National Emission Standards for Hazardous Air Pollutants for Boat Manufacturing (ref. 40 CFR 63.5680 et seq.)
Appendix A	Test Methods (ref. 40 CFR 63, Appendix A)
Appendix B	Sources Defined for Early Reduction Provisions (ref. 40 CFR 63, Appendix B)
Appendix C	Determination of the Fraction Biodegraded in a Biological Treatment Unit (ref. 40 CFR 63, Appendix C)
Appendix D	Alternative Validation procedure for EPA Waste and Wastewater Methods (ref. 40 CFR 63, Appendix D)
Appendix E	Monitoring Procedures for Nonthoroughly Mixed Open Biological Treatment Systems at Kraft Pulp Mills Under Unsafe Sampling Conditions (ref. 40 CFR 63, Appendix E)

(b) Exceptions to 40 CFR Part 63 adoption by reference.

(i) The term "administrator" in 40 CFR Part 63 includes the Executive Director of the Agency.

(ii) The following subparts of 40 CFR Part 63 are not adopted by reference:

(A) Subpart C, List of Hazardous Air Pollutants, Petition Process, Lesser Quantity Designations, Source Category List;

(B) Subpart E, Approval of State Programs and Delegation of Federal Authorities; and

(C) Subpart M, National Perchloroethylene Emission Standards for Dry Cleaning Facilities - as it applies to nonmajor sources.

(6) **Consolidated requirements for the synthetic organic chemical manufacturing industry.** (SOCMI) 40 CFR Part 65, as in effect on July 1, 2002, is adopted by reference.

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 01-05-055, filed 2/15/01, effective 3/18/01)

SWCAA 400-076 Emission Standards for Stationary Sources Emitting Toxic Air Pollutants

[Statutory Authority: Chapter 70.94.141 RCW. Original Board adoption 95-17-084 filed 8/21/95, effective 9/21/95; 96-21-098 filed 10/21/96, effective 11/21/96; 99-07-027 filed 3/10/99, effective 4/11/99; 01-05-055 filed 2/15/01, effective 3/18/01]

(1) The term toxic air pollutants (TAP) or toxic air contaminant means any air pollutant listed in WAC 173-460-150 or 460-160. The term toxic air pollutant may include particulate matter and volatile organic compounds if an individual substance or a group of substances within either of these classes is listed in WAC 173-460-150 or 460-160. The Chemical Abstract Service (CAS) number shall be the primary means used to specifically identify a substance. The term toxic air pollutant does not include particulate matter and volatile organic compounds as generic classes of compounds.

(2) All "stationary sources" subject to the requirements of SWCAA 400-110, 400-111, 400-112, 400-113 or 400-114 shall be subject to the requirements of ((~~WAC~~)) Chapter 173-460 WAC. All "stationary sources" subject to review under SWCAA 400 shall also be reviewed for applicability and/or compliance under ((~~WAC~~)) Chapter 173-460 WAC.

(3) The ((~~New Source~~)) review fee schedule provided in SWCAA 400-((~~110~~)) 109 shall be applicable to all "stationary sources" subject to ((~~WAC~~)) Chapter 173-460 WAC. The fees identified in SWCAA 400-((~~110~~)) 109 shall not be duplicate to any fees collected under ((~~WAC~~)) Chapter 173-460 WAC. Only a single fee shall apply to "stationary sources" that are subject to SWCAA 400 and ((~~WAC~~)) Chapter 173-460 WAC.

(4) ((~~A Notice of Construction is a written application to request approval for construction or modification of an air contaminant source.~~)) If an ((~~Notice of Construction~~)) air discharge permit application is required under both SWCAA 400 and ((~~WAC~~)) Chapter 173-460 WAC, then the applications shall be combined. All "stationary sources" subject to ((~~WAC~~)) Chapter 173-460 WAC shall file an ((~~Notice of Construction~~)) air discharge permit application in accordance with SWCAA 400-109 ((~~"Notice of Construction" and SWCAA 400-110 "New Source Review"~~)).

(5) Agency actions including issuance of regulatory orders and enforcement actions for "stationary sources" subject to ((~~WAC~~)) Chapter 173-460 WAC shall be the same as those actions for "stationary sources" subject to and identified in SWCAA 400.

(6) "Stationary sources" subject to ((~~WAC~~)) Chapter 173-460 WAC shall be subject to the registration requirements of SWCAA 400-100. Where a "stationary source" is subject to both SWCAA 400 and ((~~WAC~~)) Chapter 173-460 WAC, only one registration shall be provided and only one fee shall be collected in accordance with the schedule outlined in SWCAA 400-100.

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 01-05-055, filed 2/15/01, effective 3/18/01)

SWCAA 400-081 Startup and Shutdown

[Statutory Authority: Chapter 70.94.141 RCW. 93-21-003 filed 10/7/93, effective 11/8/93; Original adoption 95-17-084 filed 8/21/95, effective 9/21/95; 01-05-055 filed 2/15/01, effective 3/18/01]

(1) In promulgating technology-based emission standards and making control technology determinations (e.g., BACT, RACT, LAER, BART) the Agency shall consider any physical and operational constraints on the ability of a "sta-

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tionary source" or source category to comply with the applicable technology based standard during startup or shutdown.

(((~~2~~))) Where the Agency determines that the "stationary source" or source category, operated and maintained in accordance with good air pollution control practice, is not capable of achieving continuous compliance with a((~~n emission~~)) technology based standard during startup or shutdown, the Agency shall include in ((~~regulatory orders or the Operating Permit,~~)) the technology based standard appropriate emission limitations, operating parameters, or other criteria to regulate the performance of the "stationary source" or source category during startup or shutdown conditions. No provision of this rule section shall be construed to authorize emissions in excess of SIP approved emission standards unless previously approved by EPA as a SIP amendment.

(((~~3~~))) (2) In modeling the emissions of a "stationary source" for purposes of demonstrating attainment or maintenance of national ambient air quality standards, the Agency shall take into account any incremental increase in allowable emissions under startup or shutdown conditions authorized by an emission limitation or other operating parameter adopted under this rule section.

(((~~(4) Any emission limitation or other parameter adopted under this section which increases allowable emissions during startup or shutdown conditions over levels authorized in the Washington State Implementation Plan shall not take effect until approved by EPA as a SIP amendment.~~)))

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 01-05-055, filed 2/15/01, effective 3/18/01)

SWCAA 400-091 Voluntary Limits on Emissions

[Statutory Authority: Chapter 70.94.141 RCW. Section previously numbered SWCAA 400-090 - 93-21-003 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95; 99-07-027 filed 3/10/99, effective 4/11/99; 01-05-055 filed 2/15/01, effective 3/18/01]

(1) Voluntary limits on emissions and limitations on potential to emit or process parameters or throughputs may be requested by ((~~a~~)) the owner or operator of any "stationary source" by submittal of a complete ((~~Notice of Construction~~)) air discharge permit application ((~~to the Agency~~)) as provided in SWCAA 400-109. Confidential information shall be identified as set forth in SWCAA 400-270. Upon ((~~request by the owner or operator of a source and~~)) completion of review of the application ((~~by the Agency~~)), the Agency shall issue a regulatory order ((~~which reduces~~)) limiting that "stationary source's" potential to emit to an amount agreed to by the owner or operator and the Agency.

(2) A condition contained in an order issued under this section shall ((~~be~~)) limit operation to a level less than the "stationary source's" otherwise allowable annual emissions of that air contaminant, process parameters or throughputs((~~,~~)) under all applicable requirements of Chapter 70.94 RCW and the ((~~FCAA~~)) Federal Clean Air Act, including any standard or other requirement provided for in the Washington ((~~State Implementation Plan (SIP)~~)) SIP.

(3) Any order issued under this section shall include monitoring, recordkeeping and reporting requirements sufficient to ensure that the "stationary source" complies with any emission limit, process parameter, or throughput limitation established under this section. Monitoring requirements shall use terms, test methods, units, averaging periods, and other statistical conventions consistent with the requirements of SWCAA 400-105.

(4) Any order issued under this section shall be subject to the ((~~public notice and comment procedures under~~)) requirements of SWCAA 400-171.

(5) The terms and conditions of an ((~~regulatory~~)) order issued under this section shall be federally enforceable, upon approval of this section as an element of the Washington ((~~State Implementation Plan~~)) SIP. Any proposed ((~~increase in emissions above limits~~)) change in a term or condition contained in an order issued under this section shall require revision or revocation of the order.

(6) Noncompliance with any emission limit, test requirement, reporting requirement or other requirement identified in a regulatory order issued pursuant to this section shall be considered a violation of this section.

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 01-05-055, filed 2/15/01, effective 3/18/01)

SWCAA 400-100 Registration Requirements ((~~and Operating Permit Fees~~))

[Statutory Authority: Chapter 70.94.141 RCW, 70.94,151 RCW, 70.94.200 RCW, and 70.94.395 RCW. Original Board adoption 10/29/69 (Regulation 2 Sec 3); Amended by Board 12/18/79; Amended by Board 8/18/81; Amended by Board 3/20/84; 92-04-030 filed 1/28/92, effective 2/28/92; 93-21-004 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95; 99-07-032 filed 3/10/99, effective 4/11/99; 01-05-055 filed 2/15/01, effective 3/18/01]

The registration program is intended to develop and maintain a current and accurate record of air contaminant sources. Information collected through the registration program is used to evaluate the effectiveness of air pollution control strategies and to verify "source" compliance with applicable air pollution requirements.

(1) **Applicability**. All "sources" or emission units ((~~that emit contaminants to the ambient air~~)) shall be registered with the Agency in accordance with this section as set forth in RCW 70.94.151 except ((~~those~~)) the following: ((~~sources or emission units specifically exempted by SWCAA 400-100(3) and SWCAA 400-101.~~))

(a) Emission units or activities exempted under SWCAA 400-101; and

(b) "Stationary sources" required to apply for, or to maintain, an operating permit under Chapter 173-401 WAC.

(2) **General requirements**.

(a) The owner or operator of a "source" for which registration is required shall initially register the "source" with the Agency. A unique ((~~registration~~)) identification number shall be assigned to ((~~all~~)) each "source((~~s~~))" ((~~required to be registered with SWCAA~~)) and a separate registration fee

shall be provided for each ((~~air contaminant~~)) emission unit; provided that, an owner has the option to register a process with a detailed inventory of air contaminant sources and emissions related to the process. A registration fee shall not be collected for exempt emission units identified ((~~at~~)) in SWCAA 400-101.

(b) ((~~Registration information shall be provided to the "source" on forms supplied by the Agency. The forms shall be verified by the "source" and returned to the Agency with payment in full within the time specified by the Agency.~~)) The owner or operator of a registered "source" shall submit annual reports to the Agency. Each report shall contain information as may be required by the Agency concerning location, size and height of contaminant outlets, processes employed, nature and quantity of the air contaminant emission and such other information as is relevant to air pollution and available or reasonably capable of being assembled. Relevant information may include air pollution requirements established by rule, regulatory order or ordinance pursuant to Chapter 70.94 RCW. The owner, operator, or their designated representative shall sign the annual report for each "source," and be responsible for the accuracy, completeness, and timely submittal of all required information.

(((~~c) Annual registration fees that are unpaid after June 30 for the effective year shall be considered to be in default and the source shall be considered to be out of business and/or in violation of item (d) below for failure to report closure. At the discretion of the Control Officer, all Orders of Approval for existing equipment shall become invalid for this source and the source shall be required to submit a Notice of Construction and applicable fees in accordance with SWCAA 400-110 prior to resuming operations. Prior to taking actions to 'un-register' a source, the source must be notified by certified letter. The registration program covers the period of July 1 through June 30. Sources or emission units operating less than six months in the current registration period that are terminated, shall not be liable for registration fees. This does not apply to temporary or portable stationary sources.~~

~~(d) A report of closure or discontinuance shall be filed with the Agency within ninety days after operations producing emissions permanently cease at any source. (Refer to SWCAA 400-230 for issuance of an Order of Discontinuance.)~~)))

(3) **Registration fees**. Before the Control Officer may register any emission unit, ((~~the use of which may emit contaminants to the atmosphere,~~)) an annual registration fee of $75.00 for each emission unit, plus ((~~$25~~)) $39 per ton of each criteria air pollutant and VOC (combined) ((~~for fiscal year 1998/1999~~)), plus $10 per ton of total toxic air pollutants greater than 1.0 tons, shall be paid. Annual registration fees cover the period from July 1 through June 30. "Sources" or emission units that permanently shutdown prior to January 1 of the current registration period shall not be liable for registration fees. This provision does not apply to "temporary sources." Operation of equipment subject to registration without payment of applicable registration fees shall be considered a violation of this section. ((~~The $25 per ton of each criteria air pollutant and VOC shall be adjusted in fiscal year 1999/2000, and beyond, to $39 per ton.~~))

(((~~a~~))) Exceptions:

(((~~i~~))) (a) An annual registration fee of $50.00 shall be charged to each gasoline transport tank.

(((~~ii~~))) (b) The registration fee for a small operation may be waived or reduced by the Control Officer provided sufficient demonstration of circumstances is presented, subject to the discretion of the Control Officer.

(((~~iii) Emission((s)) units and activities specifically exempted under SWCAA 400-101 are not required to comply with the requirements of this section.~~)))

(((~~iv~~))) (c) "Stationary sources" subject to the Operating Permit Program ((~~sources~~)), as defined in RCW 70.94.030(17), shall pay an operating permit fee in accordance with SWCAA 400-((~~100(4)~~)) 103. ((~~Operating Permit Program sources, as defined in RCW 70.94.030(17), are not required to comply with the registration requirements of this section after EPA grants interim or final approval of the SWCAA Operating Permit Program pursuant to 40 CFR Part 70.~~))

(((~~(4) Operating Permit Fees. Fee determination and certification for sources subject to 70.94.161 RCW requirements.~~

~~(a) Applicability. The owner or operator of all sources subject to the requirement to obtain an Operating Permit under 40 CFR 70 or 70.94.161 RCW, shall pay an annual fee, or the equivalent over some other period as approved, subject to the discretion of the Control Officer, sufficient to cover all reasonable (direct and indirect) costs required to develop and administer the Operating Permit Program requirements as specified in this section.~~

~~(b) Pollutants for which fees will be assessed.~~

~~(1) A volatile organic compound.~~

~~(2) Each pollutant regulated under Section 7411 or 7412 of the 1990 Federal Clean Air Act Amendments.~~

~~(3) Each pollutant for which a national primary ambient air quality standard has been promulgated except that carbon monoxide shall be excluded from this reference. PM_{10} emissions will be utilized for purposes of calculating particulate matter emissions when such data is provided by the 40 CFR Part 70 source. Source test data is required to demonstrate the PM_{10} portion of total particulate matter emissions.~~

~~(4) Emissions of each regulated pollutant emitted in excess of 7500 tons from a source shall be excluded from fee assessment.~~

~~(c) Program cost projections. The Agency shall prepare an Operating Permit Program budget each year based on a projected workload evaluation. Only fee eligible activities as specified in SWCAA 400-100(f) and Ecology's development and oversight costs, as provided in RCW 70.94.162 shall be considered in the workload analysis. The projected budget shall be submitted to the Agency's Technical Advisory Council, as described in SWCAA 400-172, for comments. The Technical Advisory Council shall be given an opportunity to provide input regarding the projected budget. The Control Officer shall evaluate all comments and revise the projected budget where deemed appropriate. After consideration of the comments, the Control Officer shall submit the proposed budget to the Board of Directors for approval. The approved budget shall be used in the equations below to determine the Operating Permit Program fees. The Agency shall publish~~

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the proposed and approved budgets and workload analysis in the Permit Register.

(d) Three-part fee assessment methodology. Operating Permit Program fees shall be determined using a three-part fee assessment methodology as described below:

(1) Participation Fee. Fees sufficient to cover one-third of the Board-approved Operating Permit Program budget shall be assessed such that each source shall pay an equal share. The total Operating Permit Program budget shall be divided by three. This amount shall be further divided by the number of 40 CFR Part 70 sources within the Agency's jurisdiction. Participation fees shall be equal in amount for each 40 CFR Part 70 source. The participation portion of the fee shall be assessed according to the following formula:

PF B)3)n, where;

- PF = Participation fee portion of total fee;
- B = The total Agency budget for the Operating Permit Program;
- n = The number of 40 CFR Part 70 sources.

(2) Emissions Fee. Fees sufficient to cover one-third of the budget shall be assessed such that each source shall pay an amount equal to that source's portion of the total annual emissions of the fee applicable pollutants from all 40 CFR Part 70 sources within the Agency's jurisdiction. The total Operating Permit Program budget shall be divided by three. The ratio of each source's annual emissions (in tons) to the total annual emissions of fee applicable pollutants emitted by all 40 CFR Part 70 sources within the Agency's jurisdiction shall be paid by the owner or operator of each source. The emissions portion of the fee shall be assessed according to the following formula:

EF = B)3*SE)TE, where:

- EF = Emissions fee portion of total fee;
- B = The total Agency budget for the Operating Permit Program;
- SE = The sum of annual emissions of fee applicable pollutants in tons per year from the individual 40 CFR Part 70 source;
- TE = The sum of annual emissions of fee applicable pollutants in tons per year from all 40 CFR Part 70 sources.

(3) Complexity Fee. Fees sufficient to cover one-third of the budget shall be assessed such that each 40 CFR Part 70 source shall pay an amount equal to that source's portion of the total emissions units at all 40 CFR Part 70 sources within the Agency's jurisdiction. The total Operating Permit Program budget shall be divided by three. The ratio of each source's emissions units to the total number of emissions units located at all 40 CFR Part 70 sources within the Agency's jurisdiction shall be paid by the owner or operator of each source. The complexity portion of the fee shall be assessed according to the following formula:

CF = B)3*SU)TU, where:

- CF = Complexity fee portion of total fee;
- B = The total Agency budget for the Operating Permit Program;
- SU = The number of emission units at a source;
- TU = The number of emissions units at all 40 CFR Part 70 sources.

(4) Total Fee. The amount of the annual assessed fees for each 40 CFR Part 70 source shall be the sum of the participation, emissions and complexity fee portions (PF+EF+CF = Total Fee). The sum of the total fees for all 40 CFR Part 70 sources within the Agency's jurisdiction shall be equal in amount to the Board adopted budget for the Operating Permit Program.

(e) Accountability.

(1) The sum of the fees assessed by the Agency to all sources required to obtain Operating Permits within the Agency's jurisdiction shall not exceed the cost of developing and administering the program. All fees collected from permit program sources as provided in RCW 70.94.162, shall be deposited in a dedicated air operating permit account. Such fees shall be used exclusively to support and administer the operating permit program.

(2) The Agency shall keep a record of all reasonable (direct and indirect) costs to develop and administer the Operating Permit Program as specified in 40 CFR Part 70. This information shall be used by the Agency to develop the Operating Permit Program budget specified in section (3) above. The information obtained from tracking revenues, time and expenditures shall not provide a basis for challenge to the amount of an individual source's fee.

(3) In the event that the assessed fees exceed the cost of developing and administering the Operating Permit Program, such excess fees shall be used to develop and administer the Operating Permit Program in the next subsequent year. The amount of the excess fees shall be deducted from the projected budget of the next subsequent year prior to fee assessment for the subsequent year.

(f) Fee eligible activities.

(1) Preapplication assistance and review of an application and proposed compliance plan for a permit, permit revision or permit renewal;

(2) Source inspections, testing and other data-gathering activities necessary for development of a permit, permit revision or renewal;

(3) Acting on an application for a permit, permit revision or renewal, including the costs of developing an applicable requirement as part of the processing of a permit, permit revision or renewal, preparing a draft permit and fact sheet and preparing a final permit, but excluding the costs of developing BACT, LAER, BART or RACT requirements for criteria and toxic air pollutants;

(4) Notifying and soliciting, reviewing and responding to comment from the public and contiguous states and tribes, conducting public hearings regarding the issuance of a draft permit and other costs of providing information to the public regarding operating permits and the permit issuance process;

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~~(5) Modeling necessary to establish permit limits or to determine compliance with permit limits;~~

~~(6) Reviewing compliance certifications and emission reports, conducting related compilation and reporting activities;~~

~~(7) Conducting compliance inspections, complaint investigations and other activities necessary to ensure that a source is complying with permit conditions;~~

~~(8) Administrative enforcement activities and penalty assessment, excluding the costs of proceedings before the Pollution Control Hearings Board (PCHB) and all costs of judicial enforcement;~~

~~(9) The share attributable to permitted sources to the development and maintenance of emissions inventories;~~

~~(10) The share attributable to permitted sources of ambient air quality monitoring and associated recording and reporting activities;~~

~~(11) Training for permit administration and enforcement;~~

~~(12) Fee determination, assessment and collection, including the costs of necessary administrative dispute resolution and enforcement;~~

~~(13) Required fiscal audits, periodic performance audits and reporting activities;~~

~~(14) Tracking of time, revenues and expenditures and accounting activities;~~

~~(15) Administering the permit program including costs of clerical support, supervision and management;~~

~~(16) Provision of assistance to small business under jurisdiction of SWCAA as required under Section 507 of the Federal Clean Air Act; and~~

~~(17) Other activities required by operating permit regulations issued by EPA under the Federal Clean Air Act.~~

~~(g) Late Fee Payments. Fees shall be paid in accordance with the schedule of payment agreed upon in advance by the Control Officer and each operating permit source. Delinquent fees are subject to a late fee equal to three times the operating permit fee. The penalties authorized by this subsection are additional to and in no way prejudice SWCAA's ability to exercise other civil and criminal remedies, including authority to revoke a source's operating permit for failure to pay all or part of its permit fee.~~

~~(h) Schedules of Payment. A source shall be allowed to pay its annual operating permit fees in one, two or four installments. Each schedule of payment shall specify the terms and dates of payments.~~

~~(i) Transfer of Ownership. Transfer of ownership of a source shall not affect that source's obligation to pay operating permit fees. Any liability for fee payment, including payment of delinquent fees and other penalties shall survive any transfer of ownership of a source.~~))

(4) **Delinquent registration fees.** Annual registration fees that are unpaid after June 30 for the effective year shall be considered delinquent. Air discharge permits and Orders of Approval for "sources" with delinquent registration fees may be invalidated by the Control Officer. The Agency shall notify the owner or operator of a "source" by certified letter prior to taking action to invalidate affected air discharge permits and Orders of Approval.

(5) **Reporting requirements for transfer or permanent shutdown of registered "sources."**

(a) The registered owner or operator shall report the transfer of ownership or permanent shutdown of a registered "source" to the Agency within ninety (90) days of shutdown or transfer. The report shall contain the following information:

(i) Legal name of the registered owner or operator;

(ii) Effective date of the shutdown or transfer;

(iii) Comprehensive description of the affected emission units; and

(iv) Name and telephone number of the registered owner's or operator's authorized representative.

(b) Any party that assumes ownership and/or operational control of a registered "source" shall file a written report with the Agency within ninety (90) days of completing transfer of ownership and/or assuming operational control. The report shall contain the following information:

(i) Legal name of the company or individual involved in the transfer;

(ii) Effective date of the transfer;

(iii) Description of the affected emission units; and

(iv) Name and telephone number of the owner's or operator's authorized representative.

(c) In the case of a permanent shutdown, process and pollution control equipment may remain in place and on site, but shall be configured such that the equipment or processes are incapable of generating emissions to the atmosphere (e.g. disconnection of power to equipment, mechanical positioning that inhibits processing; placing of padlocks on equipment to prevent operation).

(((~~(5)~~))) (6) **Inspections.**

(a) Periodic onsite inspections of emission units and "sources" shall be allowed to verify compliance with applicable requirements, regulations, orders or rules governing the processes, equipment, or emissions from a "source" as set forth in RCW 70.94.200.

(b) Agency personnel or representatives shall have the authority to enter at reasonable times upon any private or public property excepting non-multiple unit private dwellings housing two families or less for the purpose of investigating conditions specific to the control, recovery, or release of air contaminants to the atmosphere.

(c) No person shall refuse entry or access to Agency personnel who present appropriate credentials and request entry for the purpose of inspection((~~, who present appropriate credentials~~)).

(d) No person shall obstruct, hamper or interfere with any such inspection.

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.

Reviser's note: The typographical errors in the above material occurred in the copy filed by the Southwest Clean Air Agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

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AMENDATORY SECTION (Amending WSR 01-05-056, filed 2/15/01, effective 3/18/01)

SWCAA 400-101 ((~~Sources~~)) Emission Units Exempt from Registration Requirements

[Statutory Authority: Chapter 70.94.141 RCW, and 70.94.163 RCW. Original Board adoption 12/17/68 (Regulation 1 Sec 4.08); Amended by Board 10/29/69 (Regulation 2 Sec 3.03); Amended by Board 12/18/79 (400-100(3)); Amended by Board 12/18/79; Amended by Board 4/17/84; 93-21-004 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95; 96-21-099 filed 10/21/96, effective 11/21/96; 99-07-028 filed 3/10/99, effective 4/11/99; 01-05-056 filed 2/15/01, effective 3/18/01]

((~~All air contaminant emissions units shall be registered with the Agency except for the emissions units listed in this section. In the event that a registered source has any of these emissions units at a location that is otherwise required to be registered or obtain an operating permit, the Agency may require that these emissions units be included on the permit or registration. However, registration fees shall not be assessed for any of the exempt emissions units. Any source exempted from registration under this section shall maintain sufficient documentation acceptable to the Agency that the source is entitled to exemption under this section. Any source exempted from registration under this section shall also be considered exempt from the requirements of SWCAA 400-110, 400-111, 400-112, 400-113, and 400-114. For the purpose of identifying sources or emission units exempt from registration, the source's or emission unit's potential to emit shall be used as the basis for emissions and shall consider emissions before application of any control equipment. All exempt emission units shall be identified on an inspection report for an otherwise registered source (refer to SWCAA 400-109). An exemption for an entire facility or source shall be valid only if the combined emissions from all emission units at that site or facility are less than 1.0 ton per year for criteria pollutants and VOCs and less than the Small Quantity Emission Rate for each toxic air pollutant identified in WAC 173-460. If any exemption threshold is exceeded for an emission unit or units, either individually or combined, the source or emission unit(s) shall not be considered to be exempt.~~))

(1) The emission units listed in subsection (5) of this section are exempt from the registration requirements of SWCAA 400-100. If an exempt emission unit is located at a "stationary source" that is otherwise required to be registered, the Agency may require that the exempt emission unit be included in the "stationary source" registration. If an exempt emission unit is located at a Title V facility, it must be included in the facility's Title V permit in accordance with Chapter 173-401 WAC.

(a) The owner or operator of any emission unit exempted from registration under this section shall maintain documentation sufficient to verify that the emission unit is entitled to exemption under this section.

(b) Any emission unit exempted from registration under this section shall also be considered exempt from the requirements of SWCAA 400-046, 400-110, 400-111, 400-112, 400-113 and 400-114, except as provided in SWCAA 400-110 (2)(b).

(2) Wherever a "stationary source" has multiple emission units, which are similar in function and purpose, exemption status shall be determined based on aggregate capacity (e.g., horsepower, Btu per hour, airflow, etc.) or the aggregate emissions of similar emission units.

(3) An exemption for an entire "stationary source" shall be valid only if the emissions from all emission units at that site or facility are less than the exemption thresholds listed below. Whenever a "stationary source" exemption is determined by the quantity of annual emissions (tons per year), an emission unit's uncontrolled potential to emit shall be used as the basis for exemption.

Pollutant	Exemption Threshold
Criteria pollutants and VOC	1.0 tpy, combined
Lead	0.005 tpy
Ozone depleting substances	1.0 tpy, combined
Toxic air pollutants	Less than the applicable SQER as specified in Chapter 173-460 WAC.

(4) List of exempt ((~~Emission Units or Sources as a Single Source or Emission Unit~~)) equipment and activities:

(((~~(1) Air conditioning or ventilating systems designed for space heating and cooling, combined or separate, that are less than 2.0 million Btu per hour which do not exhaust to the atmosphere contaminants generated by or released from process equipment.~~

~~(2) Any commercial or industrial manufacturing operation or business or process(es) associated with such operation or business which emits less than one ton per year combined of nitrogen oxides, carbon monoxide, (PM_{10}), sulfur dioxide and volatile organic compounds from all emissions units combined. The one ton exemption does not apply to emissions of toxic air pollutants. Sources or emission units with emissions of toxic air pollutants to the ambient air may be exempted only if the annual emissions quantity for each toxic air pollutant is below the Small Quantity Emission Rate (annual rate) for each toxic air pollutant emitted as identified in WAC 173-460.~~

~~(3) Any commercial or industrial manufacturing operation or business or process(es) associated with such operation or business which is of insufficient stature to trigger a new source review fee assessment, from all emission units combined, as specified in Table A under SWCAA 400-110.~~))

(((~~(4)~~))) (a) Asphalt roofing and application equipment (not manufacturing or storage equipment).

(((~~(5)~~))) (b) Fuel burning equipment unless waste-derived fuel is burned, which((~~:~~))

(((~~(a)~~))) is used solely for a private dwelling serving less than five families((~~; or~~)).

(((~~(b) Has an energy input of less than 2 million Btu per hour.~~

~~(6) Fuel burning equipment used exclusively for office space heating other than boilers.~~))

(((~~(7)~~))) (c) Insecticide, pesticide or fertilizer spray equipment.

(((~~(8)~~))) (d) Laundering devices, dryers, extractors or tumblers for fabrics using water solutions of bleach and/or detergents.

((~~(9)~~)) (e) Portable, manually operated welding, brazing or soldering equipment when used at locations other than the owner's principal place of business.

((~~(10)~~)) (f) Welding stations involved solely in the repair and maintenance of a facility. This exemption does not extend to manufacturing operations where welding is an integral part of the manufacturing process.

((~~(11)~~)) (g) Food preparation facilities, establishments or equipment (e.g., restaurants).

((~~(12)~~)) (h) Retail paint sales establishments (not including manufacturing).

((~~(13)~~)) (i) Sampling connections used exclusively to withdraw materials for laboratory analyses and testing.

((~~(14)~~)) (j) Sewing equipment.

((~~(15) Sources, which due to the amount and nature of air contaminants produced and their potential to contribute to air pollution, are determined through review by the Agency to not warrant registration; provided that, for new sources, such determination shall be based upon review of a Notice of Construction application.~~

~~(16)~~)) (k) Spray painting or blasting equipment used at a temporary location to clean or paint bridges, water towers, buildings, or other structures.

((~~(17)~~)) (l) Chemical and physical laboratory operations or equipment, including fume hoods and vacuum producing devices provided the emissions do not exceed those listed in SWCAA 400-((~~101(2)~~))101(3). This exemption applies to incidental fume hoods or laboratory equipment used by a "stationary source" to perform in-house analyses that do not exceed the small quantity ((~~exemption of (2) above~~)) thresholds specified in SWCAA 400-101(3). This exemption does not apply to "stationary sources" whose primary activity is chemical or physical laboratory operations.

((~~(18)~~)) (m) Residential wood heaters.

((~~(19)~~)) (n) Office equipment, operations and supplies.

((~~(20)~~)) (o) Internal combustion equipment including diesel engines used for standby emergency power generation ((~~that are used less than 100 hours per year and are rated at~~)) with a maximum aggregate power rating less than ((~~500~~)) 200 horsepower.

((~~(21)~~)) (p) Steam cleaning equipment used exclusively for that purpose.

((~~(22)~~)) (q) Refrigeration systems that are not in air pollution control service.

((~~(23)~~)) (r) Housekeeping activities and equipment.

((~~(24)~~)) (s) Natural draft hoods, natural draft stacks, or natural draft ventilators for sanitary and storm drains, safety valves and storage tanks.

((~~(25)~~)) (t) Natural and forced air vents and stacks for bathroom/toilet facilities.

((~~(26)~~)) (u) Personal care activities.

((~~(27)~~)) (v) Lawn and landscaping activities.

((~~(28)~~)) (w) Flares used to indicate danger to the public.

((~~(29)~~)) (x) Fire fighting and similar safety equipment and equipment used to train fire fighters.

((~~(30)~~)) (y) Materials and equipment used by, and activities related to, operation of an infirmary provided that operation of an infirmary is not the primary business activity at the "stationary source" in question.

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.

Reviser's note: The typographical error in the above material occurred in the copy filed by the Southwest Clean Air Agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

NEW SECTION

SWCAA 400-103 Operating Permit Fees

[Statutory Authority: Chapter 70.94.162 RCW]

(1) **Applicability**. The owner or operator of all "stationary sources" required to obtain an Operating Permit under 40 CFR Part 70, Chapter 173-401 WAC or RCW 70.94.161, shall pay an annual fee as specified in this section, or the equivalent over some other time period as approved by the Executive Director, sufficient to cover all reasonable (direct and indirect) costs required to develop and administer the Operating Permit Program.

(2) **Fee applicable pollutants**. The following pollutants shall be considered fee applicable for the purposes of fee assessment.

(a) A volatile organic compound.

(b) Each pollutant regulated under Section 7411 or 7412 of the 1990 Federal Clean Air Act Amendments.

(c) Each pollutant for which a national primary ambient air quality standard has been promulgated except that carbon monoxide shall be excluded from this reference. PM_{10} emissions will be utilized for purposes of calculating particulate matter emissions when such data is provided by the "stationary source." Emission test data is required to demonstrate the PM_{10} portion of total particulate matter emissions.

(d) Emissions of each regulated pollutant emitted in excess of 7,500 tons from a "stationary source" shall be excluded from fee assessment.

(3) **Program cost projections**. The Agency shall prepare an Operating Permit Program budget each year based on a projected workload evaluation. Only fee eligible activities as specified in SWCAA 400-103(6), Ecology's development and oversight costs, as provided in RCW 70.94.162, and the program reserve fund shall be considered in the workload analysis. The Executive Director shall submit the proposed budget to the Board of Directors for approval. The approved budget shall be used in the equations below to determine Operating Permit Program fees.

(4) **Three part fee assessment methodology**. Operating Permit Program fees shall be determined using a three-part fee assessment methodology as described below:

(a) Participation Fee. Fees sufficient to cover one-third of the Board approved Operating Permit Program budget shall be assessed such that each "stationary source" shall pay an equal share. The total Operating Permit Program budget shall be divided by three. This amount shall be further divided by the number of 40 CFR Part 70 "stationary sources" within the Agency's jurisdiction. Participation fees shall be equal in amount for each 40 CFR Part 70 source. The participation portion of the fee shall be assessed according to the following formula:

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PF = B÷3÷n, where;

PF	=	Participation fee portion of total fee
B	=	The total Agency budget for the Operating Permit Program
n	=	The number of 40 CFR Part 70 sources

(b) Emissions Fee. Fees sufficient to cover one-third of the budget shall be assessed such that each "stationary source" shall pay an amount equal to that "stationary source's" portion of the total annual emissions of the fee applicable pollutants from all 40 CFR Part 70 "stationary sources" within the Agency's jurisdiction. The total Operating Permit Program budget shall be divided by three. The ratio of each "stationary source's" annual emissions (in tons) to the total annual emissions of fee applicable pollutants emitted by all 40 CFR Part 70 "stationary sources" within the Agency's jurisdiction shall be paid by the owner or operator of each "stationary source." The emissions portion of the fee shall be assessed according to the following formula:

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EF = B÷3*SE÷TE, where:

EF	=	Emissions fee portion of total fee
B	=	The total Agency budget for the Operating Permit Program
SE	=	The sum of annual emissions of fee applicable pollutants in tons per year from the individual 40 CFR Part 70 "stationary source" (not to exceed 7,500 tons per pollutant)
TE	=	The sum of annual emissions of fee applicable pollutants in tons per year from all 40 CFR Part 70 "stationary sources"

(c) Complexity Fee. Fees sufficient to cover one-third of the budget shall be assessed such that each 40 CFR Part 70 "stationary source" shall pay an amount equal to that "stationary source's" portion of the total emission units at all 40 CFR Part 70 "stationary sources" within the Agency's jurisdiction. The total Operating Permit Program budget shall be divided by three. The ratio of each "stationary source's" emission units to the total number of emission units located at all 40 CFR Part 70 "stationary sources" within the Agency's jurisdiction shall be paid by the owner or operator of each "stationary source." The complexity portion of the fee shall be assessed according to the following formula:

CF = B÷3*SU÷TU, where:

CF	=	Complexity fee portion of total fee
B	=	The total Agency budget for the Operating Permit Program
SU	=	The number of emission units at a "stationary source"
TU	=	The number of emission units at all 40 CFR Part 70 "stationary sources"

(d) Total Fee. The amount of the annual assessed fees for each 40 CFR Part 70 "stationary source" shall be the sum of the participation, emissions and complexity fee portions (PF+EF+CF = Total Fee). The sum of the total fees for all 40 CFR Part 70 "stationary sources" within the Agency's jurisdiction shall be equal in amount to the Board adopted budget for the Operating Permit Program.

(5) **Accountability.**

(a) The sum of the fees assessed by the Agency to all "stationary sources" required to obtain Operating Permits within the Agency's jurisdiction shall not exceed the cost of developing and administering the program and maintaining a program reserve fund. All fees collected from permit program "stationary sources" as provided in RCW 70.94.162, shall be deposited in a dedicated air operating permit account. Such fees shall be used exclusively to support and administer the operating permit program. The purpose of the program reserve fund is to ensure that permit program costs are not funded by fees from "stationary sources" not participating in the operating permit program. The value of monies held in the program reserve fund shall not exceed 15 percent of the average permit program budget over the most recent three-year period.

(b) The Agency shall keep a record of all reasonable (direct and indirect) costs to develop and administer the Operating Permit Program as specified in 40 CFR Part 70. This information shall be used by the Agency to develop the Operating Permit Program budget specified in section (3) above. The information obtained from tracking revenues, time and expenditures shall not provide a basis for challenge to the amount of an individual "stationary source's" fee.

(c) In the event that the assessed fees exceed the cost of developing and administering the Operating Permit Program, including the program reserve fund, such excess fees shall be used to develop and administer the Operating Permit Program in the next subsequent year. The amount of the excess fees shall be deducted from the projected budget of the next subsequent year prior to fee assessment for the subsequent year.

(6) **Fee eligible activities.**

(a) Preapplication assistance and review of an application and proposed compliance plan for a permit, permit revision or permit renewal;

(b) Inspections, testing and other data gathering activities necessary for development of a permit, permit revision or renewal;

(c) Acting on an application for a permit, permit revision or renewal, including the costs of developing an applicable requirement as part of the processing of a permit, permit revision or renewal, preparing a draft permit and fact sheet and preparing a final permit, but excluding the costs of developing BACT, LAER, BART or RACT requirements for criteria and toxic air pollutants;

(d) Notifying and soliciting, reviewing and responding to comment from the public and contiguous states and tribes, conducting public hearings regarding the issuance of a draft permit and other costs of providing information to the public regarding operating permits and the permit issuance process;

(e) Modeling necessary to establish permit limits or to determine compliance with permit limits;

(f) Reviewing compliance certifications and emission reports, conducting related compilation and reporting activities;

(g) Conducting compliance inspections, complaint investigations and other activities necessary to ensure that a "stationary source" is complying with permit conditions;

(h) Administrative enforcement activities and penalty assessment, excluding the costs of proceedings before the Pollution Control Hearings Board (PCHB) and all costs of judicial enforcement;

(i) The share attributable to permitted "stationary sources" for the development and maintenance of emissions inventories;

(j) The share attributable to permitted "stationary sources" of ambient air quality monitoring and associated recording and reporting activities;

(k) Training for permit administration and enforcement;

(l) Fee determination, assessment and collection, including the costs of necessary administrative dispute resolution and enforcement;

(m) Required fiscal audits, periodic performance audits and reporting activities;

(n) Tracking of time, revenues and expenditures and accounting activities;

(o) Administering the permit program including costs of clerical support, supervision and management;

(p) Provision of assistance to small business under jurisdiction of SWCAA as required under Section 507 of the Federal Clean Air Act; and

(q) Other activities required by operating permit regulations issued by EPA under the Federal Clean Air Act.

(7) **Activities not eligible for fee.**

(a) New Source Review activity that does not include processing or preparing an operating permit;

(b) Development of BACT, LAER, BART, or RACT requirements for criteria and toxic air pollutants; and

(c) Acting on an application for a PSD permit.

(8) **Schedules of payment**. Fees shall be paid in accordance with the schedule of payment agreed upon in advance by the Control Officer and each operating permit "stationary source." An operating permit "stationary source" shall be allowed to pay its annual operating permit fees in one, two, or four installments. Each schedule of payment shall specify the terms and dates of payments.

(9) **Late fee payments**. Delinquent fees are subject to a late fee equal to three times the operating permit fee. The penalties authorized by this subsection are additional to and in no way prejudice SWCAA's ability to exercise other civil and criminal remedies, including authority to revoke a "stationary source's" operating permit for failure to pay all or part of its permit fee.

(10) **Transfer of ownership**. Transfer of ownership of a source shall not affect that "stationary source's" obligation to pay operating permit fees. Any liability for fee payment, including payment of delinquent fees and other penalties shall survive any transfer of ownership of a "stationary source."

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 01-05-056, filed 2/15/01, effective 3/18/01)

SWCAA 400-105 Records, Monitoring and Reporting

[Statutory Authority: Chapter 70.94.141 RCW. Original Board adoption 12/18/79; Amended by Board 4/17/84 - renumbered to 400-170; Amended by Board (400-170) 12/16/86; 93-21-004 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95; 96-21-099 filed 10/21/96, effective 11/21/96; 99-07-028 filed 3/10/99, effective 4/11/99; 01-05-056 filed 2/15/01, effective 3/18/01]

The owner or operator of each registered or Title V "source" ((~~or emission unit~~)) shall maintain records of the type and quantity of emissions from the "source" and other information deemed necessary to determine whether the "source" is in compliance with applicable emission limitations, operating limitations, and control measures. "Sources" that are not subject to the registration requirements of SWCAA 400-100 because they are exempt under SWCAA 400-101 shall maintain records and other information necessary and sufficient to substantiate that their small quantity emissions are less than the applicable thresholds.

(1) **Emission inventory.**

((~~(a) Smaller sources.~~)) The owner(s) or operator(s) of all ((~~air contaminant~~)) registered and Title V "sources" shall submit an inventory of emissions from the "source" each year to the Agency. The inventory shall include stack and fugitive emissions of particulate matter, PM_{10}, $PM_{2.5}$, sulfur dioxide, oxides of nitrogen, carbon monoxide, total reduced sulfur compounds (TRS), fluorides, lead, VOCs, and toxic air pollutants identified in WAC 173-460. The owner(s) or operator(s) shall maintain records of information necessary to substantiate any reported emissions, consistent with the averaging times for the applicable standards.

(a) Small "sources." Emission reports shall be submitted to the Agency no later than March 15 of each year for the previous calendar year. Upon written request, the Executive Director may allow an extension of the March 15 emission submittal deadline ((~~may be allowed by the Executive Director~~)) on a case-by-case basis. Extension of the emission submittal deadline shall not exceed a maximum period of 60 days.

(b) Large((~~r~~)) "sources." At a minimum, ((~~the~~)) "sources" satisfying the criteria of 40 CFR ((~~51.320 et seq.~~)) 51, (((~~(~~))Subpart Q((~~)~~)) will be submitted to EPA by the Agency for inclusion in the national emission database. The "sources" described below shall complete and return the emission inventory form supplied by the Agency for this purpose ((~~shall be completed and returned to the Agency~~)) by March 15((~~th for the following sources~~)). Upon written request, an extension of the March 15 emission submittal deadline may be allowed by the Executive Director on a case-by-case basis. Extension of the emission submittal deadline shall not exceed a maximum period of 60 days.

(i) "Stationary sources" with the potential to emit over 100 tons of criteria pollutants per year, 10 tons of a single hazardous air pollutant per year or 25 tons of combined hazardous air pollutants((~~, sources subject to NSPS, except Subpart AAA, and sources subject to NESHAPS, except Subpart M, sources~~)) per year are required to submit an emissions inventory. Only the hazardous air pollutants listed in Section 112 of the FCAA are considered ((~~for inclusion as hazardous~~

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~~air pollutant emissions~~)) for the purpose of determining those "stationary sources" required to submit an emissions inventory.

(ii) In ozone nonattainment or maintenance plan areas, those "stationary sources" that emit over 10.0 tons of VOCs per year or over 25.0 tons per year of NO_x are also required to submit emission inventories. "Stationary sources" subject to this section are also required to submit average daily emissions or process throughput data for NO_x and VOCs for ozone season in preparation for the SIP update.

(iii) "Stationary sources" with actual emissions or potential to emit greater than 50((~~%~~)) percent of the Title V permit thresholds as identified in (i) above.

(iv) "Synthetic minor" or Title V opt out "stationary sources."

(c) Greenhouse gases. The Agency may require that "sources" submit an inventory of greenhouse gas emissions. Affected "sources" shall be notified of the inventory requirement and submittal deadline in writing.

(2) **Monitoring**. The Agency shall conduct a continuous surveillance program to monitor the quality of the ambient atmosphere as to concentrations and movements of air contaminants. As a part of this program, the ((~~Control Officer~~)) Executive Director or an authorized representative may require any "source" under the jurisdiction of the Agency to conduct stack and/or ambient air monitoring and to report the results to the Agency.

(3) **Investigation of conditions**. Upon presentation of appropriate credentials, for the purpose of investigating conditions specific to the control, recovery, or release of air contaminants into the atmosphere, personnel from the Agency shall have the power to enter at reasonable times upon any private or public property, excepting non-multiple unit private dwellings housing one or two families.

(4) **Continuous monitoring and recording**. Owners and operators of the following "source categories" ((~~of sources~~)) shall install, calibrate, maintain and operate equipment for continuously monitoring and recording those emissions specified.

(a) Fossil fuel-fired steam generators.

(i) Opacity, except where:

(A) Steam generator capacity is less than two hundred fifty million Btu per hour heat input; or

(B) Only gaseous fuel is burned.

(ii) Sulfur dioxide, except where steam generator capacity is less than two hundred fifty million Btu per hour heat input or if sulfur dioxide control equipment is not required.

(iii) Percent oxygen or carbon dioxide where such measurements are necessary for the conversion of sulfur dioxide continuous emission monitoring data.

(iv) General exception. These requirements do not apply to a fossil fuel-fired steam generator with an annual average capacity factor of less than thirty percent, as reported to the Federal Power Commission for calendar year 1974, or as otherwise demonstrated to the Agency by the owner(s) or operator(s).

(b) Sulfuric acid plants. Sulfur dioxide where production capacity is more than three hundred tons per day, expressed as one hundred percent acid, except for those facilities where conversion to sulfuric acid is utilized primarily as a means of preventing emissions to the atmosphere of sulfur dioxide or other sulfur compounds.

(c) Fluidized bed catalytic cracking units catalyst regenerators at petroleum refineries. Opacity where fresh feed capacity is more than twenty thousand barrels per day.

(d) Wood residue fuel-fired steam generators.

(i) Opacity, except where steam generator capacity is less than one hundred million Btu per hour heat input.

(ii) Continuous monitoring equipment. The requirements of SWCAA 400-105 (4)(e) do not apply to wood residue fuel-fired steam generators, but continuous monitoring equipment required by SWCAA 400-105 (4)(d) shall be subject to approval by the Agency.

(e) Owners and operators of those "sources" required to install continuous monitoring equipment under this section shall demonstrate to the Agency, compliance with the equipment and performance specifications and observe the reporting requirements contained in 40 CFR Part 51, Appendix P, Sections 3, 4 and 5 (as in effect on July 1, 2002), and 40 CFR Part 60, Appendices B through F, as appropriate, as ((~~in effect July 1, 2000 which is~~)) adopted by reference in SWCAA 400-115.

(f) Special considerations. If for reason of physical plant limitations or extreme economic situations, the Agency determines that continuous monitoring is not a reasonable requirement, alternative monitoring and reporting procedures shall be established on an individual basis. Alternative monitoring and reporting procedures may include continuous monitoring of process/operational parameters as a surrogate to continuous emissions monitoring and/or stack tests conducted at a frequency sufficient to determine compliance with applicable regulations and permit requirements as well as to quantify emissions.

(g) Exemptions. This subsection ((~~(5)~~)) (SWCAA 400-105(4)) does not apply to any "stationary source" that is:

(i) Subject to a New Source Performance Standard (NSPS). NSPS "stationary sources" shall be governed by SWCAA 400-115.

(ii) Not subject to an applicable emission standard.

(h) Monitoring system malfunctions. A "source" may be temporarily exempted from the monitoring and reporting requirements of this section during periods of monitoring system malfunctions provided that the ((~~source~~)) owner(s) or operator(s) shows to the satisfaction of the Agency that the malfunction was unavoidable and is being repaired as expeditiously as practicable.

(5) **Change in raw materials or fuels for sources not subject to requirements of the Operating Permit Program**. Any change or series of changes in raw material or fuel which will result in a cumulative increase in emissions of sulfur dioxide of forty tons per year or more over that stated in the initial inventory required by SWCAA 400-105(1) shall require the submittal of sufficient information to the Agency to determine the effect of the increase upon ambient concentrations of sulfur dioxide. The Agency may issue regulatory orders requiring controls to reduce the effect of such increases. Cumulative changes in raw material or fuel of less than 0.5 percent increase ((~~or decrease~~)) in average annual sulfur content over the initial inventory shall not require such notice.

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(6) **Misrepresentation**. No person shall make any false material statement, representation or certification in any form, notice, or report required under Chapter 70.94 or 70.120 RCW, or any ordinance, resolution, regulation, permit or order in force pursuant thereto.

(7) **Tampering**. No person shall render inaccurate any monitoring device or method required under Chapter 70.94 or 70.120 RCW, or any ordinance, resolution, regulation, permit, or order in force pursuant thereto.

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.

Reviser's note: The typographical error in the above material occurred in the copy filed by the Southwest Clean Air Agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 01-05-056, filed 2/15/01, effective 3/18/01)

SWCAA 400-106 Emission Testing and Monitoring at Air Contaminant Sources

[Statutory Authority: Chapter 70.94.141 RCW. Original Board adoption - 99-07-028 filed 3/10/99, effective 4/11/99; 01-05-056 filed 2/15/01, effective 3/18/01]

(1) **Emission testing requirements.**

(((~~(1)~~))) (a) Requirement to test. The Agency may conduct or require that emission testing be conducted of ((~~the~~)) any "source" or ((~~any~~)) emission((~~s~~)) unit within the jurisdiction of the Agency to determine compliance, evaluate control equipment performance, evaluate RACT or quantify emissions.

(((~~(2)~~))) (b) Test methods. Any required ((~~source~~)) emission testing shall be performed using appropriate sampling and analytical methods as approved in advance by the Agency including, but not limited to, approved EPA test methods from 40 CFR Parts 51, 60, 61, and 63 which are hereby adopted by reference (as in effect on July 1, 2002), approved test methods from Ecology's Test Manual Procedures for Compliance Testing, Opacity Determination Method (SWCAA Method 9 - Appendix A to SWCAA 400), Oregon Department of Environmental Quality (DEQ) Method 8 "Sampling Particulate Emissions from Stationary Sources (High Volume Method)" hereby adopted by reference, or alternate procedures approved ((~~in writing~~)) by both the Agency and EPA.

(((~~(3)~~))) (c) Accommodations for sampling. The operator of a "source" shall provide the necessary platform and sampling ports for Agency personnel or others to perform a test of an emission((~~s~~)) unit. The Agency shall be allowed to obtain a sample from any emission((~~s~~)) unit. The operator of the "source" shall be given an opportunity to observe the sampling and to obtain a sample at the same time.

(((~~(4)~~))) (d) Notification. The owner or operator of a "source" shall ((~~notify~~)) submit a test plan to the Agency in writing at least 2 weeks (10 business days) prior to any required emissions test ((~~and provide the Agency an opportunity to review the test plan~~)) or as otherwise approved by the Agency. Agency personnel shall be informed at least three days prior to testing so that they have an opportunity to be present during testing.

(((~~(5)~~))) (e) Test duration. A minimum of three test runs, at least one hour in length, shall be performed at ((~~normal~~)) maximum achievable operating conditions unless otherwise approved in advance to establish that collected data is representative of normal operations. ((~~The source shall be operated at or near its maximum rated capacity during testing. Compliance shall be determined by averaging~~)) The results of the individual test runs shall be averaged together for the purpose of demonstrating compliance with applicable emission limits.

(((~~(6)~~))) (f) Records. A complete record of production related parameters including startups, shutdowns, and adjustments shall be kept during emissions testing to correlate operations with emissions and shall be recorded in the final test report.

(((~~(7)~~))) (g) Reports. Results of all required ((~~source or~~)) emission((~~s~~)) testing shall be submitted to the Agency within 45 days of test completion or as specified in the applicable regulatory order. Measured concentrations for combustion and incineration ((~~sources~~)) emission units shall be corrected as provided in the applicable air discharge permit or nonroad engine permit, or as specified in SWCAA 400-050(3). The report shall include:

(((~~(a)~~))) (i) A description of the ((~~source~~)) emission unit including manufacturer, model number and design capacity of the equipment, and the location of the sample ports or test locations((~~.~~));

(((~~(b)~~))) (ii) Time and date of the test and identification and qualifications of the personnel involved((~~.~~));

(((~~(c)~~))) (iii) A summary of results, reported in units and averaging periods consistent with the applicable emission standard or limit((~~.~~));

(((~~(d)~~))) (iv) A summary of control system or equipment operating conditions((~~.~~));

(((~~(e)~~))) (v) A summary of production related parameters((~~.~~));

(((~~(f)~~))) (vi) A description of the test methods or procedures used including all field data, quality assurance/quality control procedures and documentation((~~.~~));

(((~~(g)~~))) (vii) A description of the analytical procedures used including all laboratory data, quality assurance/quality control procedures and documentation((~~.~~));

(((~~(h)~~))) (viii) Copies of field data and example calculations((~~.~~));

(((~~(i)~~))) (ix) Chain of custody information((~~.~~));

(((~~(j)~~))) (x) Calibration documentation((~~.~~));

(((~~(k)~~))) (xi) Discussion of any abnormalities associated with the results((~~.~~)); and

(((~~(l)~~))) (xii) A statement signed by the senior management official of the testing firm certifying the validity of the ((~~source~~)) emission test report.

(2) **Emission monitoring requirements for combustion sources.**

(a) Requirement to monitor. The Agency may require in an air discharge permit or nonroad engine permit that emission monitoring be conducted for any "source" within the jurisdiction of the Agency to evaluate process equipment operation or control equipment performance.

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(b) Monitoring method. Emission monitoring shall be performed with a portable analyzer. Alternative methodologies may be preapproved by SWCAA.

(i) For any portable analyzer used to perform emission monitoring pursuant to this section, the response of the analyzer to a calibration gas of known concentration shall be determined before sampling commences and after sampling has concluded. These "calibration error" measurements shall be conducted as close as practical to the time of the monitoring event, but in no case on a different day than the event. At a minimum, the calibration error procedure shall include a two point (zero/span gas) calibration error check using EPA Protocol 1 reference gases. Results of the sampling shall not be valid if the pre and post calibration error check results vary by more than 10 percent of the span value; and

(ii) Span gas concentrations shall be no less than 50 percent and no more than 200 percent of the emission concentration corresponding to the permitted emission limit. Ambient air may be used to zero CO and NO_x cells/analyzer(s) and span oxygen cells/analyzer.

(c) Accommodations for sampling. The owner or operator of a "source" shall provide the necessary platform and sampling ports for Agency personnel or others to perform monitoring of an emission unit.

(d) Data collection. Emission data shall be collected for at least five minutes following a "ramp-up" phase. The "ramp-up" phase ends when analyzer readings have stabilized (less than five percent per minute change in emission concentration value). Emission concentrations shall be recorded every 30 seconds during data collection. All emission data collected following the ramp-up phase(s) shall be reported to the Agency.

(e) Records. A complete record of production related parameters including startups, shutdowns, and adjustments shall be kept during emission monitoring to correlate operations with emissions and shall be recorded in the final monitoring report.

(f) Reports. Results of all required emission monitoring shall be submitted to the Agency within 15 days of completion or as specified in the applicable regulatory order. The report shall include:

(i) Time and date of the emission monitoring;

(ii) Identification of the personnel involved;

(iii) A summary of results, reported in units consistent with the applicable emission standard or limit;

(iv) A summary of control system or equipment operating conditions;

(v) A description of the evaluation methods or procedures used including all field data, quality assurance/quality control procedures and documentation; and

(vi) Calibration error check documentation.

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 01-05-056, filed 2/15/01, effective 3/18/01)

SWCAA 400-107 Excess Emissions

[Statutory Authority: Chapter 70.94.141 RCW. Original Board adoption 12/17/68 (Regulation 1 Sec 4.07 & 4.08); Amended by Board 10/29/69 (Regulation 2 Sec 5.07); 93-21-004 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95; 01-05-056 filed 2/15/01, effective 3/18/01]

(1) **Recordkeeping and reporting**. Excess emissions that represent a potential threat to human health or safety, or which the owner or operator wishes to be considered as unavoidable, shall be reported to the Agency as soon as possible, but no later than 48 hours after discovery. All other excess emissions shall be reported within thirty days after the end of the month during which event is discovered. Excess emission reports shall contain the following information:

(a) Identification of the emission unit(s) involved;

(b) A brief description of the event;

(c) Duration of the event; and

(d) Anticipated corrective action to prevent or minimize excess emissions, if any.

Upon request by the Agency, the owner(s) or operator(s) of the "source" shall submit a full written report describing the known causes, the corrective actions taken, and the preventive measures implemented to minimize or eliminate the chance of recurrence.

(2) **Penalty Exclusion for Unavoidable Excess Emissions.**

((~~(1)~~)) (a) The owner or operator of a "source" shall have the burden of proving to the Agency or the ((~~decision-making entity (e.g.,)~~)) Pollution Control Hearings Board((~~,~~)) in an enforcement action that excess emissions were unavoidable. This demonstration shall be a condition to obtaining relief under ((~~subsections (4), (5) and (6) of~~)) this section.

((~~(2)~~)) (b) Excess emissions determined by the Agency to be unavoidable under the procedures and criteria in this section shall be excused ((~~and not subject to~~)) from penalty.

((~~(3) Excess emissions shall be reported to the Agency as soon as possible. Upon request by the Agency, the owner(s) or operator(s) of the source(s) shall submit a full written report including the known causes, the corrective actions taken, and the preventive measures to be taken to minimize or eliminate the chance of recurrence.~~))

((~~(4)~~)) (c) Excess emissions due to startup or shutdown conditions shall be considered unavoidable provided the "source" reports as required under subsection ((~~(3)~~)) (1) of this section and adequately demonstrates that the excess emissions could not have been prevented through careful planning and design, and if a bypass of control equipment occurs, that such bypass is necessary to prevent loss of life, personal injury, or severe property damage.

((~~(5)~~)) (d) Excess emissions due to scheduled maintenance shall be considered unavoidable if the "source" reports as required under subsection ((~~(3)~~)) (1) of this section and adequately demonstrates that the excess emissions could not have been avoided through reasonable design, better scheduling for maintenance or through better operation and maintenance practices.

((~~(6)~~)) (e) Excess emissions due to upsets shall be considered unavoidable provided the "source" reports as required under subsection ((~~(3)~~)) (1) of this section and adequately demonstrates that:

((~~(a)~~)) (i) The event was not caused by poor or inadequate design, operation, maintenance, or any other reasonably preventable condition;

((~~(b)~~)) (ii) The event was not of a recurring pattern indicative of inadequate design, operation, or maintenance;

((~~(c)~~)) (iii) The operator took immediate and appropriate corrective action in a manner consistent with good air pollution control practice for minimizing emissions during the event, taking into account the total emissions impact of the corrective action, including slowing or shutting down the emission unit as necessary to minimize emissions, when the operator knew or should have known that an emission standard or permit condition was being exceeded; and

((~~(d)~~)) (iv) The owner's or operator's actions in response to the excess emissions were documented by properly signed, contemporaneous operating logs, or other relevant evidence.

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 01-05-056, filed 2/15/01, effective 3/18/01)

SWCAA 400-109 ((~~Notice of Construction~~)) Air Discharge Permit Applications

[Statutory Authority: Chapter 70.94.141 RCW and 70.94.152 RCW. Original Board adoption 95-17-084 filed 8/21/95, effective 9/21/95; 96-21-099 filed 10/21/96, effective 11/21/96; 99-07-027 filed 3/10/99, effective 4/11/99; 01-05-056 filed 2/15/01, effective 3/18/01]

(1) **Purpose**. An ((~~Notice of Construction~~)) air discharge permit application is the document ((~~or form~~)) used by the Agency to record and track requests from individual "stationary sources," registered and non-registered, for the purpose of obtaining information regarding proposed changes or activities at a "stationary source." Confidential information shall be identified as set forth in SWCAA 400-270. ((~~Changes may include modifications, alterations, changes to process or control equipment, establishment of emission limits, and installation of new sources.~~))

(2) **Applicability.**

(a) An ((~~Notice of Construction~~)) air discharge permit application ((~~consistent with SWCAA 400-110~~)) shall be submitted for all new installations, modifications, changes, and alterations to process and emission control equipment consistent with the definition of "new source." The application must be submitted and an air discharge permit must be issued or written confirmation of exempt status must be received before the proposed installations, modifications, changes, or alterations may begin actual construction. Activities that typically require the submission of a permit application include, but are not limited to, the following:

(i) New construction or installation;

(ii) Change of existing air discharge permit conditions or terms (including Title V opt-out requests - SWCAA 400-091);

(iii) Review of existing or installed equipment operating without prior approval;

(iv) Modification, alteration or replacement of existing process or control equipment;

(v) Relocation of existing equipment;

(vi) Review of existing equipment with an expired or lapsed approval or registration;

(vii) Review of case-by-case RACT, BACT, MACT or other similar determination.

(b) Submittal of an ((~~Notice of Construction~~)) air discharge permit application shall not automatically impose ((~~New Source~~)) review requirements ((~~for meeting emissions standards (including, but not limited to: NSPS, NESHAPs, any ambient air quality standard, etc.)~~)) pursuant to SWCAA 400-110.

(c) "Stationary sources" subject to the PSD program (WAC 173-400-141) shall submit a PSD application to Ecology for pollutants subject to PSD permitting, and submit a permit application to SWCAA for pollutants that are not subject to PSD permitting.

(d) The owner or operator of any "new source" that meets the exemption criteria specified in SWCAA 400-101 may provide written notification to SWCAA in lieu of a permit application. The Agency will review each notification, and provide written confirmation of exempt status to the owner or operator of the affected "new source" within 30 days of receiving a complete notification. To be considered complete, written notification shall, at a minimum, contain the following information:

(i) Name and location of "stationary source";

(ii) Description of primary processes at the "stationary source";

(iii) Description of emission units at the "stationary source"; and

(iv) Estimated air contaminant emissions from "stationary source" operations.

Exempt status is not effective until confirmed by the Agency, and actual construction of the "new source" shall not begin prior to that time. No further action is required from "stationary sources" deemed to be exempt. However, if the Agency determines that the "new source" does not meet the exemption criteria specified in SWCAA 400-101, an air discharge permit application shall be submitted pursuant to this section.

(((~~3) Types of applications. A Notice of Construction application may be submitted for, but not be limited to, the following activities:~~

~~(a) New construction or installation.~~

~~(b) Change of existing approved emission limits (including Title V opt-out requests - SWCAA 400-091).~~

~~(c) Review of existing or installed equipment operating without prior approval.~~

~~(d) Modification, alteration or replacement of existing process or control equipment.~~

~~(e) Change of registered owner (purchase or sale of source, facility or equipment).~~

~~(f) Change of location of operations of existing portable and stationary equipment.~~

~~(g) Review of existing equipment with an expired or lapsed approval or registration.~~

~~(h) Review of a case-by-case RACT, BACT, MACT or other similar determination.~~

~~(i) Other activities as identified by the Agency.~~))

((~~(4)~~)) (3) **Fees.** ((~~A fee consistent with the fee schedule (Tables A and B) provided in SWCAA 400-110 shall be paid~~

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~~by the owner or operator to the Agency prior to review of the Notice of Construction application by the Agency~~)). Before the Agency may review a permit application, a filing fee of $300.00 and a review fee, as identified in Table A shall be submitted by the applicant. If offsetting emission reductions or other types of review identified in Table B must be performed by the Agency as a result of the proposed installation, alteration, or modification, an additional review fee shall be paid as described in Table B. (Total Fee = Filing Fee + Review Fee [Table A] + Additional Review Fee [Table B]).

Permit application review fees based on emissions are to utilize actual or proposed allowable emissions, after controls, as supported by test data or emission factors, not potential to emit. Other review fees as noted in the fee tables are based on the design capacities of affected equipment. Where a "stationary source" may fall under multiple categories in Table A, only one fee per application shall apply. In these cases, the fee determination shall be based on the primary emission unit or activity of the new, modified or altered "stationary source."

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TABLE A
Permit Application Review Fees

i. Fuel burning equipment (Million Btu/hr heat input @ design capacity):

Less than 5	$ 300.00
5 or more but less than 10	400.00
10 or more but less than 30	550.00
30 or more but less than 50	700.00
50 or more but less than 100	1,200.00
100 or more but less than 250	2,500.00
250 or more but less than 500	4,000.00
500 or more	6,000.00
Change in fuel type	One half of the applicable fee listed above

ii. Discharge from control equipment or from uncontrolled process equipment (Actual Cubic Feet per Minute - ACFM):

Less than 50	$ 300.00
50 or more but less than 5,000	400.00
5,000 or more but less than 20,000	500.00
20,000 or more but less than 50,000	600.00
50,000 or more but less than 100,000	700.00
100,000 or more but less than 250,000	1,000.00
250,000 or more but less than 500,000	2,000.00
500,000 or more	4,000.00

iii. Refuse burning equipment (Incinerators)(Tons/day):

Less than 0.5	$ 400.00
0.5 or more but less than 5	500.00
5 or more but less than 12	1,000.00
12 or more but less than 50	3,000.00
50 or more	6,000.00

iv. Storage tanks, reservoirs, or containers (Gallons-total capacity): (Other than gasoline or diesel fuel dispensing facilities):

250 or more but less than 10,000	$ 300.00
10,000 or more but less than 40,000	700.00
40,000 or more but less than 100,000	1,000.00
100,000 or more	2,000.00

v. Gasoline dispensing facilities:

Stage I	$ 300.00
Stage II	400.00
Stages I & II, combined	500.00
Toxics review for gasoline facility	1,500.00
Stage II removal	300.00

vi. Other: (Not classified in Subsection i., ii., iii., iv. or v. above) — $200.00/ton of emission

vii. Toxic air contaminants — $200.00 up to one ton and $100.00 for each additional ton

viii. Complex stationary source or modification: — $6,000.00

ix. Synthetic minor application (including, but not limited to: Title V, HAP): — Not to exceed $5,000.00

x. Particulate matter and fugitive emissions from rock crushing, material transfer and ship loading (Emissions - tons per year):

Less than or equal to 10	$ 300.00
More than 10 but less than or equal to 50	700.00
More than 50 but less than or equal to 100	1,000.00
More than 100 but less than 250	2,500.00
250 or greater	6,000.00

xi. Minor modifications to existing permit conditions: — $ 300.00

xii. Temporary, substitute, or emergency Sources — $ 500.00

xiii. Dry cleaner: — $ 300.00

xiv. Diesel engine generators/pumps (Aggregate horsepower rating):

Less than 100	$ 300.00
100 or more but less than 500	400.00
500 or more but less than 2,000	700.00
2,000 or more but less than 5,000	1,500.00
5,000 or more but less than 10,000	3,000.00
10,000 or more	6,000.00

xv. Crematory/small incinerators/small flares: — $400.00

xvi.	Gluing/flow coating operations without active ventilation:	$500.00
xvii.	Soil remediation:	$500.00
xviii.	Composting Facilities (Average material throughput - tons per day):	
	Less than 50	$ 300.00
	50 or more but less than 100	700.00
	100 or more but less than 200	1,200.00
	200 or more but less than 500	3,000.00
	500 or more	6,000.00
xix.	Coffee roasters:	$400.00
xx.	Emergency Application:	Double normal application and review fee

TABLE B
Other Review Fees

xxi.	Emission offset analysis or bubble:	$400.00
xxii.	Emission reduction credit (ERC) application: (Deposit or withdrawal)	$400.00
xxiii.	State environmental policy act (SEPA) - lead agency:	$1,000.00
xxiv.	Environmental impact statement (EIS) review:	$500.00
xxv.	RACT/BACT/MACT/BART/LAER determination:	$70.00/hr
xxvi.	Variance request:	$500.00
xxvii.	Review of ambient impact analysis:	$70.00/hr
xxviii.	Review of projects under RCW 70.105D.090:	$70.00/hr
xxix.	Review of Ecology agreed orders and consent orders pursuant to RCW 70.105D.090(1):	$70.00/hr

TABLE C
Major NSR Review Fees

xxx.	Plantwide applicability limitations:	$10,000.00 + $70/hr for excess cost to Agency
xxxi.	Clean unit/pollution control project designations:	$5,000.00 + $70/hr for excess cost to Agency

(((~~5~~))) (4) **Agency actions.** Each ((~~acceptable and~~)) complete ((~~Notice of Construction~~)) air discharge permit application shall ((~~have~~)) result in the issuance of an ((~~Order of Approval~~)) air discharge permit or other applicable order ((~~issued~~)) or confirmation of exempt status by the Agency. ((~~A Notice of Construction for a gasoline dispensing station shall be submitted and approved as provided in SWCAA 400-110(8).~~)) The requirements of SEPA (State Environmental Policy Act) shall be complied with for each ((~~Notice of Construction~~)) air discharge permit application. Demonstration of completion of an environmental checklist as provided in WAC 197-11 shall be submitted with each ((~~Notice of Construction~~)) air discharge permit application. If a SEPA determination has been issued for the proposed activity by another permitting agency, the applicant need only submit a copy of that agency's SEPA determination. Issuance of regulatory orders for all ((~~Notice of Construction~~)) air discharge permit applications shall be consistent with the requirements of SWCAA 400-110. ((~~Requirements for New Source Review are provided in SWCAA 400-110, 400-111, 400-112, 400-113 & 400-114. A Notice of Construction application may be withdrawn prior to issuance of a final regulatory order by the Agency as provided in (6) below; or an application may be determined by the Agency to be exempt as provided under 400-100, 400-101, or 400-110. An application determined to be exempt will be processed as identified in (6) below.~~))

(((~~6~~))) (5) **Withdrawn or exempt applications.**

(a) An ((~~Notice of Construction~~)) air discharge permit application may be withdrawn by the applicant at any time prior to issuance of a regulatory order. The applicant must provide a written and signed request to the Agency indicating their desire to withdraw ((~~a Notice of Construction~~)) the application, and certification that the proposed equipment or modification will not be installed, constructed, or operated without prior review and approval from the Agency. The Agency shall provide written response to acknowledge withdrawal of the application.

(b) After review by the Agency, ((~~an~~)) a permit application may be determined to be exempt from the ((~~registration~~)) requirements of SWCAA 400-100 and ((~~New Source Review requirements of SWCAA~~)) 400-110 if it meets the exemption criteria provided in SWCAA 400-101. The Agency shall provide written notification ((~~shall be provided by the Agency~~)) to the applicant for all applications that are determined to be exempt. Exempt status is not effective until confirmed by the Agency, and actual construction of the "new source" shall not begin prior to that time.

(c) For withdrawn or exempt applications, filing fees will not be refunded to the applicant. Review fees, if provided with the application, may be refunded((~~,~~)) upon request, provided that substantial time has not been expended by the Agency for review of the ((~~Notice of Construction~~)) application.

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.

Reviser's note: The typographical errors in the above material occurred in the copy filed by the Southwest Clean Air Agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

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AMENDATORY SECTION (Amending WSR 01-05-056, filed 2/15/01, effective 3/18/01)

SWCAA 400-110 Application Review Process for Stationary Sources (New Source Review)

[Statutory Authority: Chapter 70.94.141 RCW, and 70.94.152 RCW. Original Board adoption 12/17/68 (Regulation 1 Sec 3); Amended by Board 12/18/79; Amended by Board 8/18/81; Amended by Board 3/20/84; 92-06-015 filed 2/25/92, effective 3/25/92; 93-21-004 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95; 96-21-099 filed 10/21/96, effective 11/21/96; 99-07-030 filed 3/10/99, effective 4/11/99; 01-05-056 filed 2/15/01, effective 3/18/01]

(1) Applicability.

~~(((a) New Source Review (NSR) means that if the new source, modification or substantial alteration or replacement, meets the definition of "new source" then that new source or modification must demonstrate that all applicable emission standards have been or will be met by the proposed modification or new source. A complete Notice of Construction application shall be submitted for each source required to submit an application under the requirements of this section. Confidential information shall be identified as set forth in SWCAA 400-270.~~

~~Before the Agency may review a Notice of Construction application, a filing fee of $300.00 and a review fee, as shown in Table A shall be submitted by the applicant. If offsetting emission reductions or other types of review identified in Table B are required to be performed by the Agency as a result of the proposed installation, alteration, or modification, an additional review fee shall be paid. (Total Fee = Filing Fee + Review Fee [Table A] + Additional Review Fee [Table B]).~~

~~Notice of Construction application review fees based on emissions are to utilize actual or approved emissions, after controls, as supported by test data or emission factors, not potential to emit. Other review fees as noted in the fee tables are based on design capacities of the source equipment. Where a source may fall under multiple categories, only one fee per application shall apply; Table A fees are not considered additive as they apply to an application. In general, the fee determination shall be based on the primary emission unit or activity of the new, modified or altered source.~~

~~TABLE A~~
~~Notice of Construction Application Review Fees~~

~~i. Fuel Burning Equipment~~
~~Million Btu/hr heat input @ design capacity):~~

~~Less than 5~~	~~$ 300.00~~
~~5 or more but less than 10~~	~~400.00~~
~~10 or more but less than 30~~	~~550.00~~
~~30 or more but less than 50~~	~~700.00~~
~~50 or more but less than 100~~	~~1200.00~~
~~100 or more but less than 250~~	~~2,500.00~~
~~250 or more but less than 500~~	~~4,000.00~~
~~500 or more~~	~~6,000.00~~

~~ii. Discharge from control equipment or from uncontrolled process equipment~~
~~(Actual Cubic Feet per Minute - ACFM):~~

~~Less than 50~~	~~$ 300.00~~
~~50 or more but less than 5,000~~	~~400.00~~
~~5,000 or more but less than 20,000~~	~~500.00~~
~~20,000 or more but less than 50,000~~	~~600.00~~
~~50,000 or more but less than 100,000~~	~~700.00~~
~~100,000 or more but less than 250,000~~	~~1,000.00~~
~~250,000 or more but less than 500,000~~	~~2,000.00~~
~~500,000 or more~~	~~4,000.00~~

~~iii. Refuse Burning Equipment (Incinerators)(Tons/day):~~

~~0.5 or more but less than 5~~	~~$ 500.00~~
~~5 or more but less than 12~~	~~1,000.00~~
~~12 or more but less than 250~~	~~3,000.00~~
~~250 or more~~	~~4,000.00~~

~~iv. Storage Tanks, Reservoirs, or Containers (Gallons total capacity):~~
~~(Other than gasoline or diesel fuel dispensing facilities)~~

~~250 or more but less than 10,000~~	~~$ 300.00~~
~~10,000 or more but less than 40,000~~	~~700.00~~
~~40,000 or more but less than 100,000~~	~~1,000.00~~
~~100,000 or more~~	~~2,000.00~~

~~v. Gasoline Dispensing Facilities~~

~~Stage I~~	~~$ 300.00~~
~~Stage II~~	~~400.00~~
~~Stages I & II, combined~~	~~500.00~~
~~Toxics review for gasoline facility~~	~~1500.00~~
~~Stage II removal~~	~~300.00~~

~~vi.~~	~~Other~~	~~$ 200.00/ton~~
	~~(Not classified in Subsection i., ii., iii., or iv. above)~~	~~of emission~~
~~vii.~~	~~Toxic Air Contaminants~~	~~$ 200.00 up to one ton and $100.00 for each additional ton~~
~~viii.~~	~~Major Source or Major Modification~~	~~$ 5,000.00~~
~~ix.~~	~~Synthetic minor application (including, but not limited to: Title V, HAP)~~	~~Not to exceed $ 5,000.00~~

~~x. Particulate Matter and Fugitive Emissions from Rock Crushing, Material Transfer and Ship Loading (Emissions - tons per year)~~

~~Less than or equal to 10~~	~~$ 300.00~~
~~More than 10 but less than or equal to 50~~	~~700.00~~
~~More than 50 but less than or equal to 100~~	~~1,000.00~~
~~More than 100 but less than 250~~	~~2,500.00~~
~~250 or greater~~	~~5,000.00~~

~~xi. Modifications to an Existing Order~~ ~~$ 300.00~~

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~~xii.~~	~~Installation or Operation of a Temporary, Substitute or Emergency Source~~	~~$ 500.00~~
~~xiii.~~	~~Dry cleaner~~	~~$ 300.00~~
~~xiv.~~	~~Standby diesel generators~~	~~$ 400.00~~
~~xv.~~	~~Crematory/Small Incinerators/Small Flares~~	~~$ 400.00~~
~~xvi.~~	~~Gluing/flow coating operations without active ventilation~~	~~$ 500.00~~
~~xvii.~~	~~Soil remediation~~	~~$ 500.00~~

~~TABLE B~~
~~Other Review Fees~~

~~The following fees are considered additive to the filing and review fees assessed for Notice of Construction applications (Table A). These fees apply to activities that may be requested of and performed by the Agency with or without submittal of a Notice of Construction application and are not part of the activities normally performed by the Agency as part of the Notice of Construction application review.~~

~~xviii.~~	~~Emission Offset Analysis or Bubble~~	~~$ 400.00~~
~~xix.~~	~~Emission Reduction Credit (ERC) Application (Deposit or withdrawal)~~	~~$ 400.00~~
~~xx.~~	~~State Environmental Policy Act (SEPA) - Lead Agency~~	~~$ 1000.00~~
~~xxi.~~	~~Environmental Impact Statement (EIS) Review~~	~~$ 500.00~~
~~xxii.~~	~~RACT/BACT/MACT/BART/LAER Determination~~	~~$ 50.00/hr~~
~~xxiii.~~	~~Variance request~~	~~$ 500.00~~

~~(b) A Notice of Construction application that meets the minimum requirements for New Source Review must be filed by the owner or operator and an Order of Approval issued by the Agency prior to the establishment of any new source or emission unit or modification which is listed in SWCAA 400-100 or required to obtain an Operating Permit under RCW 70.94.161.~~

~~(c) The Agency may require that:~~

~~(i) a Notice of Construction application be filed by the owner or operator of a proposed new source or modification,~~

~~(ii) the source meets all New Source Review requirements, and~~

~~(iii) an Order of Approval be issued by the Agency prior to the establishment of any new source or emission unit or modification, other than a single family or a duplex dwelling.~~

(a) Air discharge permit applications submitted to the Agency pursuant to SWCAA 400-109 shall be reviewed and approved in accordance with the requirements of this section.

(((~~d~~))) (b) ((~~New Source~~)) Review of a modification shall be limited to the emission unit(s) ((~~or units~~)) proposed to be added to an existing "stationary source" or modified and the air contaminants whose emissions would increase as a result of the modification except that review of a "major modification" shall comply with the requirements of SWCAA 400-111, 400-112, 400-113 and/or WAC 173-400-141.

(((~~c~~))) (c) ((~~New Source Review is not required for those~~)) The requirements of this section are not applicable to:

(i) "Stationary sources" ((~~whose facilitywide combined emissions (potential to emit) do not exceed the limits~~)) that meet the exemption criteria specified in SWCAA 400-101 ((~~or whose emission unit capacities are less than the minimum quantities specified in Table A of SWCAA 400-110(1)(a)~~)). The owner or operator of an exempt facility shall maintain sufficient documentation acceptable to the Agency to substantiate that the "stationary source" is entitled to exemption under this section. ((~~An emission unit exempt from registration under SWCAA 400-100 or 400-101 may be exempt from New Source review.~~)); and

(ii) Nonroad engines subject to the requirements of SWCAA 400-045 and 400-046.

(((~~f~~))) (d) ((~~New Source~~)) Review is not required ((~~when~~)) for the following ((~~conditions are met~~)):

(((~~(i) Performance of routine maintenance or repair that involves the replacement of like-in-kind air pollution control equipment or controls. This includes upgrades of parts or components where due to wear or breakage, parts or components must be replaced and exact replacement parts or components are no longer available from the original equipment manufacturer or after market vendors. In no case shall the replacement parts result in an increase in actual emissions above allowable emissions;~~

~~(ii) A process change is made that does not result in an emission of a different type not previously approved or an increase in capacity and total air pollutant emissions;~~))

(((~~iii~~))) (i) A process change ((~~is made~~)) that does not result in ((~~an~~)) the emission of a ((~~different~~)) type of toxic air pollutant, as provided in ((~~WAC~~)) Chapter 173-460 WAC, not previously approved and individual toxic air pollutant emissions do not exceed the Small Quantity Emission Rates specified ((~~in the Small Quantity Emission Rate tables~~)) in WAC 173-460-080 (((~~annual rate~~))); or

(((~~iv~~))) (ii) A raw material composition change that does not result in individual toxic air pollutant emissions that exceed the applicable Small Quantity Emission Rate((~~s~~)) specified ((~~in the Small Quantity Emission Rate tables~~)) in WAC 173-460-080 (((~~annual rate);~~)).

(2) **Requirements.**

(a) All review requirements shall be met, and an air discharge permit shall be issued by the Agency, prior to construction of any "new source," new emission unit, or modification.

(b) Regardless of any other provision of this section, 400-101 or 400-109, all review requirements shall be met, and an air discharge permit shall be issued by the Agency, prior to construction of any of the following:

(i) Any project that qualifies as construction, reconstruction or modification of an affected facility, within the mean-

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ing of 40 CFR Part 60 (New Source Performance Standards), except Part AAA, Wood stoves (as in effect on July 1, 2002);

(ii) Any project that qualifies as a new or modified "stationary source" within the meaning of 40 CFR 61.02 (National Emission Standards for Hazardous Air Pollutants as in effect on July 1, 2002), except for asbestos demolition and renovation projects subject to 40 CFR 61.145;

(iii) Any project that qualifies as a "new source" within the meaning of 40 CFR 63.2 (National Emission Standards for Hazardous Air Pollutants for Source Categories as in effect on July 1, 2002);

(iv) Any project that qualifies as a new major stationary source, or a major modification; or

(v) Any modification to a "stationary source" that requires an increase in an existing plantwide emissions cap or unit specific emission limit.

(((~~(g)~~))) (c) ((~~Any source required to submit a Notice of Construction~~)) Air discharge permit applications ((~~for New Source Review is required to~~)) must demonstrate that all applicable emission standards have been or will be met by the proposed modification or "new source." Examples of applicable emissions standards ((~~may~~)) include, but are not ((~~be~~)) limited to: RACT, BACT, LAER, BART, MACT, NSPS, NESHAPS, ambient air increments and ((~~any~~)) ambient air quality standards ((~~as identified in~~)) (See Table ((~~C~~)) A below). A completed environmental checklist or a completed determination, as provided in Chapter 197-11 WAC, shall be submitted with each application. Additional requirements for new and modified "stationary sources" and replacement or alteration of control equipment are ((~~further~~)) addressed in SWCAA 400-111, 400-112, 400-113, 400-114, and 400-151.

((~~TABLE C~~

~~Emission Concentration Regulatory Standards and Significance Levels~~

~~Pollutant~~	~~Averaging Period~~	~~Class II Significant Impact Criteria~~ ~~mg/m3~~	~~Class I PSD Increments~~ ~~mg/m3~~	~~Class II PSD Increments~~ ~~mg/m3~~	~~NAAQS~~ ~~Primary Ambient Standards~~ ~~mg/m3 (ppm)~~	~~Secondary Ambient Standards~~ ~~mg/m3 (ppm)~~	~~Washington Ambient Standards~~ ~~mg/m3 (ppm)~~
~~Carbon Monoxide (CO) (WAC 173-475)~~	~~8 Hour~~	~~500~~	—	—	~~10,000b (9.0)~~	~~10,000b (9.0)~~	~~10,000b (9.0)~~
	~~1 Hour~~	~~2,000~~	—	—	~~40,000b (35.0)~~	~~40,000b (35.0)~~	~~40,000b (35.0)~~
~~Nitrogen Dioxide (NO2) (WAC 173-475)~~	~~Annuala (arithmetic mean)~~	~~1~~	~~2.5~~	~~25~~	~~100 (0.05)~~	~~100 (0.05)~~	~~100 (0.05)~~
~~Ozone (O3) (WAC 173-475)~~	~~1 Hourc~~	—	—	—	~~(0.12)~~	~~(0.12)~~	~~(0.12)~~
~~Ozone (O3) (40 CFR Part 50) (62 FR 38856)~~	~~8 Hourf~~	—	—	—	~~(0.08)~~	~~(0.08)~~	—
~~Sulfur Dioxide (SO2) (WAC 173-474)~~	~~Annuala~~ ~~24 Hour~~ ~~3 Hour~~ ~~1 Hour~~	~~1~~ ~~5~~ ~~25~~ —	~~2~~ ~~5~~ ~~25~~ —	~~20~~ ~~91~~ ~~512~~ —	~~80 (0.03)~~ ~~365b (0.14)~~ — —	— — ~~1,300b (0.50)~~ —	~~53 (0.02)~~ ~~260b (0.10)~~ — ~~1,065b (0.40)d~~
~~Total Reduced Sulfur (TRS)~~	~~1 Hour~~	—	—	—	—	—	—
~~Lead~~	~~Quarterly Average~~	—	—	—	~~1.5~~	~~1.5~~	~~1.5~~
~~Total Suspended Particulates (TSP) (WAC 173-470)~~	~~Annuala (geometric mean)~~ ~~24 Hour~~	~~1~~ ~~5~~	~~5~~ ~~10~~	~~19~~ ~~37~~	~~75~~ ~~260b~~	~~60e~~ ~~150b~~	~~60~~ ~~150b~~

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Pollutant	Averaging Period	Class II Significant Impact Criteria[j] mg/m3	Class I PSD Increments[k] mg/m3	Class II PSD Increments[k] mg/m3	NAAQS Primary Ambient Standards mg/m3 (ppm)	NAAQS Secondary Ambient Standards mg/m3 (ppm)	Washington Ambient Standards mg/m3 (ppm)
Particulate Matter less than 10 Fm (WAC 173-470)	Annual (geometric mean)	1	—	17	50	50	50
	24 Hour	5	—	30	150[b]	150[b]	150[b]
Particulate Matter less than 2.5 F(40 CFR Part 50) (62 FR 38652)	Annual[g]	—	—	—	15	15	—
	24 Hour[h]	—	—	—	65	65	—

mg/m3 - micrograms per cubic meter; ppm - parts per million
a Never to be exceeded.
b Not to be exceeded more than once per year.
c This is not a standard, rather it is to be used as a guide in assessing whether implementation plans will achieve the 24-hour standard.
d Also, 0.25 ppm not to be exceeded more than twice in seven days.
e Not to be exceeded on more than 1 day per calendar year as provided in ((WAC)) Chapter 173-475 WAC.
f Based on the three-year average of the annual fourth-highest daily maximum 8-hour average ozone concentration at each monitor.
g Based on the 3-year average of annual arithmetic mean PM2.5 concentrations.
h Based on the 3-year average of the 98th percentile of 24-hour PM2.5 concentrations at each monitor within an area.
i Based on the 99th percentile of 24-hour PM10 concentrations at each monitor.
j Found in 40 CFR 51.165(b)(2).
k Found in 40 CFR 51.166(c).
Annual standards never to be exceeded; short term standards not to be exceeded more than once per year unless otherwise noted.
Sources include the EPA New Source Review Workshop Manual, 40 CFR 52.21 and individual WAC Chapters.

((The significant impact criteria are used to determine if a proposed project or modification will cause a significant deterioration in ambient air quality for Class II areas)). If the ambient impact of a proposed project ((impacts)) (i.e., changes in ambient concentrations resulting from the proposed project or modification alone) ((are)) is predicted to be less than the ((significant impact criteria)) applicable ambient air increments, ((then)) the air quality analysis is complete at that point. If the ambient impact of a proposed project ((or modification exceeds these levels)) could potentially exceed the applicable ambient air increments, the applicant shall demonstrate compliance with available ((PSD)) ambient air increments and Ambient Air Quality Standards (AAQS) ((must then be demonstrated)) using a modeling technique consistent with 40 CFR Part 51, Appendix W (as in effect on July 1, 2002). ((If a proposed project or modification exceeds the significant ambient concentrations for Class II areas,)) Monitoring of existing ambient air quality may be required if data sufficient to characterize background air quality are not available.

TABLE A - Emission Concentration Regulatory Standards

Pollutant	Averaging Period	Ambient Air Increment *40 CFR 51.166(c)* Class I µg/m³	Ambient Air Increment *40 CFR 51.166(c)* Class II µg/m³	National Ambient Air Quality Standards (NAAQS) *40 CFR 50* Primary Standard µg/m³ (ppm)	National Ambient Air Quality Standards (NAAQS) *40 CFR 50* Secondary Standard µg/m³ (ppm)	State Ambient Air Quality Standards *173-470, 474, and 475 WAC* Ambient Standard µg/m³ (ppm)
Carbon Monoxide (CO)	8-Hour	=	=	10,000[b] (9.0)	=	10,000[b] (9.0)
	1-Hour	=	=	40,000[b] (35.0)	=	40,000[b] (35.0)
Nitrogen Dioxide (NO_2)	Annual[a] (arithmetic mean)	2.5	25	100 (0.05)	100 (0.05)	100 (0.05)
Ozone (O_3)	1-Hour[e]	=	=	(0.12)	(0.12)	(0.12)
	8-Hour[f]	=	=	(0.08)	(0.08)	=
Sulfur Dioxide (SO_2)	Annual[a]	2	20	80 (0.03)	=	53 (0.02)
	24-Hour	5	91	365[b] (0.14)	=	260[b] (0.10)
	3-Hour	25	512	=	1,300[b] (0.50)	=
	1-Hour	=	=	=	=	1,065[b] (0.40)[d]

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Pollutant	Averaging Period	Ambient Air Increment *40 CFR 51.166(c)* Class I µg/m³	Ambient Air Increment *40 CFR 51.166(c)* Class II µg/m³	National Ambient Air Quality Standards (NAAQS) *40 CFR 50* Primary Standard µg/m³ (ppm)	National Ambient Air Quality Standards (NAAQS) *40 CFR 50* Secondary Standard µg/m³ (ppm)	State Ambient Air Quality Standards *173-470, 474, and 475 WAC* Ambient Standard µg/m³ (ppm)
Lead	Quarterly Average	=	=	1.5	1.5	1.5
Total Suspended Particulates (TSP)	Annual[a] (geometric mean)	=	=	=	=	60
	24-Hour[i]	=	=	=	=	150[b]
Particulate Matter less than 10 µm (PM_{10})	Annual (arithmetic mean)	4	17	50	50	50
	24-Hour[i]	8	30	150[b]	150[b]	150[b]
Particulate Matter less than 2.5 µm ($PM_{2.5}$)	Annual[g] (arithmetic mean)	=	=	15	15	=
	24-Hour[h]	=	=	65	65	=

µg/m³ - micrograms per cubic meter; ppm - parts per million

[a] Never to be exceeded.

[b] Not to be exceeded more than once per year.

[c] This is not a standard, rather it is to be used as a guide in assessing whether implementation plans will achieve the 24-hour standard.

[d] Also, 0.25 ppm not to be exceeded more than twice in seven days.

[e] Not to be exceeded on more than 1 day per calendar year as provided in ((WAC)) Chapter 173-475 WAC.

[f] Based on the three-year average of the annual fourth-highest daily maximum 8-hour average ozone concentration at each monitor.

[g] Based on the 3-year average of annual arithmetic mean $PM_{2.5}$ concentrations.

[h] Based on the 3-year average of the 98th percentile of 24-hour $PM_{2.5}$ concentrations at each monitor within an area.

[i] Based on the 99th percentile of 24-hour PM_{10} concentrations at each monitor.

Annual standards never to be exceeded; short term standards not to be exceeded more than once per year unless otherwise noted.

Sources include the EPA New Source Review Workshop Manual, 40 CFR 52.21 and individual WAC Chapters.

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(d) PSD applicability. Air discharge permit applications for "major stationary sources" or "major modifications" shall demonstrate that all applicable requirements of SWCAA 400-141 and WAC 173-400-141 have been met.

(e) An applicant filing an air discharge application for a project described in WAC 173-400-117(2), Special Protection Requirements for Federal Class I Areas, must send a copy of the application to the responsible federal land manager.

(((2))) (3) **Application completeness determination.** Within thirty (30) calendar days of receipt of an ((~~Notice of Construction~~)) air discharge permit application, the Agency shall either notify the applicant in writing that the application is complete or notify the applicant in writing of all additional information necessary((~~, based upon review of information already supplied,~~)) to complete the application as provided under RCW 70.94.152.

(a) For an ((~~project~~)) application subject to PSD review under ((~~SWCAA~~)) WAC 173-400-141, a completeness determination includes a determination that the application provides all information required to conduct PSD review. ((~~The Agency may request additional clarification of information submitted from the source after a completeness determination has been made for a Notice of Construction application.~~))

(b) For an application subject to Special Protection requirements for federal Class I areas in WAC 173-400-117(2), a completeness determination includes a determination that the application includes all information required for review of that project under WAC 173-400-117(3).

(((~~3~~))) (4) **Final determination** ((~~/ Regulatory orders~~)).

(a) Within sixty (60) calendar days of receipt of a complete application, the Agency shall either issue a final decision on the application or ((~~, for those projects subject to public notice, issue a preliminary determination and~~)) initiate public notice ((~~and comment procedures under SWCAA 400-171~~)) on a proposed decision, followed as promptly as possible by a final decision. All actions taken under this subsection must meet the public involvement requirements of SWCAA 400-171. An owner or operator seeking to construct or modify a "stationary source" that requires an operating permit may elect to integrate review of the operating permit application or amendment required under RCW 70.94.161 and the ((~~Notice of Construction~~)) application required by this section. An ((~~Notice of Construction~~)) application designated for integrated review shall be processed in accordance with ((~~WAC~~)) Chapter 173-401 WAC procedures and deadlines. A PSD permit application under WAC 173-400-141 or an air discharge permit application for a "major modification" or a "major stationary source" in a nonattainment area must also comply with SWCAA 400-171 and WAC 173-400-171, as applicable.

(b) Every final determination on an ((~~Notice of Construction~~)) air discharge permit application that results in the issuance of an ((~~Order of Approval~~)) air discharge permit by the Agency shall be reviewed and signed prior to issuance by a professional engineer or staff under the direct supervision of a professional engineer in the employ of the Agency.

(c) If the "new source" is a "major stationary source" or the ((change)) proposed modification is a "major modification," the Agency shall submit any control technology determination(s) included in a final ((Order of Approval)) air discharge permit to the RACT/BACT/LAER clearinghouse maintained by EPA and submit a copy of the final permit to EPA.

(((4))) (5) **Appeals**. An ((Order of Approval)) air discharge permit, any conditions contained in an ((Order of Approval)) air discharge permit, the denial of an ((Notice of Construction)) air discharge permit application, or any other regulatory order issued by the Agency, may be appealed to the ((Board of Directors as specified in SWCAA 400-220 of this regulation or appealed directly to the)) Pollution Control Hearings Board within 30 calendar days of receipt as provided in Chapter 43.21B RCW and Chapter 371-08 WAC. The Agency shall promptly mail copies of each order approving or denying an ((Notice of Construction)) air discharge permit application to the applicant and to any other party who submitted timely comments on the application, along with a notice advising the parties of their rights of appeal to the Pollution Control Hearings Board ((and, where applicable, to the EPA Environmental Appeals Board)).

(((5))) (6) **Portable ((sources)) equipment**. ((For portable sources which locate temporarily at particular sites,)) The owner(s) or operator(s) of "portable equipment," as defined in SWCAA 400-030, shall be allowed to operate at ((the)) temporary locations without filing an ((Notice of Construction)) air discharge permit application for each location provided that:

(a) The affected ((source/))emission((s)) units are registered with the Agency.

(b) The affected ((source/))emission((s)) units have an ((Order of Approval)) air discharge permit as a portable "stationary source."

(c) The owner(s) or operator(s) notifies the Agency of intent to operate at the new location at least ten business days prior to starting the operation.

(d) The owner(s) or operator(s) supplies sufficient information including production quantities and hours of operation, to enable the Agency to determine that the operation will comply with ((the)) applicable emission standards ((for a new source)), and will not cause a violation of applicable ambient air quality standards and, if in a nonattainment area, will not interfere with scheduled attainment of ambient standards.

(e) ((The owner(s) and/or resident(s))) Landowners and residents of immediately adjacent properties ((shall be)) are notified by the owner(s) or operator(s) of the "portable ((source)) equipment" in writing at least 10 business days prior to commencement of operations at the proposed location. ((With)) Copies of the notification letters shall be mailed to the Agency. Written notification to the adjacent landowners((/)) and residents shall be by certified mail with return receipt requested. Such written notification shall include a complete description of the proposed operation, the associated emissions control provisions and equipment, the total estimated project emissions, the name, address and phone number of the person in charge of the operation, and the address and phone number for SWCAA. Written notification shall indicate that all comments shall be directed to the Agency.

((Sources)) "Portable equipment" that does not operate within the jurisdiction of the Agency for a period of more than 5 years shall be considered to be ((nonoperational)) permanently shutdown and will be removed from active registration. Any ((such source)) "portable equipment" removed from active registration shall be required to ((go through new source)) submit a new permit application and undergo review as a "new source" prior to operating again within the jurisdiction of the Agency ((consistent with the definition of new source)).

(((6))) (7) **Compliance**. Noncompliance with any emission limit, test requirement, reporting requirement or other requirement identified in a regulatory order issued pursuant to this section shall be considered a violation of this section.

(((7))) (8) **Expiration**. Approval to construct or modify a "stationary source" shall become invalid if construction is not commenced within eighteen months after the date of issuance of an ((Order of Approval)) air discharge permit, if construction is discontinued for a period of eighteen months or more, or if construction is not completed within a reasonable time. The Agency may extend the eighteen-month period upon a satisfactory demonstration that an extension is justified. An extension for a PSD permit must be approved by Ecology, and comply with the public notice requirements in WAC 173-400-171. This provision does not apply to the time period between construction of the approved phases of a phased construction project. Each phase must commence construction within eighteen months of the projected and approved commencement date. The Agency may specify an earlier date for commencement of construction in an ((Order of Approval)) air discharge permit.

(((8) Temporary, emergency, or substitution sources.

(a) A temporary source shall be considered to be a new source. The Agency may require that a Notice of Construction application and applicable review fees be submitted before reviewing a request for a temporary, emergency or substitution source. The Agency may provide approval for special situations for a source without meeting the requirements for New Source Review when one or more of the following conditions are met:

(i) The temporary source is needed to replace a previously approved similar source where the approved source is non-functional due to breakdown or other similar circumstances beyond the control of the owner or operator. This may include replacement steam or power supply units where facilities have an immediate need to continue production or service to public or private industries, or have a need for an extended or unscheduled shutdown of equipment that is of a duration not otherwise planned for. The Agency may provide written approval for a temporary source that may include but not be limited to emission limits, operational or maintenance requirements or limitations, monitoring and reporting requirements, and testing requirements. Installation of a temporary source due to poor or improper maintenance or operations is required to submit a Notice of Construction application for permanent replacement within 30 days of installation.

(ii) The temporary source is necessary to support public or private needs in the event of a local or regional disaster

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~~when proper planning could not be accommodated. In no event shall the temporary source be authorized for operations for durations greater than three months. Written approval shall be provided by the Agency that may contain, but not be limited to: emission limits, operation and maintenance requirements and limitations, monitoring and reporting requirements, and testing requirements. For operations greater than three months the owner or operator shall submit a Notice of Construction application under New Source Review requirements (SWCAA 400-110) for approval from the Agency.~~

~~(iii) The temporary source is a one time special need, urgent application, that cannot otherwise be accommodated through the New Source Review process due to the critical nature of the source and time constraints. As a condition of approval under this expedited approval process, a new source of this type could not request to be allowed or expected to operate within the jurisdiction of the Agency for the following three years. Written approval shall be provided by the Agency that may contain but not be limited to: emission limits, operation and maintenance requirements and limitations, monitoring and reporting requirements and testing requirements. In no case shall approval be provided for operation greater than three months. For operations greater than three months, the owner or operator shall submit a Notice of Construction application under the New Source Review requirements of SWCAA 400-110.~~

~~(b) An emergency source is the result of an emergency situation that could not otherwise be planned for. The Agency shall provide written approval for an emergency source provided that the owner or operator has provided sufficient documentation or demonstration of the need for the source to the satisfaction of the Control Officer. The written approval may include but not be limited to: emission limits, operation and maintenance requirements and limitations, monitoring and reporting requirements, and testing requirements. In no case shall approval be provided for operations greater than three months.~~

~~(c) A substitute source is the same as a temporary source as in (a) above. A substitute source may be of a different manufacturer and model number and size and may result in increased emissions from installation from previously approved equipment on a short term basis. The Agency shall provide written approval for a substitute source that may include but not be limited to: emission limits, operational or maintenance requirements or limitations, monitoring and reporting requirements, and testing requirements. In no event shall the substitute source be authorized for operations for durations greater than three months. For operations greater than three months, the owner or operator shall submit a Notice of Construction application under the New Source Review requirements of SWCAA 400-110.~~))

(9) **Change of conditions.**

(a) The owner or operator may request, at any time, a change in existing approval conditions. The Agency may approve the request provided that:

(i) The change will not cause the an applicable emissions limit or standard to be exceeded;

(ii) No ambient air quality standard or ambient air increment will be exceeded as a result of the change;

(iii) The change will not adversely impact the ability of the Agency to determine compliance with an emissions standard;

(iv) The revised approval conditions will continue to require BACT, as defined at the time of the original approval, for each approved "stationary source" except where the Federal Clean Air Act requires LAER (Any change that meets the definition of a "new source" must complete a new BACT determination); and

(v) The revised approval conditions meet the requirements of SWCAA 400-110, 400-111, 400-112 and 400-113, as applicable.

(b) Requests for a change in PSD permit conditions must be made directly to Ecology. The Agency does not have authority to issue or modify PSD permits.

(c) Actions taken under this subsection are subject to the public involvement provisions of SWCAA 400-171.

(d) A request to change approval conditions shall be filed as an air discharge permit application in accordance with SWCAA 400-109. The application shall meet the requirements of subsection (2) of this section, and be acted upon according to the timelines in subsections (3) and (4) of this section. The fee schedule found in SWCAA 400-109(3) shall apply to these requests.

(10) **Reopening for cause**. The Agency may, on its own initiative, reopen any order issued pursuant to this section under the following circumstances:

(a) The order contains a material mistake, or

(b) Inaccurate statements were made in establishing the emission standards and/or conditions of the order.

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.

Reviser's note: The typographical errors in the above material occurred in the copy filed by the Southwest Clean Air Agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 01-05-056, filed 2/15/01, effective 3/18/01)

SWCAA 400-111 Requirements for New Sources in a Maintenance Plan Area

[Statutory Authority: Chapter 70.94.141 RCW. Original Board adoption 95-17-084 filed 8/21/95, effective 9/21/95; 96-21-099 filed 10/21/96, effective 11/21/96; 99-07-028 filed 3/10/99, effective 4/11/99; 01-05-056 filed 2/15/01, effective 3/18/01]

For the purposes of this section, "major modification," "major stationary source," "net emissions increase," and "significant," shall have the same meaning as the definitions found in SWCAA 400-030, subsections (59)(a), (60)(a), (70)(a) and (106)(a) respectively.

((~~Any person proposing to install, construct or operate a new source or emission unit or make a modification to an existing source or emission unit shall file a Notice of Construction application with the Agency in accordance with SWCAA 400-109 and shall be subject to the New Source Review provisions of SWCAA 400-110. Confidential information shall be identified as set forth in SWCAA 400-270.~~)) An ((~~Notice of Construction~~)) air discharge permit application to establish a "new source" or make a modification to a

"stationary source" in an area that is covered by a maintenance plan, shall result in the issuance of an ((~~Order of Approval~~)) air discharge permit or other regulatory order((~~. Such an order shall~~)), which contains such conditions as are reasonably necessary to assure the maintenance of compliance with this section((~~, if it is determined that the proposed project satisfies all of the requirements of this section~~)). "New sources" or modifications within a designated maintenance plan area, including "stationary sources" ((~~of~~)) that emit VOC or NO_x in a designated ozone maintenance plan area, shall meet the following requirements ((~~listed below.~~)):

(1) **Emission standards**. The proposed "new source" or modification shall:

(a) Comply with all applicable New Source Performance Standards, National Emission Standards for Hazardous Air Pollutants, National Emission Standards for Hazardous Air Pollutants for Source Categories, emission standards adopted under Chapter 70.94 RCW, and((~~,~~)) the applicable emission standards of the Agency; and

(b) Not cause any ambient air quality standard as provided in SWCAA 400-113(3) to be ((~~exceeded~~)) violated; and

(c) Not violate the requirements for reasonable further progress established by the Washington State Implementation Plan; and

(d) Minimize emissions to the extent that the "new source" or modification will not delay the attainment date for a nonattainment area, exceed emission levels or other requirements provided in a maintenance plan for an area that was previously identified as a nonattainment area, nor cause or contribute to a violation of any ambient air quality standard.

(2) **BACT**. Except as provided in ((~~S~~))subsection (7) of this section, the owner or operator of the proposed "new source" or modification shall apply BACT for each pollutant. In the case of a modification, the requirement for BACT shall apply to each new or modified emission unit which increases emissions. For phased construction projects, the determination of BACT shall be reviewed at the latest reasonable time prior to commencement of construction of each independent phase.

(3) **Source compliance**. The owner or operator of the proposed "new source" or modification shall certify that all "stationary sources" owned or operated by such person (or by an entity controlling, controlled by, or under common control with such person) in Washington are in compliance or on a schedule for compliance, with all applicable emission limitations and standards under the Washington Clean Air Act (((~~RCW~~)) Chapter 70.94 RCW).

(4) **Offsets or growth allowance**. The owner or operator of a proposed new "major stationary source" or "major modification" shall provide offsets as specified in ((~~S~~))subsection (8) of this section. Except as provided in ((~~S~~))subsection (7) of this section, the requirements of this section may be met in whole or in part in an ozone maintenance plan area with an allocation by SWCAA from a growth allowance, if available, in accordance with ((~~S~~))subsection (8) of this section and the applicable maintenance plan in the SIP adopted by the Board and approved by EPA.

(5) **Net air quality benefit**. For cases in which emission reduction or offsets are required in accordance with ((~~S~~))subsection (4) above, the applicant shall demonstrate that a net air quality benefit will be achieved in the maintenance plan area. If the proposed "new source" or ((~~the proposed~~)) modification is major for the contaminant for which the area has a maintenance plan, allowable emissions of the maintenance pollutant from the proposed "new source" or modification shall be offset by reductions in actual emissions of the maintenance pollutant. All offsetting emission reductions must satisfy the ((~~following~~)) requirements of ((~~S~~))subsection (8).

(6) **Alternative analysis.**

(a) Except as provided in subsection (6)(c) of this section, the owner or operator of a proposed "major stationary source" or "major modification" shall conduct an alternatives analysis;

(b) This analysis shall include an evaluation of alternative sites, sizes, production processes, and environmental control techniques for such proposed "stationary source" or modification that demonstrates that benefits of the proposed "stationary source" or modification significantly outweigh the environmental and social costs imposed as a result of its location, construction or modification;

(c) This analysis shall not be required for a "major stationary source" or "major modification" that is subject to this rule due to emissions of particulate matter in a designated TSP maintenance area.

(7) **Contingency plan requirements**. If the contingency plan in an applicable maintenance plan (CO or ozone) has been triggered due to a violation of an ozone ambient air quality standard or a second violation of the CO ambient air quality standard, this section shall apply in addition to other requirements of this rule and the applicable approved maintenance plan adopted by the Board and approved by EPA as a revision to the SIP.

(a) ((~~The requirements for BACT in Section (2) of this section shall be replaced by a requirement for LAER. If the new source is~~)) A proposed "major stationary source" or ((~~the proposed modification is a~~)) "major modification," ((~~it~~)) must achieve LAER for the maintenance pollutant(s) and any pollutant for which the proposed "new source" or modification is major.

(b) An allocation from a growth allowance shall not be used to meet the requirement for offsets in ((~~S~~))subsection (4) of this section. The growth allowance emissions shall be unavailable until ((~~such time as~~)) a sufficient demonstration is made to reinstate the growth allowance emissions, the Board adopts a revised maintenance plan, and EPA approves it as a SIP revision.

(8) **Industrial growth allowance and offset allocation.**

(a) Industrial growth allowances for "stationary sources" in a maintenance plan area are identified in and governed by the Washington ((~~State Implementation Plan~~)) SIP and the ((~~applicable~~)) maintenance plan for the applicable maintenance plan area.

(b) The growth allowance emissions may be increased or decreased as provided in a revision to the maintenance plan submitted to and approved by EPA. In the event of a confirmed ozone violation, the growth allowance for VOC and NO_x emissions shall be eliminated and "new sources" shall be

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required to implement LAER and offsets. Growth allowance emissions may be reinstated as provided in the EPA approved maintenance plan.

(c) The owner or operator of a proposed new "major stationary source" or "major modification" emitting VOCs or NO_x, may obtain a portion of any remaining emissions in the respective growth allowance in accordance with the following process:

(i) Access is on a first-come-first-served basis, based on the date of a complete ((~~notice of construction~~)) application and allowance allocation request;

(ii) No single "stationary source" may receive an emissions allocation of more than 50((~~%~~)) percent of any remaining growth allowance, or up to 10.0 tons per year, whichever is greater. On a case-by-case basis, the SWCAA Board of Directors may approve an emissions allocation of greater than 50((~~%~~)) percent upon consideration of the following:

(A) Information submitted by the "stationary source" to SWCAA justifying ((~~it's~~)) its request for exceeding the 50((~~%~~)) percent emissions allocation, based on significant economic, employment, or other benefits to the maintenance plan area that will result from the proposed new "major stationary source" or "major modification";

(B) Information provided by SWCAA on other known new "major stationary sources" or "major modifications" seeking an emissions allocation from the same growth allowance; and

(C) Other relevant information submitted by the "stationary source" or SWCAA.

(iii) To avoid jeopardizing maintenance of the ozone standard during the interim years of the ozone maintenance plan, SWCAA shall allocate only a portion of the VOC and NO_x growth allowances each year. SWCAA will track use of VOC and NO_x ((~~emissions~~)) allocations from the growth allowances. The amount of the growth allowance that can be allocated each year is identified in the applicable ozone maintenance plan.

(iv) The amount of the CO growth allowance that can be allocated is identified in the applicable CO maintenance plan, if any.

(d) If no emissions remain in the respective growth allowance, or the contingency plan has been triggered which effectively zeros the growth allowance, the owner or operator of the proposed "major stationary source" or "major modification" shall provide offsets. ((~~Applicants in a maintenance area shall demonstrate the following:~~))

(i) A demonstration shall be provided showing that the proposed offsets will improve air quality in the same geographical area affected by the "new source" or modification. This demonstration may require that air quality modeling be conducted according to the procedures specified in 40 CFR Part 51, Appendix W, Guideline on Air Quality Models (Revised).

(ii) Offsets for VOCs or nitrogen oxides shall be within the same maintenance plan area as the proposed "stationary source." Offsets for particulate matter, PM_{10}, sulfur dioxide, carbon monoxide, nitrogen dioxide, lead, and other pollutants ((~~shall be less than the level of significant air quality impact. (Refer to SWCAA 400-110(1)(g) for significance levels~~))) may be from inside or outside of the same maintenance plan area.

(iii) "New sources" or modifications shall meet the following offset requirements:

(A) Within a designated maintenance plan area, the offsets shall provide reductions that are equivalent or greater than the proposed increases. The offsets shall be appropriate in terms of short term, seasonal, and yearly time periods to mitigate the impacts of the proposed emissions;

(B) Outside a designated maintenance plan area, owners or operators of "new sources" or modifications which have a significant air quality impact on the maintenance plan area as provided in SWCAA 400-113(3) shall provide emission offsets which are sufficient to reduce impacts to levels below the significant air quality impact level within the maintenance plan area; and

(C) The emission reductions must provide for a net air quality benefit.

(I) New "major stationary sources" within an ozone maintenance plan area shall:

(a) Offset the new VOC emissions at a ratio of 1.1 to 1, if the VOC emissions exceed either 100 tons per year or 700 pounds per day.

(b) Offset the new NO_x emissions at a ratio of 1.1 to 1, if the NO_x emissions exceed either 100 tons per year or 700 pounds per day.

(II) "Stationary sources" within an ozone maintenance plan area undergoing "major modifications" shall:

(a) Offset the entire VOC emissions increase at a ratio of 1.1 to 1, if such increase exceeds either 40 tons per year or 290 pounds per day.

(b) Offset the entire NO_x emissions increase at a ratio of 1.1 to 1, if such increase exceeds either 40 tons per year or 290 pounds per day.

(III) New "major stationary sources" within a carbon monoxide maintenance plan area shall:

(a) Offset the new carbon monoxide emissions at a ratio of 1 to 1, if the carbon monoxide emissions exceed either 100 tons per year or 700 pounds per day.

(IV) "Stationary sources" within a carbon monoxide maintenance plan area undergoing "major modifications" shall:

(a) Offset the entire carbon monoxide emissions increase at a ratio of 1 to 1, if such increase exceeds either 100 tons per year or 700 pounds per day.

(D) New "major stationary sources" or "major modifications" with CO emissions greater than 250 ((~~tpy~~)) tons per year are required to obtain offsets ((~~and comply with the PSD requirements of SWCAA 400-141~~)).

(iv) ((~~The~~)) Emission reductions shall be of the same type of pollutant as the emissions from the "new source" or modification. Sources of PM_{10} shall be offset with particulate in the same size range.

(v) ((~~The~~)) Emission reductions shall be contemporaneous, that is, the reductions shall take effect prior to the time of startup but not more than two years prior to the submittal of a complete ((~~notice of construction~~)) application for the "new source" or modification. This time limitation may be extended through banking, as provided in SWCAA 400-130, 400-131 and 400-136 for banking activities approved after

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the effective date of this regulation. In the case of replacement facilities, SWCAA may allow simultaneous operation of the old and new facilities during the startup period of the new facility provided that emissions do not exceed the new emission limits.

(vi) Offsets for new "major stationary sources" or "major modifications" in a maintenance plan area shall meet the following requirements:

(A) The proposed new level of allowable emissions of the "stationary source" or emission((s)) unit((s)) providing the reduction must be less than the current level of actual emissions of that "stationary source" or emission unit(((s))). No emission reduction can be credited for actual emissions that exceed the current allowable emissions of the "stationary source" or emission((s)) unit(((s))) providing the reduction. Emission reductions imposed by local, state, or federal regulations, regulatory orders or permits cannot be credited.

(B) If the offsets are provided by another "stationary source," the reductions in emissions from that "stationary source" must be federally enforceable by the time the new or modified "stationary source" commences operation. The "new source" may not commence operation before the date such reductions are actually achieved. SWCAA may allow simultaneous operation of the old and new facilities during the startup period of the new facility provided that the facilitywide emissions do not exceed the new emission limit.

(9) **PSD applicability**. If the proposed "new source" is a "major stationary source" or the proposed modification is a "major modification" for the purposes of the PSD program as described in ((SWCAA)) WAC 173-400-141, the "new source" or modification shall meet the requirements of that program for all pollutants. For maintenance plan pollutants, the "new source" shall meet all PSD requirements in addition to the ((additional)) requirements of this section.

(10) **Toxics**. If the proposed "new source" or modification will emit any toxic air pollutants regulated under ((WAC)) Chapter 173-460 WAC, the "new source" shall meet all applicable requirements of that regulation.

(11) **Visibility**. If the proposed "new source" is a "major stationary source" or the proposed modification is a "major modification," the "new source" shall meet all the visibility protection requirements of ((40 CFR 52.27 as in effect on July 1, 2000)) WAC 173-400-117.

(12) **Noncompliance**. Noncompliance with any emission limit, test requirement, reporting requirement or other requirement identified in a regulatory order issued pursuant to this section shall be considered a violation of this section.

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.

Reviser's note: The typographical error in the above material occurred in the copy filed by the Southwest Clean Air Agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 01-05-056, filed 2/15/01, effective 3/18/01)

SWCAA 400-112 Requirements for New Sources in Nonattainment Areas

[Statutory Authority: Chapter 70.94.141 RCW. Original Board adoption 12/17/68 (Regulation 1 Sec 3); Amended by Board 12/18/79; Amended by Board 8/18/81; Amended by Board 3/20/84; Renumbered from 400-110 93-21-004 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95; 96-21-099 filed 10/21/96, effective 11/21/96; 99-07-028 filed 3/10/99, effective 4/11/99; 01-05-056 filed 2/15/01, effective 3/18/01]

For the purposes of this section, "major modification," "major stationary source," "net emissions increase," and "significant," shall have the same meaning as the definitions found in SWCAA 400-030, subsections (59)(a), (60)(a), (70)(a) and (106)(a) respectively.

An ((Notice of Construction)) air discharge permit application to establish a "new source" or make a modification to a "stationary source" in a nonattainment area, shall result in the issuance of an ((Order of Approval)) air discharge permit or other regulatory order, which contains such conditions as are reasonably necessary to assure the maintenance of compliance with this section((, if the Agency determines that the proposed project satisfies each of)). "New sources" or modifications within a designated nonattainment area shall meet the following requirements:

(1) The proposed "new source" or modification will comply with all applicable New Source Performance Standards, National Emission Standards for Hazardous Air Pollutants, National Emission Standards for Hazardous Air Pollutants for source categories, emission standards adopted under Chapter 70.94 RCW and((,)) the applicable emission standards of the Agency.

(2) The proposed "new source" or modification will employ BACT for all air contaminants, except that if the "new source" is a "major stationary source" or the proposed modification is a "major modification" it ((must)) will achieve LAER for the air contaminants for which the area has been designated nonattainment and for which the proposed "new source" or modification is major.

(3) The proposed "new source" or modification will not cause any ambient air quality standard to be exceeded, will not violate the requirements for reasonable further progress established by the Washington ((State Implementation Plan)) SIP and will comply with SWCAA 400-113(3) for all air contaminants for which the area has not been designated nonattainment.

(4) If the proposed "new source" is a "major stationary source" or the proposed modification is a "major modification," ((and)) the Agency has determined, based on review of an analysis performed by the "stationary source" of alternative sites, sizes, production processes, and environmental control techniques, that the benefits of the project significantly outweigh the environmental and social costs imposed as a result of its location, construction, or modification.

(5) If the proposed "new source" or the proposed modification is major for the air contaminant for which the area is designated nonattainment, allowable emissions of the ((pollutant)) air contaminant for which the area has been designated nonattainment from the proposed "new source" or modification ((are)) shall be offset by reductions in actual emissions of the ((pollutant)) air contaminant for which the area has been designated nonattainment from existing "stationary sources" in the nonattainment area. Emission offsets must be sufficient to ensure that total allowable emissions from existing major stationary sources in the nonattainment

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area, new or modified sources which are not major stationary sources, and the proposed new or modified source will be less than total actual emissions from existing sources (before submitting the application) so as to represent (when considered together with the nonattainment provisions of Section 172 of the ((~~FCAA~~))Federal Clean Air Act) reasonable further progress. All offsetting emission reductions must satisfy the following requirements:

(a) The proposed new level of allowable emissions of the "stationary source" or emission((~~s~~)) unit(s) providing the reduction must be less than the current level of actual emissions of that "stationary source" or emission unit(s). No emission reduction can be credited for actual emissions that exceed the current allowable emissions of the "stationary source" or emission((~~s~~)) unit(s) providing the reduction. Emission reductions imposed by local, state, or federal regulations, regulatory orders or permits required by the Federal Clean Air Act, including the Washington SIP, cannot be credited.

(b) The emission reductions must provide for a net air quality benefit.

(i) New "major stationary sources" within a marginal ozone nonattainment area shall:

(A) Offset the new VOC emissions at a ratio of 1.1 to 1, if the VOC emissions exceed either 100 tons per year or 700 pounds per day.

(B) Offset the new NO_x emissions at a ratio of 1.1 to 1, if the NO_x emissions exceed either 100 tons per year or 700 pounds per day.

(ii) "Stationary sources" within a marginal ozone nonattainment area undergoing "major modifications" shall:

(A) Offset the entire VOC emissions increase at a ratio of 1.1 to 1, if such increase exceeds either 40 tons per year or 290 pounds per day.

(B) Offset the entire NO_x emissions increase at a ratio of 1.1 to 1, if such increase exceeds either 40 tons per year or 290 pounds per day.

(iii) New "major stationary sources" within a moderate carbon monoxide nonattainment area shall((~~:~~

~~(A)~~))) offset the new carbon monoxide emissions at a ratio of 1 to 1, if the carbon monoxide emissions exceed either 100 tons per year or 700 pounds per day.

(iv) "Stationary sources" within a moderate carbon monoxide nonattainment area undergoing "major modifications" shall((~~:~~

~~(A)~~))) offset the entire carbon monoxide emissions increase at a ratio of 1 to 1, if such increase exceeds either 100 tons per year or 700 pounds per day.

(v) For any other nonattainment area, determinations on whether emission offsets provide a positive net air quality benefit shall be made in accordance with the guidelines contained in 40 CFR Part 51, Appendix S (as in effect on July 1, 2002).

(c) If the offsets are provided by another "stationary source," the reductions in emissions from that "stationary source" must be federally enforceable by the time the air discharge permit for the new or modified "stationary source" ((~~commences operation. The new source may not commence operation before the date such reductions are actually achieved~~)) becomes effective. An emission reduction credit issued under SWCAA 400-131 may be used to satisfy some or all of the offset requirements of this subsection.

(6) Noncompliance with any emission limit, test requirement, reporting requirement or other requirement identified in a regulatory order issued pursuant to this section shall be considered a violation of this section.

(7) If the proposed "new source" is a "major stationary source" or the proposed modification is a "major modification," the owner or operator ((~~has~~)) shall demonstrate((~~d~~)) that all "major stationary sources" owned or operated by such person (or by any entity controlling, controlled by, or under common control ((~~with~~)) of such person) in Washington are ((~~subject to emission limitations and are~~)) in compliance, or on a schedule for compliance, with all applicable emission limitations and standards under the Federal Clean Air Act, including all rules contained in the ((~~EPA-approved~~)) Washington ((~~State Implementation Plan~~)) SIP.

(8) If the proposed "new source" is a "major stationary source" or the proposed modification is a "major modification" for the purposes of the PSD program described in ((~~SWCAA~~)) WAC 173-400-141, it shall meet((~~s~~)) the requirements of that program for all air contaminants for which the area has not been designated nonattainment.

(9) If the proposed "new source" or modification will emit any toxic air pollutants regulated under ((~~WAC~~)) Chapter 173-460 WAC, ((~~the source~~)) it shall meet((~~s~~)) all applicable requirements of that chapter.

(10) If the proposed "new source" is a "major stationary source," or the proposed modification is a "major modification," as those terms are defined in SWCAA 400-030 (59)(b) and (60)(b), ((~~the Agency has complied with the visibility protection review requirements of 40 CFR 52.28(e) through (h), as in effect on July 1, 2000, and determined that the project meets the criteria set forth in 40 CFR 52.28(g). For purposes of this subsection definitions referenced in 40 CFR 52.28(b) are incorporated by reference, except that the term "visibility protection area" means any Class I area, and terms defined in SWCAA 400-030 shall have the meanings defined in that section. References in 40 CFR 52.28 to "the Administrator" shall mean the agency (either Ecology or the Agency) processing the Notice of Construction application.~~)) it shall meet the special protection requirements for federal Class I areas found in WAC 173-400-117.

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 01-05-056, filed 2/15/01, effective 3/18/01)

SWCAA 400-113 Requirements for New Sources in Attainment or Nonclassifiable Areas

[Statutory Authority: Chapter 70.94.141 RCW. Original Board adoption 12/17/68 (Regulation 1 Sec 3); Amended by Board 12/18/79; Amended by Board 8/18/81; Amended by Board 3/20/84; Renumbered from 400-110 93-21-004 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95; 96-21-099 filed 10/21/96, effective 11/21/96; 99-07-028 filed 3/10/99, effective 4/11/99; 01-05-056 filed 2/15/01, effective 3/18/01]

For the purposes of this section, "major modification," "major stationary source," "net emissions increase," and "sig-

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nificant," shall have the same meaning as the definitions found in SWCAA 400-030, subsections (59)(b), (60)(b), (70)(b) and (106)(b) respectively.

((~~Any person proposing to install, construct or operate a new source or emission unit or modification to an existing source or emission unit shall file a Notice of Construction application with the Agency and shall be subject to the New Source Review provisions of SWCAA 400-110. Confidential information shall be identified as set forth in SWCAA 400-270.~~)) An ((~~Notice of Construction~~)) air discharge permit application to establish a "new source" or make a modification to a "stationary source" in an area that is in attainment or unclassifiable for any air contaminant the proposed "new source" would emit, and that is in attainment or unclassifiable for ozone if the proposed new or modified "stationary source" would emit VOC((s)) or NO_x, shall result in the issuance of an ((~~Order of Approval~~)) air discharge permit or other regulatory order, ((~~Such order shall~~)) which contains such conditions as are reasonably necessary to assure the maintenance of compliance with this section((~~, if it is determined that the proposed project satisfies all of~~)). The air discharge permit or other regulatory order shall not be issued until the "new source" or modification meets the following requirements:

(1) The proposed "new source" or modification ((~~will~~)) shall comply with all applicable New Source Performance Standards, National Emission Standards for Hazardous Air Pollutants, National Emission Standards for Hazardous Air Pollutants for source categories, emission standards adopted under Chapter 70.94 RCW and the applicable emission standards of the Agency.

(2) The proposed "new source" or modification ((~~will~~)) shall employ BACT for all pollutants not previously emitted or whose emissions would increase as a result of the "new source" or modification.

(3) Allowable emissions from the proposed "new source" or modification ((~~will~~)) shall not delay the attainment date for an area not in attainment ((~~or unclassifiable~~)) nor cause or contribute to a violation of any ambient air quality standard. This requirement will be ((~~considered to be~~)) met if the projected impact of the allowable emissions from the proposed "new source" or the projected impact of the increase in allowable emissions from the proposed modification at any location within a nonattainment or maintenance plan area does not exceed the following levels for the pollutant(s) for which the area has been designated nonattainment or maintenance:

Pollutant	Annual Average	24-Hour Average	8-Hour Average	3-Hour Average	1-Hour Average
CO	-	-	0.5 mg/m^3	-	2 mg/m^3
SO_2	1.0 µg/m^3	5 µg/m^3	-	25 µg/m^3	30 µg/m^3
PM_{10}	1.0 µg/m^3	5 µg/m^3	-	-	-
NO_2	1.0 µg/m^3	-	-	-	-

An offsetting emission reduction may be used to satisfy some or all of the requirements of this subsection.

(4) If the proposed "new source" is a "major stationary source" or the proposed modification is a "major modification" ((~~for purposes of the PSD program described in SWCAA 400-141~~)), it shall meet((s)) all applicable requirements of ((~~that section~~)) WAC 173-400-141.

(5) If the proposed "new source" or the proposed modification will emit any toxic air pollutants regulated under ((~~WAC~~)) Chapter 173-460 WAC, ((~~the source~~)) it shall meet((s)) all applicable requirements of that chapter.

(6) If the proposed "new source" is a "major stationary source," or the proposed modification is a "major modification," it shall meet the special protection requirements for federal Class I areas found in WAC 173-400-117.

(((~~6~~))) (7) Noncompliance with any emission limit, test requirement, reporting requirement or other requirement identified in a regulatory order issued pursuant to this section shall be considered a violation of this section.

((~~(7) If, within the meaning of the PSD program described in SWCAA 400-141, the proposed new source is a major stationary source or the proposed modification is a major modification, the source would not cause an adverse impact upon visibility.~~))

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 01-05-056, filed 2/15/01, effective 3/18/01)

SWCAA 400-114 Requirements for Replacement or Substantial Alteration of Emission Control Technology at an Existing Stationary Source

[Statutory Authority: Chapter 70.94.141 RCW, and 70.94.153 RCW. Original Board adoption 12/17/68 (Regulation 1 Sec 3); Amended by Board 12/18/79; Amended by Board 8/18/81; Amended by Board 3/20/84, Renumbered from 400-110; 93-21-004 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95; 96-21-099 filed 10/21/96, effective 11/21/96; 01-05-056 filed 2/15/01, effective 3/18/01]

(1) Any person proposing to replace or substantially alter the emission control technology installed on an existing "stationary source" or emission unit shall file an ((~~Notice of Construction~~)) air discharge permit application with the Agency and shall be subject to the ((~~New Source~~)) review process of SWCAA 400-110. If the replacement or substantial alteration meets the definition of "new source" or "modification" then the "new source" emissions standards of SWCAA 400-111, 400-112 or ((~~SWCAA~~)) 400-113 shall apply. If the replacement or substantial alteration does not meet the definition of "new source" or (("))modification(("")) then RACT or other requirements shall apply. Replacement or substantial alteration of control technology does not include routine maintenance, repair or parts replacement.

(2) For projects not otherwise reviewable under SWCAA 400-110, the Agency may:

(a) Require that the owner or operator employ RACT for the affected emission unit;

(b) Prescribe reasonable operation and maintenance conditions for the control equipment; and

(c) Prescribe other requirements authorized by Chapter 70.94 RCW.

(3) Within thirty calendar days of receipt of an ((~~Notice of Construction~~)) air discharge permit application under this section the Agency shall either notify the applicant in writing

that the application is complete or notify the applicant in writing of all additional information necessary to complete the application. Within thirty calendar days of receipt of a complete ((~~Notice of Construction~~)) application under this section, the Agency shall either issue an ((~~Order of Approval~~)) air discharge permit or a proposed RACT determination for the proposed project.

(4) Construction shall not commence((~~, as defined in SWCAA 400-030(16),~~)) on a project subject to review under this section until the Agency issues a final ((~~Order of Approval~~)) air discharge permit or other regulatory order. However, any ((~~Notice of Construction~~)) air discharge permit application filed under this section shall be deemed to be approved without conditions if the Agency takes no action within thirty days of receipt of a complete ((~~Notice of Construction~~)) application. The Agency may request clarification of information submitted in support of the application after the application has been determined to be complete.

(5) An ((~~Order of Approval~~)) air discharge permit to replace or substantially alter emission control technology shall become invalid if construction is not commenced within eighteen months from the date of issuance ((~~of an Order of Approval~~)), if construction is discontinued for a period of eighteen months or more, or if construction is not completed within a reasonable time. The Agency may extend the eighteen-month period upon a satisfactory demonstration that an extension is justified. This provision does not apply to the time period between construction of the approved phases of a phased construction project; each phase must commence construction within eighteen months of the projected and approved commencement date. The Agency may specify an earlier date for commencement of construction in an ((~~Order of Approval~~)) air discharge permit.

(6) Noncompliance with any emission limit, test requirement, reporting requirement or other requirement identified in a regulatory order issued pursuant to this section shall be considered a violation of this section.

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 01-05-057, filed 2/15/01, effective 3/18/01)

SWCAA 400-115 Standards of Performance for New Sources

[Statutory Authority: Chapter 70.94.141 RCW. Originally adopted by Board 12/18/79; Amended by Board 4/17/84 (renumbered to 400-135); Amended by Board 12/16/86; 93-16-007 filed 7/22/93, effective 8/22/93; 95-17-084 filed 8/21/95, effective 9/21/95; 96-21-099 filed 10/21/96, effective 11/21/96; 99-07-028 filed 3/10/99, effective 4/11/99; 01-05-057 filed 2/15/01, effective 3/18/01]

(1) **Adoption by reference**. ((~~Title 40, Code of Federal Regulations,~~)) The standards of performance for "new sources" presented in 40 CFR Part 60 and appendices ((~~(Standards of Performance for New Sources),~~)) as in effect on July 1, ((~~2000~~)) 2002 ((~~is~~)) are adopted by reference. ((~~except for sections 60.5 (Determination of Construction or Modification) and 60.6 (Review of Plans.)~~)) The term "Administrator" in 40 CFR Part 60 shall mean the Administrator of EPA((~~, the Director of Ecology~~)) and the Control Officer of the Agency. Exceptions to this adoption by reference are listed in subsection (2).

((~~As of July 1, 2000, the federal regulations adopted by reference hereby set standards of performance affecting facilities for the following described subparts of 40 CFR Part 60.~~)) The following list of affected subparts is provided for informational purposes:

Subpart A	General provisions (ref. 40 CFR 60.1 et seq.)
Subpart D	Fossil fuel-fired steam generators for which construction is commenced after August 17, 1971, and prior to September 19, 1978, which have a heat input greater than 73 megawatts but not greater than 250 megawatts (ref. 40 CFR 60.40 et seq.)
Subpart Da	Electric utility steam generating units for which construction commenced after September 18, 1978, which have a heat input greater than 73 megawatts but not greater than 250 megawatts (ref. 40 CFR 60.40a et seq.)
Subpart Db	Industrial-commercial-institutional steam generating units for which construction commenced after June 19, 1984, and prior to June 19, 1986, which have a heat input greater than 29 megawatts but less than 73 megawatts (ref. 40 CFR 60.40b et seq.)
Subpart Dc	Small industrial-commercial-institutional steam generating units (ref. 40 CFR 60.40c et seq.)
Subpart E	Incinerators (ref. 40 CFR 60.50 et seq.)
Subpart Ea	Municipal waste combustors for which construction commenced after December 20, 1989 and on or before September 20, 1994 (ref. 40 CFR 60.50a et seq.)
Subpart Eb	Large Municipal waste combustors for which construction is commenced after September 20, 1994 or for which Modification of reconstruction is commenced after June 19, 1996 (ref. 40 CFR 60.50b et seq.)
Subpart Ec	Hospital/medical/infectious waste incinerators for which construction is commenced after June 20, 1996 (ref. 40 CFR 60.50c et seq.)
Subpart F	Portland cement plants (ref. 40 CFR 60.60 et seq.)
Subpart G	Nitric acid plants (ref. 40 CFR 60.70 et seq.)
Subpart H	Sulfuric acid plants (ref. 40 CFR 60.80 et seq.)
Subpart I	Hotmix asphalt facilities (ref. 40 CFR 60.90 et seq.)
Subpart J	Petroleum refineries which produce less than 25,000 barrels per day of refined products (ref. 40 CFR 60.100 et seq.)

Subpart K	Storage vessels for petroleum liquid constructed after June 11, 1973, and prior to May 19, 1978, which have a capacity greater than 40,000 gallons (ref. 40 CFR 60.110 et seq.)
Subpart Ka	Storage vessels for petroleum liquids for which construction, reconstruction or modification commenced after May 18, 1978, and prior to July 23, 1984 ref. 40 CFR 60.110a et seq.)
Subpart Kb	Volatile organic liquid storage vessels (including petroleum liquid storage vessels) constructed, reconstructed, or modified after July 23, 1984 (ref. 40 CFR 60.110b et seq.)
Subpart L	Secondary lead smelters (ref. 40 CFR 60.120 et seq.)
Subpart M	Brass and bronze ingot production plants (ref. 40 CFR 60.130 et seq.)
Subpart N	Iron and steel plants (ref. 40 CFR 60.140 et seq.)
Subpart Na	Secondary emissions from basic oxygen process steel making facilities (ref. 40 CFR 60.140 et seq.)
Subpart O	Sewage treatment plants (ref. 40 CFR 60.150 et seq.)
Subpart P	Primary copper smelters (ref. 40 CFR 60.160 et seq.)
Subpart Q	Primary zinc smelters (ref. 40 CFR 60.170 et seq.)
Subpart R	Primary lead smelters (ref. 40 CFR 60.180 et seq.)
Subpart S	Primary aluminum reduction plants (ref. 40 CFR 60.190 et seq.)
Subpart T	Phosphate fertilizer industry: Wet process phosphoric acid plants (ref. 40 CFR 60.200 et seq.)
Subpart U	Phosphate fertilizer industry: Superphosphoric acid plants (ref. 40 CFR 60.210 et seq.)
Subpart V	Phosphate fertilizer industry: Diammonium phosphate plants (ref. 40 CFR 60.220 et seq.)
Subpart W	Phosphate fertilizer industry: Triple superphosphate plants (ref. 40 CFR 60.230 et seq.)
Subpart X	Phosphate fertilizer industry: Granular triple superphosphate storage facilities (ref. 40 CFR 60.240 et seq.)
Subpart Y	Coal preparation plants (ref. 40 CFR 60.250 et seq.)
Subpart Z	Ferroalloy production facilities (ref. 40 CFR 60.260 et seq.)
Subpart AA	Steel plants: Electric arc furnaces (ref. 40 CFR 60.270 et seq.)
Subpart AAa	Steel plants: Electric arc furnaces and argon-oxygen decarburization vessels (ref. 40 CFR 60.270a et seq.)
Subpart BB	Kraft pulp mills (ref. 40 CFR 60.280 et seq.)
Subpart CC	Glass manufacturing plants (ref. 40 CFR 60.290 et seq.)
Subpart DD	Grain elevators (ref. 40 CFR 60.300 et seq.)
Subpart EE	Industrial surface coating: metal furniture (ref. 40 CFR 60.310 et seq.)
Subpart GG	Stationary gas turbines (ref. 40 CFR 60.330 et seq.)
Subpart HH	Lime manufacturing plants (ref. 40 CFR 60.340 et seq.)
Subpart KK	Lead-acid battery plants (ref. 40 CFR 60.370 et seq.)
Subpart LL	Metallic mineral processing plants (ref. 40 CFR 60.380 et seq.)
Subpart MM	Automobile and light duty truck surface coating operations (ref. 40 CFR 60.390 et seq.)
Subpart NN	Phosphate rock plants (ref. 40 CFR 60.400 et seq.)
Subpart PP	Ammonium sulfate manufacture (ref. 40 CFR 60.420 et seq.)
Subpart QQ	Publication rotogravure printing (ref. 40 CFR 60.430 et seq.)
Subpart RR	Pressure sensitive tape and label surface coating operations (ref. 40 CFR 60.440 et seq.)
Subpart SS	Industrial surface coating: Large appliances (ref. 40 CFR 60.450 et seq.)
Subpart TT	Industrial surface coating: Metal coils (ref. 40 CFR 60.460 et seq.)
Subpart UU	Asphalt processing and asphalt roofing manufacture (ref. 40 CFR 60.470 et seq.)
Subpart VV	Synthetic Organic Chemical Manufacturing Industry equipment leaks (VOC) (ref. 40 CFR 60.480 et seq.)
Subpart WW	Beverage can surface coating operations (ref. 40 CFR 60.490 et seq.)
Subpart XX	Bulk gasoline terminals (ref. 40 CFR 60.500 et seq.)
Subpart AAA	New residential wood heaters (ref. 40 CFR 60.530 et seq.)
Subpart BBB	Rubber tire manufacturing industry (ref. 40 CFR 60.540 et seq.)
Subpart DDD	VOC emissions from the polymer manufacturing industry (ref. 40 CFR 60.560 et seq.)
Subpart FFF	Flexible vinyl and urethane coating and printing (ref. 40 CFR 60.580 et seq.)
Subpart GGG	Petroleum refineries - compressors and fugitive emission sources (ref. 40 CFR 60.590 et seq.)
Subpart HHH	Synthetic fiber production facilities (ref. 40 CFR 60.600 et seq.)
Subpart III	VOC emissions from Synthetic Organic Chemical Manufacturing Industry air oxidation unit processes (ref. 40 CFR 60.610 et seq.)
Subpart JJJ	Petroleum dry cleaners (ref. 40 CFR 60.620 et seq.)

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Subpart KKK	Equipment leaks of VOC from onshore natural gas processing plants (ref. 40 CFR 60.630 et seq.)
Subpart LLL	Onshore natural gas processing; SO2 emissions (ref. 40 CFR 60.640 et seq.)
Subpart NNN	VOC emissions from Synthetic Organic Chemical Manufacturing Industry distillation operations (ref. 40 CFR 60.660 et seq.)
Subpart OOO	Nonmetallic mineral processing plants (ref. 40 CFR 60.670 et seq.)
Subpart PPP	Wool fiberglass insulation manufacturing plants (ref. 40 CFR 60.680 et seq.)
Subpart QQQ	VOC emissions from petroleum refinery waste water emissions (ref. 40 CFR 60.690 et seq.)
Subpart RRR	Volatile organic compound emissions from synthetic organic chemical manufacturing industry (SOCMI) reactor processes (ref. 40 CFR 60.700 et seq.)
Subpart SSS	Magnetic tape coating facilities (ref. 40 CFR 60.710 et seq.)
Subpart TTT	Industrial surface coating: Surface coating of plastic parts for business machines (ref. 40 CFR 60.720 et seq.)
Subpart UUU	Calciners and dryers in mineral industries (ref. 40 CFR 60.730 et seq.)
Subpart VVV	Polymeric coating of supporting substrates facilities (ref. 40 CFR 60.740 et seq.)
Subpart WWW	Municipal solid waste landfills constructed, reconstructed or modified on or after May 30, 1991 (See SWCAA 400-070(8) for rules regulating MSW landfills constructed or modified before May 30, 1991) (ref. 40 CFR 60.750 et seq.)
Subpart AAAA	Small municipal waste combustion units constructed after August 30, 1999, or modified or reconstructed after June 6, 2001 (ref. 40 CFR 60.1000 et seq.) (See SWCAA 400-050(5) for rules regulating small municipal waste combustion units constructed on or before August 30, 1999)
Subpart CCCC	Commercial and industrial solid waste incinerators constructed after November 30, 1999; or modified or reconstructed on or after June 1, 2001 (ref. 40 CFR 60.2000 et seq.) (See SWCAA 400-050(4) for rules regulating commercial and industrial solid waste incinerators constructed on or before November 30, 1999)
Appendix A	Test methods (ref. 40 CFR 60, Appendix A)
Appendix B	Performance specifications (ref. 40 CFR 60, Appendix B)
Appendix C	Determination of emission rate change (ref. 40 CFR 60, Appendix C)
Appendix D	Required emission inventory information (ref. 40 CFR 60, Appendix D)
Appendix F	Quality assurance procedures (ref. 40 CFR 60, Appendix F)
Appendix I	Removable label and owner's manual (ref. 40 CFR 60, Appendix I)

Note: ((~~For fossil fuel fired steam generators referenced by Subpart D and Da above, units greater than 250 megawatts are governed by the Energy Facility Site Evaluation Council (EFSEC) in Title 463 WAC~~)) Pursuant to RCW 80.50.020(14), larger energy facilities subject to subparts D, Da, GG, J, K, Kb, Y, KKK, LLL, and QQQ are regulated by the energy facility site evaluation council (EFSEC) under WAC 463-39-115.

(2) **Exceptions**. The following sections and subparts of 40 CFR 60 are not adopted by reference:

(a)	40 CFR 60.5	Determination of construction or modification
(b)	40 CFR 60.6	Review of plans
(c)	Subpart C	Emission guidelines and compliance times (ref. 40 CFR 60.30 et seq.)
(d)	Subpart Cb	Emissions guidelines and compliance times for large municipal waste combustors that are constructed on or before September 20, 1994 (ref. 40 CFR 60.b et seq.)
(e)	Subpart Cc	Emission guidelines and compliance times for municipal solid waste landfills (ref. 40 CFR 60.30c et seq.)
(f)	Subpart Cd	Emissions guidelines and compliance times for sulfuric acid production units (ref. 40 CFR 60.30d et seq.)
(g)	Subpart Ce	Emission guidelines and compliance times for hospital/medical/infectious waste incinerators (ref. 40 CFR 60.30e et seq.)
(h)	Subpart BBBB	Emission guidelines and compliance times for small municipal waste combustion units constructed on or before august 30, 1999 (ref. 40 CFR 60.1500 et seq.) Note: These sources are regulated under SWCAA 400-050(5)

(i)	Subpart DDDD	Emissions guidelines and compliance times for commercial and industrial solid waste incineration units that commenced construction on or before November 30, 1999 (ref. 40 CFR 60.2500 et seq.) Note: These sources are regulated under SWCAA 400-050(4)

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.

Reviser's note: The typographical errors in the above material occurred in the copy filed by the Southwest Clean Air Agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 01-05-057, filed 2/15/01, effective 3/18/01)

SWCAA 400-116 Maintenance of Equipment

[Statutory Authority: Chapter 70.94.152(7) RCW, and 70.94.155 RCW. Original Board adoption 96-21-099 filed 10/21/96, effective 11/21/96; 01-05-057 filed 2/15/01, effective 3/18/01]

(1) **Process equipment**. Any process equipment, including features, machines, and devices constituting parts of or called for by plans, specifications, or other information submitted for approval or required as part of an approval shall be maintained and operate in good working order. ((~~Defective or malfunctioning equipment that emit air pollutants shall be repaired immediately or shall be taken out of service.~~)) The Agency reserves the right to take any and all appropriate action to maintain compliance with approval conditions, including directing the facility to cease operations of defective or malfunctioning equipment until corrective action can be completed.

(2) **Pollution control equipment**. Any equipment that serves as air contaminant control or capture equipment shall be maintained and operate in good working order at all times in accordance with good operations and maintenance practices and in accordance with Agency approval conditions. ((~~Defective or malfunctioning equipment shall be repaired immediately or shall be taken out of service.~~)) The Agency reserves the right to take any and all appropriate action to maintain compliance with approval conditions, including directing the facility to cease operations of defective or malfunctioning equipment until corrective action can be completed.

(3) **Operation and Maintenance plans**. ((~~SWCAA shall have the authority to~~)) The Agency may require that an Operations and Maintenance (O&M) plan be developed and implemented for each emission unit or piece of control or capture equipment in order to assure continuous compliance with approval conditions. A copy of the plan shall be available for site inspections. The plan shall reflect good industrial practice and shall include periodic inspection of all equipment and control apparatus, monitoring and recording of equipment and control apparatus performance, prompt repair of any defective equipment or control apparatus, procedures for start up, shutdown and normal operation, and a record of all actions required by the plan. The plan shall be reviewed by the "source" ((~~or owner~~)) at least annually and updated to reflect any changes in good industrial practices. The O&M plan shall be available at or near the equipment it applies to so as to assist operations and maintenance personnel in assuring good operations and maintenance practices as well as the ability to log and record equipment performance parameters. As a minimum, the O&M plan shall contain each of the parameters required to be monitored, logged or recorded as provided in ((~~an Order of Approval~~)) the applicable air discharge permit.

(4) Noncompliance with any emission limit, test requirement, reporting or recordkeeping requirement or other requirement identified in ((~~a~~)) applicable regulatory orders shall be considered a violation of this section.

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 01-05-057, filed 2/15/01, effective 3/18/01)

SWCAA 400-130 Use of Emission Reduction Credits

[Statutory Authority: Chapter 70.94.141 RCW. Original adoption by Board 12/16/86; Amended by Board 9/21/93; 93-21-005 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95; 99-07-029 filed 3/10/99, effective 4/11/99; 01-05-057 filed 2/15/01, effective 3/18/01]

(1) **Applicability**. The owner(s) of any emission reduction credits (ERCs) shall maintain its ability to use said ERCs through approval and registration with the Agency. An ERC shall be considered an emission unit and subject to registration. If the owner of said ERCs fails to maintain or renew its annual registration 6 months beyond the due date, ((~~or~~)) fails to pay its operating permit fee 6 months beyond the due date or has not applied for emission reduction credits, then said amount of emission reduction((~~s~~)) credits shall revert back to the Agency. The Agency may keep said credits in a credit bank to be used by the Agency in the best interest of the area or credits may be dissolved by the Agency.

(2) **Permissible use**. An ERC may be used to satisfy the requirements for authorization of a bubble under SWCAA 400-120, as a part of a determination of "net emissions increase," as an offsetting reduction to satisfy the requirements for new source review per SWCAA 400-111, 400-112, or ((~~SWCAA~~)) 400-113(3)((~~or SWCAA 400-113(6), or to satisfy requirements for PSD review per SWCAA 400-113(4)~~)). The use of any ERC shall be consistent with all other federal, state, and local requirements of the program in which it is used.

(3) **Conditions of use**. An ERC may be used only for the air contaminant(s) for which it was issued and in the area for which it was issued except in the case of transportable pollutants, which will be determined on a case-by-case basis and per interagency agreement for interstate transfers. The Agency may impose additional conditions of use of ERCs to account for temporal and spatial differences between the emission((~~s~~)) unit(s) that generated the ERC and the emission((~~s~~)) unit(s) that use the ERC. An ERC may not be used

in place of a growth allowance as required under SWCAA 400-111.

(4) **Procedures to use ERC.**

(a) **Individual use.** When an ERC is used under subsection (2) of this section, an application must be submitted to the Agency and the Agency must issue a regulatory order for use of the ERC(s).

(b) **Sale or transfer of an ERC.** An ERC may be sold or otherwise transferred to a person other than the person to whom it was originally issued. An application for the sale or transfer must be submitted by the original ERC owner to the Agency. After receiving an application, the Agency shall reissue a regulatory order to the new owner. The Agency shall update the ERC bank to reflect the availability or ownership of ERCs. No discounting shall happen as part of this type of transaction.

(5) **Expiration of ERC.** An unused ERC and any unused portion thereof shall expire five years after the date the emission reduction was accomplished and not the date of the regulatory order.

(6) **Maintenance of ERCs.** The Agency has established its policy and procedure for maintenance of ((~~said credits~~)) ERCs in SWCAA 400-136 Maintenance of Emission Reduction Credits in Bank.

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 01-05-057, filed 2/15/01, effective 3/18/01)

SWCAA 400-131 Deposit of Emission Reduction Credits Into Bank

[Statutory Authority: Chapter 70.94.141 RCW, and 70.94.850 RCW. Originally adopted by Board as 400-120 on 3/20/84; renumbered to 400-131 in 93-21-005 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95; 99-07-029 filed 3/10/99, effective 4/11/99; 01-05-057 filed 2/15/01, effective 3/18/01]

(1) **Applicability.** The owner(s) or operator(s) of any "stationary source((~~s~~))" may apply to the Agency for an emission reduction credit (ERC) if the "stationary source" proposes to reduce its actual emission((s)) rate for any contaminant regulated by state or federal law or regulations established to implement such law(s) for which the emission requirement may be stated as an allowable limit in weight of contaminant per unit time for the emission((s)) unit(s) involved.

(2) **Time of application.** The application for an ERC must be made prior to or within one hundred eighty days after the emission reduction has been accomplished.

(3) **Conditions.** An ERC may be authorized provided the following conditions have been demonstrated to the satisfaction of the Agency.

(a) No part of the emission reductions claimed for credit shall have been required pursuant to an adopted rule.

(b) The quantity of emission((s)) reductions claimed for credit shall be less than or equal to the old allowable emissions rate or the old actual emissions rate, whichever is the lesser, minus the new allowable emissions rate.

(c) The ERC application must include a description of all the changes that are required to accomplish the claimed emission((s)) reduction, such as, new control equipment, process modifications, limitation of hours of operation, permanent shutdown of equipment, specified control practices and any other pertinent supporting information.

(d) The quantity of emission reductions claimed must be greater than 1 ton/year and be readily quantifiable for the emission((s)) unit(s) involved.

(e) No part of the emission reductions claimed for credit shall have been used as part of a determination of net emission increase, nor as part of an offsetting transaction under SWCAA 400-112(5) nor as part of a bubble transaction under SWCAA 400-120 nor to satisfy NSPS, NESHAPS, BACT, MACT, RACT, LAER or other applicable emission standard.

(f) Concurrent with or prior to the authorization of an ERC, the applicant shall have received a regulatory order or permit that establishes total allowable emissions from the "stationary source" or emission((s)) unit of the contaminant for which the ERC is requested, expressed as weight of contaminant per unit time.

(g) The use of any ERC shall be consistent with all other federal, state, and local requirements of the program in which it is used.

(4) **Additional information.** Within thirty days after the receipt of an ERC application, supporting data and documentation, the Agency may require the submission of additional information needed to review the application.

(5) **Approval.** Within ((~~thirty~~)) sixty days after all required information has been received, the Agency shall approve or deny the application, based on a finding that conditions in subsections (3)(a) through (((~~f~~))) (g) of this section have been satisfied or not. If the application is approved, the Agency shall:

(a) Issue a regulatory order or equivalent document to assure that the emissions from the "source" will not exceed the allowable emission rates claimed in the ERC application, expressed in weight of pollutant per unit time for each emission unit involved. The regulatory order or equivalent document shall include any conditions required to assure that subsections (3)(a) through (((~~f~~))) (g) of this section will be satisfied. If the ERC depends in whole or in part upon the shutdown of equipment, the regulatory order or equivalent document must prohibit operation of the affected equipment; and,

(b) Issue a regulatory order with emission reduction credit. The regulatory order shall specify the issue date, the contaminant(s) involved, the emission decrease expressed as weight of pollutant per unit time, the nonattainment area involved, if applicable, and the person to whom the regulatory order is issued.

(6) **Maintenance and use of ERCs.** The Agency has established its policy and procedure for maintenance of ((~~said~~)) ERCs in SWCAA 400-136. The Agency has established its policy and procedure for use of ERCs in SWCAA 400-130.

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 01-05-057, filed 2/15/01, effective 3/18/01)

SWCAA 400-136 Maintenance of Emission Reduction Credits in Bank

[Statutory Authority: Chapter 70.94.141 RCW, and 70.94.850 RCW. Original Board adoption as 400-125 4/17/84; renumbered to 400-136 in 93-21-005 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95; 96-21-100 filed 10/21/96, effective 11/21/96; 99-07-029 filed 3/10/99, effective 4/11/99; 01-05-057 filed 2/15/01, effective 3/18/01]

(1) **Applicability**. The Agency shall maintain a bank for the purpose of administering emission reduction credits (ERCs) pursuant to the provisions of RCW 70.94.850.

(2) **Conditions for ERC bank.**

(a) ERCs established under SWCAA 400-131 ((~~or used under SWCAA 400-130~~)) shall be available for said credit bank.

(b) ERCs shall not have been used, sold or transferred to another entity for use; e.g. ERCs cannot be banked or used by two "sources" at one time.

(c) ERCs established under SWCAA 400-131 or used under SWCAA 400-130 for a specific "source" shall be allocated privately and not be ((~~included in the bank~~)) available for public allocation unless ((~~(1)~~)) specifically requested by the owner(s) of the ERCs or ((~~(2) if~~)) the owner of the ERCs fails to maintain registration with the Agency.

(3) **Maintenance of the bank.**

(a) The Agency shall maintain an emission inventory of all allowed and actual emissions (including any growth allowances identified in a maintenance plan) in each of the nonattainment or maintenance areas by pollutant or in the case of ozone, it shall be volatile organic compounds and oxides of nitrogen.

(b) The ERCs contained in the bank shall be discounted by 10((~~%~~)) percent to allow for minor emission((~~s~~)) increases in nonattainment areas by minor "sources" each of which would emit less than one ton per year. Minor emitting "sources" shall be ineligible to receive or expend an emission reduction credit as identified in SWCAA 400-131 or 400-130. ERCs shall be discounted at the applicable ratio on a one-time basis at the time of deposit into the bank. ERCs shall not be discounted each time a transaction is completed. If reductions in emission beyond those identified in the Washington ((~~State Implementation Plan~~)) SIP are required to meet an ambient air quality standard, if the standard cannot be met through controls on operating "sources," and if the plan must be revised, ERCs may be discounted by the Agency over and above the initial 10((~~%~~)) percent without compensation to the holder after public involvement ((~~per~~)) pursuant to SWCAA 400-171. Any such discount shall not exceed the percentage of additional emission reduction needed to reach or maintain attainment status.

(c) The Control Officer shall not provide greater than 25((~~%~~)) percent of the available emission credit in the bank to a single applicant. Any exceptions shall be considered on a case-by-case basis by the Board of Directors after a public notice at the next regularly scheduled meeting.

(d) When the Control Officer issues credits for a new or modified "stationary source," the amount of emission credits shall be removed from the bank and a regulatory order allocating the emission credits shall be issued. The applicant shall start a continuous program of construction or process modification within 18 months. If the applicant does not exercise the approval, the emission credit allocation shall expire and revert to the bank. If there is a six month delay in construction after the start of a continuous program to construct or modify a "stationary source" or emission((~~s~~)) unit the remaining amount of the emission reduction credit shall be reviewed by the Control Officer and if it is determined that the unused portion of the credit will not, in all likelihood be used in the next year, the Control Officer shall notify the applicant that the credit allocation has expired and shall revert to the bank. The applicant shall reapply, as needed, for use of the emission reduction credits when a continuous program of construction or modification begins.

(4) **Annual review.** The Agency shall review the content and administration of this section annually to ensure regulatory consistency and equity of impact as a portion of the Washington ((~~State Implementation Plan~~)) SIP review. The results of the review shall be reported to the Board with recommendations for correction if the Control Officer deems that such corrections are necessary to properly administer the emission credit bank.

(5) **Issuance and use of ERCs**. The Agency has established its policy and procedure for deposit of ERCs in SWCAA 400-131. The Agency has established its policy and procedure for use of ERCs in SWCAA 400-130.

(6) **Expiration of public credits.**

(a) Emissions reduction credits deposited in the bank for public allocation (public bank) as the result of the shutdown of the Carborundum facility expired on July 8, 1996 as provided in Regulatory Order SWCAA 86-843 which establish((~~ing~~))ed such credits.

(b) Emission reduction credits deposited in the bank for public allocation as the result of Board Resolution 1988-3 amended by Board Resolution 1989-3 expired on January 24, 1999.

(c) Credits and regulatory orders/certificates assigned to "stationary sources" from this public bank expired on July 8, 1996.

(d) Each "stationary source" which had credits assigned from the public bank by issuance of a regulatory order shall be approved for the total of previous emissions plus any additional amount approved under a regulatory order assigning public credits to that "stationary source" effective July 8, 1996.

(e) Emission reduction credits deposited into the public bank shall not be available to be assigned to any "stationary source" after July 8, 1996.

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.

NEW SECTION

SWCAA 400-140 Protection of Ambient Air Increments

[Statutory Authority: RCW 70.94.141]

(1) **Purpose**. This section constitutes a program to prevent significant deterioration of air quality by protecting ambient air increments.

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(2) **Applicability.** This section shall apply to all "sources" within SWCAA jurisdiction.

(3) **Requirements.**

(a) Ambient air increments. The ambient impact of any proposed "source" or modification shall not cause an increase in ambient pollutant concentration over the applicable baseline concentration in excess of the following increments:

Area Designation	Pollutant	Max. allowable increase ($\mu g/m^3$)
	Particulate matter:	
Class I	PM_{10}, annual arithmetic mean	4
	PM_{10}, 24-hr maximum	8
Class II	PM_{10}, annual arithmetic mean	17
	PM_{10}, 24-hr maximum	30
	Sulfur dioxide	
Class I	Annual arithmetic mean	2
	24-hr maximum	5
	3-hr maximum	25
Class II	Annual arithmetic mean	20
	24-hr maximum	91
	3-hr maximum	512
	Nitrogen dioxide	
Class I	Annual arithmetic mean	2.5
Class II	Annual arithmetic mean	25

(b) Source notification. If possible over consumption of an ambient air increment is identified, the Agency shall notify the affected "source(s)" thirty days prior to taking further action. The purpose of notification is to allow the "source(s)" an opportunity to review the possible over consumption and related emission information.

(c) Air quality analysis. If possible over consumption of an ambient air increment is identified, an air quality analysis shall be conducted by the Agency or the affected "source(s)" to demonstrate compliance with the requirements of this section.

(d) Cost of air quality analysis.

(i) The cost of any air quality analysis conducted pursuant to the requirements of SWCAA 400-046 and 400-110 shall be paid by the permit applicant.

(ii) The cost of any air quality analysis conducted by the Agency pursuant to this section shall be:

(A) Assessed to the affected "source" if the identified increment violation is attributed solely to the emissions of a single "source;" or

(B) Assessed to the affected "sources" on a prorated basis if the increment violation is attributed to the combined emissions of multiple "sources" located within the affected baseline area. The prorated assessment will be based on the relative contribution of each "source" to the identified increment violation.

(e) If over consumption of an ambient air increment is demonstrated, the Agency shall take actions to require affected "sources" to reduce ambient impact to a level less than the allowable increment.

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 01-05-057, filed 2/15/01, effective 3/18/01)

SWCAA 400-141 Prevention of Significant Deterioration (PSD)

[Statutory Authority: Chapter 70.94.141 RCW. Original Board adoption 93-21-005 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95; 99-07-029 filed 3/10/99, effective 4/11/99; 01-05-057 filed 2/15/01, effective 3/18/01]

((~~Section 40 CFR 52.21, Subparts (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (l), (m), (n), (o), (p), (r), (t), (v), and (w), Prevention of Significant Deterioration of Air Quality, as in effect on July 1, 2000, are incorporated by reference with the following additions and modifications:~~

~~(1) Administrator. In 40 CFR 52.21 (b)(17), federally enforceable, (f)(1)(v), (f)(3), and (f)(4)(i), exclusions from increment consumption, (g), redesignation, (l) and (2), air quality models, (p)(2), federal land manager, and (t), disputed permits or redesignations, the word "Administrator" shall be construed in its original meaning. In 40 CFR 52.21 (b)(3)(iii) Administrator shall mean the Administrator of EPA, Director of Ecology and Control Officer of the Agency.~~

~~(2) Contemporaneous. Subpart 40 CFR 52.21 (b)(3)(ii) is changed to read: "An increase or decrease in actual emissions is contemporaneous with the increase from the particular change only if it occurs between the date ten years before construction on the particular change commences and the date that the increase from the particular change occurs. If a decrease occurred more than one year prior to the date of submittal of the Notice of Construction application for the particular change it can only be credited if the decrease has been documented by an emission reduction credit."~~

~~(3) Public participation. Subpart 40 CFR 51.166(q) public participation, as in effect July 1, 2000 is hereby incorporated by reference except that in 40 CFR 51.166 (q)(2)(iv), the phrase "specified time period" shall mean thirty days and the word "Administrator" shall mean the EPA Administrator.~~

~~(4) Section 40 CFR 51.166 Subpart (p)(1). Sources Impacting Federal Class I areas - additional requirements - Notice to EPA, as in effect on July 1, 2000, is herein incorporated by reference.~~

~~(5) Secondary emissions. Subpart 40 CFR 52.21 (b)(18) is changed to read: Emissions which would occur as a result of the construction or operation of a major stationary source or major modification, but do not come from the major stationary source or major modification itself. For the purpose of this section, secondary emissions must be specific, well defined, quantifiable, and impact the same general area as the stationary source or modification that causes the secondary emissions. Secondary emissions may include, but are not limited to:~~

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~~(a) Emissions from ships or trains coming to or from the new or modified stationary source; and~~

~~(b) Emissions from any offsite support facility which would not otherwise be constructed or increase its emissions as a result of the construction or operation of the major stationary source or major modification.~~

~~(6) Significant. The definition of "significant" in 40 CFR 52.21 (b)(23) is changed to exclude from the list of pollutants which may trigger PSD review any pollutant listed under FCAA §112.~~))

((~~[Note - SWCAA has not been delegated authority by Ecology for the PSD program.]~~))

(1) **Program adoption**. WAC 173-400-141, as in effect on July 1, 2002, is hereby adopted by reference.

(2) **Permitting**. The Agency does not currently have delegated authority to issue PSD permits. PSD permits are issued by Ecology. "Stationary sources" that comply with the provisions of WAC 173-400-141 shall be considered to have met the permitting requirements of this section. Affected "stationary sources" shall submit a copy of PSD application information to the Agency pursuant to WAC 173-400-141 (3)(b)(iii).

(3) **Monitoring, Recordkeeping and Reporting**. Pursuant to WAC 173-400-141(4), a PSD applicable "stationary source" within the Agency's jurisdiction shall submit all required reports to the Agency.

(4) **Enforcement**. The Agency shall enforce the requirements of WAC 173-400-141 and the terms and conditions of PSD permits issued by Ecology to "stationary sources" within the Agency's jurisdiction.

The complete text of WAC 173-400-141 is provided below for informational purposes.

WAC 173-400-141 Prevention of significant deterioration (PSD).

(1) The prevention of significant deterioration or PSD program is a construction permitting program for new major stationary sources and major modifications to existing major stationary sources located in areas in attainment or in areas that are unclassifiable for any criteria air pollutant. No major stationary source or major modification to which the requirements of this section apply shall begin actual construction without a PSD permit.

(2) **Early planning encouraged**. In order to develop an appropriate application, the source should engage in an early planning process to assess the needs of the facility. An opportunity for a preapplication meeting with ecology is available when ecology is the permitting agency.

(3) **Application.**

(a) The PSD application is a form of a notice of construction application and the PSD permit is a form of an approval order.

(b) The applicant shall provide complete copies of its PSD application, distributed in the following manner:

(i) Three copies shall be sent to the permitting agency. If ecology is the permitting agency, copies must be sent to the Air Quality Program at P.O. Box 47600, Olympia, WA 98504-7600.

(ii) One copy shall be sent to each of the following federal land managers:

(A) U.S. Department of the Interior - National Park Service; and

(B) U.S. Department of Agriculture - U.S. Forest Service.

(iii) If the local authority is not the permitting agency and the project lies within the territory of a local authority, one copy shall be sent to the authority in whose territory the source is located.

(iv) One copy shall be sent to EPA.

(c) Ecology shall provide the names and addresses of the federal land managers.

(4) **Enforcement**. Ecology or the permitting agency with authority over the source under Chapter 173-401 WAC, the Operating permit regulation, shall receive all required reports and enforce the conditions in the PSD permit.

(5) **Applicable requirements**. A PSD permit must comply with the following requirements:

(a) WAC 173-400-110 - New source review;

(b) WAC 173-400-113 - Requirements for new sources in attainment or unclassifiable areas;

(c) WAC 173-400-117 - Special protection requirements for federal Class I areas;

(d) WAC 173-400-171 - Public involvement; and

(e) The following subparts of 40 CFR 52.21, in effect on July 1, 2000, which are adopted by reference. Exceptions are listed in (5)(e)(i), (ii), (iii), and (iv):

40 CFR 52.21(b)	Definitions.
40 CFR 52.21(c)	Ambient air increments.
40 CFR 52.21(d)	Ambient air ceilings.
40 CFR 52.21(h)	Stack heights.
40 CFR 52.21(i)	Review of major stationary sources and major modifications - source applicability and exemptions.
40 CFR 52.21(j)	Control technology review.
40 CFR 52.21(k)	Source impact analysis.
40 CFR 52.21(l)	Air quality models.
40 CFR 52.21(m)	Air quality analysis.
40 CFR 52.21(n)	Source information.
40 CFR 52.21 (o)(1) and (2)	Additional impact analysis.
40 CFR 52.21(r)	Source obligation.
40 CFR 52.21(v)	Innovative control technology.
40 CFR 52.21(w)	Permit rescission.

(i) Exception to adopting 40 CFR 52.21 by reference. Every use of the word "administrator" in 40 CFR 52.21 means ecology or the authority except for the following:

(A) In 40 CFR 52.21 (b)(17), the definition of federally enforceable, "administrator" means the EPA administrator.

(B) In 40 CFR 52.21 (l)(2), air quality models, "administrator" means the EPA administrator.

(ii) Exception to adopting 40 CFR 52.21 by reference. The following definitions apply to this section instead of the definitions in 40 CFR 52.21(b):

(A) Major modification as defined in WAC 173-400-113;

(B) Major stationary source as defined in WAC 173-400-113;

(C) Net emissions increase as defined in WAC 173-400-113;

(D) Significant as defined in WAC 173-400-113; and

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(E) Volatile organic compound as defined WAC 173-400-030.

(iii) Exception to adopting 40 CFR 52.21 by reference. The following definition of "secondary emissions" applies to this section instead of the definition in 40 CFR 52.21 (b)(18): "Secondary emissions" means emissions which would occur as a result of the construction or operation of a major stationary source or major modification, but do not come from the major stationary source or major modification itself. For the purpose of this section, secondary emissions must be specific, well defined, quantifiable, and impact the same general area as the stationary source or modification that causes the secondary emissions. Secondary emissions may include, but are not limited to:

(A) Emissions from ships or trains located at the new or modified stationary source; and

(B) Emissions from any off-site support facility which would not otherwise be constructed or increase its emissions as a result of the construction or operation of the major stationary source or major modification.

(iv) Exception to adopting 40 CFR 52.21 by reference. Each reference in 40 CFR 52.21(i) to "paragraphs (j) through (r) of this section" is amended to state "paragraphs (j) through (n) of this section, paragraphs (o)(1) and (o)(2) of this section, paragraph (r) of this section, WAC 173-400-117 and 173-400-171."

(6) **Notifying EPA**. The permitting agency shall provide notice to EPA of every action related to consideration of the permit.

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.

Reviser's note: The typographical error in the above material occurred in the copy filed by the Southwest Clean Air Agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 01-05-057, filed 2/15/01, effective 3/18/01)

SWCAA 400-151 Retrofit Requirements for Visibility Protection

[Statutory Authority: Chapter 70.94.141 RCW. Original Board adoption 93-21-005 filed 10/7/93, effective 11/8/93; 01-05-057 filed 2/15/01, effective 3/18/01]

~~(((1) Determination of best available retrofit technology (BART). The Agency shall identify and analyze each source which may reasonably be anticipated to cause or contribute to impairment of visibility in any mandatory Class I area in Washington and any adjacent state and to determine BART for the contaminant of concern and those additional air pollution control technologies that are to be required to reduce impairment from the source.~~

~~(2) Initially defined BART. The owner(s) or operator(s) of any source(s) to which significant visibility impairment of a mandatory Class I area is reasonably attributable shall apply BART for each contaminant contributing to visibility impairment that is emitted at more than 250 tons per year. Each source for which BART is required must install and operate BART as expeditiously as possible, but in no case later than five years after the conditions are included in a regulatory order.~~

~~(3) Future definitions of BART. The owner(s) or operator(s) of any source(s) to which significant visibility impairment of a mandatory Class I area is reasonably attributable shall apply BART as new technology becomes available for a contaminant if:~~

~~(a) The source emits more than 250 tons per year of the contaminant; and,~~

~~(b) The controls representing BART have not previously been required in this section.~~

~~(4) Appeal. Any source owner or operator required by this section to install, operate, and maintain BART, may apply to the EPA Administrator for an exception from that requirement pursuant to 40 CFR 51.303.~~))

(1) The requirements of this section apply to any "existing stationary facility" as defined in SWCAA 400-030.

(2) SWCAA shall identify each "existing stationary facility" within its jurisdiction, which may reasonably be anticipated to cause or contribute to visibility impairment in any mandatory Class I federal area in Washington and any adjacent state.

(3) For each "existing stationary facility" identified under subsection (2) of this section, SWCAA shall determine BART for the air contaminant of concern and any additional air pollution control technologies that are to be required to reduce impairment from the "existing stationary facility."

(4) Each "existing stationary facility" shall apply BART as new technology for control of the air contaminant when it becomes reasonably available if:

(a) The "existing stationary facility" emits the air contaminant contributing to visibility impairment;

(b) Controls representing BART for that air contaminant have not previously been required under this section; and

(c) The impairment of visibility in any mandatory Class I federal area is reasonably attributable to the emissions of the air contaminant.

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 01-05-057, filed 2/15/01, effective 3/18/01)

SWCAA 400-171 Public Involvement

[Statutory Authority: Chapter 70.94.141 RCW. Original Board adoption 93-21-005 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95; 96-21-100 filed 10/21/96, effective 11/21/96; 99-07-029 filed 3/10/99, effective 4/11/99; 01-05-057 filed 2/15/01, effective 3/18/01]

(1) **Public Notice.**

(a) Notice shall be published on the SWCAA Internet website announcing the receipt of air discharge permit applications, nonroad engine permit applications and other proposed actions. Notice shall be published for a minimum of fifteen (15) consecutive days. Publication of a notice on the SWCAA website at the time of application receipt is not required for any application or proposed action that automatically requires a public comment period pursuant to subsection (2) of this section. In the event that publication on the SWCAA Internet website does not occur for the prescribed

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time period, notice will be published for a minimum of one (1) day in a newspaper of general circulation in the area of the proposed action. Each notice shall, at a minimum, include the following information:

(i) The name and address of the owner or operator and the affected facility;

(ii) A brief description of the proposed action;

(iii) Agency contact information;

(iv) A statement that a public comment period will be provided upon request pursuant to SWCAA 400-171(3); and

(v) The date by which a request for a public comment period is due.

(b) Requests for a public comment period shall be submitted to the Agency in writing via letter, fax, or electronic mail. A public comment period shall be provided pursuant to subsection (3) of this section for any application or proposed action that receives such a request. Any application or proposed action for which a public comment period is not requested may be processed without further public involvement.

(((~~1~~))) (2) ((~~Applicability~~)) **Mandatory public comment period.**

(a) ((~~The Agency shall provide~~)) A public ((~~notice for a preliminary determination of a regulatory order prior to issuance of the final approval or denial of~~)) comment period shall be provided pursuant to subsection (3) of this section before approving or denying any of the following ((~~types of applications or other actions~~)):

(((~~a~~))) (i) ((~~Notice of Construction~~)) Any air discharge permit application for a((~~ny~~)) new or modified "stationary source" or emission((~~s~~)) unit that results in a significant net increase in emissions (actual or potential to emit) of any ((~~pollutant~~)) air contaminant regulated by state or federal law (((~~significant as defined in SWCAA 400-030). Furthermore, public notice for each regulatory order for a non-significant increase may be provided at the discretion of the Control Officer~~)); ((~~or~~))

(((~~b) Any application or other proposed action for which a public hearing is required by PSD rules; or~~))

(ii) Any use of a modified or substituted air quality model, other than a guideline model in Appendix W of 40 CFR Part 51 (as in effect on July 1, 2002) as part of review under SWCAA 400-046 or 400-110;

(((~~c~~))) (iii) Any order to determine RACT; ((~~or~~))

(((~~d~~))) (iv) Any order to establish a compliance schedule or a variance. A variance shall be handled as provided in SWCAA 400-180; ((~~or~~))

(((~~e) The establishment, disestablishment or redesignation of a nonattainment area, or the changing of the boundaries thereof; or~~))

(((~~f~~))) (v) Any order to demonstrate the creditable height of a stack which exceeds the GEP formula height and sixty-five meters, by means of a fluid model or a field study, for the purposes of establishing an emission limitation; ((~~or~~))

(((~~g~~))) (vi) Any order to authorize a bubble; ((~~or~~))

(vii) Any order used to establish a creditable emission reduction;

(((~~h~~))) (viii) ((~~Issuance of~~)) An Order of Discontinuance as provided in SWCAA 400-230 (1)(g); ((~~or~~))

(((~~i~~))) (ix) Any order issued under SWCAA 400-091 which establishes limitations on a "stationary source's" potential to emit ((~~for the purpose of opting out of the Title V Air Operating Permit program (WAC 173-401)~~))); ((~~or~~))

(x) Any extension of the deadline to begin actual construction of a "major stationary source" or "major modification" in a nonattainment area;

(xi) Any change in conditions of an existing air discharge permit;

(xii) Any application or other proposed action which has received a request for public notice pursuant to subsection (1) of this section; or

(((~~j~~))) (xiii) Any ((~~Notice of Construction~~)) nonroad engine permit application, air discharge permit application or other proposed action ((~~made pursuant to this regulation in~~)) for which the Control Officer determines there is a substantial public interest ((~~according to the discretion of the Control Officer~~)).

((~~except:~~

~~(k) Any Notice of Construction application or other proposed action which results in a reduction of emissions from a previously established emission limit in an order issued by the Agency that has previously been subjected to public notice, or other permitting authority, may not require public notice in accordance with this section. This exemption does not apply to those sources opting out of the Title V Air Operating Permit program (WAC 173-401).~~

~~(l) Any Notice of Construction application or other proposed action that does not result in a net emissions increase (actual or potential to emit) unless otherwise required by the Agency.~~

~~(m) Public notice for a preliminary determination of a regulatory order may run concurrently with immediate approval to operate provided that a corporate officer of the source submits an affidavit that they understand the liability associated with the action and agree to implement any necessary changes that would have otherwise resulted from the public comment process.~~))

(b) Any air discharge permit application designated for integrated review that includes a PSD permit application, an application for a "major modification" in a nonattainment area, or an application for a "major stationary source" in a nonattainment area must also comply with the public notice requirements of WAC 173-400-171.

(((~~2~~))) (3) **Public ((~~notice~~)) comment period**. A public ((~~notice~~)) comment period shall be ((~~made~~)) provided only after all information required by the Agency has been submitted and after applicable preliminary determinations, if any, have been made. ((~~Public notice shall include:~~))

(a) Availability for public inspection ((~~in at least one location near the proposed project, of the nonproprietary~~)). The information submitted by the applicant, and ((~~of~~)) any applicable preliminary determinations, including analyses of the effect(s) on air quality, shall be available for public inspection in at least one location near the proposed project. Exemptions from this requirement include information protected from disclosure under any applicable law, including, but not limited to, RCW 70.94.205 and SWCAA 400-270.

(b) Publication of comment period notice. Notice shall be published in a newspaper of general circulation in the area

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of the proposed project ((~~of notice~~)) for a minimum of one (1) day. For applications or actions subject to a public comment period pursuant to subsections (2)(a)(xii) or (2)(a)(xiii) of this section, publication on the SWCAA Internet homepage for a minimum of thirty (30) days may be substituted for newspaper publication. Notice for a public comment period shall include the following information:

(i) The name and address of the owner or operator and the affected facility;

((~~(i)~~)) (ii) ((~~Giving~~)) A brief description of the proposal;

((~~(ii)~~)) (iii) ((~~Advising of~~)) The location of the documents made available for public inspection;

((~~(iii)~~)) (iv) ((~~Advising of~~)) Identification of a thirty-day period for submitting written comment to the Agency;

((~~(iv)~~)) (v) ((~~Advising~~)) A statement that a public hearing may be held if the Agency determines within a thirty-day period that significant public interest exists;

(vi) The length of the public comment period in the event of a public hearing; and

(vii) For projects subject to special protection requirements for federal Class I areas in WAC 173-400-117 (5)(c), the comment period notice shall explain the Agency's decision.

(c) EPA Notification. A copy of the comment period notice shall be sent to the EPA Region 10 Regional Administrator.

((~~(d) Public participation procedures for Notice of Construction applications that are processed in coordination with an application to issue or modify a Title V Air Operating Permit shall be conducted as provided in WAC 173-401.~~))

((~~(3)~~)) (d) Consideration of public comment. The Agency shall make no final decision on any application or other action ((~~of any of the types described in subsection (1) of this section, shall be made~~)) for which a public comment period has been provided until the public comment period has ended and any comments received during the public comment period have been considered. ((~~Unless a public hearing is held, the public comment period shall be the thirty-day period for written comment published as above. If a public hearing is held, the public comment period shall extend through the hearing date and thereafter for such period, if any, as the notice of public hearing may specify.~~))

((~~(4)~~)) (e) Public hearings. ((~~The applicant, any interested governmental entity, any group, or~~)) Any person may request a public hearing within the thirty-day public comment period. ((~~published as above. Any such~~)) Each request shall indicate the interest of the ((~~entity~~)) party filing it and why a hearing is warranted. The Agency may((~~, at the discretion of the Control Officer,~~)) hold a public hearing if ((~~it~~)) the Control Officer determines significant public interest exists. ((~~Any such hearing(s) shall be held upon such notice and at a time(s) and place(s) as the Agency deems reasonable~~)) The Agency will determine the location, date, and time of the public hearing. If a public hearing is held, the public comment period shall extend through the hearing date and thereafter for such period, if any, as the notice of public hearing may specify.

(4) **Public involvement for integrated review with an operating permit.** Any air discharge permit application designated for integrated review with an application to issue or modify an operating permit shall be processed in accordance with the operating permit program procedures and deadlines (Chapter 173-401 WAC).

(5) **Other requirements of law.** Whenever procedures permitted or mandated by law will accomplish the objectives of public notice and opportunity for comment, ((~~such~~)) those procedures may be used in lieu of the provisions of this section (e.g., SEPA). This subsection does not apply to applications for a "major modification" or a "major stationary source."

(6) **Public information.** All information is available for public inspection at the Agency, except information protected from disclosure under any applicable law, including, but not limited to, RCW 70.94.205 and SWCAA 400-270. Such information includes copies of Notice((s)) of Construction applications, orders of approval, regulatory orders, and modifications thereof ((~~which are issued hereunder shall be available for public inspection on request at the Agency~~)).

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.

Reviser's note: The typographical error in the above material occurred in the copy filed by the Southwest Clean Air Agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 01-05-057, filed 2/15/01, effective 3/18/01)

SWCAA 400-180 Variance

[Statutory Authority: Chapter 70.94.141 RCW, and 70.94.181 RCW. Original Board adoption 12/17/68 (Regulation 1 Sec 2.07); Amended by Board 12/18/79; Amended by Board 4/17/84; Repealed and renumbered to 400-180 93-21-005 filed 10/7/93, effective 11/8/93, previous 400-180 (Maintenance of Pay was deleted; 95-17-084 filed 8/21/95, effective 9/21/95; 99-07-029 filed 3/10/99, effective 4/11/99; 01-05-057 filed 2/15/01, effective 3/18/01]

Any person who owns or is in control of a plant, building, structure, establishment, process, or equipment may apply to the Agency for a variance from provisions of SWCAA regulations governing the quality, nature, duration, or extent of discharges of air contaminants in accordance with the provisions of RCW 70.94.181.

(1) **Jurisdiction.** "Stationary sources" in any area over which the Agency has jurisdiction shall make application to the Agency. Variances to State rules shall require approval of Ecology prior to being issued by the Agency. The Board of Directors may grant a variance only after public involvement per SWCAA 400-171.

(2) **Full faith and credit.** Variances granted in compliance with state and federal laws by the Agency for "sources" under its jurisdiction shall be accepted as variances to this regulation.

(3) **EPA concurrence.** No variance or renewal shall be construed to set aside or delay any requirements of the Federal Clean Air Act except with the approval and written concurrence of the ((~~USEPA~~)) EPA.

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 01-05-057, filed 2/15/01, effective 3/18/01)

SWCAA 400-190 Requirements for Nonattainment Areas

[Statutory Authority: Chapter 70.94.141 RCW. Original Board Adoption 93-21-005 filed 10/7/93, effective 11/8/93; 01-05-057 filed 2/15/01, effective 3/18/01]

The development of specific requirements for nonattainment areas shall include consultation with local government in the area and shall include public involvement per SWCAA 400-171. Requirements for new or modified "stationary sources" in nonattainment areas are found in SWCAA 400-110 and SWCAA 400-112.

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 01-05-057, filed 2/15/01, effective 3/18/01)

SWCAA 400-230 Regulatory Actions ((&)) and Civil Penalties

[Statutory Authority: Chapter 70.94.141 RCW, 70.94.211 RCW, 70.94.332 RCW, 70.94.425 RCW, 70.94.431, 70.94.435 RCW and 70.94.715 RCW. Original Board adoption 12/17/68 (Regulation 1 Sec 2 & 3); Amended by Board renumbered to 400-130 12/18/79; Amended by Board renumbered to 400-200 4/17/84; Amended by Board 12/16/86; Amended by Board 1/21/92, 92-04-030 filed 1/28/92; 93-21-005 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95; 96-21-100 filed 10/21/96, effective 11/21/96; 99-07-029 filed 3/10/99, effective 4/11/99; 01-05-057 filed 2/15/01, effective 3/18/01]

(1) The Agency shall have the power to issue such orders as necessary to effectuate the purpose of RCW 70.94 and RCW 43.21B as provided in, ((~~including~~)) but not limited to: RCW 70.94.141, RCW 70.94.152, RCW 70.94.153, ((~~and~~)) RCW 70.94.332 and RCW 43.21B.300. ((~~The Agency may issue orders for establishing limits and controls for "sources" of emissions to the ambient air or otherwise controlling activities that may violate any ambient air quality regulations, including but not limited to the following:~~)) For informational purposes, a list of specific orders issued by the Agency in the past is presented below.

(a) **Order of Approval**. An order ((~~of Approval may be~~)) issued by the Agency to provide approval for an ((~~Notice of Construction~~)) air discharge permit or ERC application. ((~~An Order of Approval shall contain the following, as appropriate: reference to applicable regulations, emissions limitations, control and process equipment operating conditions and limits, testing requirements, monitoring and reporting requirements, and other conditions considered necessary by the Agency. An Order of Approval, which constitutes the final determination of the Agency, shall be issued within sixty (60) calendar days of a complete application or for those projects subject to public notice, as promptly as possible after the 30 calendar day public notice requirements have been satisfied. An Order of Approval may not identify all applicable regulations. All Orders of Approval may be subject to the public notice and comment procedures set forth in SWCAA 400-171(2), (3), and (4).~~))

(b) **Order of Denial**. An order ((~~of Denial may be~~)) issued by the Agency in response to an ((~~Notice of Construction~~)) air discharge permit application that is incomplete, not feasible, proposes inadequate control technology, or otherwise would result in violation of any ambient air quality regulation, control technology requirement, or applicable emission standard((~~s~~)). ((~~in the area in which the equipment would be located and operated. All Orders of Denial shall be subject to the public notice and comment procedures set forth in SWCAA 400-171 (2), (3), and (4).~~))

(c) **Order of Violation**. An order ((~~of Violation may be~~)) issued by the Agency to document specific regulation(s) alleged to be violated and establish the facts surrounding a violation. ((~~An Order of Violation may be prepared by the Agency only after formal written notice has been served on the "source" as provided in (2) below. The Order of Violation shall not be subject to the public notice and comment period set forth in SWCAA 400-171.~~))

(d) **Order of Prevention**. An order ((~~of Prevention may be~~)) issued by the Agency ((~~to a source~~)) to prevent installation or construction of an emission unit, performance of an activity, or actions that may otherwise endanger public health that are on site, in the process of being installed, or have been installed, constructed or operated without prior Agency review and approval, or actions ((~~are~~)) being conducted in addition to a previous Agency approval without prior approval. ((~~An Order of Prevention shall not be subject to the public notice and comment period set forth in SWCAA 400-171.~~))

(e) **Consent Order**. An ((~~Consent~~)) order ((~~may be~~)) issued by the Agency to establish emission limits, operation and maintenance limits or controls, monitoring or reporting requirements, testing requirements, or other limits or controls ((~~as necessary~~)) that are determined by the Agency to be necessary. Actions identified in a Consent Order may be necessary to demonstrate compliance with applicable regulations, provide measures whereby a "source" may take the necessary steps to achieve compliance, establish a schedule for activities, or provide other information that the Control Officer deems appropriate. ((~~The~~)) Consent Orders ((~~shall be~~)) are agreed to and signed by an appropriate officer of the company or "source" for which the Consent Order is prepared and the Control Officer, or designee, of the Agency. ((~~Installation, construction, modification or operation of a source shall be subject to the New Source Review requirements of SWCAA 400-110. A Consent Order shall not be subject to the public notice and comment period set forth in SWCAA 400-171 at the discretion of the Control Officer.~~)) A Consent Order does not sanction noncompliance with applicable requirements.

(f) **Compliance Schedule Order**. An ((~~Compliance Schedule~~)) order ((~~may be~~)) issued by the Agency to a "source" to identify specific actions that must be implemented to establish, maintain, and/or demonstrate compliance with applicable regulations and identify the schedule by which these actions must be completed. ((~~All Compliance Schedule Orders shall be subject to the public notice and comment period set forth in SWCAA 400-171 (2), (3), and (4). Refer to SWCAA 400-161 for further guidance.~~))

(g) **Order of Discontinuance**. ((~~The Agency may issue~~)) An order ((~~of Discontinuance~~)) issued by the Agency for any "source" that has ((~~discontinued operations~~)) perma-

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nently shutdown, ((~~and/or~~)) has not maintained ((~~their source~~)) registration for affected emission units, or ((~~(Refer to SWCAA 400-100 (2)(d)). An Order of Discontinuance may also be issued to a source~~)) that continues to operate in violation of applicable regulations and requirements. ((~~Such issuance may require that the source cease operations that result in emissions to the ambient air that are in violation of applicable regulatory orders, requirements and regulations.~~

~~(i) Any source that fails to maintain registration fees (i.e., payment of registration fees by June 30 of each year), may be issued an Order of Discontinuance. The Order of Discontinuance shall identify the source location and emission units and identify the most current registration activity.~~

~~(ii) The Order of Discontinuance shall provide for discontinuance of operations at that source or facility and all previous authorizations, orders, agreements or stipulations shall be superseded, directly or indirectly, by the Order of Discontinuance without specific identification in the Order of Discontinuance.~~

~~(iii) The Order of Discontinuance shall be subject to the public notice and comment procedures set forth in SWCAA 400-171 (2), (3), and (4).~~

~~(iv) For sources that have ceased doing business in SWCAA jurisdiction, or the state of Washington, the Agency shall make a reasonable effort to establish contact with the source. If the Agency is unable to establish contact with the source, the Agency shall issue an Order of Discontinuance via certified mail, return receipt requested, to the last known address. Lack of response by the source or return of the notification by the US Postal Service shall be considered de facto evidence that the source has discontinued operations.~~

~~(v) The source shall have 30 calendar days from the date of the final regulatory order after public notice in which to pay past due and current registration fees. If the source fails to pay current registration fees, the source or facility shall be considered discontinued and shall be required to submit a Notice of Construction application under the New Source Review procedures of SWCAA 400-110 prior to resuming or restarting operations.~~

~~(vi) Facilities that terminate operations and discontinue paying registration fees, and are later sold with the intent of restart, in whole or in part, shall be subject to the New Source Review requirements of SWCAA 400-110.~~

~~(vii) Sources that continue to operate in violation of established regulatory orders and regulations, the Agency may issue an Order of Discontinuance that is effective immediately.~~))

(h) **Corrective Action Order**. ((~~The Agency may issue a Corrective Action~~)) An order issued by the Agency to any "source" ((~~within its jurisdiction, including an unregistered source,~~)) to provide measures to correct or rectify a situation that ((~~has~~)) is an immediate or eminent threat to person(s) or the public or that may be in violation or have the potential of being in violation of federal, state and local regulations or may pose a threat to the public health, welfare or enjoyment of personal or public property. ((~~The Corrective Action Order may specify specific actions that must be implemented to demonstrate compliance with applicable regulations and identify dates by which these actions must be completed. All actions and dates identified in the Corrective Action Order shall be fully enforceable. Corrective Action Orders shall be issued to correct immediate problems. Corrective Action Orders shall not be subject to the public notice and comment period set forth in SWCAA 400-171.~~))

(i) **Administrative Order**. An ((~~Administrative~~)) order ((~~may be~~)) issued ((~~to a source~~)) by the Agency to provide for implementation of items not addressed above, that are identified by the Control Officer. An Administrative Order may contain emission limits, operating and maintenance limitations and actions, schedules, resolutions by the Board of Directors, provide for establishing attainment or nonattainment boundaries, establish working relationships with other regulatory agencies, establish authority for enforcement of identified actions, and other activities identified by the Agency. ((~~All Administrative Orders shall be subject to the public notice and comment procedures set forth in SWCAA 400-171 (2), (3), and (4)~~)).

(j) **Resolutions**. A ((~~Resolution may be~~)) document issued by the Agency as a means to ((~~document or~~)) record a Board of Directors decision, authorize or approve budget transactions, establish Agency policies, or take other actions as determined by the Agency. ((~~Resolutions shall not be subject to the public notice and comment procedures set forth in SWCAA 400-171.~~))

(2) The Agency may take any of the following regulatory actions to enforce its regulations to meet the provisions of RCW 43.21B.300 which is incorporated herein by reference.

(a) **((~~Enforcement~~ actions by the Agency)) Notice of Violation**. At least thirty days prior to the commencement of any formal enforcement action under RCW 70.94.430 and 70.94.431, the Agency shall cause written notice to be served upon the alleged violator or violators. The notice shall specify the provision of this regulation, or the rule, regulation, regulatory order or permit requirement alleged to be violated, and the facts alleged to constitute a violation thereof, and may include an order that necessary corrective action be taken within a reasonable time. In lieu of an order, the Agency may require that the alleged violator or violators appear before it for the purpose of providing the Agency information pertaining to the violation or the charges complained of. Every Notice of Violation shall offer to the alleged violator an opportunity to meet with the Agency prior to the commencement of enforcement action. ((~~Enforcement action may be commenced by the Agency by issuance of a regulatory order as provided in SWCAA 400-230(1).~~))

(b) **Civil penalties.**

(i) In addition to or as an alternate to any other penalty provided by law, any person (e.g., owner, owner's agent, contractor, operator) who violates any of the provisions of Chapter 70.94 or 70.120 RCW, or any of the rules in force under such chapters may incur a civil penalty in an amount as set forth in RCW 70.94.431. Each such violation shall be a separate and distinct offense, and in case of a continuing violation, each day's continuance shall be a separate and distinct violation. Any person who fails to take action as specified by an order issued pursuant to this regulation shall be liable for a civil penalty as set forth by RCW 70.94.431 for each day of continued noncompliance.

(ii) Penalties incurred but not paid shall accrue interest, beginning on the ninety-first day following the date that the

penalty becomes due and payable, at the highest rate allowed by RCW 19.52.020 on the date that the penalty becomes due and payable. If violations or penalties are appealed, interest shall not begin to accrue until the thirty-first day following final resolution of the appeal. The maximum penalty amounts established in RCW 70.94.431 may be increased annually to account for inflation as determined by the State Office of the Economic and Revenue Forecast Council.

(iii) Each act of commission or omission that procures, aids, or abets in the violation shall be considered a violation under the provisions of this section and subject to the same penalty. The penalties provided in this section shall be imposed pursuant to RCW 43.21B.300. Section 113 (e)(2) of the 1990 Clean Air Act Amendments provides that the number of "days of violation" is to be counted beginning on the first proven day of violation and continuing every day until the violator demonstrates that it achieved continuous compliance, unless the violator can prove by preponderance of the evidence that there were intervening days on which no violation occurred. This definition applies to all civil and administrative penalties.

(iv) All penalties recovered under this section by the Agency, shall be paid into the treasury of the Agency and credited to its funds.

(v) To secure the penalty incurred under this section, the Agency shall have a lien on any equipment used or operated in violation of its regulations which shall be enforced as provided in RCW 60.36.050. The Agency shall also be authorized to utilize a collection agency for nonpayment of penalties and fees.

(vi) In addition to other penalties provided by this regulation, persons knowingly under-reporting emissions or other information used to set fees, or persons required to pay emission or permit fees who are more than ninety days late with such payments may be subject to a penalty equal to three times the amount of the original fee owed.

(3) **Assurance of Discontinuance**. The Control Officer may accept an assurance of discontinuance as provided in RCW 70.94.435 of any act or practice deemed in violation of this regulation as written and certified to by the "source." Any such assurance shall specify a time limit during which discontinuance or corrective action is to be accomplished. Failure to perform the terms of any such assurance shall constitute prima facie proof of a violation of its regulations or any order issued there under which make the alleged act or practice unlawful for the purpose of securing an injunction or other relief from the Superior Court.

(4) **Restraining orders & injunctions**. Whenever any person has engaged in, or is about to engage in, any acts or practices which constitute or will constitute a violation of any provision of its regulations, the Control Officer, after notice to such person and an opportunity to comply, may petition the superior court of the county wherein the violation is alleged to be occurring or to have occurred for a restraining order or a temporary or permanent injunction or another appropriate order.

(5) **Emergency episodes**. The Agency may issue such orders as authorized by SWCAA 435 ((~~via Chapter 70.94 RCW,~~)) whenever an air pollution episode forecast is declared.

(6) **Compliance Orders**. The Agency may issue a Compliance Order in conjunction with a Notice of Violation or when the Control Officer has reason to believe a regulation is being violated, or may be violated. The order shall require the recipient of the Notice of Violation either to take necessary corrective action or to submit a plan for corrective action and a date when such action will be initiated and completed. Compliance Orders are not subject to the public notice requirements of SWCAA 400-171.

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.

Reviser's note: The typographical errors in the above material occurred in the copy filed by the Southwest Clean Air Agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 01-05-057, filed 2/15/01, effective 3/18/01)

SWCAA 400-250 Appeals

[Statutory Authority: Chapter 70.94.141 RCW, and 70.94.221 RCW. Original Board adoption 12/18/79 as 400-140; Amended by Board renumbered to 400-220 4/17/84; renumbered to 400-250 93-21-005, filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95; 99-07-029 filed 3/10/99, effective 4/11/99; 01-05-057 filed 2/15/01, effective 3/18/01]

PERMANENT

((~~(1)~~)) Any decision or regulatory order issued by the Agency may be appealed ((~~to the Board of Directors as provided herein or appealed directly~~)) to the Pollution Control Hearings Board as provided by ((~~RCW~~)) Chapter 43.21B RCW and ((~~WAC~~)) Chapter 371-08 WAC. ((~~In addition, Orders of Approval and permits issued in accordance with the PSD program may be appealed to the EPA Environmental Appeals Board, to the extent authorized in 40 CFR 124. If appealed to the Board of Directors, the procedure shall be as follows:~~

~~(a) The decision, Notice of Violation, or Order issued by the Control Officer shall become final unless, not later than 15 calendar days after the date the Order is served upon the owner or applicant, the owner or applicant petitions the Control Officer for reconsideration, with reasons for the reconsideration. If the Control Officer refuses to reconsider, the Control Officer shall so notify the owner or applicant in writing, giving reasons for the decision. Such ruling on the petition shall become final unless not later than 15 calendar days after such notice of refusal is served, the owner or applicant appeals to the Board setting forth the reasons for the appeal.~~

~~(b) The Control Officer may reverse or modify the Order and issue such an Order in replacement thereof as deemed proper. Such Order also may be appealed to the Board of Directors as in (a) above.~~

~~(c) Any failure of the Control Officer to act upon a petition for reconsideration 15 calendar days after the petition is delivered to the Agency, shall be considered as a refusal to reconsider.~~

~~(d) In lieu of a petition for reconsideration, the owner or applicant may appeal directly to the Board of Directors within the time specified in (a) above.~~

~~(2) The Board shall promptly hear and consider all appeals after providing reasonable notice to the appellant. The Board shall, within 30 calendar days of the hearing sus-~~

~~tain, reverse or modify the Order of the Control Officer as it deems proper. Such ruling of the Board shall be communicated to the appellant in writing and the appellant if aggrieved, may appeal de novo to the Pollution Control Hearings Board as provided in RCW 43.21B.230 and WAC 371-08.~~

~~(3) It is the intent of the Board in establishing this regulation concerning appeals to provide for a method of resolving issues at the Agency level. Consequently, Decisions and Orders of the Control Officer on compliance, new source review, or any other matter regulated herein except violations shall not be considered as commencing any appeal period for appeals to the Pollution Control Hearings Board. Such appeal period shall commence only when the final Order is issued by the Board of Directors and served upon the person aggrieved as provided in RCW 43.21B.120.~~

~~(4) Nothing contained herein shall be construed as denying the exclusive jurisdiction of the Pollution Control Hearings Board on violations as provided by RCW 43.21B.~~))

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.

PERMANENT

AMENDATORY SECTION (Amending WSR 01-05-057, filed 2/15/01, effective 3/18/01)

SWCAA 400-270 Confidentiality of Records and Information

[Statutory Authority: Chapter 70.94.141 RCW, and 70.94.205 RCW. Original Board adoption 10/29/69 (Regulation 2 Sec 2.05); recodified and removed by Board 12/18/79; new section 95-17-084 filed 8/21/95, effective 9/21/95; 01-05-057 filed 2/15/01, effective 3/18/01]

(1) The owner or operator of a "source" (or ((~~person~~)) the agent submitting the information) is responsible for clearly identifying ((~~the~~)) information that is considered proprietary and confidential prior to submittal to the Agency. Information submitted to the Agency that has not been identified as confidential at the time of submittal may not be classified as confidential at a later date.

(2) Confidential information submitted to the Agency by an owner, ((~~or~~)) operator or agent shall be stamped or clearly marked in red ink at the time of submittal. Such information considered to be confidential or proprietary by the owner or operator will be handled as such, and will be maintained by the Agency, to the extent that release of such information may provide unfair economic advantage or compromise processes, products, or formulations to competitors as provided under RCW 70.94.205. ((~~Requests for~~)) Such information ((~~under the Freedom of Information Act~~)) shall be released to the public only after:

(a) Legal opinion by the Agency's legal counsel, and

(b) Notice to the source of the intent to either release or deny the release of information.

(3) Records or other information, other than ambient air quality data or emission data, furnished to or obtained by the Agency, related to processes or production unique to the owner or operator, or likely to affect adversely the competitive position of such owner or operator if released to the public or to a competitor, and the owner or operator of such processes or production so certifies, ((~~such records or information~~)) shall be only for the confidential use of the Agency as provided in RCW 70.94.205((~~, Title 18 USC 1905, Section 114 of the 1990 Federal Clean Air Act Amendments, and 40 CFR 2 "Public Information"~~)).

(4) Emissions data furnished to or obtained by the Agency shall be correlated with applicable emission limitations and other control measures and shall be available for public inspection during normal business hours at the office of the Agency.

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 01-05-057, filed 2/15/01, effective 3/18/01)

APPENDIX A

[Statutory Authority: Chapter 70.94.141 RCW. Original Board adoption - 99-07-029 filed 3/10/99, effective 4/11/99; 01-05-057 filed 2/15/01, effective 3/18/01]

SWCAA METHOD 9
VISUAL OPACITY DETERMINATION METHOD

1. Principle

The opacity of emissions from stationary sources is determined visually by a qualified observer.

2. Procedure

The observer must be certified in accordance with the provisions of Section 3 of 40 CFR Part 60, Appendix A, Method 9, as in effect on July 1, ((~~2000~~)) 2002.

2.1 Position

The observer shall stand at a distance sufficient to provide a clear view of the emissions with the sun oriented in the 140° sector to his/her back. Consistent with maintaining the above requirement, the observer shall, as much as possible, make his/her observations from a position such that his/her line of vision is approximately perpendicular to the plume direction, and when observing opacity of emissions from rectangular outlets (e.g., roof monitors, open baghouses, noncircular stacks), approximately perpendicular to the longer axis of the outlet. The observer's line of sight should not include more than one plume at a time when multiple stacks are involved, and in any case, the observer should make his/her observations with his/her line of sight perpendicular to the longer axis of such a set of multiple stacks (e.g., stub stacks on baghouses).

2.2 Field Records

The observer shall record the name of the plant, emission location, type of facility, observer's name and affiliation, a sketch of the observer's position relative to the source, and the date on a field data sheet. The time, estimated distance to

the emission location, approximate wind direction, estimated wind speed, description of the sky condition (presence and color of clouds), and plume background are recorded on a field data sheet at the time opacity readings are initiated and completed.

2.3 Observations

Opacity observations shall be made at the point of greatest opacity in that portion of the plume where condensed water vapor is not present. The observer shall not look continuously at the plume, but instead shall observe the plume momentarily at 15-second intervals.

2.3.1 Attached Steam Plumes

When condensed water vapor is present within the plume as it emerges from the emission outlet, opacity observations shall be made beyond the point in the plume at which condensed water vapor is no longer visible. The observer shall record the approximate distance from the emission outlet to the point in the plume at which the observations are made.

2.3.2 Detached Steam Plumes

When water vapor in the plume condenses and becomes visible at a distinct distance from the emission outlet, the opacity of emissions should be evaluated at the emission outlet prior to the condensation of water vapor and the formation of the steam plume.

2.4 Recording Observations

Opacity observations shall be recorded to the nearest 5 percent at 15-second intervals on a field data sheet. A minimum of 24 observations shall be recorded. Each momentary observation recorded shall be deemed to represent the average opacity of emissions for a 15-second period.

2.5 Data Reduction

The number of observations at each opacity level shall be determined and recorded on the field data sheet. Opacity shall be determined by the highest 13 observations in any consecutive 60-minute period. The opacity standard or emissions limit is exceeded if there are more than 12 observations during any consecutive 60-minute period for which an opacity greater than the standard or emission limit is recorded. The opacity standard is a 1 hour standard (rolling 60 minutes). Only one violation of the standard per hour may be recorded meaning that a violation for any given consecutive 60-minute period may be recorded in substantially fewer than 60 minutes. No one-hour time sets shall overlap for purpose of determining a violation or violations. Data used to establish a violation in one consecutive 60-minute period can not be used to establish a violation in a second consecutive 60-minute period.

3. References

Federal Register, Vol. 36, No. 247, page 24895, December 23, 1971.

"Criteria for Smoke and Opacity Training School 1970 - 1971" Oregon-Washington Air quality Committee."

"Guidelines for Evaluation of Visible Emissions" EPA 340/1-75-007."

Notes: (1) The difference between the SWCAA Method 9 and WDOE Method 9 or WDOE Method 9A is the SWCAA method does not recommend that the observer make note of the ambient relative humidity, ambient temperature, the point in the plume that the observations were made, the estimated depth of the plume at the point of observation, and the color and condition of the plume. In addition, the SWCAA method does not recommend that pictures be taken.

(2) The difference between the SWCAA Method 9 and EPA Method 9 is in the data reduction section. The SWCAA method establishes a three-minute period in any one-hour period where opacity can not exceed an opacity limit. For the SWCAA method, 13 readings in a 1-hour period or less, above the established opacity limit, no matter how much, constitutes a violation. The EPA method is an arithmetic average of any 24 consecutive readings at 15-second intervals. These values are averaged and this average value cannot exceed the established opacity limit.

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.

PERMANENT

WSR 03-23-007
PERMANENT RULES
WASHINGTON STATE PATROL
[Filed November 7, 2003, 3:31 p.m.]

Date of Adoption: November 4, 2003.

Purpose: SSB 5335 removed the authority of the Washington State Patrol (under RCW 46.37.530) to adopt rules for protective helmets, thereby invalidating WAC 204-10-040.

Citation of Existing Rules Affected by this Order: Repealing WAC 204-10-040.

Statutory Authority for Adoption: RCW 46.37.005.

Other Authority: SSB 5335.

Adopted under notice filed as WSR 03-18-010 on August 21, 2003.

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

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.

November 6, 2003
Ronal W. Serpas
Chief

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 204-10-040	Motorcycle helmets.

PERMANENT

WSR 03-23-021
PERMANENT RULES
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
(Aging and Disability Services Administration)
[Filed November 10, 2003, 3:45 p.m.]

Date of Adoption: November 7, 2003.

Purpose: The purpose of amending this rule is to comply with the recently passed legislation ESHB 1904 (chapter 230, Laws of 2003), an act relating to the reporting of incidents by mandated reporters. The proposed rule also includes editorial changes reflecting the correct DSHS administration name.

Citation of Existing Rules Affected by this Order: Amending WAC 388-97-076.

Statutory Authority for Adoption: RCW 74.34.165.

Other Authority: RCW 74.34.020 and 74.34.035, chapter 230, Laws of 2003.

Adopted under notice filed as WSR 03-20-040 on September 24, 2003.

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

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

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

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

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

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

November 7, 2003
Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 02-14-063, filed 6/27/02, effective 7/28/02)

WAC 388-97-076 Prevention of abuse. (1) Each resident has the right to be free from verbal, sexual, physical and mental abuse, corporal punishment, and involuntary seclusion.

(2) The nursing home must develop and implement written policies and procedures that:

(a) Prohibit abandonment, abuse, and neglect of residents, financial exploitation, and misappropriation of resident property; and

(b) Require staff to report possible abuse, and other related incidents, as required by chapter 74.34 RCW, and for skilled nursing facilities and nursing facilities as required by 42 C.F.R. §483.13.

(3) The nursing home must not allow staff to:

(a) Engage in verbal, mental, sexual, or physical abuse;

(b) Use corporal punishment;

(c) Involuntarily seclude, abandon, neglect, or financially exploit residents; or

(d) Misappropriate resident property.

(4) The nursing home must report any information it has about an action taken by a court of law against an employee to the department's complaint resolution unit and the appropriate department of health licensing authority, if that action would disqualify the individual from employment as described in RCW 43.43.842.

(5) The nursing home must ensure that all allegations involving abandonment, abuse, neglect, financial exploitation, or misappropriation of resident property, including injuries of unknown origin, are reported immediately to the department, other applicable officials, and the administrator of the facility. The nursing home must:

(a) Ensure that the reports are made through established procedures in accordance with state law including chapter 74.34 RCW, and guidelines developed by the department; and

(b) Not have any policy or procedure that interferes with the requirement of chapter 74.34 RCW that employees and other mandatory reporters file reports directly with the department, and also with law enforcement, if they suspect sexual or physical assault has occurred.

(6) The nursing home must:

(a) Have evidence that all alleged violations are thoroughly investigated;

(b) Prevent further potential abandonment, abuse, neglect, financial exploitation, or misappropriation of resident property while the investigation is in progress; and

(c) Report the results of all investigations to the administrator or his designated representative and to other officials in accordance with state law and established procedures (including the state survey and certification agency) within five working days of the incident, and if the alleged violation is verified appropriate action must be taken.

(7) When a mandated reporter has:

(a) Reasonable cause to believe that a vulnerable adult has been abandoned, abused, neglected, financially exploited, or a resident's property has been misappropriated, the individual mandatory reporter must immediately report the incident to the department's aging and ((~~adult~~)) disability services administration (((~~AASA~~))) ADSA;

(b) Reason to suspect that a vulnerable adult has been sexually or physically assaulted, the individual mandatory reporter must:

(i) Immediately report the incident to ((~~law enforcement and~~)) the department's aging and ((~~adult~~)) disability services administration (((~~AASA~~))) (ADSA);

(ii) Notify local law enforcement in accordance with the provisions of chapter 74.34 RCW.

(8) Under RCW 74.34.053, it is:

(a) A gross misdemeanor for a mandated reporter knowingly to fail to report as required under this section; and

(b) A misdemeanor for a person to intentionally, maliciously, or in bad faith make a false report of alleged abandonment, abuse, financial exploitation, or neglect of a vulnerable adult.

(9) The nursing home must not employ individuals who are disqualified under the requirements of WAC 388-97-203.

WSR 03-23-022
PERMANENT RULES
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
(Health and Rehabilitative Services Administration)

[Filed November 10, 2003, 3:47 p.m.]

Date of Adoption: November 7, 2003.

Purpose: In accordance with RCW 71.09.040(4), the department is revising the evaluation sections of chapter 388-880 WAC, and any related rules, that refer to "evaluations, evaluation criteria, evaluation preparation, and other procedures" to determine if a person meets the definition of a sexually violent predator pursuant to chapter 71.09 RCW. When effective, the permanent rule will replace and supersede emergency rules filed as WSR 03-19-119.

Citation of Existing Rules Affected by this Order: Repealing WAC 388-880-032; and amending WAC 388-880-005, 388-880-007, 388-880-010, 388-880-020, 388-880-030, 388-880-031, 388-880-040, 388-880-042, 388-880-044, 388-880-045, 388-880-050, and 388-880-060.

Statutory Authority for Adoption: RCW 71.09.040(4).

Adopted under notice filed as WSR 03-18-106 on September 2, 2003.

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

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

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

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 5, Amended 12, Repealed 1.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 5, Amended 12, Repealed 1.

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

November 7, 2003

Brian H. Lindgren, Manager

Rules and Policies Assistance Unit

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 03-24 issue of the Register.

WSR 03-23-025
PERMANENT RULES
DEPARTMENT OF LABOR AND INDUSTRIES

[Filed November 12, 2003, 9:30 a.m., effective January 1, 2004]

Date of Adoption: November 12, 2003.

Purpose: Agency proposes to revise the general reporting rules and classification plan applicable to chapter 296-17 WAC for workers' compensation insurance, underwritten by the Department of Labor and Industries. Specifically, to amend seven general reporting rules, repeal one existing risk classification definition rule, and amend twenty-eight risk classification definitions.

Citation of Existing Rules Affected by this Order: Repealing WAC 296-17-52001; and amending WAC 296-17-31002, 296-17-31007, 296-17-31009, 296-17-31018, 296-17-31021, 296-17-35201, 296-17-35203, 296-17-501, 296-17-519, 296-17-521, 296-17-52108, 296-17-52109, 296-17-52110, 296-17-527, 296-17-536, 296-17-538, 296-17-544, 296-17-57001, 296-17-583, 296-17-594, 296-17-618, 296-17-64999, 296-17-659, 296-17-66002, 296-17-66003, 296-17-67601, 296-17-677, 296-17-680, 296-17-681, 296-17-698, 296-17-72201, 296-17-72202, 296-17-724, 296-17-729, and 296-17-752.

Statutory Authority for Adoption: RCW 51.04.020, 51.16.035, and 51.12.120.

Adopted under notice filed as WSR 03-17-016 on August 12, 2003.

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

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

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

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 35, Repealed 1.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Mak-

PERMANENT

ing: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 35, Repealed 1.

Effective Date of Rule: January 1, 2004.

November 12, 2003
Paul Trause
Director

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-31002 General rule definitions. In developing the general reporting rules and classifications which govern Washington's workers' compensation classification plan, we have used certain words or phrases which could have several meanings. Many of these words or phrases are defined by law in the Revised Code of Washington (*Title 51 RCW*) and can be found in **Appendix A** of this manual. Some words, however, are not defined by law. To reduce the misunderstanding which can result by our use of certain words or phrases not defined in law (*Title 51 RCW*), we have developed definitions which will govern what these words and phrases mean for purposes of this chapter (*chapter 296-17 WAC*).

The following words or phrases mean:

Account: A unique numerical reference that we assign to you that identifies your business or businesses and allows us to track exposure that you report to us and losses (*claims*) which we pay on your behalf.

Actual hours worked: A worker's composite work period ((~~during each work day, including all of the time the employee performed work, and all periods of mandatory presence at the worksite. Actual hours worked does not include nonpaid lunch periods~~)) beginning with the starting time of day that the employee's work day commenced, and includes the entire work period, excluding any nonpaid lunch period, and ending with the quitting time each day work was performed by an employee. The following example is provided to illustrate how work hours are to be reported. If you have questions on reporting please contact our underwriting section at (360) 902-4817.

Example: *A carpet installer arrives at the employer's place of business at 8:00 a.m. to pick up supplies, carpet, and the job assignment. The carpet installer arrives at the job site at 9:00 a.m. and works until 12 noon. The installer takes a half hour nonpaid lunch period and resumes working from 12:30 p.m. until 4:00 p.m. The installer then returns to the employer's premise to drop off supplies and carpet waste. The installer leaves the employer's premise at 5:30 p.m. The employer is to report nine hours of work time regardless of whether the employee is paid by the hour or by the number of yards of carpet installed.*

All: When a classification contains a descriptive phrase beginning with "*all*" such as in "*all employees,*" "*all other employees,*" "*all operations,*" or "*all work to completion,*" it includes all operations and employments which are normally associated with the type of business covered by the classification. This condition applies even if the operations or employments are physically separated or conducted at a separate location. Operations or employments are to be classified separately when the classification wording requires it, or when the operations or employments are not incidental to, and not usually associated with, the business described by the classification.

And: When this word is contained in any rule it is to be considered the same as the phrase "and/or."

Basic classification: A grouping of businesses or industries having common or similar exposure to loss without regard to the separate employments, occupations or operations which are normally associated with the business or industry. Basic classifications describe a specific type of business operation or industry such as mechanical logging, sawmills, aircraft manufacturing, or restaurants. In most business operations some workers are exposed to very little hazard, while others are exposed to greater hazard. Since a basic classification reflects the liability (*exposure to hazard*) of a given business or industry, all the operations and occupations that are common to an industry are blended together and included in the classification. The rate for a basic classification represents the average of the hazards within the classification. All classifications contained in this manual are considered basic classifications with the exception of classifications 4806, 4900, 4904, 5206, 6301, 6302, 6303, 7101, and temporary help classifications 7104 through 7121. Classification descriptions contained in WAC 296-17-501 through 296-17-779, establish the intended purpose or scope of each classification. These descriptions will routinely include types of businesses, operations, processes or employments which are either included or excluded from the classification. These references are not to be considered an all inclusive listing unless the classification wording so specifies.

But not limited to: When this phrase is used in any rule in this manual it is not to be interpreted as an all inclusive list. Such a list is meant to provide examples of operations, employments, processes, equipment or types of businesses which are either included or excluded from the scope of the classification.

Excludes or excluding: When a classification contains a descriptive phrase beginning with "*excludes*" or "*excluding*" such as "*excluding drivers or delivery,*" "*excluding second hand appliance stores,*" or "*excludes construction operations,*" you must report those operations in a separate classification. If a business fails to keep the records required in the auditing recordkeeping section of this manual and we discover this, we will assign all workers hours for which records were not maintained to the highest rated classification applicable to the work which was performed.

Exposure: Worker hours, worker days, licenses, material, payroll or other measurement which we use to determine the extent to which an employer's workers have been exposed to the hazards found within a particular business or industry classification.

Governing classification: Is the basic classification assigned to a business that produces the largest number of worker hours during a calendar year (*twelve months*). The governing classification rule applies only to situations where a business has been assigned two or more basic classifications and is used for the sole purpose of determining what classification applies to employees and covered owners who support two or more operations. The governing classification

rule is not to be used to determine the basic classification of a business.

Includes or including: When a classification contains a descriptive phrase beginning with "*includes*" or "*including*" such as "*including clerical office*," "*including meter readers*," or "*includes new construction or extension of lines*," you must report these operations in that basic classification even though they may be specifically described by some other classification contained in this manual or may be conducted at a separate location.

Industrial insurance: Refer to the definition of "workers' compensation insurance."

N.O.C.: This abbreviation stands for not otherwise classified. Classifications are often worded in this way when there are many variations of the same general type of business and it would be nearly impossible to list all the variations. Before a classification designated with N.O.C. is used, all other related classifications must be reviewed to determine if the business or industry is specified in another classification.

Example: *You operate a retail store that sells greeting cards. In our search to classify your business we come across a classification that covers retail stores N.O.C. Before our underwriter assigns this classification to your business, they would look at other retail store classifications to see if a more precise classification could be found. In our review we note several classifications such as grocery and department stores where greeting cards are sold. None of these classifications, however, specify that they include stores that exclusively sell greeting cards. Classification 6406 "Retail stores, N.O.C.," on the other hand, contains language in its description that states it includes stores that sell items such as greeting cards, table top appliances, tropical fish and birds, and quick print shops. We would assign classification 6406 "Retail stores, N.O.C." to your business.*

Or: Refer to the definition of the word "*and.*"

Policy manager: An individual who works in the underwriting section of the department of labor and industries and manages an employer's workers' compensation insurance account. A policy manager is also referred to as an underwriter.

Premium: The total amount of money owed to the department of labor and industries as calculated by multiplying the assigned classification composite rate by the total units of exposure.

Rate: The amount of premium due for each unit of exposure. All rates are composite rates per worker hour except as otherwise provided for by other rules in this manual.

Risk: All insured operations of one employer within the state of Washington.

Temporary help: The term "temporary help" means the same as temporary service contractors defined in (*Title 19 RCW*) and applies to any person, firm, association or corporation conducting a business which consists of employing individuals directly for the purpose of furnishing such individuals on a part-time or temporary help basis to others.

Underwriter: Refer to the definition of a "policy manager."

Work day: Any consecutive twenty-four hour period.

Work hour: Refer to the definition of "actual hours worked."

Workers' compensation insurance: The obligation imposed on an employer by the industrial insurance laws (*Title 51 RCW*) of the state of Washington to insure the payment of benefits prescribed by such laws.

AMENDATORY SECTION (Amending WSR 99-24-055, filed 11/29/99, effective 12/31/99)

WAC 296-17-31007 Owner coverage. (1) **As a business owner, can I buy workers' compensation insurance to cover myself?**

Yes. If you are a sole proprietor, partner, corporate officer, or member of a limited liability company you may not be required to have industrial insurance coverage as provided in RCW 51.12.020. In these instances, you can still obtain workers' compensation coverage from us. We refer to this coverage as optional coverage since as the owner/officer, you are not required to have this insurance. Because owner insurance coverage is optional, you must meet certain conditions and requirements which are detailed on the *application for owner/officer optional coverage.* These requirements include:

- Completing an application for optional owner/officer coverage;
- Reporting owner/officer hours in the classification assigned to your business that is applicable to the work being performed by the owner/officer;
- Submitting a supplemental report which lists the name of each covered owner/officer; and
- Reporting four hundred eighty hours or actual hours worked each quarter for each covered owner/officer and in the applicable workers' compensation classification code.

(2) **When will my owner/officer coverage become effective?**

Your coverage will become effective upon receipt of your application in the department in writing or by fax unless you indicate a future date. However, no such person or beneficiaries thereof shall be entitled to benefits unless the date of injury were the next day or later after coverage was elected. We will not make coverage effective on a date prior to our receipt of your completed application for owner/officer coverage.

(3) **Where can I obtain an application for owner/officer coverage?**

To obtain a copy of this application, contact your local labor and industries office. We are listed in the government pages of your local directory or you can call our underwriting section at (360) 902-4817.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-31009 Reciprocal agreements. (1) **Occasionally one of my Washington employees will do some work for me in another state. Do I need to buy workers' compensation insurance in the state where they are working?**

PERMANENT

In some cases, we can provide workers' compensation insurance coverage for your Washington based employees working for you on a temporary assignment in another state. We have formal written agreements with some states which detail coverage and jurisdiction issues. We refer to these formal agreements as "*reciprocal agreements.*" If you have questions regarding temporary coverage in another state you should contact your policy manager for assistance. The name and telephone number of your policy manager can be found on your quarterly premium report or annual rate notice. For your convenience you can call us at (360) 902-4817 for assistance and we will put you in contact with your assigned policy manager.

(2) **What is a reciprocal agreement?**

A reciprocal agreement is a contract between the department of labor and industries acting on behalf of the state of Washington and another state. The primary purpose of the agreement is to identify which state will be responsible for paying benefits if one of your employees is injured. This also limits your insurance costs. If you employ only Washington workers you need to buy workers' compensation insurance only from us.

(3) **You mentioned that there are circumstances when you can provide insurance coverage. What are the circumstances?**

The actual circumstances will vary by state. In most cases we will look at:

- The work to be performed,
- The location where the work is to be performed,
- Where the employee was first hired to work,
- How long the employee will be working in the other state.

(4) **Which states have reciprocal agreements with Washington?** We currently have reciprocal agreements with the following states:

((• ~~Idaho~~
• ~~Montana~~
• ~~Nevada~~
• ~~North Dakota~~
• ~~Oregon~~
• ~~South Dakota~~
• ~~Wyoming.~~

~~(5) Can I get a copy of a reciprocal agreement? You can get a copy of a reciprocal agreement by calling your policy manager.The name and telephone number of your policy manager can be found on your quarterly premium report or your annual rate notice. For your convenience you can call us at (360) 902-4817 and we will put you in contact with your assigned policy manager.~~))

• IDAHO

RECIPROCITY AGREEMENT BETWEEN IDAHO INDUSTRIAL ACCIDENT BOARD AND WASHINGTON DEPARTMENT OF LABOR AND INDUSTRIES IN REGARD TO EXTRATERRITORIAL JURISDICTION

This agreement is made between the industrial accident board of the state of Idaho (herein, for convenience, abbreviated Idaho IAB) and the department of labor and industries of the state of Washington (DOLAI), as administrators of the worker's compensation (WC) laws of their respective states, each of said parties being authorized to enter into reciprocity agreements with other states in matters involving their respective extraterritorial jurisdictional powers and duties.

PREMISES:

1. Employers in each state on occasion find it necessary or expedient to have their workers perform services in the other state. The parties are desirous of entering into an agreement whereby the employers and workers of each of the respective states may continue to be entitled to the protection and benefits provided by the WC laws of their respective home states.

DEFINITIONS:

2. For the purposes of this agreement: Person whose employment is "principally localized" in Idaho shall be deemed to be an Idaho worker. A person's employment is "principally localized" in Idaho when:

(1) His/her employer has a place of business in Idaho and he/she regularly works (or it is contemplated that he/she shall regularly work) at or from such place of business; or

(2) If clause (1) foregoing is not applicable, he/she is domiciled and spends a substantial part of his/her working time in the service of his/her employer in Idaho.

A person whose employment is "principally localized" in Washington shall be deemed to be a Washington worker. A person's employment is "principally localized" in Washington when:

(1) His/her employer has a place of business in Washington and he/she regularly works (or it is contemplated that he/she shall regularly work) at or from such place of business; or

(2) If clause (1) foregoing is not applicable, he/she is domiciled and spends a substantial part of his/her working time in the service of his/her employer in Washington.

An employee whose duties require him/her to travel regularly in the service of his/her employer in more than one state may, by written agreement with his/her employer, designate the state in which his/her employment shall be "principally localized." Unless the state so designated refuses jurisdiction, such agreement shall be given effect under the instant agreement.

In cases where none of the foregoing tests can be made to apply, the person shall be deemed to be a worker of whichever jurisdiction in which his/her contract of hire was made.

3. This agreement shall not apply to Washington workers of an Idaho employer working in the state of Washington, nor to Idaho workers of a Washington employer working in the state of Idaho: Provided, however, That the right and remedies of both Idaho and Washington workers engaged in the construction and maintenance of interstate structures such as dams, bridges, trestles and similar structures between the two states, may be regulated by specific separate reciprocity agreements.

THE PARTIES AGREE:

4. The Idaho IAB in keeping with the provision of the Idaho WC law will assume and exercise extraterritorial jurisdiction of compensation claims on any Idaho worker injured in the state of Washington and of his/her dependents upon any Idaho employer under its jurisdiction and the latter's surety or insurance carrier.

5. The Washington DOLAI in keeping with the provisions of the Washington WC law will provide protection of

any Washington employer under its jurisdiction and benefits to any Washington worker injured in the course of his/her employment while working in the state of Idaho.

6. A Washington employer while performing work in the state of Idaho shall be subject to the safety codes of the state of Idaho, AND an Idaho employer working in the state of Washington shall be subject to the safety codes of the state of Washington.

7. Employers' premium payments on the out-of-state earnings of Idaho workers shall be due and payable to the respective employers' insurance carriers AND premium payments of the out-of-state earnings of Washington workers shall be made to the Washington DOLAI.

8. For the purpose of implementing the terms of the agreement, the parties agreed upon the following procedures:

The Idaho IAB will upon request and on behalf of an Idaho employer issue a certificate of extraterritorial coverage to the Washington DOLAI AND the latter upon request and on behalf of a Washington employer will issue a certificate of extraterritorial coverage to the Idaho IAB. Such certificates may be canceled or revoked at the discretion of the issuing agency. Due notice of issuance, modification and cancellation of any such certificate shall be given to the employer and to his/her insurance carrier, if any.

9. This agreement shall be effective January 1, 1971, and shall remain in full force and effect until superseded or modified by the parties hereto.

• MONTANA

THE WASHINGTON STATE DEPARTMENT OF LABOR AND INDUSTRIES AND THE DEPARTMENT OF LABOR OF THE STATE OF MONTANA, DESIRING TO RESOLVE JURISDICTIONAL ISSUES THAT ARISE WHEN WORKERS FROM ONE STATE TEMPORARILY WORK IN ANOTHER, ENTER INTO THE FOLLOWING AGREEMENT:

WHO IS AFFECTED BY THIS AGREEMENT?

This agreement affects the rights of workers and their employers when the contract of employment arises in one state and the worker is temporarily working in the other. To be covered by this agreement, an employer must be considered an employer under both Washington's and Montana's workers' compensation laws, and workers must be considered workers under both Washington's and Montana's workers' compensation laws.

BASIC RULE:

When a worker's contract of hire arises in one state and the worker is temporarily working in the other state:

Employers are required to secure the payment of workers' compensation benefits under the workers' compensation law of the state the contracts of employment arose in, and pay premiums if not self-insured for the work performed while in the other state; and

Workers' compensation benefits for injuries and occupational diseases arising out of the temporary employment in the other state are payable under the workers' compensation law of the state the contract of employment arose in, and that state's workers' compensation law provides the exclusive remedy available to the injured worker.

Any Washington employer while performing work in the state of Montana will be subject to the safety codes of the state of Montana. Any Montana employer while performing work in the state of Washington will be subject to the safety codes of the state of Washington.

Washington and Montana both agree to notify the other state in writing of any changes to their law that may affect this agreement within thirty days of that law change.

EXCLUSIONS FROM THE BASIC RULE:

This agreement does not apply to Washington workers of Montana employers while working in the state of Washington nor to Montana workers of Washington employers while working in the state of Montana.

Washington employers engaged in the construction industry as defined in Section 39-71-116 MCA and working in Montana must obtain coverage for workers so employed in Montana under the provisions of Montana's Workers' Compensation Act.

Montana employers engaged in the construction industry and working in Washington must obtain coverage for workers so employed in Washington under the provisions of Washington's Industrial Insurance Act.

CERTIFICATES OF COVERAGE:

Upon request, each state will issue certificates of extraterritorial coverage to the other when appropriate. The issuing state may cancel these certificates at any time.

AGREEMENT:

This agreement retroactively supersedes the previous agreement between Washington and Montana in effect July 1, 1968. This agreement is effective November 1, 2000, and will remain in effect unless terminated, modified, or amended in writing between the parties. Either party may terminate the agreement, without cause, by giving written notice to the other party at least thirty days in advance of such termination.

This agreement creates no rights or remedies, causes of action, or claims on behalf of any third person or entity against Washington or Montana and is executed expressly and solely for the purpose of coordinating issues of workers' compensation coverage between the states.

Any communication between the parties hereto or notices to be given hereunder shall be given in writing by personal delivery, facsimile or mailing the same, postage prepaid, to the addresses or numbers set forth below on the signature pages or as subsequently modified in writing by the party to be noticed.

• NEVADA

RECIPROCITY AGREEMENT BETWEEN THE DEPARTMENT OF LABOR AND INDUSTRIES OF THE STATE OF WASHINGTON AND THE NEVADA INDUSTRIAL COMMISSIONS OF THE STATE OF NEVADA REGARDING EXTRATERRITORIAL RECIPROCITY

WHEREAS, The worker's compensation law of the state of Washington authorizes the director of labor and industries to enter into agreement of reciprocity for worker's compensation purposes with other states; and

WHEREAS, The worker's compensation law of the state of Nevada authorizes the Nevada industrial commission to enter into agreements of reciprocity for worker's compensation purposes with other states; and

WHEREAS, Employers who conduct operations in the state of Washington are required on occasion to have Washington workers perform services in the state of Nevada; and

PERMANENT

WHEREAS, Employers who conduct operations in the state of Nevada are required on occasion to have Nevada workers perform services in the state of Washington; and

WHEREAS, The department of labor and industries of the state of Washington and the Nevada industrial commission of the state of Nevada are desirous of entering into an agreement whereby the employers and workers of each of the respective states may continue to be entitled to the protection and benefits provided by the worker's compensation laws of their respective home state.

IT IS HEREBY AGREED That for the purpose of this agreement of reciprocity, a Washington worker is a person hired to work in the state of Washington, and a Nevada worker is a person hired to work in the state of Nevada.

IT IS FURTHER AGREED BETWEEN The department of labor and industries of the state of Washington and the Nevada industrial commission of the state of Nevada.

That the department of labor and industries of the state of Washington in keeping with the provisions of the Washington worker's compensation law will provide protection for any Washington employer under its jurisdiction and benefits to any of the Washington workers who may be injured in the course of employment while working temporarily in the state of Nevada. In the event of an injury to one of these workers, his/her exclusive remedy would be that provided by the worker's compensation law of the state of Washington.

That the Nevada industrial commission of the state of Nevada in keeping with the provisions of the Nevada worker's compensation law will provide protection for any Nevada employer under its jurisdiction, and benefits to any of its workers who may be injured in the course of employment while working temporarily in the state of Washington. In the event of injury to one of these workers, his/her exclusive remedy would be that provided by the worker's compensation law of the state of Nevada.

That the department of labor and industries of the state of Washington will upon request and on behalf of the Washington employer issue a certificate of extraterritorial coverage to the Nevada industrial commission of the state of Nevada, and that the Nevada industrial commission of the state of Nevada will upon request and on behalf of the Nevada employer issue a certificate of extraterritorial coverage to the department of labor and industries of the state of Washington.

That these certificates of extraterritorial coverage shall be issued and/or canceled at the discretion of the Washington department of labor and industries or the Nevada industrial commission.

That the Nevada employer while performing work in the state of Washington will be subject to the safety codes of the state of Washington, and that the Washington employer while performing work in the state of Nevada will be subject to the safety codes of the state of Nevada.

IT IS MUTUALLY UNDERSTOOD, That this agreement will not apply to Nevada workers of the Washington employer working in the state of Nevada, nor to the Washington workers of the Nevada employer working in the state of Washington.

IT IS ALSO MUTUALLY UNDERSTOOD, That premium payments on the out-of-state earnings of Washington workers will be made to the Washington department of labor and industries, and that premium payments on the out-of-state earnings of Nevada workers will be made to the Nevada industrial commission of the state of Nevada.

IT IS FURTHER AGREED That this statement of extraterritorial reciprocity shall be effective April 1, 1970, and further that this agreement shall remain in full force and effect until superseded or modified by the parties to this agreement.

• NORTH DAKOTA

THE WASHINGTON STATE DEPARTMENT OF LABOR AND INDUSTRIES AND THE NORTH DAKOTA WORKERS COMPENSATION, DESIRING TO RESOLVE JURISDICTIONAL ISSUES THAT ARISE WHEN WORKERS FROM ONE STATE TEMPORARILY WORK IN ANOTHER, ENTER INTO THE FOLLOWING AGREEMENT:

WHO IS AFFECTED BY THIS AGREEMENT?

This agreement affects the rights of workers and their employers when the contract of employment arises in one state and the worker is temporarily working in the other. To be covered by this agreement, an employer must be considered an employer under both Washington's and North Dakota's workers' compensation laws, and workers must be considered workers under both Washington's and North Dakota's workers' compensation laws.

BASIC RULE:

When a worker's contract of hire arises in one state and the worker is temporarily working in the other state:

Employers are required to secure the payment of workers' compensation benefits under the workers' compensation law of the state the contracts of employment arose in, and pay premiums if not self-insured for the work performed while in the other state; and

Workers' compensation benefits for injuries and occupational diseases arising out of the temporary employment in the other state are payable under the workers' compensation law of the state the contract of employment arose in, and that state's workers' compensation law provides the exclusive remedy available to the injured worker.

Any Washington employer while performing work in the state of North Dakota will be subject to the safety codes of the state of North Dakota. Any North Dakota employer while performing work in the state of Washington will be subject to the safety codes of the state of Washington.

EXCLUSION FROM THE BASIC RULE:

This agreement does not apply to Washington workers of North Dakota employers while working in the state of Washington or to North Dakota workers of Washington employers while working in the state of North Dakota.

CERTIFICATES OF COVERAGE:

Upon request, each state will issue certificates of extraterritorial coverage to the other when appropriate. The issuing state may cancel these certificates at any time.

AGREEMENT:

This agreement is effective March 1, 2001, and will remain in effect unless terminated, modified, or amended in writing between the parties. Either party may terminate the agreement, without cause, by giving written notice to the other party at least thirty days in advance of such termination.

This agreement creates no rights or remedies, causes of action, or claims on behalf of any third person or entity against Washington or North Dakota, and is executed

expressly and solely for the purpose of coordinating issues of workers' compensation coverage between the states.

Any communication between the parties hereto or notices to be given hereunder shall be given in writing by personal delivery, facsimile or mailing the same, postage prepaid, to the addresses or numbers set forth below on the signature pages or as subsequently modified in writing by the party to be noticed.

• OREGON

THE STATE OF WASHINGTON, ACTING BY AND THROUGH THE WASHINGTON STATE DEPARTMENT OF LABOR AND INDUSTRIES AND THE STATE OF OREGON, ACTING BY AND THROUGH ITS DEPARTMENT OF CONSUMER AND BUSINESS SERVICES, DESIRING TO RESOLVE JURISDICTIONAL ISSUES THAT ARISE WHEN WORKERS FROM ONE STATE TEMPORARILY WORK IN ANOTHER, ENTER INTO THE FOLLOWING AGREEMENT (THE "AGREEMENT"):

WHO IS AFFECTED BY THIS AGREEMENT?

This agreement affects the rights of workers and their employers when the contract of employment arises in Washington and the worker is temporarily working in Oregon, or when the contract of employment arises in Oregon and the worker is temporarily working in Washington. To be covered by this agreement, an employer must be considered an employer under both Washington's and Oregon's workers' compensation laws, and workers must be considered workers under both Washington's and Oregon's workers' compensation laws.

BASIC RULE:

When a contract of employment arises in Washington and the worker is temporarily working in Oregon or when the contract of employment arises in Oregon and the worker is temporarily working in Washington:

Employers shall be required to secure the payment of workers' compensation benefits under the workers' compensation law of the state the contract of employment arose in, and pay premiums or be self-insured in that state for the work performed while in the other state; and

Workers' compensation benefits for injuries and occupational diseases arising out of the temporary employment in the other state shall be payable under the workers' compensation law of the state the contract of employment arose in, and that state's workers' compensation law provides the exclusive remedy available to the injured worker.

In determining whether a worker is temporarily working in another state, Washington and Oregon agree to consider:

1. The extent to which the worker's work within the state is of a temporary duration;

2. The intent of the employer in regard to the worker's employment status;

3. The understanding of the worker in regard to the employment status with the employer;

4. The permanent location of the employer and its permanent facilities;

5. The extent to which the employer's contract in the state is of a temporary duration, established by a beginning date and expected ending date of the employer's contract;

6. The circumstances and directives surrounding the worker's work assignment;

7. The state laws and regulations to which the employer is otherwise subject;

8. The residence of the worker; and

9. Other information relevant to the determination.

• Washington and Oregon both agree to notify the other state of any changes to their law that may affect this agreement within thirty days of that law change.

• Any Washington employer while performing work in the state of Oregon will be subject to the safety codes of the state of Oregon. Any Oregon employer while performing work in the state of Washington will be subject to the safety codes of the state of Washington.

EXCLUSION FROM THE BASIC RULE:

This agreement does not apply to any Washington worker of an Oregon employer while working in the state of Washington nor to any Oregon worker of a Washington employer while working in the state of Oregon. It is understood that an employer from either Oregon or Washington may have a contract in the other state where they may have both Oregon and Washington workers which may require obtaining coverage in both states for that same contract.

This agreement does not apply to employees of an employer working for stevedoring or steamship companies.

This agreement does not supersede separate agreements made regarding workers employed in the construction or maintenance of interstate structures such as dams, bridges, trestles, etc. between Oregon and Washington.

CERTIFICATES OF COVERAGE:

Upon request, each state will issue certificates of extra-territorial coverage to the other when appropriate. The issuing state may cancel these certificates at any time.

MERGER:

This agreement replaces and supersedes the previous agreement on the same subject matter entered into between Washington and Oregon in effect since October 5, 1997.

EFFECTIVE DATE:

This agreement shall take effect immediately upon completion of all of the following requirements:

(1) Execution by both parties;

(2) Public notification in compliance with Oregon law; and

(3) Adoption as a rule in compliance with Washington law. This agreement will remain in effect unless terminated, modified, amended or replaced in writing between the parties.

TERMINATION:

Either party may terminate the agreement, without cause, by giving written notice to the other party at least thirty days in advance of such termination.

NOTICE:

Any communication between the parties hereto or notices to be given hereunder shall be given in writing by personal delivery, facsimile or mailing the same, postage prepaid, to the addresses or numbers set forth below on the signature pages or as subsequently modified in writing by the party to be noticed.

• SOUTH DAKOTA

THE WASHINGTON STATE DEPARTMENT OF LABOR AND INDUSTRIES AND THE SOUTH DAKOTA DEPARTMENT OF LABOR, DESIRING TO RESOLVE JURISDICTIONAL ISSUES THAT

PERMANENT

ARISE WHEN WORKERS FROM ONE STATE TEMPORARILY WORK IN ANOTHER, ENTER INTO THE FOLLOWING AGREEMENT:

WHO IS AFFECTED BY THIS AGREEMENT?

This agreement affects the rights of workers and their employers when the contract of employment arises in one state and the worker is temporarily working in the other. To be covered by this agreement, an employer must be considered an employer under both Washington's and South Dakota's workers' compensation laws, and workers must be considered workers under both Washington's and South Dakota's workers' compensation laws.

BASIC RULE:

When a worker's contract of hire arises in one state and the worker is temporarily working in the other state:

Employers are required to secure the payment of workers' compensation benefits under the workers' compensation law of the state the contracts of employment arose in, and pay premiums if not self-insured for the work performed while in the other state; and

Workers' compensation benefits for injuries and occupational diseases arising out of the temporary employment in the other state are payable under the workers' compensation law of the state the contract of employment arose in, and that state's workers' compensation law provides the exclusive remedy available to the injured worker.

Any Washington employer while performing work in the state of South Dakota will be subject to the safety codes of the state of South Dakota. Any South Dakota employer while performing work in the state of Washington will be subject to the safety codes of the state of Washington.

EXCLUSION FROM THE BASIC RULE:

This agreement does not apply to Washington workers of South Dakota employers while working in the state of Washington or to South Dakota workers of Washington employers while working in the state of South Dakota.

CERTIFICATES OF COVERAGE:

Upon request, each state will issue certificates of extraterritorial coverage to the other when appropriate. The issuing state may cancel these certificates at any time.

AGREEMENT:

This agreement is effective March 1, 2001 and will remain in effect unless terminated, modified, or amended in writing between the parties. Either party may terminate the agreement, without cause, by giving written notice to the other party at least thirty days in advance of such termination.

This agreement creates no rights or remedies, causes of action, or claims on behalf of any third person or entity against Washington or South Dakota, and is executed expressly and solely for the purpose of coordinating issues of workers' compensation coverage between the states.

Any communication between the parties hereto or notices to be given hereunder shall be given in writing by personal delivery, facsimile or mailing the same, postage prepaid, to the addresses or numbers set forth below on the signature pages or as subsequently modified in writing by the party to be noticed.

• UTAH

THE WASHINGTON STATE DEPARTMENT OF LABOR AND INDUSTRIES AND THE UTAH LABOR COMMISSION, DESIRING TO RESOLVE JURISDICTIONAL ISSUES THAT ARISE WHEN WORKERS FROM ONE STATE TEMPORARILY WORK IN ANOTHER, ENTER INTO THE FOLLOWING AGREEMENT:

WHO IS AFFECTED BY THIS AGREEMENT?

This agreement affects the rights of workers and their employers when the contract of employment arises in one state and the worker is temporarily working in the other. To be covered by this agreement, an employer must be considered an employer under both Washington's and Utah's workers' compensation laws, and workers must be considered workers under both Washington's and Utah's workers' compensation laws.

BASIC RULE:

When a worker's contract of hire arises in one state and the worker is temporarily working in the other state:

Employers are required to secure the payment of workers' compensation benefits under the workers' compensation law of the state the contracts of employment arose in, and pay premiums if not self-insured for the work performed while in the other state; and

Workers' compensation benefits for injuries and occupational diseases arising out of the temporary employment in the other state are payable under the workers' compensation law of the state the contract of employment arose in, and that state's workers' compensation law provides the exclusive remedy available to the injured worker.

Any Washington employer while performing work in the state of Utah will be subject to the safety codes of the state of Utah. Any Utah employer while performing work in the state of Washington will be subject to the safety codes of the state of Washington.

Washington and Utah both agree to notify the other state in writing of any changes to their law that may affect this agreement within thirty days of that law change.

EXCLUSION FROM THE BASIC RULE:

This agreement does not apply to Washington workers of Utah employers while working in the state of Washington nor to Utah workers of Washington employers while working in the state of Utah.

CERTIFICATES OF COVERAGE:

Upon request, each state will issue certificates of extraterritorial coverage to the other when appropriate. The issuing state may cancel these certificates at any time.

AGREEMENT:

This agreement is effective March 1, 2001, and will remain in effect unless terminated, modified, or amended in writing between the parties. Either party may terminate the agreement, without cause, by giving written notice to the other party at least thirty days in advance of such termination.

This agreement creates no rights or remedies, causes of action, or claims on behalf of any third person or entity against Washington or Utah and is executed expressly and solely for the purpose of coordinating issues of workers' compensation coverage between the states.

Any communication between the parties hereto or notices to be given hereunder shall be given in writing by personal delivery, facsimile or mailing the same, postage prepaid, to the addresses or numbers set forth below on the signature pages or as subsequently modified in writing by the party to be noticed.

PERMANENT

• WYOMING

AGREEMENT BETWEEN THE DEPARTMENT OF LABOR AND INDUSTRIES OF THE STATE OF WASHINGTON AND THE WORKMEN'S COMPENSATION DEPARTMENT OF THE STATE OF WYOMING REGARDING EXTRATERRITORIAL RECIPROCITY

WHEREAS, The workmen's compensation law of the state of Washington authorized the director of labor and industries to enter into agreements of reciprocity for workmen's compensation purposes with other states; and

WHEREAS, The workmen's compensation law of the state of Wyoming authorizes the workmen's compensation department to enter into agreements of reciprocity for workmen's compensation purposes with other states; and

WHEREAS, Employers who conduct operations in the state of Washington are required on occasion to have Washington-hired workers perform services in the state of Wyoming; and

WHEREAS, Employers who conduct operations in the state of Wyoming are required on occasion to have Wyoming-hired workers perform services in the state of Washington; and

WHEREAS, The department of labor and industries of the state of Washington and the workmen's compensation department of the state of Wyoming are desirous of entering into an agreement whereby the employers and workers of each of the respective states may continue to be entitled to the protection and benefits provided by the workmen's compensation laws of their respective home states.

IT IS HEREBY AGREED BETWEEN The department of labor and industries of the state of Washington and the workmen's compensation department of the state of Wyoming:

That the department of labor and industries of the state of Washington in keeping with the provisions of the Washington workmen's compensation law will provide protection for any Washington employer under its jurisdiction and benefits to any of his/her workers who may be hired in the state of Washington and injured in the course of employment while working temporarily in the state of Wyoming. In the event of injury to one of these workers, his/her exclusive remedy would be that provided by the workmen's compensation law of the state of Washington.

That the workmen's compensation department of the state of Wyoming in keeping with the provision of the Wyoming workmen's compensation law will provide protection for any Wyoming employer under its jurisdiction, and benefits to any of his/her workers who may be hired in the state of Wyoming and injured in the course of employment while working temporarily in the state of Washington. In the event of injury to one of these workers, his/her exclusive remedy would be that provided by the workmen's compensation law of the state of Wyoming.

That for the purpose of this agreement "temporary" shall mean a period not to exceed six months.

That the department of labor and industries of the state of Washington will, upon request and on behalf of the Washington employer, issue a certificate of extraterritorial coverage to the workmen's compensation department of the state of Wyoming, and that the workmen's compensation department of the state of Wyoming will, upon request and on behalf of the Wyoming employers, issue a certificate of extraterritorial coverage to the department of labor and industries of the state of Washington.

That these certificates of extraterritorial coverage shall be issued for a maximum period of six months subject to renewal upon request by the affected employers and at the discretion of the Washington department of labor and industries, or the Wyoming workmen's compensation department.

That the Wyoming employer and his/her workers while performing work in the state of Washington under this agreement will be subject to the safety codes of the state of Washington, and that the Washington employer and his/her workers while performing work in the state of Wyoming under this agreement will be subject to the safety codes of the state of Wyoming.

IT IS MUTUALLY UNDERSTOOD That this agreement will not apply to workers of the Washington employer who may be hired in the state of Wyoming, nor to the workers of the Wyoming employer who may be hired in the state of Washington.

IT IS ALSO MUTUALLY UNDERSTOOD That premium payments on the out-of-state earnings of Washington-hired workers will be made to the Washington department of labor and industries, and that premium payments on the out-of-state earning of Wyoming-hired workers will be made to the workmen's compensation department of the state of Wyoming.

IT IS FURTHER AGREED That this agreement of extraterritorial reciprocity shall become effective on July 15, 1963, and shall remain in full force and effect until superseded or modified by the parties to this agreement.

AMENDATORY SECTION (Amending WSR 99-24-055, filed 11/29/99, effective 12/31/99)

WAC 296-17-31018 Exception classifications. (1) **What are exception classifications?**

In *WAC 296-17-31012* we discussed our classification policy. We described the process used to classify risk and stated that we assign the basic classification or basic classifications that best describe the nature of your company's business. While this policy is modeled after the policy used by private insurance carriers and is geared to administrative ease for you, we recognize that there are some duties or operations where your employees do not share the same general workplace hazards that your other employees are exposed to. To provide for those operations that are outside the scope of a basic classification, we have created three types of exception classifications listed below:

- Standard exception classifications,
- Special exception classifications, and
- General exclusion classifications.

(2) **What are the standard exception classifications?**

Standard exception classifications cover those employments that are administrative in nature and common to many industries. Employees covered by a standard exception classification cannot be exposed to any operative hazard of the business. If the language of the basic classification assigned to your business does not include these employments, you may be able to report them separately. The standard exception classifications are:

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- Classification 4904 (*WAC 296-17-653*) "clerical office employment." This classification includes clerical, administrative, and drafting employees.
- Sales personnel classifications 6301 (*WAC 296-17-696*), 6302 (*WAC 296-17-697*), and 6303 (*WAC 296-17-698*) includes outside sales personnel and messengers.
- Classification 7101 (*WAC 296-17-754*) applies to corporate officers who have elected optional coverage. A corporate officer as used in these rules is a person who is an officer in the corporation, such as the president, who also serves on the corporation's board of directors and owns stock in the corporation.
- Classification 7100 (*WAC 296-17-75306*) applies to members of a limited liability company who have elected optional coverage.

Clerical office employees are defined as employees whose duties are limited to: Answering telephones; handling correspondence; creating or maintaining financial, employment, personnel, or payroll records; composing informational material on a computer; creating or maintaining computer software; and technical drafting. Their work must be performed in a clerical office which is restricted to:

- A work area which is physically separated by walls, partitions, or other physical barriers, from all other work areas of the employer, and
- Where only clerical office work as described in this rule is performed.

A clerical office does not include any work area where inventory is located, where products are displayed for sale, or area where the customer brings products for payment. Clerical office employees can perform cashiering and telephone sales work if they do not provide any retail or wholesale customer service that involves handling, showing, demonstrating, or delivering any product sold by the employer. Clerical office employees can make bank deposits, pick up and deliver mail at the post office, or purchase office supplies, if their primary work duties are clerical office duties as defined in this rule.

Sales personnel are defined as employees whose duties are limited to: Soliciting new customers by telephone or in person; servicing existing customer accounts; showing, selling, or explaining products or services; completing correspondence; placing orders; performing public relations duties; and estimating. Although some of sales person's duties may be performed in a clerical office, most of their work is conducted away from the employer's physical business location or in showrooms. We refer to work that takes place away from the employer's premises as "*outside sales.*" Sales personnel whose duties include customer service activities such as, but not limited to, the delivery of product, stocking shelves, handling inventory, or otherwise merchandising products sold to retail or wholesale customers are excluded from all standard exception classifications. Sales personnel with duties such as delivery and stocking of shelves are to be reported in the basic classification applicable to the business unless the basic classification assigned to the business requires another treatment.

Messengers are defined as employees whose duties are delivering interoffice mail, making deposits, and similar duties that are exclusively for the administration of the employer's business. Classification 6303 "messengers" does not include delivering mail or packages to the employer's customer or as a service to the public. If a messenger is engaged in delivering mail or packages as a service to the public they are to be assigned to the basic classification of the business or classification 1101 as applicable.

Corporate officers duties in classification 7101 must be limited to: Clerical duties; outside sales duties as described above; administrative duties such as hiring staff, attending meetings, negotiating contracts, and performing public relations work. To qualify for this classification, a corporate officer must:

- Be a shareholder in the corporation,
- Be elected as a corporate officer and empowered in accordance with the articles of incorporation or bylaws of the corporation,
- Serve on the corporation's board of directors,
- Not have any exposure to any operative hazard of the business, and
- Not directly supervise employees who have any exposure to any operative hazard of the business.

Members of a limited liability company (LLC) duties in classification 7100 must be limited to: Clerical duties; outside sales duties as described above; administrative duties such as hiring staff, attending meetings, negotiating contracts, and performing public relations work. This includes only those members who have duties and authority similar to the exemption criteria of corporate officers in RCW 51.12.020.

Classification 6303 may apply to a corporate officer or member of a limited liability company whose duties are limited to outside sales activities as described in the sales personnel section of this rule. Under no circumstance is classification 4904 to be assigned to any corporate officer or member of a limited liability company. You cannot divide the work hours of an employee between a standard exception classification and a basic classification unless it is permitted by another rule. If an employee works part of their time in a standard exception classification and part of their time in your basic classification, then all exposure (hours) must be reported in the highest rated basic classification applicable to the work being performed.

(3) **What are the special exception classifications?**

Special exception classifications represent operations found within an employer's business that are allowed to be reported separately when certain conditions are met. Assuming the conditions have been met, the following classifications may be used even if your basic classification includes the phrases "all operations" or "all employees."

Security guards - classification 6601 (*WAC 296-17-723*) will apply if the security guard:

- Is an employee of an employer engaged in logging or construction,
- Is for the purpose of guarding the employer's logging or construction sites,
- Is employed at the site only during the hours the employer is not conducting any other operations at the site,
- Has no other duties during their work shift as a security guard.

If all of the above conditions are not met, the security guard is to be reported in the basic classification applicable to the construction or logging operation being conducted.

Janitors - classification 6602 (*WAC 296-17-724*) will apply if:

- The janitorial/cleaning activities being performed are limited to the employer's clerical office,
- The clerical office meets the criteria described earlier in this rule, and
- The employer's office employment is assigned to be reported in classification 4904.

Construction: Superintendent or project manager - classification 4900 (WAC 296-17-64999) will apply if the superintendent or project manager:

- Is an employee of a licensed contractor engaged in construction,
- Has no direct control over work crews,
- Performs no construction labor at the construction site or project location.

If all of the conditions are not met, the superintendent or project manager is to be reported in the basic classification applicable to the construction project.

Log truck drivers - classification 5003 (*WAC 296-17-66001*) will apply if the log truck driver has no other duties during their work shift that are subject to the logging classification 5001 (*WAC 296-17-659*).

(4) **What are the general exclusion classifications?**

General exclusion classifications represent operations that are so exceptional or unusual that they are excluded from the scope of all basic classifications. If you have these operations, we will assign a separate classification to cover them. You must keep accurate records of the work hours your employees work in these classifications. If you do not keep accurate time records for each employee performing work covered by a general exclusion classification, we will assign the work hours in question to the highest rated classification applicable to those hours. The general exclusion classifications are:

- Aircraft operations: All operations of the flying crew.
- Racing operations: All operations of the drivers and pit crews.
- Diving operations: All operations of diving personnel and ship tenders who assist in diving operations.
- New construction or alterations of the business premises.
- Musicians and entertainers.

A division of work time is permitted between a standard exception classification and flight crew operations, racing operations, or diving operations. If you fail to keep original time records that clearly show the time spent in the office or in sales work, we will assign all work hours in question to the highest rated classification applicable to the work hours in question.

Example: *Assume a corporate officer performs duties which are described in classification 7101. Occasionally, the officer flies a plane to attend a meeting. You would report the flying exposure (hours) of the corporate officer in classification 6803. The remainder of the corporate officer's time would continue to be reported in classification 7101.*

AMENDATORY SECTION (Amending WSR 00-14-052, filed 7/1/00, effective 7/1/00)

WAC 296-17-31021 Units of exposure. (1) **What is a "unit of exposure?"**

A unit of exposure is the measure which is used to help determine the premium you will pay. For most businesses the unit of exposure is the ***hours*** worked by their employees. Because not all employees are compensated based on the hours they work, we have developed reporting alternatives to make reporting to us easier. Those alternatives are outlined in subsection (2) of this section. In other cases, the department *may* authorize some other method in assuming workers hours for premium calculation purposes.

(2) **What are the alternatives to actual hours worked?**

The exceptions are:

- **Apartment house managers, caretakers, or similar employees:** To determine the number of hours you need to report to us, divide an employee's total compensation, including housing and utility allowances, by the average hourly wage for the classification. The total number of work hours to be reported for each employee is not to exceed 520 hours per quarter. You will need to call us at (360) 902-4817 to obtain average hourly wage information.
- **Baseball, basketball, and soccer teams as defined in WAC 296-17-745 - including players, coaches, trainers, and officials:** Report each individual at 40 hours per week for each week in which they have duties.
- **Commission employees - outside (such as, but not limited to, real estate and insurance sales):** You must select one of the following methods to report your commission employees - outside:
- Actual hours worked; or
- Assumed hours of eight hours per day for part-time employees or one hundred-sixty hours per month for full-time employees.

  All outside commission employees of an employer must be reported by the same method. You cannot report some outside commission employees based on the actual hours they work and others using the eight hours per day for part-time employees or one hundred-sixty hours per month for full-time employees method.
- **Drywall - stocking, installation, scrapping, taping, and texturing:** Premiums are based on material installed/finished rather than the hours it took to install/finish the drywall.
- **Horse racing - excluding jockeys:** Employers in the horse racing industry pay premiums based on a type of license their employees hold rather than the hours the employees work. Premiums are collected by the Washington horse racing commission at the time of licensing.
- **Jockeys:** Report ten hours for each race/mount or for any day in which duties are reported.
- **Pilots and flight crew members.** Pilots and flight crew members having flight duties during a work shift including preflight time shall have premium calculated by utilizing daily readings logged per federal requirements of the aircraft tachometer time: Provided, That if the total tachometer time for any day includes a fraction of an hour, the reportable time will be increased to the next full hour:

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Provided further, That pilots and flight crew members who assume nonflying duties during a work shift will have premium calculated in accordance with the appropriate rules and classifications applicable to nonflight duties.

- **Race car drivers:** Report ten hours for each race/heat.
- **Salaried employees:** You must select one of the following methods to report your salaried employees:
- Actual hours worked; or
- Assumed hours of one hundred-sixty hours per month.

All salaried employees of an employer must be reported by the same method. You cannot report some salaried employees based on the actual hours they work and others using the one hundred sixty hours per month method. Provided further, as in the case of contract personnel employed by schools and/or school districts, the school or school district shall report actual hours worked for each employee, one hundred sixty hours per month for each employee, or the department *may* authorize some other method in assuming workers hours for premium calculation purposes.

(3) **Can I use assumed work hours for piece workers?**

No, if you employ piece workers you must report the actual hours these individuals work for you unless another unit of exposure is required.

Example: *If you have employees engaged in drywall work you would report and pay premiums on the basis of the square footage of the material they installed not the hours they worked.*

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AMENDATORY SECTION (Amending WSR 99-18-068, filed 8/31/99, effective 10/1/99)

WAC 296-17-35201 Recordkeeping and retention. Washington law (RCW 51.48.030) requires every employer to make, keep, and preserve records which are adequate to facilitate the determination of premiums due to the state for workers' compensation insurance for their covered workers. In the administration of Title 51 RCW, the department of labor and industries has deemed the records and information required in the various subsections of this section to be essential in the determination of premiums due to the state fund. The records so specified and required, shall be provided at the time of audit to any authorized representative of the department who has requested them.

Failure to produce the requested records within thirty days of the request, or within an agreed upon time period shall constitute prima facie evidence of noncompliance with this rule and shall invoke the statutory bar to challenge found in RCW 51.48.030 and/or 51.48.040.

(1) Employment records. Every employer shall with respect to each worker, make, keep, and preserve original records containing all of the following information for three full calendar years following the calendar year in which employment occurred:

(a) The name of each worker;

(b) The Social Security number of each worker;

(c) The beginning date of employment for each worker and, if applicable, the separation date of employment of each such worker;

(d) The basis upon which wages are paid to each worker;

(e) The number of units earned or produced for each worker paid on a piecework basis;

(f) The risk classification applicable to each worker whenever the worker hours of any one employee are being divided between two or more classifications;

(g) The number of actual hours worked (WAC 296-17-31002) by each worker, unless another basis of computing hours worked is prescribed in WAC 296-17-31021;

(h) A summary time record for each worker showing the calendar day or days of the week work was performed and the actual number of hours worked each work day;

(i) The workers' total gross pay period earnings;

(j) The specific sums withheld from the earnings of each worker, and the purpose of each sum withheld;

(k) The net pay earned by each such worker.

(2) Business, financial records, and record retention. Every employer is required to keep and preserve all original employment time records for three full calendar years following the calendar year in which employment occurred. The three-year period is specified in WAC 296-17-352 as the composite period from the date any such premium became due.

Employers who pay their workers by check are required to keep and preserve all check registers and bank statements. Employers who pay their workers by cash are required to keep and preserve records of these cash transactions which provide a detailed record of wages paid to each worker.

(3) Recordkeeping - Estimated premium computation. Any employer required by this section to make, keep, and preserve records containing the information as specified in subsections (1) and (2) of this section, who fails to make, keep, and preserve such records, shall for the purpose of premium calculation assume worker hours using the average hourly wage rate for each classification, and also will be subject to penalties prescribed in subsection (4) of this section. The records ((~~of~~)) compiled by the department ((~~as compiled for the preceding fiscal year ending June 30,~~)) shall be the basis for determining the average hourly wage rate: Provided, That the average hourly wage rate shall be no less than the state minimum wage existing at the time such assumed hours are worked. Notwithstanding any other provisions of this section, workers employed in a work activity center subject to Classification 7309 shall be reported on the basis of the average hourly wage.

(4) Failure to maintain records - Penalties. Any employer required by this section to make, keep, and preserve records containing the information as specified in subsections (1) and (2) of this section, who fails to make, keep, and preserve such record, shall be liable, subject to RCW 51.48.030, to a penalty in the amount of two hundred fifty dollars for each such offense. Failure to make, keep, and preserve records containing the information as specified in subsections (1) and (2) of this section, for a single employee shall constitute one offense, for two employees two offenses, and so forth.

AMENDATORY SECTION (Amending WSR 02-09-093, filed 4/17/02, effective 7/1/02)

WAC 296-17-35203 Special reporting instruction. (1) **Professional and semiprofessional athletic teams.** Ath-

letes assigned to a Washington-domiciled sports team are mandatorily covered by Washington industrial insurance: Provided, That a professional athlete who is under contract with a parent team domiciled outside of the state of Washington while assigned to a team domiciled within Washington is subject to mandatory coverage by Washington industrial insurance unless the player and employer (parent team) have agreed in writing as to which state shall provide coverage in accordance with RCW 51.12.120(5).

The following rules shall apply to the written agreement:

(a) Agreement must be in writing and signed by the employer and the individual athlete.

(b) Agreement must specify the state that is to provide coverage. The state agreed upon to provide coverage must be a state in which the player's team, during the course of the season, will engage in an athletic event. For example, if the Washington-based team is a part of a league with teams in only Washington, Oregon, and Idaho, the player and the employer can agree to any of those three states to provide coverage. However, they could not agree to have California provide the coverage as this would not qualify as a state in which the player regularly performs assigned duties.

(c) The state agreed upon accepts responsibility for providing coverage and acknowledges such to the department by certified mail.

(d) Agreement and certification by the other state must be received by this department's underwriting section prior to any injury incurred by the athlete.

(e) Agreement will be for one season only commencing with the assigning of the player to a particular team. A separate agreement and certification must be on file for each additional season.

Failure to meet all of these requirements will result in the athlete being considered a Washington worker for premium and benefit purposes until such time as all requirements have been met.

Professional sports teams who are domiciled outside the state of Washington and who participate in sporting events with Washington-domiciled teams are not subject to Washington industrial insurance for their team members while in this state. These out-of-state teams are not considered employers subject to Title 51 on the basis that they are not conducting a business within this state.

(2) **Excluded employments.** Any employer having any person in their employ excluded from industrial insurance whose application for coverage under the elective adoption provisions of RCW 51.12.110 or authority of RCW 51.12.095 or 51.32.030 has been accepted by the director shall report and pay premium on the actual hours worked for each such person who is paid on an hourly, salaried-part time, percentage of profit or piece basis; or one hundred sixty hours per month for any such person paid on a salary basis employed full time. In the event records disclosing actual hours worked are not maintained by the employer for any person paid on an hourly, salaried-part time, percentage of profits or piece basis the worker hours of such person shall be determined by dividing the gross wages of such person by the state minimum wage for the purpose of premium calculation. However, when applying the state minimum wage the maximum number of hours assessed for a month will be one hundred sixty.

(3) **Special trucking industry rules.** The following subsection shall apply to all trucking industry employers as applicable.

(a) Insurance liability. Every trucking industry employer operating as an intrastate carrier or a combined intrastate and interstate carrier must insure their workers' compensation insurance liability through the Washington state fund or be self-insured with the state of Washington.

Washington employers operating exclusively in interstate or foreign commerce or any combination of interstate and foreign commerce must insure their workers' compensation insurance liability for their Washington employees with the Washington state fund, be self-insured with the state of Washington, or provide workers' compensation insurance for their Washington employees under the laws of another state when such other state law provides for such coverage.

Interstate or foreign commerce trucking employers who insure their workers' compensation insurance liability under the laws of another state must provide the department with copies of their current policy and applicable endorsements upon request.

Employers who elect to insure their workers' compensation insurance liability under the laws of another state and who fail to provide updated policy information when requested to do so will be declared an unregistered employer and subject to all the penalties contained in Title 51 RCW.

(b) Reporting. Trucking industry employers insuring their workers' compensation insurance liability with the Washington state fund shall keep and preserve all original time records/books including supporting information from drivers' logs for a period of three calendar years plus three months.

Employers are to report actual hours worked, including time spent loading and unloading trucks, for each driver in their employ. For purposes of this section, actual hours worked does not include time spent during lunch or rest periods or overnight lodging.

Failure of employers to keep accurate records of actual hours worked by their employees will result in the department estimating work hours by dividing gross payroll wages by the state minimum wage for each worker for whom records were not kept. However, in no case will the estimated or actual hours to be reported exceed five hundred twenty hours per calendar quarter for each worker.

(c) Exclusions. Trucking industry employers meeting all of the following conditions are exempted from mandatory coverage.

(i) Must be engaged exclusively in interstate or foreign commerce.

(ii) Must have elected to cover their Washington workers on a voluntary basis under the Washington state fund and must have elected such coverage in writing on forms provided by the department.

(iii) After having elected coverage, withdrew such coverage in writing to the department on or before January 2, 1987.

If all the conditions set forth in (i), (ii), and (iii) of this subsection have not been met, employers must insure their

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workers' compensation insurance liability with the Washington state fund or under the laws of another state.

(d) Definitions. For purposes of interpretation of RCW 51.12.095(1) and administration of this section, the following terms shall have the meanings given below:

(i) "Agents" means individuals hired to perform services for the interstate or foreign commerce carrier that are intended to be carried out by the individual and not contracted out to others but does not include owner operators as defined in RCW 51.12.095(1).

(ii) "Contacts" means locations at which freight, merchandise, or goods are picked up or dropped off within the boundaries of this state.

(iii) "Doing business" means having any terminals, agents or contacts within the boundaries of this state.

(iv) "Employees" means the same as the term "worker" as contained in RCW 51.08.180.

(v) "Terminals" means a physical location wherein the business activities (operations) of the trucking company are conducted on a routine basis. Terminals will generally include loading or shipping docks, warehouse space, dispatch offices and may also include administrative offices.

(vi) "Washington" shall be used to limit the scope of the term "employees." When used with the term "employees" it will require the following test for benefit purposes (all conditions must be met).

- The individual must be hired in Washington or must have been transferred to Washington; and
- The individual must perform some work in Washington (i.e., driving, loading, or unloading trucks).

(4) **Forest, range, or timber land services—Industry rule.** Washington law (RCW 51.48.030) requires every employer to make, keep, and preserve records which are adequate to facilitate the determination of premiums (taxes) due to the state for workers' compensation insurance coverage for their covered workers. In the administration of Title 51 RCW, and as it pertains to the forest, range, or timber land services industry, the department of labor and industries has deemed the records and information required in the various subsections of this section to be essential in the determination of premiums (taxes) due to the state fund. The records so specified and required, shall be provided at the time of audit to any representative of the department who has requested them.

Failure to produce these required records within thirty days of the request, or within an agreed upon time period, shall constitute noncompliance of this rule and RCW 51.48.030 and 51.48.040. Employers whose premium computations are made by the department in accordance with (d) of this subsection are barred from questioning, in an appeal before the board of industrial insurance appeals or the courts, the correctness of any assessment by the department on any period for which such records have not been kept, preserved, or produced for inspection as provided by law.

(a) General definitions. For purpose of interpretation of this section, the following terms shall have the meanings given below:

(i) "Actual hours worked" means each workers' composite work period beginning with the starting time of day that the employees' work day commenced, and includes the entire work period, excluding any nonpaid lunch period, and ending with the quitting time each day work was performed by the employee.

(ii) "Work day" shall mean any consecutive twenty-four-hour period.

(b) Employment records. Every employer shall with respect to each worker, make, keep, and preserve original records containing all of the following information for three full calendar years following the calendar year in which the employment occurred:

(i) The name of each worker;

(ii) The Social Security number of each worker;

(iii) The beginning date of employment for each worker and, if applicable, the separation date of employment for each such worker;

(iv) The basis upon which wages are paid to each worker;

(v) The number of units earned or produced for each worker paid on a piece-work basis;

(vi) The risk classification(s) applicable to each worker;

(vii) The number of actual hours worked by each worker, unless another basis of computing hours worked is prescribed in WAC 296-17-31021. For purposes of chapter 296-17 WAC, this record must clearly show, by work day, the time of day the employee commenced work, and the time of day work ended;

(viii) A summary time record for each worker showing the calendar day or days of the week work was performed and the actual number of hours worked each work day;

(ix) In the event a single worker's time is divided between two or more risk classifications, the summary contained in (b)(viii) of this subsection shall be further broken down to show the actual hours worked in each risk classification for the worker;

(x) The workers' total gross pay period earnings;

(xi) The specific sums withheld from the earnings of each worker, and the purpose of each sum withheld;

(xii) The net pay earned by each such worker.

(c) Business, financial records, and record retention. Every employer is required to keep and preserve all original time records completed by their employees for a three-year period. The three-year period is specified in WAC 296-17-352 as the composite period from the date any such premium became due.

Employers who pay their workers by check are required to keep and preserve a record of all check registers and canceled checks; and employers who pay their workers by cash are required to keep and preserve records of these cash transactions which provide a detailed record of wages paid to each worker.

(d) Recordkeeping - estimated premium computation. Any employer required by this section to make, keep, and preserve records containing the information as specified in (b) and (c) of this subsection, who fails to make, keep, and preserve such records, shall have premiums calculated as follows:

(i) Estimated worker hours shall be computed by dividing the gross wages of each worker for whom records were not maintained and preserved, by the state's minimum wage, in effect at the time the wages were paid or would have been

paid. However, the maximum number of hours to be assessed under this provision will not exceed five hundred twenty hours for each worker, per quarter for the first audited period. Estimated worker hours computed on all subsequent audits of the same employer that disclose a continued failure to make, keep, or preserve the required payroll and employment records shall be subject to a maximum of seven hundred eighty hours for each worker, per quarter.

(ii) In the event an employer also has failed to make, keep, and preserve the records containing payroll information and wages paid to each worker, estimated average wages for each worker for whom a payroll and wage record was not maintained will be determined as follows: The employer's total gross income for the audit period (earned, received, or anticipated) shall be reduced by thirty-five percent to arrive at "total estimated wages." Total estimated wages will then be divided by the number of employees for whom a record of actual hours worked was not made, kept, or preserved to arrive at an "estimated average wage" per worker. Estimated hours for each worker will then be computed by dividing the estimated average wage by the state's minimum wage in effect at the time the wages were paid or would have been paid as described in (d)(i) of this subsection.

(e) Reporting requirements and premium payments.

(i) Every employer who is awarded a forest, range, or timber land services contract must report the contract to the department promptly when it is awarded, and prior to any work being commenced, except as provided in (e)(iii) of this subsection. Employers reporting under the provisions of (e)(iii) of this subsection shall submit the informational report with their quarterly report of premium. The report shall include the following information:

(I) The employers' unified business identification account number (UBI).

(II) Identification of the landowner, firm, or primary contractor who awarded the contract, including the name, address, and phone number of a contact person.

(III) The total contract award.

(IV) Description of the forest, range, or timber land services work to be performed under terms of the contract.

(V) Physical location/site where the work will be performed including legal description.

(VI) Number of acres covered by the contract.

(VII) Dates during which the work will be performed.

(VIII) Estimated payroll and hours to be worked by employees in performance of the contract.

(ii) Upon completion of every contract issued by a landowner or firm that exceeds a total of ten thousand dollars, the contractor primarily responsible for the overall project shall submit in addition to the required informational report described in (e)(i) of this subsection, report the payroll and hours worked under the contract, and payment for required industrial insurance premiums. In the event that the contracted work is not completed within a calendar quarter, interim quarterly reports and premium payments are required for each contract for all work done during the calendar quarter. The first such report and payment is due at the end of the first calendar quarter in which the contract work is begun. Additional interim reports and payments will be submitted each quarter thereafter until the contract is completed. This will be consistent with the quarterly reporting cycle used by other employers. Premiums for a calendar quarter, whether reported or not, shall become due and delinquent on the day immediately following the last day of the month following the calendar quarter.

(iii) A contractor may group contracts issued by a landowner, firm, or other contractor that total less than ten thousand dollars together and submit a combined quarterly report of hours, payroll, and the required premium payment in the same manner and periods as nonforestation, range, or timber land services employers.

(f) Out-of-state employers. Forest, range, or timber land services contractors domiciled outside of Washington state must report on a contract basis regardless of contract size for all forest, range, or timber land services work done in Washington state. Out-of-state employers will not be permitted to have an active Washington state industrial insurance account for reporting forest, range, or timber land services work in the absence of an active Washington forest, range, or timber land services contract.

(g) Work done by subcontract. Any firm primarily responsible for work to be performed under the terms of a forest, range, or timber land services contract, that subcontracts out any work under a forest, range, or timber land services contract must send written notification to the department prior to any work being done by the subcontractor. This notification must include the name, address, Social Security number, farm labor contractor number, (UBI) of each subcontractor, and the amount and description of contract work to be done by subcontract.

(h) Forest, range, or timber land services contract release - verification of hours, payroll, and premium. The department may verify reporting of contractors by way of an on-site visit to an employers' work site. This on-site visit may include close monitoring of employees and employee work hours. Upon receipt of a premium report for a finished contract, the department may conduct an audit of the firm's payroll, employment, and financial records to validate reporting. The department will notify the contractor, and the entity that awarded the contract, of the status of the contractors' account immediately after verification. The landowner, firm, or contractors' premium liability will not be released until the final report for the contract from the primary contractor and any subcontractors has been received and verified by the department.

(i) Premium liability - work done by contract. Washington law (RCW 51.12.070) places the responsibility for industrial insurance premium payments primarily and directly upon the person, firm, or corporation who lets a contract for all covered employment involved in the fulfillment of the contract terms. Any such person, firm, or corporation letting a contract is authorized to collect from the contractor the full amount payable in premiums. The contractor is in turn authorized to collect premiums from any subcontractor they may employ his or her proportionate amount of the premium payment.

To eliminate premium liability for work done by contract permitted by Title 51 RCW, any person, firm, or corporation who lets a contract for forest, range, or timber land services work must submit a copy of the contract they have let to the

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department and verify that all premiums due under the contract have been paid.

Each contract submitted to the department must include within its body, or on a separate addendum, all of the following items:

(I) The name of the contractor who has been engaged to perform the work;

(II) The contractor's UBI number;

(III) The contractor's farm labor contractor number;

(IV) The total contract award;

(V) The date the work is to be commenced; a description of the work to be performed including any pertinent acreage information;

(VI) Location where the work is to be performed;

(VII) A contact name and phone number of the person, firm, or corporation who let the contract;

(VIII) The total estimated wages to be paid by the contractor and any subcontractors;

(IX) The amount to be subcontracted out if such subcontracting is permitted under the terms of the contract;

(X) The total estimated number of worker hours anticipated by the contractor and his/her subcontractors in the fulfillment of the contract terms;

(j) Reports to be mailed to the department. All contracts, reports, and information required by this section are to be sent to:

The Department of Labor and Industries
Reforestation Team 8
P.O. Box 44168
Tumwater, Washington 98504-4168

(k) Rule applicability. If any portion of this section is declared invalid, only that portion is repealed. The balance of the section shall remain in effect.

(5) **Logging and/or tree thinning—Mechanized operations—Industry rule.** The following subsection shall apply to all employers assigned to report worker hours in risk classification 5005, WAC 296-17-66003.

(a) Every employer having operations subject to risk classification 5005 "logging and/or tree thinning - mechanized operations" shall have their operations surveyed by labor and industries insurance services staff prior to the assignment of risk classification 5005 to their account. Annual surveys may be required after the initial survey to retain the risk classification assignment.

(b) Every employer as a prerequisite of being assigned risk classification 5005 and having exposure (work hours) which is reportable under other risk classifications assigned to the employer shall be required to establish a separate subaccount for the purpose of reporting exposure (work hours) and paying premiums under this risk classification (5005). Except as otherwise provided for in this rule, only exposure (work hours) applicable to work covered by risk classification 5005 shall be reported in this subaccount. In the event that the employer's only other reportable exposure (work hours) is subject to one of the standard exception risk classifications, or the shop or yard risk classification then all exposure (work hours) will be reported under a single main account.

(c) Every employer assigned to report exposure (work hours) in risk classification 5005 shall supply an addendum report with their quarterly premium report which lists the name of each employee reported under this classification during the quarter, the Social Security number of such worker, the piece or pieces of equipment the employee operated during the quarter, the number of hours worked by the employee during the quarter, and the wages earned by the employee during the quarter.

(6) **Special drywall industry rule.**

(a) **What is the unit of exposure for drywall reporting?** Your premiums for workers installing and finishing drywall (reportable in risk classifications 0540, 0541, 0550, and 0551) are based on the amount of material installed and finished, not the number of hours worked.

The amount of material installed equals the amount of material purchased or taken from inventory for a job. No deduction can be made for material scrapped (debris). A deduction is allowed for material returned to the supplier or inventory.

The amount of material finished for a job equals the amount of material installed. No deduction can be made for a portion of the job that is not finished (base layer of doubleboard application or unfinished rooms).

Example: Drywall installation firm purchases 96 4' x 8' sheets of material for a job which includes some double-wall installation. The firm hangs all or parts of 92 sheets, and returns 4 sheets to the supplier for credit. Drywall finishing firm tapes, primes and textures the same job. Both firms should report 2,944 square feet (4 x 8 x 92) for the job.

(b) **I do some of the work myself. Can I deduct material I as an owner install or finish?** Yes. Owners (sole proprietors, partners, and corporate officers) who have not elected coverage may deduct material they install or finish.

When you as an owner install (including scrap) or finish (including tape and prime or texture) only part of a job, you may deduct an amount of material proportional to the time you worked on the job, considering the total time you and your workers spent on the job.

To deduct material installed or finished by owners, you must report to the department by job, project, site or location the amount of material you are deducting for this reason. You must file this report at the same time you file your quarterly report:

Total owners hours ÷ (owners hours + workers hours) = % of owner discount.

% of owner discount x (total footage of job – subcontracted footage, if any) = Total owner deduction of footage.

(c) **Can I deduct material installed or finished by subcontractors?** You may deduct material installed or taped by subcontractors you are not required to report as your workers. You may not deduct for material only scrapped or primed and textured by subcontractors.

To deduct material installed or taped by subcontractors, you must report to the department by job, project, site or location the amount of material being deducted. You must file this report at the same time you file your quarterly report.

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You must have and maintain business records that support the number of square feet worked by the subcontractor.

(d) **I understand there are discounted rates available for the drywall industry. How do I qualify for them?** To qualify for discounted drywall installation and finishing rates, you must:

(i) Have an owner attend two workshops the department offers (one workshop covers claims and risk management, the other covers premium reporting and recordkeeping);

(ii) Provide the department with a voluntary release authorizing the department to contact material suppliers directly about the firm's purchases;

(iii) Have and keep all your industrial insurance accounts in good standing (including the accounts of other businesses in which you have an ownership interest), which includes fully and accurately reporting and paying premiums as they come due, including reporting material deducted as owner or subcontractor work;

(iv) Provide the department with a supplemental report (filed with the firm's quarterly report) showing by employee the employee's name, Social Security number, the wages paid them during the quarter, how they are paid (piece rate, hourly, etc.), their rate of pay, and what work they performed (installation, scrapping, taping, priming/texturing); and

(v) Maintain accurate records about work you subcontracted to others and materials provided to subcontractors (as required by WAC 296-17-31013), and about payroll and employment (as required by WAC 296-17-35201).

The discounted rates will be in effect beginning with the first quarter your business meets all the requirements for the discounted rates.

Note: If you are being audited by the department while your application for the discounted classifications is pending, the department will not make a final decision regarding your rates until the audit is completed.

(e) **Can I be disqualified from using the discounted rates?** Yes. You can be disqualified from using the discounted rates for three years if you:

(i) Do not file all reports, including supplemental reports, when due;

(ii) Do not pay premiums on time;

(iii) Underreport the amount of premium due; or

(iv) Fail to maintain the requirements for qualifying for the discounted rates.

Disqualification takes effect when a criterion for disqualification exists.

Example: A field audit in 2002 reveals that the drywall installation firm underreported the amount of premium due in the second quarter of 2001. The firm will be disqualified from the discounted rates beginning with the second quarter of 2001, and the premiums it owed for that quarter and subsequent quarters for three years will be calculated using the nondiscounted rates.

If the drywall underwriter learns that your business has failed to meet the conditions as required in this rule, your business will need to comply to retain using the discounted classifications. If your business does not comply promptly, the drywall underwriter may refer your business for an audit.

If, as a result of an audit, the department determines your business has not complied with the conditions in this rule, your business will be disqualified from using the discounted classifications for three years (thirty-six months) from the period of last noncompliance.

(f) **If I discover I have made an error in reporting or paying premium, what should I do?** If you discover you have made a mistake in reporting or paying premium, you should contact the department and correct the mistake. Firms not being audited by the department who find errors in their reporting and paying premiums, and who voluntarily report their errors and pay any required premiums, penalties and interest promptly, will not be disqualified from using the discounted rates unless the department determines they acted in bad faith.

AMENDATORY SECTION (Amending WSR 00-14-052, filed 7/1/00, effective 7/1/00)

WAC 296-17-501 Classification 0101.

0101-00 Land clearing: Highway, street and road construction, N.O.C.

Applies to contractors engaged in clearing right of ways for subsurface construction on a new or existing highway, street, or roadway project that is not covered by another classification (N.O.C.). The subsurface is the roadbed foundation consisting of dirt, sand, gravel and/or ballast which has been leveled and compressed. Unless the finished project is a compressed gravel road, the subsurface or sub base is constructed prior to any asphalt or concrete paving activities. Work contemplated by this classification involves the excavation of rocks and boulders, removal of tree stumps, clearing or scraping land of vegetation, grubbing, earth excavation, cut and fill work, and bringing the roadbed to grade. Equipment used by contractors subject to this classification includes a variety of earth moving equipment such as, but not limited to, shovels, scrapers, bulldozers, graders, rollers, and dump trucks.

This classification excludes asphalt surfacing or resurfacing on roadways which is to be reported separately in classification 0210; construction specialty services such as the installation of guardrails, lighting standards and striping which is to be reported separately in classification 0219; bridge or tunnel construction including the abutments and approaches which is to be reported separately in classification 0201; felling of trees which is to be reported separately in the applicable logging classification; and logging road construction which is to be reported separately in classification 6902.

0101-01 Land clearing: Airport landing strips, runways and taxi ways; alleys and parking lots

Applies to contractors primarily engaged in clearing right of ways for subsurface construction on a new or existing airport landing strip, runway, and taxi way. This classification also includes clearing of right of ways for alley and parking lot projects. The subsurface is the foundation consisting of dirt, sand, gravel and/or ballast which has been leveled and compressed. Unless the finished project is compressed gravel, the subsurface or sub base is constructed prior to any asphalt or concrete paving activities. Work contemplated by this classification involves the excavation of rocks and boulders, removal of tree stumps, clearing or scraping land of vegetation, grubbing, earth excavation, cut and fill work, and

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bringing the roadbed or project site to grade. Equipment used by contractors subject to this classification includes a variety of earth moving equipment such as, but not limited to, shovels, scrapers, bulldozers, graders, rollers, and dump trucks.

This classification excludes asphalt surfacing or resurfacing on roadways which is to be reported separately in classification 0210; construction specialty services such as the installation of guardrails, lighting standards and striping which is to be reported separately in classification 0219; and felling of trees which is to be reported separately in the applicable logging classification.

0101-02 Excavation work, N.O.C.

Applies to contractors engaged in general excavation work for others that is not covered by another classification (N.O.C.). Work contemplated by this classification involves excavating or digging of earth to form the foundation hole such as for a wood-frame or nonwood-frame building and side sewer hookups (street to house) when performed as part of the excavation contract. Activities include, but are not limited to, excavation of rocks and boulders, removal of tree stumps, clearing or scraping land of vegetation, grubbing, piling or pushing of earth, earth excavation, cut and fill work, backfilling, etc. Equipment used by contractors subject to this classification includes a variety of earth moving equipment such as, but not limited to, shovels, scrapers, bulldozers, graders and dump trucks.

This classification excludes asphalt surfacing or resurfacing on roadways which is to be reported separately in classification 0210 and felling of trees which is to be reported separately in the applicable logging classification.

0101-03 Grading work, N.O.C.

Applies to contractors engaged in various forms of grading work for others that are not covered by another classification (N.O.C.). Typical equipment used is a grader, but other equipment such as a bulldozer and a front end loader may also be used. Work contemplated by this classification includes, but is not limited to, leveling and grading lands, spreading dirt, sand, gravel and/or ballast to desired contour on farm lands or other tracts of land.

0101-04 Land clearing, N.O.C.

Applies to contractors engaged in general land clearing work that is not covered by another classification (N.O.C.). This classification includes, but is not limited to, excavation of rocks and boulders, removal of tree stumps, clearing or scraping land of vegetation, grubbing, piling or pushing of earth to rearrange the terrain, earth excavation, cut and fill work, backfilling, and slope grooming. Equipment used by contractors subject to this classification includes a variety of earth moving equipment such as, but not limited to, shovels, scrapers, bulldozers, graders and dump trucks.

This classification excludes felling of trees which is to be reported separately in the applicable logging classification.

0101-16 Railroad line: Construction, maintenance and repair, N.O.C.

Applies to contractors engaged in the construction, maintenance and repair of railroad tracks not covered by another classification (N.O.C.), including the dismantling of track and the sale of salvaged track metal and ties. Work contemplated by this classification includes all operations on new or existing main lines, side tracks and spurs to industrial properties. This classification includes, but is not limited to, the laying of rock or ballast, laying of ties and track, installation of crossover frogs and switches, erection of switch stands and switch mechanism, erection of cattle guards, the placing of grade crossing planks, and similar activities related to the laying or relaying of railroad lines and also includes the dismantling of railroad main lines, side tracks and spurs to include track, ties, etc., and the subsequent storage and sale of salvaged material after the railroad line is dismantled.

This classification excludes asphalt surfacing/resurfacing and all concrete construction work which is to be reported separately in the applicable asphalt or concrete construction classification; logging railroad construction which is to be reported separately in classification 6902; and the construction, maintenance, or repair of an elevated railway which is to be reported separately in classification 0508.

0101-17 Retaining wall: Construction or repair when done in connection with road, street and highway construction, N.O.C.

Applies to contractors engaged in the construction or repair of retaining walls in connection with highway, street, or roadway projects that are not covered by another classification (N.O.C.). Retaining walls are often constructed to protect against potential problems such as earth slides or erosion of banks alongside a roadway or overpass. Work contemplated by this classification involves large scale excavation to contour a specific area of earth serving as a retaining wall. Activities include, but are not limited to, excavation, clearing, cut and fill work, backfilling, grading and slope grooming. Fill material used may include dirt, sand, stone or boulder. Equipment used by contractors subject to this classification includes, but is not limited to, scrapers, bulldozers, graders, backhoes and dump trucks.

This classification excludes asphalt surfacing or resurfacing on roadways which is to be reported separately in classification 0210; concrete construction which is to be reported separately in the applicable concrete construction classification; construction specialty services such as the installation of guardrails, lighting standards and striping which is to be reported separately in classification 0219; bridge or tunnel construction including the abutments and approaches which is to be reported separately in classification 0201; felling of trees by chain saw which is to be reported separately in classification 5001; logging road construction which is to be reported separately in classification 6902; and tunnels and approaches including lining, cofferdam work, shaft sinking and well digging with caissons which is to be reported separately in classification 0201.

0101-36 Tree care and pruning services, N.O.C.

Applies to specialist contractors engaged in providing a variety of tree care services such as tree topping and tree pruning that are not covered by another classification (N.O.C.). Work contemplated by this classification generally takes place in residential areas, parking lots, business parks, shopping malls, or settings adjacent to nonforestry or timberland roadways. A primary purpose of this work is to remove tree or branch hazards from power lines, structures, or build-

ings. This classification includes, but is not limited to, incidental ground operations such as picking up branches and limbs, operating mobile chip machines used in connection with a tree care service, spraying or fumigating of trees, debris removal and stump removal when conducted by employees of an employer subject to this classification.

This classification excludes tree care services done in connection with an orchard operation which is to be reported separately in classification 4803 when performed by orchard employees; tree care services done in connection with a nursery operation which is to be reported separately in classification 4805; tree care services done in connection with a public or private forest or timberland which is to be reported separately in classification 5004; tree care services done in connection with a Christmas tree farm operation which is to be reported separately in classification 7307; and felling trees which is to be reported separately in classification 5001.

0101-37 Soil remediation

Applies to establishments engaged in various types of remediation of soil contaminated with hazardous or toxic materials. Soil remediation can take place at the site of the contamination, or the contaminated soil may be hauled to another area for remediation. This classification also includes oil spill cleanup on land. Equipment used will include backhoes and front end loaders, as well as other types of dirt moving equipment.

The methods used for soil remediation include, but are not limited to,:

- Bio-remediation: Contaminated soil is mixed with nutrients, sawdust, and various other additives. Naturally occurring bacteria in the soil break down the pollutants.

- Encapsulation: Contaminated soil is enclosed in some type of protective material to prevent drainage into surrounding soil.

- Excavation and hauling to an approved disposal site.

- Hot air vapor extraction: A burner unit is mounted on a trailer. Contaminated soil is arranged in layers on which an aluminum perforated pipe system is placed at 2' intervals, with a return pipe on the top layer. The soil stack is enclosed in visqueen, then hot air is pumped into the piping system which creates the steam that is recycled through the system and carries the contaminants back through the catalytic burner. Because of the catalytic action there are virtually no contaminants exhausted into the atmosphere.

- Soil vapor extraction: A series of holes are bored in the ground and vacuum pumps are used to suck the trapped gases which are drawn through carbon filters for decontamination.

- In situ vitrification: Graphite electrodes are fed into contaminated soil at a specified rate, where high voltage "melts" the organic and inorganic materials in the soil and forms a solid, glasslike substance.

- Land farming: Contaminated soil is deposited and spread out by a farm type spreader on an area of ground dedicated for this purpose. Chemical or manure fertilizer is added to provide a medium for naturally occurring bacteria to thrive. (This part is similar to bio-remediation.) The soil is turned frequently by tillers or rototillers to assist in the aeration of the soil and in the growth of the bacteria. It may take anywhere from a month to two years to cleanse the soil, depending on the volatility of the contaminants. This method is used particularly with soil that is heavily contaminated with oil.

- Mobile incineration: Contaminated soil is loaded onto a conveyor belt which carries it into the hopper of a mobile unit mounted on a lowboy trailer. The unit is heated to burn off the contaminants in the soil. The mobile unit contains a type of dust-collecting mechanism which filters out gases and other nondesirable elements so only clean air enters the atmosphere as the refreshed soil is produced. There are various methods of mobile incineration, but the general process and the end result are similar.

- Thermal disabsorption: A process similar to mobile incineration.

- Stabilization: Concrete landfill cells are created by mixing cement with refuse or other contaminated soil to stabilize the material and reduce the seepage into the surrounding soil.

This classification excludes oil spill cleanup involving diking or ditching work which is to be reported separately in classification 0201.

0101-39 Pool or pond excavation
Placement of pool or pond liners

Applies to contractors engaged in the excavation of pools or ponds. Work contemplated by this classification involves excavating or digging of earth to form the hole such as for a swimming pool or pond. Work contemplated by this classification includes excavation of rocks and boulders, removal of tree stumps, clearing or scraping land of vegetation, grubbing, piling or pushing of earth, earth excavation, cutting, filling or backfilling, etc. Equipment used by contractors subject to this classification includes a variety of earth moving equipment such as, but not limited to, shovels, bulldozers, backhoes and dump trucks. This classification includes the placement of plastic pool and pond liners provided it is not in connection with concrete work.

This classification excludes concrete construction which is to be reported separately in the applicable concrete construction classification.

0101-40 Mowing or chemical spraying of roadway median strips, roadsides, and/or power line right of ways

Applies to contractors engaged in mowing, grooming, picking up litter, and chemical spraying of roadway median strips and edges, roadsides, and power line right of ways. Work contemplated by this classification includes spraying chemicals to control weeds and unwanted vegetation, tall grass, brush, brambles and tree seedlings as part of a roadway, roadside or right of way maintenance contract. Equipment used by contractors subject to this classification includes, but is not limited to, a variety of equipment such as backhoes, tractors, push mowers, brush mowers, weed eaters, as well as hand tools such as machetes, sickles, and pruners.

This classification excludes mowing and/or grooming of roadway median strips, roadsides, and power line right of ways when performed by employees of cities, counties, state agencies, or other municipalities which is to be reported in the classification applicable to the type of municipality performing the work; forest, timber or range land contract work which is to be reported separately in the classification applicable to the work being performed; and the felling and

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removal of trees by chain saw which is to be reported separately in classification 5001.

Special note: Classification 0301, "landscape construction," and classification 0308, "landscape maintenance," are not to be assigned to mowing and/or grooming of roadway median strips, roadsides, and power line right of ways.

0101-41 Logging machine operators

This classification applies to employees of a logging company that does not qualify as a mechanized operation but operates equipment such as a feller buncher, processor, forwarder, skidder, log loader, or tower and who are in a protective cab. This classification also applies to firms who contract with logging firms to provide such equipment and operators to a logging side. The operator does not leave the cab to perform duties as part of the logging operation. Equipment used by employers subject to this classification are required to meet WISHA guidelines for roll over protection standards (ROPS) and falling object protection standards (FOPS).

This classification does not allow a division of an employee's work hours between this classification and any other classification during a work shift.

This classification excludes all logging activities being performed on the ground which are to be reported separately in classification 5001.

Special note: This classification does not apply to classification 5005 "logging and/or tree thinning - mechanical operations" whereby logging activities are performed exclusively by machine and no employees are on the ground.

AMENDATORY SECTION (Amending WSR 99-18-068, filed 8/31/99, effective 10/1/99)

WAC 296-17-519 Classification 0504.

0504-06 Waterproofing, N.O.C.: Buildings or structures

Applies to contractors engaged in waterproofing buildings or structures not covered by another classification (N.O.C.). This classification includes the application and repair services of waterproofing material to all types of buildings or structures, regardless of height, including, but not limited to, foundations and foundation walls, floors, decks, fences, walkways and driveways. Waterproof material is applied to a variety of surfaces such as wood, concrete, asphalt, steel, metal, plaster, or stone. There are several types of waterproof processes: Membrane, which adheres long strips of rubber and pumice to exterior walls or foundations with the use of primer; pressure injection, which uses a long wand inserted into the ground to fill cracks; epoxy injection, which is performed on the interior or exterior with use of a caulk gun to inject a silicon material into cracks; or application with use of a brush, roller or spray directly onto the surface. This classification includes the application of asphalt sealant to driveways.

This classification excludes excavation work performed in conjunction with a waterproofing contract which is to be reported separately in classification 0101; waterproofing operations performed in connection with roofing or subaqueous work which is to be reported separately in the classification applicable to the work being performed; the application of asphalt sealant or waterproof materials to roadways and parking lots which is to be reported separately in classification 0219; and the application of waterproof materials performed by a concrete contractor as part of the concrete construction project which is to be reported separately in the classification applicable to the work being performed.

Special note: Classification 0101 applies when excavation work is performed (to remove dirt away from a foundation wall or to push it against the wall after the waterproofing material is applied) regardless of the type of contractor performing the excavation work.

0504-18 Pressure washing services or sandblasting, N.O.C.: Buildings or structures

Applies to contractors engaged in pressure washing or sandblasting buildings or structures, not covered by another classification (N.O.C.). This classification includes cleaning, washing, pressure washing or sandblasting buildings or structures. These services are performed to remove dirt, moss, rust or old paint from buildings or structures. Pressure washing involves a forced spray of air and water to remove unwanted surface materials, whereas, sandblasting, or abrasive blasting, involves a forced spray of sand, steel, or glass. This classification includes the cleaning of roofs, gutters, and downspouts, and the removal of moss or snow from multiple story buildings((~~, and the cleaning of ceiling tiles~~)). Pressure washing and sandblasting systems include portable blast and pressure cleaning machines, hand-operated, cabinet-type sandblasting or pressure washing machines, automatic blast or pressure cleaning machines and wet-blast cleaning machines.

This classification excludes contractors engaged in multimedia blasting in shop which is to be reported separately in classification 3402; pressure washing or sandblasting by a painting contractor as a part of the preparation for painting exterior buildings, structures, or the interior/exterior of tanks which is to be reported separately in the classification 0504-21; pressure washing as a part of interior building painting contracts which is to be reported separately in classification 0521; cleaning or washing roofs, or removing snow from, single story buildings (provided the cleaning or washing is not part of a painting or roofing contract) which is to be reported separately in classification 6602; waterproofing buildings or structures, N.O.C. which is to be reported separately in classification 0504-06; and pressure washing or sandblasting operations performed in conjunction with and as a part of another type of business such as a foundry, metal goods manufacturer, auto body repair shop, etc., which is to be reported separately in the applicable classification.

0504-20 Lead abatement

Applies to contractors engaged in lead abatement which is performed on structures where there are significant amounts of lead-based paint and lead dust. Contractors must comply with various governmental regulations. The first step in all lead abatement projects is the preliminary testing of the site to determine the presence of lead and the extent of the contamination. If the ground surrounding the proposed worksite is contaminated, it will require remediation, which is done by a soil remediation contractor who is to be reported separately in the appropriate classification. The next step is deciding which abatement procedure is right for the project

such as: Encapsulation which is used on interior surfaces to seal the lead-based paint with a bonding material; enclosure which is used on interior and exterior surfaces and involves constructing special airtight enclosures made out of gypsum wallboard, plywood paneling, aluminum, vinyl or wood exterior sidings; component replacement which involves removing building components such as paneling, moldings, windows and doors which are coated with lead-based paint and replacing them with new components; and chemical removal, abrasive removal or handscraping which are methods to physically remove the lead paint. This classification includes all preparation work and all cleanup work.

This classification excludes soil remediation work which is to be reported separately in classification 0101; asbestos abatement which is to be reported separately in classification 0512; and lead abatement as part of a painting contract for interior/exterior of buildings or structures, or the interior/exterior of tanks which is to be reported separately in the applicable classification.

0504-21 Painting: Exterior buildings or structures, N.O.C.; Cleaning: Interior/exterior of oil or gas storage tanks, beer vats, and sewage treatment tanks

Applies to contractors engaged in painting the exterior of all types of buildings or structures not covered by another classification (N.O.C.), regardless of height. Buildings and structures include, but are not limited to, bridges, towers, smokestacks, stadiums, factories, warehouses, stores, churches, and residential or commercial single or multiple story buildings. Paint is applied by brush, roller or spray to a variety of surfaces such as wood, concrete, steel, metal, plaster, stone, or other types of exterior surfaces. This classification includes all preparation work such as the set up of scaffolding or power lifts, pressure washing, removal of old paint or asbestos, sandblasting, taping or masking, and cleanup work. This classification also applies to cleaning, coating, or painting the interior/exterior of oil or gas storage tanks, beer vats, or sewage treatment tanks.

This classification excludes contractors engaged in waterproofing buildings or structures, N.O.C. which are to be reported separately in classification 0504-06; pressure washing services or sandblasting of buildings or structures which are to be reported separately in classification 0504-18; interior painting of buildings which is to be reported separately in classification 0521; painting of murals or other artwork on the interior of buildings which is to be reported separately in classification 4109; and painting of murals or other artwork on the exterior of buildings which is to be reported separately in classification 0403.

AMENDATORY SECTION (Amending WSR 00-14-052, filed 7/1/00, effective 7/1/00)

WAC 296-17-521 Classification 0508.

0508-00 Radio, television, cellular or water towers, poles and towers, N.O.C.: Construction or erection, dismantling, maintenance or repair

Applies to contractors engaged in the construction or erection, dismantling, maintenance or repair of iron, steel, or wood radio, television, cellular or water towers, poles, towers and those towers which are not covered by another classification (N.O.C.). Work contemplated by this classification includes, but is not limited to, clearing of land (if done by the foundation/excavation contractor), excavating for the foundation, the placement of forms, installation of reinforcing steel, pouring and finishing the foundation, on-site fabrication and assembly of parts, erecting the frame, installation of scaffolding, raising structural members by crane and welding or bolting them into place, and the installation, removal, service and/or repair of antennas, dish units and/or other transmitting/receiving apparatus to the structure. This classification also includes the delivery of material and supplies to the job site when done by employees of an employer having operations subject to this classification.

This classification excludes the felling of timber which is to be reported separately in the applicable logging classification; the preliminary clearing of land by a contractor who is not also excavating for the foundation which is to be reported separately in classification 0101; delivery of material to the site by employees of a material supplier or a common carrier which is to be reported separately in the applicable classification; and the construction of a control building or installation of a modular control building which is to be reported separately in the applicable construction classification.

***Special note*:** This classification does not allow the separate reporting of excavation or foundation work irrespective of who performs the work. This classification includes specialty contractors who install, remove, service or repair antennas, dish units and/or other transmitting/receiving apparatus to a structure covered by this classification.

0508-01 Smokestack: Construction or erection, dismantling, maintenance or repair

Applies to contractors engaged in the construction or erection, dismantling, maintenance or repair of iron, steel or concrete smokestacks. These structures are part of an industrial complex and facilitate the discharge of combustion vapors, gases, or smoke. Work contemplated by this classification includes, but is not limited to, clearing of land (if done by the excavation contractor), excavating for the foundation, the placement of forms, installation of reinforcing steel, pouring and finishing the foundation, on-site fabrication and assembly of parts, installation of scaffolding, raising segments into place with a crane and welding or bolting them into place. This classification includes the delivery of material and supplies to the job site and installation of any apparatus onto a structure covered by this classification when done by employees of an employer having operations subject to this classification.

This classification excludes the felling of timber which is to be reported separately in the applicable logging classification; the installation of machinery which is to be reported separately in classification 0603; preliminary clearing of land by a contractor who is not also excavating the foundation which is to be reported separately in classification 0101; delivery of material to the site by employees of a material supplier or a common carrier which is to be reported separately in the applicable classification; and the construction of a control building or installation of a modular control building which is to be reported separately in the applicable construction classification.

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Special note: This classification does not allow separate reporting of excavation or foundation work irrespective of who performs the work.

0508-02 Windmill and silo: Construction or erection, dismantling, maintenance or repair

Applies to contractors engaged in the construction or erection, dismantling, maintenance or repair of iron, steel or wood windmills or silos. Windmills use the force of wind passing around the rotor blades to turn turbines and produce electric power. These may be built individually or in groups known as "wind farms." Additional apparatus and storage batteries are housed in separate buildings nearby. Silos are large cylindrical structures used to store grain or fodder (silage). They are filled through the top by means of a conveyor. Within the structure, augers and pumps can move the grain to blend, aerate, or feed it out the chute. Work contemplated by this classification includes, but is not limited to, clearing of land (if done by the excavation contractor), excavating for the foundation, the placement of forms, installation of reinforcing steel, pouring and finishing the foundation, on-site fabrication and assembly of parts, erecting the frame, installation of scaffolding, raising structural members by crane and welding or bolting them into place. This classification includes the delivery of material and supplies to the job site and the installation of apparatus onto a structure covered by this classification when done by employees of an employer having operations subject to this classification.

This classification excludes the felling of timber which is to be reported separately in the applicable logging classification; the installation of machinery which is to be reported separately in classification 0603; the preliminary clearing of land by a contractor who is not also excavating for the foundation which is to be reported separately in classification 0101; delivery of material to the site by employees of a material supplier or a common carrier which is to be reported separately in the applicable classification; and the construction of a control building or installation of a modular control building which is to be reported separately in the applicable construction classification.

Special note: This classification does not allow the separate reporting of excavation or foundation work irrespective of who performs the work.

0508-03 Oil still or refinery: Construction or erection, dismantling, maintenance or repair

Applies to contractors engaged in the construction or erection, dismantling, maintenance or repair of oil stills or refineries. These facilities are basically composed of multistory storage tanks, chimneys, pipelines, separating apparatus and steam generating systems. They receive unprocessed petroleum (crude oil) and convert it into usable products such as gasoline, kerosene, wax, grease and chemical feed stocks. Work contemplated by this classification includes, but is not limited to, clearing of land (if done by the excavation contractor), excavating for the foundation, the placement of forms, installation of reinforcing steel, pouring and finishing the foundation and other concrete, on-site fabrication and assembly of parts, erecting framework, installation of scaffolding, raising structural members by crane and welding or bolting them into place. This classification includes the delivery of material and supplies to the job site and the installation of apparatus in an oil still or refinery when done by employees of an employer having operations subject to this classification.

This classification excludes the felling of timber which is to be reported separately in the applicable logging classification; the installation of machinery which is to be reported separately in classification 0603; preliminary clearing of land by a contractor who is not also excavating for the foundation which is to be reported separately in classification 0101; delivery of material to the site by employees of a material supplier or a common carrier which is to be reported separately in the applicable classification; and the construction of control or pump houses and other buildings not part of the main processing plant which is to be reported separately in the applicable construction classification.

Special note: This classification does not allow separate reporting of excavation or foundation work irrespective of who performs the work and plant maintenance contract work which is to be reported separately in classification 0603.

0508-04 Blast furnace and metal burners: Construction or erection, dismantling, maintenance or repair

Applies to contractors engaged in the construction or erection, dismantling, maintenance or repair of blast furnaces and metal burners. These are tall, very heavy gauge, cylindrical steel structures in which heated air and combustible fuels are combined to produce the heat necessary to separate the usable material in metal ores from the waste products. Work contemplated by this classification includes, but is not limited to, clearing of land (if done by the excavation contractor), excavating for the foundation, the placement of forms, installation of reinforcing steel, pouring and finishing the foundation, on-site fabrication and assembly of parts, erecting the frame, installation of scaffolding, installation of a brick lining, raising structural members by crane and welding or bolting into place. This classification includes the delivery of material and supplies to the job site and the installation of apparatus onto a structure covered by this classification when done by employees of an employer having operations subject to this classification.

This classification excludes the felling of timber which is to be reported separately in the applicable logging classification; the installation of machinery which is to be reported separately in classification 0603; the preliminary clearing of land by a contractor who is not also excavating for the foundation which is to be reported separately in classification 0101; delivery of material to the site by employees of a material supplier or a common carrier which is to be reported separately in the applicable classification; and the construction of additional buildings as part of an ore reduction or metal producing facility which is to be reported separately in the applicable construction classification.

Special note: This classification does not allow separate reporting of excavation or foundation contractors irrespective of who performs the work.

0508-08 Elevated railway, tram, lift or similar conveyances: Construction or erection, dismantling, maintenance or repair

Applies to contractors engaged in the construction or erection, dismantling, maintenance or repair of elevated railways, trams, lifts or similar conveyances. An elevated railway can be a full scale railroad or a smaller scale system such as a recreational monorail. For the purposes of this classification, trams are overhead cable cars, and lifts are similar to the typical ski lift. Work contemplated by this classification includes, but is not limited to, clearing of land (if done by the excavation contractor), excavating for the foundation, the placement of forms, installation of reinforcing steel, pouring and finishing the foundation, on-site fabrication and assembly of parts, erecting frames and supports (metal or concrete), installation of scaffolding, raising structural members by crane and welding or bolting them into place, and installing and securing tracks, cables or pulley systems. This classification includes the delivery of material and supplies to the job site and the installation of apparatus onto a structure covered by this classification when done by employees of an employer having operations subject to this classification.

This classification excludes the felling of timber which is to be reported separately in the applicable logging classification; the installation of machinery which is to be reported separately in classification 0603; the preliminary clearing of land by a contractor who is not also excavating for the foundation which is to be reported separately in classification 0101; delivery of material to the site by employees of a material supplier or a common carrier which is to be reported separately in the applicable classification; or the construction of a control building or installation of a modular control building which is to be reported separately in the applicable construction classification.

Special note: This classification does not allow separate reporting of excavation or foundation contractors irrespective of who performs the work.

0508-09 Exterior tanks, N.O.C.: Construction or erection, dismantling, maintenance or repair

Applies to contractors engaged in the construction or erection, dismantling, maintenance or repair of all types of exterior tanks not covered by another classification (N.O.C.). These tanks may be part of water storage and distribution systems, chemical or petroleum processing and storage operations, or other industrial applications. This classification includes the erection or construction of tanks that are elevated on structural piers and those that rest on the ground. These tanks may be constructed singly or in groups known as "tank farms" which are common to the petroleum industry. Work contemplated by this classification includes, but is not limited to, clearing of land (if done by the excavation contractor), excavating for the foundation, the placement of forms, installation of reinforcing steel, pouring and finishing the foundation, on-site fabrication and assembly of parts, erecting the frame, installation of scaffolding, and raising structural members by crane and welding or bolting them into place. This classification includes the delivery of material and supplies to the job site and installation of apparatus onto a structure covered by this classification when done by employees of an employer having operations subject to this classification.

This classification excludes the felling of timber which is to be reported separately in the applicable logging classification; the installation of machinery which is to be reported separately in classification 0603; the preliminary clearing of land by a contractor who is not also excavating for the foundation which is to be reported separately in classification 0101; delivery of material to the site by employees of a material supplier or a common carrier which is to be reported separately in the applicable classification; and the construction of a control building or installation of a modular control building which is to be reported separately in the applicable construction classification.

Special note: This classification does not allow separate reporting of excavation or foundation contractors irrespective of who performs the work.

0508-11 Crane or derrick: Installation, construction or erection, dismantling, maintenance or repair

Applies to contractors engaged in the installation, construction or erection, dismantling, maintenance or repair of nonmobile cranes and derricks for commerce and industrial use. Cranes and derricks can be very similar in that they are both defined as machines for hoisting and moving heavy objects through the use of stationary or movable booms equipped with cables. An object, sometimes weighing many tons, can be secured to the cables and moved into position along the length of a stationary boom or to another location within the reach of a movable boom. A derrick, however, can also be a permanent framework over an opening, such as an oil-drilling operation, to support boring equipment. The cranes included in this classification are those that are permanently installed at a marine port, cargo handling facility or an industrial facility to move supplies, cargo containers, or heavy objects (vertically or horizontally) that are being assembled and must pass through the length of a building to complete the process. Work contemplated by this classification includes, but is not limited to, the placement of forms and reinforcing steel for a foundation (in the case of some structures described above, the additional reinforcing required to support the crane is usually contemplated in the plan for the building's foundation where the crane is being anchored), on-site fabrication and assembly of parts, erecting the frame, installation of scaffolding, raising structural members by hoist and welding or bolting them into place. This classification includes the delivery of material and supplies to the job site and installation of apparatus onto a structure covered by this classification when done by employees of an employer having operations subject to this classification.

This classification excludes the operation of mobile cranes which is to be reported in classification 3506, the installation of machinery which is to be reported separately in classification 0603; the preliminary clearing of land by a contractor who is not also excavating for the foundation which is to be reported separately in classification 0101; and delivery of material to the site by employees of a material supplier or a common carrier which is to be reported separately in the applicable classification.

Special note: This classification does not allow separate reporting of excavation or foundation contractors irrespective of who performs the work.

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0508-12 Water cooling towers or structures - metal or wood: Construction or erection, dismantling, maintenance or repair

Applies to contractors engaged in the construction or erection, dismantling, maintenance or repair of metal or wood water cooling towers or vertical structures. These structures are usually part of an industrial complex in which water is used as a cooling element in a manufacturing process. The water, which absorbs heat from the machinery being cooled, can be circulated and reused after is has been channeled through a cooling tower to be chilled sufficiently. A common design allows the hot water to tumble down numerous open louvers or steps to lower its temperature. These towers are often composed of prefabricated parts which are delivered to the site and then assembled by bolting or welding together, then the necessary motors, pipes, fans and pumps are installed. Work contemplated by this classification includes, but is not limited to, clearing of land (if done by the excavation contractor), excavating for the foundation, the placement of forms, installation of reinforcing steel, pouring and finishing the foundation, on-site fabrication and assembly of parts, erecting the frame, installation of scaffolding, raising structural members by crane and welding, bolting or otherwise fastening them into place. This classification includes the delivery of material and supplies to the job site and installation of apparatus onto a structure covered by this classification when done by employees of an employer having operations subject to this classification.

This classification excludes the felling of timber which is to be reported separately in the applicable logging classification; the installation of machinery which is to be reported separately in classification 0603; the preliminary clearing of land by a contractor who is not also excavating for the foundation which is to be reported separately in classification 0101; delivery of material to the site by employees of a material supplier or a common carrier which is to be reported separately in the applicable classification; and the construction of other related buildings at the project site which is to be reported separately in the applicable construction classification.

***Special notes*:** This classification does not allow separate reporting of excavation or foundation irrespective of who performs the work. Construction of a water cooling structure that uses a horizontal rather than tower-like design is to be reported separately in classification 0518.

AMENDATORY SECTION (Amending WSR 99-18-068, filed 8/31/99, effective 10/1/99)

WAC 296-17-52108 Classification 0516.

0516-00 Building repair and carpentry, N.O.C.

Applies to contractors engaged in building repair and carpentry work, not covered by another classification (N.O.C.). This classification applies to carpentry-related framing work on concrete, brick and steel buildings, and to wood framed building renovation and remodeling projects where the structure is not being modified or altered. Typical projects include, but are not limited to: Interior building demolition ("strip outs") involving only the removal of interior walls, partitions and related construction materials; converting a room from one use to another, such as a bedroom to a study, or a garage to a family room; enlarging or changing the configuration of a room by removing or adding an interior wall; upgrading a kitchen or bathroom; or adding structures such as a wooden deck to an existing building, screening a porch, installing a wood patio cover, or assembling sheet metal tool or garden sheds. Contractors subject to this classification use a variety of dimensional lumber and wood products as well as metal fasteners (nails, screws and bolts), and metal reinforcing or support straps such as joist hangers and post brackets. Technological changes have produced new materials which are replacing wood and wood products. These materials include, but are not limited to, light weight metal studs and plastic and fiber reinforced boards. This classification includes the framing of private residences with light weight metal studs and the installation of earthquake tie downs on residential buildings. This classification also includes specialty service providers or contractors engaged in providing general repair services (handyman) on buildings and dwellings. Classification 0516-00 can be used for these businesses to simplify recordkeeping and reporting if they provide general carpentry work and at least two of the following types of *repair* work; electrical, plumbing, cabinet, interior alteration, painting, drywall, masonry, carpet/linoleum/laminate, glazing, or appliance repair.

This classification excludes roofing or roof work which is to be reported separately in classification 0507.

0516-01 Wood playground equipment: Installation and/or repair

Applies to contractors engaged in the installation and/or repair of wood playground equipment. Work contemplated by this classification begins after the area of land has been excavated and/or cleared and includes installing wood playground equipment at private residences and in public settings such as, but not limited to, schools, parks, day care centers, churches, and hotels. This classification usually includes a variety of playground equipment comprised of treated wood beams, poles, posts, and a variety of dimensional lumber used in building swings, forts, stationary and swinging bridges, balance beams, climbing towers, slides, and rope and tire walks. Generally, the process involves setting poles or posts with use of a post hole digger, backhoe or tractor equipped with an auger. The poles or posts may be set in concrete. Depending on the piece of equipment being built, use of beams, planks, dimensional lumber, rope, chains, tires, and metal bars or rings, are securely attached with nails, screws, bolts or eye hooks. This classification includes the building of borders surrounding the playground equipment area with beams or railroad ties and the spreading of pea gravel, sand or wood chips underneath the equipment.

This classification excludes the installation of metal playground equipment which is to be reported separately in classification 0603, and the excavation or clearing of land which is to be reported separately in classification 0101.

AMENDATORY SECTION (Amending WSR 99-18-068, filed 8/31/99, effective 10/1/99)

WAC 296-17-52109 Classification 0517.

0517-00 Factory built housing units: Set up by contractor or by employees of the manufacturer

Applies to the set up of factory built housing units such as mobile/manufactured homes, modular homes, or prefab cedar homes by contractors who work independently from a sales dealership or by employees of the manufacturer. This classification includes, but is not limited to, delivery of the factory built unit when performed by the set up contractor. The set up process includes placement of the unit or unit sections on blocks or foundations; joining the interior and exterior sections which may involve incidental placement of ridge cap, siding, trim boards, moldings, and interior seams; plumbing and electrical connections; and the installation of skirting, awnings or decks.

This classification excludes mobile home or factory built housing sales dealerships who set up and/or deliver the unit to a sales location or customer's site which are to be reported separately in classification 3415; the delivery of a mobile home or other factory built housing unit by a trucking service which is to be reported separately in classification 1102; the pouring of foundations; and/or the construction of nonstructural sheet metal patio covers/carports, garages or storage sheds regardless if performed by employees of the set up contractor or by another contractor which is to be reported separately in the applicable classification.

0517-01 Building raising, moving and underpinning

Applies to contractors engaged in raising, moving and underpinning buildings. Work contemplated by this classification includes a variety of services involving the change of a building's elevation, location or support structure including incidental shoring and removal or rebuilding of walls, foundations, columns or piers. Employees of the contractor responsible for the overall completion of the project are to be reported in this classification. *Underpinning* is a process to correct wall cracks, foundation settling or collapse of a building or structure. Generally, underpinning involves one of two methods. In the first method, earth around a foundation is removed to permit construction of a new foundation to replace the old one or to allow for the installation of subfoundations to support the existing earth. This would include masonry or concrete work, blasting (when required) and shoring of surrounding ground and building or structure to prevent cave-ins while foundation work is being performed. The second method deals with steel or wooden beams being inserted through a lower point of the building or structure. The beams are raised and supported by jacks until the foundation is relieved of some or all of its ground pressure. *Building raising or moving* is a process to change a building's position, either raised to a new elevation in place or moved to a new site, or both. Workers, subcontractors or utility companies will first disconnect all utilities from the building or structure to be moved. Workers will remove all detachable items and open foundation walls to allow metal or wood beams to be placed under the floor structure. Once beams are placed, hydraulic jacks are used to lift the building or structure clear of the old foundation high enough for a new foundation to be constructed, or high enough to allow the carrying vehicle (trailer) to be placed under the beams if it is to be moved. The trailer is moved along a previously graded and cleared path to the new location. The building or structure is then set down on a new foundation which is usually constructed by a separate contractor. Miscellaneous repair work is performed and utilities are reconnected.

This classification excludes contractors engaged in clearing paths, grading and excavation work who are to be reported separately in classification 0101; contractors who disconnect or hook-up underground gas, water or power lines who are to be reported separately in classification 0107; contractors who construct concrete foundations for wood frame or nonwood frame buildings who are to be reported separately in classification 0217, or in classification 0518 as applicable; and contractors engaged in the delivery and set up of factory built housing units who are to be reported separately in classification 0517.

AMENDATORY SECTION (Amending WSR 99-18-068, filed 8/31/99, effective 10/1/99)

WAC 296-17-52110 Classification 0518.

0518-00 Building construction, N.O.C.: Alterations and concrete construction, N.O.C.

Applies to contractors engaged in building construction, not covered by another classification (N.O.C.), including alterations. Work contemplated by this classification includes nonwood frame buildings and structures such as, but not limited to, waste treatment and waste disposal plants, fish hatcheries and stadiums in which the superstructure, skeleton framework, or building shell consists of concrete, iron or steel, or a combination of concrete, iron, steel and/or wood. This classification makes no distinction to the size of the structure or number of stories within the building and includes all concrete tilt-up buildings. Activities include, but are not limited to, the set up and tear down of forms, placement of reinforcing steel, rebar, or wire mesh, pouring and finishing concrete within the building or structure such as foundations, monolithic slabs, ground supported floor pads, precast or poured in place bearing floors or wall panels, columns, pillars, balconies, stairways, including the raising and/or standing of concrete tilt-up walls or precast floors and wall portions, and raising and securing metal frames or members into place using a crane or boom and securing by bolt, rivet or weld.

This classification excludes all other phases of construction which are not in connection with building the superstructure, skeleton framework, or building shell such as, but not limited to, site preparation and excavation which is to be reported separately in classification 0101; bridge or tunnel construction which is to be reported separately in classification 0201; pile driving which is to be reported separately in classification 0202; underground utilities and systems which is to be reported separately in the classification applicable to the work being performed; asphalt work which is to be reported separately in the classification applicable to the work being performed; concrete paving or flatwork not contained within the building which is to be reported separately in the classification applicable to the work being performed; new landscape construction which is to be reported separately in classification 0301; brick, block, granite, marble, slate or masonry work which is to be reported separately in classification 0302; plastering, stuccoing and lathing work

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which is to be reported separately in classification 0303; plumbing work which is to be reported separately in classification 0306; HVAC work which is to be reported separately in classification 0307; carpet and tile work which is to be reported separately in classification 0502; exterior painting which is to be reported separately in classification 0504; roof work which is to be reported separately in classification 0507; installation of glass panels, curtain walls or windows which is to be reported separately in classification 0511; installation of insulation, sound proofing or suspended acoustical ceilings which is to be reported separately in classification 0512; interior finish carpentry such as the installation of interior doors, cabinets, fixtures or molding which is to be reported separately in classification 0513; installation of overhead doors, garage doors which is to be reported separately in classification 0514; installation of exterior doors and door frames, interior framing and carpentry work which is to be reported separately in classification 0516; installation of sheet metal siding or gutter work which is to be reported separately in classification 0519; interior building painting which is to be reported separately in classification 0521; electrical work which is to be reported separately in classification 0601; the installation of elevators and elevator door bucks which is to be reported separately in classification 0602; new dam construction projects which are to be reported separately in classification 0701; wood frame buildings which are to be reported separately in classification 0510; sheet metal tool sheds which are to be reported separately in classification 0516; brick or block buildings which are to be reported separately in classification 0302 and wallboard installation, taping or texturing which are to be reported separately in the applicable classifications.

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0518-01 Metal carport: Erection

Applies to contractors engaged in the erection of metal carports such as those used for commercial parking lots. This classification includes raising and securing metal frames, members, or I-beams into place with a boom or crane and securing by bolt, rivet or weld.

This classification excludes the erection of nonstructural sheet metal patio cover/carports which is to be reported separately in classification 0519, and the erection of a wood carport which is to be reported separately in the applicable carpentry classification (see classification 0510 for additional information).

0518-02 Metal service station canopy: Erection

Applies to contractors engaged in the erection of metal service station canopies. Work contemplated by this classification includes, but is not limited to, raising and securing metal frames, members, or I-beams into place with a boom or crane and securing by bolt, rivet or weld.

This classification excludes the removal or installation of underground tanks which is to be reported separately in classification 0108, and the removal or installation of service station pumps which is to be reported separately in classification 0603.

0518-03 Building wrecking or demolition - iron, steel, concrete, or wood

Applies to contractors engaged in wrecking or demolishing iron, steel, concrete, or wood buildings or structures not covered by another classification. Work contemplated by this classification includes incidental sales of materials, burning or hauling away of debris, and incidental ground clearing activities at the site to permit other use of land. Wrecking and demolition involves barricading the site and walkways to keep nonconstruction workers out of the area to prevent possible injury to them. Guards, watchmen, and traffic controllers (flaggers) are on-site and in adjacent areas to keep work areas secure. Salvage of materials is usually done by hand. Loading of trucks with debris is by chute or front end loaders. Actual demolition of a building or structure is performed in a variety of ways, including dismantling board by board, by crane (pulling sections to the ground), by crane equipped with a steel ball which is swung from the boom of the crane, or by explosives. Employees of the contractor responsible for the overall completion of the project are to be reported in this classification.

This classification excludes security guards employed by contractors to guard the job site before or after the construction work activity hours who are to be reported separately in classification 6601; establishments primarily engaged in selling salvaged building materials which are to be reported separately in classification 2009; interior building demolition ("strip outs") which is to be reported separately in classification 0516; and all iron, steel, concrete, or wood building construction which is to be reported separately in the applicable classification.

AMENDATORY SECTION (Amending WSR 00-14-052, filed 7/1/00, effective 7/1/00)

WAC 296-17-527 Classification 0607.

0607-11 Household appliances: Installation, service and/or repair by nonstore service or repair company; dealers of used household appliances

Applies to establishments engaged in the installation, service and/or repair of electrical or gas household appliances and to dealers of used electrical or gas household appliances. Many establishments covered by this classification have small retail store operations where they offer reconditioned or second hand appliances for sale, a parts department, and an area where appliances brought into the shop are repaired. Although this classification deals primarily with service away from the shop, the store, parts department and shop operations are included within the scope of this classification. The term "household appliances" includes, but is not limited to, stoves, ovens, ranges, dishwashers, refrigerators, trash compactors, television sets, residential type garage door openers, washing machines, and clothes dryers. This classification also applies to the installation, service or repair of automated teller machines. Repair services provided by establishments subject to this classification may also include related smaller appliances such as video players, portable television sets, stereo systems, microwave and toaster ovens, blenders, coffee makers and mixers. The *servicing* of water softening systems, coffee and juice machines, and beer taps is also included in this classification.

This classification excludes dealers of new household appliances who are to be reported separately in classification 6306; installation, service, and/or repair of commercial appli-

ances such as those used in laundries, bakeries, and restaurants which is to be reported separately in classification 0603; installation, service, and repair of commercial garage doors and openers which is to be reported separately in classification 0603; installation of water softening systems which is to be reported separately in classification 0306; and small table top or counter top appliance stores which are to be reported separately in classification 6406.

Special note: Classification 0607 is distinguishable from classification 6306-02 operations in that appliance stores covered in classification 6306-02 are engaged primarily in the sales of new appliances. Although classification 6306 includes repair of appliances, most repairs are related to warranty work and represent a minor part of the business. By contrast, the repair of appliances in classification 0607 is the primary activity of the business.

0607-16 Television antenna or satellite dish: Installation, removal, service and/or repair

Applies to establishments engaged in the installation, removal, service and/or repair of television antennas or satellite dish receiving units. Operations contemplated by this classification are limited to rooftop installation of television antennas or ground or rooftop-mounted satellite dish reception units. Establishments covered by this classification will generally employ technicians and installers to install systems and trouble shoot reception problems. Equipment is limited primarily to delivery trucks, vans, ladders, and small power and/or hand tools.

This classification excludes specialty contractors who install, remove, service or repair antennas, dish units, and/or other transmitting/receiving apparatus to a structure covered by classification 0508, who are to be reported separately in classification 0508; and establishments engaged in the sale of new console type and big screen televisions who also sell and install antennas which are to be reported separately in classification 6306.

0607-17A Safes or vaults, private mail boxes, or safe deposit boxes: Installation, removal, service and/or repair

Applies to contractors engaged in the installation, removal, service and/or repair of all types of safes or vaults regardless of size or application, private mail or postal boxes, or safe deposit box units within buildings. Safes and vaults are found in businesses such as, but not limited to, banks, jewelry stores, rare coin and stamp stores, grocery stores, and gasoline service stations, as well as in private residences. Services contemplated by this classification include, but are not limited to, safe opening services.

0607-17B Lock sets and/or dead bolt locks: New installation

Applies to the *new installation* of lock sets and/or dead bolt locks on buildings or structures by contractor or by employees of a locksmith. The term new installation applies to installing a lock set (locking doorknob) or a dead bolt where none previously existed. The process consists of measuring and marking where the unit is to be placed on the door, boring holes into the door to accept the lock set or dead bolt lock, and installing the lock set unit using a power drill and basic hand tools.

This classification excludes the installation of a *replacement* lock set or dead bolt lock unit by employees of a locksmith, and locksmith store operations which are to be reported separately in classification 6309.

0607-18A Window/door blinds, shades, curtains and drapes: Installation

Applies to contractors and employees of store operations who are engaged in the installation of indoor or outdoor window coverings, such as, but not limited to, blinds, shades, screens, exterior roll shutters and draperies or curtains, but does not include awnings. The process consists of marking the location of covering on the frame or opening, securing brackets or hardware, rods and poles, and installing the covering.

This classification excludes the installation of window and door awnings which is to be reported separately in the applicable classification, and the manufacture of coverings which is to be reported in the applicable classification.

Special note: Care should be taken when considering the assignment of a store classification to an establishment engaged in the installation of coverings to verify that a store exists. It is common for establishments subject to this classification to have show rooms to help customers visualize covering products available for sale. These establishments have little or no product available for immediate sale, as most items are special order from the manufacturer. A bona fide window/door covering store will have a large assortment of coverings, as well as related home interior products such as, but not limited to, pillows, small rugs, and accent pieces, readily available for sale to customers.

0607-19 Advertising or merchandise display: Set up or removal within buildings by nonstore employees

Applies to contractors engaged in the set up or removal of advertising or merchandise displays within buildings for retail or wholesale store customers. Operations contemplated by this classification will vary from seasonal panoramas with extensive carpentry, painting, and art work to dressing mannequins to be displayed in store windows. ((~~Classification 0607 also includes employees of a manufacturer and manufacturer's representatives who are involved in the setting up of these displays.~~))

This classification also applies to establishments engaged in providing merchandising services N.O.C. for certain products without the responsibility of delivering them to the customer's place of business. Customers of these types of services are generally retail businesses assigned classifications 6304, 6305, or 6406 such as, but not limited to, gift, variety or department stores, dry goods stores, drug stores, news stands, book or video stores, and cosmetic stores. Merchandising services contemplated by this classification include, but are not limited to, taking inventory of goods on hand, restocking, reordering, removing outdated or damaged merchandise from shelves, and/or assembling temporary displays.

This classification excludes employees of store operations engaged in setting up displays who are to be reported separately in the applicable store classification as this is a common store activity, and merchandising establishments or employees who deliver products to their customer's place of

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business, and may also perform related merchandising functions, who are to be reported separately in classification 1101.

Special note: The distinguishing factor between merchandising employees who may be reported in this classification and those who are to be reported in classification 1101-17 is the delivery of products to the customer's place of business. Any employee who delivers merchandise to the customer's place of business is to be reported in classification 1101.

0607-21 Meat slicer or grinder: Installation, service and/or repair

Applies to contractors and employees of equipment manufacturers engaged in the installation service and/or repair of meat cutting, slicing, or grinding equipment within stores, restaurants, or processing plants. Repair may be performed at the customer's location or in a shop operated by an employer subject to this classification. This classification includes repair shops, field technicians, installers, and warehouse or parts department employees.

Special note: Establishments subject to this classification generally do not have store operations. Equipment is generally ordered from the manufacturer or distributor and shipped to the customer's location where it will be installed. In the event that an establishment subject to this classification has a store operation it is included within classification 0607.

0607-22 Protective bumpers: Installation

Applies to contractors engaged in the installation of protective bumpers on structures such as, but not limited to, store loading docks for freight or cargo. Operations contemplated by this classification are limited to measuring the dock to be fitted with a rubber bumper, finish cutting or otherwise fabricating the rubber pieces to fit the required application, and fastening the dock bumper with the use of hand tools. Dock bumpers are made of rubber from recycled tires or similar pliable materials.

This classification excludes the manufacture of loading dock bumpers which is to be reported separately in the applicable manufacturing classification.

0607-23 Cellular phone systems or audio components: Installation in vehicles, service and repair

Applies to establishments engaged in the installation of cellular phone systems and/or audio components in vehicles. Audio components include, but are not limited to, radios and stereo systems, speakers and amplifiers, alarm systems, television units, antennas, two-way radio systems. This classification applies to installation employees of stores that sell products as well as to auto service centers that specialize in the installation of products covered by this classification.

This classification excludes retail and wholesale store operations which are to be reported separately in the applicable store classification.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-536 Classification 1101.

1101-04 Automobile delivery or repossessing

Applies to establishments engaged in delivering or repossessing individual automobiles for others. Generally, a client will contact the service company and arrange for a car to be delivered to a specific destination or request that a car of which they (client) is the legal owner, be repossessed and delivered to a specific location. In either case, a driver, not a motorized transportation service, does the delivery. Duties of employees subject to this classification are generally limited to unlocking vehicles and driving. It is common on long distance deliveries for the service company to use more than one driver. This classification also applies to drivers of sound trucks.

This classification excludes operation of tractor/trailer combinations to transport vehicles which is to be reported separately in classification 1102 or classification 1109, depending on the method of transporting.

1101-06 Delivery by retail and wholesale stores and distributors, N.O.C.

Applies to employees of retail and wholesale stores engaged in inter-store delivery, customer merchandise delivery when excluded from the store classification, and delivery not covered by another classification (N.O.C.). Employees subject to this classification are generally involved in loading and unloading delivery vans or trucks and driving from store to store, or from a store to a customer's location. Drivers may or may not have designated routes or delivery areas. This classification is not applicable to establishments engaged in general trucking services which are to be reported separately in classification 1102. Classification 1101 is distinguishable from delivery operations reported in classification 1102 in that businesses covered by classification 1102 generally do not own the merchandise they are transporting.

1101-09 Parcel delivery companies for delivery of small parcels

Applies to establishments engaged in the delivery of small parcels for others. Establishments subject to this classification may offer overnight express services, but usually do not deliver packages that exceed 150 pounds. Work contemplated by this classification includes, but is not limited to, driving, loading and unloading delivery vehicles. This classification also applies to contract mail delivery route drivers and contract hauling of mail between post offices.

This classification excludes the delivery of bulk freight such as that delivered by trucking companies which are to be reported separately in classification 1102.

1101-14 News agents or distributors of magazines, periodicals and telephone books - no retail dealers

Applies to establishments engaged in the distribution of newspapers, periodicals, and telephone books. Work contemplated by this classification includes, but is not limited to, driving, loading and unloading the vehicles, stocking shelves, and removing old periodicals from shelves.

1101-17 Driver delivery sales, N.O.C.

Applies to establishments engaged in route sales of a wide variety of merchandise not covered by another classification (N.O.C.), including, but not limited to, hand tools, automotive supply, and household items((~~, used clothing, snack foods (such as potato chips), dairy products, greeting~~

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~~cards, over-the-counter medications, grooming products, and pamphlets~~)). Sales personnel ((~~drive company vehicles to deliver products which have been previously ordered and, while at the customer's location, solicit further orders, remove outdated merchandise, and restock shelves or displays~~)) deliver products, show samples and solicit further orders. They may also call on new customers along their route. The classification also applies to establishments or employees known as merchandisers who ((~~travel~~)) deliver products to their customer's place of business ((~~and remove outdated merchandise from shelves and restock with new products~~)) then perform related merchandising functions such as taking inventory of goods on hand, restocking, reordering, removing outdated or damaged merchandise from shelves or the premises, and/or assembling temporary displays which are usually made of lightweight material such as cardboard or plastic and used for promotional or seasonal goods. These merchandisers often deal in products such as, but not limited to, greeting cards, over-the-counter medications, and grooming products.

This classification excludes employees of establishments who provide merchandising services, but who do not deliver products to the customer's place of business, who may be reported separately in classification 0607; and establishments engaged in the set up or removal of advertising or merchandise displays that involve more than incidental assembly of seasonal or promotional exhibits which are to be reported separately in classification 0607.

Special note: The distinguishing factor between merchandising employees who are to be reported in classification 1101-17 and those who may be reported in classification 0607 is the delivery of products to the customer's place of business. Any employee who delivers merchandise to the customer's place of business is to be reported in classification 1101.

1101-19 Route food services

Applies to establishments engaged in route food services where prepackaged, prepared food is sold, or where food may be prepared in the mobile unit for immediate sale by employees of the route food service. Duties include, but are not limited to, driving, food preparation, loading and unloading the vehicle, and cashiering. Typical route food services include, but are not limited to, traveling coaches that sell beverages and prepared pastries or snack items at various locations during a given work day, ice cream wagons, refrigerated trucks that sell specialty prepackaged foods to route customers, or mobile "short-order" food services that sell fast foods at special events or at locations where hot food may not be available.

This classification excludes food preparation at a fixed location for the route food vehicles which may be reported separately in classification 3905 or as applicable.

1101-20 Computer tape or accounting records delivery service

Applies to establishments engaged in picking up and delivering computer tape, accounting records, or similar financial records to or from storage centers to customer locations. Delivery drivers in this classification often work in metropolitan areas and drive small cars or bicycles.

1101-21 Errand service

Applies to establishments engaged in providing errand services for others. Types of errands include, but are not limited to, shopping services, delivery of food, beverages or other commodities, and delivery of body fluid samples to laboratories. Vehicles used by these services are typically small cars or bicycles. This classification also applies to the distribution of sample merchandise by vehicle.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-538 Classification 1103.

1103-00 Coal and solid fuel dealers - yard operations

Applies to establishments engaged in the sale and delivery of coal, pressed wood fiber logs (fire logs), wood stove pellets, wood chips, and sawdust. Operations contemplated by this classification include all related store, yard and delivery operations when conducted by employees of employers having operations subject to this classification.

This classification excludes all manufacturing operations which are to be reported separately in the classification applicable to the material and process used, and all mining operations which are to be reported separately in the applicable classification.

1103-02 Firewood dealers - yard operations

Applies to establishments engaged in the sale of firewood. This classification is limited to establishments operating a firewood sales lot where customers either pick up firewood or the dealer will makes deliveries from. Operations contemplated by this classification are limited to yard and delivery operations.

This classification excludes firewood cutting operations conducted in timber or forest lands and firewood sales lots conducted from a logging landing which are both to be reported separately in the applicable logging classification.

Special note: Establishments subject to this classification may purchase precut firewood from other nonrelated businesses or may have a cutting crew. The only cutting operations allowed in classification 1103 are those conducted in the sales lot.

1103-04 Composting

Applies to establishments engaged in composting yard waste or other materials. Depending on the type of yard waste accepted, grinders may be used to reduce the size of the material for faster composting. Once the material is an acceptable size for composting, it may be placed in static curing piles, turned periodically to aerate until it is adequately decomposed, then sometimes screened. Another method of curing is to place the waste material in long rows, called "windrows" which are turned periodically. Other establishments, either operated privately or by municipalities, may use processed and dewatered sludge which is mixed with other materials such as shredded yard waste, sawdust, or other wood waste. The mixture must be designed to have the right degree of moisture and air to maintain a temperature of between 130 and 160 degrees Fahrenheit. The end product, in either instance, is a "Class A" pathogen product, meaning it can be used in soil for raising vegetables and is referred to

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as "manufactured" soil. This classification includes delivery when performed by employees of an employer having operations subject to this classification.

1103-05 Pallet recycle service - yard operations

Applies to establishments engaged in the sale and/or repair of used wood pallets to others. Operations contemplated by this classification are limited to the pick up of discarded used pallets from stores, warehouses, or other facilities, transporting of pallets to the establishment's sorting and storage yard where they are sorted by grade and size, reloading of pallets onto trucks, and delivery of pallets to customers.

This classification excludes all pallet repair activities which are to be reported separately in classification 2903.

1103-06 Top soil, humus, peat and beauty bark dealers - yard operations

Applies to establishments engaged in the sale of soils, humus, peat, and beauty bark to others. Operations contemplated by this classification are limited to the receipt of soils, peat, humus, bark and compost in bulk and the subsequent load out of bark, soil and related organic matter into customer vehicles. This classification includes custom mixing soils, incidental sales of landscaping rock, sand, gravel, and crushed rock, and delivery when performed by employees of an employer subject to this classification.

This classification excludes contract delivery by non-dealer employees who are to be reported separately in classification 1102, and digging of soils/humus/peat/gravel or grinding of bark which are to be reported separately in the applicable classification.

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AMENDATORY SECTION (Amending WSR 00-14-052, filed 7/1/00, effective 7/1/00)

WAC 296-17-544 Classification 1404.

1404-06 Vessels, ferries, tugs, and steamboats, N.O.C.

Applies to employees not covered under federal jurisdiction, or another classification (N.O.C.), who provide services for seaworthy vessels such as ferries, tugs, or steamboats at the docking site or on adjacent land. Vessels may operate seasonal or year-round. Employments include, but are not limited to, dock workers, maintenance workers, traffic control personnel, and night security personnel.

***Special note*:** Care should be exercised prior to assignment of this classification as the workers could be subject to federal laws covered by the Jones Act or by the U.S. Longshore and Harbor Workers Act. A detailed description of these acts can be found in classifications 0104 or 0202.

1404-07 Train rides

Applies to establishments engaged in the operation of passenger excursion train rides for scenic or amusement purposes on an intrastate basis only. Excursion train rides are typically operated from a mountain, lake or similar site. The trains may operate on a seasonal basis in direct relation to the volume of tourists, weather conditions, or dates of local celebration. Employments in this classification include, but are not limited to, drivers/engineers, guides, lecturers, hostesses, and maintenance personnel. Ticket sellers may be reported separately in classification 4904 provided that they do not handle baggage and that the conditions of the standard exception general reporting rules have been met. On-board food service personnel may be reported separately in classification 3905 as long as their duties are limited to food service and they do not facilitate the train ride or train ride operation in any way.

1404-11 Escort and pilot cars

Applies to establishments that provide escort or pilot car services for others. The duties include driving ahead of, or behind, various types of vehicles.

This classification excludes employees of an employer assigned to drive escort or pilot cars in connection with the delivery of equipment, buildings, goods, or similar items which the employer sells or contracts to deliver. Such employment is to be reported separately in the classification applicable to sales or delivery of such items. For example, an escort driver employed by a common carrier transporting a modular home to a customer's site is to be reported separately in classification 1102.

1404-12 Cabulance and paratransit

Applies exclusively to establishments that provide on-demand, nonemergency transportation services to passengers with special needs. Vehicles used are usually vans that are equipped for accessibility to accommodate passengers with mobility limitations including passengers in wheelchairs or gurneys. Work contemplated by this classification includes, but is not limited to, operation of the vehicle, assisting passengers in and out of the vehicle, and maintenance/repair of the vehicle when performed by employees of an employer subject to this classification.

This classification excludes: Cabulance services offered in conjunction with a taxi service which are to be reported separately in classification 1401, cabulance services offered in conjunction with an ambulance service which are to be reported separately in classification 1405, paratransit services offered in conjunction with a municipal bus or transit system which are to be included in classification 0803 or 1501 as appropriate, ambulance services which are to be reported separately in classification 1405, limousine drivers who are to be reported separately in classification 6301, and dispatchers with no other duties who are to be reported separately in classification 4904.

***Special note*:** Care should be exercised in determining what type of cabulance service is being provided. This classification *is not to be* assigned when provided as an incidental part of a taxi cab service subject to classification 1401. A cabulance service as defined in this rule will need a specialized van or bus to transport passengers as opposed to a passenger automobile that is not equipped to accommodate special mobility needs, and whereby the transportation service has been prearranged. ((~~For purposes of this subclassification, paratransit businesses reporting under classification 1405-00 are not required to report in this subclassification until January 1, 2001.~~))

AMENDATORY SECTION (Amending WSR 00-14-052, filed 7/1/00, effective 7/1/00)

WAC 296-17-57001 Classification 2907.

2907-00 Wood cabinet, countertop, and fixture: Manufacturing, modifying or assembly

Applies to establishments engaged in the manufacture, modification, or assembly of wood cabinets, countertops, and fixtures. Cabinetry work contemplated by this classification includes, but is not limited to, manufacturing custom or modular cabinets, assembling prefabricated modular cabinet components, refacing existing cabinets and replacing hardware, and modifying the dimension or design of modular cabinets. Manufacturing countertops includes fabricating the core or sub top in addition to laying the plastic laminate, polyester overlay or tile when performed in the shop by employees of employers subject to this classification. Finishing that is subcontracted out to a prefinishing contractor or performed by the general or specialty construction contractor at the job site is to be reported in the classification applicable to the work being performed. Finish work, including staining, lamination, and the attachment of hardware, is included in classification 2907-00 when performed by employees of an employer subject to this classification. Fixture manufacturing includes built-in store, office, restaurant, bank and residential fixtures such as, but not limited to, showcases, display cases, end aisles, display pedestals, shelving, partitions, racks, closet organizers, bookshelves, work stations, credenzas, podiums, wall units, china hutches, entertainment centers, cashier cubicles, check-out counters, and curio cabinets. The wiring of fixtures for electrical fittings, and the cutting and fitting of plastic laminates, glass, mirrors, or metal trim, when performed in the shop, is included as an integral function of the manufacturing process encompassed within this classification. Raw materials include, but are not limited to, dimensional lumber, plywood, veneer, particleboard, plastic laminates, polyester overlays, sheet rock, slot wall dowels, hardware, mirrors, metal trim, electrical hardware, carpet, upholstery fabric, stain, paint, lacquer or glue. Machinery includes, but is not limited to, table, panel, radial arm, cut-off, chop, rip, band, and miter saws, wide belt sanders, edge sanders, hand finish jointers, mortises, tenoners, drill presses, hand drills, boring machines, edge banders, dowel machines, glue spreaders, face framing machines, pneumatic nail, screw and staple guns, air compressors, spray guns, forklifts, pallet jackets, and dust collectors. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification. Lumber yards, building material dealers, or general construction contractors that maintain a separate woodworking shop for manufacturing, assembling cabinets, and fixtures are subject to this classification for the woodworking operations, in addition to any other basic classification applicable to their business.

This classification excludes the installation of countertops only which is to be reported separately in classification 0502, the installation of cabinets, countertops, and fixtures which is to be reported separately in classification 0513; the manufacture of wood furniture and caskets which is to be reported separately in classification 2905; the manufacture of metal cabinets which is to be reported separately in classification 3404; lumber remanufacturing which is to be reported separately in classification 2903; veneer manufacturing which is to be reported separately in classification 2904; and sawmill operations which are to be reported separately in classification 1002.

Special note: Establishments primarily engaged in the manufacture of cabinets, countertops and fixtures, may make other wood products such as doors, windows, moldings, and/or furniture as an incidental activity to the main business. The manufacture of these incidental products is included within the scope of classification 2907-00. Furniture is generally moveable and unsecured. Fixtures are usually secured, stationary, permanently built-in objects. Even though some fixtures may be secured to a wall or floor, they are not intended to be relocated, unlike furniture which is frequently and more easily arranged.

AMENDATORY SECTION (Amending WSR 00-14-052, filed 7/1/00, effective 7/1/00)

WAC 296-17-583 Classification 3406.

3406-00 Automotive or truck gas service stations, N.O.C.; Lube and oil change specialists, and mobile lube and oil services

Applies to establishments operating full service gasoline or diesel service stations not covered by another classification (N.O.C.) ((~~and includes lube and oil change specialists and mobile lube and oil services~~)). Full service includes, but is not limited to, pumping gas for customers, replacing wiper blades, checking and/or filling the fluid levels (oil, transmission, wiper wash and antifreeze), and adding air to the tires. The repairs included in this classification are oil and filter changes, tune-ups, replacement of brakes, front end alignments and the repair or replacement of tires. This classification includes cashiers.

This also applies to establishments engaged exclusively in preventive automotive maintenance, such as, but not limited to, changing oil and oil filters, lubing chassis, checking and/or filling fluid levels, replacing wiper blades, adding air to tires, and checking and/or replacing belts, hoses, and filters.

This classification excludes portable automobile or truck car washes which are to be reported separately in classification 6602; establishments engaged in automobile or truck repair services and tune up specialists which are to be reported separately in classification 3411; establishments engaged in the service or repair of machinery or equipment N.O.C. which are to be reported separately in classification 6409; self-service gas stations which are to be reported separately in classification 3409; and convenience grocery stores or mini-markets with self-service gasoline operations which are to be reported separately in classification 3410.

3406-01 Automobile or truck storage garages

Applies to establishments operating automobile or truck storage garages. Generally, these types of storage garages consist of an enclosed structure and usually with more than one level of parking. Storage garages may provide additional incidental services such as, but not limited to, gasoline, tune-

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ups, washing and waxing services, as well as cashiers and full time attendants or security personnel.

This classification excludes portable automobile or truck car washes which are to be reported separately in classification 6602; establishments providing parking lot services which are to be reported separately in classification 6704; automobile or truck repair services which are to be reported separately in classification 3411; establishments engaged in the service or repair of machinery or equipment N.O.C. which are to be reported separately in classification 6409; self-service gas stations which are to be reported separately in classification 3409; and full service gas station services which are to be reported separately in classification 3406-00.

Special note: Storage garages applicable to this classification are distinguishable from parking lots in classification 6704 in that parking lots usually are not an enclosed structure, and they do not provide service to automobiles.

3406-04 Automobile or truck - detailing by contractor; glass tinting

Applies to establishments engaged in providing automobile or truck detailing services and to establishments engaged solely in tinting glass in automobiles. Detailing services involve complete, in-depth cleaning of exteriors and interiors such as, but not limited to, washing, waxing, polishing, buffing, vacuuming or otherwise cleaning the auto bodies, chrome work, tires, hub caps, windows, mirrors, carpets and seats and may also involve tinting glass. This classification includes cashiers.

This classification excludes portable automobile or truck car washes which are to be reported separately in classification 6602; tinting of automobile or truck window glass performed by a glass dealer which is to be reported separately in classification 1108; glass tinting or the application of tinted plastic film to glass windows and doors in buildings which are to be reported separately in classification 0511; detailing performed in connection with automobile or truck dealers, service centers or repair garages which are to be reported separately in classification 3411; detailing performed in connection with automobile or truck body and fender repair shops which are to be reported separately in classification 3412; detailing performed in connection with establishments engaged in the service or repair of machinery or equipment, N.O.C. which is to be reported separately in classification 6409; and detailing performed in connection with full service gas stations which are to be reported separately in classification 3406-00.

3406-05 Automobile or truck car washes

Applies to establishments providing automobile or truck washing services. This classification includes the exterior washing, waxing, polishing or buffing, cleaning of chrome and tires, and the interior cleaning of windows, carpets, dash and seats. These services may be performed at a coin operated self-service unit, or at a full service automatic unit where the vehicle is conveyed through the line assisted by attendants. This classification includes cashiers and the sale of accessory items such as, but not limited to, bottled car care products, air fresheners, floor mats, beverages and snack foods.

This classification excludes portable automobile or truck car washes which are to be reported separately in classification 6602; washing services performed in connection with automobile or truck dealers, services centers or repair garages which are to be reported separately in classification 3411; washing services performed in connection with automobile or truck body and fender repair shops which are to be reported separately in classification 3412; washing services performed in connection with establishments engaged in the service or repair of machinery or equipment, N.O.C. which are to be reported separately in classification 6409; washing services performed in connection with full service gas stations which are to be reported separately in classification 3406; washing services performed in connection with self-service gasoline operations which are to be reported separately in classification 3409; and washing services performed in connection with convenience stores that have self-service gasoline operations which are to be reported separately in classification 3410.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-594 Classification 3602.

3602-01 Electrical, telegraph or radio component, telephone set: Manufacture, assembly, or repair

Applies to establishments engaged in the manufacture, assembly, or repair of components related to the telegraph, electrical, radio or telephone industry. Component parts may be for items such as, but not limited to, radio or television sets, hearing aids, transformers, coils, condensers, switches, antennae, phones, speaker units, dials, rheostats, plugs, arrestors, resistors, and electrical control relays, circuit breakers, or other parts necessary to accomplish radio, electrical, telegraph or telephone communication. Materials include, but are not limited to, metal, plastic, and wood used for the outside casings, and component parts. Some establishments in this classification manufacture the casings and the internal components. Other establishments in this classification assemble the ready-made parts with air and hand tools such as, but not limited to, drill presses, solder guns, or saws. Internal parts are usually assembled simply by clamping circuit boards in place, then soldering small pieces together. This classification includes engineers, research and laboratory personnel employed by establishments having operations subject to this classification. This is a shop or plant only classification. Repair work when specified is limited to work performed at the shop or plant.

This classification excludes all outside repair work which is to be reported separately in the applicable services classification; and the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

3602-02 Instrument - scientific, medical, or professional: Manufacturing; magnetic tape: Manufacturing

Applies to establishments engaged in the manufacture of instruments used in medical, scientific, or professional applications. This classification also applies to establishments

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engaged in the manufacture of magnetic tapes. Instruments in this classification range widely in shape and size; they include, but are not limited to, dental or surgical instruments, microscopes or other scientific testing or research instruments, surveyors' instruments, and electrical testing instruments. Materials include, but are not limited to, metal, glass, plastic, or wood for casings, and component parts. Processes vary depending upon the product being produced, and could involve some stamping, machining, and heat-treating. However, component parts are usually manufactured by others, and establishments in this classification perform a substantial amount of hand assembling, inspecting, testing, and packaging operations. This is a shop or plant only classification. Repair work when specified is limited to work performed at the shop or plant.

This classification excludes all outside repair work which is to be reported separately in the applicable services classification, and the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

3602-03 Sound recording equipment: Manufacturing

Applies to establishments engaged in the manufacture of sound recording equipment. Establishments in this classification may manufacture all or some equipment such as instruments for measuring sounds, and generators (for producing sounds), filters or modulators (for processing sounds), magnetic or tape recorders (for storing sounds), and speakers (for reproducing sounds). Materials include, but are not limited to, metal, glass, plastic, or wood for casings, clamps, glue or epoxy, and component parts. Components may be produced by the manufacturer or purchased from others and assembled. The assembly may be partially or wholly automated. Machinery includes, but is not limited to, shears, drill presses, grinders, soldering guns, welding equipment, and air or hand tools. There may be inspection areas and sound testing rooms. This is a shop or plant only classification. Repair work when specified is limited to work performed at the shop or plant.

This classification excludes all outside repair work which is to be reported separately in the applicable services classification, and the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

3602-04 Thermometer and steam gauge: Manufacturing

Applies to establishments engaged in the manufacture of thermometers and/or steam gauges. The most common type of thermometer is a mercury thermometer which consists of a capillary tube that is sealed at its upper end and is enlarged into a spherical or cylindrical bulb at its lower end. This bulb is filled with mercury and mounted on a thin metal or plastic sheet. The manufacturers of steam gauges may simply assemble component parts with hand tools, test, and package them. This is a shop or plant only classification. Repair work when specified is limited to work performed at the shop or plant.

This classification excludes all outside repair work which is to be reported separately in the applicable services classification, and the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

3602-05 Dental laboratories

Applies to establishments engaged in the manufacture of dentures, artificial teeth, braces, and retainers. These types of establishments are generally referred to as dental laboratories. The manufacture of these items involves precision work with castings, plastic or vinyl molding, and light wire forming. In the state of Washington dental laboratories can fit patients for dentures, in addition to making the denture which is included when performed by employees of employers subject to this classification. This is a shop only classification. Repair work when specified is limited to work performed at the shop.

This classification excludes all outside repair work which is to be reported separately in the applicable services classification, and the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

3602-06 Jewelry: Manufacturing or engraving; trophy assembly or engraving

Applies to establishments engaged in the manufacture or engraving of jewelry, such as, but not limited to, rings, bracelets, necklaces, earrings, watchbands, pins, broaches, and cigarette lighters. Jewelry manufacturing or engraving involves working with precious metal and/or stones. Operations usually include polishing, buffing, drilling, and assembly, mixing and melting alloys and metals, then pouring the mixture into small casts. This classification also applies to establishments engaged in assembling or engraving trophies on a production basis. For purposes of this classification, assembly means making trophies from premanufactured components purchased from others. The engraving may be done by "etching" or by computer. In the etching method, patterns or lettering is cut into a metal strip that is coated with a solution resistant to etching acids. The metal strip is treated with etching acids that "melt away" the uncoated portion of metal, leaving an impression of the design. Computerized engraving is done by keying the designs or letters into the computer; the designs are transmitted to an "arm" on the computer which "draws" (engraves) them onto the metal plate. This is a shop or plant only classification. Repair work when specified is limited to work performed at the shop or plant.

This classification excludes all outside repair work which is to be reported separately in the applicable services classification; the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used; and establishments engaged in the manufacture of watches which are to be reported separately in classification 3602-09.

Special note: This classification is for manufacturers engaged in the mass production of jewelry items and is distinguishable from jewelry stores reported in classification 6308 who produce custom, one-of-a-kind pieces on a special order basis. Trophy stores in classification 6308 may assemble

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components to make custom trophies, or engrave plaques for the trophies they sell. Assembly and engraving that is incidental to their retail sales operation is included in their store classification.

3602-07 Electronic parts: Assembly

Applies to establishments engaged in the assembly of electronic parts which are usually sold to other manufacturers. They may have automated/robotics assembly lines for all or part of the processes. In manual operations, small parts are soldered, chipped, riveted, or screwed into place with hand tools such as, but not limited to, soldering guns, riveters, drills, screw drivers, or water jets. This classification also applies to establishments engaged in the manufacture or assembly of computers and the manufacture of dry cell (flashlight type) batteries. This is a shop or plant only classification. Repair work when specified is limited to work performed at the shop or plant.

This classification excludes all outside repair work which is to be reported separately in the applicable services classification, and the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

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3602-08 Electrical/electronic ignition assembly, cord set, or radio set: Assembly

Applies to establishments engaged in the assembly of electrical/electronic ignition assemblies, cord sets, and radio set components. An ignition assembly is a switching component that allows an electrical circuit to be completed in order to start a piece of machinery or equipment. Electrical cord sets are the portion of wiring found on appliances and tools that plug into electrical power sources. A radio set is comprised of an input circuit for tuning in to the frequencies of the various transmitters to be received, the demodulation circuit for separating the audio-frequency from the high-frequency carrier, a low-frequency amplifier stage, and the loudspeaker. The amplifier elements are transistors supplied with the necessary operating voltages. Establishments in this classification usually assemble radio component parts and circuit boards that are manufactured by others. The assembly is accomplished by soldering, clipping, riveting, and welding the parts into place. This is a shop or plant only classification. Repair work when specified is limited to work performed at the shop or plant.

This classification excludes all outside repair work which is to be reported separately in the applicable services classification, and the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

3602-09 Watch: Manufacturing

Applies to establishments engaged in the manufacture of watches. The component parts are usually mass produced on an assembly line. Watch cases are usually made from sheet metal or plastic; watch faces are made from plastic or glass. The internal works are very small gears or springs and/or computer chips. The face may have hands and a dial, or may consist of a light emitting diode (LED). This classification includes the manufacture of internal works of clocks. This is a shop or plant only classification. Repair work when specified is limited to work performed at the shop or plant.

This classification excludes establishments engaged in the manufacture of jewelry which are to be reported separately in classification 3602-06; establishments engaged in the manufacture of wooden housings or casings for clocks such as grandfather and mantle types which are to be reported separately in classification 2905; all outside repair work which is to be reported separately in the applicable services classification; and the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

3602-10 Camera, video camcorder, motion picture projectors: Manufacturing, assembly, or repair

Applies to establishments engaged in the manufacture, assembly, or repair of cameras, video camcorders, and motion picture projectors. Materials include, but are not limited to, metals, plastics, glass and internal components. Machinery includes, but is not limited to, punch presses, drill presses, and soldering guns. Establishments in this classification often assemble products from internal components manufactured by others. This is a shop or plant only classification. Repair work when specified is limited to work performed at the shop or plant.

This classification excludes all outside repair work which is to be reported separately in the applicable services classification, and the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

***Special note*:** When an establishment subject to this classification has a retail store, then both classifications 6406 and 3602-10 may be assigned, provided all the conditions of the general reporting covering the operation of a secondary business have been met. Otherwise, all operations are to be reported in the highest rated classification of the two.

3602-11 Fishing tackle: Manufacturing or assembly

Applies to establishments engaged in the manufacture or assembly of fishing tackle. For purposes of this classification, the term fishing tackle is limited to lures, spinners, spoons, flies, plugs, sinkers, artificial bait and similar items. Work contemplated by this classification includes the receipt of supplies such as wire, hooks, spoons, swivels, beads and feathers, and other components from unrelated manufacturers and distributors, hand assembly of components into finished fishing tackle, painting spoons and plug bodies, packaging and shipping. This classification also contemplates testing of products and research and development of new products. This is a shop or plant only classification. Repair work when specified is limited to work performed at the shop or plant.

This classification excludes the manufacture of items such as, but not limited to, reels, poles, nets, tackle boxes, knives, melting pots, plastic beads, wooden or plastic plug bodies, hand tools (pliers, bench vise) molds, specialty clothing or protective gear which are to be reported separately in the classification applicable to the material and process used to produce the product; and the production of raw materials used in the manufacturing of the above articles which is to be

reported separately in the classification applicable to the production process used.

Special note: Care should be taken when assigning this classification to verify that the product being manufactured is compatible with the manufacturing and assembly processes contemplated within this classification. Most fishing tackle subject to this classification is hand assembled from small component parts.

3602-12 Incandescent lamp or electric tube: Manufacturing

Applies to establishments engaged in the manufacture of electrical or gas-filled bulbs or tubes such as, but not limited to, incandescent lamps, photoflash lamps, flood lamps, fluorescent tubes, X-ray tubes, cathode-ray tubes, neon tubes or artistic style neon tube signs that are not attached to metal backings. The processes and equipment will vary somewhat depending on the type of electrical bulb, tube, or lamp being made, but the basic operation is the same. Component parts such as, but not limited to, glass bulbs, globes, or tubes, tungsten wire, metal bases, shellac, and nitrogen and argon gas are purchased from outside sources. Using flange machines, the bottom of the glass tubing is fused to the flange to produce the base that is used within the bulb or globe. Metal bases may be milled, then coated with a sealing compound such as shellac. Mounts are assembled and inserted into the flange on stem machines. The assemblies are seared together, then the tungsten filaments are fixed between support wires forming the stem. The bulbs or globes are flushed with nitrogen to expel any moisture before the stems are inserted into them. These units are inserted into the metal bases and cemented. Air is evacuated and argon gas is pumped into the bases, after which they are heat sealed and trimmed. Neon tube signs or displays are made by heating a thin tube of glass over a ribbon flame until the tube becomes flexible, blowing air into the tube to keep the glass from collapsing, then, while it is still hot, bending it to shape. Because the glass cools rapidly, the heating and bending is repeated until the desired shape is achieved, then the tube is filled with neon or argon gas and the ends sealed.

This classification excludes establishments engaged in the manufacture of metal fixtures equipped with electrical or gas lighting which are to be reported separately in classification 3404; all outside repair work which is to be reported separately in the applicable services classification; and the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

3602-14 Musical instrument - metal: Repair

Applies to establishments engaged in the repair of metal musical instruments which include, but are not limited to, trumpets, trombones, French horns, and tubas. The operations involve primarily hand work such as, but not limited to, brazing and soldering, as well as fitting, testing, and polishing the instruments. Tools include, but are not limited to, solder or brazing guns, lathes, drill presses, and various types of saws. This is a shop or plant only classification. Repair work when specified is limited to work performed at the shop or plant.

This classification excludes all outside repair work which is to be reported separately in the applicable services classification; the repair of wood musical instruments which is to be reported separately in classification 2906; and the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

3602-23 Electronics products - resistors, capacitors, chips and relays, transistors: Manufacturing

Applies to establishments engaged in the manufacture of resistors, capacitors, chips, relays, and transistors which are usually tiny and delicate. Products manufactured in this classification are usually mass produced with little human intervention during the production process, which is often done in a vacuum or a nitrogen filled room. Materials include, but are not limited to, silicon, wires, and plastics. In addition to the automated equipment, hand-held tools include, but are limited to, pliers, wrenches, and soldering guns. Finished products are inspected, usually through powerful microscopes, then packaged and shipped. This is a shop or plant only classification. Repair work, when specified, is limited to work performed at the shop or plant.

This classification excludes all outside repair work which is to be reported separately in the applicable services classification, and the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

3602-24 Stamped metal goods: Manufacturing

Applies to establishments engaged in the manufacture of small, stamped, metal goods such as, but not limited to, metal tags, buttons, zippers, bottle caps, fasteners, snaps, clasps, buckles, and curtain fasteners. Materials, which come in coils or strips, are run through presses. Most of the stamping is done on automatic stamping presses. Products are cut, stamped, formed, trimmed, and cleaned, then usually finished by plating or lacquering. This is a shop or plant only classification. Repair work, when specified, is limited to work performed at the shop or plant.

This classification excludes the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

3602-27 Electronic circuit board, N.O.C: Assembly

Applies to establishments engaged in the assembly of electronic circuit boards not covered by another classification (N.O.C.) which are used in a wide variety of electronic and automotive products. The process usually begins by cutting boards to size with power saws, then drilling or punching holes in them with automated drills or punches. Depending upon the original materials used, the boards used for the base may be coated or dipped. Then the chips, transistors, resistors, and/or condensers are installed, usually as part of an assembly line process. Next, the circuit boards are dipped and coated with a thin metal. Finished products are inspected, tested, packaged and shipped. This is a shop or plant only classification. Repair work when specified is limited to work performed at the shop or plant.

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This classification excludes all outside repair work which is to be reported separately in the applicable services classification, and the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

3602-28 Stereo components: Manufacturing or assembly

Applies to establishments engaged in the manufacture or assembly of stereo components such as, but not limited to, record changers, disc or video players, receivers and amplifiers. Materials include, but are not limited to, circuit boards, resistors, drivers, baffle plates, chambers, trim/rings, and grills. Equipment includes, but is not limited to, hot glue guns, electric drills, electric screw drivers, and automated assembly or manufacturing equipment. Finished products are inspected, tested, packaged and shipped. This is a shop or plant only classification. Repair work when specified is limited to work performed at the shop or plant.

This classification excludes all outside repair work which is to be reported separately in the applicable services classification, and the production of raw materials used in the manufacturing of the above articles which is to be reported separately in the classification applicable to the production process used.

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AMENDATORY SECTION (Amending WSR 00-14-052, filed 7/1/00, effective 7/1/00)

WAC 296-17-618 Classification 3905.

3905-00 Restaurants, N.O.C.

Applies to establishments engaged in restaurant operations not covered by another classification (N.O.C.). These establishments are "traditional, family or full service" restaurants that provide sit-down services, or cafeteria or buffet style meals. This classification includes the preparation and service of food and beverages. Establishments in this classification may serve beer and wine; however, they are prohibited from selling spirits or hard liquor. Typical occupations include, but are not limited to, hostesses, waiters, waitresses, cooks, busboys, dishwashers, cashiers, and managerial staff. This classification also includes the preparation of "take-out food" that customers pick up directly from the restaurant for consumption away from the premises and the operation of a card room in conjunction with the restaurant.

This classification excludes establishments engaged in operating restaurants or lounges that sell spirits or hard liquor which are to be reported separately in classification 3905-07, and catering services that are not part of the restaurant operation which are to be reported separately in classification 3909.

***Special note*:** Traditional, family or full service restaurants are establishments where wait persons bring customers a menu, take orders, and deliver prepared meals to the customer's table or where customers choose from a variety of food items from a buffet or cafeteria style service. Such establishments will generally use nondisposable eating utensils and plates to serve food as opposed to throw away paper plates and plastic eating utensils. Includes establishments where orders are placed at the counter, and the food or drink is delivered to your table. Care should be exercised when dealing with establishments that provide entertainment such as musicians, entertainers, disc jockeys or piano players who may be exempt from coverage as an independent contractor. Musicians or entertainers who are considered to be employees of a restaurant are to be reported separately in classification 6605.

3905-01 Food, drink, and candy vending concessionaires at theatres, parks, tracks, and exhibitions

Applies to establishments engaged in operating food, drink or candy concessions at ball parks, race tracks, theaters and exhibitions. This classification is applicable only to concession operations which are operated independent from the facility or event at which the concession service is being provided. These independent vendors selling food items are not employees of the facility or site where the event or exhibition is taking place. Vendors subject to this classification sell a variety of food, snack and beverage items from booths, mobile push carts, mobile stands, carrying boxes, or trays.

This classification excludes food and beverage operations (concession stands) operated in connection with an event or facility by employees of the event sponsor or facility operator which are to be reported separately in the classification applicable to the event or exhibition; street vendors or route food services which are to be reported separately in classification 1101; vendors of nonfood items which are to be reported separately in the applicable classification; and vending machine service companies that replenish food, snack and beverage products which are to be reported separately in classification 0606.

3905-03 Commissaries and restaurants with construction, erection, logging or mine operations

Applies to commissary or restaurant operations conducted *exclusively* in connection with a construction, erection, logging or mining camp operation. This classification is limited to food preparation services provided at a camp site or at a mess hall used to feed employees of the construction, logging, erection, or mining company. The foods prepared and served are not intended for, or offered to, the general public.

***Special note*:** The purpose of this classification is to provide employees engaged in the food preparation activity with a classification representative of the work being performed, even though such activities may be occurring at or adjacent to the construction, logging, erection or mining site as provided for in the general reporting rule covering general inclusions.

3905-04 Eating establishments, N.O.C. such as public lunch counters in stores

Applies to establishments not covered by another classification (N.O.C.) engaged in operating lunch counters and restaurants within a retail store location. Use of this classification is limited to employees of an employer who also operates the retail store where the food service is located.

3905-06 Taverns

Applies to establishments engaged in the operation of a tavern. A tavern is primarily engaged in the sale of beer ((~~and~~)), wine, and alcoholic beverages for on-premises consumption, and may also provide a variety of foods ranging from peanuts and pretzels to hot food dishes. Typical occu-

pations include, but are not limited to, bartenders, waiters, waitresses, cooks, busboys, dishwashers, and managerial staff. Beer may also be sold by the keg with the rental of necessary taps and pumps. This classification includes the operation of a "beer garden" at special events such as, but not limited to, fairs or race meets, and the operation of a card room in connection with the tavern.

((~~This classification excludes restaurants with a license to sell spirits or hard liquor which are to be reported separately in classification 3905-07.~~))

Special note: Care should be exercised when dealing with establishments that provide entertainment such as musicians, entertainers, disc jockeys or piano players who may be exempt from coverage as an independent contractor. Musicians or entertainers who are considered to be employees of a tavern are to be reported separately in classification 6605.

3905-07 Restaurants serving spirits or hard liquor

Applies to establishments engaged in the operation of a restaurant having a license to sell spirits or hard liquor, beer and wine in connection with their food preparation and service. This classification includes the preparation and service of food and beverages at sit down restaurants and lounges. Such establishments have extensive cooking facilities and equipment to prepare full meals. Typical occupations covered by this classification include, but are not limited to, bartenders, hostesses, waiters, waitresses, valet parking attendants, cooks, busboys, dishwashers, cashiers, and managerial staff. This classification also includes the preparation of "take-out food" that customers pick up directly from the restaurant for consumption away from the premises and the operation of a card room in connection with the restaurant.

This classification excludes establishments engaged as a restaurant without a license to sell spirits or hard liquor which are to be reported separately in classification 3905-00; taverns which are to be reported separately in classification 3905-06; catering services which are not part of a restaurant operation which are to be reported separately in classification 3909; musicians who are to be reported separately in classification 6605; and entertainers such as dancers who are to be reported separately in classification 6620.

Special note: Care should be exercised when dealing with establishments that provide entertainment such as musicians, entertainers, disc jockeys or piano players who may be exempt from coverage as an independent contractor. Musicians or entertainers who are considered to be employees of a restaurant are to be reported separately in classification 6605.

3905-08 Pizza parlors

Applies to establishments engaged in operating a pizza parlor or restaurant. Establishments subject to this classification specialize in the preparation and sales of pizza (but may also provide other foods) and beverages such as wine, beer, alcoholic beverages, or soft drinks for on-premises consumption. Typical occupations include, but are not limited to, hostesses, waiters, waitresses, cooks, busboys, dishwasher, cashiers, and managerial staff. This classification also includes establishments that deliver pizza to customers, or where customers can pick up already prepared pizza at the shop, but where no customer seating is provided.

This classification excludes ((~~pizza parlors with a license to sell spirits or hard liquor which are to be reported separately in classification 3905-07 and~~)) U-bake pizza operations which are to be reported separately in classification 6403.

Special note: Care should be exercised when dealing with establishments that provide entertainment such as musicians, entertainers, disc jockeys or piano players who may be exempt from coverage as an independent contractor. Musicians or entertainers who are considered to be employees of a pizza parlor are to be reported separately in classification 6605.

3905-09 Fast food drive-ins, N.O.C.

Applies to establishments engaged in the operation of fast food drive-ins or restaurants. These establishments serve easily prepared foods quickly and nonalcoholic beverages which can be eaten on the premises or picked up by customers at a counter or a drive through window. Fast food establishments offer a variety of menu items such as, but not limited to, hamburgers, french fries, tacos, sandwiches, fried chicken, hot dogs, fish and chips. Such establishments will generally use disposable eating utensils and throw away plates.

This classification excludes street vendors and/or route food services which are to be reported separately in classification 1101 and full service restaurants which are to be reported separately in classification 3905-00.

3905-11 Soft drink lounges

Applies to establishments engaged in operating soft drink lounges. These types of establishments may provide entertainment such as dancing for an adult audience or a place where youths under the age of 21 can dance or listen to music. These lounges do not sell alcoholic beverages. This classification includes the preparation and service of light snacks and hors d'oeuvres, such as chips, peanuts, pretzels or finger sandwiches.

This classification excludes entertainers such as exotic dancers who are to be reported separately in classification 6620 and musicians who are to be reported separately in classification 6605.

Special note: Care should be exercised when dealing with establishments that provide entertainment such as musicians, entertainers, disc jockeys or piano players who may be exempt from coverage as an independent contractor. Musicians or entertainers who are considered to be employees of a lounge are to be reported separately in classification 6605 or 6620 as applicable.

3905-12 Ice cream parlors

Applies to establishments engaged in the operation of an ice cream parlor or frozen yogurt shop. These specialty shops offer a limited menu, usually confined to ice cream and frozen yogurt offered in individual servings, various size containers, and specialty items. Special occasion ice cream cakes may be ordered and picked up at a later date by the customer. These establishments usually provide customer seating.

This classification excludes street vendors and/or route food services which are to be reported separately in classification 1101.

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3905-13 Candy, nut, and popcorn retail stores with on-premises manufacturing

Applies to establishments engaged in operating candy, nut or popcorn stores where some or all the products sold are manufactured on the premises. Establishments in this classification may sell a variety of candies, nuts, or popcorn, or may specialize in one or two products. They may also sell their products in gift wrapped packages.

This classification excludes establishments engaged in selling candy, nuts, or popcorn, *that do not manufacture* any product on the premises, which are to be reported separately in classification 6406, and establishments primarily engaged in the wholesale manufacturing of candy which is to be reported separately in classification 3906.

3905-14 Espresso/coffee stands and carts

Applies to vendors operating espresso or coffee stands or carts. Products sold include, but are not limited to, coffee, espresso, lattes, Italian sodas, soft drinks, pastries and prepackaged items. These types of vendors *do not prepare food.* This classification is distinguishable from retail coffee, tea or spice stores in that coffee stands or carts in classification 3905 sell only ready-to-serve products; they do not sell packaged coffee, tea or spice items.

This classification excludes street vendors and/or route food services which are to be reported separately in classification 1101.

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AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-64999 Classification 4900.

4900-00 Construction: Superintendent or project manager

Applies to those employees, of general or specialty construction contractors, whose job duties are exclusively that of construction superintendents or project managers. Construction superintendents spend some time in an office and spend the remainder of time visiting various job sites to confer with construction foreman to keep track of the progress occurring at each construction site or project location. Project managers are generally stationed at the construction site or project location and confined to a temporary type of office to schedule activities and arrival of supplies such as the delivery of iron, steel, rebar, lumber, concrete ready mix, concrete pump truck services, and cranes.

This classification excludes construction superintendents or project managers who are employed by a business that specializes in offering construction management and consulting services. These businesses do not do any of the actual construction or erection activities and are to be reported separately in classification 4901.

Special notes: This classification is applicable *only* to construction superintendents or project managers who have no direct control over work crews and do not perform construction labor at the construction site or project location. A superintendent or project manager performing duties subject to this classification who also is engaged in operating equipment, performing manual labor, or who directly supervises a work crew at the construction site or project location is excluded from this classification. They are to be reported separately in the applicable construction or erection classification assigned to their employer without any division of hours. *A division of hours is not permitted between classification 4900 and any other classification.* Under no circumstances can this be the only classification assigned to a contractor, as a basic construction classification must also be assigned.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-659 Classification 5001.

5001-03 Logging, N.O.C.

Applies to establishments engaged in various logging operations not covered by another classification (N.O.C). Typical work contemplated by this classification includes, but is not limited to, high lead or tower logging, ground logging, and team logging with horses. For purposes of this rule, logging is the complete operation of felling, skidding, yarding, delimbing, and bucking of trees into logs or block wood and loading them onto trucks or rail cars.

Definitions:

High Lead or Tower Logging - usually occurs in steep terrain where a metal tower is set-up on a hilltop with a system of heavy cables running down the hillside and fastened to a stump or tree and has other smaller cables with chokers hanging from it. A choker is wrapped around each fallen tree and pulled back to the landing site.

Helicopter logging - includes ground crews that work with the use of helicopters to hoist fallen trees or bucked log lengths to the landing sight.

Chokers - chains or cables which are attached to the fallen trees for skidding to the landing site.

Ground logging - usually occurs on relatively flat land; fallen trees are moved to a landing by a skidder, cat or shovel.

Bucking - stripping or delimbing tree of branches and cutting the tree to desired log lengths.

Skidding - process of dragging the fallen logs to the landing site.

Landing - place where the fallen logs are brought for sorting and loading onto log trucks.

Yarding - usually performed at the landing site with use of a log loader to sort the logs by species, length and diameter, prior to loading onto log trucks.

This classification excludes flight crews of helicopters used in helicopter logging which are to be reported separately in classification 6803; log hauling which is to be reported separately in classification 5003; logging road construction which is to be reported separately in classification 6902; logging machine operators which are to be reported separately in classification 0101; and mechanical or mechanized logging operations which are to be reported separately in classification 5005 provided the classification has been approved by the classification services section.

5001-04 Shake, shingle bolt, and post cutting

Applies to establishments engaged in the cutting of shakes, shingle bolts (blocks), and fence posts in the woods. For the purposes of this rule, this classification includes all operations performed in the woods such as, but not limited to,

the felling of trees, stripping or delimbing of branches, and all further cutting or splitting of trees/logs to produce shakes, shingle bolts or fence posts. This classification includes all transporting of shakes, shingle bolts or fence posts from the cutting site when conducted by employees of employers subject to this classification.

5001-05 Firewood cutting

Applies to establishments engaged in the cutting of firewood in the woods. For the purposes of this rule, this classification includes all operations performed in the woods such as, but not limited to, the felling of trees, stripping or delimbing of branches, and all further cutting or splitting of trees/logs to produce firewood. This classification includes all transporting of log lengths, rounds or split wood from the cutting site when conducted by employees of employers subject to this classification.

5001-06 Sawmill operations conducted in the woods in connection with logging operations

Applies to establishments operating a temporary or portable sawmill operation in the woods. This type of work is usually performed on privately owned land. A portable sawmill and saw tables, similar to those at a permanent sawmill location, are transported directly to the logging site. Log lengths are fed through a circular saw that is capable of producing various sized rough cut timber, blocks, boards and planks. This classification includes all transporting of rough cut timber, blocks, boards and planks from the cutting and/or sawing site when conducted by employees of employers subject to this classification.

This classification excludes sawmill operations which are not conducted in the woods in connection with a logging operation which is to be reported separately in the applicable sawmill classification.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-66002 Classification 5004.

This classification applies to establishments engaged in forestry and timberland management services. It applies to employees of contractors or of land owners. This classification includes all field crew supervisors and foremen assigned to oversee work covered by this classification including internal quality control audits regardless of whether their assigned duties include manual labor. Classification 5004, and related classification 1007 and 5006, cover various activities associated with the management of forests, range or timberland. These classifications have also been assigned to establishments engaged in erosion control projects and fish and wildlife habitat enhancement projects. *The industry covered by this series of classifications has special reporting requirements.* Reforestation establishments assigned to classifications 1007, 5004, and 5006 report work on a contract basis. These contracts may last a quarter or several quarters. Refer to WAC 296-17-35203(4) for specific reporting requirements. Classification 1007 applies to technical services such as identifying volume and species of trees in a section of timberland or a forest, auditing parcels planted by a tree planting contractor for quality control purposes, conducting environmental studies, testing growing techniques and similar activities. Classification 5004 covers various forms of work conducted in the forest or timberland generally associated with the overall care of these lands. Classification 5004 is used to report manual crew labor. Classification 5006 covers machinery operations on these lands such as clearing, slashing, hydro seeding, chemical spraying and forest fire fighting. It will be common in the case of a forest fire to have employees reporting in both classification 5004 and 5006 for forest fire fighting since some employees will operate bulldozers, loaders and tanker trucks while others will use chain saws and shovels. In some cases establishments subject to classification 5004 will use multiple subclassification codes on a single contract and premium report.

This classification excludes forestry related machine work used in connection with trail construction, slash burning, fire watch/patrol and forest fire fighting, slashing, pile burning, roadside brushing, roadway dust/mud control which is to be reported separately in classification 5006 "forestry related machine work"; logging operations which are to be reported separately in classification 5001; logging road construction which is to be reported separately in classification 6902; and technical survey work which is to be reported separately in classification 1007.

5004-04 Animal damage control

(to be assigned only by the reforestation underwriter)

Applies to contractors and employees of landowners engaged in forestry and timberland services. Use of this classification is limited to services related to animal damage control such as placing salt blocks and hay for wildlife. This is done to provide food and nutritional supplements to forest wildlife as an alternative and preventative measure to reduce destruction to newly planted seedlings (trees) caused by feeding animals.

5004-05 Beaver trapping

(to be assigned only by the reforestation underwriter)

Applies to contractors and employees of landowners engaged in forestry or timberland services. Use of this classification is limited to services related to trapping mountain beaver. This is done to prevent damage to trees caused by mountain beaver when feeding and building nests for rearing their young.

5004-06 Chemical spraying

Fertilizing services

(to be assigned only by the reforestation underwriter)

Applies to contractors and employees of landowners engaged in forestry or timberland services. Use of this classification is limited to services related to chemical spraying. This is done to kill competing vegetation growing around young seedlings (chemical conifer release) and keep the brush on roadsides down.

This classification excludes manual conifer release which is to be reported separately in classification 5004-14.

5004-07 Cone picking

(to be assigned only by the reforestation underwriter)

Applies to contractors and employees of landowners engaged in forestry or timberland services. Use of this classification is limited to services related to cone picking which

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is done to obtain seed for new trees. Cone picking may occur on the ground or in the trees. All forms of cone picking are included within the scope of this classification.

((~~5004-08 Fertilizing services~~

~~(to be assigned only by the reforestation underwriter)~~

~~Applies to contractors and employees of landowners engaged in forestry or timberland services. Use of this classification is limited to services related to applying liquid and dry fertilizers on trees and vegetation within forested or timbered lands. This is done to stimulate and encourage the growth of desired trees and vegetation.~~))

5004-09 Hydro seeding services

(to be assigned only by the reforestation underwriter)

Applies to contractors and employees of landowners engaged in forestry or timberland services. Use of this classification is limited to hydro seeding abandoned roads and roadsides which is done primarily for erosion control and habitat development. This classification also includes manual labor associated with erosion control or habitat development projects.

5004-11 Pruning services

(to be assigned only by the reforestation underwriter)

Applies to contractors and employees of landowners engaged in forestry or timberland services. Use of this classification is limited to pruning lower tree branches. This is being done on an experimental basis on certain plots to aid in the production of clear wood (knot free) for future plywood and furniture demands.

5004-12 Tree netting services

(to be assigned only by the reforestation underwriter)

Applies to contractors and employees of landowners engaged in forestry or timberland services. Use of this classification is limited to placing netting or paper sleeves over new tree growth to discourage animals from eating the growth. This is also referred to as bud capping.

5004-13 Tree planting services

(to be assigned only by the reforestation underwriter)

Applies to contractors and employees of landowners engaged in forestry or timberland services. Use of this classification is limited to planting trees in a forest (reforestation) or in privately owned timbered land. This is done to re-establish a tree population after logging or a fire.

5004-14 Tree thinning services including forest trail construction and brush clearing, N.O.C.

(to be assigned only by the reforestation underwriter)

Applies to contractors and employees of landowners engaged in forestry or timberland services. Use of this classification is limited to employees of an employer subject to this classification engaged in the removal of unmarketable trees with a chain saw, machete, or pruning loppers, brush clearing, manual tree slashing and constructing walking paths or trails. This is done to reduce competition of the remaining trees for water and nutrients, eliminate fire hazard and provide trails for management and recreational use. This classification includes manual conifer release.

This classification excludes chemical conifer release which is to be reported separately in classification 5004-06.

5004-18 Miscellaneous forestry services, N.O.C.

(to be assigned only by the reforestation underwriter)

Applies to contractors and employees of landowners engaged in forestry and timberland services not covered by another classification (N.O.C.). This classification is for miscellaneous manual labor on forest or timberland such as, but not limited to, manual forest fire fighting.

AMENDATORY SECTION (Amending WSR 00-14-052, filed 7/1/00, effective 7/1/00)

WAC 296-17-66003 Classification 5005.

5005-00 Logging and/or tree thinning - mechanized operations

(to be assigned only by classification services staff)

Applies to establishments engaged in mechanized logging or tree thinning operations. For purposes of this classification, mechanized logging is defined as the entire process of felling, removal (skidding), yarding, processing, delimbing, bucking and loading of trees/logs by machine. This classification can be used by a logging contractor only if the entire side is being logged using methods and equipment described in this rule. If any portion of the side is being logged by conventional methods the entire operation must be reported in classification 5001 - Logging, N.O.C. *For example*, an employer that subcontracts to fell trees with a feller/buncher or processor but is not involved in the removal (skidding) of the trees, the processing (delimbing and bucking) of the trees and the loading of trees is excluded from classification 5005 and is to be reported in classification 5001 - Logging, N.O.C. Any employer whose operation includes any manual felling, removal, processing, or loading of trees is excluded from classification 5005 and is to be reported in classification 5001 - Logging, N.O.C. Work contemplated by this classification includes the falling of trees with a machine such as a feller buncher or processor; skidding logs to the landing with use of a grapple skidder or forwarder; delimbing logs with a mechanized delimber such as a stroke delimber, processor, CTR or harvester; and loading logs onto log trucks with a mechanical loader or shovel. Equipment used by employers subject to this classification will consist of the following:

Feller/buncher - used to fell trees and place felled trees into stacks (bunches) for removal to the log landing for further processing. The operator of this machine does not leave the cab of the machine in the performance of duties in the logging operation.

Processor - used to fell trees, delimb them, buck tree to desired log length and stack the bunches for removal to the landing where they will be segregated by general grade and loaded onto log trucks. A processor is sometimes used at the landing to delimb trees and buck them to log length, especially when the trees are felled by a feller/buncher. The operator of this machine does not leave the cab of the machine in the performance of duties in the logging operation.

Grapple skidder - is used to remove (ground skid) stacks (bunches) of felled trees from the woods to the landing. The industry refers to both the skidder and the bulldozers as a tractor. The two are distinguished from one another in that the skidder is a tire-driven tractor and the bulldozer is a track-driven tractor. A bulldozer equipped with a grapple is an

acceptable piece of equipment to be used in the removal of trees. The operator of either the grapple skidder or bulldozer equipped with grapple does not leave the cab of the machine in the performance of duties in the logging operation.

Forwarder - is used to remove logs as cut by a processor from the woods to an awaiting log truck or to be stacked in piles for a future pick up by a log truck. This is a small specialized tractor equipped with a self-loader and a log bunk. The operator of this machine does not leave the machine in the performance of duties in the logging operation.

Harvester - is used at the landing of the logging side to delimb trees and buck trees to desired log length. This machine can also be used to load logs onto log trucks. The operator of this machine does not leave the cab of the machine in the performance of duties in the logging operation.

Loader - is used at the landing to load logs onto log trucks. The operator of this machine does not leave the cab of the machine in the performance of duties in the logging operation.

This classification excludes log hauling which is to be reported separately in classification 5003 ((~~and~~)), logging road construction which is to be reported separately in classification 6902, logging machine operators which are to be reported separately in classification 0101, and logging operations which are to be reported separately in classification 5001.

***Special notes*:** If any portion of the logging contract is performed manually or by hand, the establishment does not qualify for this classification. If any portion of the logging contract is subcontracted out to another business and is performed manually or by hand, then none of the businesses involved in the logging contract will qualify for this classification and are to be reported separately in classification 5001.

All equipment used by employers subject to this classification must meet WISHA guidelines for Roll Over Protection Standards (ROPS) and Falling Object Protection Standards (FOPS).

See classification 5206 (WAC 296-17-675) for permanent shop/yard operations.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-67601 Classification 5208.

5208-00 Iron or steel works: Fabrication or assembly - structural iron or steel

Applies to establishments engaged in the fabrication or assembly of structural iron or steel. Structural in this classification will mean when fabricated for and used in the frame or grid work of a building, tower, bridge, or similar construction. Fabrication means the laying out of the pieces, the marking, cutting, sawing, drilling, punching, bolting, welding, assembling and finishing of the structural steel products. Raw materials include, but are not ((~~no~~)) limited to, steel I-beams, tube steel, angle steel, and flat steel. Machinery includes overhead cranes, horizontal and vertical band saws, shears, punches, drill press, brake presses, and welding equipment. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes the erection of structural iron or steel in connection with towers, refineries, elevated railways, and buildings which is to be reported separately in the applicable iron or steel construction classification; contractors engaged in building construction who are to be reported separately in the applicable iron or steel construction class; bridge construction, including structural iron or steel erection, which is to be reported separately in the classification applicable to the work being performed; and manufacturing of rebar for construction which is to be reported separately in classification 5209.

5208-01 Brass, bronze, iron - ornamental: Shop fabrication, assembly or manufacture

Applies to establishments engaged in the manufacture, fabrication, or assembly of ornamental items from brass, bronze and/or iron. Products include, but are not limited to, railings, guards, staircases, fire escapes, and art items. Products are often light and do not require cranes or hoists to move them. The processes vary depending on the product being produced. The equipment includes, but is not limited to, iron workers, shears, drill presses, band saws, forklifts, welders, and grinders. The painting of products manufactured is included in this classification when performed by employees of employers subject to this classification. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes installation which is to be reported separately in the classification applicable to the work being performed.

5208-02 Iron works: Fabrication, assembly, or manufacture; nonstructural iron or steel

Applies to establishments engaged in the manufacture, fabrication or assembly of nonstructural iron or steel. Fabrication means the laying out of the pieces, the marking, cutting, sawing, drilling, punching, bolting, welding, assembling and finishing operations including painting. Products include, but are not limited to, cattle crossing grates, window gratings, grill pieces, and storage racks used by warehouses. Equipment includes, but is not limited to, cut saws, welders, drill presses, grinders, band saws, and hoists. This is a shop or plant only classification; it includes work being performed in an adjacent yard when operated by an employer having operations subject to this classification.

This classification excludes installation which is to be reported separately in the classification applicable to the work being performed.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-677 Classification 5301.

5301-10 Accounting or bookkeeping services

Applies to establishments engaged in providing general accounting or bookkeeping services to others. Types of services contemplated by establishments subject to this classification include, but are not limited to, auditing, tax prepara-

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tion, medical or dental claims processing and billing, and/or advisory services. This classification includes all employments such as, but not limited to, clerical office, outside sales, and personnel who travel from one office to another.

This classification excludes establishments engaged primarily in management consultant services that are not otherwise classified, which are to be reported separately in classification 5301-12.

***Special note*:** This classification is limited to employers engaged in such services being provided to the general public. This is a services only classification and does not include retailing or store operations, nor is this classification to be assigned to employers setting up separate business operations to manage other commonly owned or operated business undertakings unless coincidentally the other operations are also subject to this classification.

5301-11 Law firms

Applies to establishments engaged in providing legal services to others. Law firms may specialize in one or more areas of law. This classification includes clerical office and outside sales personnel who travel from one office environment to another.

***Special note*:** This is a services only classification and does not include retailing or store operations, nor is this classification to be assigned to employers setting up separate business operations to manage other commonly owned or operated business undertakings unless coincidentally the other operations are also subject to this classification.

5301-12 Management consultant services, N.O.C.

Applies to establishments engaged in providing management consulting services not covered by another classification (N.O.C.). Management consultants typically will observe and analyze organizational structures, work processes or work flows, mail distribution, computer or communication systems, and planning or development of related business needs. After a thorough analysis, consultants usually prepare a written report for the customer which identifies problem areas and/or recommends improvements to processes or equipment. Consultants may remain to oversee the implementation of the recommended improvements. Consultants subject to this classification do not sell any product they have recommended although they may act as an agent for their client in purchasing the product. Consulting projects vary from client to client depending upon the contract. This classification includes clerical office staff, outside sales personnel and other staff who travel from one office to another.

***Special note*:** This classification is limited to employers engaged in such services being provided to the general public. This is a services only classification and does not include retailing or store operations, nor is this classification to be assigned to employers setting up separate business operations to manage other commonly owned or operated business undertakings unless coincidentally the other operations are also subject to this classification.

5301-13 Credit bureaus; collection agencies

Applies to establishments that are licensed to provide collection and/or credit investigation services to others. Services include, but are not limited to, the collection of NSF checks or delinquent debts owed to clients of the collection agency and checking the credit backgrounds of their client's potential customers. If debts are not collected, the service agency may initiate legal proceedings against the debtor. This classification includes clerical office and outside sales personnel, other staff who travel from one office to another, and process servers, although collection agencies subject to this classification generally employ process servers of other businesses to deliver legal documents.

This classification excludes establishments engaged in providing process serving services which may be reported separately in classification 6303 provided all the conditions of the general reporting rules covering standard exception employees have been met.

5301-14 Employment agencies

Applies to establishments that are licensed to provide employment services for others. Clients of employment agencies may be persons seeking employment or companies looking for employees. Employment agencies usually conduct preliminary interviews with candidates for positions prior to referring them to their client companies for interviews. Generally, establishments subject to this classification place people in permanent positions. This classification includes clerical office and outside sales personnel, and staff who travel from one office to another.

This classification excludes employees of a temporary help agency who are assigned to work in the administrative or branch offices of the agency who are to be reported separately in classification 7104 and employees of a temporary help agency who are assigned on a temporary basis to its customers who are to be reported separately in the appropriate temporary help classification.

5301-15 Court reporting services

Applies to establishments engaged in providing court reporting services to others. Court reporters record verbatim testimony presented in court proceedings, depositions, public hearings or meetings. The most frequently used method to record testimony is by stenotype machine, although it may be recorded by voice recording on audio tape, or by manual shorthand. Transcription of the recorded material may be performed by the court reporter or by "note readers" or typists. The majority of court reporters today use computer-aided transcription systems. Court reporters may also offer notary public services for their clients. This classification includes clerical office and staff who travel from one office to another.

5301-16 Service and professional organizations

Applies to establishments engaged in protecting or furthering the interest of their members and/or the general public. Many of these operate as nonprofit organizations. Service and professional organizations may perform one or many of the following activities: Maintain a membership directory; collect membership dues; publish a newsletter; sponsor educational training programs; administer certification tests; provide job placement assistance; award scholarships; offer insurance programs; research and interpret local, state, and federal regulations and apprise members of the results; manage promotional marketing programs; organize fund raising campaigns; perform charitable community services; sponsor athletic leagues and tournaments; host conven-

tions; disburse funds; perform collective bargaining; arbitrate disputes; provide counseling, adoption, and advocacy services; lobby the legislature; compile, review, and disseminate informational data; operate a tourist information center; issue vehicle license registrations, plates, decals, and certificates of title. Also included in this classification are Economic Development Councils, Boards, or Associations. These nonprofit organizations provide economic consulting services and related statistics to government and industry in the promotion of economic stability, and recruit businesses who will create jobs and provide loans from the grant funds they manage. This classification includes clerical office and outside sales personnel who travel from one office environment to another.

This classification excludes labor unions and employee representative associations which are to be reported separately in classification 6503, and the collection of donated items by truck which is to be reported separately in classification 1101.

Special note: If a charitable organization subject to classification 5301 operates a retail store for the sale of donated items, the collection of those items by truck, and all store operations, are to be reported separately in classification 6504.

5301-18 Telephone answering services

Applies to establishments engaged in providing telephone answering services for others. Customers include, but are not limited to, medical professionals, attorneys, private businesses, and individuals. Most answering services today use computerized communications systems to identify company names when answering calls for various companies, obtain correct information about the company to respond to questions, record and relay accurate messages in a timely manner. Related services often offered by telephone answering service companies include, but are not limited to, voice mail or paging, rental of office space, telemarketing, dispatching, monitoring alarm systems, placing reminder calls, and scheduling appointments for customers. This classification includes clerical office personnel and staff who travel from one office to another.

5301-19 Travel agencies

Applies to establishments engaged in providing travel arrangement services for others. Travel agencies coordinate all types of travel arrangements for their clients through air, cruise, train, or bus lines, hotels, motels, or resorts, car rental agencies, travel insurance companies, and related travel providers. Services vary and could include delivery of tickets and itineraries to clients, booking reservations and selling tickets for tours, excursions, or other entertainment events, or arrangement of special needs for disabled or elderly travelers. This classification includes clerical office and sales staff who travel from one office to another.

5301-21 Word processing or secretarial services

Applies to establishments engaged in providing word processing or secretarial services to others. Services include, but are not limited to, desktop publishing, dictation and transcription services, typing/compiling reports, proposals, resumes, or correspondence, sending faxes, and making copies of documents. A pickup and delivery service may be offered. This classification includes clerical office and outside sales personnel who travel from one office environment to another.

Special note: This classification is limited to employers engaged in such services being provided to the general public. This is a services only classification and does not include retailing or store operations, nor is this classification to be assigned to employers setting up separate business operations to manage other commonly owned or operated business undertakings unless coincidentally the other operations are also subject to this classification.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-680 Classification 6103.

6103-01 Schools: Academic, K-12 - clerical office, sales personnel, teachers, N.O.C. and administrative employees

Applies to clerical office, sales personnel and administrative employees such as principals, assistant principals, receptionists, secretaries, counselors, school nurses, payroll and bookkeeping personnel, and teachers or teachers' aides of establishments engaged in operating public or private academic school facilities, K-12 (kindergarten level through grade 12).

This classification excludes all other types of employees in connection with the school facilities such as, but not limited to, cooks, bus drivers, custodians, maintenance personnel and grounds keepers, and teachers or teachers' aides who are exposed to machinery hazards such as a wood shop, metal shop, print shop, auto shop, and driver training instructors who are to be reported separately in classification 6104.

6103-02 Schools: Trade or vocational - clerical office, sales personnel, teachers, N.O.C. and administrative employees

Applies to clerical office, sales personnel and administrative employees such as deans, directors, assistant directors, receptionists, secretaries, counselors, payroll and bookkeeping personnel, and professors or instructors of establishments engaged in operating trade or vocational school facilities. These types of schools provide specialized training and instruction to prepare students for occupations in the chosen fields. Often these facilities will coordinate on-the-job training with employers as well as assist students in finding employment.

This classification excludes all other types of employees in connection with the school facilities such as, but not limited to, cooks, drivers, custodians, maintenance personnel and grounds keepers, and professors or instructors who are exposed to machinery hazards such as a wood shop, metal shop, print shop and auto shop who are to be reported separately in classification 6104.

6103-03 Libraries, N.O.C. - clerical office, sales personnel, teachers, N.O.C. and administrative employees

Applies to clerical office, sales personnel and administrative employees such as librarians, assistant librarians, receptionists, secretaries, and payroll and bookkeeping personnel of establishments engaged in operating library facili-

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ties not covered by another classification (N.O.C.). These types of facilities maintain a wide selection of reading materials such as books, journals, articles, magazines, publications, newspapers, and audio-visual or micrographic materials.

This classification excludes all other types of employees such as, but not limited to, custodians, maintenance personnel and grounds keepers, drivers, and storage room workers who are to be reported separately in classification 6104.

6103-04 Churches - clerical office, sales personnel, teachers, N.O.C. and administrative employees
Bell ringers

Applies to clerical office, sales personnel and administrative employees such as pastors, priests, reverends, clergymen, ushers, receptionists, secretaries, counselors, payroll and bookkeeping personnel, and instructors of establishments engaged in operating church facilities for members of a religious congregation to meet and worship on a daily or weekly basis. Other services provided include, but are not limited to, sermons, rites, counseling, baptisms, weddings, funerals, bible school, and ((~~day~~)) child care during church services and events. When a church is also operating a school facility, the church classifications are to be assigned for both operations. This classification also applies to bell ringers for charitable organizations.

This classification excludes all other types of employees in connection with the church facilities such as, but not limited to, custodians, maintenance personnel and grounds keepers, and drivers who are to be reported separately in classification 6104.

6103-05 Museums, N.O.C. - clerical office, sales personnel, teachers, N.O.C. and administrative employees

Applies to clerical office, sales personnel and administrative employees such as directors, assistant directors, buyers, coordinators, tour guides, receptionists, secretaries, and payroll and bookkeeping personnel of establishments engaged in operating museum facilities not covered by another classification (N.O.C.). Museums maintain a wide variety of artifacts, art, statues, sculptures, and other exhibit works.

This classification excludes all other types of employees such as, but not limited to, custodians, maintenance personnel and grounds keepers (including exhibit set-up), drivers, packers, and warehousemen who are to be reported separately in classification 6104.

6103-06 Day nurseries or child day care centers - clerical office, sales personnel, teachers, N.O.C. and administrative employees

Applies to clerical office, sales personnel, and administrative employees such as teachers, teachers' aides and nurses of establishments engaged in operating day nurseries or day care centers for infants, toddlers, and children, or in providing baby-sitting services. Employees will instruct children in activities designed to promote social, physical, and intellectual growth in preparation for primary school. Most day care centers provide breakfast and lunch.

This classification excludes all other types of employees such as, but not limited to, custodians, cooks, maintenance personnel and grounds keepers, and drivers who are to be reported separately in classification 6104.

6103-10 Flight instructions - clerical office, sales personnel, classroom teachers, N.O.C. and administrative employees

Applies to clerical office, sales personnel, classroom instructors, and administrative employees of establishments engaged in providing classroom instruction to student pilots in flight procedures and techniques. Flight instructors explain various aircraft components and instruments for controlling aircraft during maneuvers, and, using flight simulators, demonstrate procedures such as, but not limited to, takeoffs and landings.

This classification excludes all other types of employees such as, but not limited to, custodians, maintenance personnel and grounds keepers and drivers who are to be reported separately in classification 6104 and in-air flight instructors outside the classroom who are to be reported separately in the classification 6803.

Special note: Reporting rules are outlined in the division of worker hours provision in the general rules.

6103-11 Schools: N.O.C. - clerical office, sales personnel, classroom teachers, N.O.C. and administrative employees

Applies to classroom instructors, clerical office, sales personnel and administrative employees such as directors and assistant directors, coordinators, instructors, receptionists, secretaries, counselors, payroll and bookkeeping personnel of establishments engaged in providing specialized classroom instruction to students in schools which are not covered by another classification (N.O.C.). Schools include, but are not limited to, dance, modeling, music, driving, cooking, first aid, and schools for coaches. Modeling and dance schools emphasize poise, balance, facial gestures, self-confidence, and counseling in wardrobe and make-up. Music schools emphasize the disciplines of playing various instruments. Driving schools concentrate on the rules, principles, and coordination needed to drive safely, using textbooks, audio-visuals, and driving simulators.

This classification excludes all other types of employees in connection with the specialized school facilities such as, but not limited to, custodians, maintenance personnel and grounds keepers, and instructors who perform activities not as part of a classroom environment who are to be reported separately in classification 6104 and driving instructors outside of the classroom who are to be reported separately in classification 6301.

6103-12 Officials for amateur athletic or cultural events, N.O.C. - clerical office, teachers, N.O.C. and administrative employees

Applies to clerical office employees, administrative employees, and event officials of establishments engaged in providing officials such as, but not limited to, umpires or referees for amateur athletic or cultural events sponsored by schools or communities. Events include, but are not limited to, sports, spelling bees, debates, and musical competitions.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-681 Classification 6104.

6104-01 Schools: Academic, K-12 - all other employments, N.O.C.

Applies to all other employees of public or private academic schools K-12 (kindergarten level through grade 12). All other in this classification is defined as employees such as, but not limited to, cooks, bus drivers, custodians, maintenance personnel and grounds keepers, and teachers or teachers aides who are exposed to machinery hazards such as wood shop, metal shop, print shop, auto shop, and driver instructors.

This classification excludes clerical office, sales personnel and administrative employees such as principals, assistant principals, receptionists, secretaries, counselors, payroll and bookkeeping personnel, and teachers or teachers' aides who have no exposure to machinery hazards who are to be reported separately in classification 6103.

6104-02 Schools: Trade or vocational - all other employments, N.O.C.

Applies to all other employees of trade or vocational schools. All other in this classification is defined as employees such as, but not limited to, cooks, drivers, driving instructors, custodians, maintenance personnel and grounds keepers, and teachers and teachers aides who are exposed to machinery hazards such as, but not limited to, those in wood shop, metal shop, automotive shops, and plumbing or electrical work. Vocational or trade schools provide specialized training and instruction to prepare students for occupations in their chosen field. Often these facilities will coordinate on-the-job training and assist students in finding employment.

This classification excludes clerical office, sales personnel and administrative employees such as deans, directors, assistant directors, receptionists, secretaries, counselors, payroll and bookkeeping personnel and teachers or teachers' aides who have no exposure to machinery hazards who are to be reported separately in classification 6103.

6104-03 Libraries, N.O.C. - all other employments, N.O.C.

Applies to all other employees of library facilities which are not covered by another classification (N.O.C.). All other in this classification is defined as employees such as, but not limited to, custodians, maintenance personnel and grounds keepers, drivers, and storage room workers. Libraries maintain a wide selection of reading materials such as books, journals, articles, magazines, publications, newspapers, and audio-visual or micrographic materials.

This classification excludes clerical office, sales personnel and administrative employees such as librarians, assistant librarians, receptionists, secretaries, and payroll and bookkeeping personnel who are to be reported separately in classification 6103.

6104-04 Churches - all other employments, N.O.C.

Applies to all other employees of churches. All other in this classification is defined as employees such as, but not limited to, custodians, maintenance personnel, grounds keepers, and drivers. Services offered by a church include, but are not limited to, providing a place for members of a religious congregation to meet and worship on a daily or weekly basis, sermons, rites, counseling, baptisms, weddings, funerals, bible school, ((~~day~~)) child care during church services and events.

This classification excludes clerical office, sales personnel and administrative employees such as pastors, priests, reverends, clergymen, ushers, receptionists, secretaries, counselors, payroll and bookkeeping personnel, and instructors who are to be reported separately in classification 6103.

6104-05 Museums, N.O.C - all other employments, N.O.C.

Applies to all other employees of establishments engaged in operating museum facilities not covered by another classification (N.O.C.). All other in this classification is defined as employees such as, but not limited to, custodians, maintenance personnel and grounds keepers (including exhibit set-up), drivers, packagers, and warehousemen. Museums maintain a wide selection of artifacts, art, statues, sculptures, and other exhibit works.

This classification excludes clerical office, sales personnel and administrative employees such as museum directors, assistant museum directors, buyers, coordinators, tour guides, receptionists, secretaries, and payroll and bookkeeping personnel who are to be reported separately in classification 6103.

6104-06 Day nurseries or child day care centers - all other employments, N.O.C.

Applies to all other employees of establishments engaged in operating day nurseries or day care centers for infants, toddlers, and children, which provide activities to promote social, physical, and intellectual growth in preparation for primary school. All other in this classification is defined as employees such as, but not limited to, custodians, cooks, maintenance personnel and grounds keepers, and drivers.

This classification excludes clerical office, sales personnel and administrative employees such as principals, receptionists, secretaries, counselors, payroll and bookkeeping personnel, and teachers or teachers' aides who are to be reported separately in classification 6103.

6104-11 Schools: N.O.C - all other employments, N.O.C.

Applies to all other employees of establishments engaged in providing specialized classroom instruction to students in schools which are not covered by another classification (N.O.C.) such as, but not limited to, dance, modeling, music, cooking, first aid, and schools for coaches. All other in this classification is defined as employees such as, but not limited to, custodians, maintenance personnel and grounds keepers, and instructors or teachers who perform activities not as part of a classroom environment or who are exposed to machinery hazards.

This classification excludes administrative employees such as directors and assistant directors, coordinators, receptionists, secretaries, counselors, payroll and bookkeeping personnel, and classroom instructors, who are to be reported separately in classification 6103 and driving instructors outside of the classroom who are to be reported separately in classification 6301.

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AMENDATORY SECTION (Amending WSR 99-18-068, filed 8/31/99, effective 10/1/99)

WAC 296-17-698 Classification 6303.

6303-00 Outside sales personnel, N.O.C.; messengers

Applies to those employees whose job duties and work environment meet *all* the conditions of the general reporting rules covering outside sales personnel, and who are not covered by another classification (N.O.C.) assigned to the employer's account. Duties of outside sales personnel contemplated by this classification are limited to soliciting new customers by telephone or in person, showing, selling, and explaining products or services, servicing existing accounts, completing correspondence, placing orders, performing public relations duties, and estimating. Duties of messengers are limited to delivering interoffice mail, making deposits, and similar duties that are exclusively for the administration of the employer's business.

This classification excludes the delivery of products or merchandise or the stocking of shelves which is to be reported separately as applicable; the demonstration or delivery of machinery or equipment which are to be reported separately as applicable, establishments engaged as collection agencies or public relations agencies which are to be reported separately in classification 5301; establishments engaged in providing inspection and valuations exclusively for insurance companies which are to be reported separately in classification 4903.

***Special note*:** When considering this classification care must be taken to look beyond titles of employees. Employees with occupational titles such as, but not limited to, collectors, counselors, consultants, or appraisers may or may not qualify for this classification. This is a restrictive classification; the qualifying factor is that all the conditions of the general reporting rules covering standard exception employees have been met.

6303-03 Insurance sales personnel and claims adjusters

Applies to insurances sales personnel and claims adjustors with outside duties. Duties of employees subject to this classification are limited to selling insurance policies at their place of business or at the client's home, or going to the scene of an accident or catastrophe to assess damage. Work may be performed within an office or away from the employer's premises.

***Special note*:** Individuals performing duties as an agent, broker, or solicitor (and hold a license as issued by the office of the insurance commissioner) are exempt from coverage as specified in RCW 51.12.020(11) and 48.17.010, 48.17.020, and 48.17.030. To elect voluntary coverage these individuals must submit a completed optional coverage form to the department.

6303-21 Home health care services: Social workers and dietitians

Applies to social workers and dietitians employed by home health care service establishments who provide care for handicapped individuals. Duties of these employees include teaching and assisting physically or developmentally disabled individuals in their own home to manage daily living skills such as caring for themselves, dressing, cooking, shopping, and going to the doctor. This classification also includes dietitians, sometimes called nutritionists, who usually are referred to patients by their physicians. The dietitian assesses the patient's current nutritional status, including current food intake, medical background, family history, currently prescribed medications, and social and psychological needs, then develops, a food plan to meet the patient's needs. Employees subject to this classification do no cooking.

This classification excludes nursing and home health care services which are to be reported separately in classification 6110; therapy services which are to be reported separately in classification 6109; domestic servants who are to be reported separately in classification 6510; and chore workers who are to be reported separately in classification 6511.

***Special note*:** This is a restrictive classification; the qualifying factor is that all the conditions of the general reporting rules covering standard exception employees have been met. *This classification is not to be assigned to any account that does not also have classification 6110 and/or 6511.*

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-72201 Classification 6510.

6510-00 Domestic servants/home care assistants employed in or about the private residence of a home owner

Applies to individuals employed by a home owner to provide domestic services/home care assistants in the home owner's private residence. This classification includes services such as, but not limited to, cooking, housekeeping, caring for children, caring for the elderly and handicapped including personal care such as bathing, body care, dressing and help with ambulating, as well as companionship, running errands, shopping, and transporting members of the household by vehicle to appointments, after school activities, or similar activities.

This classification is subject to the provisions of RCW 51.12.020 - Employments excluded - which states in part: "The following are the only employments which shall not be included within the mandatory coverage of this title: Any person employed as a domestic servant in a private home by an employer who has less than two employees regularly employed forty or more hours a week in such employment." This classification is also subject to the provisions of RCW 51.12.110 which allows the employer to elect optional coverage for domestic servants.

This classification excludes chore services which are to be reported separately in classification 6511; domestic (residential) cleaning or janitorial services which are to be reported separately in classification 6602; and skilled or semiskilled nursing care which is to be reported separately in classification 6110.

AMENDATORY SECTION (Amending WSR 99-18-068, filed 8/31/99, effective 10/1/99)

WAC 296-17-72202 Classification 6511.

6511-00 Chore services/home care assistants

Applies to establishments engaged in providing chore services/home care assistants to private individuals. Chore services performed by the chore workers/home care assistants include, but are not limited to, general household chores, meal planning and preparation, shopping and errands either with or without the client, personal care such as bathing, body care, dressing, and help with ambulating, as well as companionship. Frequently the recipients of service are funded by DSHS or some other community service agency; however, the services are also available to those who pay privately. This classification also applies to supportive living, tenant support, and intensive tenant support services.

This classification excludes individuals working under a welfare special works training program who are to be reported separately in classification 6505; domestic (residential) cleaning or janitorial services which are to be reported separately in classification 6602; and skilled or semiskilled nursing care which is to be reported separately in classification 6110.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-724 Classification 6602.

6602-02 Contract window washing services

Applies to establishments engaged in contract window washing services not done in connection with a janitorial service. These establishments specialize in cleaning both interior and exterior windows in residential and commercial, single and multistory buildings.

This classification excludes establishments engaged in residential cleaning which are to be reported separately in classification 6602-04 and establishments engaged in both commercial and residential cleaning which are to be reported separately in classification 6602-03.

6602-03 Janitorial cleaning services, N.O.C.

Applies to establishments engaged in providing general interior cleaning services for commercial businesses or for combined commercial and residential customers. General cleaning services include, but are not limited to, washing, waxing, and polishing floors, vacuuming and shampooing carpets, dusting and washing walls, dusting or cleaning mirrors, cabinets, moldings, lights, hardware, sinks, tubs, commodes, and appliances, and replacing light globes, paper or linen towels. This classification includes window washing when performed by the janitorial service employees in conjunction with a general house cleaning contract, it also includes the cleaning of swimming pools, spas and hot tubs. Fire restoration, which includes cleaning smoke or water damaged buildings, drying and/or cleaning carpets and upholstered furniture, washing and polishing furniture, washing walls, washing and waxing floors, cleaning personal contents of the home or business such as linens, dishes, drapes, and other general cleaning tasks, are included in this classification.

This classification excludes establishments engaged exclusively in contract window washing services which are to be reported separately in classification 6602-02((~~;~~)), and establishments engaged in residential cleaning which are to be reported separately in classification 6602-04((~~; and establishments that specialize in the cleaning of ceiling tiles which are to be reported separately in classification 0504~~)).

Special note: Care should be exercised with companies specializing in fire restoration or water damage related work. These companies may be general contractors who will not only do the clean up work, but will also do repairs such as, but not limited to, repair or replace cabinets, doors, and fixtures, patch drywall, paint, and replace windows. Construction-related tasks, when performed by a company doing the clean up work, are to be assigned the appropriate construction classification. Each contract should be reviewed to determine the proper classification assignment. A division of individual work hours between classification 6602 and any construction, erection, or shop classification is not allowed. Employees having duties that fall within a construction classification and who are also engaged in preoccupancy cleanup are to be reported in the applicable construction classification.

6602-04 Janitorial cleaning services - residential

Applies to establishments engaged in providing general interior janitorial cleaning or services to residential customers. General cleaning services include, but are not limited to, washing, waxing, and polishing floors, vacuuming and shampooing carpets, dusting and washing walls, dusting or cleaning mirrors, cabinets, moldings, lights, hardware, sinks, tubs, commodes, and appliances. This classification includes window cleaning when performed in connection with a general house cleaning contract.

This classification excludes establishments engaged exclusively in contract window cleaning which are to be reported separately in classification 6602-02 and establishments engaged in commercial or combined commercial and residential cleaning which are to be reported separately in 6602-03.

6602-05 Janitors, N.O.C.

Applies to the janitorial staff assigned to clean the clerical and administrative offices of establishments whose principle business undertaking is other than providing janitorial services *and* who are eligible to report their clerical employees in classification 4904. *This classification is applicable only to janitors who clean the office area.* Janitors who clean outside the office area such as a shop, warehouse, or retail store area, are excluded from this classification and are to be reported separately in the classification applicable to the employer's business.

Special note: See the special exception section of the general rules for a complete description of these requirements.

6602-08 Pest control

Applies to establishments engaged in pest control services for others. These establishments offer inspection for, and elimination of, unwanted pests in buildings and other wooden structures. Pests include, but are not limited to, termites, carpenter ants, fleas, ticks, mice, ants, cockroaches, and bees. This classification applies to all operations of elimination services such as, but not limited to, spraying liquid or aerosol pesticide, dusting with powder, setting out traps or

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bait, applying pesticides to the soil to creating a chemical barrier around the base of a structure, digging trenches around foundations, and drilling holes through masonry surfaces in order to pour or pump chemicals into the infected areas. Establishments may also offer inspection and certification services for customers seeking mortgage approval.

This classification excludes any structural repairs which are to be reported separately in the appropriate construction classification.

6602-10 Portable cleaning and washing, N.O.C.

Applies to establishments engaged in cleaning and washing services not otherwise classified (N.O.C.). This classification contemplates cleaning and washing, by means of portable spray or steam power units, machinery, equipment, automobiles, trucks, recreational vehicles, mobile homes, walk-in freezers, and shopping carts. This classification also applies to the cleaning or removal of snow from roofs, gutters or downspouts of one-story buildings.

This classification excludes establishments engaged in cleaning buildings or structures, cleaning or removing snow from roofs, gutters, and downspouts on multistory buildings, which are to be reported separately in classification 0504.

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AMENDATORY SECTION (Amending WSR 00-14-052, filed 7/1/00, effective 7/1/00)

WAC 296-17-729 Classification 6607.

6607-00 Card rooms; bingo parlors or casinos

Applies to establishments engaged in operating card rooms, bingo parlors, or casinos. To qualify for this classification, card rooms must be run as a separate operation when located in a tavern or restaurant that has a license to sell spirits or hard liquor. ((~~If the food and beverage service is provided by the tavern or restaurant for the convenience of the card room operation, then the waiters/waitresses are to be reported separately in the appropriate tavern or restaurant classification.~~)) This classification includes employments such as, but not limited to, dealers, security floor managers, janitorial and maintenance staff, and food and beverage operations. Bingo parlors and casinos are usually operated by Native American tribal organizations or by nonprofit organizations to raise funds for charity. This classification applies to any workers these organizations employ to operate bingo or casino games. Typical employments include, but are not limited to, game attendants and helpers, money collectors, callers, card dealers, janitorial and maintenance staff, and food and beverage operations.

***Special note*:** Coverage for Native American tribes conducting a bingo operation is subject to jurisdictional policy.

6607-01 Billiard or pool halls

Applies to establishments engaged in operating billiard or pool halls. This classification *could* apply to the operation of a billiard or pool hall in connection with another enterprise, such as a bowling alley or skating rink, but *only* if it is conducted as a separate and distinct operation. This classification includes, but is not limited to, counter personnel who collect money for the rental of billiard and pool equipment, rackers, food and beverage operations, and janitorial and maintenance staff.

This classification excludes clerical office and outside sales personnel who may be reported separately provided all the conditions of the general reporting rules covering standard exception employees have been met; billiard or pool tables that are provided as part of a bowling center, tavern, or restaurant operation which are to be reported separately in the applicable classification.

6607-02 Recreational, social or community centers, N.O.C.

Applies to establishments engaged in operating recreational, social or community centers not covered by another classification (N.O.C.) such as, but not limited to, senior centers, community centers for minors, and adult social establishments. These organizations may target a particular age or cultural group. Organizations may provide educational workshops, social interaction, drug prevention programs, crafts and limited physical recreational activities. This classification includes food or beverage operations provided by the center. Organizations in classification 6607 do not require membership fees as opposed to clubs in classification 6205 that charge a fee for membership.

This classification excludes YMCA's and boy/girls clubs which are to be reported separately in classification 6203; health clubs and gymnasiums which are to be reported separately in classification 6204; clubs, N.O.C. such as fraternal organizations which are to be reported separately in classification 6205, and municipal community centers which are to be reported separately in the applicable classification.

6607-03 Indoor playgrounds

Applies to establishments that provide indoor entertainment centers for children. Generally these operations include a playground area consisting of interconnecting tubes, ladders, slides, ball bins, roller slides, and water and/or air beds. The equipment is typically made of plastic, rubber, and/or plexi-glass. Video games may also be available on the premises but generally they are maintained by the game vendor. Typical duties of the employees include, but are not limited to, selling tickets, supervising the playground area, facilitating parties, snack bar operations and light cleaning such as dusting the tubes, vacuuming and cleaning the snack area. The more involved janitorial duties are usually contracted out to a private janitorial firm. Included in this classification is child day care service whereby parents can leave children at the playground for a specific period of time. This service usually places limitations on the time a child may be left at the center.

This classification excludes child day care services not part of an indoor playground operations which are to be reported separately in classifications 6103 and 6104; amusement parks, permanently located kiddie rides, and establishments which provide adult or family sports entertainment, which may include batting cages and miniature golf, which are to be reported separately in classification 6208; and establishments engaged in providing gymnastic training to children which are to be reported separately in classification 6204.

***Special note*:** Normally establishments in this classification do not employ workers who are engaged exclusively in clerical office or sales. However, separate classifications

could be assigned provided all the conditions of the general reporting rules covering standard exception employees have been met.

6607-04 Indoor simulated golfing

Applies to establishments engaged in providing computer simulated indoor golf facilities to the public. The operation consists of separate cubicles which house a computer simulated screen and a play area. Customers select a particular course from a list of available courses which are generally exact replicas of famous courses throughout the world. The player hits a golf ball against a canvas screen inside the cubicle; a computer measures the speed and direction of the ball and simulates the shot so the player can view the results on the screen. Facilities may provide a small putting area, a snack area with limited seating, and/or the sale of golf shirts and memorabilia. Typical duties of the workers include monitoring facilities, setting up computers and collecting the admission price, selling memorabilia, food and beverage operations, and light janitorial work.

This classification excludes miniature golf courses and driving ranges which are reported separately in classification 6208.

AMENDATORY SECTION (Amending WSR 98-18-042, filed 8/28/98, effective 10/1/98)

WAC 296-17-752 Classification 6907.

6907-01 Household furnishings moving and storage

Applies to establishments engaged in interstate and/or intrastate moving and/or storage of household furnishings. Work contemplated by this classification includes packing and unpacking, loading and unloading of household goods, transportation from one residence to another, and temporary storage of household goods in a warehouse. This classification includes the moving van drivers, packing personnel, laborers who assist in the loading and unloading operations, warehouse employees and truck mechanics.

This classification excludes intrastate and/or interstate delivery of nonhousehold furnishings which are to be reported separately in either classification 1101 or 1102, as applicable, and nonhousehold furnishing warehouses, which are to be reported separately in the appropriate warehouse classification.

Special note: Establishments subject to this classification are to report actual hours worked for each driver. However, the hours are to be capped at 520 hours per driver per quarter. Detailed information can be found in the general audit rule covering the trucking industry and in RCW 51.12.095.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 296-17-52001	Classification 0506.

WSR 03-23-034
PERMANENT RULES
STATE BOARD OF EDUCATION
[Filed November 12, 2003, 12:09 p.m.]

Date of Adoption: October 24, 2003.

Purpose: Repeal the State Board of Education policy WAC 180-82-115. The information required in the report is essentially duplicative of information collected in other reports to the State Board of Education and the state superintendent's office from school districts.

Citation of Existing Rules Affected by this Order: Repealing WAC 180-82-115.

Statutory Authority for Adoption: RCW 28A.305.130, 28A.410.010, 28A.150.220.

Adopted under notice filed as WSR 03-18-062 on August 28, 2003.

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

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

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

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

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 1; 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.

October 31, 2003
Larry Davis
Executive Director

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 180-82-115	Superintendent of public instruction annual report to state board of education.

WSR 03-23-037
PERMANENT RULES
STATE BOARD OF EDUCATION
[Filed November 12, 2003, 12:14 p.m.]

Date of Adoption: October 24, 2003.

Purpose: Amend language to indicate a professional certificate teacher candidate may be fully admitted to the professional certificate program, prior to completion of provisional status, if the candidate provides to the program a letter from the candidate's employing school district, private school, or state agency providing educational services for students, doc-

umenting the employer's support for the candidate's full admission to the professional certificate program.

Citation of Existing Rules Affected by this Order: Amending WAC 180-78A-505 and 180-78A-535.

Statutory Authority for Adoption: RCW 28A.210.160.

Adopted under notice filed as WSR 03-18-060 on August 28, 2003.

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

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

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

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

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 2, 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.

October 31, 2003
Larry Davis
Executive Director

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AMENDATORY SECTION (Amending WSR 03-04-025, filed 1/27/03, effective 2/27/03)

WAC 180-78A-505 Overview—Teacher professional certificate program. (1) By September 1, 2001, all colleges and universities offering a professional certificate program must be in compliance with the new program standards.

(2) To obtain a professional certificate, the residency teacher will need to complete a state board of education approved professional certificate program collaboratively developed by a college/university and the professional educational advisory board (PEAB).

(3)(a) Prior to full admission to a professional certificate program, excluding the preassessment seminar, the candidate shall complete provisional status((,)) with a school district under RCW 28A.405.220, or the equivalent with ((an)) a state board-approved private school or state agency providing educational services for students((, prior to admission to a professional certificate program, excluding the preassessment seminar)).

(b) The candidate may be fully admitted to the professional certificate program, prior to completion of provisional status, if the candidate provides to the program a letter from the candidate's employing school district, private school, or state agency providing educational services for students, documenting the employer's support for the candidate's full admission to the professional certificate program.

(4) The professional certificate requires successful demonstration of three standards (effective teaching, professional development, and leadership) and 17 criteria, pursuant to WAC 180-78A-540, related to these standards. Wherever appropriate, the residency teacher will need to provide evidence that his/her teaching has had a positive impact on student learning as defined in WAC 180-78A-010(8).

(5)(a) The candidate and college or university shall develop an individual 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.

(b) The individual professional growth plan will be based on an analysis of the student/learning context in that teacher's assignment and a preassessment of that teacher's ability to demonstrate the standards and criteria set forth in WAC 180-78A-540.

(c) The individual professional growth plan shall include instruction and assistance components for each residency teacher. The instruction and assistance components will be designed to give the residency teacher the necessary knowledge and skills needed to demonstrate successfully the standards and criteria set forth in WAC 180-78A-540.

(6) The final component of the program will be a culminating assessment seminar in which the residency teacher's ability to demonstrate the standards and criteria cited above will be evaluated. These assessments shall include multiple forms of data collected over time, including evidence of positive impact on student learning, where appropriate.

(7) As part of the program development, the college/university and the PEAB shall establish criteria and procedures for determining when the residency teacher has successfully completed the program. When the program administrator has verified to the superintendent of public instruction that the candidate has completed the approved program, the state will issue the residency teacher a professional certificate.

AMENDATORY SECTION (Amending WSR 03-04-024, filed 1/27/03, effective 2/27/03)

WAC 180-78A-535 Approval standard—Program design. The following requirements shall govern the design of the professional certificate program:

(1) **Teacher.**

(a) 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 or state agency providing educational services for students and shall have completed provisional status with a school district under RCW 28A.405.220 or the equivalent with ((an)) a state board of education-approved private school or state agency providing educational services for students or the candidate provides to the program a letter from the candidate's employing district, state board of education-approved private school, or state agency providing educational services for students, documenting the employer's support for the candidate's full admission to the professional certificate program: Provided, That a candidate for the professional teacher's certificate may enroll in and complete the preassessment seminar described in subsection (4)(a) of this section prior to admission to a professional certificate program.

(b) The professional certificate program must be available to all qualified candidates.

(c) 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, which may not be changed without prior state board approval, 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.

(d) Each program shall consist of:

(i) 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:

(A) 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.

(B) An assessment of the candidate's ability to demonstrate successfully the professional certificate standards and criteria.

(C) Specifications of assistance and instructional components needed and any required course work.

(ii) 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 statewide as essential to "effective teaching" as defined in WAC 180-78A-540(1).

(iii) 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 statewide as essential to "professional development" as defined in WAC 180-78A-540(2).

(iv) 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 statewide as essential to "leadership" as defined in WAC 180-78A-540(3).

(v) 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 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, which may not be changed without prior state board approval.

(vi) 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.

(vii) No limits shall be placed on the number of times a candidate with a valid residency certificate may participate in the culminating seminar.

(2) **Principal/program administrator.**

(a) To be eligible to apply for admission to a professional certificate program, a candidate shall hold a contract as an administrator for which the credential is required in a public school or state board of education approved private school.

(b) The professional certificate program must be available to all qualified candidates.

(c) Using the six knowledge and skills standards, and the standards-based benchmarks as approved by the state board of education and published by the office of the superintendent of public instruction, which may not be changed without state board approval, 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.

(d) Each program shall consist of:

(i) A preassessment seminar during which the professional growth plan shall be developed. The plan will be agreed upon after input from and consultation with his/her professional growth team (WAC 180-78A-010 (10)(b)). The individual professional growth plan shall be based on an assessment of the candidate's ability to demonstrate six standards at the professional certificate benchmark level (WAC 180-78A-270 (2)(b)), performance evaluation data, and an analysis of the administrative context and assignment.

(ii) Formalized learning opportunities, past and current experience, professional development opportunities, and other activities directed at developing and verifying that the candidate has achieved acceptable knowledge, skill, and performance at the professional certificate benchmark level, or above, on all standards as defined in WAC 180-78A-270 (2)(b).

(iii) 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; development of a professional growth plan that includes the identification of future goals and professional/career interests as well as a five-year plan for professional development designed to meet the requirements for certificate renewal.

(e) Candidates who do not successfully complete a culminating seminar shall receive an individualized analysis of strengths and weaknesses and a plan for assistance.

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(f) No limit shall be placed on the number of times a candidate with a valid residency certificate may enroll in the culminating seminar.

WSR 03-23-038
PERMANENT RULES
STATE BOARD OF EDUCATION
[Filed November 12, 2003, 12:16 p.m.]

Date of Adoption: October 24, 2003.

Purpose: The purpose of the amendments to this rule is to require individuals seeking a probationary certificate as a coordinator of work-based learning to successfully demonstrate competencies related to coordination techniques as verified by a State Board of Education approved program and to hold a valid probationary career and technical education teacher certificate.

Citation of Existing Rules Affected by this Order: Amending WAC 180-77-014.

Statutory Authority for Adoption: RCW 28A.410.010.

Adopted under notice filed as WSR 03-18-059 on August 28, 2003.

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

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

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

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

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 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.

November 2, 2003
Larry Davis
Executive Director

AMENDATORY SECTION (Amending WSR 02-04-018, filed 1/24/02, effective 2/24/02)

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 career and technical education certificate.

The candidate for a probationary certificate must have substantially completed requirements for the initial career and technical education 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 career and technical education administrator. The plan must be approved by the local school district career and technical education 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 career and technical education 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 career and technical education instructor to develop competencies in the following:

(iv) Career and technical education 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 career and technical education 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 career and technical education instructor to meet the requirements for the initial career and technical education certificate.

(vii) Provided, That candidates for probationary certificates as a coordinator of work-based learning shall ((~~have completed a course in~~)) successfully demonstrate competencies related to coordination techniques as verified by a state board of education approved program and ((~~either: (A) Possess~~)) hold a valid ((~~initial or continuing~~)) probationary career and technical education teacher certificate((~~; or~~

~~(B) Have completed five hundred hours of occupational experience within the past six years~~)).

(2) Conditional career and technical education certificate. Notwithstanding other requirements prescribed in this chapter for eligibility for career and technical education certification in the state of Washington, the one-year conditional career and technical education certificate may be issued under specific circumstances set forth below for limited service:

(a) The issuance of the conditional career and technical education certificate may be issued only under unique and special circumstances where no regularly certificated career and technical education instructor is available and is limited to:

(i) Persons highly qualified and experienced in the knowledge and occupational skills of the career and technical education program to be certified; or

(ii) Persons who meet the occupational experience requirements for career and technical education 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 career and technical education administrator and school district superintendent or designee. The local career and technical education administrator or superintendent will verify that the following criteria have been met when requesting the conditional career and technical education certificate:

(i) No person with career and technical education certification in the field is available as verified by the local career and technical education administrator or superintendent;

(ii) The individual is being certified for a limited assignment and responsibility in a specified career and technical education 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 career and technical education 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 career and technical education certificates. Substitute career and technical education certificates may be issued to candidates who meet the requirements in WAC 180-79A-231 (2) or (4).

WSR 03-23-039
PERMANENT RULES
STATE BOARD OF EDUCATION
[Filed November 12, 2003, 12:18 p.m.]

Date of Adoption: October 24, 2003.

Purpose: The adoption of the amendments to this rule revise the manner in which school districts may assign classroom teachers.

Citation of Existing Rules Affected by this Order: Amending WAC 180-82-105.

Statutory Authority for Adoption: RCW 28A.410.010.

Adopted under notice filed as WSR 03-16-013 on July 25, 2003.

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

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

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

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

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 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.

November 2, 2003
Larry Davis
Executive Director

AMENDATORY SECTION (Amending WSR 02-18-038, filed 8/26/02, effective 9/26/02)

WAC 180-82-105 Assignment of classroom teachers within districts. In addition to holding teaching permits or certificates as required by WAC 180-16-220(2), the assignment of classroom teachers in the basic program of education shall comply with the following:

(1) Classroom teachers with standard or unendorsed continuing teacher certificates may be assigned to any grade or subject areas for which certification is required.

(2) Classroom teachers with initial, residency, endorsed continuing, or professional teacher certificates may be assigned only to the specified grades and specified subject areas stated as endorsements upon their respective certificates or permits.

(3) Classroom teachers with initial, residency, endorsed continuing, or professional teacher certificates who have an elementary education endorsement may be assigned to teach any subject in grades K-8.

(4) Any certificated teacher who has completed twenty-four quarter hours (sixteen semester hours) of academic study in a content area that will be offered in grades four through nine may be assigned to that course even if the teacher does not hold an endorsement in that area.

(5) Any certificated teacher may be assigned to a middle school or junior high school block program, which for the purpose of this section shall be defined as the same teacher assigned to teach two or more subject areas to the same group of students, if the teacher has an endorsement in one of the subject areas and has completed or will complete within one year nine quarter hours in each of the other subject areas.

(6) Upon determination by school districts that teachers have the competencies to be effective teachers in alternative settings, 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 teach in alternative schools.

(7) Any certificated teacher may be assigned to courses offered in basic education subject areas not included with the list of endorsements specified in WAC 180-82-202.

(8) Any certificated teacher may be assigned to serve as a substitute classroom teacher at any grade level or in any subject area for a period not to exceed thirty consecutive school days in any one assignment.

(9) Any certificated person holding a limited certificate as specified in WAC 180-79A-230 or a career and technical education certificate as specified in chapter 180-77 WAC may be assigned as per the provisions of such section or chapter.

PERMANENT

(10) If a teacher is assigned to provide special education, then the district must also comply with WAC 392-172-200 and 392-172-202.

(11)(a) For the purpose of this section, the term "specified subject areas" shall mean courses or classes with the same subject area title as specified by the classroom teacher's endorsement and courses or classes which the board of directors of the district, using the endorsement-related assignment table published by the state board of education as a nonbinding guideline, determines to substantially include the same subject area as the endorsement—e.g., a classroom teacher with a health endorsement may be assigned to any course, regardless of course title, which substantially includes health as the subject area.

(b) The endorsement-related assignment table published by the state board of education may not be changed without prior state board of education approval. Endorsement-related assigned classroom teachers must be evaluated annually specific to the assignment and achieve a satisfactory rating to continue in the assignment.

(12) Exceptions to the assignment requirements of subsection (1) of this section must comply with WAC 180-82-110.

(13) School district compliance with this section shall be subject to the state staff review process specified in WAC 180-16-195(2).

PERMANENT

WSR 03-23-040
PERMANENT RULES
STATE BOARD OF EDUCATION
[Filed November 12, 2003, 12:20 p.m.]

Date of Adoption: October 24, 2003.

Purpose: Amend language to make adjustments to the affected state board policies to bring them into alignment with the statutory changes in law.

Citation of Existing Rules Affected by this Order: Amending WAC 180-24-00701, 180-24-215, and 180-24-220.

Statutory Authority for Adoption: Chapter 28A.315 RCW.

Adopted under notice filed as WSR 03-18-063 on August 28, 2003.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 3, Repealed 0.

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

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 3, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 3, Repealed 0.

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

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: [No information supplied by agency.]

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

October 30, 2003
Larry Davis
Executive Director

AMENDATORY SECTION (Amending WSR 99-24-125, filed 12/1/99, effective 1/1/00)

WAC 180-24-00701 Regional committee decision making criteria. (1) The regional committee shall give consideration to all of the following criteria when reviewing the proposed transfer of territory:

(a) ((~~Annual school performance reports~~)) Student educational opportunities (see RCW 28A.315.205 (4)(a) for full text);

(b) Safety and welfare of pupils (see RCW 28A.315.205 (4)(b) for full text);

(c) History and relationship of the property affected to the students and communities affected (see RCW 28A.315.205 (4)(c) for full text);

(d) Geographic accessibility (see RCW 28A.315.205 (4)(d) for full text);

(e) Disparities in per pupil valuation, economies of operation and transportation costs (see RCW 28A.315.205 (4)(e) for full text); and

(f) Other criteria or considerations as may be established in rule by the state board of education. (RCW 28A.315.015 (2)(e)).

(2) Under RCW 28A.315.195(2) the boundaries of the school districts affected by a proposed change in school district organization shall be contiguous to one another.

(3) ((~~Under RCW 28A.315.205 (4)(a), every element of the annual school performance report shall be considered and no one element shall be given undue weight in comparison to any other element.~~

~~(4)~~)) Under RCW 28A.315.205(4), "geographic accessibility" includes, but is not limited to, consideration of the following factors:

(a) Mountains, hills, valleys, wasteland, and related geographic and man-made features, which either enhance or impede travel.

(b) Rivers, lakes, canals, and other natural or man-made waterways and bodies of water, which either enhance or impede travel.

(c) The extent and nature of roads, highways, ferries, and traffic patterns.

(d) Climatic conditions.

(e) Time required to travel to and from school.

AMENDATORY SECTION (Amending WSR 99-24-125, filed 12/1/99, effective 1/1/00)

WAC 180-24-215 Superintendent of public instruction staff review of regional committee proposals—When. Pursuant to RCW 28A.315.205(5), when a decision of a regional committee ((~~to approve a proposed transfer of territory~~)) is appealed to the state board of education, staff of the

office of superintendent of public instruction, prior to the appeal hearing, shall be responsible for:

(1) Collecting from the applicable educational service district superintendent the written record of the approved transfer proposal and providing a copy of the written record to the state board of education;

(2) Reviewing the written record and, at the superintendent's discretion, providing to the state board the staff's judgment as to whether the regional committee failed to follow the applicable statutory and regulatory procedures or acted in an arbitrary and capricious manner.

AMENDATORY SECTION (Amending WSR 99-24-125, filed 12/1/99, effective 1/1/00)

WAC 180-24-220 Action by state board of education—When. Pursuant to RCW 28A.315.205(5), the state board of education shall act on a proposed transfer of territory only when there is an appeal to the board of a decision of a regional committee ((~~to approve a proposed transfer of territory~~)).

WSR 03-23-048
PERMANENT RULES
DEPARTMENT OF TRANSPORTATION
[Filed November 14, 2003, 10:42 a.m.]

Date of Adoption: November 12, 2003.

Purpose: Adoption of this WAC will make permanent emergency department procedures for allowing wireless communication sites direct access to full control limited access state highways.

Citation of Existing Rules Affected by this Order: Amending WAC 468-58-010 Limited access state highways.

Statutory Authority for Adoption: RCW 47.52.027.

Adopted under notice filed as WSR 03-20-012 on September 19, 2003.

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

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

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

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

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

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

November 13, 2003
John F. Conrad
Assistant Secretary
Engineering and Regional Operations

AMENDATORY SECTION (Amending Order 34, filed 7/23/79)

WAC 468-58-010 Definitions. The following definitions shall designate limited access highways and shall indicate the control of access to be exercised by each:

(1) "Fully controlled limited access highway" is a highway where the right of owner or occupants of abutting land or other persons to access, light, air, or view in connection with the highway is controlled to give preference to through traffic by providing access connections with selected public roads only, and by prohibiting crossings or direct private driveway connections at grade, with the exception of Type C and F approaches, where no other reasonable means of access exists as solely determined by the department.

(2) "Partially controlled limited access highway" is a highway where the right of owner or occupants of abutting land or other persons to access, light, air, or view in connection with the highway is controlled to give preference to through traffic to a degree that, in addition to access connections with selected public roads, there may be some crossings and some private driveway connections at grade. Commercial approaches to partially controlled limited access highways are allowed only to frontage roads or by means of public road intersections. A partially controlled limited access highway may be designed to provide for separation of a part or all road crossings and the elimination of a part or all direct private driveway connections under a stage plan of future construction.

(3) "Modified controlled limited access highway" is a highway where the right of owner or occupants of abutting land or other persons to access, light, air, or view in connection with the highway is controlled to give preference to through traffic to such a degree that most approaches, including commercial approaches, existing and in use at the time of the establishment, may be allowed.

(4) "An expressway limited access highway" is a partially controlled limited access highway of four or more traffic lanes with the opposing lanes of travel separated by a median strip of arbitrary width.

(5) "A freeway limited access highway" is a fully controlled limited access highway of four or more traffic lanes with the opposing traffic lanes separated by a median strip of arbitrary width.

PERMANENT

WSR 03-23-086
PERMANENT RULES
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
(Medical Assistance Administration)
[Filed November 17, 2003, 10:38 a.m.]

Date of Adoption: November 13, 2003.

Purpose: Repeal of a duplicative rule. The language of this rule was incorporated into the rules contained in WAC 388-424-0005 and 388-424-0010 during a consolidation effort in July 1999, but the repeal of WAC 388-510-1005 Definition—Aliens, was overlooked in the filing under WSR 99-19-091.

Citation of Existing Rules Affected by this Order: Repealing WAC 388-510-1005.

Statutory Authority for Adoption: RCW 74.08.090.

Other Authority: RCW 34.05.353 (2)(d).

Adopted under notice filed as WSR 03-10-093 on May 6, 2003.

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

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

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

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

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

November 13, 2003

Brian H. Lindgren, Manager

Rules and Policies Assistance Unit

PERMANENT

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-510-1005	Definitions—Aliens.

WSR 03-23-093

PERMANENT RULES

SECRETARY OF STATE

[Filed November 17, 2003, 4:11 p.m.]

Date of Adoption: November 1, 2003.

Purpose: Implement the 2004 presidential primary.

Citation of Existing Rules Affected by this Order: Repealing WAC 434-219-010, 434-219-030, 434-219-040, 434-219-130, 434-219-255, 434-219-270, 434-219-285, 434-219-300 and 434-219-350; and amending WAC 434-219-020, 434-219-080, 434-219-100, 434-219-150, 434-219-160, 434-219-170, 434-219-180, 434-219-185, 434-219-210, 434-219-220, 434-219-230, 434-219-250, 434-219-280, 434-219-290, and 434-219-340.

Statutory Authority for Adoption: RCW 29.19.070.

Adopted under notice filed as WSR 03-16-041 on July 30, 2003.

Changes Other than Editing from Proposed to Adopted Version: Out-of-date WAC citations were changed; WAC 434-219-140 is added and amended to keep consistent language; proposed additional language to WAC 434-219-250 is dropped, and a reference to a repealed section in WAC 434-219-280 is corrected.

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 16, Repealed 9.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 16, Repealed 9.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 16, Repealed 9; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

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

November 15, 2003

Steve Excell

Assistant Secretary of State

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 434-219-010	Authority and purpose.
WAC 434-219-030	Presidential primary—When held.
WAC 434-219-040	Presidential primary—Changing the date.
WAC 434-219-130	Conduct of the presidential primary.
WAC 434-219-255	Tabulating, reporting, and canvassing write-in votes.
WAC 434-219-270	Vote-by-mail precincts.
WAC 434-219-285	Record of ballots not tabulated.
WAC 434-219-300	Sealing of voting devices.
WAC 434-219-350	Time for submission and payment of claims for reimbursement.

AMENDATORY SECTION (Amending WSR 00-03-003, filed 1/6/00, effective 2/6/00)

WAC 434-219-020 Definitions. As used in this chapter:

(1) ((~~"County auditor" means the county auditor in a noncharter county or the officer, irrespective of title, having the overall responsibility to maintain voter registration information and conduct state and local elections in a charter county, and his or her deputies or staff where the context indicates;~~

~~(2) "Major political party" means a political party of which at least one nominee for president, vice president, United States senator, or statewide office received at least~~

~~five percent of the total vote cast at the last preceding state general election for that office in an even-numbered year;~~

~~(3) "Ballot" means, as the context implies, either:~~

~~(a) The issues and offices to be voted upon in a jurisdiction or portion of a jurisdiction at a presidential primary;~~

~~(b) A facsimile of the contents of a particular ballot, whether printed on a paper ballot or ballot card or as part of a voting device;~~

~~(c) A physical or electronic record of the choices of an individual voter at a presidential primary;~~

~~(d) A physical document on which the voter's choices are to be recorded;~~

~~(4)~~)) "Political party ballot" means a ballot composed of a list of names of candidates belonging to the same major political party and who have been certified by the secretary of state as provided in RCW 29.19.030.

(((~~5~~))) (2) "Unaffiliated ballot" means a ballot composed of a list of all the candidates certified by the secretary of state as provided in RCW 29.19.030.

(((~~6) "Physically~~)) (3) "Separate ballot" means a ballot specific to a single political party or an unaffiliated ballot. When ((~~physically~~)) separate ballots are used, all ballots must be issued to each absentee voter unless the voter signs the appropriate oath requesting only one ballot.

(((~~7~~))) (4) "Consolidated ballot" means a ((~~single sheet of ballot paper or card~~)) medium upon which multiple ballots may be listed. Such ballots must clearly identify each separate ballot by type and, if used at a polling place, must also be capable of being coded so that only votes cast for candidates matching the oath signed by the voter are counted. Consolidated mail ballots may be coded in the same manner as polling place ballots.

~~(((8) "Voting system" means a voting device, vote tallying system, or combination of these together with ballots and other supplies or equipment used to conduct a presidential primary or to canvass votes cast in a presidential primary;~~

~~(9) "Voting device" means a piece of equipment used for the purpose of marking, or to facilitate the marking, of a ballot to be tabulated by a vote tallying system, or a piece of mechanical or electronic equipment used to directly record votes and to accumulate results for a number of issues or offices from a series of voters;~~

~~(10) "Vote tallying system" means a piece of mechanical or electronic equipment and associated data processing software used to tabulate votes cast on ballot cards or otherwise recorded on a voting device or to prepare that system to tabulate ballot cards or count votes;~~

~~(11) "Ad hoc committee" means the committee created under RCW 29.19.020 that has the authority to change the date of the presidential primary.~~))

AMENDATORY SECTION (Amending WSR 96-03-141, filed 1/24/96, effective 2/24/96)

WAC 434-219-080 Petition process for ballot access. Members of a major political party may petition the secretary of state, pursuant to the provisions of RCW 29.19.030(2), to include on the presidential primary ballot the name of any candidate of that party not designated by the secretary of state under WAC ((~~434-75-060~~)) 434-219-060. Petitions may be circulated for signatures not earlier than the first day following the designation of candidates by the secretary of state under WAC ((~~434-75-060~~)) 434-219-060. Such petitions must be filed with the secretary of state not later than the thirty-ninth day preceding the primary, shall be accompanied by a signed, notarized statement by the candidate concerned giving his or her consent to the nomination, and must bear the signatures of at least one thousand persons registered to vote in the state of Washington at the time the petition signatures are verified.

AMENDATORY SECTION (Amending WSR 96-03-141, filed 1/24/96, effective 2/24/96)

WAC 434-219-100 Verification of signatures by secretary of state. Upon receipt of any nominating petition filed pursuant to WAC ((~~434-75-080~~)) 434-219-080, the secretary of state shall promptly canvass and verify the signatures in order to determine the validity of the petition. The secretary may reject, without verification of signatures, any petition that clearly bears insufficient signatures, any petition that is not accompanied by a consent to the nomination by the candidate, or any petition that is in a form inconsistent with the provisions of WAC ((~~434-75-090~~)) 434-219-090. To the extent that it is not inconsistent with other provisions of these rules, the canvass and verification process may be observed in the same manner as that specified in RCW 29.79.200 for the observation of the canvass and verification of initiative signatures. The secretary of state shall reject the signature of any person not registered to vote in Washington, and any multiple signatures from the same voter. No signature may be rejected solely on the basis that it is not accompanied by the address or precinct name or number of the signer.

AMENDATORY SECTION (Amending WSR 96-03-141, filed 1/24/96, effective 2/24/96)

WAC 434-219-150 Ballot request form used at the polling place. (1) The political party declaration provided under WAC ((~~434-75-140~~)) 434-219-140, when provided to a voter desiring to vote at a polling place, may appear on either:

(a) A paper form of uniform size for each voter. The form shall identify the presidential primary, the major political party, and the date, and shall have space for the voter to sign his or her name and address. The voter's precinct shall be clearly indicated on the form. Multiple-part reproducible forms may be used for this purpose. The signed ballot request forms shall be collected by the precinct election officers and transmitted to the county auditor at the end of the voting day; or

(b) A format printed in the poll book which would permit the voter to sign his or her name and address and to indicate his or her political party preference, if any; or

(c) Separate poll books for each major political party distinct from the poll books for voters who do not subscribe to the declaration of any major political party.

(2) The county auditor shall provide appropriate instructions for the precinct election officers regarding the handling, maintaining, and transportation of the political party declarations.

PERMANENT

AMENDATORY SECTION (Amending WSR 00-03-003, filed 1/6/00, effective 2/6/00)

WAC 434-219-160 Political party and unaffiliated ballots—Arrangement. Ballots for each major political party and unaffiliated ballots shall be provided as follows:

(1) Where candidate names are listed on ((~~physically~~)) separate ballots, each ballot shall be identified by color and either the name of the political party or as an unaffiliated ballot. Each separate ballot shall contain a machine readable code to distinguish each ballot type within each precinct.

(2) Where candidate names are listed on a consolidated ballot, they shall be ((~~printed~~)) presented in such a manner that each party's group of candidates is clearly distinguishable and identified by party name. The unaffiliated ballot may be listed in a separate listing or may be considered a combination of the party ballots. The order of the parties shall be the same as the order in which candidate names are listed on partisan general election ballots.

At a polling place, each ballot must be coded so that only votes cast for candidates of the party matching the oath signed by the voter are counted.

The code shall be a response position on the consolidated ballot identifying one of the major political parties or the unaffiliated status. Its purpose will be to exclude any vote cast on the ballot that does not correspond to the party or unaffiliated status indicated by the voter on the response position. The voter must mark or punch the appropriate response position corresponding to the oath or declaration on the absentee ballot return envelope. If the vote is cast at a polling place, the voter or precinct election official shall mark or punch the code. If the code is marked or punched by the voter, the precinct election official shall ensure that the code matches the oath or declaration as signed in the poll book. If a consolidated ballot is used in a mail ballot precinct or as an absentee ballot and a party/unaffiliated code is not used, each returning ballot must be segregated by oath and then subsequently inspected to ensure that only votes cast for candidates corresponding to the oath signed by the voter are counted.

AMENDATORY SECTION (Amending WSR 00-03-003, filed 1/6/00, effective 2/6/00)

WAC 434-219-170 Order of political parties. Whenever political party declarations or ballots are printed on the same envelope, card, or sheet of paper, the party which polled the highest number of votes in the state for its candidate for president at the last preceding presidential election shall be listed first. The party which polled the next highest number of votes in the state for its candidate for president at the last preceding presidential election shall be listed second. Unaffiliated declarations shall be printed below political party declarations.

AMENDATORY SECTION (Amending WSR 00-03-003, filed 1/6/00, effective 2/6/00)

WAC 434-219-180 Ballots—Arrangement of names—Instructions. (1) The unaffiliated ballot shall contain the names of all of the candidates certified by the secretary of state under WAC 434-219-120 listed alphabetically under the designation of the office (president of the United States) together with any other issues being submitted to the voters at special elections held in conjunction with the presidential primary.

(2) The political party ballots shall contain the names of all of the candidates certified by the secretary of state under WAC 434-219-120 for that party's nomination listed alphabetically under the designation of the office (president of the United States) together with any other issues being submitted to the voters at special elections held in conjunction with the presidential primary.

(3) Provision for the voter to write-in the name of another candidate shall be provided on each ((~~physically~~)) separate ballot or for each party's office on a consolidated ballot. The names of candidates on the presidential primary ballot shall not be rotated.

(4) The ballot shall contain instructions to the voters in substantially the following form:

"If you vote for more than one candidate for this office, your vote in the presidential primary will not be counted."

The instructions shall be printed large enough to be easily read by the voter.

(5) Ballots for each political party and unaffiliated ballots shall be differentiated by color except when using a consolidated ballot.

AMENDATORY SECTION (Amending WSR 00-03-003, filed 1/6/00, effective 2/6/00)

WAC 434-219-185 Logic and accuracy test decks. No later than fifteen days before the date of the presidential primary, the county auditor shall provide for the preparation of a test deck for logic and accuracy testing. No later than thirty days before the date of the presidential primary, the county auditor in consultation with the office of the secretary of state shall schedule a logic and accuracy test so that a representative of the office of the secretary of state can be present during the test. A representative of the secretary of state shall observe and certify that the test was conducted. Excluding the provisions in this chapter the procedures for the logic and accuracy test shall be conducted pursuant to the provisions of chapter 434-333 WAC and RCW 29.33.350.

AMENDATORY SECTION (Amending WSR 00-03-003, filed 1/6/00, effective 2/6/00)

WAC 434-219-210 Issuing absentee and polling place ballots. (1) Polling place voters who do not make a political party declaration under WAC 434-219-140 shall be ((~~issued~~)) presented either an unaffiliated ballot, or a consolidated ballot coded as an unaffiliated ballot. Polling place voters who make a political party declaration under WAC 434-219-140 shall be ((~~issued~~)) presented either that party's ballot or a consolidated ballot coded to match their party oath.

(2) Absentee ballot voters, except as provided in subsection (3) of this section if applicable, shall be issued all unaffiliated and political party ballots, either as ((~~physically~~)) separate ballots or as a consolidated ballot.

PERMANENT

(3) At the discretion of the county auditor, absentee ballots issued directly to the voter at the auditor's office may be issued in the same manner as polling place ballots provided that the voter marks, or verbally refuses to mark, the appropriate declaration on the return envelope prior to receiving the ballot.

AMENDATORY SECTION (Amending WSR 00-03-003, filed 1/6/00, effective 2/6/00)

WAC 434-219-220 Absentee ballots—Declarations—Instructions. (1) The political party declaration and unaffiliated declaration provided under WAC 434-219-140 shall be printed on the return envelope below the absentee ballot oath provided under WAC 434-240-190. Each declaration shall be printed next to a box in which the voter ((~~may~~)) is instructed to make a mark to indicate to which declaration ((~~he or she~~)) they subscribe((~~s~~)). The date and signature lines in the absentee ballot oath shall also serve as the date and signature lines for the political party and unaffiliated declarations.

(2) In addition to other instructions normally provided to absentee voters, the county auditor shall ensure that, whenever presidential primary ballots are issued, the voters are given specific instructions on how to mark their ballot so that it will be counted in accordance with the oath they signed on the return envelope. Instructions shall also be provided to the voter on the correct method for writing in a candidate's name on the ballot.

AMENDATORY SECTION (Amending WSR 00-03-003, filed 1/6/00, effective 2/6/00)

WAC 434-219-230 Segregation of absentee ballots. Absentee ballots must be segregated according to major party declaration choice before they are removed from the return envelopes. The number of ballots in each segregated group shall be recorded on a ballot accountability form at each step of the absentee ballot canvassing process. ((~~If consolidated absentee ballots are used, they shall be processed in the manner provided by either WAC 434-219-160(2) or, if a party/unaffiliated ballot code is used, by WAC 434-219-165 if applicable.~~))

AMENDATORY SECTION (Amending WSR 00-03-003, filed 1/6/00, effective 2/6/00)

WAC 434-219-250 Tabulation of ballots. (1) Any voter who ((~~signs~~)) selects a party oath and votes for a candidate certified by the secretary of state for that party shall have that vote tabulated as a political party vote, regardless upon which ballot that vote is cast.

(2) Any voter who ((~~signs~~)) selects the unaffiliated oath, ((~~or who does not sign an oath at all,~~)) shall have that vote tabulated as an unaffiliated vote, regardless upon which ballot that vote is cast.

(3) Any voter who ((~~signs~~)) selects a party oath and then votes for a candidate certified by the secretary of state for a different party shall not have that vote tabulated.

(4) If the voter does not select an oath, then no vote for president shall be tabulated.

AMENDATORY SECTION (Amending WSR 00-03-003, filed 1/6/00, effective 2/6/00)

WAC 434-219-280 Votes not tabulated. ((~~In addition to WAC 434-219-255,~~)) The county auditor shall not tabulate votes in the presidential primary in the following cases:

(1) Where the voter has attempted to vote ((~~more than once for that office~~)) for more than one candidate on the same political party or unaffiliated ballot;

(2) Where the voter has voted ((~~for candidates of more than one political party~~)) on more than one political party or unaffiliated ballot, in which case ((~~all such votes~~)) any vote cast on a ballot not matching the oath signed by the voter shall be rejected;

(((~~(3) Where a write-in vote is made for a person who has declined the nomination as provided by WAC 434-75-070;~~

~~(4) Where the person issued a special or challenged ballot does not otherwise satisfy the constitutional or statutory requirements for voting;~~

~~(5) Where the voter has signed a political party oath and then cast a vote other than a write-in vote for a candidate whose name appears on a different party's ballot.~~))

In those instances where the auditor is not sure whether a ballot or part of a ballot should be counted, he or she shall refer that ballot to the county canvassing board for their determination.

AMENDATORY SECTION (Amending WSR 00-03-003, filed 1/6/00, effective 2/6/00)

WAC 434-219-290 Canvassing and certification of presidential primary. County canvassing boards shall certify the results of the presidential primary including ((~~totals for all~~)) the total number of write-in votes cast, by congressional and legislative districts, not later than the tenth day following the primary. ((~~No later than the twentieth day following the primary, county canvassing boards shall certify totals for all valid write-in votes cast for each candidate and the total of all write-in votes not tabulated, by congressional and legislative districts.~~)) The county auditor shall send one original copy of the returns by mail to the secretary of state on the same day the returns are certified. Wherever applicable, the other procedures established by chapter 29.62 RCW for the canvassing of state primaries shall apply to the canvassing of a presidential primary. Not later than the thirtieth day following the presidential primary, the secretary of state shall notify the candidates and the chairperson of the national and state committees of each major political party of the votes cast for each candidate listed on the ballot and of the write-in votes cast for any qualified write-in candidates.

AMENDATORY SECTION (Amending WSR 96-03-141, filed 1/24/96, effective 2/24/96)

WAC 434-219-340 Claims for reimbursement. Following the presidential primary, each county auditor shall provide to the secretary of state a completed claim for reimbursement of expenses incurred by the county in conducting the primary. This cost shall be prorated with any other jurisdictions holding special elections in conjunction with the primary under RCW 29.13.045. The procedures for allocating

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such costs shall be the same as those prescribed by the office of the state auditor for election cost allocations to the state, cities, towns, and special purpose districts. Claims for reimbursement and supporting documents shall be submitted to the secretary of state not later than sixty days following the certification of the returns of the presidential primary by the secretary of state.

WSR 03-23-094
PERMANENT RULES
SECRETARY OF STATE
[Filed November 17, 2003, 4:13 p.m.]

Date of Adoption: November 1, 2003.

Purpose: Update the timelines and repeal outdated.

Citation of Existing Rules Affected by this Order: Repealing WAC 434-209-040; and amending WAC 434-209-050, 434-209-060, and 434-209-080.

Statutory Authority for Adoption: RCW 43.03.305.

Adopted under notice filed as WSR 03-16-058 on August 1, 2003.

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

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

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 3, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 3, Repealed 1.

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

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

November 15, 2003
Steve Excell
Assistant Secretary of State

AMENDATORY SECTION (Amending WSR 97-21-045, filed 10/13/97, effective 11/13/97)

WAC 434-209-050 Conducting the selection of names by lot. No later than ((~~January~~)) May 20 of the year of selection, the secretary of state shall arrange for the random selection of approximately an equal number of names of registered voters from each congressional district that requires appointment of a new commissioner. The secretary of state may employ a properly programmed electronic data processing system or device to make the random selection of registered voters as required by this section. ((~~The secretary of state shall request a separate list of registered voters for each congressional district to be selected by a random sample from the lists compiled under WAC 434-209-040.~~))

AMENDATORY SECTION (Amending WSR 97-21-045, filed 10/13/97, effective 11/13/97)

WAC 434-209-060 Notifying persons selected by lot. (1) No later than ((~~January~~)) May 31 of the year of selection, the secretary of state shall notify by nonforwardable 1st class mail each person selected by lot under WAC 434-209-050. The notification shall contain a response form and prestamped, self-addressed return envelope. The notification shall include the statutory qualifications for membership on the commission as specified in RCW 43.03.305 and describe the duties of the position under RCW 43.03.310. The notification shall request the person selected to confirm on the form whether or not they meet the statutory qualifications to serve on the commission and to indicate if they are willing to serve on the commission in the specified capacity. Each person shall be requested to return the form no later than ((~~February~~)) June 10 of that year. Any selected person, by appropriate indication on the form, may decline to serve on the commission. The secretary of state shall take as conclusive indication that the person has declined to serve if the form is not received by the secretary of state on or before ((~~February~~)) June 10 of that year. The notification shall include an appropriate notice of this deadline.

(2) The secretary of state shall compile a list by congressional district of each qualified person who has responded to the notification, confirmed that they meet the specified qualifications and are willing to serve on the commission as requested in subsection (1) of this section.

AMENDATORY SECTION (Amending WSR 97-21-045, filed 10/13/97, effective 11/13/97)

WAC 434-209-080 Names of selected persons to governor. No later than ((~~February 15~~)) July 1 of the year of selection, the secretary of state shall forward to the governor the certified list of the names of the first registered voter selected from each congressional district under WAC 434-209-070. In the event that one of the persons certified to the governor declines appointment, the secretary of state shall forward to the governor the name of the next registered voter from the same congressional district on the list compiled under WAC 434-209-070.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 434-209-040	Transmitting and compiling the data file of records of registered voters.

WSR 03-23-097
PERMANENT RULES
LOTTERY COMMISSION
[Filed November 17, 2003, 4:28 p.m.]

Date of Adoption: November 13, 2003.

Purpose: On July 17, 2003, the Lottery Commission amended WAC 315-34-040 on an emergency basis effective October 5, 2003, to correctly reflect the prize and odds structure of the Lotto game that was relaunched on October 5, 2003. On November 13, 2003, the commission adopted the same rule on a permanent basis.

Citation of Existing Rules Affected by this Order: Amending WAC 315-34-040.

Statutory Authority for Adoption: RCW 67.70.040.

Adopted under notice filed as WSR 03-20-001 on September 17, 2003, published October 18, 2003.

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

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 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 1.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: Under RCW 34-05.380 [34.05.380] (3)(a) such action is required by the lottery's enabling statute to have the rule in place for the launch of any new lottery games. See chapter 67.70 RCW. This rule is pertinent to the odds, prizes and the type of play change of the new Lotto game. The game would be invalid without the amended rule.

Effective Date of Rule: November 17, 2003.

November 17, 2003
Ceil Buddeke
Counsel

AMENDATORY SECTION (Amending WSR 01-17-22 [01-17-022], filed 8/6/01)

WAC 315-34-040 Prized for Lotto. (1) The prize amounts to be paid to each Lotto player who selects a winning combination of numbers in the first, second, third, and fourth prize categories are as follows:

WINNING COMBINATIONS	PRIZE CATEGORIES	PRIZE AMOUNTS	ODDS OF WINNING (ONE PLAY)
All six winner numbers in one play	First Prize	Jackpot	((~~1:13,983,816~~)) 1:6,991,908
Any five but not six winning numbers in one play	Second Prize	$1,000	((~~1:54,201~~)) 1:27,100
Any four but not five or six winning numbers in one play	Third Prize	((~~$35~~)) $30	((~~1:1,033~~)) 1:516
Any three but not four, five or six winning numbers in one play	Fourth Prize	$3	((~~1:57~~)) 1:28

(2) Prize amounts.

(a) First prize (jackpot). The first prize will be the amount announced by the director as the Lotto jackpot. The jackpot will be divided equally among all players who selected all six winning numbers in one play (in any sequence).

(b) Second prize. The second prize will be $1,000, which will be paid to each player who selected five of the six winning numbers in one play (in any sequence).

(c) Third prize. The third prize will be ((~~$35~~)) $30, which will be paid to each player who selected four of the six winning numbers in one play (in any sequence).

(d) Fourth prize. A $3.00 prize is to be paid to each player who selected three of the six winning numbers in one play (in any sequence).

(e) The holder of a winning ticket may win only one prize per play in connection with the winning numbers drawn and shall be entitled only to the highest prize category won by those numbers.

(f) In the event any player who has selected three, four, five, or six of the six winning numbers does not claim the prize won within one hundred eighty days after the drawing in which the prize was won, that player's prize shall be retained in the state lottery account for further use as prizes, pursuant to RCW 67.70.190.

((~~(3) The amendments to chapter 315-34 WAC, as adopted at the July 2001 lottery commission meeting, shall take effect on September 30, 2001, or on a date to be designated by the director and advertised to the public. The provisions of the existing chapter 315-36 WAC shall remain in effect until September 30, 2001, or until the date designated by the director for the commencement of this amended rule.~~))

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.

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WSR 03-23-116
PERMANENT RULES
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
(Economic Services Administration)

[Filed November 18, 2003, 4:11 p.m.]

Date of Adoption: November 14, 2003.

Purpose: The amended rule is an annual change in need standard actual living costs. This process is required by state law (RCW 74.04.770) to establish, on an annual basis, standards of need for cash assistance programs.

Citation of Existing Rules Affected by this Order: Amending WAC 388-478-0015.

Statutory Authority for Adoption: RCW 74.04.770, 74.04.050, 74.04.055, 74.04.057.

Adopted under notice filed as WSR 03-19-070 on September 12, 2003.

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

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

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

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

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

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

November 14, 2003
Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

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AMENDATORY SECTION (Amending WSR 02-23-029, filed 11/12/02, effective 12/1/02)

WAC 388-478-0015 Need standards for cash assistance. The need standards for cash assistance units are:

(1) For assistance units with obligation to pay shelter costs:

Assistance Unit Size	Need Standard
1	$ ((~~944~~)) 1,036
2	((~~1,194~~)) 1,311
3	((~~1,474~~)) 1,619
4	((~~1,740~~)) 1,910
5	((~~2,005~~)) 2,202
6	((~~2,271~~)) 2,493
7	((~~2,624~~)) 2,881
8	((~~2,905~~)) 3,189
9	((~~3,185~~)) 3,497
10 or more	((~~3,465~~)) 3,804

(2) For assistance units with shelter provided at no cost:

Assistance Unit Size	Need Standard
1	$ ((~~492~~)) 511
2	((~~623~~)) 647
3	((~~769~~)) 799
4	((~~907~~)) 943
5	((~~1,046~~)) 1,086
6	((~~1,184~~)) 1,230
7	((~~1,369~~)) 1,422
8	((~~1,515~~)) 1,574
9	((~~1,661~~)) 1,725
10 or more	((~~1,807~~)) 1,877

WSR 03-23-119
PERMANENT RULES
HIGHER EDUCATION COORDINATING BOARD
[Filed November 19, 2003, 8:26 a.m., effective January 1, 2004]

Date of Adoption: October 29, 2003.

Purpose: Requires promise scholarship recipients to meet certain credit completion standards in order to maintain eligibility to receive the award payments. The academic credit completion standards are the same requirements that students meet for the continued receipt of federal student aid at the institution.

Citation of Existing Rules Affected by this Order: Amending WAC 250-80-060(1).

Statutory Authority for Adoption: RCW 28B.80.370.

Other Authority: RCW 28B.119.010(9) and 28B119.020 [28B.119.020](3).

Adopted under notice filed as WSR 03-19-108 on September 16, 2003.

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

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

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

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 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: January 1, 2004.

November 18, 2003
John Klacik
Associate Director

AMENDATORY SECTION (Amending WSR 00-08-082, filed 4/4/00, effective 5/5/00)

WAC 250-80-060 Grant disbursement. (1) In order to receive a scholarship disbursement, eligible students must enroll ((~~on~~)) with at least a half-time status ((~~in order to receive a scholarship disbursement~~)) and be considered by the school to be making satisfactory progress in their course of study, according to the school's satisfactory progress policy for federal student aid.

(2) Grants to students will be disbursed in equal payments, once per term, across the three quarter or two semester academic year.

(3) State of Washington public colleges and universities may request payment for funds up to the limit of the per term award for each enrolled eligible student. The state public college or university may apply the proceeds of the scholarship to any outstanding debt owed by the student to the institution. The institution must disburse any remainder directly to the eligible student.

(4) Nonstate institutions may request that checks be written to eligible students attending their schools. The board will write individual warrants payable to each eligible student and delivered to the school for disbursement.

(5) The independent university and the private vocational school must disburse the warrant once the student's half-time or greater enrollment has been verified. The school may not withhold or delay disbursement for any reason other than for less than half-time enrollment. The school has thirty days to either disburse the warrant or return it to the board.

WSR 03-23-128
PERMANENT RULES
DEPARTMENT OF AGRICULTURE
[Filed November 19, 2003, 10:28 a.m., effective July 1, 2004]

Date of Adoption: November 19, 2003.

Purpose: To adopt chapter 16-250 WAC, Commercial feed rules.

This new chapter 16-250 WAC creates a set of regulations that are easy to understand and use, reflect current national standards as expressed in the Association of American Feed Control Officials (AAFCO) model regulations, safeguard public health and the health of animals, establish a structure for orderly commerce with other states by ensuring that WSDA commercial feed rules are consistent with AAFCO model regulations, and provide protection for consumers and the regulated industry.

Many of the requirements in this new commercial feed chapter are either identical or substantially the same as the commercial feed requirements in the commercial feed rule sections, which the department has repealed (WAC 16-200-750 through 16-200-887). However, several new requirements have been added to increase the protection of animals, consumers and industry. Also the new chapter has been written more clearly and organized it in a more "user friendly" way than the rule sections that are repealed.

Specifically, chapter 16-250 WAC, Commercial feed rules:

(1) Safeguards public health, the health of the state's livestock, poultry and fish and provides increased protection for consumers and the commercial feed manufacturers and distributors operating in Washington state.

To achieve this, we have strengthened commercial feed labeling requirements in WAC 16-250-030 to:

- Improve our ability to track commercial feed from the manufacturer to the final distributor (WAC 16-250-030(9)). In the event of a recall, this lot identifier will increase the effectiveness of the recall and improve commercial feed safety. Also, by adding this lot identifier requirement, the department voluntarily complies with federal regulations. Now, under the federal Bioterrorism Act, the Food and Drug Administration is requiring that all animal food be traceable from the manufacturer through final distribution.
- Enable commercial feed purchasers to easily identify the animals for which the feed is intended. We have added subsection (3) (WAC 16-250-030(3)).
- Make companies aware that when the term "organic" is used on a label it has a specific meaning and additional regulations apply. We have added subsection (10) (WAC 16-250-030(10)).

In addition, the department has proposed new requirements to:

- Improve uniformity in labeling so the purchaser can more easily find information on commercial feed labels. To accomplish this, we added WAC 16-250-035 because it specifies where the new items required in WAC 16-250-030 must appear on the feed label.
- Ensure that commercial feed purchasers can easily identify the animals for which the feed is intended (WAC 16-250-045).
- Ensure animal safety. We added subsection (1) to WAC 16-250-050 because minerals are especially critical for swine, poultry, fish, veal and herd milk replacers. We also added subsection (5) to WAC 16-250-050 so commercial feed purchasers can identify the animals for which the feed is intended.
- Guarantee additional nutrients in order to provide label information on nutrient levels that are critical to the nutritional health of individual animal species (WAC 16-250-052 through 16-250-060).
- Protect animal health by adding new mineral guarantees to WAC 16-250-063. Since these minerals are critical to the health of most animals, the new guarantees will help purchasers compare commercial feeds so they can determine which feed is best for their animals.
- Prevent the possibility of cross-contamination of products (WAC 16-250-150). Certain ingredients and feed additives are only safe for certain species of animals. Proper cleaning of bags, totes and nonporous containers decreases the likelihood of cross-contamination. Requiring documentation of the cleanout procedures used will remind an operator of the possibility of cross-contamination and the importance of preventing it.

(2) Addresses the specific needs of commercial feed manufacturers and distributors operating in Washington state.

Before this adoption, department rules regulating commercial feed were contained in fifteen sections of chapter 16-200 WAC, Feeds, fertilizers and livestock remedies. The new chapter 16-250 WAC, Commercial feed rules, is devoted specifically to the commercial feed industry and contains only regulations that are pertinent to that industry. In addition to creating a separate rule chapter for the commercial feed industry, the department has added a number of "commercial feed specific" definitions to help those who use the chapter better understand its contents.

(3) Is written in a clear and readable style that allows users to more easily understand and apply WSDA commercial feed regulations.

Compare the following two examples. Both rule sections contain substantially the same requirements but the new rule, because of format changes and the use of plain English, is easier to read and understand.

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Repealed Rule	New Adopted Rule
WAC 16-200-760 (3) A name of a commercial feed shall not be derived from one or more ingredients of a mixture to the exclusion of other ingredients and shall not be one representing any component of a mixture unless all components are included in the name: Provided, That if any ingredient or combination of ingredients is intended to impart a distinctive characteristic to the product which is of significance to the purchaser, the name of that ingredient or combination of ingredients may be used as a part of the brand name or product name, if in the opinion of the department, the ingredient or combination of ingredients is present in sufficient quantity to impart a distinctive characteristic to the product, that it does not constitute a representation that the ingredient or combination of ingredients is present to the exclusion of other ingredients, and that it is not otherwise false or misleading.	**WAC 16-250-040** (3) Except for the circumstances described in subsection (4) of this section, the name of a commercial feed must not be derived from: (a) One or more ingredients of a mixture to the exclusion of the other ingredients; or (b) One component of a mixture unless all components are included in the name. (4) When a commercial feed contains any ingredient or combination of ingredients for the purpose of imparting a distinct characteristic to the product that is significant to the purchaser, the name of that ingredient or combination of ingredients may be used as part of the brand name or product name if the department determines that the: (a) Ingredient or combination of ingredients is present in sufficient quantity to impart a distinctive characteristic to the product; (b) Product name does not constitute a representation that the ingredient or combination of ingredients is present to the exclusion of other ingredients; and (c) Product name is not otherwise false or misleading.

(4) Uses tables to clearly and succinctly present information wherever possible and appropriate.

Notice how the repealed WAC 16-200-770 Expression of guarantees, subsection (4) presents information regarding guarantees of minimum vitamin content:

WAC 16-200-770

(4) Guarantees of minimum vitamin content of commercial feeds shall be listed in the order specified and shall be stated in milligrams per pound unless otherwise specified:

(a) Vitamin A, other than precursors of Vitamin A, in International Units per pound.

(b) Vitamin D-3 in products offered for poultry feeding, in International Chick Units per pound.

(c) Vitamin D, for other uses, in International Units per pound.

(d) Vitamin E, in International Units per pound.

(e) Concentrated oils and feed additive premixes containing vitamins A, D and/or E may, at the option of the distributor, be stated in units per gram instead of units per pound.

(f) Vitamin B-12, in milligrams or micrograms per pound.

(g) All other vitamin guarantees shall express the vitamin activity in milligrams per pound in terms of the following: Menadione; riboflavin; d-pantothenic acid; thiamine; niacin; Vitamin B-6; folic acid, choline, biotin, inositol; p-amino benzoic acid; ascorbic acid; and carotene.

Now, notice how the same information is presented in the new adopted section, WAC 16-250-073 Expression of guarantees—Minimum vitamin content.

WAC 16-250-073

Guarantees of minimum vitamin content for commercial feeds must be listed in the order shown in the following table. The guarantees must be stated in:

(1) Milligrams per pound; or

(2) Per unit consistent with the units on the quantity statement; or

(3) For the vitamins listed in the following table, the units must be consistent with those in the table:

Vitamins	
Type of Vitamin and Listing Order	**Stated in:**
Vitamin A, other than precursors of Vitamin A	International Units per pound (IU/lb)
Vitamin D-3 in products offered for poultry feeding	International Chick Units per pound (ICU/lb)
Vitamin D, for other uses	International Units per pound (IU/lb)
Vitamin E	International Units per pound (IU/lb)
Concentrated oils and feed additive premixes containing vitamins A, D, and/or E	May, at the option of the distributor, be stated in units per gram (g) instead of units per pound (lb)
Vitamin B-12	Milligrams or micrograms per pound (μ)
Menadione, riboflavin, d-pantothenic acid, thiamine, niacin, Vitamin B-6, folic acid, choline, biotin, inositol, p-amino benzoic acid, ascorbic acid, and carotene	Milligrams per pound (mg/lb)

(5) Presents rule requirements in shorter, more focused rule sections rather than the traditional practice of presenting a wide range of information in very long, tediously subdivided sections.

Comparing the table of contents of the repealed rule with the table of contents of the adopted rule, you can see how the longer repealed sections have generally been divided into shorter, more focused sections in the new adopted chapter. Also, notice how we have tried to make the section titles of the new adopted chapter more descriptive than those used for the repealed sections in the old rule.

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Repealed Rule Section Titles	Rule Section Titles Used in Chapter 16-250 WAC
	WAC 16-250-001 Effective date.
	WAC 16-250-005 Commercial feed regulated by this chapter.
WAC 16-200-750 Definitions and terms.	WAC 16-250-010 Commercial feed terms and definitions.
	WAC 16-250-015 Feed ingredient names and definitions.
WAC 16-200-755 Label format.	WAC 16-250-018 Customer-formula feed labeling required.
	WAC 16-250-020 Label information and record-keeping requirements for customer-formula feed.
	WAC 16-250-028 Commercial feed labeling required except customer-formula feed.
	WAC 16-250-030 Record-keeping requirements and label information required on all commercial feed labels except customer-formula feed.
	WAC 16-250-035 Format required for all commercial feed labels except customer-formula feed.
WAC 16-200-760 Brand and product names.	WAC 16-250-040 Product or brand name label information required for all commercial feeds except customer-formula feed.
	WAC 16-250-042 Label information required when a drug is used in commercial feed.
	WAC 16-250-045 Purpose of feed statement requirements for commercial feed, except grain mixture feeds.
	WAC 16-250-050 Guarantee requirements that apply to WAC 16-250-052 through 16-250-065.
	WAC 16-250-051 Exemptions from the guarantees required in WAC 16-250-052 through 16-250-063.
WAC 16-200-770 Expression of guarantees.	WAC 16-250-052 Guarantees for all swine commercial feed except customer-formula feed.
	WAC 16-250-053 Guarantees for all poultry commercial feed (broilers, layers and turkeys) except customer-formula feed.
	WAC 16-250-054 Guarantees for all beef cattle commercial feed except customer-formula feed.
	WAC 16-250-055 Guarantees for all dairy cattle commercial feed except customer-formula feed.
	WAC 16-250-056 Guarantees for all equine commercial feed except customer-formula feed.
	WAC 16-250-057 Guarantees for all goat and sheep commercial feed except customer-formula feed.
	WAC 16-250-058 Guarantees for all duck and goose commercial feed except customer-formula feed.
	WAC 16-250-059 Guarantees for all fish commercial feed except customer-formula feed and specialty pet food.
	WAC 16-250-060 Guarantees for all rabbit commercial feed except customer-formula feed.
	WAC 16-250-063 Guarantees for all commercial feeds for animal species not specified in WAC 16-250-052 through 16-250-060 or in chapter 16-252 WAC, except customer-formula feed.
	WAC 16-250-065 Guarantees for grain mixture commercial feeds except customer-formula feed.
	WAC 16-250-067 Guarantees for commercial feed sold primarily for sugar content.
	WAC 16-250-068 Guarantees for vitamin/mineral premix and base mix commercial feed.
	WAC 16-250-069 Expression of guarantees—Expressed as is.

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Repealed Rule Section Titles	Rule Section Titles Used in Chapter 16-250 WAC
	WAC 16-250-070 Expression of guarantees—Sliding-scale method prohibited.
	WAC 16-250-071 Expression of guarantees—Protein, amino acids, fat, and fiber.
	WAC 16-250-072 Expression of guarantees—Minerals.
	WAC 16-250-073 Expression of guarantees—Minimum vitamin content.
	WAC 16-250-074 Expression of guarantees—Drugs.
	WAC 16-250-075 Expression of guarantees and special requirements—Commercial feed containing any added nonprotein nitrogen.
	WAC 16-250-076 Expression of guarantees—Microorganisms and enzymes.
	WAC 16-250-080 Substantiating nutritional suitability of commercial feed except for customer-formula feed.
WAC 16-200-790 Ingredient statement.	WAC 16-250-090 Feed ingredient statement terms and record-keeping requirements.
	WAC 16-250-095 Drug and feed additive requirements.
WAC 16-200-795 Directions for use and precautionary statements.	WAC 16-250-100 Directions for use and precautionary statement requirements.
WAC 16-200-805 Tonnage fees.	WAC 16-250-155 Tonnage fee requirements.
WAC 16-200-815 Adulteration.	WAC 16-250-120 Adulteration of feed.
WAC 16-200-820 Screenings.	WAC 16-250-110 Screenings.
WAC 16-200-830 Nonprotein nitrogen.	
WAC 16-200-840 Artificial color.	WAC 16-250-140 Use of artificial coloring.
WAC 16-200-860 Used sacks and containers.	WAC 16-250-150 Reusing bags, totes, and containers.
WAC 16-200-865 Commercial feed license.	WAC 16-250-160 Commercial feed license application requirements.
WAC 16-200-885 Commercial feed label submission.	WAC 16-250-170 Commercial feed label submission requirements.
WAC 16-200-887 Good manufacturing practices.	WAC 16-250-180 Good manufacturing practices adopted.

(6) Incorporating applicable parts of the AAFCO model regulations helps increase the flow of trade and information and promotes regulatory consistency between Washington's commercial feed manufacturers and distributors and the manufacturers and distributors in our sister states.

In several sections of the new chapter 16-250 WAC, language has been added to ensure that the WSDA rule is consistent with AAFCO's commercial feed model regulations requirements. For example:

- WAC 16-250-045 Purpose of feed statement requirements for commercial feed, except grain mixture feeds, was added to further protect consumers, pets and industry and also make the department's commercial feed rules more consistent with AAFCO and the regulations of our sister states. The department did add the word "feed" to the AAFCO "purpose statement" language to distinguish between when the purpose statement was referring to feed and when it was referring to drugs.
- Similarly, the animal classes in WAC 16-250-052 Guarantees for all swine commercial feed except customer-formula feed, through 16-250-060 Guarantees for all rabbit commercial feed except customer-formula feed, were added to be consistent with AAFCO's model regulations.
- WAC 16-250-080 Substantiating nutritional suitability of commercial feed except for customer-formula feed, was added to strengthen the department's commercial feed rules and make them more consistent with AAFCO.
- Finally, WAC 16-250-095 Drug and feed additive requirements, was also added to strengthen the department's commercial feed rules and make them more consistent with AAFCO.

Statutory Authority for Adoption: Chapters 15.53 and 34.05 RCW.

Adopted under notice filed as WSR 03-19-128 on September 17, 2003.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 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 47, 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 Mak-

ing: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 47, Amended 0, Repealed 0.

Effective Date of Rule: July 1, 2004.

November 19, 2003
Valoria H. Loveland
Director

Chapter 16-250 WAC

COMMERCIAL FEED RULES

NEW SECTION

WAC 16-250-001 Effective date. Chapter 16-250 WAC, commercial feed rules becomes effective on July 1, 2004.

NEW SECTION

WAC 16-250-005 Commercial feed regulated by this chapter. (1) Commercial feed for beef cattle, dairy cattle, equine, goats and sheep, chickens and turkeys, ducks and geese, fish, rabbits, swine, and other animals not specifically regulated under chapter 16-252 WAC are regulated by this chapter.

(2) Chapter 16-252 WAC (Commercial feed rules: Pet food and specialty pet food) regulates pet food and specialty pet food except for customer-formula food.

(a) Where a conflict occurs between the provisions of chapter 16-252 WAC and those of this chapter, the regulations in chapter 16-252 WAC take precedence.

(b) Where a commercial pet food and/or specialty pet food issue arises on which chapter 16-252 WAC is silent and a provision in this chapter addresses the issue, then this chapter must be followed. The department expects such situations will be rare.

Note: Processed animal waste as a commercial feed is regulated under chapter 16-256 WAC.

NEW SECTION

WAC 16-250-010 Commercial feed terms and definitions. Except for the specific terms and definitions contained in this section or in RCW 15.53.901, the terms and definitions used in reference to commercial feeds, in this chapter, are the official feed terms adopted by the Association of American Feed Control Officials (AAFCO) and published in the association's official publication. Throughout these rules where the Association of American Feed Control Officials (AAFCO) official publication is referred to, the reference is to the *2003 Official Publication.*

Note: A copy of the official publication is on file with the department. Copies may be purchased from AAFCO Assistant Secretary Treasurer; P.O. Box 478 Oxford, IN 47971.

"Animal wastes" means a material composed of excreta, with or without bedding materials and/or animal drugs, collected from poultry, ruminants or other animals except humans.

"Canned" means feed that has been processed, packaged, sealed, and sterilized for preservation in cans, pouches, or similar containers.

"Commercial feed" means all materials or combinations of materials that are distributed or intended for distribution for use as feed or for mixing in feed, unless such materials are specifically exempted. The following commodities are exempted and are not considered "commercial feed" if they are not adulterated (see RCW 15.53.902 for a list of conditions that cause commercial feeds to be adulterated):

- Unmixed whole seeds and physically altered entire unmixed seeds when such seeds are not chemically changed.
- Raw meat, hay, loose salt, straw, stover, silage, cobs, husks, and hulls when such commodities are not ground, mixed or intermixed with other materials.

"Customer-formula feed" means commercial feed that is a mixture of commercial feeds or feed ingredients, or both, each batch of which is manufactured according to the instructions of the final purchaser.

"Department" means the Washington state department of agriculture (WSDA).

"Director" means the director of the Washington state department of agriculture or the director's designee.

"Distressed pet food" means pet food (dog and cat) in distribution that is no longer available for retail sale. Examples of distressed pet food include, but are not limited to, dented cans, torn bags, or pet food past its sell-by date.

"Distressed specialty pet food" means specialty pet food in distribution that is no longer available for retail sale. Examples of distressed specialty pet food include, but are not limited to, dented cans, torn bags, or specialty pet food past its sell-by date.

"Distribute" means to:

(a) Offer for sale, sell, exchange or barter, commercial feed; or

(b) Supply, furnish, or otherwise provide commercial feed to a contract feeder.

"Distributor" means a person who distributes.

"Drug" means:

(a) Any article intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in animals other than man; and

(b) Articles other than feed intended to affect the structure or any function of the animal body.

"Enzyme" means a protein made up of amino acids or their derivatives, which catalyses a defined chemical reaction. Required cofactors should be considered an integral part of the enzyme.

"Facility" means any place where a commercial feed is manufactured, repackaged, sold, transloaded, or stored for later distribution.

"Feed ingredient" means each of the constituent materials making up a commercial feed.

"Grain mixture feed" means mixed or intermixed whole or physically altered grains, that:

(a) Are not chemically altered;

(b) May or may not contain molasses; and

(c) Except for molasses, contain no other additives.

"Guarantee" means a listing of specified nutrients or nonnutritive substances contained in a commercial feed that the manufacturer or distributor named on the feed label warrants as specified in these rules.

PERMANENT

"Guaranteed analysis" means a listing of the minimum, maximum or both minimum and maximum concentrations of specified nutrients contained in a commercial feed that the manufacturer or distributor named on the feed label warrants. Both minimum and maximum concentrations of specified nutrients contained in a commercial feed are stated on an "as is" basis rather than on a "one hundred percent moisture free" basis in units specified by these rules.

"Initial distributor" means a person who first distributes a commercial feed in or into Washington state.

"Ingredient statement" means a contiguous listing on the label of all ingredients of which the commercial feed is composed.

"Label" means a display of written, printed, or graphic matter upon or affixed to the container in which a commercial feed is distributed, or on the invoice or delivery slip with which a bulk commercial feed is distributed.

"Labeling" means all labels and other written, printed, or graphic matter:

(a) Upon a commercial feed or any of its containers or wrappers; or

(b) Accompanying such commercial feed.

"Lot identifier" means a unique identifier for each lot, batch or production run that enables the manufacturer to accurately trace the complete manufacturing and distribution history of the product. A lot identifier is an individual lot, batch or production run number, code, date, or other suitable identification applied to the label, container, or package. In the case of bulk feed the lot identifier is on a label, invoice, or shipping document accompanying the feed.

"Net weight" means the weight of a commodity excluding any materials, substances, or items not considered to be part of the commodity. Examples of materials, substances, or items not considered to be part of a commodity include, but are not limited to, containers, conveyances, bags, wrappers, packaging materials, labels, individual piece coverings, decorative accompaniments, and coupons. (See RCW 19.94.010 (1)(i).)

"Nutritionally adequate" means the feed, when fed according to directions on the label, will meet the nutritional requirements of the class of animals for which the feed was manufactured.

"Nutritionally suitable" means nutritionally adequate.

"Person" means an individual, firm, partnership, corporation, or association.

"Pet food" means a commercial feed prepared and distributed for consumption by domesticated dogs or cats.

"Principal display panel" means the part of a label that is most likely to be displayed, presented, shown or examined under normal and customary conditions of display for retail sale.

"Prohibited mammalian protein" means any protein-containing portion of mammalian animals, excluding:

- Blood and blood products;
- Gelatin;
- Inspected meat products that have been cooked and offered for human food and further heat processed for feed (such as plate waste and used cellulose food casings);
- Milk products (milk and milk proteins); and
- Products whose only mammalian protein is porcine or equine protein.

"Processed," as applied to animal waste, means thermally dehydrated, dry-stacked, ensiled, oxidized, chemically treated, microbiologically digested, chemically or physically fractionated, or treated by other processes that enable an animal waste product to comply with the standards established in this chapter.

"Quantity statement" means the part of the label expressing net weight (mass), net volume (liquid or dry) or count.

"Repackage" means taking commercial feed from packages (no larger than one hundred pounds for dry feed or fifty-five gallons for liquid feed) and placing it into smaller packages for resale.

"Salvage pet food" means pet food (dog and cat) still under control of the original manufacturer and will not be offered for sale at retail. Examples include, but are not limited to, start-up and over-run product, unpelletted pet food, pet food fines, and other products not suitable for packaging for retail sale.

"Salvage specialty pet food" means specialty pet food still under control of the original manufacturer and will not be offered for sale at retail. Examples include, but are not limited to, start-up and over-run product, unpelletted specialty pet food, specialty pet food fines, and other products not suitable for packaging for retail sale.

"Sell" or **"sale"** includes exchange.

"Specialty pet" means a domesticated animal pet normally maintained in a cage or tank, such as, but not limited to, gerbils, hamsters, canaries, psittacine birds, mynahs, finches, tropical fish, goldfish, snakes, and turtles.

"Specialty pet food" means a commercial feed prepared and distributed for consumption by specialty pets.

"Transload" means to transfer commercial feed from one carrier to another carrier without processing or blending the ingredients. For example, transferred from rail cars to trucks or shipping containers.

NEW SECTION

WAC 16-250-015 Feed ingredient names and definitions. Except for the specific names and definitions contained in this section, the names and definitions used in reference to commercial feed ingredients, in this chapter, are the official names and definitions of feed ingredients established by the Association of American Feed Control Officials (AAFCO) and published in the association's official publication.

"Dehydrated grass meal" means the aerial portion of a grass plant that is:

- Cut before the formation of seed;
- That is reasonably free of other crop plants, weeds, and mold;
- Is finely ground; and
- Dried by artificial thermal means.

Note: If a dehydrated grass meal product is identified by a species name, the product must be made from that species.

"Grass seed by-products meal or pellets" means a ground product consisting of light and broken seeds, hulls,

chaff, straw, and some weed seeds but excluding sand, dirt, and heavy weed seeds.

"Grass seed screenings meal or pellets" means a product comprised chiefly of hulls obtained from the cleaning of various grass seeds.

"Pea bran" means a product consisting primarily of the various components from a pea splitting operation. Pea bran must contain at least ten percent crude protein and not more than thirty-eight percent crude fiber.

"Pea by-products meal" means a product containing light and broken peas, and offal from pea cleaning, which includes chips, pea powder, pea hulls, and screenings. Pea by-products meal must contain at least fifteen percent crude protein and not more than thirty percent crude fiber.

"Pea meal" means a pea product resulting from the grinding of whole peas that are reasonably free of other crop seeds, weeds, and mold. Pea meal must contain at least twenty percent crude protein and not more than eight percent crude fiber.

"Pea screenings meal" means a product consisting primarily of the various components from the screening and cleaning of peas. Pea screenings meal must contain at least ten percent crude protein and not more than thirty-eight percent crude fiber.

NEW SECTION

WAC 16-250-018 Customer-formula feed labeling required. There are no label format requirements for customer-formula feed. However, a label, invoice, delivery ticket or other shipping document containing all of the information required in WAC 16-250-020(1) must:

(1) Accompany all deliveries of bulk or packaged customer-formula feed; and

(2) Be given to the purchaser; or

(3) If the purchaser is not present when the customer-formula feed is delivered, the label, invoice, delivery ticket or other shipping document may be left with the delivered feed in a place predetermined by the purchaser.

NEW SECTION

WAC 16-250-020 Label information and recordkeeping requirements for customer-formula feed. (1) Using labels, invoices, delivery tickets, or some other type of shipping document, customer-formula feed must be labeled with the following information:

(a) Name and address of the manufacturer;

(b) Name and address of the purchaser;

(c) Date of delivery;

(d) Customer-formula feed name and brand name if any;

(e) Directions for use and precautionary statements as required by WAC 16-250-100 and 16-250-075(3);

(f) If a drug is used, the label must contain information required by WAC 16-250-042; and

(g) The quantity statement.

(2) The product name and net quantity of each commercial feed and each other ingredient used in the customer-formula feed must be on file at the plant producing the product. These records do not have to be delivered with the customer-formula feed, but they must be:

(a) Kept on file for at least one year after the date of the last distribution;

(b) Available to the purchaser, the dealer making the distribution, and the department on request; and

(c) Meet the ingredient statement requirements of WAC 16-250-090.

(3) In addition to the requirements of this chapter, if the term "organic" is used on labels or shipping documents of any customer-formula feed, the feed must be produced under conditions that comply with the 2001 National Organic Program final rule standards for the production and handling of organic crops, livestock and processed food products. The 2001 National Organic Program final rule may be obtained from the department, or on the Internet at http://www.ams.usda.gov/nop/NOP/standards.html.

NEW SECTION

WAC 16-250-028 Commercial feed labeling required except customer-formula feed. Except for customer-formula feed, a label complying with the requirements in WAC 16-250-030 and 16-250-035 must accompany all commercial feed offered for distribution. This includes both packaged and bulk commercial feeds. (Customer-formula feed must comply with the requirements in WAC 16-250-020.)

NEW SECTION

WAC 16-250-030 Recordkeeping requirements and label information required on all commercial feed labels except customer-formula feed. All commercial feed labels, except for customer-formula feed, must contain the information described in this section. The information in subsections (1) through (8) of this section must appear on the label of the product in the following order. The information in subsection (9)(a) of this section must be on the label, container, or package, but may be in a different location than the information in subsections (1) through (8) of this section.

(1) Product name and brand name, if any, consistent with requirements in WAC 16-250-040.

(2) Drugs used in the feed, if any, consistent with requirements in WAC 16-250-042.

(3) Purpose of feed statement consistent with requirements in WAC 16-250-045.

(4) Guarantees consistent with requirements in WAC 16-250-050 through 16-250-076.

(5) Feed ingredient statement consistent with requirements in WAC 16-250-090.

(6) Directions for use and precautionary statements or a reference to their location, if any, required detailed feeding directions and precautionary statements appear elsewhere on the label consistent with requirements in WAC 16-250-100 and 16-250-075(3).

(7) Name and principal mailing address of the manufacturer or person responsible for distributing the feed. The principal mailing address must include the street address, city, state, and zip code. Except that the street address may be omitted if it is shown in the current city directory or telephone directory where the manufacturer or person responsible for distributing the feed is located.

(8) Quantity statement.

PERMANENT

(9)(a) Lot identifier that is sufficient to allow the manufacturer to accurately trace the complete manufacturing and distribution history of the product.

(b) Records relating the lot identifier to the manufacture, processing, packing, distribution, receipt, or holding of the product must be kept for one year after the last date of distribution.

(10) In addition to the requirements of this chapter, if the term "organic" is used on labels of any commercial feed, the feed must be produced under conditions that comply with the 2001 National Organic Program final rule standards for the production and handling of organic crops, livestock and processed food products. The 2001 National Organic Program final rule may be obtained from the department, or on the Internet at http://www.ams.usda.gov/nop/NOP/standards.html.

(11) All required label information must be stated in English. In addition, label information may be translated into other languages. However, if the label is translated into another language, then the translation must give the same information as the English version of the label.

PERMANENT

NEW SECTION

WAC 16-250-035 Format required for all commercial feed labels except customer-formula feed. (1)(a) The following label information must appear in its entirety, in the following order, on one side of the label or container of all commercial feed except customer-formula feed:

(i) Product name and brand name, if any;

(ii) Drug used, if any drug is used;

(iii) Purpose of feed statement;

(iv) Guaranteed analysis;

(v) Feed ingredients;

(vi) Directions for use and precautionary statements or reference to their location if they appear elsewhere on the label;

(vii) Name and principal mailing address of the manufacturer or person responsible for distributing the feed; and

(viii) Quantity statement.

(b) A lot identifier must appear on the label of all commercial feed, but may be in a different location than the information required by (a) of this subsection.

(2)(a) If a reference to the location of the directions for use and precautionary statements is made on the principal label, the directions for use and precautionary statements must be displayed in a prominent place on the label or container but not necessarily on the same side as the information required in subsection (1)(a) of this section.

(b) When directions for use or precautionary statements are placed on a different side of the label or container than the information required in subsection (1)(a) of this section, there must be a statement on the same side of the label or container that the information required in subsection (1)(a) of this section is printed such as "see back of label for directions for use."

(3) When the Bovine Spongiform Encephalopathy precautionary statement "do not feed to cattle or other ruminants" is required by 21 CFR, Part 589.2000 (2002 edition), it must appear in a prominent place on the label.

Note: A copy of 21 CFR, Part 589.2000 is available from the department. It is also available on the Internet at http://www.access.gpo.gov/nara/cfr/waisidx_01/21cfr589_01.html.

(4) The information required in WAC 16-250-030 must not be subordinated or obscured by other statements or designs.

(5) Printed or written material or design (for example, pictures of animals or birds) of any kind must not be attached to, appear on, or distributed with commercial feed if the material or design is misleading, incorrect, or at variance in any respect with the information required on the label.

(6)(a) Statements referring to a competitive product or comparing the properties of a packaged feed to those of a competitive product must not appear on a label unless the competitive product is specifically identified.

(b) Negative statements regarding a competitive product must not appear on a label unless the director determines that the information provided by the statements is beneficial to the product's purchaser.

NEW SECTION

WAC 16-250-040 Product or brand name label information required for all commercial feeds except customer-formula feed. The following label requirements apply to any commercial feed, except customer-formula feed, distributed under a product or brand name:

(1) The brand or product name must be appropriate for the intended use of the feed and must not be misleading. If the name indicates the feed is made for a specific use, the character of the feed must conform to that use. For example, a mixture labeled "dairy feed" must be suitable for dairy animals.

(2) When reviewing product names for single ingredient feeds, the department will be guided by the definitions of feed ingredients and feed terms established by the Association of American Feed Control Officials' official publication unless those definitions and terms are specifically defined in chapter 15.53 RCW or WAC 16-250-010 and 16-250-015.

(3) Except for the circumstances described in subsection (4) of this section, the name of a commercial feed must not be derived from:

(a) One or more ingredients of a mixture to the exclusion of the other ingredients; or

(b) One component of a mixture unless all components are included in the name.

(4) When a commercial feed contains any ingredient or combination of ingredients for the purpose of imparting a distinct characteristic to the product that is significant to the purchaser, the name of that ingredient or combination of ingredients may be used as part of the brand name or product name if the department determines that the:

(a) Ingredient or combination of ingredients is present in sufficient quantity to impart a distinctive characteristic to the product;

(b) Product name does not constitute a representation that the ingredient or combination of ingredients is present to the exclusion of other ingredients; and

(c) Product name is not otherwise false or misleading.

(5) The word "vitamin" or a contraction of it, or any word suggesting vitamin, can only be used in the name of a feed that is:

(a) Represented to be a vitamin supplement; and

(b) Labeled with the minimum content, as specified in WAC 16-250-073, of each vitamin declared.

(6) The term "mineralized" may only be used in a feed name for "trace mineralized salt" and must not be used in the name of any other feed. "Trace mineralized salt" must contain significant amounts of trace minerals that are recognized as essential for animal nutrition.

(7)(a) If a brand name includes a single percentage value without explanation, the percentage value must signify the feed's crude protein content. For example, "BLUE BIRD FEEDS 18% Dairy Feed" means that the feed contains eighteen percent crude protein.

(b) If a brand name includes a single percentage value and the percentage does not represent crude protein content, the brand name must indicate what the percentage represents. For example, "BLUE BIRD FEEDS 2.0% Selenium Concentrate Premix."

(c) If a brand name includes more than one percentage value, the percentage must be followed by a corresponding description. For example, "BLUE BIRD FEEDS 20% Crude Protein/20% Fat Calf Milk Replacer."

(d) If the brand name contains either a percentage value that signifies crude protein or the word "protein," then the feed must contain no more than one and one-quarter percent nonprotein nitrogen.

(8) Commercial feed must be considered a distinct brand if it differs in guaranteed analysis, trademark name, or any other characteristic method of marking. However, this requirement does not prevent a brand from being distributed in various physical forms.

NEW SECTION

WAC 16-250-042 Label information required when a drug is used in commercial feed. If a drug is used in commercial feed, the label must contain:

(1) The word "medicated" appearing directly after and below the product name in a type size that is at least one-half the type size of the product name.

(2) A purpose of feed statement as required in WAC 16-250-045.

(3) Information stating the purpose of the medication.

(4) An active ingredient statement listing the:

(a) Active drug ingredients by established name; and

(b) Amount of active drug ingredient per unit (for example mg/lb, g/ton) consistent with requirements in WAC 16-250-074.

NEW SECTION

WAC 16-250-045 Purpose of feed statement requirements for commercial feed, except grain mixture feeds.

Note: This section applies to:
(1) Medicated customer-formula feed; and
(2) All commercial feeds, except feed distributed under WAC 16-250-065, whether medicated or not.

(1) A purpose statement is not required for grain mixture feeds.

(2) The purpose of feed statement must contain the species and animal class or classes for which the feed is intended.

(3) Animal classes for many species are listed in WAC 16-250-052 through 16-250-060. The manufacturer has the flexibility to use more specific and common language to describe these animal classes, species, and purpose of feed, especially when describing such things as the weight range, sex, or age of the animal for which the feed is manufactured.

(4) The purpose of feed statement may contain multiple species and classes, as long as the feed is nutritionally suitable for all of the species and classes of animals listed, and the guaranteed analysis includes all of the nutrients that must be guaranteed for each species.

(5) The purpose of feed statement may be excluded from the label if the product name includes a description of the species and animal class or classes for which the product is intended.

(6) If enzymatic activity related to the product is represented in any manner, the purpose of feed statement must include a statement explaining the purpose of that enzymatic activity.

(7) The purpose of feed statement for a commercial feed intended to provide a specialized nutritional source for use in the manufacture of other feeds such as a premix (see WAC 16-250-068) may replace animal class and species information with the words "for further manufacture of feed" if:

(a) The nutrients contained in the premix are guaranteed and sufficient for formulation into various animal species feeds; and

(b) The final user of the premix provides premix specifications.

(8) The purpose of feed statement of a single purpose ingredient blend, such as a blend of animal protein products, milk products, fat products, roughage products or molasses products may exclude the animal class and species information and state instead "for further manufacture of feed" if the label guarantees of the nutrients contained in the single purpose nutrient blend are sufficient for formulation into various animal species feed. See WAC 16-250-068 for regulations pertaining to single purpose ingredient blends.

NEW SECTION

WAC 16-250-050 Guarantee requirements that apply to WAC 16-250-052 through 16-250-065.

Note: **"Guarantee"** means a listing of specified nutrients or nonnutritive substances contained in a commercial feed that the manufacturer or distributor named on the feed label warrants as specified in these rules.

The requirements in subsections (1) through (4) of this section apply to WAC 16-250-052 through 16-250-065.

(1) Complete feeds and feeds intended to be mixed with grain to produce complete feed for the following animal classes and/or species always require a mineral guarantee:

(a) Swine;

(b) Poultry;

(c) Fish; and

(d) Veal and herd milk replacers.

PERMANENT

(2) When stated on a commercial feed label, nutritional guarantees must be listed in the following order:

(a) Crude protein;

(b) Crude protein from nonprotein nitrogen;

(c) Amino acids;

(d) Crude fat;

(e) Crude fiber;

(f) Acid detergent fiber;

(g) Calcium;

(h) Phosphorus;

(i) Salt;

(j) Sodium.

(3) Other required and/or voluntary guarantees should follow those listed in subsection (2) of this section grouped by the unit (percentage, parts per million, International Units, etc.) of measure used to express the guarantees. For example, all guarantees measured by parts per million should be grouped together.

(4) The use of commercial, copyrighted brand, or trade names in the guarantees statement is prohibited.

(5) The following requirements apply to WAC 16-250-052 through 16-250-063:

(a) Commercial feed must be labeled for the animal class or classes for which it is intended.

(b) Commercial feed must also be nutritionally suitable for each and every class for which it is labeled.

(c) WAC 16-250-052 through 16-250-063 contains a series of animal class tables. When a manufacturer uses the class terms in the tables, the feed must be suitable for the class as defined in the table.

(d) Instead of the class terms used in the tables, a manufacturer may use more specific and common language to describe animal classes, especially when describing attributes such as the weight range, sex, or age of the animal for which the feed is manufactured.

NEW SECTION

WAC 16-250-051 Exemptions from the guarantees required in WAC 16-250-052 through 16-250-063. The following exemptions apply to WAC 16-250-052 through 16-250-063:

(1) Guarantees for crude protein, crude fat, and crude fiber are not required when:

(a) The commercial feed is intended for purposes other than to furnish these substances; or

(b) These substances are insignificant to the primary purpose of the product, such as drug premixes, mineral or vitamin supplements, and molasses.

(2) A mineral guarantee is not required when the feed or feed ingredient is not intended, represented, or does not serve as a principal source of that mineral to the animal.

(3) Guarantees for vitamins are not required when the commercial feed is neither formulated for nor represented in any manner as a vitamin supplement.

(4) Guarantees for microorganisms are not required when:

(a) The commercial feed is intended for a purpose other than to furnish these substances; or

(b) These substances are insignificant to the primary purpose of the product, and no specific label claims are made.

(5) The information on animal class or classes and species is not required on single ingredient products if the ingredient is not intended, represented, or defined for a specific animal class or species.

NEW SECTION

WAC 16-250-052 Guarantees for all swine commercial feed except customer-formula feed.

(1)

Swine	
Classes	**Approximate Size**
Prestarter	2 to 11 pounds
Starter	11 to 44 pounds
Grower	44 to 110 pounds
Finisher (market)	110 to 242 pounds
Gilts, sows and adult boars	None specified
Lactating gilts and sows	None specified

(2) Guaranteed analysis for all animal classes of swine commercial feed must include the following nutrients on the label in the order listed below:

(a) Minimum percentage of crude protein;

(b) Minimum percentage of lysine;

(c) Minimum percentage of crude fat;

(d) Maximum percentage of crude fiber;

(e) Minimum and maximum percentage of calcium;

(f) Minimum percentage of phosphorus;

(g) Minimum and maximum percentage of salt (if added);

(h) Minimum and maximum percentage of total sodium must be guaranteed only when total sodium exceeds that furnished by the maximum salt guarantee;

(i) Minimum selenium in parts per million (ppm);

(j) Minimum zinc in parts per million (ppm).

NEW SECTION

WAC 16-250-053 Guarantees for all poultry commercial feed (broilers, layers and turkeys) except customer-formula feed.

(1)

Layer - Chickens grown to produce eggs for food, for example, table eggs	
Classes	**Approximate Age**
Starting/growing	From day hatched to 10 weeks
Finisher	From 10 weeks to the time the first egg is produced (20 weeks)
Laying	From the time the first egg is laid to the end of the chicken's egg production

Layer - Chickens grown to produce eggs for food, for example, table eggs	
Classes	**Approximate Age**
Breeder (chickens that produce fertile eggs for hatch replacement layers that lay eggs for food such as table eggs)	From the time the first egg is laid to the end of the chicken's productive cycle

Broiler - Chickens grown for human food	
Classes	**Approximate Age**
Starting/growing	From day hatched to 5 weeks
Finisher	From 5 weeks to market, 42 to 52 days
Breeders - Hybrid strains of chickens, any age and either sex, whose offspring are grown for human food (broilers)	Any age

Broiler-Breeder - Chickens whose offspring are grown for human food	
Classes	**Approximate Age**
Starting/growing	From day hatched to 10 weeks
Finishing	From 10 weeks to the time the first egg is produced (20 weeks)
Laying (fertile egg producing chickens-broilers/roasters)	From day of first egg to the end of fertile egg production

Turkey		
Classes	**Purpose**	**Approximate Age**
Starting/growing	Turkeys grown for human food	**Females** - From day hatched to 13 weeks
		Males - From day hatched to 16 weeks
Finisher	Turkeys grown for human food	**Females** - From 13 weeks to 17 weeks
		Males - From 16 weeks to 20 weeks or the desired market weight

Turkey		
Classes	**Purpose**	**Approximate Age**
Laying	Female turkeys producing eggs	From the time the first egg is produced to the end of egg production
Breeder	Turkeys grown to produce fertile eggs (both sexes)	From day hatched to time first egg is produced (30 weeks)

(2) Guaranteed analysis for all animal classes of poultry commercial feed must include the following nutrients on the label in the order listed below:

(a) Minimum percentage of crude protein;
(b) Minimum percentage of lysine;
(c) Minimum percentage of methionine;
(d) Minimum percentage of crude fat;
(e) Maximum percentage of crude fiber;
(f) Minimum and maximum percentage of calcium;
(g) Minimum percentage of phosphorus;
(h) Minimum and maximum percentage of salt (if added);
(i) Minimum and maximum percentage of total sodium must be guaranteed only when total sodium exceeds that furnished by the maximum salt guarantee.

NEW SECTION

WAC 16-250-054 Guarantees for all beef cattle commercial feed except customer-formula feed.

(1)

Beef Cattle	
Classes	**Production Stage**
Calves	Birth to weaning
Cattle on pasture	May be stated in terms of specific production stage, for example, stocker, feeder, replacement heifers, brood cows, bulls, etc.
Feedlot cattle	None specified

(2) Guaranteed analysis for all animal classes of beef cattle commercial feed must include the following nutrients on the label in the order listed below:

(a) Minimum percentage of crude protein;
(b) Maximum percentage of crude protein from nonprotein nitrogen (NPN) when added;
(c) Minimum percentage of crude fat;
(d) Maximum percentage of crude fiber;
(e) Minimum and maximum percentage of calcium;
(f) Minimum percentage of phosphorus;
(g) Minimum and maximum percentage of salt (if added);
(h) Minimum and maximum percentage of total sodium must be guaranteed only when total sodium exceeds that furnished by the maximum salt guarantee;
(i) Minimum percentage of potassium;

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(j) Minimum vitamin A, other than precursors of vitamin A, in International Units per pound (if added).

(3) Guaranteed analysis for all beef cattle commercial mineral feeds must include the following nutrients (if added) on the label in the order listed below:

(a) Minimum and maximum percentage of calcium;

(b) Minimum percentage of phosphorus;

(c) Minimum and maximum percentage of salt;

(d) Minimum and maximum percentage of total sodium must be guaranteed only when total sodium exceeds that furnished by the maximum salt guarantee;

(e) Minimum percentage of magnesium;

(f) Minimum percentage of potassium;

(g) Minimum copper in parts per million (ppm);

(h) Minimum selenium in parts per million (ppm);

(i) Minimum zinc in parts per million (ppm);

(j) Minimum vitamin A, other than precursors of vitamin A, in International Units per pound.

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NEW SECTION

WAC 16-250-055 Guarantees for all dairy cattle commercial feed except customer-formula feed.

(1)

Dairy Cattle	
Classes	**Production Stage**
Veal milk replacer	Milk replacer fed for veal production
Herd milk replacer	Milk replacer fed for herd replacement calves
Starter	From 3 days to 3 months
Growing heifers, bulls and dairy beef	**Grower 1** - 3 months to 12 months
	Grower 2 - More than 12 months
Lactating	Cows in milk
Nonlactating	Dry cows

(2) Guaranteed analysis for veal and herd replacement milk replacer commercial feed must include the following nutrients on the label in the order listed below:

(a) Minimum percentage of crude protein;

(b) Minimum percentage of crude fat;

(c) Maximum percentage of crude fiber;

(d) Minimum and maximum percentage of calcium;

(e) Minimum percentage of phosphorus;

(f) Minimum vitamin A, other than precursors of vitamin A, in International Units per pound (if added).

(3) Guaranteed analysis for all animal classes of dairy cattle commercial feed must include the following nutrients on the label in the order listed below:

(a) Minimum percentage of crude protein;

(b) Maximum percentage of crude protein from nonprotein nitrogen (NPN) when added;

(c) Minimum percentage of crude fat;

(d) Maximum percentage of crude fiber;

(e) Maximum percentage of acid detergent fiber (ADF);

(f) Minimum and maximum percentage of calcium;

(g) Minimum percentage of phosphorus;

(h) Minimum selenium in parts per million (ppm);

(i) Minimum vitamin A, other than precursors of vitamin A, in International Units per pound (if added).

(4) Guaranteed analysis for all dairy cattle mixing and pasture mineral commercial feeds must include the following nutrients (if added) on the label in the order listed below:

(a) Minimum and maximum percentage of calcium;

(b) Minimum percentage of phosphorus;

(c) Minimum and maximum percentage of salt;

(d) Minimum and maximum percentage of total sodium must be guaranteed only when total sodium exceeds that furnished by the maximum salt guarantee;

(e) Minimum percentage of magnesium;

(f) Minimum percentage of potassium;

(g) Minimum selenium in parts per million (ppm);

(h) Minimum vitamin A, other than the precursors of vitamin A, in International Units per pound.

NEW SECTION

WAC 16-250-056 Guarantees for all equine commercial feed except customer-formula feed.

(1)

Equine	
Classes	**Approximate Age**
Foal	Age ranges are not specified
Mare	
Breeding	
Maintenance	

(2) Guaranteed analysis for all animal classes of equine commercial feed must include the following nutrients on the label in the order listed below:

(a) Minimum percentage of crude protein;

(b) Minimum percentage of crude fat;

(c) Maximum percentage of crude fiber;

(d) Minimum and maximum percentage of calcium;

(e) Minimum percentage of phosphorus;

(f) Minimum copper in parts per million (ppm);

(g) Minimum selenium in parts per million (ppm);

(h) Minimum zinc in parts per million (ppm);

(i) Minimum vitamin A, other than the precursors of vitamin A, in International Units per pound (if added).

(3) Guaranteed analysis for all equine commercial mineral feeds must include the following nutrients (if added) on the label in the order listed below:

(a) Minimum and maximum percentage of calcium;

(b) Minimum percentage of phosphorus;

(c) Minimum and maximum percentage of salt (if added);

(d) Minimum and maximum percentage of sodium must be guaranteed only when the total sodium exceeds that furnished by the maximum salt guarantee;

(e) Minimum copper in parts per million (ppm);

(f) Minimum selenium in parts per million (ppm);

(g) Minimum zinc in parts per million (ppm);

(h) Minimum vitamin A, other than precursors of vitamin A, in International Units per pound (if added).

NEW SECTION

WAC 16-250-057 Guarantees for all goat and sheep commercial feed except customer-formula feed.

(1)

Goat and Sheep	
Classes	**Approximate Age**
Starter	Age ranges are not specified
Grower	
Finisher	
Breeder	
Lactating	

(2) Guaranteed analysis for all animal classes of goat and sheep commercial feed must include the following nutrients on the label in the order listed below:

(a) Minimum percentage of crude protein;

(b) Maximum percentage of crude protein from nonprotein nitrogen (NPN) when added;

(c) Minimum percentage of crude fat;

(d) Maximum percentage of crude fiber;

(e) Minimum and maximum percentage of calcium;

(f) Minimum percentage of phosphorus;

(g) Minimum and maximum percentage of salt (if added);

(h) Minimum and maximum percentage of total sodium must be guaranteed only when total sodium exceeds that furnished by the maximum salt guarantee;

(i) Minimum and maximum copper in parts per million (ppm) (if added, or if total copper exceeds 20 ppm);

(j) Minimum selenium in parts per million (ppm);

(k) Minimum vitamin A, other than precursors of vitamin A, in International Units per pound (if added).

NEW SECTION

WAC 16-250-058 Guarantees for all duck and goose commercial feed except customer-formula feed.

(1)

Ducks	
Classes	**Approximate Age**
Starter	0 to 3 weeks
Grower	3 to 6 weeks
Finisher	6 weeks to market
Breeder developer	8 to 19 weeks
Breeder	22 weeks to end of lay

Geese	
Classes	**Approximate Age**
Starter	0 to 4 weeks
Grower	4 to 8 weeks
Finisher	8 weeks to market
Breeder developer	10 to 22 weeks
Breeder	22 weeks to end of lay

(2) Guaranteed analysis for all animal classes of duck and goose commercial feed must include the following nutrients on the label in the order listed below:

(a) Minimum percentage of crude protein;

(b) Minimum percentage of crude fat;

(c) Maximum percentage of crude fiber;

(d) Minimum and maximum percentage of calcium;

(e) Minimum percentage of phosphorus;

(f) Minimum and maximum percentage of salt (if added);

(g) Minimum and maximum percentage of total sodium must be guaranteed only when total sodium exceeds that furnished by the maximum salt guarantee.

NEW SECTION

WAC 16-250-059 Guarantees for all fish commercial feed except customer-formula feed and specialty pet food.

(1)

Fish	
Class (Species)	**Approximate Age**
Trout	Age ranges are not specified
Catfish	
Species other than trout or catfish	

(2) Guaranteed analysis for animal species for fish commercial feed must include the following nutrients on the label in the order listed below:

(a) Minimum percentage of crude protein;

(b) Minimum percentage of crude fat;

(c) Maximum percentage of crude fiber;

(d) Minimum percentage of phosphorus.

NEW SECTION

WAC 16-250-060 Guarantees for all rabbit commercial feed except customer-formula feed.

(1)

Rabbit	
Classes	**Approximate Age**
Grower	4 to 12 weeks
Breeder	12 weeks of age and over

(2) Guaranteed analysis for all animal classes of rabbit commercial feed must include the following nutrients on the label in the order listed below:

(a) Minimum percentage of crude protein;

(b) Minimum percentage of crude fat;

(c) Minimum and maximum percentage of crude fiber (the maximum crude fiber must not exceed the minimum by more than 5.0 units);

(d) Minimum and maximum percentage of calcium;

(e) Minimum percentage of phosphorus;

(f) Minimum and maximum percentage of salt (if added);

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(g) Minimum and maximum percentage of total sodium must be guaranteed only when total sodium exceeds that furnished by the maximum salt guarantee;

(h) Minimum vitamin A, other than precursors of vitamin A, in International Units per pound (if added).

NEW SECTION

WAC 16-250-063 Guarantees for commercial feeds for animal species not specified in WAC 16-250-052 through 16-250-060 or in chapter 16-252 WAC, except customer-formula feed. Except for the following commercial feeds:

- Customer-formula feed; and
- Feeds exempted by WAC 16-250-051; and
- Feeds for animals covered in WAC 16-250-052 through 16-250-060; and
- Feeds for animals covered in chapter 16-252 WAC.

The guaranteed analysis for all commercial feed must include the following nutrients listed in this section on the label in the order below:

(1) Minimum percentage of crude protein;

(2) Maximum or minimum percentage of crude protein from nonprotein nitrogen consistent with requirements in WAC 16-250-075;

(3) Minimum percentage of crude fat;

(4) Maximum percentage of crude fiber;

(5) Minimum and maximum percentages of calcium;

(6) Minimum percentage of phosphorus;

(7) Minimum and maximum percentage of salt (if added);

(8) Minimum and maximum percentage of total sodium must be guaranteed only when total sodium exceeds that furnished by the maximum salt guarantee;

(9) Other minerals.

Note:

WAC	Animal
16-250-052	Swine
16-250-053	Poultry (broiler, layers, and turkeys)
16-250-054	Beef cattle
16-250-055	Dairy cattle
16-250-056	Equine
16-250-057	Goats and sheep
16-250-058	Ducks and geese
16-250-059	Fish
16-250-060	Rabbits
Chapter 16-252 WAC	Pets and specialty pets

NEW SECTION

WAC 16-250-065 Guarantees for grain mixture commercial feeds, except customer-formula feed. Guaranteed analysis for all commercial grain mixture feeds must include the following nutrients on the label in the order listed below:

(1) Minimum percentage of crude protein;

(2) Minimum percentage of crude fat; and

(3) Maximum percentage of crude fiber.

NEW SECTION

WAC 16-250-067 Guarantees for commercial feed sold primarily for sugar content. Dried molasses products and other products being distributed primarily for their sugar content must be guaranteed for total sugars as invert (a unit of measurement expressed as a percentage).

NEW SECTION

WAC 16-250-068 Guarantees for vitamin/mineral premix and base mix commercial feed. (1) Commercial feeds such as vitamin/mineral premix and base mix that are intended as a specialized nutritional source for use in the manufacture of other feeds, must state their intended purpose and guarantee those nutrients relevant to that purpose.

(2) When approved by the department, guarantees may be made for these special feeds even if there are no approved Association of Official Analytical Chemists (AOAC) methods for determining specific nutritional content of these specialized feeds.

NEW SECTION

WAC 16-250-069 Expression of guarantees—Expressed as is. All guarantees must be expressed on an "as is" basis rather than on a "one hundred percent moisture free" basis.

NEW SECTION

WAC 16-250-070 Expression of guarantees—Sliding-scale method prohibited. The sliding-scale method of expressing guarantees (for example, "protein fifteen to eighteen percent") is prohibited.

NEW SECTION

WAC 16-250-071 Expression of guarantees—Protein, amino acids, fat, and fiber. The guarantees for crude protein, crude protein from nonprotein nitrogen, lysine, methionine, other amino acids, crude fat, crude fiber, and acid detergent fiber must be expressed in percentages.

NEW SECTION

WAC 16-250-072 Expression of guarantees—Minerals. (1) Mineral guarantees:

(a) When the calcium, salt, and sodium guarantees are given in the guaranteed analysis, they must be stated and conform to the following:

(i) When the minimum is below 2.5%, the maximum must not exceed the minimum by more than 0.5 percentage points.

(ii) When the minimum is 2.5% but less than 5.0%, the maximum must not exceed the minimum by more than one percentage point.

(iii) When the minimum is 5.0% or greater, the maximum must not exceed the minimum by more than 20% of the

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minimum and in no case may the maximum exceed the minimum by more than five percentage points.

(b) When stated, certain mineral guarantees must be expressed as follows:

Sodium, Salt, Potassium, Magnesium, Sulfur, Phosphorus, Fluorine, Other	
Mineral Guarantee:	**Expresses As:**
Minimum and maximum total sodium	Percentage (%)
Minimum and maximum salt	Percentage (%)
Minimum potassium	Percentage (%)
Minimum magnesium	Percentage (%)
Minimum sulfur	Percentage (%)
Minimum phosphorus	Percentage (%)
Maximum fluorine	Percentage (%)
Other minimum mineral guarantees	Parts per million (ppm) when the concentration is less than 10,000 ppm
Other minimum mineral guarantees	Percentage when the concentration is 10,000 ppm (1%) or greater

(c) Minerals, except salt, when quantitatively guaranteed, must be stated in terms of percentage of the element.

(d) Products labeled with a quantity statement (for example, tablets, capsules, granules, or liquid) may state mineral guarantees in milligrams (mg) per unit (for example, milligrams per tablet or milligrams per capsule) consistent with the quantity statement and the directions for use.

(2) All mineral phosphatic materials used for feeding purposes must be labeled with the guarantee for:

(a) Minimum and maximum percentage of calcium (when present);

(b) Minimum percentage of phosphorus; and

(c) Maximum percentage of fluorine.

NEW SECTION

WAC 16-250-073 Expression of guarantees—Minimum vitamin content. Guarantees of minimum vitamin content for commercial feeds must be listed in the order shown in the following table. The guarantees must be stated in:

(1) Milligrams per pound; or

(2) Per unit consistent with the units on the quantity statement; or

(3) For the vitamins listed in the following table, the units must be consistent with those in the table:

Vitamins	
Type of Vitamin and Listing Order:	**Stated in:**
Vitamin A, other than precursors of vitamin A	International Units per pound (IU/lb)
Vitamin D-3 in products offered for poultry feeding	International Chick Units per pound (ICU/lb)
Vitamin D, for other uses	International Units per pound (IU/lb)
Vitamin E	International Units per pound (IU/lb)
Concentrated oils and feed additive premixes containing vitamins A, D, and/or E	May, at the option of the distributor, be stated in units per gram (g) instead of units per pound (lb)
Vitamin B-12	Milligrams (mg) or micrograms (μg) per pound (lb)
Menadione, riboflavin, d-pantothenic acid, thiamine, niacin, vitamin B-6, folic acid, choline, biotin, inositol, p-amino benzoic acid, ascorbic acid, and carotene	Milligrams per pound (mg/lb)

NEW SECTION

WAC 16-250-074 Expression of guarantees—Drugs. Guarantees for drugs must be stated in terms of percent by weight **except for the following:**

Drugs	
Antibiotics, present at less than 2,000 grams per ton (total) of commercial feed	Grams per ton of commercial feed (g/ton)
Antibiotics, present at 2,000 or more grams per ton (total) of commercial feed	Grams per pound of commercial feed (g/lb)
Note: The term "milligrams per pound" (mg/lb) may be used for drugs or antibiotics in those cases where a dosage is given in "milligrams" in the feeding directions.	

NEW SECTION

WAC 16-250-075 Expression of guarantees and special requirements—Commercial feeds containing any added nonprotein nitrogen. (1) Commercial feeds containing any added nonprotein nitrogen must be labeled as follows:

(a) For ruminants:

(i) Complete feeds, supplements, and concentrates containing added nonprotein nitrogen and containing more than five percent protein from natural sources must be guaranteed as follows:

Crude protein, minimum, ... %

(This includes not more than. . . . . % equivalent crude protein from nonprotein nitrogen.)

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(ii) Mixed feed concentrates and supplements containing less than five percent protein from natural sources may be guaranteed as follows:

Equivalent crude protein from nonprotein nitrogen, minimum, ... %

(iii) Ingredient sources of nonprotein nitrogen such as urea, diammonium phosphate, ammonium polyphosphate solution, ammoniated rice hulls, or other basic nonprotein nitrogen ingredients as defined by the Association of American Feed Control Officials official publication must be guaranteed as follows:

Nitrogen, minimum, ... %

Equivalent crude protein from nonprotein nitrogen, minimum, ... %

(b) For nonruminants:

(i) Complete feeds, supplements and concentrates containing crude protein from all forms of added nonprotein nitrogen must be labeled as follows:

Crude protein, minimum, ... %

This includes not more than . . . . . % equivalent crude protein, which is not nutritionally available to (species of animal for which feed is intended).

(ii) Premixes, concentrates or supplements intended for nonruminants containing more than one and one-quarter percent crude protein from all forms of added nonprotein nitrogen must contain adequate directions for use and a prominent statement such as the following:

WARNING: This feed must be used only in accordance with directions furnished on the label.

(2) Urea and other nonprotein nitrogen products, as defined in the Association of American Feed Control Officials official publication, are accepted sources of crude protein only in commercial feeds for ruminant animals.

(3)(a) Commercial feed must be labeled with adequate directions for the feed's safe use and a precautionary statement that reads, "CAUTION: USE AS DIRECTED" in the location specified in WAC 16-250-020 or 16-250-035 if it contains more than:

(i) Eight and three-quarters percent crude protein from all forms of added nonprotein nitrogen; or

(ii) One-third of the total crude protein content as added nonprotein nitrogen.

(b) The directions for use and caution statements must be printed in a type size and placed on the label in the location specified in WAC 16-250-020 or 16-250-035 so they can be read and understood by an ordinary person purchasing and using the feed in a customary way.

(4) Commercial feed products containing added nonprotein nitrogen do not require duplicate feeding directions or warning or caution statements on medicated feed labels as long as those directions and/or statements include sufficient information to ensure the safe and effective use of the product.

(5) In commercial feeds distributed to nonruminant animals, nonprotein nitrogen sources defined in the Association of American Feed Control Officials official publication, are acceptable sources of nutrients other than crude protein, as long as the maximum crude protein from all nonprotein nitrogen sources does not exceed one and one-quarter percent of the nonruminant's total daily ration.

NEW SECTION

WAC 16-250-076 Expression of guarantees—Microorganisms and enzymes. Any commercial feed being distributed as a source of microorganisms or enzymes, including silage additives, must be guaranteed as follows:

(1)(a) Guarantees for microorganisms must be stated in colony forming units (CFU) per unit weight or volume, consistent with label directions.

(b) A parenthetical statement following the guarantee must list each species in order of predominance.

(2)(a) Guarantees for enzymes must be stated in units of enzymatic activity per unit weight or volume, consistent with label directions.

(b) The source organism for each type of enzymatic activity must be specified, for example: Protease (bacillus subtilis) 5.5 mg amino acids liberated/minute/milligram.

(c) If two or more sources have the same type of activity, they must be listed in order of predominance based on the amount of enzymatic activity provided.

NEW SECTION

WAC 16-250-080 Substantiating nutritional suitability of commercial feed except for customer-formula feed. (1) All commercial feeds, except for customer-formula feeds, must be nutritionally suitable for the purpose represented by their labeling.

(2) If the department has reasonable cause to believe a commercial feed is not nutritionally suitable, the department may require that the feed manufacturer either submit an "affidavit of suitability" or a department approved alternative procedure, certifying that the feed is nutritionally adequate for its intended purpose. The affidavit of suitability or alternate procedure substantiates the feed's suitability but does not preclude the department from requiring additional evidence of nutritional suitability.

(3) If an affidavit of suitability, or department approved alternative procedure, is not submitted by the feed manufacturer within thirty days of written notification, the department may declare that the feed's composition or quality is less than or differs from what is represented by its labeling (see RCW 15.53.902(8)) and order the feed removed from the marketplace.

(4) An affidavit of suitability must contain the following information:

(a) The feed licensee's name;

(b) The feed's product name;

(c) The name and title of the affiant submitting the document;

(d) A statement from the affiant that they know the nutritional content of the feed and that the feed, based on valid scientific evidence, is nutritionally adequate for its intended purpose;

(e) The date the affidavit of suitability is submitted to the department; and

(f) The signature of the affiant notarized by a certified notary public.

(5) Example of affidavit:

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Affidavit of Suitability

_____ _____

(Company Name) (Product Name & Code Number)

1. Affiant is the _____ of _____
(Title) (Name of Company)
and is duly authorized to make and execute this Affidavit for and on behalf of said company.

2. Affiant has knowledge of the nutritional content of the above listed feed product and is familiar with the nutritional requirements for the animal species and animal class(es) for which the feed product is intended.

3. Affiant has knowledge of valid scientific evidence that supports the suitability of the product for the intended animal species and animal class for which this feed is intended. A copy of the product label is attached to this affidavit.

_____ By _____

(Name of Company) (Name and Title)

Subscribed and sworn to before me
this _____ day of _____, 20____

_____

(Notary Public)

NEW SECTION

WAC 16-250-090 Feed ingredient statement terms and recordkeeping requirements. Feed ingredients listed on the label or on file at the plant producing the product must comply with the following:

(1) The name of each ingredient must conform to one of the following:

(a) Ingredients must have an official definition in the AAFCO official publication;

(b) If there is no official definition for an ingredient in the AAFCO official publication, then an ingredient with an AAFCO tentative definition may be used;

(c) The ingredient is defined in WAC 16-250-015; or

(d) The ingredient has a commonly accepted name that requires no definition, for example, sugar.

(2) Collective terms for the grouping of feed ingredients must be those defined in the Association of American Feed Control Officials official publication. However, when a collective term for a group of ingredients is used on a label:

(a) Individual ingredients within that group must not be listed on the label; and

(b) When requested the manufacturer must give the department a list of individual ingredients, within a defined group, that are or have been used at manufacturing facilities distributing the commercial feed in Washington state. These records must be available to the department for inspection and copying for at least one year after the last date of distribution of the commercial feed.

(3) Ingredients on labels must be listed in descending order by weight.

(4) The specific amount of each ingredient does not need be listed on the label.

(5) A single ingredient product, as defined by the Association of American Feed Control Officials official publication, does not need an ingredient statement.

(6) The names of all listed ingredients must be shown in the same size of letters and type.

(7) Commercial, copyrighted, brand, or trade names must not be used in the ingredient statement.

(8) No reference to quality or grade of an ingredient may appear in the ingredient statement.

(9) The term "dehydrated" may precede the name of any product that has been artificially dried.

(10) When the word "iodized" is used in connection with a feed ingredient, the ingredient must contain at least 0.007% iodine, uniformly distributed.

(11) The term "degermed" must precede the name of any product from which germs were wholly or partially removed.

(12) If a drug is used, the drug does not have to be listed in the ingredient statement. However, the drug name is required to be listed on the label (see WAC 16-250-030 and 16-250-035).

(13) Unless meat and meat by-products are made from cattle, swine, sheep or goats, the terms "meat" and "meat by-products" must specifically identify the animal from which they are derived.

NEW SECTION

WAC 16-250-095 Drug and feed additive requirements. Before the department approves a label for commercial feed that contains additives (including drugs, other special purpose additives, or nonnutritive additives), the distributor may be required to submit evidence satisfactory to the department proving the safety and effectiveness of the commercial feed when used according to the directions on the label.

Satisfactory evidence of the safety and effectiveness of a commercial feed that contains additives (including drugs, other special purpose additives, or nonnutritive additives) is established if one or more of the following apply:

(1) When the use of a commercial feed containing such additives either:

(a) Conforms to the requirements of the applicable regulation in 21 CFR, 2002 edition; or

(b) Are "prior sanctioned"; or

(c) Are "informal review sanctioned"; or

(d) "Generally recognized as safe" (GRAS) for such use.

(2) When the commercial feed is itself a drug, and

(a) Is generally recognized as safe (GRAS) and effective for the labeled use; or

(b) Is marketed subject to an application approved by the Food and Drug Administration under Title 21 U.S.C. 360 b as amended effective on the date these rules were adopted.

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(3) When one purpose for feeding a commercial feed is to immunize through some immunological process and the immunizing drugs or additives have been approved for the purpose through the Federal Virus, Serum and Toxins Act of 1913, as amended in 1985.

(4) When the commercial feed is a directly fed microbial product and the:

(a) Product meets the particular fermentation product definition as defined in the Association of American Feed Control Officials official publication; and

(b) Required microbial content statement in the label is limited to the following: "Contains a source of live (viable) naturally occurring microorganisms"; and

(c) Source is stated with a corresponding guarantee expressed according to WAC 16-250-076 requirements.

(5) When the commercial feed is an enzyme product and the:

(a) Product meets the particular enzyme definition in the Association of American Feed Control Officials official publication; and

(b) Enzyme is stated with a corresponding guarantee expressed according to WAC 16-250-076 requirements.

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NEW SECTION

WAC 16-250-100 Directions for use and precautionary statement requirements. (1) Directions for use and precautionary statements on the required labeling of all commercial feeds containing additives, (including, but not limited to, prohibited mammalian protein, drugs, nonprotein nitrogen, special purpose additives, or nonnutritive additives) must:

(a) Be adequate to enable users with no special knowledge of the purpose and use of the feed to use it safely and effectively for it's intended purposes; and

(b) Include all information described by all applicable regulations of 21 CFR, Parts 500-599 under the Federal Food, Drug and Cosmetic Act, 2002 edition.

Note: The Food and Drug Administration's regulations are published in the Code of Federal Regulations, and are available in book format from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402. They are also available on the Internet at http://www.access.gpo.gov/nara/cfr/cfr-retrieve.html#page1. A copy of the 2002 edition, Parts 500-599 is also on file with the department.

(2) Feeds containing nonprotein nitrogen must have adequate directions for use and precautionary statements as specified in WAC 16-250-075.

(3) Adequate directions for use and precautionary statements identified in subsection (1) of this section are required for commercial feeds that are distributed to:

(a) Supply particular dietary needs; or

(b) For supplementing or fortifying the usual diet or ration with any vitamin, mineral, or other dietary nutrient or compound.

NEW SECTION

WAC 16-250-110 Screenings. (1) When screenings are added to unmixed by-product feed, the label must include the term "screenings":

(a) In the same size of type as the brand name; and

(b) Either as part of or immediately below the brand name.

(2) Screenings must:

(a) Not contain any seed, pesticide, or other product that renders it adulterated within the meaning of RCW 15.53.902; and

(b) Be ground fine enough or otherwise treated to destroy the viability of the noxious weed seeds contained in the screening so that the finished product contains no more than one viable prohibited noxious weed seed per pound and not more than twenty-five viable restricted noxious weed seeds per pound.

(3) For purposes of this commercial feed rule, prohibited noxious weed seeds are those listed in WAC 16-301-045 (Prohibited noxious weed seeds) and restricted noxious weed seeds are those listed in WAC 16-301-050 (Restricted noxious weed seeds).

NEW SECTION

WAC 16-250-120 Adulteration of feed. (1) The terms "poisonous or deleterious substances" as used in RCW 15.53.902 include, but are not limited to, the following:

(a) A commercial feed or feed ingredient that contains more than twenty parts per billion aflatoxin B1, B2, G1, G2, individually or in total.

(b) Fluorine and any mineral or mineral mixture that is used directly to feed domestic animals and in which the fluorine exceeds:

Maximum Allowed Percentage of Fluorine in Minerals	Type of Animal
0.20%	Breeding and dairy cattle
0.30%	Slaughter cattle
0.30%	Sheep
0.35%	Lambs
0.45%	Swine
0.60%	Poultry

(c) Fluorine bearing ingredients when used in such amounts that they raise the fluorine content of the total ration (exclusive of roughage) above the following amounts:

Maximum Allowed Percentage of Fluorine in Ration Excluding Roughage	Type of Animal
0.004%	Breeding and dairy cattle
0.009%	Slaughter cattle
0.006%	Sheep
0.01%	Lambs
0.015%	Swine
0.03%	Poultry

(d) Fluorine bearing ingredients incorporated in any feed that is fed directly to cattle, sheep or goats consuming roughage (with or without) limited amounts of grain, that result in

a daily fluorine intake in excess of 50 milligrams of fluorine per 100 pounds of body weight.

(e) Soybean meal, flakes or pellets or other vegetable meals, flakes or pellets that have been extracted with trichlorethylene or other chlorinated solvents.

(f) Sulfur dioxide, sulfurous acid, and salts of sulfurous acid when used in or on feeds or feed ingredients that are considered or reported to be a significant source of vitamin B1 (thiamine).

(g) Any substance that is prohibited by 21 CFR, Part 589, 2002 edition.

(2) When screenings are used in a commercial feed, the labeling and screenings must comply with the requirements in WAC 16-250-110 or the commercial feed will be considered adulterated.

(3) Feed containing raw or unprocessed animal waste will be considered adulterated.

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

NEW SECTION

WAC 16-250-140 Use of artificial coloring. (1) Artificial coloring may be used in feeds if it is harmless to animals.

(2) Feed or feed ingredients must not contain materials that enhance the natural color of a feed if it conceals inferiorities.

NEW SECTION

WAC 16-250-150 Reusing bags, totes, and containers. Bags, totes, or nonporous containers of similar capacity used for commercial feeds (including customer-formula feed) must not be reused unless appropriately cleaned. A firm that intends to reuse bags, totes, or containers must document their clean-out procedures.

Note: "Appropriate cleaning procedures" are procedures that prevent cross contamination of products that would create a safety concern. Examples of safety concerns include:
(a) Medicated products contaminating nonmedicated products;
(b) Prohibited mammalian protein contaminating ruminant feed; and
(c) Feed containing minerals, or other additives, intended for one species contaminating feed intended for another species that is more sensitive to a mineral or other additive.

NEW SECTION

WAC 16-250-155 Tonnage fee requirements. Each initial distributor of commercial feed in or into Washington state must pay the department an inspection fee of nine cents per ton on all commercial feed they sold during the year. The minimum inspection fee, the late penalty fee, and exceptions to payment of the fee are as authorized in RCW 15.53.9018.

NEW SECTION

WAC 16-250-160 Commercial feed license application requirements. (1) The commercial feed license application form, to be completed by applicants and licensees, must include:

(a) The name and business address of the applicant; and

(b) Information regarding the types of business the firm is engaged in (feed manufacturer, dealer, broker); and

(c) The type of commercial feed distributed (medicated feed, complete feed, feed supplement, or animal by-products).

(2) A commercial feed license is not required for facilities that only:

(a) Sell food processing by-products from fruit, vegetable, or potato processing plants, freezing or dehydrating facilities, or juice or jelly preserving plants;

(b) Sell bona fide experimental feed on which accurate records and experimental programs are maintained;

(c) Makes retail sales of bagged, or packaged commercial feed bearing labeling or other approved indicators showing that the commercial feed is from a licensed manufacturer, guarantor, or distributor who has assumed full responsibility for the required tonnage inspection fees.

Note: The commercial feed license application form is available from the department. This form may also be downloaded from the Internet at http://www.wa.gov/agr/FoodAnimal/AnimalFeed/Forms/Form4273.pdf.

NEW SECTION

WAC 16-250-170 Commercial feed label submission requirements. License applicants and licensees must submit copies of their commercial feed labels and labeling to the department when requested for reasonable cause.

NEW SECTION

WAC 16-250-180 Good manufacturing practices adopted. The following good manufacturing practices are adopted:

(1) Regulations prescribing current good manufacturing practices for Type B and Type C medicated feeds as published in 21 CFR, Part 225, Sections 225.1 - 225.202, 2002 edition.

(2) Regulations prescribing good manufacturing practices for Type A Medicated Articles as published in 21 CFR, Part 226, Sections 226.1 - 226.115, 2002 edition.

(3) Regulations pertaining to animal proteins prohibited in ruminant feed as published in 21 CFR, Part 589.2000, 2002 edition, even if interstate commerce is not involved.

WSR 03-23-129
PERMANENT RULES
DEPARTMENT OF AGRICULTURE
[Filed November 19, 2003, 10:29 a.m., effective July 1, 2004]

Date of Adoption: November 19, 2003.

Purpose: To adopt chapter 16-252 WAC, Commercial feed rules—Pet food and specialty pet food.

The new chapter 16-252 WAC creates a set of regulations that are easy to understand and use, reflect current national standards as expressed in the Association of American Feed Control Officials (AAFCO) model regulations, safeguard public health and the health of animals, establish a

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structure for orderly commerce with other states by ensuring that WSDA pet food/specialty pet food rules are consistent with AAFCO model regulations, and provide protection for consumers and the regulated industry.

Many of the requirements in this new pet food/specialty pet food chapter are either identical or substantially the same as the pet food/specialty pet food requirements in the rule sections, which the department has repealed (WAC 16-200-750 through 16-200-887). However, several new requirements have been added to increase the protection of pets, consumers and industry. Also the new chapter has been written more clearly and organized it in a more "user friendly" way than the rule sections that are repealed.

Specifically, the new pet food/specialty pet food chapter:

(1) Safeguards public health, pet health and provides increased protection for consumers and the pet food/specialty pet food manufacturers and distributors operating in Washington state.

To achieve this, we have strengthened commercial pet food/ specialty pet food labeling requirements in WAC 16-252-025 to:

- Improve our ability to track pet food from the manufacturer to the final distributor (WAC 16-252-025(11)). In the event of a recall, this lot identifier will increase the effectiveness of the recall and improve pet food safety. Also, by adding this lot identifier requirement, the department voluntarily complies with federal regulations. Now, under the Federal Bioterrorism Act, the Food and Drug Administration is requiring that all animal food be traceable from the manufacturer through final distribution.
- Prevent misleading labeling (WAC 16-252-025 (4), (12), (13), (14), (15), (17), (18), (19), (20), and (21)).
- Prevent someone from using a statement based on data from an outdated study that fails to recognize changes made to comparison products (WAC 16-252-025 (18)(d)).
- Prevent old products from being called "new," which would be misleading (WAC 16-252-025(20)).
- Prevent a product label from being designed so it appears that the product contains an ingredient, when in fact it only contains a flavor of a certain ingredient (WAC 16-252-025 (21)(b) and (c)).
- Make companies aware that when the term "organic" is used on a label it has a specific meaning and additional regulations apply (WAC 16-252-025(23)).

In addition, the department has added new requirements to:

- Prevent someone from using misleading product names (WAC 16-252-040). For example, the requirement prevents a product name from being "Lamb, with Rice" when there is actually only a small amount of lamb in the pet food or specialty pet food.
- Ensure uniform labeling of the nutritional value of pet food products thus enabling product purchasers to make good nutrition and health decisions for their companion animals (WAC 16-252-061 and 16-252-062).
- Prevent the possibility of cross contamination of products (WAC 16-252-150). Certain ingredients and feed additives are only safe for certain species of animals. Proper cleaning of bags, totes and nonporous containers decreases the likelihood of cross contamination. Requiring documentation of the cleanout procedures used will remind an operator of the possibility of cross contamination and the importance of preventing it.

(2) Addresses the specific needs of pet food/specialty pet food manufacturers and distributors operating in Washington state.

Before this adoption, department rules regulating pet food and specialty pet food were embedded in fifteen rule sections of chapter 16-200 WAC, Feeds, fertilizers and livestock remedies. The new chapter 16-252 WAC, Commercial feed rules—Pet food and specialty pet food, is devoted specifically to the commercial pet food/specialty pet food industry and contains only regulations that are pertinent to that industry. In addition, the new rule chapter for pet food/specialty pet food contains a number of "pet food/specialty pet food specific" definitions to help users better understand its contents.

(3) Is written in a clear and readable style that allows users to more easily understand and apply WSDA pet food and specialty pet food regulations.

Compare the following two examples. Both rule sections contain substantially the same requirements but the new rule because of format changes and the use of plain English is easier to read and understand.

Repealed Rule	Adopted New Rule
WAC 16-200-755(2) (d) Guarantees for microorganisms are not required when the commercial feed is intended for a purpose other than to furnish these substances or they are of minor significance relating to the primary purpose of the product, and no specific label claims are made.	**WAC 16-252-051** (4) Guarantees for microorganisms are not required when: (a) The pet food or specialty pet food is intended for a purpose other than to furnish microorganisms; or (b) The microorganisms are insignificant to the primary purpose of the product, and no specific label claims are made.
WAC 16-200-885 Commercial feed label submission. Pursuant to RCW 15.53.9013, license applicants or licensees shall submit copies of commercial feed labels and labeling, when requested by the department with just cause, in order to determine compliance with the provisions of laws and rules.	**WAC 16-252-170 Label submission requirements.** Pet food and specialty pet food registrants must submit copies of their labels and labeling to the department when: (1) Applying for a registration; or (2) The label is revised by the registrant; or (3) When requested by the department for reasonable cause.

(4) Uses tables to clearly and succinctly present information wherever possible and appropriate.

Notice how WAC 16-200-770 Expression of guarantees, which is being repealed presents how certain mineral guarantees must be stated:

WAC 16-200-770(3):

(b) When required, guarantees for minimum potassium, magnesium, sulfur and maximum fluoride shall be stated in parts per million (ppm) when the concentration is less than 10,000 ppm and in percentage when the concentration is 10,000 ppm (1%) or greater.

Now, notice how the same information is presented in the new adopted section, WAC 16-252-072 Expression of guarantees—Minerals in specialty pet food. Not only is the information in the table easier to read and digest, it is consistent with AAFCO (Regulation 4 (b)(2)) whereas WAC 16-200-770(3) is not.

WAC 16-252-072(1):

(b) When stated, certain mineral guarantees must be expressed as follows:

Sodium, Salt, Potassium, Magnesium, Sulfur, Phosphorus, Fluorine, Other	
Mineral Guarantee:	**Expressed as:**
Minimum and maximum total sodium	Percentage (%)
Minimum and maximum salt	Percentage (%)
Minimum potassium	Percentage (%)
Minimum magnesium	Percentage (%)
Minimum sulfur	Percentage (%)
Minimum phosphorus	Percentage (%)
Maximum fluorine	Percentage (%)
Other minimum mineral guarantees	Parts per million (ppm) when the concentration is less than 10,000 ppm
Other minimum mineral guarantees	Percentage when the concentration is 10,000 ppm (1%) or greater

(5) Presents rule requirements in shorter, more focused rule sections rather than the traditional practice of presenting a wide range of information in very long, tediously subdivided sections.

Comparing the table of contents of the repealed rule with the table of contents of the adopted rule, you can see how the longer repealed sections have generally been divided into shorter, more focused sections in the new adopted chapter. Also, notice how the new rule section titles are more descriptive than the section titles of the repealed sections.

Repealed Rule Sections	**Rule Section Titles Used in Chapter 16-252 WAC**
	WAC 16-252-001 Effective date.
	WAC 16-252-005 Commercial feed regulated by this chapter.
WAC 16-200-750 Definitions and terms.	WAC 16-252-010 Commercial feed terms and definitions.
	WAC 16-252-015 Feed ingredient names and definitions.
WAC 16-200-755 Label format.	WAC 16-252-025 Label information and record-keeping requirements.
WAC 16-200-760 Brand and product names.	WAC 16-252-040 Product or brand name label information required.
	WAC 16-252-042 Label information required when a drug is used.
	WAC 16-252-051 Exemptions from the guarantees required in WAC 16-252-061 and 16-252-062.
WAC 16-200-770 Expression of guarantees.	WAC 16-252-061 Guarantees for pet food.
	WAC 16-252-062 Guarantees for specialty pet food.
	WAC 16-252-065 Guarantees for grain mixture specialty pet food, with or without molasses.
	WAC 16-252-069 Expression of guarantees—Expressed as is.
	WAC 16-252-070 Expression of guarantees—Sliding-scale method prohibited.
	WAC 16-252-071 Expression of guarantees—Protein, amino acids, fat, and fiber in specialty pet food.
	WAC 16-252-072 Expression of guarantees—Minerals in specialty pet food.
	WAC 16-252-073 Expression of guarantees—Minimum vitamin content in specialty pet food.
	WAC 16-252-074 Expression of guarantees—Drugs.
	WAC 16-252-075 Expression of guarantees and special requirements—Pet food and specialty pet food containing any added nonprotein nitrogen.

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Repealed Rule Sections	Rule Section Titles Used in Chapter 16-252 WAC
	WAC 16-252-076 Expression of guarantees—Microorganisms and enzymes.
	WAC 16-252-080 Substantiating nutritional suitability.
WAC 16-200-790 Ingredient statement.	WAC 16-252-090 Ingredient statement terms.
	WAC 16-252-095 Drug and feed additive requirements.
WAC 16-200-795 Directions for use and precautionary statements.	WAC 16-252-100 "Directions for use" and "precautionary statement" requirements.
WAC 16-200-805 Tonnage fees.	WAC 16-252-155 Tonnage reporting and fee requirements.
WAC 16-200-815 Adulteration.	WAC 16-252-120 Adulteration of pet food and specialty pet food.
WAC 16-200-820 Screenings.	WAC 16-252-110 Screenings.
WAC 16-200-830 Nonprotein nitrogen.	
WAC 16-200-840 Artificial color.	WAC 16-252-140 Use of artificial coloring.
WAC 16-200-860 Used sacks and containers.	WAC 16-252-150 Reusing bags, totes, and containers.
WAC 16-200-865 Commercial feed license.	WAC 16-252-165 Registration requirements.
WAC 16-200-885 Commercial feed label submission.	WAC 16-252-170 Label submission requirements.
WAC 16-200-887 Good manufacturing practices.	WAC 16-252-180 Good manufacturing practices adopted.

(6) Incorporating applicable parts of the AAFCO model regulations, helps increase the flow of trade and information and promotes regulatory consistency between Washington's pet food/specialty pet food manufacturers and distributors and the manufacturers and distributors in our sister states.

In several sections of the new chapter 16-252 WAC, language has been added to ensure that the WSDA rule is consistent with AAFCO's pet food/specialty pet food model regulations requirements. For example:

- Many of the new requirements in WAC 16-252-025 Label information and record-keeping requirements, were added to further protect consumers, pets and industry and also make the department's pet food/specialty pet food rules more consistent with AAFCO and the regulations of our sister states.
- Similarly, WAC 16-252-040 Product or brand name label information, is much more consistent with AAFCO's model regulations than the current WAC 16-200-760 Brand and product names.
- Again, WAC 16-252-061 Guarantees for pet food, 16-252-062 Guarantees for specialty pet food and 16-252-065 Guarantees for grain mixture specialty pet food, with or without molasses, are much more consistent with AAFCO than the current regulations in WAC 16-200-755 Label format.
- Finally, WAC 16-252-080 Substantiating nutritional suitability, and 16-252-095 Drug and feed additive requirements, were added to strengthen the department's pet food/specialty pet food rules in a way that is consistent with AAFCO.

Citation of Existing Rules Affected by this Order: Repealing chapter 16-200 WAC, Feeds, fertilizers and livestock remedies, WAC 16-200-750 Definitions and terms, 16-200-755 Label format, 16-200-760 Brand and product names, 16-200-770 Expression of guarantees, 16-200-790 Ingredient statement, 16-200-795 Directions for use and precautionary statements, 16-200-805 Tonnage fees, 16-200-815 Adulteration, 16-200-820 Screenings, 16-200-830 Nonprotein nitrogen, 16-200-840 Artificial color, 16-200-860 Used sacks and containers, 16-200-865 Commercial feed license, 16-200-885 Commercial feed label submission, 16-200-887 Good manufacturing practices, 16-200-890 Definitions—Animal waste products, 16-200-900 Registration requirements, 16-200-910 Refusing or canceling registration—Procedure, 16-200-920 Quality standards, 16-200-930 Labeling requirements of animal waste products, 16-200-940 Testing required, and 16-200-950 Records required.

Statutory Authority for Adoption: Chapters 15.53 and 34.05 RCW.

Adopted under notice filed as WSR 03-19-126 on September 17, 2003.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 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 31, Amended 0, Repealed 22.

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 31, Amended 0, Repealed 22.

Effective Date of Rule: July 1, 2004.

November 19, 2003

Valoria H. Loveland

Director

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Chapter 16-252 WAC

COMMERCIAL FEED RULES—PET FOOD AND SPECIALTY PET FOOD

NEW SECTION

WAC 16-252-001 Effective date. Chapter 16-252 WAC, Commercial feed rules—Pet food and specialty pet food, becomes effective on July 1, 2004.

NEW SECTION

WAC 16-252-005 Commercial feed regulated by this chapter. This chapter regulates pet food and specialty pet food except for customer-formula food.

(1) Where a conflict occurs between the provisions of this chapter and those of chapter 16-250 WAC (commercial feed rules), the regulations in this chapter take precedence.

(2) Where a commercial pet food and/or specialty pet food issue arises on which this chapter is silent and a provision in chapter 16-250 WAC addresses the issue, then chapter 16-250 WAC must be followed. The department expects such situations will be rare.

Note:
- Pet food is food for dogs and cats.
- Specialty pet food is food for specialty pets such as, but not limited to, gerbils, hamsters, canaries, psittacine birds, mynahs, finches, tropical fish, goldfish, snakes, and turtles.
- Commercial feed for beef cattle, dairy cattle, equine, goats and sheep, ducks and geese, fish, rabbits, swine, chickens, turkeys, and other animals not specifically regulated under this chapter is regulated under chapter 16-250 WAC.
- Customer-formula feed (food) for all species is regulated under chapter 16-250 WAC.
- Ingredients meeting the definition of commercial feed, that are used to make a pet food or specialty pet food, are regulated under chapter 16-250 WAC, unless the ingredient meets the definition of pet food or specialty pet food in which case the ingredient is regulated under this chapter.

NEW SECTION

WAC 16-252-010 Commercial feed terms and definitions. Except for the specific terms and definitions contained in this section or in RCW 15.53.901, the terms and definitions used in reference to commercial feeds, in this chapter, are the official feed terms adopted by the Association of American Feed Control Officials (AAFCO) and published in the association's official publication. Throughout these rules where the Association of American Feed Control Officials (AAFCO) official publication is referred to, the reference is to the 2003 Official Publication.

Note: A copy of the official publication is on file with the department. Copies may be purchased from AAFCO Assistant Secretary-Treasurer; P.O. Box 478 Oxford, IN 47971.

"Animal wastes" means a material composed of excreta, with or without bedding materials and/or animal drugs, collected from poultry, ruminants or other animals except humans.

"All life stages" means gestation/lactation, growth, and adult maintenance life stages of a domesticated dog or cat.

"Canned" means feed that has been processed, packaged, sealed, and sterilized for preservation in cans, pouches, or similar containers.

"Commercial feed" means all materials or combination of materials that are distributed or intended for distribution for use as feed or for mixing in feed, unless such materials are specifically exempted.

The following commodities are exempted and are not considered "commercial feed" if they are not adulterated (see RCW 15.53.902 for a list of conditions that cause commercial feeds to be adulterated):

- Unmixed whole seeds and physically altered entire unmixed seeds when such seeds are not chemically changed.
- Raw meat, hay, loose salt, straw, stover, silage, cobs, husks, and hulls when such commodities are not ground, mixed or intermixed with other materials.

"Customer-formula feed" means commercial feed that is a mixture of commercial feeds or feed ingredients, or both, each batch of which is manufactured according to the instructions of the final purchaser.

"Department" means the Washington state department of agriculture (WSDA).

"Director" means the director of the Washington state department of agriculture or the director's designee.

"Distressed pet food" means pet food (dog and cat) in distribution that is no longer available for retail sale. Examples of distressed pet food include, but are not limited to, dented cans, torn bags, or pet food past its sell-by date.

"Distressed specialty pet food" means specialty pet food in distribution that is no longer available for retail sale. Examples of distressed specialty pet food include, but are not limited to, dented cans, torn bags, or specialty pet food past its sell-by date.

"Distribute" means to:

(a) Offer for sale, sell, exchange or barter, commercial feed; or

(b) Supply, furnish, or otherwise provide commercial feed to a contract feeder.

"Distributor" means a person who distributes.

"Drug" means:

(a) Any article intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in animals other than man; and

(b) Articles other than feed intended to affect the structure or any function of the animal body.

"Enzyme" means a protein made up of amino acids or their derivatives, which catalyses a defined chemical reaction. Required cofactors should be considered an integral part of the enzyme.

"Facility" means any place where a commercial feed is manufactured, repackaged, sold, transloaded, or stored for later distribution.

"Family" means a group of pet food products, which are nutritionally adequate for any or all life stages based on their nutritional similarity to a lead product, which has been successfully test-fed according to an AAFCO feeding protocol(s).

"Feed ingredient" means each of the constituent materials making up a commercial feed.

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"Grain mixture specialty pet food" means mixed or intermixed whole or physically altered grains, that:

(a) Are not chemically altered;

(b) May or may not contain molasses; and

(c) Except for molasses, contain no other additives.

"Guarantee" means a listing of specified nutrients or nonnutritive substances contained in a commercial feed that the manufacturer or distributor named on the feed label warrants as specified in these rules.

"Guaranteed analysis" means a listing of the minimum, maximum or both minimum and maximum concentrations of specified nutrients contained in a commercial feed that the manufacturer or distributor named on the feed label warrants. Both minimum and maximum concentrations of specified nutrients contained in a commercial feed are stated on an "as is" basis rather than on a "one hundred percent moisture free" basis in units specified by these rules.

"Initial distributor" means a person who first distributes a commercial feed in or into Washington state.

"Ingredient statement" means a contiguous listing on the label of all ingredients of which the commercial feed is composed.

"Label" means a display of written, printed, or graphic matter upon or affixed to the container in which a commercial feed is distributed, or on the invoice or delivery slip with which a bulk commercial feed is distributed.

"Labeling" means all labels and other written, printed, or graphic matter:

(a) Upon a commercial feed or any of its containers or wrappers; or

(b) Accompanying such commercial feed.

"Lot identifier" means a unique identifier for each lot, batch or production run that enables the manufacturer to accurately trace the complete manufacturing and distribution history of the product. A lot identifier is an individual lot, batch or production run number, code, date, or other suitable identification applied to the label, container, or package. In the case of bulk feed, the lot identifier is on a label, invoice, or shipping document accompanying the feed.

"Net weight" means the weight of a commodity excluding any materials, substances, or items not considered to be part of the commodity. Examples of materials, substances, or items not considered to be part of a commodity include, but are not limited to, containers, conveyances, bags, wrappers, packaging materials, labels, individual piece coverings, decorative accompaniments, and coupons. (See RCW 19.94.010 (1)(i).)

"Nutritionally adequate" means the feed, when fed according to directions on the label, will meet the nutritional requirements of the class of animals for which the feed was manufactured.

"Nutritionally suitable" means nutritionally adequate.

"Person" means an individual, firm, partnership, corporation, or association.

"Pet food" means a commercial feed prepared and distributed for consumption by domesticated dogs or cats.

"Principal display panel" means the part of a label that is most likely to be displayed, presented, shown or examined under normal and customary conditions of display for retail sale.

"Prohibited mammalian protein" means any protein-containing portion of mammalian animals, excluding:

- Blood and blood products;
- Gelatin;
- Inspected meat products that have been cooked and offered for human food and further heat processed for feed (such as plate waste and used cellulose food casings);
- Milk products (milk and milk proteins); and
- Products whose only mammalian protein is porcine or equine protein.

"Processed," as applied to animal waste, means thermally dehydrated, dry-stacked, ensiled, oxidized, chemically treated, microbiologically digested, chemically or physically fractionated, or treated by other processes that enable an animal waste product to comply with the standards established in this chapter.

"Quantity statement" means the part of the label expressing net weight (mass), net volume (liquid or dry) or count.

"Salvage pet food" means pet food still under control of the original manufacturer and will not be offered for sale at retail. Examples include, but are not limited to, start-up and over-run product, unpelletted pet food, pet food fines, and other products not suitable for packaging for retail sale.

"Sell" or **"sale"** includes exchange.

"Specialty pet" means a domesticated animal pet normally maintained in a cage or tank, such as, but not limited to, gerbils, hamsters, canaries, psittacine birds, mynahs, finches, tropical fish, goldfish, snakes, and turtles.

"Salvage specialty pet food" means specialty pet food still under control of the original manufacturer and will not be offered for sale at retail. Examples include, but are not limited to, start-up and over-run product, unpelletted specialty pet food, specialty pet food fines, and other products not suitable for packaging for retail sale.

"Specialty pet food" means a commercial feed prepared and distributed for consumption by specialty pets.

"Transload" means to transfer commercial feed from one carrier to another carrier without processing or blending the ingredients. For example, transferred from rail cars to trucks or shipping containers.

NEW SECTION

WAC 16-252-015 Feed ingredient names and definitions. Except for the specific names and definitions contained in this section, the names and definitions used in reference to pet food and specialty pet food ingredients, in this chapter, are the official names and definitions of feed ingredients established by the Association of American Feed Control Officials (AAFCO) and published in the association's official publication.

"Dehydrated grass meal" means the aerial portion of a grass plant that is:

- Cut before the formation of seed;
- Reasonably free of other crop plants, weeds, and mold;
- Finely ground; and
- Dried by artificial thermal means.

Note: If a dehydrated grass meal product is identified by a species name, the product must be made from that species.

"Grass seed by-products meal or pellets" means a ground product consisting of light and broken seeds, hulls, chaff, straw, and some weed seeds but excluding sand, dirt, and heavy weed seeds.

"Grass seed screenings meal or pellets" means a product comprised chiefly of hulls obtained from the cleaning of various grass seeds.

"Pea bran" means a product consisting primarily of the various components from a pea splitting operation. Pea bran must contain at least ten percent crude protein and not more than thirty-eight percent crude fiber.

"Pea by-products meal" means a product containing light and broken peas, and offal from pea cleaning, which includes chips, pea powder, pea hulls, and screenings. Pea by-products meal must contain at least fifteen percent crude protein and not more than thirty percent crude fiber.

"Pea meal" means a pea product resulting from the grinding of whole peas that are reasonably free of other crop seeds, weeds, and mold. Pea meal must contain at least twenty percent crude protein and not more than eight percent crude fiber.

"Pea screenings meal" means a product consisting primarily of the various components from the screening and cleaning of peas. Pea screenings meal must contain at least ten percent crude protein and not more than thirty-eight percent crude fiber.

NEW SECTION

WAC 16-252-025 Label information and record-keeping requirements. (1) Labels for pet food must contain the information in subsections (2) through (12) of this section. Labels for specialty pet food must contain the information in subsections (2) through (11) of this section. Information in subsections (2) through (6) of this section must be on the principal display panel for both pet food and specialty pet food.

Note: Subsections (12) through (15) of this section apply to pet food only. All other sections apply to both pet food and specialty pet food.

(2) Product name and brand name, if any, on the principal display panel consistent with requirements in WAC 16-252-040.

(3) Information required by WAC 16-252-042 if the product contains a drug.

(4) The species of pet (dog or cat), or specialty pet, for which the food is intended conspicuously stated in words on the principal display panel.

(5) A quantity statement on the principal display panel.

(6) If enzymatic activity related to the product is represented in any manner, the principal display panel must include a statement explaining the purpose of that enzymatic activity.

(7)(a) Guaranteed analysis consistent with requirements in WAC 16-252-061 for pet food; or

(b) Guaranteed analysis consistent with requirements in WAC 16-252-062 or 16-252-065 for specialty pet food.

(8) An ingredient statement that is consistent with the requirements in WAC 16-252-090.

(9) Feeding directions and precautionary statements if required under WAC 16-252-100.

(10)(a) The label of a pet food or specialty pet food must specify the name and address of the manufacturer or person responsible for distributing the feed. The statement of the place of business must include the street address, city, state, and zip code. However, the street address may be omitted if the street address is shown in a current city directory or telephone directory for the city listed on the label.

(b) When a person manufactures or distributes a pet food or specialty pet food in a place other than the principal place of business, the label may state the principal place of business in lieu of the actual place where each package was manufactured, packaged or distributed.

(11)(a) Lot identifier that is sufficient to allow the manufacturer to accurately trace the complete manufacturing and distribution history of the product.

(b) Records relating the lot identifier to the manufacture, processing, packing, distribution, receipt, or holding of the product must be kept for one year after the last date of distribution.

Note: Subsections (12) through (15) of this section apply to pet food only. All other subsections apply to both pet food and specialty pet food.

(12)(a) Except when a pet food is clearly and conspicuously identified on the principal display panel as a "snack" or "treat," pet food labels must include a statement of nutritional adequacy or purpose of the product.

(b) The nutritional adequacy statement must read as shown in (b)(i), (ii), or (iii) of this subsection with the blanks filled in with the stage or stages of the pet's life, such as, "gestation/lactation," "growth," "maintenance," or "all life stages."

(i) "(Name of product) is formulated to meet the nutritional levels established by the AAFCO dog (or cat) food nutrient profiles for. . . . . "; or

(ii) "Animal feeding tests using AAFCO procedures substantiate that (name of product) provides complete and balanced nutrition for. . . . . "; or

(iii) "(Name of product) provides complete and balanced nutrition for. . . . . and is comparable in nutritional adequacy to a product that has been substantiated using AAFCO feeding tests."

(13) The use of the word "proven" in connection with a label claim for a pet food is not permitted unless the claim is substantiated by scientific or other empirical evidence.

(14) The label of a pet food intended for all life stages may include an unqualified claim, directly or indirectly, such as "complete and balanced," "perfect," "scientific" or "one hundred percent nutritious" if at least one of the following apply:

(a) The product meets the nutrient requirements for all life stages established by an AAFCO-recognized nutrient profile published in the Association of American Feed Control Officials official publication; or

(b) The product meets the criteria for all life stages as substantiated by completion of the appropriate AAFCO-recognized animal feeding protocols published in the Association of American Feed Control Officials official publication; or

(c) The product is a member of a product family, which is nutritionally similar to a lead product containing a combi-

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nation of ingredients that has been fed, as the sole source of nourishment, to a normal animal according to testing procedures published in the Association of American Feed Control Officials official publication.

(i) The nutritional similarity of the family product can be substantiated according to the Procedures for Establishing Pet Food Product Families developed by AAFCO; and

(ii) The family product meets the criteria for all life stages; and

(iii) Under circumstances of reasonable doubt, the department may require the manufacturer to perform additional testing of the family product in order to substantiate the claim of nutritional adequacy.

(15) A pet food, intended for a limited purpose or specific life stage (but **not all** life stages), may include a direct or indirect qualified claim such as "complete and balanced," "perfect," "scientific" or "one hundred percent nutritious" when the product and claim comply with all of the following:

(a) A statement qualifying the claim must clearly identify the limited purpose or life stage for which the product is intended or suitable. For example, when the label reads "complete and balanced for puppies (or kittens)."

(b) The claim and the qualification must be next to each other, on the same label panel and in the same size, style, and color print; and

(c) The product must comply with at least one of the following:

(i) The nutrient requirements, established by an AAFCO-recognized nutrient profile, for the limited purpose or specific life stage; or

(ii) The criteria for a limited purpose or a specific life stage that are substantiated by completion of an appropriate AAFCO-recognized animal feeding protocol(s); or

(iii) The requirement of a product family that is nutritionally similar to a lead product and contains a combination of ingredients, which by adequate testing has demonstrated they satisfy the nutrient requirements for such a limited purpose.

(A) The nutritional similarity of the family product must be substantiated according to the Procedures for Establishing Pet Food Product Families developed by AAFCO; and

(B) The family product meets the criteria for such limited purpose; and

(C) If it has reasonable doubt, the department may require the manufacturer perform additional testing on the family product to substantiate the claim of nutritional adequacy.

(16) When pet food or specialty pet food enclosed in an outer container or wrapper is intended for retail sale, all required label information must appear on the outer container or wrapper.

(17) Graphic or pictorial representation or design (for example, pictures of animals or birds) of any kind must not be attached to, appear on, or distributed with pet food or specialty pet food if the material or design is misleading, incorrect, or at variance in any respect with the information required on the label.

(18)(a) Statements referring to a competitive product or comparing the properties of a packaged food to those of a competitive product must not appear on a label unless the competitive product is specifically identified.

(b) Negative statements regarding a competitive product must not appear on a label unless the director determines that the information provided by the statements is beneficial to the product's purchaser.

(c) False or misleading comparisons with other products must not appear on the label or labeling of any pet food product.

(d) A statement on a pet food or specialty pet food label stating preference or comparative attribute claims must be substantiated and limited to one year production, after which the claim must be removed or resubstantiated.

(19) A personal or commercial endorsement is permitted on a pet food or specialty pet food label, provided the endorsement is not false or misleading.

(20) A statement on a pet food or specialty pet food label stating "improved," "new," or similar designation must be substantiated and limited to six months production.

(21) When a flavor designation is included as part of the product name, or elsewhere on the label of a pet food or specialty pet food, it must meet the requirements in (a), (b), and (c) of this subsection.

(a) The flavor designation must:

(i) Conform to the name of the ingredient as listed in the ingredient statement; or

(ii) Be identified by the source of the flavor in the ingredient statement.

(b) The word "flavor" must be printed in the same size type and with an equal degree of conspicuousness as the name of the flavor designation.

(c) Substantiation of the flavor designation, the flavor claim, or the ingredient source must be provided to the department upon request.

(22) Distressed or salvage pet food or specialty pet food that contains, or may contain, prohibited mammalian protein must be labeled with the Bovine Spongiform Encephalopathy precautionary statement "do not feed to cattle or other ruminants."

(23) In addition to the requirements of this chapter, if the term "organic" is used on labels of any pet food or specialty pet food, it must be produced under conditions that comply with the 2001 National Organic Program final rule standards for the production and handling of organic crops, livestock and processed food products. The 2001 National Organic Program final rule may be obtained from the department, or on the Internet at http://www.ams.usda.gov/nop/NOP/standards.html.

(24) All required label information must be stated in English. In addition, label information may be translated into other languages. However, if the label is translated into another language, then the translation must give the same information as the English version of the label.

NEW SECTION

WAC 16-252-040 Product or brand name label information required. Label requirements in subsections **(1) through (10) of this section apply to all pet food** distributed under a product or brand name. Label requirements in sub-

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sections **(1) through (6) and (8) through (10) of this section apply to all specialty pet food** distributed under a product or brand name.

(1) The brand or product name must be appropriate for the intended use of the pet food or specialty pet food, and must not be misleading. If the name indicates the pet food or specialty pet food is made for a specific use, the character of the pet food or specialty pet food must conform to that use. For example, a mixture labeled "dog food" must be suitable for dogs.

(2) When reviewing product names for single ingredient pet foods or specialty pet foods, the department will be guided by the definitions of feed ingredients and feed terms established by the Association of American Feed Control Officials official publication unless those definitions and terms are specifically defined in chapter 15.53 RCW, WAC 16-252-010, or 16-252-015.

(3) Except for the circumstances described in subsection (4) of this section, the name of a pet food or specialty pet food must not be derived from:

(a) One or more ingredients of a mixture to the exclusion of the other ingredients; or

(b) One component of a mixture unless all components are included in the name.

(4) When a pet food or specialty pet food contains any ingredient or combination of ingredients for the purpose of imparting a distinct characteristic to the product that is significant to the purchaser, the name of that ingredient or combination of ingredients may be used as part of the brand name or product name if the department determines that the:

(a) Ingredient or combination of ingredients is present in sufficient quantity to impart a distinctive characteristic to the product;

(b) Product name does not constitute a representation that the ingredient or combination of ingredients is present to the exclusion of other ingredients; and

(c) Product name is not otherwise false or misleading.

(5) The words "one hundred percent" or "all," or words of similar meaning, must not be used in the brand or product name of a pet food or specialty pet food if the product contains more than one ingredient other than:

(a) Water sufficient for processing;

(b) Decharacterizing agents;

(c) A trace amount of preservatives; or

(d) A trace amount of condiments.

(6) An ingredient or a combination of ingredients may form a part of the product name of a pet food or specialty pet food when the product conforms with one of the following options:

(a) The ingredient(s) derived from animals, poultry, or fish constitutes at least ninety-five percent of the total product weight, including water sufficient for processing. If processing water is excluded, then the ingredient(s) derived from animals, poultry, or fish must constitute at least seventy percent of the total product weight.

Note: Example 1: A product may be called "beef dog food" if beef makes up at least ninety-five percent of the total product weight, including water sufficient for processing. If processing water has been excluded from the calculation, then beef must make up at least seventy percent of the total product weight.

Example 2: A product may be called "beef and chicken dog food" if the combination of beef and chicken makes up at least ninety-five percent of the total product weight, including water sufficient for processing. If processing water has been excluded from the calculation, then beef and chicken must make up at least seventy percent of the total product weight.

(b) Any ingredient(s) that constitutes at least twenty-five percent of the total product weight, including water for processing and complies with (i) and (ii). If water for processing has been excluded, then any ingredient(s) that constitutes at least ten percent of the product weight and complies with (i) and (ii).

(i) A descriptor is used with the ingredient name(s). This descriptor must imply other ingredients are included in the product formula. Examples of descriptors include "dinner," "platter," "entree," "formula," and "recipe"; and

(ii) The descriptor must be in the same size, style and color print as the ingredient name(s).

Note: Example 1: A product may be called "beef dinner dog food" if beef makes up at least twenty-five percent of the total product weight, including water for processing and meets the conditions stated in (i) and (ii).
Example 2: If water for processing is excluded from the calculation, then a product may be called "beef dinner dog food" if beef makes up at least ten percent of the total product weight, and meets conditions stated in subsections (i) and (ii).

(c) A combination of ingredients, which are included in the product name in accordance with (a) and (b) of this subsection meets all of the following:

(i) Each ingredient constitutes at least three percent of the product weight, excluding water sufficient for processing;

(ii) The names of the ingredients listed in the product name appear in the order of their respective predominance by weight in the product; and

(iii) The names of the ingredients listed in the product name appear on the label in the same size, style, and color print.

Note: Example 1: A product may be called "beef and chicken dog food" if:
(a) Including water for processing, the combination of beef and chicken total at least ninety-five percent of the product weight; and
(b) Excluding water for processing, at least three percent of the product weight is chicken.
Example 2: A product may be called "beef and chicken dog food" if, excluding processing water, the combination of beef and chicken total at least seventy percent of the product weight and at least three percent of the product weight is chicken.
Example 3: A product may be called "beef and chicken dinner" if:
(a) Including water for processing, the combination of beef and chicken total at least twenty-five percent of the product weight; and
(b) Excluding water for processing, at least three percent of the product weight is chicken.
Example 4: A product may be called "beef and chicken dinner" if the combination of beef and chicken, excluding water for processing total at least ten percent of the product weight and at least three percent of the product weight is chicken.

(7)(a) When the name of any ingredient appears in the product name of a pet food, or elsewhere on the product label, and includes a descriptor such as "with" or similar designation, the named ingredient(s) must each constitute at least

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three percent of the product weight exclusive of water for processing.

(b) The three percent minimum level does not apply to claims for condiments or nutrients. Condiments include, but are not limited to, flavorings and spices. Nutrients include, but are not limited to, vitamins, minerals, and fatty acids.

(c) If the names of more than one ingredient are shown, they must appear in their respective order of predominance by weight in the product.

(d) The word "with" (or similar designation) and all named ingredients must appear in the same size, style, color and case print and be of no greater size than:

Panel Size	Maximum "with claim" Type Size
< 5 sq. in.	1/8"
5-25 sq. in.	1/4"
25-100 sq. in.	3/8"
100-400 sq. in.	1/2"
400 sq. in. +	1"

Note: Example 1: A product may be called "beef with rice dog food" if:
(a) Including water for processing, the product contains at least ninety-five percent beef; and
(b) Excluding water for processing, at least three percent of the product weight is rice.
Example 2: A product may be called "beef and chicken dinner with rice dog food" if:
(a) Including water for processing, the product contains enough beef and chicken so that these two ingredients total at least twenty-five percent of the product weight; and
(b) Excluding water for processing, at least three percent of the product weight is rice.

(8) The term "mineralized" may only be used in a feed name for "trace mineralized salt" and must not be used in the name of any other feed. "Trace mineralized salt" must contain significant amounts of trace minerals that are recognized as essential for animal nutrition.

(9)(a) If a brand name includes a single percentage value without explanation, the percentage value must signify the feed's crude protein content. For example, "BLUE BIRD PET FOOD eighteen percent cat food" means that the feed contains eighteen percent crude protein.

(b) If a brand name includes a single percentage value and the percentage does not represent crude protein content, the brand name must indicate what the percentage represents. For example, "BLUE BIRD PET FOOD twenty-two percent calcium concentrate premix."

(c) If a brand name includes more than one percentage value, the percentage must be followed by a corresponding description. For example, "BLUE BIRD PET FOOD forty-two percent crude protein - twenty-five percent fat cat milk replacer."

(d) If the brand name contains either a percentage value that signifies crude protein or the word "protein," then the pet food or specialty pet food must contain no more than one and one-quarter percent nonprotein nitrogen.

(10) Pet food and/or specialty pet food must be considered a distinct brand if it differs in guaranteed analysis, trademark name, or any other characteristic method of marking. However, this requirement does not prevent a brand from being distributed in various physical forms.

NEW SECTION

WAC 16-252-042 Additional label information required when a drug is used. In addition to the information specified in WAC 16-252-025, if a drug is used in pet food or specialty pet food, the label must contain the following directly after and below the product name:

(1) The word "medicated" in a type size that is at least one-half the type size of the product name.

(2) Information stating the purpose of the medication.

(3) An active ingredient statement listing the:

(a) Active drug ingredients by established name; and

(b) Amount of active drug ingredient per unit (for example mg/lb, g/ton) consistent with requirements in WAC 16-252-074.

(4) Directions for use and precautionary statements, or a statement of where on the label the directions for use and precautionary statements can be found.

NEW SECTION

WAC 16-252-051 Exemptions from the guarantees required in WAC 16-252-061 and 16-252-062. The following exemptions apply to guarantees listed in WAC 16-252-061 and 16-252-062:

(1) Guarantees for crude protein, crude fat, and crude fiber are not required when:

(a) The pet food or specialty pet food is intended for purposes other than to furnish these substances; or

(b) These substances are insignificant to the primary purpose of the product, such as drug premixes, mineral or vitamin supplements, and molasses.

(2) A mineral guarantee is not required when the food or food ingredient is:

(a) Not intended or represented or does not serve as a principal source of that mineral to the animal; or

(b) Contains less than six and one-half percent total minerals.

(3) Guarantees for vitamins are not required when the pet food or specialty pet food is neither formulated for nor represented in any manner as a vitamin supplement.

(4) Guarantees for microorganisms are not required when:

(a) The pet food or specialty pet food is intended for a purpose other than to furnish microorganisms; or

(b) The microorganisms are insignificant to the primary purpose of the product, and no specific label claims are made.

(5) Information on animal species is not required on single ingredient products if the ingredient is not intended, represented, or defined for a specific animal species.

NEW SECTION

WAC 16-252-061 Guarantees for pet food. (1) The guarantees for pet food in subsections (2) through (5) of this section must appear on the label.

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(2)(a) Guaranteed analysis for all pet food must include the following nutrients on the label in the order listed below unless exempted under WAC 16-252-051:

(i) Minimum percentage of crude protein;

(ii) Minimum percentage of crude fat;

(iii) Maximum percentage of crude fat when required by subsection (8) of this section;

(iv) Maximum percentage of crude fiber;

(v) Maximum percentage of moisture;

(vi) Maximum percentage of ash if listed;

(vii) Additional guarantees as required in this section and any voluntary guarantees.

(b) Additional required or voluntary guarantees must be listed in the same order and units as the nutrients in the AAFCO dog (or cat) food nutrient profiles.

(i) Guarantees for nutrients not listed in the AAFCO dog (or cat) food nutrient profiles, or otherwise provided for in this section, must:

(A) Be listed immediately following the entire list of nutrients found in the AAFCO dog (or cat) food nutrient profiles; and

(B) All nutrients of a similar class must be listed together. For example, amino acids not found in the AAFCO dog (or cat) food nutrient profile must be grouped together;

(ii) The concentration of nutrients and/or substances not found in an AAFCO dog (or cat) nutrient profile must be in the units that the nutrient or substance is normally associated with;

(iii) Guarantees for microorganisms and enzymes must be stated as required in WAC 16-252-076;

(iv) Any nutrients or substances that are guaranteed and are not listed in an AAFCO dog (or cat) food nutrient profile, must be immediately followed by an asterisk that refers to the appropriate disclaimer:

(A) **"*Not recognized as an essential nutrient by the AAFCO dog food nutrient profiles";** or

(B) **"*Not recognized as an essential nutrient by the AAFCO cat food nutrient profiles."**

(3) The maximum moisture allowed is seventy-eight percent or the natural moisture content of the ingredients, whichever is higher. However, the moisture in products labeled as, and consisting principally of, items like stew, gravy, sauce, broth, aspic, juice, or a milk replacer may exceed these maximum moisture allowances.

(4) The use of commercial, copyrighted brand, or trade names in the guarantee statement is prohibited.

(5)(a) If a pet food is represented as a mineral supplement, then all minerals from sources listed in the ingredient statement that are also found in an AAFCO-recognized pet food nutrient profile must be guaranteed.

Note: AAFCO pet food nutrient profiles can be found in the Association of American Feed Control Officials official publication.

(b) When minerals are listed, they must be:

(i) Listed in the order they appear in the AAFCO-recognized pet food nutrient profile; and

(ii) As the element in units specified in the AAFCO-recognized nutrient pet food profile.

(c) Mineral guarantees may be stated in milligrams (mg) per unit (for example, tablets, capsules, granules, or liquids) consistent with the units stated in the quantity statement and directions for use.

(d) All liquid mineral pet food must have a weight equivalent on the label following the guarantees for the minerals. For example, 1 fl. oz = 28 grams.

(6)(a) If a pet food is represented as a vitamin supplement, then all vitamins from sources listed in the ingredient statement that are also found in an AAFCO-recognized dog food or cat food nutrient profile must be guaranteed.

(b) When vitamins are listed, they must be:

(i) Listed in the order they appear in the AAFCO-recognized pet food nutrient profile; and

(ii) In units specified in the AAFCO-recognized pet food nutrient profile.

(c) Vitamin guarantees may be stated in approved units (for example, IU, mg, g) per unit (for example, tablets, capsules, granules, or liquids) consistent with those employed in the quantity statement and directions for use.

(d) All liquid vitamin pet food must have a weight equivalent on the label following the guarantees for the vitamins. For example, 1 fl. oz = 28 grams.

(7) If a pet food is not represented as a supplement for any mineral or vitamin, but the label does list guarantees for any mineral or vitamin, these are "voluntary" guarantees. These voluntary guarantees must meet the order and unit requirements for those pet foods that are represented as a mineral or vitamin supplement.

(8)(a) A dog food label, which contains the terms "lean," "low fat," or words of similar meaning, must:

(i) List the maximum crude fat percentage immediately following the minimum crude fat percentage in the guaranteed analysis; and

(ii) Contain no more crude fat than allowed at the different moisture levels stated in the table below.

Maximum Allowed Percentage of Crude Fat at Different Moisture Ranges in Dog Food	
Maximum Allowed Percentage of Crude Fat	**Moisture Range**
9%	Less than 20%
7%	20% or more but less than 65%
4%	65% or more

(b) A cat food label, which contains the terms "lean," "low fat," or words of similar meaning, must:

(i) List the maximum crude fat percentage immediately following the minimum crude fat percentage in the guaranteed analysis; and

(ii) Contain no more crude fat than allowed at the different moisture levels stated in the table below.

Maximum Allowed Percentage of Crude Fat at Different Moisture Ranges in Cat Food	
Maximum Allowed Percentage of Crude Fat	**Moisture Range**
10%	Less than 20%
8%	20% or more but less than 65%

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Maximum Allowed Percentage of Crude Fat at Different Moisture Ranges in Cat Food	
Maximum Allowed Percentage of Crude Fat	**Moisture Range**
5%	65% or more

(c) A pet food, which contains a claim of "less fat," "reduced fat," or words of similar meaning must:

(i) List the maximum crude fat percentage immediately following the minimum crude fat percentage in the guaranteed analysis;

(ii) Be compared to another product in the same moisture range (for example, "less than twenty percent," "twenty percent or more but less than sixty-five percent," "sixty-five percent or more"); and

(iii) Name the product of comparison and explicitly state the percentage of fat reduction expressed on an equal weight basis.

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NEW SECTION

WAC 16-252-062 Guarantees for specialty pet food. (1) All specialty pet food, except for grain mixture specialty pet food, must be guaranteed as stated in subsections (2) through (4) of this section. The guarantees must appear on the label in the order in which they are listed below unless exempted under WAC 16-252-051.

Note: Guarantee requirements for grain mixture specialty pet food are stated in WAC 16-252-065.

(2) Guaranteed analysis for all specialty pet food, except for grain mixture specialty pet food, must include the following nutrients on the label in the order listed:

(a) Minimum percentage of crude protein;

(b) Minimum percentage of crude fat;

(c) Maximum percentage of crude fiber;

(d) Maximum percentage of moisture;

(e) Maximum percentage of ash if listed;

(f) Minimum and maximum percentages of calcium;

(g) Minimum percentage of phosphorus;

(h) Minimum and maximum percentage of salt (if added);

(i) Minimum and maximum percentage of total sodium must be guaranteed only when total sodium exceeds that furnished by the maximum salt guarantee;

(j) Other minerals.

(3) Minerals must be identified and listed consistent with requirements in WAC 16-252-072.

(4) Vitamins must be identified and listed consistent with requirements in WAC 16-252-073.

(5) The maximum moisture allowed is seventy-eight percent or the natural moisture content of the ingredients, whichever is higher. However, the moisture in products labeled as, and consisting principally of, items like stew, gravy, sauce, broth, aspic, juice, or a milk replacer may exceed these maximum moisture allowances.

(6) The use of commercial, copyrighted brand, or trade names in the guarantee statement is prohibited.

NEW SECTION

WAC 16-252-065 Guarantees for grain mixture specialty pet food, with or without molasses. (1) Guaranteed analysis for all grain mixture specialty pet food must include the following nutrients on the label in the order listed:

(a) Minimum percentage of crude protein;

(b) Minimum percentage of crude fat; and

(c) Maximum percentage of crude fiber.

(2) The use of commercial, copyrighted brand, or trade names in the guarantee statement is prohibited.

NEW SECTION

WAC 16-252-069 Expression of guarantees—Expressed as is. All guarantees must be expressed on an "as is" basis rather than on a "one hundred percent moisture free" basis.

NEW SECTION

WAC 16-252-070 Expression of guarantees—Sliding-scale method prohibited. The sliding-scale method of expressing guarantees (for example, "protein fifteen to eighteen percent") is prohibited.

NEW SECTION

WAC 16-252-071 Expression of guarantees—Protein, amino acids, fat, and fiber in specialty pet food. Specialty pet food guarantees for crude protein, crude protein from nonprotein nitrogen, lysine, methionine, other amino acids, crude fat, crude fiber, and acid detergent fiber must be expressed in percentages.

NEW SECTION

WAC 16-252-072 Expression of guarantees—Minerals in specialty pet food. (1) Mineral guarantees in specialty pet food:

(a) When the calcium, salt, and sodium guarantees are given in the guaranteed analysis, they must be stated and conform to the following:

(i) When the minimum is below two and one-half percent, the maximum must not exceed the minimum by more than one-half percentage point.

(ii) When the minimum is two and one-half percent but less than five percent, the maximum must not exceed the minimum by more than one percentage point.

(iii) When the minimum is five percent or greater, the maximum must not exceed the minimum by more than twenty percent of the minimum and in no case may the maximum exceed the minimum by more than five percentage points.

(b) When stated, certain mineral guarantees must be expressed as follows:

Sodium, Salt, Potassium, Magnesium, Sulfur, Phosphorus, Fluorine, Other	
Mineral Guarantee:	**Expressed as:**
Minimum and maximum total sodium	Percentage (%)
Minimum and maximum salt	Percentage (%)
Minimum potassium	Percentage (%)
Minimum magnesium	Percentage (%)
Minimum sulfur	Percentage (%)
Minimum phosphorus	Percentage (%)
Maximum fluorine	Percentage (%)
Other minimum mineral guarantees	Parts per million (ppm) when the concentration is less than 10,000 ppm
Other minimum mineral guarantees	Percentage when the concentration is 10,000 ppm (1%) or greater

(c) Minerals, except salt, when quantitatively guaranteed, must be stated in terms of percentage of the element.

(d) Products labeled with a quantity statement (for example, tablets, capsules, granules, or liquid) may state mineral guarantees in milligrams (mg) per unit (for example, milligrams per tablet or milligrams per capsule) consistent with the quantity statement and the directions for use.

(2) All mineral phosphatic materials used for specialty pet food must be labeled with the guarantee for:

(a) Minimum and maximum percentage of calcium (when present);

(b) Minimum percentage of phosphorus; and

(c) Maximum percentage of fluorine.

(3) Specialty pet food that is a single mineral product that is defined in the "mineral products" section of the Association of American Feed Control Officials official publication must guarantee the minerals included in the mineral products definition. For example, bone charcoal must guarantee calcium and phosphorous; calcium iodate must guarantee calcium and iodine.

(4) All liquid mineral guarantees for specialty pet foods must have a weight equivalent on the label following the guarantees for the minerals. For example, 1 fl. oz = 28 grams.

NEW SECTION

WAC 16-252-073 Expression of guarantees—Minimum vitamin content in specialty pet food. (1) Guarantees of minimum vitamin content for specialty pet food must be listed in the order shown in the following table. The guarantees must be stated in:

(a) Milligrams per pound; or

(b) Per unit consistent with the units on the quantity statement; or

(c) For the vitamins listed in the following table, the units must be consistent with those in the table:

Vitamins	
Type of Vitamin and Listing Order:	**Stated in:**
Vitamin A, other than precursors of Vitamin A	International Units per pound (IU/lb)
Vitamin D, for other uses	International Units per pound (IU/lb)
Vitamin E	International Units per pound (IU/lb)
Concentrated oils and feed additive premixes containing vitamins A, D, and/or E	May, at the option of the distributor, be stated in units per gram (g) instead of units per pound (lb)
Vitamin B-12	Milligrams (mg) or micrograms (μg) per pound (lb)
Menadione, riboflavin, d-pantothenic acid, thiamine, niacin, vitamin B-6, folic acid, choline, biotin, inositol, p-amino benzoic acid, ascorbic acid, and carotene	Milligrams per pound (mg/lb)

(2) All liquid vitamin specialty pet foods must have a weight equivalent on the label following the guarantees for the vitamins (for example, 1 fl. oz = 28 grams).

NEW SECTION

WAC 16-252-074 Expression of guarantees—Pet food and specialty pet food containing drugs. Guarantees for drugs in pet food and specialty pet food must be stated in terms of percent by weight **except for the following:**

Drugs	
Antibiotics, present at less than 2,000 grams per ton (total) of commercial feed	Grams per ton of commercial feed (g/ton)
Antibiotics, present at 2,000 or more grams per ton (total) of commercial feed	Grams per pound of commercial feed (g/lb)

Note: The term "milligrams per pound" (mg/lb) may be used for drugs or antibiotics in those cases where a dosage is given in "milligrams" in the feeding directions.

NEW SECTION

WAC 16-252-075 Expression of guarantees and special requirements—Pet food and specialty pet food containing any added nonprotein nitrogen. (1) Pet food or specialty pet food and pet food or specialty pet food supplements and concentrates containing crude protein from any form of added nonprotein nitrogen must be labeled as follows:

Crude protein, minimum . . . . . %

This includes not more than . . . . . % equivalent crude protein, which is not nutritionally available as protein to (species of animal for which feed is intended).

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(2) Pet food or specialty pet food, premixes, concentrates or supplements containing more than one and one-quarter percent crude protein from any form of added nonprotein nitrogen must contain adequate directions for use and a prominent statement on the principal display panel, such as the following:

WARNING: This food must be used only in accordance with directions furnished on the label.

(3) In pet food and specialty pet food, nonprotein nitrogen sources defined in the Association of American Feed Control Officials official publication are acceptable sources of nutrients other than crude protein, as long as the maximum crude protein from all nonprotein nitrogen sources does not exceed one and one-quarter percent of the pet's or specialty pet's total daily ration.

NEW SECTION

WAC 16-252-076 Expression of guarantees—Microorganisms and enzymes. (1)(a) Guarantees for microorganisms must be stated in colony forming units (CFU) per unit weight or volume, consistent with label directions.

(b) A parenthetical statement following the guarantee must list each species in order of predominance.

(2)(a) Guarantees for enzymes must be stated in units of enzymatic activity per unit weight or volume, consistent with label directions.

(b) The source organism for each type of enzymatic activity must be specified, for example: Protease (*Bacillus subtilis*) 5.5 mg amino acids liberated/minute/milligram.

(c) If two or more sources have the same type of activity, they must be listed in order of predominance based on the amount of enzymatic activity provided.

NEW SECTION

WAC 16-252-080 Substantiating nutritional suitability. (1) All pet food and specialty pet food must be nutritionally suitable for the purpose represented by their labeling.

(2) If the department has reasonable cause to believe a pet food or specialty pet food is not nutritionally suitable, the department may require that the manufacturer either submit an "affidavit of suitability" or a department approved alternative procedure, certifying that the food is nutritionally adequate for its intended purpose. The affidavit of suitability or alternate procedure substantiates the food's suitability but does not preclude the department from requiring additional evidence of nutritional suitability.

(3) If an affidavit of suitability, or department approved alternative procedure, is not submitted by the pet food or specialty pet food manufacturer within thirty days of written notification, the department may declare that the pet food or specialty pet food composition or quality is less than or differs from what is represented by its labeling (see RCW 15.53.902(8)) and order the pet food or specialty pet food removed from the marketplace.

(4) An affidavit of suitability must contain the following information:

(a) The pet food or specialty pet food registrant's name;

(b) The product name;

(c) The name and title of the affiant submitting the document;

(d) A statement from the affiant that they know the nutritional content of the pet food or specialty pet food and that the pet food or specialty pet food, based on valid scientific evidence, is nutritionally adequate for its intended purpose;

(e) The date the affidavit of suitability is submitted to the department; and

(f) The signature of the affiant notarized by a certified notary public.

(5) For dog food, a claim of nutritional adequacy must be based on one of the following:

(a) The AAFCO dog food nutrient profiles;

(b) One of the AAFCO dog food feeding protocols; or

(c) Other scientific substantiation acceptable to the department.

(6) For cat food, a claim of nutritional adequacy must be based on one of the following:

(a) The AAFCO cat food nutrient profiles; or

(b) One of the AAFCO cat food feeding protocols;

(c) Other scientific substantiation acceptable to the department.

(7) A specialty pet food nutritional adequacy claim must be based on:

(a) The corresponding species nutrient requirements as published in the *1995 National Research Council Nutrient Requirements of Laboratory Animals*, by the National Academy of Sciences; or

(b) Other scientific substantiation acceptable to the department.

Note: • The only species included in the *1995 National Research Council Nutrient Requirements of Laboratory Animals* are gerbils, guinea pigs, hamsters, mice, and rats. All other specialty pet species will require other methods of scientific substantiation for claims of nutritional adequacy.

• A copy of *Nutrient Requirements of Laboratory Animals* is on file with the department. Copies may be purchased from Office of Publications, National Academy of Sciences, 2101 Constitution Avenue, N.W., Washington, D.C. 20418.

(8) Example of affidavit:

Affidavit of Suitability

_____ _____

(Company Name) (Product Name & Code Number)

1. Affiant is the _____ of _____
(Title) (Name of Company)
and is duly authorized to make and execute this Affidavit for and on behalf of said company.

2. Affiant has knowledge of the nutritional content of the above listed feed product and is familiar with the nutritional requirements for the animal species and animal class(es) for which the feed product is intended.

Affidavit of Suitability

3. Affiant has knowledge of valid scientific evidence that supports the suitability of the product for the intended animal species and animal class for which this feed is intended. A copy of the product label is attached to this affidavit.

_____ By _____

(Name of Company) (Name and Title)

Subscribed and sworn to before me

this _____ day of _____, 20____

_____

(Notary Public)

NEW SECTION

WAC 16-252-090 Ingredient statement terms. Pet food and specialty pet food ingredients listed on the label or on file at the plant producing the product must comply with the following:

(1) The name of each ingredient must conform to one of the following:

(a) Ingredients must have an official definition in the AAFCO official publication;

(b) If there is no official definition for an ingredient in the AAFCO official publication, then an ingredient with an AAFCO tentative definition may be used;

(c) The ingredient is defined in WAC 16-252-015; or

(d) The ingredient has a commonly accepted name that requires no definition, for example, sugar.

(2) Each ingredient of a pet food or specialty pet food must be listed separately. Collective terms may not be used on pet food or specialty pet food labeling.

(3) Ingredients in the ingredient statement must not list specific ingredient weights or concentrations, but must be listed in descending order by weight.

(4) A single ingredient product, as defined by the Association of American Feed Control Officials official publication, does not need an ingredient statement.

(5) The names of all listed ingredients must be shown in the same size of letters and type.

(6) Commercial, copyrighted, brand, or trade names must not be used in the ingredient statement.

(7) No reference to quality or grade of an ingredient may appear in the ingredient statement.

(8) The term "dehydrated" may precede the name of any product that has been artificially dried.

(9) When the word "iodized" is used in connection with a feed ingredient, the ingredient must contain at least 0.007% iodine, uniformly distributed.

(10) The term "degermed" must precede the name of any product from which germs were wholly or partially removed.

(11) If a drug is used, it does not have to be listed in the ingredient statement. However, the drug name is required to be listed on the label (see WAC 16-252-025 and 16-252-042).

(12) Unless meat and meat by-products are made from cattle, swine, sheep or goats, the terms "meat" and "meat by-products" must specifically identify the animal from which they are derived.

(13) When water is added in the preparation of canned pet food or specialty pet food, the water must be listed as an ingredient.

NEW SECTION

WAC 16-252-095 Drug and feed additive requirements. (1) Before the department approves a registration application and/or a label for pet food or specialty pet food that contains additives (including drugs, other special purpose additives, or nonnutritive additives), the distributor may be required to submit, to the department, satisfactory evidence proving the safety and effectiveness of the pet food or specialty pet food when used according to the directions on the label.

(2) Satisfactory evidence of the safety and effectiveness of a pet food or specialty pet food that contains additives (including drugs, other special purpose additives, or nonnutritive additives) is established if one or more of the following apply:

(a) When the use of a pet food or specialty pet food containing such additives either:

(i) Conforms to the requirements of the applicable regulation in 21 CFR, 2002 edition; or

(ii) Are "prior sanctioned"; or

(iii) Are "informal review sanctioned"; or

(iv) "Generally recognized as safe" (GRAS) for such use.

(b) When the pet food or specialty pet food is itself a drug, and is:

(i) Generally recognized as safe (GRAS) and effective for the labeled use; or

(ii) Marketed subject to an application approved by the Food and Drug Administration under Title 21 U.S.C. 360 b as amended effective on the date these rules were adopted.

(c) When one purpose for feeding a pet food or specialty pet food is to immunize through some immunological process and the immunizing drugs or additives have been approved for the purpose through the Federal Virus, Serum and Toxins Act of 1913, as amended in 1985.

(d) When the pet food or specialty pet food is a directly fed microbial product and the:

(i) Product meets the particular fermentation product definition as listed in the Association of American Feed Control Officials official publication; and

(ii) Required microbial content statement on the label is limited to the following: "Contains a source of live (viable) naturally occurring microorganisms"; and

(iii) Source is stated with a corresponding guarantee expressed according to WAC 16-252-076 requirements.

(e) When the pet food or specialty pet food is an enzyme product and the:

(i) Product meets the particular enzyme definition listed in the Association of American Feed Control Officials official publication; and

(ii) Enzyme is stated with a corresponding guarantee expressed according to WAC 16-252-076 requirements.

PERMANENT

NEW SECTION

WAC 16-252-100 "Directions for use" and "precautionary statement" requirements. (1) Directions for use and precautionary statements on required labeling of all pet food and specialty pet foods containing additives (including, but not limited to, drugs, nonprotein nitrogen, special purpose additives, or nonnutritive additives) must:

(a) Be adequate to enable users with no special knowledge of the purpose and use of the feed to use it safely and effectively for its intended purposes; and

(b) Include all information described by all applicable regulations of 21 CFR, Parts 500-599 under the Federal Food, Drug and Cosmetic Act, 2002 edition.

Note: The Food and Drug Administration's regulations are published in the Code of Federal Regulations, and are available in book format from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402. They are also available on the Internet at http://www.access.gpo.gov/nara/cfr/cfr-retrieve.html#page1. A copy of the 2002 edition Parts 500-599 are also on file with the department.

(2) Adequate directions for use and precautionary statements identified in subsection (1) of this section are required for pet food and specialty pet food that is distributed to:

(a) Supply particular dietary needs; or

(b) Supplement or fortify the usual diet or ration with any vitamin, mineral, or other dietary nutrient or compound.

(3)(a) When a pet food or specialty pet food is intended for use by or under the supervision of a veterinarian, the statement "use only as directed by your veterinarian" must be on the label. When such a statement is on a pet food label, feeding instructions are not required, but may appear on the label. This regulation takes precedence over other regulations in this subsection.

(b) Pet food, including snacks or treats, labeled as "complete and balanced" for any or all life stages, must list feeding directions on the label. Any pet food labeled as "snacks" or "treats" that contains a drug, must list feeding directions on the label. These directions must:

(i) Be expressed in common terms;

(ii) Appear prominently on the label;

(iii) State the frequency of feeding; and

(iv) At a minimum state, "feed (weight or other measure of product) per (weight only) of dog (or cat)."

(c) Directions must be consistent with the intended use(s) indicated in the nutritional adequacy statement, unless a limited use or more limited life stage designation is declared elsewhere (for example, "adult formula").

(d) Directions must be given for each life stage stated on the label.

(4)(a) Pet food and specialty pet food snacks and treats do not require feeding directions on the label except when they:

(i) Are labeled as "complete and balanced"; or

(ii) Contain a drug.

(b) Feeding directions may be on the label for snacks and treats even when not required.

(5) Pet food and specialty pet food labels must contain the statement "This product is intended for intermittent or supplemental feeding only," if the product does not meet the nutrient requirements of the appropriate AAFCO recognized nutrient profile, feeding protocol, or any other special nutritional or dietary need, thus making it suitable only for limited, intermittent, or supplementary feeding.

NEW SECTION

WAC 16-252-110 Screenings. (1) If screenings are used in a pet food or specialty pet food, they must:

(a) Not contain any seed, pesticide, or other product that renders it adulterated within the meaning of RCW 15.53.902; and

(b) Be ground fine enough or otherwise treated to destroy the viability of the noxious weed seeds contained in the screening so that the finished product contains no more than one viable prohibited noxious weed seed per pound and not more than twenty-five viable restricted noxious weed seeds per pound.

(2) For purposes of this pet food and specialty pet food, commercial feed rule, prohibited noxious weed seeds are those listed in WAC 16-301-045 (Prohibited noxious weed seeds) and restricted noxious weed seeds are those listed in WAC 16-301-050 (Restricted noxious weed seeds).

NEW SECTION

WAC 16-252-120 Adulteration of pet food and specialty pet food. (1) The terms "poisonous or deleterious substances" as used in RCW 15.53.902 include, but are not limited to, the following:

(a) Any ingredient, pet food or specialty pet food that contains more than twenty parts per billion aflatoxin B1, B2, G1, G2, individually or in total.

(b) Soybean meal, flakes or pellets or other vegetable meals, flakes or pellets that have been extracted with trichloroethylene or other chlorinated solvents.

(c) Sulfur dioxide, sulfurous acid, and salts of sulfurous acid when used in or on pet food or pet food ingredients that are considered or reported to be a significant source of vitamin B1 (thiamine).

(d) Any substance that is prohibited by 21 CFR, Part 589, 2002 edition.

(2) When screenings are used in a pet food or specialty pet food, the screenings and the finished product must comply with the requirements in WAC 16-252-110 or the pet food will be considered adulterated.

(3) Pet food or specialty pet food containing raw or unprocessed animal waste will be considered adulterated.

NEW SECTION

WAC 16-252-140 Use of artificial coloring. (1) Artificial coloring may be used in pet food if it is harmless to animals.

(2) Any pet food or specialty pet food ingredient or pet food or specialty pet food product must not contain materials that enhance the natural color of a food if it conceals inferiorities.

PERMANENT

NEW SECTION

WAC 16-252-150 Reusing bags, totes, and containers. Bags, totes, or nonporous containers of similar capacity used for pet food or specialty pet food must not be reused unless appropriately cleaned. A firm that intends to reuse bags, totes, or containers must document their clean-out procedures.

Note: "Appropriate cleaning procedures" are procedures that prevent cross contamination of products that would create a safety concern. Examples of safety concerns include:
(1) Medicated products contaminating nonmedicated products;
(2) Prohibited mammalian protein contaminating ruminant feed; and
(3) Feed containing minerals, or other additives, intended for one species contaminating feed intended for another species that is more sensitive to a mineral or other additive.

NEW SECTION

WAC 16-252-155 Tonnage fee required. Each initial distributor of a pet food or specialty pet food in or into Washington state must pay the department an inspection fee of nine cents per ton on all pet food or specialty pet food they sold, for distribution within Washington state, during the year. The minimum inspection fee, the late penalty fee, and exceptions to payment of the fee are as authorized in RCW 15.53.9018.

NEW SECTION

WAC 16-252-165 Registration requirements. (1) All registration applications for pet food and specialty pet food must be on forms available from the department.

(2) The application for pet food and specialty pet food registration, to be completed by applicants and registrants, must include:

(a) The company name (registrant);

(b) Complete business mailing address;

(c) Complete physical address of the business, if different than the mailing address;

(d) Telephone number;

(e) Company name on label if different than the registrant;

(f) Number of products sold in small packages of less than ten pounds;

(g) Number of products sold in large packages of ten pounds or more;

(h) Company registrar's name;

(i) Company registrar's title;

(j) Registrar's signature; and

(k) Date signed.

Note: The application for registration of pet food and specialty pet food products may be downloaded from the Internet at http://www.wa.gov/agr/FoodAnimal/AnimalFeed/Forms/Form4307.pdf.

NEW SECTION

WAC 16-252-170 Label submission requirements. Pet food and specialty pet food registrants must submit copies of their labels and labeling to the department when:

(1) Applying for a registration; or

(2) The label is revised by the registrant; or

(3) When requested by the department for reasonable cause.

NEW SECTION

WAC 16-252-180 Good manufacturing practices adopted. The following good manufacturing practices are adopted:

(1) Regulations prescribing current good manufacturing practices for Type B and Type C medicated feeds as published in 21 CFR, Part 225, Sections 225.1-225.202, 2002 edition.

(2) Regulations prescribing good manufacturing practices for Type A Medicated Articles as published in 21 CFR, Part 226, Sections 226.1-226.115, 2002 edition.

(3) Regulations pertaining to animal proteins prohibited in ruminant feed as published in 21 CFR, Part 589.2000, 2002 edition.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 16-200-750	Definitions and terms.
WAC 16-200-755	Label format.
WAC 16-200-760	Brand and product names.
WAC 16-200-770	Expression of guarantees.
WAC 16-200-790	Ingredient statement.
WAC 16-200-795	Directions for use and precautionary statements.
WAC 16-200-805	Tonnage fees.
WAC 16-200-815	Adulteration.
WAC 16-200-820	Screenings.
WAC 16-200-830	Nonprotein nitrogen.
WAC 16-200-840	Artificial color.
WAC 16-200-860	Used sacks and containers.
WAC 16-200-865	Commercial feed license.
WAC 16-200-885	Commercial feed label submission.
WAC 16-200-887	Good manufacturing practices.
WAC 16-200-890	Definitions—Animal waste products.
WAC 16-200-900	Registration requirements.
WAC 16-200-910	Refusing or cancelling registration—Procedure.
WAC 16-200-920	Quality standards.

PERMANENT

WAC 16-200-930	Labeling requirements of animal waste products.
WAC 16-200-940	Testing required.
WAC 16-200-950	Records required.

WSR 03-23-130
PERMANENT RULES
DEPARTMENT OF AGRICULTURE
[Filed November 19, 2003, 10:31 a.m.]

Date of Adoption: November 19, 2003.

Purpose: The primary purpose of the adopted rule is to keep the length of time that temporary field storage can be in place at twenty-one days. There are also some minor housekeeping changes for purposes of clarification.

Citation of Existing Rules Affected by this Order: Amending WAC 16-201-010 and 16-201-180.

Statutory Authority for Adoption: Chapters 15.54 and 34.05 RCW.

Adopted under notice filed as WSR 03-20-118 on October 1, 2003.

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

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

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

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

November 19, 2003
Valoria H. Loveland
Director

AMENDATORY SECTION (Amending WSR 00-23-075, filed 11/17/00, effective 12/18/00)

WAC 16-201-010 Definitions. The definitions set forth in this section shall apply throughout this chapter, unless the context otherwise requires.

(1) **"Approved air gap"** means a physical separation between the free-flowing end of a water supply pipeline and the overflow rim of an open or nonpressurized receiving vessel. To be an approved air gap, the separation must be at least:

(a) Twice the diameter of the supply piping measured vertically from the overflow rim of the receiving vessel, and in no case be less than one inch, when unaffected by vertical surfaces (sidewalls): or

(b) Three times the diameter of the supply piping, if the horizontal distance between the supply pipe and a vertical surface (sidewall) is less than or equal to three times the diameter of the supply pipe, or if the horizontal distance between the supply pipe and intersecting vertical surfaces (sidewalls) is less than or equal to four times the diameter of the supply pipe and in no case less than one and one-half inches.

(2) **"Approved reduced pressure principle backflow prevention assembly (RPBA)"** means an RPBA of a make, model and size that is approved by the Washington State Department of Health.

(3) **"Appurtenances"** means all valves, pumps, fittings, pipes, hoses and metering devices which are connected to a storage container, or which are used to transfer a material into or out of such storage container.

(4) **"Bulk fertilizer"** means commercial fertilizer distributed in a nonpackage form such as, but not limited to, tote bags, tanks, trailers, spreader trucks, and railcars.

(5) **"Certified engineer"** means a licensed professional engineer, registered in the state of Washington in the discipline in which he/she is practicing.

(6) **"Commercial fertilizer"** means any substance containing one or more recognized plant nutrients and which is used for its plant nutrient content and/or which is designated for use or claimed to have value in promoting plant growth, and shall include limes, gypsum, and manipulated animal and vegetable manures. It shall not include unmanipulated animal and vegetable manures and other products exempted by the department by rule: Provided, That for the purpose of this chapter calcium carbonate (lime) and anhydrous ammonia are exempt: Provided further, That this rule does not apply to materials (including but not limited to compost, biosolids, or municipal sewage sludge), or to products derived therefrom, which are regulated pursuant to the provisions of chapter 70.95 or 70.95J RCW, or rules adopted thereunder.

(7) **"Department"** means the Washington state department of agriculture.

(8) **"Discharge"** means a spill, leak, or release, accidental or otherwise, from a storage container, container or appurtenance. It does not include a fully contained transfer of fertilizer made pursuant to sale, storage, distribution or use.

(9) **"Dry fertilizer"** means fertilizer in solid form.

(10) **"Liquid fertilizer"** means fertilizer in liquid form, and includes solutions, emulsions, suspensions and slurries. Liquid fertilizer does not include anhydrous ammonia.

(11) **"Not technically feasible"** means compliance is not physically or technically possible or feasible, and/or compliance cannot be achieved without compromising operational safety, and/or significantly compromising operational access. Monetary cost of compliance alone, shall not be sufficient for the department to determine that compliance is not technically feasible.

(12) **"Operational area"** means an area or areas at a fertilizer bulk permanent storage facility where fertilizers are transferred, loaded, unloaded, mixed, repackaged, refilled or where fertilizers are cleaned, washed or rinsed from containers or application, handling, storage or transportation equipment.

(13) **"Operational area containment"** means any structure or system designed and constructed to intercept and contain discharges, including storage container or equipment wash water, rinsates, and rainwater from the operational area(s) of fertilizer bulk storage facilities.

(14) **"Permanent storage facility"** means a location at which undivided quantities of liquid bulk fertilizer in excess of five hundred U.S. gallons or undivided quantities of dry bulk fertilizer in excess of fifty thousand pounds is held in storage: Provided, That temporary field storage is not considered a permanent storage facility.

(15) **"Primary containment"** means the storage of liquid or dry bulk fertilizer in storage containers at a permanent storage facility.

(16) **"Rinsate"** means the liquid generated from the rinsing of any equipment or container that has come in direct contact with any fertilizer, including: Recovered sedimentation, washwater, contaminated precipitation, or other contaminated debris.

(17) **"Secondary containment"** means a device or structure designed, constructed, and maintained to hold or confine a discharge of a liquid fertilizer from a permanent storage facility.

(18) **"Storage container"** means a container, including a railcar, nurse tank or other mobile container, that is used or intended for the storage of bulk liquid or dry fertilizer. It does not include a mobile container at a storage facility for less than fifteen days if this storage is incidental to the loading or unloading of a storage container at the bulk fertilizer storage facility. Storage container does not include underground storage containers or surface impoundments such as lined ponds or pits.

(19) **"Substantially similar protection"** means alternative containment and management practices that prevent or control releases to the environment to the same or similar degree as the protections afforded by full compliance with this chapter.

(20) **"Temporary field storage"** means a storage container with the capacity to store no more than ten thousand gallons ((~~or less~~)) of liquid bulk fertilizer ((~~that remains in the same location for no more than twenty-one consecutive days in any six-month period. Effective March 1, 2004, "temporary field storage" shall mean a storage container of ten thousand gallons or less that remains in the same location for no more than fourteen consecutive days in any six-month period~~)) and that is used for the temporary storage of liquid bulk fertilizer during application. Liquid bulk fertilizer application tanks directly attached to an apparatus for the purpose of fertigation are exempt from this chapter.

(21) **"Washwater"** means the liquid generated from the rinsing of the exterior of any equipment, containers or secondary containment or operational areas which have or may have come in direct contact with any fertilizer.

AMENDATORY SECTION (Amending WSR 00-23-075, filed 11/17/00, effective 12/18/00)

WAC 16-201-180 Primary containment of liquid bulk fertilizers—Temporary field storage. (1) ((~~Storage containers used for~~)) Temporary field storage ((~~of liquid bulk fertilizer~~)) shall comply with the following sections: WAC 16-201-100, 16-201-110, 16-201-120, 16-201-140, 16-201-150, and 16-201-170.

(2) ((~~All bulk fertilizer storage containers and appurtenances used for~~)) Temporary field storage shall be inspected for leakage and soundness daily when in use.

(3) Valves on temporary field storage ((~~containers~~)) shall be closed and locked or otherwise secured when left unattended.

(4) The physical location and identifying number of all temporary field storage shall be provided to the department upon request.

(5) Once temporary field storage is set in place, it may remain at that location without secondary containment for a maximum of twenty-one consecutive days commencing from the date of placement in any six-month period, after which it must be removed. Upon written request, the department may issue a permit to extend the time temporary field storage may be in one place during any six-month period due to weather related conditions ((~~upon written request~~)). No advisory group review, pursuant to WAC 16-201-280(2) is available for this type of permit.

PERMANENT

WSR 03-23-131
PERMANENT RULES
DEPARTMENT OF AGRICULTURE
[Filed November 19, 2003, 10:33 a.m., effective July 1, 2004]

Date of Adoption: November 19, 2003.

Purpose: To adopt chapter 16-256 WAC, Commercial feed rules—Processed animal waste.

This new chapter 16-256 WAC creates a set of regulations that are easy to understand and use, reflect current national standards as expressed in the Association of American Feed Control Officials (AAFCO) model regulations, safeguard public and animal health, establish a structure for orderly commerce with other states by ensuring that WSDA processed animal waste rules are consistent with AAFCO model regulations, and provide protection for consumers and the regulated industry.

Many of the requirements in the new chapter are either identical or substantially the same as the processed animal waste requirements in the processed animal waste rule sections being repealed from chapter 16-200 WAC, Feeds, fertilizers and livestock remedies. The significant difference between the new chapter and the rule sections it is replacing is that the new chapter is written more clearly and organized in a more "user friendly" way than the rule sections being repealed. The new rule also moves processed animal waste regulations from being registration based to being licensed based to comply with chapter 15.53 RCW, Commercial feed.

Specifically, chapter 16-256 WAC, Commercial feed rules—Processed animal waste:

(1) Addresses the specific needs of the Washington state processed animal waste industry.

Before this adoption, department rules regulating processed animal waste were buried in the last seven sections of chapter 16-200 WAC, Feeds, fertilizers and livestock remedies. The new chapter 16-256 WAC, Commercial feed

rules—Processed animal waste, clearly identifies the industry being regulated and contains only regulations that are pertinent to that industry.

(2) Is written in a clear and readable style that allows users to more easily understand and apply WSDA processed animal waste rules.

Compare the following examples. Both rule sections contain substantially the same requirements but the new rule, because of format changes and the use of plain English is easier to read and understand. Also, notice how the repealed rule requires that records be kept but doesn't specify for how long. A month? A year? Indefinitely? The new rule removes the ambiguity and specifies "two years."

Repealed Rule WAC 16-200-940	**New Adopted Rule WAC 16-256-040**
(2) Any person seeking or receiving registration of any processed animal waste product shall test, by representative sampling and assaying of such samples, and keep accurate records thereof, the processed animal waste product for which the registration is sought or received.	(2) Any person seeking or maintaining a commercial feed license for any processed animal waste product facility must: (a) Test those products, by representative sampling; (b) Analyze those samples; and (c) Keep accurate records of the test results for two years.
(3) The sample shall be of sufficient size so as to provide meaningful data, statistically reliable in carrying out the purpose of such sampling and analysis.	(3) The sample used must be of sufficient size to provide meaningful data that is statistically reliable.

(3) Uses tables to clearly and succinctly present information wherever possible and appropriate.

Notice how the repealed WAC 16-200-920 Quality standards, presents information regarding certain dried animal waste products:

(2) Dried poultry waste shall contain:
(a) Not less than 20.00 percent crude protein
(b) Not more than 15.00 percent crude fiber
(c) Not more than 35.00 percent ash
(d) Not more than 1.00 percent feathers
(e) Not more than 12.00 percent moisture
(f) Not more than 10.00 percent litter
(3) Dried poultry waste - NPN extracted shall contain:
(a) Not less than 12.00 percent crude protein
(b) Not more than 15.00 percent crude fiber
(c) Not more than 35.00 percent ash
(d) Not more than 1.00 percent feathers
(e) Not more than 12.00 percent moisture
(f) Not more than 10.00 percent litter
(4) Dried poultry litter shall contain:
(a) Not less than 18.00 percent crude protein
(b) Not more than 40.00 percent crude fiber
(c) Not more than 30.00 percent ash
(d) Not more than 5.00 percent feathers
(e) Not more than 12.00 percent moisture
(5) Dried ruminant waste shall contain:
(a) Not less than 12.00 percent crude protein
(b) Not more than 30.00 percent crude fiber
(c) Not more than 30.00 percent ash
(d) Not more than 40.00 percent combined straw, wood, wood shavings, litter, dirt, sand, rocks, and other similar extraneous materials
(e) Not more than 12.00 percent moisture

Now, notice how the same information is presented in the new adopted section, WAC 16-256-070 Quality standards for processed animal waste products:

(1) Dried animal waste products must comply with the requirements in the following table:

DRIED ANIMAL WASTE PRODUCTS					
	Required Minimum/Maximum Content	Dried Poultry Waste	Dried Poultry Waste-NPN Extracted	Dried Poultry Litter	Dried Ruminant Waste
Crude protein	At least	18.00%	11.00%	18.00%	12.00%
Crude fiber	No more than	15.00%	15.00%	25.00%	40.00%
Moisture	No more than	12.00%	12.00%	12.00%	12.00%
Ash	No more than	30.00%	30.00%	20.00%	30.00%
Feathers	No more than	1.00%	1.00%	4.00%	N/A
Combined straw, wood, wood shavings, litter, dirt, sand, rocks, and other similar extraneous materials	No more than	N/A	N/A	N/A	40.00%

(4) Incorporating applicable parts of the AAFCO model regulations helps increase the flow of trade and information and promotes regulatory consistency between Washington's processed animal waste industry and the processed animal waste industry in our sister states.

In several sections of the new chapter 16-256 WAC, language has been added to ensure that the WSDA rule is consistent with AAFCO's processed animal waste model regulations. For example, the following was added to WAC 16-256-030 to make the department's rule more consistent with AAFCO and the regulations of our sister states:

(3) If the product derives one-third or more of the guaranteed total crude protein from nonprotein nitrogen sources, the label shall provide adequate directions for safe use of the product and the precautionary statement: "CAUTION: USE ONLY AS DIRECTED."

For similar reasons, the following was added to WAC 16-256-040(6):

(6) Sequential testing is required when the periodic analyses required by WAC 16-256-040(4) or other information available to the manufacturer of the ingredient indicates that:

(a) The ingredients are not within the limitations established in these regulations;

(b) Changes are made in the manufacturing process;

(c) New or expanded sources of the raw ingredients are used; or

(d) Changes occur in the drugs or pesticides used by the supplier(s) of the raw ingredient(s).

A final example (WAC 16-256-070) illustrates how requirements can be updated to reflect AAFCO percentages and combined in a table format for easy use:

(1) Dried animal waste products must comply with the requirements in the following table:

DRIED ANIMAL WASTE PRODUCTS					
	Required Minimum/Maximum Content	Dried Poultry Waste	Dried Poultry Waste-NPN Extracted	Dried Poultry Litter	Dried Ruminant Waste
Crude protein	At least	18.00%	11.00%	18.00%	12.00%
Crude fiber	No more than	15.00%	15.00%	25.00%	40.00%
Moisture	No more than	12.00%	12.00%	12.00%	12.00%
Ash	No more than	30.00%	30.00%	20.00%	30.00%
Feathers	No more than	1.00%	1.00%	4.00%	N/A
Combined straw, wood, wood shavings, litter, dirt, sand, rocks, and other similar extraneous materials	No more than	N/A	N/A	N/A	40.00%

(5) Safeguards public health and the health of animals and provides increased protection for consumers and the regulated industry.

A good example of the department's concern for public health, animal health, consumer protection and protection of the industry is the new requirement that a "lot identifier" be included on a product label (WAC 16-256-030 (5)(a)). A lot identifier becomes important when a product must be recalled. In addition to protecting consumers, animals and the industry, this requirement brings the department into compliance with FDA requirements under the Bioterrorism Act.

To ensure that everyone using the rule understands what a "lot identifier" is, a definition is included in WAC 16-256-010.

(6) Updates the department's processed animal waste regulations to reflect current statutory requirements.

When the current processed animal waste rules were adopted in 1976, industry members were registered with the department. When chapter 15.53 RCW, Commercial feed, was enacted by the legislature in 1995, industry members were required to be licensed by the department rather than registering with it. Consequently, "registrants" became "licensees" but the rules were never amended to reflect this change. The new chapter 16-256 WAC, in compliance with chapter 15.53 RCW, replaces registration requirements with license requirements and uses the term "licensee" rather than "registrant."

Statutory Authority for Adoption: Chapters 15.53 and 34.05 RCW.

Adopted under notice filed as WSR 03-19-127 on September 17, 2003.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 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 9, 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 9, Amended 0, Repealed 0.

Effective Date of Rule: July 1, 2004.

November 19, 2003
Valoria H. Loveland
Director

Chapter 16-256 WAC

COMMERCIAL FEED RULES—PROCESSED ANIMAL WASTE

NEW SECTION

WAC 16-256-001 Effective date. Chapter 16-256 WAC, Commercial feed rules—Processed animal waste, becomes effective on July 1, 2004.

NEW SECTION

WAC 16-256-010 "Animal waste" and "processed" defined. "Animal wastes" means a material composed of excreta, with or without bedding materials and/or animal drugs, collected from poultry, ruminants or other animals except humans.

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"Lot identifier" means a unique identifier for each lot, batch or production run that enables the manufacturer to accurately trace the complete manufacturing and distribution history of the product. A lot identifier is an individual lot, batch or production run number, code, date, or other suitable identification applied to the label, container, or package. In the case of bulk feed the lot identifier is on a label, invoice, or shipping document accompanying the feed.

"Processed," as applied to animal waste, means thermally dehydrated, dry-stacked, ensiled, oxidized, chemically treated, microbiologically digested, chemically or physically fractionated, or treated by other processes that enable an animal waste product to comply with the standards established in this chapter.

Note: Commercial feed containing raw or unprocessed animal waste is considered adulterated under WAC 16-250-120(3).

PERMANENT

NEW SECTION

WAC 16-256-020 Processed animal waste products identified. A product is considered a processed animal waste product only if it meets one of the definitions in the following table.

Processed Animal Waste Products		
Product Type	**Description**	**Thermal Dehydration Limit**
Dried poultry waste (DPW)	A processed animal waste product composed of the feces from commercial poultry	Thermally dehydrated to a moisture content not in excess of 12.00 percent
Dried poultry waste-NPN extracted	A processed animal waste product composed of the feces from commercial poultry which has been processed to remove part or all of the crude protein derived from nonprotein nitrogen (NPN) as urea and/or uric acid	Thermally dehydrated to a moisture content not in excess of 12.00 percent
Dried poultry litter-(DPL)	A processed animal waste product composed of a combination of feces from commercial poultry together with litter that was present in the floor production of poultry	Thermally dehydrated to a moisture content not in excess of 12.00 percent
Dried ruminant waste-(DRW)	A processed animal waste product composed of ruminant excreta	Thermally dehydrated to a moisture content not in excess of 12.00 percent
Undried processed animal waste product	A processed animal waste product composed of excreta, with or without litter, from poultry, ruminants or any other animal except humans	Contains in excess of 12.00 percent moisture

NEW SECTION

WAC 16-256-030 Labeling requirements for processed animal waste products. The label, tag, or label invoice accompanying shipments of animal waste products must contain the information required in RCW 15.53.9016, this chapter and the following information:

(1) If the product contains drugs or drug residues, then the label must contain the following statement in boldface type at least one-half as large as the largest type appearing on the label:

"WARNING: THIS PRODUCT CONTAINS DRUG RESIDUES. DO NOT USE WITHIN THIRTY DAYS OF SLAUGHTER AND DO NOT USE THIRTY DAYS PRIOR TO OR DURING THE FOOD PRODUCTION PERIOD OF DAIRY ANIMALS AND/OR HENS."

(2) If the product contains high levels (15 ppm or greater) of copper, then the label must contain the following statement in boldface type at least one-half as large as the largest type appearing on the label:

"WARNING: CONTAINS HIGH LEVELS OF COPPER: DO NOT FEED TO SHEEP."

(3) If the product derives one-third or more of the guaranteed total crude protein from nonprotein nitrogen sources, the label shall provide adequate directions for safe use of the product and the precautionary statement:

"CAUTION: USE ONLY AS DIRECTED."

(4) Animal waste product labels, tags, or labeling must contain the following guarantees in percentages by weight in the following order and form:

(a) Minimum crude protein;

(b) Maximum crude protein from nonprotein nitrogen (NPN);

(c) Minimum crude fat;

(d) Maximum crude fiber;

(e) Maximum moisture;

(f) Maximum ash;

(g) Minimum and maximum calcium (Ca);

(h) Minimum phosphorus (P);

(i) Maximum sodium (Na);

(j) Maximum lignin (if the processed animal waste product is dried poultry litter and if the product contains wood-based bedding materials);

(k) Maximum copper (Cu) (if the processed animal waste product is dried poultry waste or dried poultry litter and **does not** contain the warning "DO NOT FEED TO SHEEP").

(5)(a) Lot identifier that is sufficient to allow the manufacturer to accurately trace the complete manufacturing and distribution history of the product.

(b) Records relating the lot identifier to the manufacture, processing, packing, distribution, receipt, or holding of the product must be kept for one year after the last date of distribution.

(6) Mixed feeds containing processed animal waste products must:

(a) State on the label the maximum percentage and type of processed animal waste product used in the mixed feed; and

(b) Comply with additional labeling requirements under chapters 16-250 or 16-252 WAC for the species for which the product is mixed.

(7) Processed animal waste product labeling must contain, as part of the product name, the animal source and product type.

NEW SECTION

WAC 16-256-040 Testing requirements for processed animal waste products. (1) The purpose of the sampling and testing requirements in this section is to determine the presence of harmful materials or biological contaminants specified in WAC 16-256-070 and to assure compliance with the quality standards in that section.

(2) Any person seeking or maintaining a commercial feed license for any processed animal waste product facility must:

(a) Test those products, by representative sampling;

(b) Analyze those samples; and

(c) Keep accurate records of the test results for two years.

(3) The sample used must be of sufficient size to provide meaningful data that is statistically reliable.

(4) Before a processed animal waste product is distributed, the licensee must comply with the following sample and analyses requirements:

(a) Sufficient testing and analyses must be conducted to ensure that the last three consecutive production runs are consistent with the required quality standards in WAC 16-256-070.

(b) After the initial testing is completed, periodic analyses (at least one analysis each calendar quarter) must be conducted on subsequent production runs. Less frequent testing may be allowed when the analytical results show continued uniformity and a consistent margin of compliance. More frequent tests must be conducted when the analytical results show either a wide range of levels or levels close to established quality standard limits.

(5) Analysis of the samples used to determine if the processed animal waste meets the quality standards in WAC 16-256-070 must also include the following:

(a) Drugs used (or suspected of use) in feed or as a therapeutic treatment of the animals;

(b) Pesticides used on the animal, facilities, and wastes for pest control;

(c) Pathogenic organisms, at least to include Salmonella and E. coli;

(d) Heavy metals, including, but not limited to, arsenic, cadmium, copper, lead, mercury and selenium;

(e) Parasitic larva or ova; and

(f) Mycotoxins, such as aflatoxins.

(6) Sequential testing is required when the periodic analyses required by WAC 16-256-040(4) or other information available to the manufacturer of the ingredient indicates that:

(a) The ingredients are not within the limitations established in these regulations;

(b) Changes are made in the manufacturing process;

(c) New or expanded sources of the raw ingredients are used; or

(d) Changes occur in the drugs or pesticides used by the supplier(s) of the raw ingredient(s).

NEW SECTION

WAC 16-256-050 Processed animal waste products—Commercial feed license required. (1) A commercial feed license is required for each facility that manufactures or distributes processed animal waste product intended, promoted, represented, advertised or distributed for use as a commercial feed or feed ingredient.

(2) The commercial feed license application form, to be completed by applicants and licensees, must include the:

(a) Name and business address of the applicant;

(b) Type of business the firm is engaged in (feed manufacturer, dealer, broker, etc.);

(c) Type of commercial feed distributed (processed animal waste product, medicated feed, complete feed, feed supplement, animal products, etc.);

(d) The statutory registration fee of fifty dollars;

(e) A copy of the processed animal waste label that the applicant proposes to use;

(f) A detailed description of sampling procedures used to sample the processed animal waste product for analysis;

(g) A sampling schedule;

(h) A full description of all tests made; and

(i) Test results showing that the processed animal waste product meets the standards in WAC 16-256-070.

(3) The department may take an official sample of the processed animal waste product for examination and analysis before issuing a commercial feed license for a facility that manufactures or distributes processed animal waste products.

NEW SECTION

WAC 16-256-060 Procedures for denying or revoking a commercial feed license for a processed animal waste product facility. (1) A commercial feed license for a processed animal waste product facility will be denied or revoked if the:

(a) Applicant or the processed animal waste product is determined to be in violation of any Washington state statute

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or Washington state agency rule or regulation affecting or relating to the distribution of commercial feeds in this state.

(b) Processed animal waste product does not meet the quality standards in WAC 16-256-070.

(c) Processed animal waste product label does not comply with the requirements of chapter 15.53 RCW and WAC 16-256-030.

(d) Processed waste product is not labeled in compliance with law and agency rules and regulations, including WAC 16-256-030 of these rules.

(e) Applicant or licensee fails to perform the testing as specified in WAC 16-256-256 or to accurately maintain and make available to the director or his designee for inspection and copying, upon demand, the records required in WAC 16-256-080.

(2)(a) When an animal waste product or labeling, or other material required to be submitted with an application fails to comply with the requirements of these rules, the director must notify the applicant why the application does not comply so the applicant can make the necessary corrections.

(b) If, upon receipt of such a notice, the applicant does not make the necessary corrections, the director must deny the license application for the processed animal waste product facility. The applicant may then request a hearing under chapter 34.05 RCW.

(3) After determining that an animal waste product or its labeling does not comply with the provisions of chapter 15.53 RCW or WAC 16-256-030, the department may revoke the facility's license. If aggrieved by the decision, the licensee may request a hearing as authorized under chapter 34.05 RCW.

NEW SECTION

WAC 16-256-070 Quality standards for processed animal waste products. (1) Dried animal waste products must comply with the requirements in the following table:

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Dried Animal Waste Products					
	Required Minimum/Maximum Content	**Dried Poultry Waste**	**Dried Poultry Waste-NPN Extracted**	**Dried Poultry Litter**	**Dried Ruminant Waste**
Crude protein	At least	18.00%	11.00%	18.00%	12.00%
Crude fiber	No more than	15.00%	15.00%	25.00%	40.00%
Moisture	No more than	12.00%	12.00%	12.00%	12.00%
Ash	No more than	30.00%	30.00%	20.00%	30.00%
Feathers	No more than	1.00%	1.00%	4.00%	N/A
Combined straw, wood, wood shavings, litter, dirt, sand, rocks, and other similar extraneous materials	No more than	N/A	N/A	N/A	40.00%

(2) Processed animal waste products must not contain:

(a) Any extraneous materials such as, but not limited to, metal, glass, wire or nails (except for undried processed animal waste products in subsection (4) of this section and dried ruminant waste products in subsection (6) of this section); or

(b) Any harmful pathogenic organisms, pesticide residues, harmful parasites, or drug residues except as allowed in WAC 16-256-030(1); or

(c) Other toxic or deleterious substances above levels permitted by department statute or regulation or which could be harmful to the animals or could result in residue in tissues of food products; or

(d) By-products of animals at levels in excess of those allowed by statute or regulation.

(3) Processed animal waste products must not contain:

(a) Aflatoxin in excess of 20 parts per billion (ppb); and

(b) More than a total of 500 parts per million (ppm) of heavy metals such as mercury, lead, bismuth, copper, cadmium, arsenic, antimony, and tin.

(4) Undried processed animal waste products must contain no more than forty percent combined straw, wood, wood shavings, litter, dirt, sand, rocks and other extraneous materials.

(5) To aid in maintaining a stable microbiological quality, any product labeled as, or containing dried animal waste products, must be maintained at no more than twelve percent moisture.

(6) Any processed animal waste product that does not meet the applicable quality standards must be:

(a) Further processed until the quality standards are met; or

(b) Diverted to nonfeed or nonfood uses; or

(c) Destroyed.

NEW SECTION

WAC 16-256-080 Records required for processed animal waste products. Any licensed processed animal waste product facility must keep accurate records for two years containing the following information:

(1) All sources of the raw materials used in the production of processed animal waste products and the date those

raw materials were acquired including information on drug and pesticide use.

(2) All production batches of processed animal waste products including the code or other method used to identify the batch or date of production.

(3) All distribution of processed animal waste products including the:

(a) Name and address of the purchaser or to whom the product was distributed;

(b) Date the product was distributed;

(c) Quantity of the product distributed; and

(d) Production code for the product distributed.

(4) Test sampling and analysis records required by WAC 16-256-040.

WSR 03-23-008
EMERGENCY RULES
DEPARTMENT OF FISH AND WILDLIFE

[Order 03-284—Filed November 7, 2003, 4:35 p.m., effective November 7, 2003, 5:01 p.m.]

Date of Adoption: November 7, 2003.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-47-31100N and 220-47-41100P; and amending WAC 220-47-311 and 220-47-411.

Statutory Authority for Adoption: RCW 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This action adds five extra days in Areas 7 and 7A during the week of November 8 through November 15. These days are needed to help compensate for the low fishing effort experienced the first weeks of the fisheries and allow for full utilization of the nontreaty chum allocation in these areas. The current estimate of total catch in Areas 7 and 7A is near 26,000 and this is from an allocation of 75,000. An additional day is provided for purse seines and gill nets in Area 8 because the run size has been updated providing a nontreaty share of 30,000 vs. 5,000 preseason. This action also changes the days and time period fished in Area 8A to daylight fishing to address fishers concerns and accommodate the treaty fishing schedule. Finally, this emergency rule adds one day of purse seine fishing in Areas 10, 11, 12, and 12B. This is based on the in-season run size updates that show significantly more chum salmon returning to these areas. The Hood Canal run size has been updated to 900,000 vs. the pre-season-forecast of 340,000 and the South Puget Sound run size has been updated to 638,000 from the 448,000 preseason forecast. There is insufficient time to promulgate permanent rules.

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

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

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

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

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

Effective Date of Rule: November 7, 2003, 5:01 p.m.

November 7, 2003
J. P. Koenings
Director

NEW SECTION

WAC 220-47-31100P Purse seine—Open periods. Notwithstanding the provisions of WAC 220-47-311, effective immediately until further notice, it is unlawful to take, fish for or possess salmon taken with gill net gear, for commercial purposes in Puget Sound Salmon Management and Catch Reporting Areas 7 and 7A except in accordance with the open periods, mesh size, areas, species restrictions, notification, and landing requirements set forth in this section, provided that unless otherwise amended, all permanent rules remain in effect:

Area	Time	Date
7, 7A	7:00 AM - 5:00 PM	11/10, 11/11, 11/12, 11/13, 11/14
8	7:00 AM - 5:00 PM	11/13
10/11	7:00 AM - 5:00 PM	11/10, 11/12
12/12B	7:00 AM - 5:00 PM	11/10, 11/12
12C	7:00 AM - 5:00 PM	11/12

NEW SECTION

WAC 220-47-41100Q Gill net—Open periods. Notwithstanding the provisions of WAC 220-47-411, effective immediately until further notice, it is unlawful to take, fish for or possess salmon taken with gill net gear, for commercial purposes in Puget Sound Salmon Management and Catch Reporting Areas 8A, 10, 11, 12 and 12B unless the gill net license holder provides the department with 24-hour notice prior to each day of fishing. The daily fishing notice to the department must include the gill net license holder's name, telephone number where they can be contacted and the area they will be fishing. The notice must be given by one of the following three means:

(a) Fax transmission to 360-902-2949;

(b) E-mail to psfishtickets@dfw.wa.gov; or

(c) Toll-free telephone call to 1-866-791-1279

Effective immediately until further notice, it is unlawful to take, fish for or possess salmon taken for commercial purposes in Puget Sound Salmon Management and Catch Reporting Areas 7, 7A and 8A except in accordance with the open periods, mesh size, areas, species restrictions, notification, and landing requirements set forth in this section, provided that unless otherwise amended, all permanent rules remain in effect:

AREA	TIME	-		DATE(S)	MINIMUM MESH
7, 7A:	7AM	-	7PM	11/7, 11/10, 11/11, 11/12, 11/13, 11/14	6 1/4"
8	7AM	-	5PM	11/13	6 1/4"
8A:	7AM	-	7PM	11/11, 11/13, 11/14	6 1/4"

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8A	4PM	-	8AM	NIGHTLY 11/16, 11/18, 11/20, 11/24, 11/25, 11/26, 11/27	6 1/4"
12C:	7AM	-	7PM	11/11	6 1/4"

REPEALER

The following sections of the Washington Administrative Code are repealed effective 5:01 p.m. November 7, 2003:

WAC 220-47-31100N	Purse seine—Open periods. (03-283)
WAC 220-47-41100P	Gill nets—Open periods. (03-283)

WSR 03-23-009
EMERGENCY RULES
DEPARTMENT OF FISH AND WILDLIFE
[Order 03-280—Filed November 10, 2003, 11:43 a.m.]

Date of Adoption: November 10, 2003.

Purpose: Amend hunting rules.

Citation of Existing Rules Affected by this Order: Amending WAC 232-28-337.

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 hunt is intended to provide hunting opportunity for senior and disabled hunters. The omission of this portion of the elk area would omit lands where a landowner in the past has been willing to allow senior and disabled hunters to take elk. These elk hunts are a direct response to damage complaints resulting from elk activity. The hunt season structure was designed to address those damage complaints as mandated by statute. There is insufficient time to promulgate permanent rules.

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

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

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

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

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

Effective Date of Rule: Immediately.

November 10, 2003
J. P. Koenings
Director

NEW SECTION

WAC 232-28-33700A Deer and elk area descriptions. Notwithstanding the provisions of WAC 232-28-337, effective immediately until further notice, Elk Area No. 6069 is described as: Hanaford (Lewis and Thurston Counties.): Beginning at intersection of Salzer Valley Rd & Centralia-Alpha Rd; E & N on Salzer Valley Rd to W on Little Hanaford Rd to N on Teitzel Rd to W on Big Hanaford Rd to N on Hwy 507 to E on Skookumchuck Rd to first bridge over Skookumchuck Rvr; E along Skookumchuck Rvr to powerline crossing immediately upstream of confluence with Johnson Creek; SW along powerline to E & S on Big Hanaford Rd to Weyerhaeuser Rd E150 to Weyerhaeuser Rd E247 to Weyerhaeuser Rd E240 to S on N Fork Rd to W on Alpha-Centralia Rd to point of beginning.

WSR 03-23-042
EMERGENCY RULES
DEPARTMENT OF FISH AND WILDLIFE
[Order 03-285—Filed November 12, 2003, 4:12 p.m., effective November 13, 2003, 12:01 a.m.]

Date of Adoption: November 12, 2003.

Purpose: Amend personal use fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-56-23000C; and amending WAC 220-56-230.

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: Both lingcod and canary rockfish have been declared overfished species by the National Marine Fisheries Service. These rules are consistent with federal regulations. 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: November 13, 2003, 12:01 a.m.

November 12, 2003
Evan Jacoby
for Jeff Koenings
Director

NEW SECTION

WAC 220-56-23000C Bottomfish—Closed areas. Notwithstanding the provisions of WAC 220-56-230 and WAC 220-56-235, effective 12:01 a.m. November 13, 2003 through December 31, 2003:

(1) It is unlawful to fish for or possess bottomfish in those waters of Catch Record Card Areas 1 through 4 outside of three miles.

(2) It is unlawful to retain Canary rockfish in those waters of Catch Record Card Areas 1 through 4.

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. January 1, 2004:

WAC 220-56-23000C	Bottomfish—Closed areas.

WSR 03-23-046
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 03-287—Filed November 13, 2003, 4:49 p.m.]

Date of Adoption: November 13, 2003.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-52-05100N.

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 meet allocation, conservation and management agreements. 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 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.

November 13, 2003
Evan Jacoby
for Jeff Koenings
Director

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-52-05100N	Puget Sound shrimp pot and beam trawl fishery—Seasons.

EMERGENCY

WSR 03-23-047
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 03-286—Filed November 13, 2003, 4:51 p.m., effective November 14, 2003, 12:01 a.m.]

Date of Adoption: November 13, 2003.

Purpose: Amend personal use fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 232-28-61900D; 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: Low numbers of chum salmon have been found in these streams. Stream flows have been low and the fish are vulnerable to harassment which has been recently observed. All Columbia River chum are listed as "threatened" under the Endangered Species Act and harassment is considered a "take." 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: November 14, 2003, 12:01 a.m.

November 13, 2003
Evan Jacoby
for Jeff Koenings
Director

NEW SECTION

WAC 232-28-61900D Exceptions to statewide rules—Abernathy Creek, Germany Creek and Mill Creek. Notwithstanding the provisions of WAC 232-28-619, effective 12:01 a.m. November 14, through December 15, 2003, it is unlawful to fish in the following waters:

(1) Abernathy Creek (Cowlitz Co.) in those waters from the mouth (Highway 4 Bridge) to Abernathy Falls.

(2) Germany Creek (Cowlitz Co.) in those waters from the mouth to the end of Germany Creek Road (approximately 5 miles)

(3) Mill Creek (Cowlitz County)

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. December 16, 2003:

WAC 232-28-61900D	Exceptions to statewide rules—Abernathy Creek, Germany Creek and Mill Creek.

WSR 03-23-057
EMERGENCY RULES
DEPARTMENT OF FISH AND WILDLIFE

[Order 03-288—Filed November 14, 2003, 3:14 p.m., effective November 17, 2003, 4:30 p.m.]

Date of Adoption: November 14, 2003.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-52-04000T; and amending WAC 220-52-040.

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 pot limits for the commercial crab fishery in the Puget Sound licensing district is to maintain commercial harvest allocation 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 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: November 17, 2003, 4:30 p.m.

November 14, 2003
Evan Jacoby
for Jeff Koenings
Director

NEW SECTION

WAC 220-52-04000U Commercial crab fishery—Exceptions to permanent rules for pot limits. Notwithstanding the provisions of WAC 220-52-040:

1) Effective 4:30 p.m. November 17, 2003 until further notice, it is unlawful for any person to fish for crabs for commercial purposes with more than 50 pots per license, per buoy tag number in all waters of the Puget Sound Marine Fish Shellfish Catch Reporting Areas 20A, 20B, 21A, 21B, 22A, 22B, 23A and 23B. The remaining 50 buoy tags per license must be onboard the designated vessel and available for inspection.

2) Effective immediately until further notice, it is unlawful for any person to fish for crabs for commercial purposes with more than 75 pots per license, per buoy tag number in all waters of the Puget Sound Marine Fish Shellfish Catch Reporting Areas 23C, 23D, 24A, 24B, 24C, 24D, 25A, 25B, 25D, 25E, 26AE, 26AW, and 29. The remaining 25 buoy tags per license must be onboard the designated vessel and available for inspection.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-52-04000T	Crab fishery—Commercial crab fishery—Exceptions to permanent rules for pot limits. Order No. 03-282.

WSR 03-23-058
EMERGENCY RULES
DEPARTMENT OF FISH AND WILDLIFE

[Order 03-289—Filed November 14, 2003, 3:16 p.m., effective November 14, 2003, 7:01 p.m.]

Date of Adoption: November 14, 2003.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-47-31100P and 220-47-41100Q; and amending WAC 220-47-311 and 220-47-411.

Statutory Authority for Adoption: RCW 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This action opens Areas 8, 10, 11, 12 and 12B for one additional day of purse seine fishing. This is based on the in-season run size updates that show significantly more chum salmon returning to these areas. The Hood Canal run size has been updated to 1.1 million vs. the preseason forecast of 340,000 and the South Puget Sound run size has been updated to 700,000 from the 448,000 preseason forecast. The Area 8 harvestable nontreaty share increased from 5,000 to 30,000. Area 12C fisheries were restricted by agreement with the treaty-tribe comanagers to enhance treaty fishers ability to take their harvestable share. This action also changes the days and time period fished in Area 8A to daylight fishing to address fishers concerns and accommodate the treaty fishing schedule. This emergency rule maintains the appropriate minimum mesh sizes in Area 8A as agreed during the Pacific Fisheries Management Council and North of Falcon preseason planning meetings and during the August 2, 2003, Fish and Wildlife Commission meeting. There is insufficient time to promulgate permanent rules.

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

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

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

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

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

Effective Date of Rule: November 14, 2003, 7:01 p.m.

November 14, 2003
Evan Jacoby
for Jeff Koenings
Director

NEW SECTION

WAC 220-47-31100Q Purse seine—Open periods. Notwithstanding the provisions of WAC 220-47-311, effective immediately until further notice, it is unlawful to take, fish for or possess salmon taken with purse seine gear, for commercial purposes in Puget Sound Salmon Management and Catch Reporting Areas 7, 7A, 8, 10, 11, 12, 12B and 12C except in accordance with the open periods, mesh size, areas, species restrictions, notification, and landing requirements set forth in this section, provided that unless otherwise amended, all permanent rules remain in effect:

Area	Time	Date
8	7:00 AM - 5:00 PM	11/18
10/11	7:00 AM - 5:00 PM	11/17
12/12B	7:00 AM - 5:00 PM	11/17
12C - Closed		

NEW SECTION

WAC 220-47-41100R Gill net—Open periods. Notwithstanding the provisions of WAC 220-47-411, effective immediately until further notice, it is unlawful to take, fish for or possess salmon taken with gill net gear, for commercial purposes in Puget Sound Salmon Management and Catch Reporting Areas 8A, 10, 11, 12 and 12B unless the gill net license holder provides the department with 24-hour notice prior to each day of fishing. The daily fishing notice to the department must include the gill net license holder's name, telephone number where they can be contacted and the area they will be fishing. The notice must be given by one of the following three means:

(a) Fax transmission to 360-902-2949;

(b) E-mail to psfishtickets@dfw.wa.gov; or

(c) Toll-free telephone call to 1-866-791-1279

Effective immediately until further notice, it is unlawful to take, fish for or possess salmon taken for commercial purposes in Puget Sound Salmon Management and Catch Reporting Areas 8, 8A, 10, 11 and 12C except in accordance with the open periods, mesh size, areas, species restrictions, notification, and landing requirements set forth in this section, provided that unless otherwise amended, all permanent rules remain in effect:

AREA	TIME			DATE(S)	MINIMUM MESH
8:	7AM	-	7PM	11/18	6 1/4"
8A:	7AM	-	7PM	11/18, 11/20, 11/21	6 1/4"
10, 11:	7PM	-	6AM	Nightly 11/16, 11/18, 11/20	6 1/4"
12C:	7AM	-	7PM	CLOSED	6 1/4"

REPEALER

The following sections of the Washington Administrative Code are repealed effective 7:01 p.m. November 14, 2003:

WAC 220-47-31100P	Purse seine—Open periods. (03-284)

EMERGENCY

WAC 220-47-41100Q Gill net—Open periods. (03-284)

WSR 03-23-113
EMERGENCY RULES
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
(Management Services Administration)
[Filed November 18, 2003, 4:08 p.m.]

Date of Adoption: November 13, 2003.

Purpose: WAC 388-02-0215 What is the authority of the ALJ? The department is amending the rule to permit the DSHS Board of Appeals to review initial orders entered by Office of Administrative Hearings administrative law judges in cases where an alleged perpetrator of abuse, abandonment, neglect or financial exploitation of a vulnerable adult, other than a personal aide, requested a hearing to challenge a substantiated adult protective services finding under emergency WAC 388-71-0116.

Citation of Existing Rules Affected by this Order: Amending WAC 388-02-0215.

Statutory Authority for Adoption: RCW 34.05.020.

Other Authority: Chapter 34.05 RCW, Parts IV and V.

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 recent filing of new emergency WAC 388-71-0116 (filed as WSR 03-22-053) makes the adoption of this emergency rule necessary to preserve the due process rights of persons affected by WAC 388-71-0116. The department has filed a preproposal statement of inquiry as WSR 03-21-149, and is taking the appropriate steps to adopt this emergency rule as a permanent rule.

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

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

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

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

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

Effective Date of Rule: Immediately.

November 13, 2003
Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 03-13-046, filed 6/11/03, effective 7/12/03)

WAC 388-02-0215 What is the authority of the ALJ? (1) The ALJ must hear and decide the issues de novo (anew) based on what is presented during the hearing.

(2) As needed, the ALJ may:

(a) Determine the order for presenting evidence;

(b) Issue subpoenas or orders directing witnesses to appear or bring documents;

(c) Rule on objections, motions, and other procedural matters;

(d) Rule on an offer of proof made to admit evidence;

(e) Admit relevant evidence;

(f) Impartially question witnesses to develop the record;

(g) Call additional witnesses and request exhibits to complete the record;

(h) Give the parties an opportunity to cross-examine witnesses or present more evidence against the witnesses or exhibits;

(i) Keep order during the hearing;

(j) Allow or require oral or written argument and set the deadlines for the parties to submit argument or evidence;

(k) Permit others to attend, photograph or electronically record hearings, but may place conditions to preserve confidentiality or prevent disruption;

(l) Allow a party to waive rights given by chapters 34.05 RCW or 388-02 WAC, unless another law prevents it;

(m) Decide whether a party has a right to a hearing;

(n) Issue protective orders;

(o) Consider granting a stay if authorized by law or DSHS rule; and

(p) Take any other action necessary and authorized under these or other rules.

(3) The ALJ administers oaths or affirmations and takes testimony.

(4) The ALJ enters an initial order in those cases where the parties may request review of an initial order by a review judge. Cases where the parties may request review of an initial order by a review judge are those relating to:

(a) Adult family home licenses under chapter 388-76 WAC;

(b) Boarding home licenses under chapter 388-78A WAC;

(c) Resident protection program findings under WAC 388-97-077;

(d) Nursing home licenses under WAC 388-97-550 through 388-97-695;

(e) Placement of personal aides providing self-directed care on a state registry under RCW 74.39A.050(9) and WAC 388-71-0150 and 388-71-0155, or where a hearing was requested under WAC 388-71-0116, findings of abuse, abandonment, neglect or financial exploitation of vulnerable adults by alleged perpetrators other than personal aides;

(f) Where the client has requested a hearing under WAC 388-71-0560, the termination of a provider for placing clients in imminent jeopardy under RCW 74.39A.095(7) and WAC 388-71-0551;

(g) Where the client has requested a hearing under WAC 388-71-0560, the termination of a provider due to inadequate

performance or inability to deliver quality care under RCW 74.39A.095(7) and WAC 388-71-0540 and 388-71-0551;

(h) Where the client has requested a hearing under WAC 388-71-0560, the denial of a contract to a provider due to inability of the provider to appropriately meet the care needs of clients under RCW 74.39A.095(8) and WAC 388-71-0546;

(i) Where the client has requested a hearing under WAC 388-71-0560, the denial or termination of a contract and subsequent denial of payment to a provider due to a disqualifying crime or lack of character, competence, or suitability to maintain the health, safety, and well-being of clients under RCW 43.20A.710(5) and WAC 388-71-0540 (3) through (5);

(j) Social service eligibility under WAC 388-71-0400 through 388-71-0480, 388-71-0202, and 388-71-0203, and under chapter 388-72A WAC, except for WAC 388-72A-0055(2), 388-72A-0060(1), and 388-72A-0065 (4) through (6);

(k) Domestic violence perpetrator treatment program certification under chapter 388-60 WAC;

(l) Licensing or certification of child foster care homes, programs, facilities, and agencies under chapter 74.15 RCW and chapters 388-140, 388-145, 388-148 and 388-160 WAC;

(m) Child protective services findings of abuse and neglect under RCW 26.44.125 and chapter 388-15 WAC;

(n) Adoption support under WAC 388-27-0120 through 388-27-0390, for which a hearing has been held under WAC 388-27-0365;

(o) Child day care licenses under chapter 74.15 RCW and chapters 388-150, 388-151, and 388-155 WAC;

(p) Background checks of protective payees under WAC 388-460-0025, for which a hearing has been held under WAC 388-460-0070;

(q) Background checks of child care providers and other persons under WAC 388-290-0143, for which a hearing has been held under WAC 388-290-0260 as part of the working connections child care program;

(r) Background checks of persons acting in the place of a parent under WAC 388-454-0006, for which a hearing has been held under WAC 388-472-0005 (1)(j);

(s) Claims of good cause for not cooperating with the division of child support under WAC 388-422-0020;

(t) Parent address disclosure under WAC 388-14A-2114 through 388-14A-2140;

(u) Chemical dependency treatment provider certification under chapter 388-805 WAC;

(v) Community residential services and support certification, for which a hearing has been held under WAC 388-820-920;

(w) Denial or termination of eligibility for services under WAC 388-825-030 and 388-825-035, for which a hearing has been held under WAC 388-825-120 (1)(a);

(x) Development or modification of an individual service plan under WAC 388-825-050, for which a hearing has been held under WAC 388-825-120 (1)(b);

(y) Authorization, denial, reduction, or termination of services under WAC 388-825-055, for which a hearing has been held under WAC 388-825-120 (1)(c);

(z) Licensed community facilities under RCW 74.15.210 and WAC 388-730-0090;

(aa) Community mental health and involuntary treatment program licenses under WAC 388-865-0480;

(bb) Medical, dental, or transportation services, for which a hearing has been held under WAC 388-526-2610;

(cc) Medical provider overpayments, for which a hearing has been held under WAC 388-502-0230(5) or 388-502-0240(17); or

(dd) Background checks under WAC 388-06-0110 that result in denial of authorization for unsupervised access to children or to individuals with developmental disabilities, for which a hearing has been held under WAC 388-06-0240(1); or

(ee) Cases for which a right to a hearing existed, if the request for a hearing was received by OAH or DSHS on or before November 14, 2002, and WAC 388-740-0060 and WAC 388-891-0275 did not apply.

(5) The ALJ makes the final decision and enters the final order in all cases except those cases set forth in subsection (4) of this section.

(6) A review judge has the same authority as an ALJ when presiding at a hearing.

WSR 03-23-114
EMERGENCY RULES
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
(Aging and Disability Services Administration)

[Filed November 18, 2003, 4:09 p.m.]

EMERGENCY

Date of Adoption: November 13, 2003.

Purpose: Amending WAC 388-71-0194, 388-71-0415, 388-71-0440 and 388-72A-0060, these amendments are intended to:

- Comply with legislative and budget requirements as described in ESSB 5404 and HB 1753 and as appropriated in the 2003-05 operating budget;
- Achieve savings by raising functional eligibility requirements for MPC and by eliminating services for clients needing minimal assistance with one or two activities of daily living. (Persons currently receiving care in community residential settings who do not meet the higher eligibility standard will continue to be served, without the benefit of federal matching funds, but no new applicants with these lower levels of care will be admitted to residential care.);
- Be consistent with HB 1753 concerning practices in community-based and in-home care (nurse delegation).

This CR-103 is an extension to the emergency CR-103 filed on July 22, 2003, as WSR 03-15-133. That emergency CR-103 was set to expire on November 22, 2003. The CR-101 (WSR 03-14-099) and subsequent notices stated that the department was repealing WAC 388-71-0405. This was incorrect.

Citation of Existing Rules Affected by this Order: Amending WAC 388-71-0194, 388-71-0415, 388-71-0440, and 388-72A-0060.

Statutory Authority for Adoption: RCW 74.08.090.

Other Authority: RCW 74.04.050, 74.04.057, 74.04.200, 74.09.520, 74.39.020, and 74.39A.090, ESSB 5404 (chapter 25, Laws of 2003 1st sp.s.), HB 1753 (chapter 140, Laws of 2003).

Under RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: These amendments are needed to comply with legislative and budget requirements as described in the 2003-05 operating budget bill ESSB 5404 (chapter 25, Laws of 2003 1st sp.s.), and with emergency legislation HB 1753 (chapter 140, Laws of 2003) concerning nurse delegation practices in community based and in-home care settings.

The department filed a proposed rule as WSR 03-19-073, and a public hearing was held on October 21, 2003. The previous emergency rule must be extended while the department completes the regular rule-making process.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 4, Repealed 0.

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

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

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

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

Effective Date of Rule: Immediately.

November 13, 2003
Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 03-13-052, filed 6/12/03, effective 7/13/03)

WAC 388-71-0194 Home and community services—Nursing services. (1) ((~~A registered nurse will review the plan of care for all Medicaid personal care clients.~~

~~(2)~~)) Upon department or designee referral, a registered nurse will consult about or visit a Community Options Program Entry System client, Medically Needy Residential waiver client or a Medicaid personal care client to perform a nursing service which may include the following activities:

(a) Nursing assessment/reassessment;

(b) Instruction to care providers and clients;

(c) Care coordination;

(d) File review;

(e) Evaluation.

(((~~3~~))) (2) The frequency and scope of the nursing service will be based on individual client need ((~~and will be provided as outlined in a nursing service design developed in coordination with each area agency on aging. Each design will include critical indicators of the need for the nursing service and must be approved by the following divisions as appropriate: aging and adult services administration, developmental disabilities, children's administration and mental health.~~

~~(4)~~)).

(3) This nursing service will not be provided if activities duplicate services that the client is receiving from some other resource. Coordination and/or referrals to appropriate health care providers will occur as necessary.

(((~~5~~))) (4) The registered nurse providing this service will not perform skilled treatment except in the event of an emergency. A skilled treatment is care that would require authorization, prescription, and supervision by an authorized practitioner prior to its provision by a nurse, for example, medication administration or wound care such as debridement. The need for any skilled medical or nursing treatments will be referred to a health care provider, a home health agency or a ((~~contracted delegating nurse~~)) other appropriate resource.

(((~~6~~))) (5) The registered nurse must document the result of the nursing service provided on a department-approved form. The registered nurse provides a copy to the staff who has case management responsibility.

AMENDATORY SECTION (Amending WSR 03-13-052, filed 6/12/03, effective 7/13/03)

WAC 388-71-0415 What other services may I receive under the COPES program? In addition to the services listed in WAC 388-71-0410, you may be eligible for other services under the COPES or Medically Needy Residential waiver as indicated in your assessment and documented in your plan of care. Under one of these programs you may be eligible to receive the following services in your own home or in your residential setting. Note: The definition of own home as used throughout this section is defined in WAC 388-71-0202. The definition of residential settings is defined in WAC 388-71-0600.

(1) For COPES in-home clients, adult day care if you meet the eligibility requirements under WAC 388-15-652 or its successor.

(2) Environmental modifications, if the minor physical adaptations to your home:

(a) Are necessary to ensure your health, welfare and safety;

(b) Enable you to function with greater independence in the home;

(c) Directly benefit you medically or remedially;

(d) Meet applicable state or local codes;

(e) Adaptions or improvements to the home, which are of general utility or add to the total square footage of the home are excluded.

(3) Home delivered meals provides nutritional balanced meals, limited to one meal per day, if:

(a) You are homebound and live in your own home;

(b) You are unable to prepare the meal;

(c) You don't have a caregiver (paid or unpaid) available to prepare this meal; and

(d) Receiving this meal is more cost-effective than having a paid caregiver.

(4) Home health aide service tasks in your own home, if the service tasks:

(a) Include assistance with ambulation, exercise, self-administered medications and hands on personal care;

(b) Are beyond the amount, duration or scope of Medicaid reimbursed home health services (WAC 388-551-2100) and are in addition to those available services;

(c) Are health-related. Note: Incidental services such as meal preparation may be performed in conjunction with a health-related task as long as it is not the sole purpose of the aide's visit; and

(d) Do not replace Medicare home health services.

(5) Personal emergency response system (PERS), if the service is necessary to enable you to secure help in the event of an emergency and if you:

(a) Live alone in your own home; or

(b) Are alone, in your own home, for significant parts of the day and have no regular provider for extended periods of time.

(6) Skilled nursing in your own home, if the service is:

(a) Provided by a registered nurse or licensed practical nurse under the supervision of a registered nurse; and

(b) Beyond the amount, duration or scope of Medicaid-reimbursed home health services as provided under WAC 388-551-2100.

(7) Specialized durable and nondurable medical equipment and supplies under WAC 388-543-1000, if the items are:

(a) Medically necessary under WAC 388-500-0005; and

(b) Necessary for life support; or

(c) Necessary to increase your ability to perform activities of daily living; or

(d) Necessary for you to perceive, control, or communicate with the environment in which you live; and

(e) Directly medically or remedially beneficial to you; and

(f) In addition to and do not replace any medical equipment and/or supplies otherwise provided under Medicaid and/or Medicare.

(8) Training needs identified in the comprehensive assessment or in a professional evaluation, if you need to meet a therapeutic goal such as:

(a) Adjusting to a serious impairment;

(b) Managing personal care needs; or

(c) Developing necessary skills to deal with care providers.

(9) Transportation services if you live in your own home, if the service:

(a) Provides you access to community services and resources provided in accordance with a therapeutic goal;

(b) Is not merely diversional in nature;

(c) Is in addition to and does not replace the Medicaid-brokered transportation or transportation services available in the community.

(10) For COPES or Medically Needy Residential waiver clients, skilled nursing in a residential setting, if the service is:

(a) Provided by a registered nurse or licensed practical nurse under the supervision of a registered nurse; and

(b) Beyond the amount, duration or scope of Medicaid-reimbursed home health services as provided under WAC 388-551-2100; and

(c) In addition to and does not replace the services required by DSHS contract in residential settings.

(11) Specialized durable and nondurable medical equipment and supplies under WAC 388-543-1000, if the items are:

(a) Medically necessary under WAC 388-500-0005; and

(b) Necessary for life support; or

(c) Necessary to increase your ability to perform activities of daily living; or

(d) Necessary for you to perceive, control, or communicate with the environment in which you live; and

(e) Directly medically or remedially beneficial to you; and

(f) In addition to and do not replace any medical equipment and/or supplies otherwise provided under Medicaid and/or Medicare; and

(g) In addition to and do not replace the services required by DSHS contract in residential settings.

(12) Training needs identified in the comprehensive assessment or in a professional evaluation, if you need to meet a therapeutic goal such as:

(a) Adjusting to a serious impairment;

(b) Managing personal care needs; or

(c) Developing necessary skills to deal with care providers; and

(d) The service is in addition to and does not replace the services required by DSHS contract in residential settings.

(13) Transportation services if you live in a residential setting, if the service:

(a) Provides you access to community services and resources provided in accordance with a therapeutic goal;

(b) Is not merely diversional in nature;

(c) Is in addition to and does not replace the Medicaid-brokered transportation or transportation services available in the community; and

(d) Does not replace the services required by DSHS contract in residential settings.

Note: Clients who reside in enhanced residential care, assisted living or adult family homes are not eligible for waiver funded adult day care.

(14) Nurse delegation services if:

(a) You are living in your own home;

(b) You are eligible for COPES; and

(c) You are receiving personal care from a registered or certified nursing assistant who has completed Nurse Delegation Core Training;

(d) Your medical condition is considered stable and predictable by the delegating nurse; and

(e) Services are provided in compliance with WAC 246-840-901 through 246-840-970.

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AMENDATORY SECTION (Amending WSR 02-23-063, filed 11/18/02, effective 12/19/02)

WAC 388-71-0440 Am I eligible for MPC-funded services? To be eligible for MPC-funded services you must:

(1) Have unmet need for substantial assistance with at least one ((~~unmet~~)) direct personal care task listed in WAC 388-71-0202; or have unmet needs for minimal assistance with three direct personal care tasks; and

(2) Be certified as Title 19 categorically needy, as defined in WAC 388-500-0005.

(3) Be assessed by department staff or designee using a department approved comprehensive assessment and have a determination of unmet needs for HCP services.

AMENDATORY SECTION (Amending WSR 03-05-097, filed 2/19/03, effective 3/22/03)

WAC 388-72A-0060 Am I eligible for MPC-funded services? You are eligible for MPC-funded services when the department or its designee assesses your needs and determines that you meet all of the following criteria:

(1) Are certified as Title XIX categorically needy, as defined in WAC 388-500-0005.

(2) Have an unmet or partially met need or the activity did not occur (because you were unable or no provider was available) in at least ((~~one~~)) three or more of the following, as defined in WAC 388-72A-0040:

(a) Help/oversight one or two times during the last seven days plus setup in eating;

(b) Supervision in toileting;

(c) Supervision in bathing;

(d) Supervision in dressing;

(e) Supervision plus setup in transfer;

(f) Supervision plus setup in bed mobility;

(g) Supervision plus set up help in one of the following three tasks:

(i) Walk in room, hallway and rest of immediate living environment;

(ii) Locomotion in room and immediate living environment;

(iii) Locomotion outside of immediate living environment including outdoors.

(h) Assistance required in medication management;

(i) Supervision in personal hygiene;

(j) Assistance with body care, which means you need:

(i) Application of ointment or lotions;

(ii) Your toenails trimmed;

(iii) Dry bandage changes; or

(iv) Passive range of motion treatment.

(3) You have an unmet or partially met need or the activity did not occur (because you were unable or no provider was available) with at least one or more of the following, as defined in WAC 388-72A-0040:

(a) Extensive assistance plus one person physical assistance in toileting;

(b) Extensive assistance plus one person physical assistance in one of the following three tasks:

(i) Walk in room, hallway and rest of immediate living environment;

(ii) Locomotion in room and immediate living environment;

(iii) Locomotion outside of immediate living environment including outdoors.

(c) Extensive assistance plus one person physical assistance in transfer;

(d) Limited assistance plus one person physical assistance in bed mobility and need turning/repositioning;

(e) Physical help limited to transfer plus one person physical assist in bathing;

(f) Supervision plus one person physical assist in eating; or

(g) Daily assistance required in medication management; or

(h) Assistance with body care, which means you need:

(i) Application of ointment or lotions;

(ii) Your toenails trimmed;

(iii) Dry bandage changes; or

(iv) Passive range of motion treatment.

(i) Extensive assistance plus one person physical assistance in dressing.

(j) Extensive assistance plus one person physical assistance in personal hygiene.

WSR 03-23-115
EMERGENCY RULES
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
(Medical Assistance Administration)

[Filed November 18, 2003, 4:10 p.m., effective November 19, 2003]

Date of Adoption: November 12, 2003.

Purpose: To continue the emergency rule that is in effect (WSR 03-15-134) while the permanent rule-making process is being completed. As mandated by ESHB 2257, adopted in the 2003 legislative session, the department is reducing the maximum resource allocation for a community spouse from $90,660 to $40,000 for clients institutionalized on or after August 1, 2003; and to continue the emergency adoption of federal standard increases that have been in effect since January 1, 2003, and April 1, 2003.

The department has initiated the regular rule-making process to adopt these emergency rules as permanent. A preproposal statement of inquiry was filed as WSR 03-15-049.

Citation of Existing Rules Affected by this Order: Amending WAC 388-513-1350 and 388-513-1380.

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

Other Authority: Section 1924 of the Social Security Act (42 U.S.C. 1396R-5).

Under RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: New state law (ESHB 2257, chapter 28, Laws of 2003 1st sp.s.) requires the department to adopt the reduction in the resource allocation for a commu-

nity spouse as of August 1, 2003. The increase in client standards was required to be effective January 1, 2003 (maximum resource allocation for the community spouse and community spouse monthly maintenance maximum), and April 1, 2003 (standard shelter allocation), to comply with federal requirements. These rules continue the emergency rules filed as WSR 03-15-134. The department has initiated the regular rule-making process to adopt these emergency rules as permanent. A preproposal statement of inquiry was filed as WSR 03-15-049.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 2, Repealed 0.

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

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

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

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

Effective Date of Rule: November 19, 2003.

November 12, 2003
Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

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

WAC 388-513-1350 Defining the maximum amount of resources allowed and determining resources availability for long-term care (LTC) services. This section describes how the department defines the resource standard and available resources when determining a client's eligibility for LTC services. The department uses the term "resource standard" to describe the maximum amount of resources a client can have and still be resource eligible for program benefits.

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

(a) Two thousand dollars for:

(i) A single client; or

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(i) The institutionalized spouse; or

(ii) Both spouses.

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

(i) Either spouse; or

(ii) Both spouses.

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

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

(a) If the client's current period of institutional status began on or after October 1, 1989 and before August 1, 2003, the department allocates the maximum amount of resources ordinarily allowed by law. The maximum allocation amount is ninety thousand six hundred sixty dollars effective January 1, 2003; or

(b) If the client's current period of institutional status began on or after August 1, 2003, the department allocates the greater of:

(i) A spousal share equal to one-half of the couple's combined nonexcluded resources as of the beginning of the current period of institutional status, up to the amount described in subsection (6)(a); or

(ii) The state spousal resource standard of forty thousand dollars.

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(7) The amount of the spousal share described in (6)(b)(i) is determined sometime between the date that the current period of institutional status began and the date that eligibility for LTC services is determined. The following rules apply to the determination of the spousal share:

(a) Prior to an application for LTC services, the couple's combined countable resources are evaluated from the date of the current period of institutional status at the request of either member of the couple. The determination of the spousal share is completed when necessary documentation and/or verification is provided; or

(b) The determination of the spousal share is completed as part of the application for LTC services if the client was institutionalized prior to the month of application, and declares the spousal share exceeds the state spousal resource standard. The client will be required to provide verification of the couple's combined countable resources held at the beginning of the current period of institutional status.

(8) The amount of allocated resources described in subsection (6) can be increased, only if:

(a) A court transfers additional resources to the community spouse; or

(b) An administrative law judge establishes in a fair hearing described in chapter 388-02 WAC or by consent order, that the amount is inadequate to provide a minimum monthly maintenance needs amount for the community spouse.

(((~~8~~))) (9) The department considers resources of the community spouse unavailable to the institutionalized spouse the month after eligibility for LTC services is established, unless subsection (((~~9~~))) (10)(a), (b), or (c) applies.

(((~~9~~))) (10) A redetermination of the couple's resources as described in subsections (4)(b) or (c) is required, if:

(a) The institutionalized spouse has a break of at least thirty consecutive days in a period of institutional status;

(b) The institutionalized spouse's nonexcluded resources exceed the standard described in subsection (1)(a), if subsection (5)(b) applies; or

(c) The institutionalized spouse does not transfer the amount described in subsections (6) or (((~~7~~))) (8) to the community spouse or to another person for the sole benefit of the community spouse as described in WAC 388-513-1365(4) by either:

(i) The first regularly scheduled eligibility review; or

(ii) The reasonable amount of additional time necessary to obtain a court order for the support of the community spouse.

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

WAC 388-513-1380 Determining a client's participation in the cost of care for long-term care (LTC) services. This rule describes how the department allocates income and excess resources when determining participation in the cost of care (in the post-eligibility process). The department applies rules described in WAC 388-513-1315 to define which income and resources must be used in this process.

(1) For a client receiving institutional or hospice services in a medical facility, the department applies all subsections of this rule.

(2) For a client receiving waivered services at home or in an alternate living facility, the department applies only those subsections of this rule that are cited in the rules for those programs.

(3) For a client receiving hospice services at home, the department applies rules used for the community options program entry system (COPES).

(4) Excess resources are reduced in an amount equal to incurred medical expenses (for definition see WAC 388-519-0110(10)) that are not subject to third-party payment and for which the client is liable, including:

(a) Health insurance and Medicare premiums, deductions, and co-insurance charges;

(b) Necessary medical care recognized under state law, but not covered under the state's Medicaid plan; and

(c) The amount of excess resources is limited to the following amounts:

(i) For LTC services provided under the categorically needy (CN) program, the amount described in WAC 388-513-1315(3); or

(ii) For LTC services provided under the medically needy (MN) program, the amount described in WAC 388-513-1395 (2)(a) or (b).

(5) The department allocates nonexcluded income up to a total of the medically needy income level (MNIL) in the following order:

(a) A personal needs allowance (PNA) of:

(i) One hundred sixty dollars for a client living in a state veterans' home;

(ii) Ninety dollars for a veteran or a veteran's surviving spouse, who receives a VA improved pension and does not live in a state veterans' home; or

(iii) Forty-one dollars and sixty-two cents for all other clients in a medical facility.

(b) Federal, state, or local income taxes ((~~incurred during the time period covered by the PNA, whether paid or unpaid~~)) owed by the client.

(c) Wages for a client who:

(i) Is related to the supplemental security income (SSI) program as described in WAC 388-503-0510(1); and

(ii) Receives the wages as part of a department-approved training or rehabilitative program designed to prepare the client for a less restrictive placement. When determining this deduction employment expenses are not deducted.

(d) Guardianship fees and administrative costs including any attorney fees paid by the guardian, after June 15, 1998, only as allowed by chapter 388-79 WAC.

(6) The department allocates nonexcluded income after deducting amounts described in subsection (5) in the following order:

(a) Income garnisheed for child support:

(i) For the time period covered by the PNA; and

(ii) Not deducted under another provision in the post-eligibility process.

(b) A monthly maintenance needs allowance for the community spouse not to exceed, effective January 1, ((~~2001~~)) 2003, two thousand ((~~one~~)) two hundred ((~~seventy~~

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~~five~~)) sixty-seven dollars, unless a greater amount is allocated as described in subsection (8) of this section. The monthly maintenance needs allowance:

(i) Consists of a combined total of both:

(A) An amount added to the community spouse's gross income to provide a total of one thousand ((~~four~~)) five hundred ((~~fifty-two~~)) fifteen dollars; and

(B) Excess shelter expenses as specified under subsection (7) of this section; and

(ii) Is allowed only to the extent the client's income is made available to the community spouse.

(c) A monthly maintenance needs amount for each minor or dependent child, dependent parent or dependent sibling of the community or institutionalized spouse who:

(i) Resides with the community spouse, equal to one-third of the amount that one thousand ((~~four~~)) five hundred ((~~fifty-two~~)) fifteen dollars exceeds the dependent family member's income.

(ii) Does not reside with the community spouse, equal to the MNIL for the number of dependent family members in the home less the income of the dependent family members.

(iii) Child support received from noncustodial parent is the child's income.

(d) Incurred medical expenses described in subsections (4)(a) and (b) not used to reduce excess resources.

(e) Maintenance of the home of a single client or institutionalized couple:

(i) Up to one hundred percent of the one-person federal poverty level per month;

(ii) Limited to a six-month period;

(iii) When a physician has certified that the client is likely to return to the home within the six-month period; and

(iv) When social services staff documents initial need for the income exemption and reviews the client's circumstances after ninety days.

(7) For the purposes of this section, "excess shelter expenses" means the actual expenses under subsection (7)(b) less the standard shelter allocation under subsection (7)(a). For the purposes of this rule:

(a) The standard shelter allocation is four hundred ((~~thirty-six~~)) fifty-five dollars, effective April 1, ((~~2001~~)) 2003; and

(b) Shelter expenses are the actual required maintenance expenses for the community spouse's principal residence for:

(i) Rent;

(ii) Mortgage;

(iii) Taxes and insurance;

(iv) Any maintenance care for a condominium or cooperative; and

(v) The food stamp standard utility allowance for four persons, provided the utilities are not included in the maintenance charges for a condominium or cooperative.

(8) The amount allocated to the community spouse may be greater than the amount in subsection (6)(b) only when:

(a) A court enters an order against the client for the support of the community spouse; or

(b) A hearings officer determines a greater amount is needed because of exceptional circumstances resulting in extreme financial duress.

(9) A client who is admitted to a medical facility for ninety days or less and continues to receive full SSI benefits is not required to use the SSI income in the cost of care for medical services. Income allocations are allowed as described in this section from non-SSI income.

WSR 03-23-118
EMERGENCY RULES
DEPARTMENT OF FISH AND WILDLIFE

[Order 03-292—Filed November 18, 2003, 4:45 p.m.]

Date of Adoption: November 18, 2003.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-47-31100Q and 220-47-41100R; and amending WAC 220-47-311 and 220-47-411.

Statutory Authority for Adoption: RCW 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This action opens Areas 10 and 11 for two additional days and opens Areas 12 and 12B for one additional day of purse seine fishing. Harvestable numbers of chum remain on the nontreaty share in these areas. This action also continues the change of days and time period fished in Area 8A to daylight fishing to address fishers concerns and accommodate the treaty fishing schedule. This emergency rule maintains the appropriate minimum mesh sizes in Area 8A as agreed during the Pacific Fisheries Management Council and North of Falcon preseason planning meetings and during the August 2, 2003, Fish and Wildlife Commission meeting. There is insufficient time to promulgate permanent rules.

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

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

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

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

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

Effective Date of Rule: Immediately.

November 18, 2003
Evan Jacoby
for Jeff Koenings
Director

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NEW SECTION

WAC 220-47-31100R Purse seine—Open periods. Notwithstanding the provisions of WAC 220-47-311, effective immediately until further notice, it is unlawful to take, fish for or possess salmon taken with purse seine gear, for commercial purposes in Puget Sound Salmon Management and Catch Reporting Areas 8, 10, 11, 12, 12B and 12C except in accordance with the open periods, mesh size, areas, species restrictions, notification, and landing requirements set forth in this section, provided that unless otherwise amended, all permanent rules remain in effect:

Area	Time	Date
8	7:00 AM - 5:00 PM	11/18
10/11	7:00 AM - 5:00 PM	11/19, 11/21
12/12B	7:00 AM - 5:00 PM	11/19
12C	7:00 AM - 5:00 PM	11/24

NEW SECTION

WAC 220-47-41100S Gill net—Open periods. Notwithstanding the provisions of WAC 220-47-411, effective immediately until further notice, it is unlawful to take, fish for or possess salmon taken with gill net gear, for commercial purposes in Puget Sound Salmon Management and Catch Reporting Areas 8, 8A, 10, 11, 12, 12B and 12C unless the gill net license holder provides the department with 24-hour notice prior to each day of fishing. The daily fishing notice to the department must include the gill net license holder's name, telephone number where they can be contacted and the area they will be fishing. The notice must be given by one of the following three means:

(a) Fax transmission to 360-902-2949;

(b) E-mail to psfishtickets@dfw.wa.gov; or

(c) Toll-free telephone call to 1-866-791-1279

Effective immediately until further notice, it is unlawful to take, fish for or possess salmon taken for commercial purposes in Puget Sound Salmon Management and Catch Reporting Areas 8, 8A, 10, 11, 12, 12B and 12C except in accordance with the open periods, mesh size, areas, species restrictions, notification, and landing requirements set forth in this section, provided that unless otherwise amended, all permanent rules remain in effect:

AREA	TIME	-		DATE(S)	MINIMUM MESH
8:	7AM	-	6PM	11/18	6 1/4"
8A:	7AM	-	6PM	11/18, 11/20, 11/21	6 1/4"
10, 11:	4PM	-	8AM	Nightly 11/18, 11/20	6 1/4"
12, 12B	7AM	-	6PM	11/19, 11,20	6 1/4"
12C	7AM	-	6PM	11/25	6 1/4"

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 sections of the Washington Administrative Code are repealed:

WAC 220-47-31100Q	Purse seine—Open periods. (03-289)
WAC 220-47-41100R	Gill net—Open periods. (03-289)

WSR 03-23-127
EMERGENCY RULES
OFFICE OF THE SECRETARY OF STATE

[Filed November 19, 2003, 9:57 a.m.]

Date of Adoption: November 19, 2003.

Purpose: Section 4, chapter 34, Laws of 2003, directs the Office of the Secretary of State to adopt a classification schedule for the filing of trademarks. This section further directs that to the extent possible, the schedule of classification should conform to the schedule adopted by the United States Patent and Trademark Office (USPTO). This rule making adopts the USPTO schedule of goods and services for use under chapter 19.77 RCW, the State Trademark Act. This rule making also repeals a hearing process that is no longer authorized by chapter 19.77 RCW. This filing extends an emergency filing effective July 27, 2003. A notice of proposed rule for expedited adoption of this same rule is being filed simultaneously.

Citation of Existing Rules Affected by this Order: Repealing WAC 434-12-010 through 434-12-230.

Statutory Authority for Adoption: Section 4, chapter 34, Laws of 2003.

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: Chapter 34, Laws of 2003, repealed the existing system for classification of goods and services for trademark filing effective July 27, 2003, and directed the Office of the Secretary of State to adopt a new schedule. This filing extends an emergency adoption effective July 27, 2003, adopting this classification schedule. Failure to extend the new schedule will result in the inability to file trademarks until a schedule is adopted. This will interfere with the growth and registration of businesses in Washington and would be contrary to both the public interest and welfare. A notice of proposed rule for expedited adoption of this same rule is being filed simultaneously, with an anticipated permanent adoption date of January 20, 2004.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 1, Amended 0, Repealed 23.

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 23.

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

Effective Date of Rule: Immediately.

November 17, 2003
Steve Excell
Assistant Secretary of State

NEW SECTION

WAC 434-12-015 Classification of goods and services. (1) The corporations division adopts the following table for classification of goods and services:

Goods

1. Chemicals used in industry, science and photography, as well as in agriculture, horticulture and forestry; unprocessed artificial resins; unprocessed plastics; manures; fire extinguishing compositions; tempering and soldering preparations; chemical substances for preserving foodstuffs; tanning substances; adhesives used in industry.

2. Paints, varnishes, lacquers; preservatives against rust and against deterioration of wood; colorants; mordants; raw natural resins; metals in foil and powder form for painters, decorators, printers and artists.

3. Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices.

4. Industrial oils and greases; lubricants; dust absorbing, wetting and binding compositions; fuels (including motor spirit) and illuminants; candles, wicks.

5. Pharmaceutical, veterinary, and sanitary preparations; dietetic substances adapted for medical use, food for babies; plasters, materials for dressings; material for stopping teeth, dental wax; disinfectants; preparations for destroying vermin; fungicides, herbicides.

6. Common metals and their alloys; metal building materials; transportable buildings of metal; materials of metal for railway tracks; nonelectric cables and wires of common metal; ironmongery, small items of metal hardware; pipes and tubes of metal; safes; goods of common metal not included in other classes; ores.

7. Machines and machine tools; motors and engines (except for land vehicles); machine coupling and transmission components (except for land vehicles); agricultural implements other than hand-operated; incubators for eggs.

8. Hand tools and implements (hand-operated); cutlery; side arms; razors.

9. Scientific, nautical, surveying, electric, photographic, cinematographic, optical, weighing, measuring, signaling, checking (supervision), life-saving and teaching apparatus and instruments; apparatus for recording, transmission or reproduction of sound or images; magnetic data carriers, recording discs; automatic vending machines and mechanisms for coin operated apparatus; cash registers, calculating machines, data processing equipment and computers; fire extinguishing apparatus.

10. Surgical, medical, dental, and veterinary apparatus and instruments, artificial limbs, eyes, and teeth; orthopedic articles; suture materials.

11. Apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply, and sanitary purposes.

12. Vehicles; apparatus for locomotion by land, air, or water.

13. Firearms; ammunition and projectiles; explosives; fireworks.

14. Precious metals and their alloys and goods in precious metals or coated therewith, not included in other classes; jewelry, precious stones; horological and chronometric instruments.

15. Musical instruments.

16. Paper, cardboard and goods made from these materials, not included in other classes; printed matter; bookbinding material; photographs; stationery; adhesives for stationery or household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); playing cards; printers' type; printing blocks.

17. Rubber, gutta-percha, gum, asbestos, mica and goods made from these materials and not included in other classes; plastics in extruded form for use in manufacture; packing, stopping and insulating materials; flexible pipes, not of metal.

18. Leather and imitations of leather, and goods made of these materials and not included in other classes; animal skins, hides; trunks and traveling bags; umbrellas, parasols and walking sticks; whips, harness and saddlery.

19. Building materials (nonmetallic); nonmetallic rigid pipes for building; asphalt, pitch and bitumen; nonmetallic transportable buildings; monuments, not of metal.

20. Furniture, mirrors, picture frames; goods (not included in other classes) of wood, cork, reed, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum and substitutes for all these materials, or of plastics.

21. Household or kitchen utensils and containers (not of precious metal or coated therewith); combs and sponges; brushes (except paint brushes); brush making materials; articles for cleaning purposes; steel wool; unworked or semi-worked glass (except glass used in building); glassware, porcelain and earthenware not included in other classes.

22. Ropes, string, nets, tents, awnings, tarpaulins, sails, sacks and bags (not included in other classes); padding and stuffing materials (except of rubber or plastics); raw fibrous textile materials.

23. Yarns and threads, for textile use.

24. Textiles and textile goods, not included in other classes; beds and table covers.

25. Clothing, footwear, headgear.

EMERGENCY

26. Lace and embroidery, ribbons and braid; buttons, hooks and eyes, pins and needles; artificial flowers.

27. Carpets, rugs, mats and matting, linoleum and other materials for covering existing floors; wall hangings (nontextile).

28. Games and playthings; gymnastic and sporting articles not included in other classes; decorations for Christmas trees.

29. Meat, fish, poultry and game; meat extracts; preserved, dried and cooked fruits and vegetables; jellies, jams, fruit sauces; eggs, milk and milk products; edible oils and fats.

30. Coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee; flour and preparations made from cereals, bread, pastry and confectionery, ices; honey, treacle; yeast, baking powder; salt, mustard; vinegar, sauces (condiments); spices; ice.

31. Agricultural, horticultural and forestry products and grains not included in other classes; live animals; fresh fruits and vegetables; seeds, natural plants and flowers; foodstuffs for animals; malt.

32. Beers; mineral and aerated waters and other nonalcoholic drinks; fruit drinks and fruit juices; syrups and other preparations for making beverages.

33. Alcoholic beverages (except beers).

34. Tobacco; smokers' articles; matches.

Services

35. Advertising; business management; business administration; office functions.

36. Insurance; financial affairs; monetary affairs; real estate affairs.

37. Building construction; repair; installation services.

38. Telecommunications.

39. Transport; packaging and storage of goods; travel arrangement.

40. Treatment of materials.

41. Education; providing of training; entertainment; sporting and cultural activities.

42. Scientific and technological services and research and design relating thereto; industrial analysis and research services; design and development of computer hardware and software; legal services.

43. Services for providing food and drink; temporary accommodations.

44. Medical services; veterinary services; hygienic and beauty care for human beings or animals; agriculture, horticulture and forestry services.

45. Personal and social services rendered by others to meet the needs of individuals; security services for the protection of property and individuals.

(2) This table is adopted from the schedule for classification of goods and services published by the United States Patent and Trademark Office.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 434-12-010	Authority and purpose.
WAC 434-12-020	Applicable statute.
WAC 434-12-030	Definitions.
WAC 434-12-040	Form of papers.
WAC 434-12-050	Caption.
WAC 434-12-060	Signing papers.
WAC 434-12-070	Verification.
WAC 434-12-080	Computation of time.
WAC 434-12-090	Appearance and practice before secretary.
WAC 434-12-100	Service of process.
WAC 434-12-110	Joinder, consolidation.
WAC 434-12-120	Withdrawal of petition.
WAC 434-12-130	Notice of hearing.
WAC 434-12-140	Hearing examiner.
WAC 434-12-150	Motions.
WAC 434-12-160	Discovery.
WAC 434-12-170	Subpoenas.
WAC 434-12-180	Prehearing conference.
WAC 434-12-200	Hearings are public.
WAC 434-12-210	Rules of evidence.
WAC 434-12-220	Record.
WAC 434-12-230	Form and content of decision.

EMERGENCY

WSR 03-23-001
NOTICE OF PUBLIC MEETINGS
WORKFORCE TRAINING AND EDUCATION COORDINATING BOARD
[Memorandum—November 5, 2003]

WASHINGTON STATE
WORKFORCE TRAINING AND EDUCATION COORDINATING BOARD

November 18, 2003
Bellingham Technical College
Cafe Culinaire Restaurant
3028 Lindbergh Avenue
Bellingham, WA 98225
(360) 728-0221

The Workforce Training and Education Coordinating Board will hold an informal dinner at 6:30 p.m. with the members of the Northwest Workforce Development Council at Bellingham Technical College, Cafe Culinaire Restaurant, Bellingham, Washington. No action will be taken.

November 19, 2003
Fairhaven Library
Fireplace Room
210 Central Avenue
Bellingham, WA 98225
(360) 676-6860

The Workforce Training and Education Coordinating Board will hold a board meeting on November 19, 2003, from 8:30 a.m. to 3:30 p.m. in the Fireplace Room at the Fairhaven Library, Bellingham, Washington.

The board will discuss options for reducing the high school drop out rate and higher education planning issues. The board will also learn of research on transfer and articulation between two-year community and technical colleges and four-year public universities, industry skill panel activities, and progress on the Health Care Personnel Shortages Task Force strategic plan.

People needing special accommodations can contact Mary Reister at least seven days in advance at (360) 753-5660, e-mail mreister@wtb.wa.gov.

WORKFORCE TRAINING AND EDUCATION COORDINATING BOARD
2004 MEETING SCHEDULE

Thursday, January 29, 2004	Meeting	Olympia
Thursday, March 25, 2004	Meeting	Olympia
Wednesday, May 12, 2004	Dinner	Port Angeles
Thursday, May 13, 2004	Meeting	Port Angeles
Tuesday, June 29, 2004	Dinner	Spokane
Wednesday, June 30, 2004	Meeting	Spokane
Wednesday, August 4, 2004	Retreat	Ocean Shores
Thursday, August 5, 2004	Retreat	Ocean Shores
Wednesday, September 29, 2004	Dinner	Yakima
Thursday, September 30, 2004	Meeting	Yakima
Wednesday, November 17, 2004	Dinner	Renton
Thursday, November 18, 2004	Meeting	Renton

WSR 03-23-002
NOTICE OF PUBLIC MEETINGS
OFFICE OF THE INTERAGENCY COMMITTEE
(Salmon Recovery Funding Board)
[Memorandum—November 5, 2003]

At its meeting on October 29, 2003, the Salmon Recovery Funding Board added the following meeting to its 2003 schedule.

December 4 and 5, 2003	Business Meeting	Olympia Area

The exact location for the meeting has not yet been determined. For persons who wish to attend or receive copies of the agenda, please contact Tammy Owings at the board office, (360) 902-2637 or check the website at http://www.iac.wa.gov/srfb/board/schedules.htm.

The Salmon Recovery Board schedules all public meetings at barrier free sites. Persons who need special assistance, such as enlarged type materials, please contact Tammy Owings at (360) 902-2637 or TDD (360) 902-1996.

WSR 03-23-010
RULES COORDINATOR
OLYMPIC COLLEGE
[Filed November 10, 2003, 3:26 p.m.]

The official contact for Olympic College to the Office of the Code Reviser needs to be changed. Effective today, Asantewa Antobam, Executive Assistant to the President, is the contact for Olympic College.

David Mitchell
President

WSR 03-23-011
RULES COORDINATOR
LOWER COLUMBIA COLLEGE
[Filed November 10, 2003, 3:27 p.m.]

Per RCW 34.05.312, I am listing Linda Peck, President's Office, Lower Columbia College, 1600 Maple Street, P.O. Box 3010, Longview, WA 98632-0310, phone (360) 577-2322, as rules coordinator for Lower Columbia College (Community College District 13).

James L. McLaughlin
President

WSR 03-23-012
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF FINANCIAL INSTITUTIONS
(Securities Division)
[Memorandum—November 6, 2003]

Escrow Commission meetings

Tuesday, January 6, 2004	9 a.m. - 12 noon	Highline Community College Des Moines
Tuesday, April 6, 2004	9 a.m. - 12 noon	Highline Community College Des Moines
Tuesday, July 13, 2004	9 a.m. - 12 noon	Highline Community College Des Moines
Tuesday, October 12, 2004	9 a.m. - 12 noon	Highline Community College Des Moines

WSR 03-23-013
RULES OF COURT
STATE SUPREME COURT
[November 6, 2003]

IN THE MATTER OF THE ADOPTION OF THE AMENDMENTS TO RAP 15.4, RALJ 9.3 AND 10.2, CRLJ 63, APR 8(g), APR 12.1 AND APR 14	))))	ORDER NO. 25700-A-779

The Washington State Bar Association having recommended the adoption of the proposed amendments to RAP 15.4, RALJ 9.3 and 10.2, CRLJ 63, APR 8(g), APR 12.1 and APR 14, and the Court having determined that the proposed amendments will aid in the prompt and orderly administration of justice and further determined that an emergency exists which necessitates an early adoption;

Now, therefore, it is hereby

ORDERED:

(a) That the amendments as attached hereto are adopted.

(b) That pursuant to the emergency provisions of GR 9(i), the amendments will be published expeditiously and become effective upon publication.

DATED at Olympia, Washington this 6th day of November 2003.

Alexander, C.J.

Johnson, J. — Bridge, J.

Madsen, J. — Chambers, J.

Sanders, J. — Owens, J.

Ireland — Fairhurst, J.

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 03-24 issue of the Register.

WSR 03-23-014
RULES OF COURT
STATE SUPREME COURT
[November 6, 2003]

IN THE MATTER OF THE ADOPTION OF THE AMENDMENTS TO CrRLJ 3.3	))	ORDER NO. 25700-A-780

The Time-for-Trial Task Force's Implementation Committee having recommended the adoption of the proposed amendment to CrRLJ 3.3, and the Court having determined that the proposed amendment will aid in the prompt and orderly administration of justice and further determined that an emergency exists which necessitates an early adoption;

Now, therefore, it is hereby

ORDERED:

(a) That the amendment as attached hereto is adopted.

(b) That pursuant to the emergency provisions of GR 9(i), the amendment will be published expeditiously and become effective upon publication.

DATED at Olympia, Washington this 6th day of November 2003.

Alexander, C.J.

Johnson, J. — Bridge, J.

Madsen, J. — Chambers, J.

Sanders, J. — Owens, J.

Ireland, J. — Fairhurst, J.

CrRLJ 3.3
TIME FOR TRIAL

SUGGESTED AMENDMENT

(a) General Provisions.

(1) Responsibility of Court. It shall be the responsibility of the court to ensure a trial in accordance with this rule to each person charged with a crime.

(2) Precedence Over Civil Cases. Criminal trials shall take precedence over civil trials.

(3) Definitions. For purposes of this rule:

(i) "Pending charge" means the charge for which the allowable time for trial is being computed.

(ii) "Related charge" means a charge based on the same conduct as the pending charge that is ultimately filed in the trial court.

(iii) "Appearance" means the defendant's physical presence in the trial court. Such presence constitutes appearance only if (A) the prosecutor was notified of the presence and (B) the presence is contemporaneously place on the record under the cause number of the pending charge.

(iv) "Arraignment" means the date determined under CrRLJ 4.1(b).

(v) "Detained in jail" means held in the custody of a correctional facility pursuant to the pending charge. Such detention excludes any period in which a defendant is on electric home monitoring, is being held in custody on an unrelated charge or hold, or is serving a sentence of confinement.

(vi) "Trial court" means the court where the pending charge was filed.

(4) Construction. The allowable time for trial shall be computed in accordance with this rule. If a trial is timely

under this language of this rule but was delayed by circumstances not addressed in this rule or CrRLJ 4.1, the pending charge shall not be dismissed unless the defendant's constitutional right to a speedy trial was violated.

(5) Related Charges. The computation of the allowable time for trial of a pending charge shall apply equally to related charges.

(6) Reporting of Untimely Trials. The court shall report to the Administrative Office of the Courts, on a form determined by that office, any case in which

(i) the court dismissed a charge on a determination pursuant to section (h) that the charge had not been brought to trial within the time allowed by this rule, or

(ii) the time limits would have been violated absent the cure period authorized by section (g).

(b) Time for Trial.

(1) Defendant Detained in Jail. A defendant who is detained in jail shall be brought to trial within the longer of

(i) 60 days after the commencement date specified in this rule, or

(ii) the time specified in subsection (b)(5).

(2) Defendant Not Detained in Jail. A defendant who is not detained in jail shall be brought to trial within the longer of

(i) 90 days after the commencement date specified in this rule, or

(ii) the time specified in subsection (b)(5).

(3) Release of Defendant. If a defendant is released from jail before the 60-day time limit has expired, the limit shall be extended to 90 days.

(4) Return to Custody following Release. If a defendant not detained in jail at the time the trial date was set is subsequently return to custody on the same or related charge, the 90-day limit shall continue to apply. If the defendant is detained in jail when trial is reset following a new commencement date, the 60-day limit shall apply.

(5) Allowable Time after Excluded Period. If any period of time is excluded pursuant to section ~~(f)~~ (e), the allowable time for trial shall not expire earlier than 30 days after the end of that excluded period.

(c) Commencement date.

(1) Initial Commencement Date. The initial commencement date shall be the date of arraignment as determined under CrRLJ 4.1.

(2) Resetting of commencement date. On occurrence of one of the following events, a new commencement date shall be established, and the elapsed time shall be reset to zero. If more than one of these events occurs, the commencement date shall be the latest of the dates specified in this subsection.

(i) Waiver. The filing of a written waiver of the defendant's rights under this rule signed by the defendant. The new commencement date shall be the date specified in the waiver, which shall not be earlier than the date on which the waiver was filed. If no date is specified, the commencement date shall be the date of the trial contemporaneously or subsequently set by the court.

(ii) Failure to Appear. The failure of the defendant to appear for any proceeding at which the defendant's presence was required. The new commencement date shall be the date of the defendant's next appearance.

(iii) New Trial. The entry of an order granting a mistrial or a new trial or allowing the defendant to withdraw a plea of guilty. The new commencement date shall be the date the order is entered.

(iv) Appellate Review or Stay. The acceptance of review or grant of a stay by an appellate court, or the issuance of a writ of certiorari, mandamus, or prohibition. The new commencement date shall be the date of the defendant's appearance that next follows the receipt by the clerk of the trial court of the mandate or written order terminating review or stay.

(v) Collateral Proceeding. The entry of an order granting a new trial pursuant to a personal restraint proceeding, a habeas corpus proceedings, or a motion to vacate judgment. The new commencement date shall be the date of the defendant's appearance that next follows either the expiration of the time to appeal such order or the receipt by the clerk of the trial court of notice of action terminating the collateral proceeding, whichever comes later.

(vi) Change of venue. The entry of an order granting a change of venue. The new commencement date shall be the date of the order.

(vii) Disqualification of Counsel. The disqualification of the defense attorney or prosecuting attorney. The new commencement date shall be the date of the disqualification.

(viii) Deferred Prosecution. The filing of a motion for deferred prosecution. The new commencement date shall be the date that an order is entered denying the motion or revoking the deferred prosecution.

(d) Trial Settings and Notice—Objections—Loss of Right to Object.

(1) Initial Setting of Trial Date. The court shall, within 15 days of the defendant's actual arraignment in the trial court or at the ~~omnibus~~ pre-trial hearing, set a date for trial which is within the time limits prescribed by this rule and notify counsel for each party of the date set. If a defendant is not represented by counsel, the notice shall be given to the defendant and may be mailed to the defendant's last known address. The notice shall set forth the proper date of the defendant's arraignment and the date set for trial.

(2) Resetting of Trial Date. When the court determines that the trial date should be reset for any reason, including but not limited to the applicability of a new commencement date pursuant to subsection (c)(2) or a period of exclusion pursuant to section (e), the court shall set a new date for trial which is within the time limits prescribed and notify each party of the date set.

(3) Objection to Trial Setting. A party who objects to the date set on the ground that it is not within the time limits prescribed by this rule must, within 10 days after the notice is mailed or otherwise given, move that the court set a trial date within those time limits. Such motion shall be promptly noted for hearing by the moving party in accordance with local procedures. A party who fails, for any reason, to make such a motion shall lose the right to object that a trial commenced on such a date, is not within the time limits prescribed by this rule.

(4) Loss of Right to Object. If a trial date is set outside the time allowed by this rule, but the defendant lost the right

to object to that date pursuant to subsection (d)(3), that date shall be treated as the last allowable date for trial, subject to section (g). A later trial date shall be timely only if the commencement date is reset pursuant to a subsection (c)(2) or there is a subsequent excluded period pursuant to section (e) and subsection (b)(5).

(e) Excluded Periods. The following periods shall be excluded in computing the time for trial:

(1) Competency Proceedings. All proceedings relating to the competency of a defendant to stand trial on the pending charge, beginning on the date when the competency examination is ordered and terminating when the court enters a written order finding the defendant to be competent.

(2) Proceedings on Unrelated Charges. Arraignment, pre-trial proceedings, trial and sentencing on an unrelated charge.

(3) Continuances. Delay granted by the court pursuant to section (f).

(4) Period between Dismissal and Filing. The time between the dismissal of a charge and the refiling of the same or related charge.

(5) Disposition of Related Charge. The period between the commencement of trial or the entry of a plea of guilty on one charge and the defendant's arraignment in the trial court on a related charge.

(6) Defendant Subject to Foreign or Federal Custody or Conditions. The time during which a defendant is detained in jail or prison outside the county in which the defendant is charged or in a federal jail or prison and the time during which a defendant is subjected to conditions of release not imposed by a court of the State of Washington.

(7) Juvenile Proceedings. All proceedings in juvenile court.

(8) Unavoidable or unforeseen Circumstances. Unavoidable or unforeseen circumstances affecting the time for trial beyond the control of the court or of the parties. This exclusion also applies to the cure period of section (g).

(9) Disqualification of Judge. A five-day period of time commencing with the disqualification of the judge to whom the case is assigned for trial.

(f) Continuances. Continuances or other delays may be granted as follows:

(1) Written Agreement. Upon written agreement of the parties which must be signed by the defendant or all defendants, the court may continue the trial to a specified date.

(2) Motion by the Court or a Party. On motion of the court or a party, the court may continue the trial date to a specified date when such continuance is required in the administration of justice and the defendant will not be prejudiced in the presentation of his or her defense. The motion must be filed before time for trial has expired. The court must state on the record or in writing the reasons for the continuance. The bringing of such motion by or on behalf of any party waives that party's objection to the requested delay.

(g) Cure Period. The court may continue the case beyond the limits specified in section (b) on motion of the court or a party made within five days after the time for trial has expired. Such a continuance may be granted only once in the case upon a finding on the record or in writing that the defendant will not be substantially prejudiced in the presentation of his or her defense. The period of delay shall be for no more than 14 days for a defendant detained in jail, or 28 days for a defendant not detained in jail, from the date that the continuance is granted. The court may direct the parties to remain in attendance or be on-call for trial assignment during the cure period.

(h) Dismissal With Prejudice. A charge not brought to trial within the time limit determined under this rule shall be dismissed with prejudice. The State shall provide notice of dismissal to the victim and at the court's discretion shall allow the victim to address the court regarding the impact of the crime. No case shall be dismissed for time-to-trial reasons except as expressly required by this rule, a statute, or federal constitution.

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

WSR 03-23-015
RULES OF COURT
STATE SUPREME COURT
[November 6, 2003]

IN THE MATTER OF THE ADOPTION OF THE AMENDMENT TO DRJ 14(e)	))	ORDER NO. 25700-A-781

The Board for Judicial Administration having recommended the adoption of the proposed amendment to DRJ 14(e), and the Court having determined that the proposed amendment will aid in the prompt and orderly administration of justice and further determined that an emergency exists which necessitates an early adoption;

Now, therefore, it is hereby

ORDERED:

(a) That the amendment as attached hereto is adopted.

(b) That pursuant to the emergency provisions of GR 9(i), the amendment will be published expeditiously and become effective upon publication.

DATED at Olympia, Washington this 6th day of November 2003.

	Alexander, C.J.
Johnson, J.	Bridge, J.
Madsen, J.	Chambers, J.
Sanders, J.	Owens, J.
Ireland, J.	Fairhurst, J.

DRJ 14(e)

Supplemental Provisions

(e) **Confidential and Privileged Communications.** Confidential communication between a judicial officer and peer Counselors of the Judicial Assistance Committee of the

Superior Court Judges' Association or the District and Municipal Court Judges' Association or the LAP (Lawyers Assistance Program of the Washington State Bar Association) shall be privileged against disclosure without the consent of the judicial officer to the same extent and subject to the same conditions as confidential communication between a client and psychologist.

WSR 03-23-016
RULES OF COURT
STATE SUPREME COURT
[November 6, 2003]

IN THE MATTER OF THE ADOPTION OF THE AMENDMENT TO GR 7) ORDER NO. 25700-A-782

The Administrative Office of the Courts having recommended the adoption of the proposed amendment to GR 7, and the Court having determined that the proposed amendment will aid in the prompt and orderly administration of justice and further determined that an emergency exists which necessitates an early adoption;

Now, therefore, it is hereby

ORDERED:

(a) That the amendment as attached hereto is adopted.

(b) That pursuant to the emergency provisions of GR 9(i), the amendment will be published expeditiously and become effective upon publication.

DATED at Olympia, Washington this 6th day of November 2003.

Alexander, C.J.

Johnson, J. Bridge, J.

Madsen, J. Chambers, J.

Sanders, J. Owens, J.

Ireland, J. Fairhurst, J.

GENERAL RULE 7
LOCAL RULES—FILING AND EFFECTIVE DATE

(a) Generally. Fifty copies of rules of court authorized by law to be adopted or amended by courts other than the Supreme Court must be filed with the state Administrator for the Courts. New proposed rules and amendments must be filed on or before July 1 ~~for comment~~, to be effective September 1 of the same year. Promulgation or amendment of rules that describe only the structure, internal management and organization of the court but do not affect courtroom procedures are not governed by the time limitations above.

(b) Form. All local rules shall be consistent with rules adopted by the Supreme Court, and shall conform in numbering system and in format to these rules to facilitate their use. Each rule and amendment filed shall state its effective date in brackets following the rule. Prior to adopting a local rule, the court may informally submit a copy of its local rule to the Administrative Office of ~~Administrator for~~ the Courts for comments as to its conformity in number and format to the Official Rules of Court, and suggestions with reference thereto.

(c) Distribution. On or before September 1 of each year, the Administrator for the Courts shall distribute all local rules, and amendments thereto, to the state law library, the libraries of the three divisions of the Court of Appeals, all county law libraries, Washington law school libraries, and to such other places as are deemed appropriate by the Administrative Office of ~~Administrator for~~ the Courts.

(d) Availability of Local Rules~~; Effect Upon Existing Local Rules~~. The clerk of the court adopting the rules shall maintain a complete set of current local rules, which shall be available for inspection and copying. ~~In order for local rules which are currently in effect to remain in effect they must be refiled with the Office of the Administrator for the Courts by September 15, 1991.~~

(e) Emergency Rules.

(1) In the event a court other than the Supreme Court deems that an emergency exists which requires a change in its rules, such court shall, in addition to filing the rules or amendments as provided in section (a), distribute them to all county law libraries.

(2) A rule or amendment adopted on an emergency basis shall become effective immediately on filing with the Administrator for the Courts. The rule or amendment shall remain effective for a period of 90 days after filing, unless readopted in accordance with section (e)(1) or submitted as a permanent rule or amendment under section (a) within the 90-day period.

(f) Filing Local Rules Electronically. The Administrator for the Courts shall establish the specifications necessary for a court to file its local court rules electronically.

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

MISC.

WSR 03-23-017
RULES OF COURT
STATE SUPREME COURT
[November 6, 2003]

IN THE MATTER OF THE ADOPTION OF THE AMENDMENTS TO ER 405, ER 407, ER 608, ER 701 AND APR 8(b)) ORDER NO. 25700-A-783

The Washington State Bar Association having recommended the adoption of the proposed amendments to ER 405, ER 407, ER 608, ER 701 and APR 8(b), and the Court having approved the proposed amendments for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(f), the proposed amendments as attached hereto are to be published for comment in the Washington Reports, Washington Register,

Washington State Bar Association and Administrative Office of the Courts' websites in January 2004.

(b) The purpose statement as required by GR 9(d), is published solely for the information of the Bench, Bar and other interested parties.

(c) Comments are to be submitted to te Clerk of the Supreme Court by either U.S. Mail or Internet E-Mail by no later than April 30, 2004. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or Lisa.Bausch@courts.wa.gov. Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 6th day of November 2003.

For the Court

Gerry L. Alexander
CHIEF JUSTICE

GR 9 Cover Sheet

Proposal to Amend Evidence Rule 405 Concerning Proving Character

Submitted by the Board of Governors of the Washington State Bar Association

Purpose: The amendment would conform the Washington rule to Federal Rule 405, by permitting opinion testimony concerning character or a trait of character in addition to testimony as to reputation. It was noted that opinions frequently come in under the guise of "reputation," or as one committee member put it, it seems that reputation evidence is "my opinion of others' opinions."

The Advisory Committee's note to the Federal Rule, 56 F.R.D. 183, 222, advocated the use of opinion evidence (based on "personal knowledge and belief") as preferable to the "'secondhand, irresponsible product of multiplied guesses and gossip which we term reputation,'" quoting 7 *Wigmore* § 1986. The note went on to say that it "seems likely that the persistence of reputation evidence is due to its largely being opinion in disguise."

Notwithstanding the arguments made in the comment to the 1979 adoption of this rule in Washington, the committee believed that allowing opinion evidence would result in a more "honest" rule. Conforming to the Federal Rule would also make available a substantially broader body of case law.

ER 405
METHODS OF PROVING CHARACTER

(a) Reputation or Opinion. In all cases in which evidence of character or a trait of character of a person is admissible, proof may be made by testimony as to reputation or by testimony in the form of an opinion. On cross examination, inquiry is allowable into relevant specific instances of conduct.

(b) Specific Instances of Conduct. Unchanged.

GR 9 Cover Sheet

Proposal to Amend Evidence Rule 407 Concerning Subsequent Remedial Measures

Submitted by the Board of Governors of the Washington State Bar Association

(C) Purpose: The amendment would conform the Washington rule to Federal Rule 407 as amended in 1997. It would make evidence of subsequent measures inadmissible to prove "a defect in a product, a defect in a product's design, or a need for a warning or instruction."

This amendment would codify the holding in *Hyjek v. Anthony Industries*, 133 Wn.2d 414, 944 P.2d 1036 (1997). In *Hyjek*, the Supreme Court adopted the reasoning of a majority of federal courts that had considered the issue before the rule amendment, arguing:

While the historical use of relevancy as the basis for excluding evidence of subsequent remedial measures as evidence of negligence is well established, the more widely accepted basis for exclusion appears to be the social policy rationale of encouraging safety precautions. 5 KARL B. TEGLAND, WASHINGTON PRACTICE: EVIDENCE 131, at 471 (3d ed. 1989); see also Codd v. Stevens Pass, Inc., 45 Wn. App. 393, 725 P.2d 1008 (1986). The federal advisory committee note to Rule 407 specifically indicates a distinct preference for this rationale. FED. R. EVID. 407 advisory committee note. The expressed concern is that the introduction of such evidence may provide a disincentive for people to take safety precautions. Rule 407 seeks to advance the public policy of encouraging people to take steps in furtherance of added safety by freeing them from the fear that such steps will be used against them in a future lawsuit. Carter v. City of Seattle, 21 Wash. 585, 59 P. 500 (1899); see also WASH. EVID. R. 407 advisory committee note.

133 Wn.2d at 418-19. The Court also took note of the then-pending amendment to the federal rule. *Hyjek*, 133 Wn.2d at 421.

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

ER 407
SUBSEQUENT REMEDIAL MEASURES

When, after an injury or harm allegedly caused by an event, measures are taken which, if taken previously, would have made the injury or harm ~~event~~ less likely to occur, evidence of the subsequent measures is not admissible to prove negligence, ~~or~~ culpable conduct, a defect in a product, a defect in a product's design, or a need for a warning or instruction ~~in connection with the event~~. This rule does not require the exclusion of evidence of subsequent measures when offered for another purpose, such as proving ownership, control, or feasibility of precautionary measures, if controverted, or impeachment.

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

GR 9 Cover Sheet

Proposal to Amend Evidence Rule 608
Concerning Evidence of Character of Witness

Submitted by the Board of Governors of the Washington State Bar Association

Purpose: The amendment would conform section (a) of the Washington rule to Federal Rule 608(a), by allowing opinion as well as reputation evidence. It is proposed for the same reason as the amendment to Rule 405.

The unlettered paragraph of Federal Rule 608, concerning waiver of the privilege against self-incrimination, is not recommended, for reasons stated in the comment to the current Washington rule.

ER 608
EVIDENCE OF CHARACTER AND CONDUCT OF WITNESS

(a) Opinion and Reputation Evidence of Character. The credibility of a witness may be attacked or supported by evidence in the form of opinion or reputation, but subject to ~~the~~ these limitations: (1) the evidence may refer only to character for truthfulness or untruthfulness, and (2) evidence of truthful character is admissible only after the character of the witness for truthfulness has been attacked by opinion or reputation evidence or otherwise.

(b) Specific Instances of Conduct. Unchanged.

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

GR 9 Cover Sheet

Proposal to Amend Evidence Rule 701
Concerning Opinion Testimony by Lay Witness

Submitted by the Board of Governors of the Washington State Bar Association

Purpose: The amendment would conform Washington's Rule of Evidence 701 to the federal rule, as amended in 2000. It would add a new section (c) providing that opinion testimony by a lay witness must not be "based on scientific, technical, or other specialized knowledge within the scope of rule 702."

According to the Advisory Committee note, the purpose of this amendment was to "eliminate the risk that the reliability requirements set forth in Rule 702 will be evaded through the simple expedient of proffering an expert in lay witness clothing. Under the amendment, a witness' testimony must be scrutinized under the rules regulating expert opinion to the extent that the witness is providing testimony based on scientific, technical, or other specialized knowledge within the scope of Rule 702."

The Advisory Committee note goes on to point out that the amendment "does not distinguish between expert and lay *witnesses*, but rather between expert and lay *testimony*. Certainly it is possible for the same witness to provide both lay and expert testimony in a single case." By channeling testimony that is actually expert testimony to rule 702, the amendment also lessens the possibility that a party can evade the expert witness disclosure requirements set forth in Civil Rule 26 by simply calling an expert in the guise of a lay person.

The amendment is not intended to affect the typical examples of the kinds of evidence contemplated by the adoption of rule 701, such as the appearance of persons or things, the apparent "health" of another, the speed of a vehicle, or the value of one's own property.

ER 701
OPINION TESTIMONY BY LAY WITNESSES

If the witness is not testifying as an expert, the witness' testimony in the form of opinions or inferences is limited to those opinions or inferences which are (a) rationally based on the perception of the witness, ~~and~~ (b) helpful to a clear understanding of the witness' testimony or the determination of a fact in issue, and (c) not based on scientific, technical, or other specialized knowledge within the scope of rule 702.

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

GR 9 Cover Sheet

Suggested Amendment
ADMISSION TO PRACTICE RULES (APR)

Rule 8: SPECIAL ADMISSIONS

Submitted by the Board of Governors of the Washington State Bar Association
(REVISED April 2003)

Purpose: Admission to Practice Rule (APR) 8(b) provides for the special admission of lawyers from other jurisdictions to appear before courts and tribunals in the state of Washington for the purpose of a particular action or proceeding, sometimes called *pro hac vice* admission. Application is made to the court or tribunal where the matter is proceeding, and the out-of-state lawyer must associate with a Washington lawyer who shall be the attorney of record and who, under the current rule, must be present at all proceedings. Lawyers admitted under this rule are subject to the disciplinary authority of this state. Rules for Enforcement of Lawyer Conduct (ELC) 1.2.

Lawyer mobility and multijurisdictional practice are issues gaining increased importance on both the state and national levels. Every United States jurisdiction has some form of pro hac vice admission. Most jurisdictions require association with an admitted attorney who is the attorney of record in the matter. In addition to admission by the court or

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tribunal before whom the matter is pending, several jurisdictions require registration and payment of an application or admission fee to the jurisdiction's lawyer regulatory agency.

Currently, in Washington there is no way to know who is seeking admission under this special admission rule, the frequency and number of admissions, and how often any individual seeks this form of special admission. The suggested amendments to APR 8(b) will provide the public and the bar with a record and system of oversight of admissions under this rule. Lawyers admitted under this rule will pay the administrative costs of maintaining the record of admissions as well as supporting the lawyer disciplinary system to which they are subject.

The suggested amendments also clarify that an application under this rule shall be in the form of a written motion to the tribunal before which the matter is pending. The rule requires that the lawyer seeking admission under this rule must associate with Washington counsel who shall be the attorney of record. It will change the present requirement that the Washington lawyer must be present at all proceedings, and provide that he or she will be present unless excused by the court or tribunal. The motion shall be made in a form approved by the Board of Governors, which will include certification by the lawyer seeking admission and the associated Washington lawyer that the requirements of APR 8(b) have been complied with.

This suggested rule is modeled on similar rules in Idaho, Oregon, Montana and

SUGGESTED AMENDMENT
ADMISSION TO PRACTICE RULES (APR)
APR 8. SPECIAL ADMISSIONS

(a) In General. [No change].

(b) Exception for Particular Action or Proceeding. A member in good standing of the Bar of any other state or territory of the United States or of the District of Columbia, who is a resident of and maintains a practice in such other state, territory, or District, may appear as a lawyer in ~~the trial of~~ any action or proceeding only (i) with the permission of the court or tribunal in which the action or proceeding is pending, and (ii) in association with an active member of the Washington State Bar Association, who shall be the lawyer of record therein, responsible for the conduct thereof, and present at ~~all~~ proceedings unless excused by the court or tribunal.

(1) An application to appear as such a lawyer shall be made by written motion to the court or tribunal before whom the action or proceeding is pending, in a form approved by the Board of Governors, which shall include certification by the lawyer seeking admission under this rule and the associated Washington lawyer that the requirements of this rule have been complied with. The ~~application~~ motion shall be heard by the court or tribunal after such notice to the Washington State Bar Association as is required in part (2) below, together with the required fees, and to adverse parties as the court or tribunal shall direct. The court or tribunal shall enter an order granting or refusing the ~~application~~ motion, and, if the ~~application~~ motion is refused, the court or tribunal shall state its reasons.

(2) The lawyer making the motion shall submit a copy of the motion to the Washington State Bar Association, accompanied by a fee in each case in an amount set by the Board of Governors with the approval of the Supreme Court. The associated Washington counsel shall be jointly responsible for payment of these fees. The Washington State Bar Association shall maintain a public record of all motions for admission pursuant to this rule.

~~(2)~~ (3) No member of the Bar Association shall lend his or her name for the purpose of, or in any way assist in, avoiding the effect of this rule.

(c) Exception for Indigent Representation. [No change].

(d) Exception for Educational Purposes. [No change].

(e) Exception for Emeritus Membership. [No change].

(f) Exception for House Counsel. [No change].

(g) Exception for Military Lawyers. [No change].

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.

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

WSR 03-23-018
RULES OF COURT
STATE SUPREME COURT
[November 6, 2003]

IN THE MATTER OF THE ADOPTION OF THE AMENDMENTS TO CRLJ 14A(b) AND RALJ 1.1	)))	ORDER NO. 25700-A-784

The District and Municipal Court Judges' Association having recommended the adoption of the proposed amendments to CRLJ 14A(b) and RALJ 1.1, and the Court having approved the proposed amendments for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(f), the proposed amendments as attached hereto are to be published for comment in the Washington Reports, Washington Register, Washington State Bar Association and the Administrative Office of the Courts' websites in January 2004.

(b) The purpose statement as required by GR 9(d), is published solely for the information of the Bench, Bar and other interested parties.

(c) Comments are to be submitted to the Clerk of the Supreme Court by either U.S. Mail or Internet E-Mail by no later than April 30, 2004. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or Lisa.Bausch@courts.wa.gov. Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 6th day of November 2003.

For the Court

Gerry L. Alexander
CHIEF JUSTICE

GR 9 COVER SHEET

CRLJ 14A(b). REMOVAL TO SUPERIOR COURT

Purpose: Plaintiffs are encouraged to file civil cases in the district court, when it appears that damages will be within the jurisdictional limit of that court ($50,000.) However, at the beginning of a case, damages may not be easy to ascertain with reliability, particularly when a party is still undergoing medical treatment and his or her medical condition is not yet permanent and stable.

Under the current rule, once the plaintiff has filed his or her case in district court, the plaintiff must dismiss that case and refile the case in the superior court if the plaintiff later determines that the jurisdictional limit of the district court will be inadequate. However, if the statute of limitations has expired on plaintiff's cause of action, than this procedural remedy is not available to the plaintiff.

This rule change would allow a plaintiff the same right as other parties to transfer a case to superior court, upon the filing of an amended complaint, will encourage plaintiffs to file cases initially in the district court. Plaintiffs can file in the district court knowing that if a basis for claiming damages in excess of the jurisdictional limit of the district court should arise after they have filed their complaint, than they will have the opportunity to transfer their case to the superior court.

Having more civil cases filed in the district court will help relieve congestion in the superior courts in a cost-efficient manner, since most of the cases initially filed in the district court will remain there, and not be transferred to superior court.

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

Suggested Change

CRLJ 14A(b). REMOVAL TO SUPERIOR COURT

(a) [No change.]

(b) Claims in Excess of Jurisdiction - Generally. When ~~a defendant, third party defendant, or cross claimant~~ any party in good faith asserts a claim in an amount in excess of the jurisdiction of the district court or seeks a remedy beyond the jurisdiction of the district court, the district court shall order the entire case removed to superior court.

(c) - (e) [Unchanged.]

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

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

GR 9 COVER SHEET

Suggested Change

RULES FOR APPEAL OF DECISIONS OF COURTS OF LIMITED JURISDICTION (RALJ) RALJ 1.1

SCOPE OF RULES

Purpose: The suggested rule changes would implement RALJ procedures for the review of all final decisions of courts of limited jurisdiction, with the exception of the decisions of lay judges and the decisions made by small claims courts. Under the RALJ, the review of a final decision of a court of limited jurisdiction is a review for errors of law.

Under the current rule, while RALJ provisions govern most reviews of final decisions of the limited jurisdiction courts, the RALJ do not govern the review of final decisions made by municipal courts operating under RCW 3.50 and RCW Titles 35 and 35A, in municipalities with a population not exceeding 5,000 people. Final decisions of those municipal courts are reviewed *de novo* in the superior court pursuant to the Civil Rules for Courts of Limited Jurisdiction (CRLJ) 75.

It is unclear why the court rules specify a different method of review for municipalities under 5,000 One reason may have been that municipalities with a population less than 5,000 are permitted to have lay judges, as set forth in RCW 3.50.040, and decisions of lay judges in the courts of limited jurisdiction are always reviewed de novo. *RALJ 1.1(a).*

The suggested rule change would require that review of all final decisions from courts of limited jurisdiction be heard pursuant to the RALJ procedures, unless the municipal court decision was made by a lay judge or was made by a small claims court. There would appear to be no reason to require different methods of review for decisions made by a court of limited jurisdiction depending on the population of the municipality. A different method of review should only be required if the court's decision was made by a lay judge.

Requiring a review only for errors of law, rather than a de novo review, is the more-typical standard of review for decisions made by judicial officers who are not lay judges. Furthermore, a review of a court decision for errors of law, as opposed to a de novo review, which requires a new trial in the superior court, is a more cost-effective review of a decision. Finally, with the repeal of GR 8 by the Supreme Court, effective January 1, 2003, there will be fewer and fewer court decisions made by lay judges.

The other suggested changes to this rule would simplify the wording of the rule and clarify the two types of decisions by limited jurisdiction courts which would not be reviewed under the RALJ. Those decisions are small claims court decisions and decisions made by lay judges. Pursuant to RCW 12.36.055, the appeal from a small claims judgment or decision is a de novo review upon the record of the case. CRLJ 73 and 75 set forth the procedure for a de novo review on the record.

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Pursuant to RALJ 1.1(a), decisions of a lay judge are reviewed de novo. The procedures for a de novo review is also set forth in CRLJ 73 and 75.

In summary, the requested rule changes would make one substantive change by making final decisions of a limited jurisdiction court in a municipality not exceeding a population of 5,000, reviewable under the RALJ procedures, so long as the decision was made by a judge admitted to the practice of law in Washington. The other suggested changes would simplify the language of RALJ 1.1(a) without making any substantive changes.

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

RULES FOR APPEAL OF DECISIONS OF COURTS OF LIMITED JURISDICTION (RALJ)

RULE 1.1 SCOPE OF RULES

(a) Proceedings Subject to Rules. These rules establish the procedure, called appeal, for review by the superior court of a final decision of a court of limited jurisdiction, subject to the restrictions defined in this rule. ~~These rules apply only to review of (1) district courts operating under RCW 3.30; (2) municipal departments operating under RCW 3.46; (3) alternative municipal courts operating under RCW 3.50 in municipalities exceeding 5,000 in population; (4) municipal courts operating under RCW 35.20; (5) all other courts operating under RCW Title 35 or 35A in municipalities exceeding 5,000 in population; and (6) any other court required by law to have a lawyer judge. These rules do not apply to review of other courts of limited jurisdiction, do not apply to review of a small claims court operating under RCW 12.40, and do not apply to review of a decision of a judge who is not admitted to the practice of law in Washington. These rules do not supersede the procedure for seeking de novo review when these rules do not apply. These rules do not apply to and do not supercede the procedure for seeking de novo review on the record of other decisions of a court of limited jurisdiction.~~

(b) These rules do not apply to the de novo review of a decision of a judge who is not admitted to the practice of law in Washington and do not apply to the de novo review on the record of a decision of a small claims court operating under RCW 12.40. The procedures for review of these decisions are set forth in CRLJ 73 and 75.

~~(b)~~ (c) [Unchanged.]

~~(c)~~ (d) [Unchanged.]

~~(d)~~ (e) [Unchanged.]

~~(e)~~ (f) [Unchanged.]

~~(f)~~ (g) [Unchanged.]

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

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

WSR 03-23-019
RULES OF COURT
STATE SUPREME COURT
[November 6, 2003]

IN THE MATTER OF THE ADOPTION OF THE AMENDMENTS TO GR 23(d) AND (e)	)))	ORDER NO. 25700-A-785

The Professional Guardian Board having recommended the adoption of the proposed amendments to GR 23(d) and (e), and the Court having approved the proposed amendments for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(f), the proposed amendments as attached hereto are to be published for comment in the Washington Reports, Washington Register, Washington State Bar Association and Administrative Office of the Courts' websites in January 2004.

(b) The purpose statement as required by GR 9(d), is published solely for the information of the Bench, Bar and other interested parties.

(c) Comments are to be submitted to the Clerk of the Supreme Court by either U.S. Mail or Internet E-Mail by no later than April 30, 2004. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or Lisa.Bausch@courts.wa.gov. Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 6th day of November 2003.

For the Court

Gerry L. Alexander
CHIEF JUSTICE

GR 9 COVER SHEET

Suggested Change

GENERAL RULES (GR)

GR 23 (d) and (e). RULE FOR CERTIFYING PROFESSIONAL GUARDIANS

Purpose: The current rule allows the Board to deny certification to an applicant if the applicant has ever been removed as a guardian by a court order; for example, if the applicant has worked as a guardian in another state or worked as a guardian prior to certification. *GR 23 (d)(8).* The current rule also requires a certified guardian to report to the Board anytime the guardian is removed by a court order. *GR 23 (e)(i).*

It is the Board's recommendation that both of these sections be revised so that guardians are only required to disclose removal by a court order when the removal is "for cause".

The suggested rule change requires an applicant or certified guardian to disclose to the Board when a court has removed a guardian when a judgment has been entered

against the professional guardian as a result of the performance of services as a guardian, or when there has been a finding by the court that the guardian has committed malfeasance, nonfeasance, misfeasance, a felony, or a crime of moral turpitude.

A guardian may be removed by a court for many reasons that would not be considered a removal for cause. For example, when an incapacitated person moves out-of-state to be closer to family members, and the guardianship is transferred to the incapacitated person's new county of residence, then the Washington guardian will be removed. Another example of a removal for reasons other than cause is when a guardian is removed because there is a personality conflict between the guardian and the incapacitated person, or the guardian and a family member, even though the guardian may be performing his or her duties in a satisfactory manner. The guardian often acquiesces in a removal for this reason.

The Board's obligation to incapacitated persons, to the courts and to the public to allow only the certification of qualified individuals, will still be met under the rule change. The rule change will remove an unnecessary burden from the guardians, who are currently required to report every removal by court order, and from the Board, which is the recipient of information which is not significant to its purpose, as a result of the current over inclusive wording of the rule.

Finally, the Board suggests that the numbering of the subsections under GR 23(e) be revised to be internally consistent with the subsection numbering of the remainder of GR 23.

Suggested Changes

GENERAL RULES (GR)

GR 23 (d) and (e)

(a) - (c) [No changes.]

(d) Certification Requirements. Applicants, Certified Professional Guardians, and Certified Agencies shall comply with the provisions of Chapter 11.88 and 11.92 RCW. In addition, individuals and agencies must meet the following requirements.

(1) *Individual Certification.* An individual applicant shall:

(i) Be at least 18 years of age;

(ii) Be of sound mind;

(iii) Have no felony or misdemeanor convictions involving moral turpitude;

(iv) Possess a high school diploma or equivalency (GED) and five years experience working in a discipline pertinent to the provision of guardianship services, such as legal, financial, social service, or health care; or an Associate of Arts degree and three years experience working in a discipline pertinent to the provision of guardianship services, such as legal, financial, social service, or health care; or a Bachelor of Arts degree and one year of experience working in a discipline pertinent to the provision of guardianship services, such as legal, financial, social service, or health care; and

(v) Have completed the mandatory certification training.

(2) *Agency Certification.* Agencies must meet the following additional requirements:

(i) All officers and directors of the corporation must meet the qualifications of Chapter 11.88.020 RCW for guardians;

(ii) Each agency shall have at least two (2) individuals in the agency certified as professional guardians, whose residence or principal place of business is in Washington State and who are so designated in minutes or a resolution from the Board of Directors; and

(iii) Each agency shall file and maintain in every guardianship court file a current designation of each certified professional guardian with final decision-making authority for the incapacitated person or their estate.

(3) *Training Program and Examination.* Applicants must satisfy the Board's training program and examination requirements.

(4) *Insurance Coverage.* In addition to the bonding requirements of Chapter 11.88 RCW, applicants must be insured or bonded at all times in such amount as may be determined by the Board and shall notify the Board immediately of cancellation of required coverage.

(5) *Financial Responsibility.* Applicants must provide proof of ability to respond to damages resulting from acts or omissions in the performance of services as a guardian. Proof of financial responsibility shall be in such form and in such amount as the Board may prescribe by regulation.

(6) *Application and Oath.* Applicants must execute and file with the Board an approved application under oath.

(7) *Fees.* Applicants must pay fees as the Board may require by regulation.

(8) *Denial of Certification.* The Board may deny certification of an individual or agency based on the following criteria:

(i) Removal as guardian by a court order where;

~~(ii)~~ a) Judgment has been entered against the ~~professional~~ guardian as a result of the performance of services as a guardian;

~~(iii)~~ b) There is a ~~F~~finding by the court that the ~~professional~~ guardian ~~is guilty of~~ has committed malfeasance, nonfeasance, misfeasance, a felony, or crime of moral turpitude;

~~(iv)~~ (ii) Any adjudication of the types specified in RCW 43.43.830, and RCW 43.43.842;

~~(v)~~ (iii) Finding by the court that the professional guardian has violated the guardian's duties to the incapacitated person or their estate; and

~~(vi)~~ (iv) Pending or final professional licensing or disciplinary board actions or findings of violations.

(e) Disclosure Requirements. A Certified Professional Guardian or Certified Agency shall disclose to the Board upon application and on a continuing basis:

~~(i)~~ (1) Removal as guardian by a court order where;

~~(ii)~~ (a) Judgment has been entered against the professional guardian as a result of the performance of services as a guardian;

~~(iii)~~ (b) There is a ~~F~~finding by a court that the professional guardian ~~is guilty of~~ has committed malfeasance, nonfeasance, misfeasance, a felony, or crime of moral turpitude;

~~(iv)~~ (2) Any adjudication of the types specified in RCW 43.43.830, and RCW 43.43.842;

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~~(v)~~ (3) Finding by a court that the professional guardian has violated the guardian's duties to the incapacitated person or their estate;

~~(vi)~~ (4) Pending or final professional licensing or disciplinary board actions or findings of violations;

~~(vii)~~ (5) Residential or business moves or changes in employment; and

~~(viii)~~ (6) Names of Certified Professional Guardians they employ or who leave their employ.

(f) - (m) [No changes.]

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.

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

WSR 03-23-041
NOTICE OF PUBLIC MEETINGS
MARINE EMPLOYEES' COMMISSION
[Memorandum—November 10, 2003]

Notice of Revised 2004 Marine Employees' Commission Public Meetings Schedule

The following is the revised schedule of the year 2004 monthly meetings of the Marine Employees' Commission (MEC):

MONTH	DAY	LOCATION
January	23	Olympia
February	27	Olympia
*March	26	Olympia
April	23	Olympia
May	21	Seattle
June	*NO MEETING*	———
July	9	Seattle
August	27	Seattle
*September	24	Seattle
October	22	Seattle
November	*NO MEETING*	———
*December	10	Seattle

All meetings will begin at **10:00 a.m.** Meetings scheduled in Seattle will be held in the Dolphin Conference Room, Colman Building, 3rd Floor, 811 First Avenue, Seattle. Meetings scheduled in Olympia will be held in the Second Floor Conference Room, Evergreen Plaza Building, 711 Capitol Way South, Olympia.

Special Needs: For special accommodations or to request auxiliary aid, please contact the MEC office at least ten days in advance of the event at (360) 586-6354 (voice) or (360) 586-0820 (fax).

*Quarterly management team meetings will be held immediately following the commission meetings.

WSR 03-23-043
NOTICE OF PUBLIC MEETINGS
CASCADIA COMMUNITY COLLEGE
[Memorandum—November 12, 2003]

Cascadia Community College
2004 Board of Trustees - Meeting Dates
Third Wednesday of Each Month

All meetings will begin at 1:30 p.m. and will take place in the board room (Room 260) at Cascadia Community College, 18345 Campus Way N.E., Bothell, WA 98011.

2004 Board Meeting Dates
Approved by the Board - September 17, 2003

January 21, 2004
February 18, 2004
March 17, 2004
April 21, 2004
May 19, 2004
June 16, 2004
July - No scheduled meeting
August - No scheduled meeting
September 15, 2004
October 20, 2004
November 17, 2004
December 15, 2004

Please note: No regular meetings will be held during July and August.

WSR 03-23-044
NOTICE OF PUBLIC MEETINGS
CONVENTION AND TRADE CENTER
[Memorandum—November 12, 2003]

A regular meeting of the Washington State Convention and Trade Center board of directors will be held on **Tuesday, November 18, 2003, at 2:00 p.m.** in Room 201 of the Convention Center, 800 Convention Place Seattle.

If you have any questions regarding this meeting, please call (206) 694-5000.

WSR 03-23-045
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF GENERAL ADMINISTRATION
(Capitol Campus Design Advisory Committee)
[Memorandum—November 10, 2003]

Following is a Capitol Campus Design Advisory Committee meeting cancellation:

Date: Thursday, November 13, 2003
Time: 10:00 a.m.
Location: General Administration Building
Room 207

If you have any questions, please contact Kim Buccarelli at (360) 902-0955.

WSR 03-23-050
POLICY STATEMENT
DEPARTMENT OF REVENUE
[Filed November 14, 2003, 11:33 a.m.]

CANCELLATION OF INTERPRETATIVE AND/OR POLICY STATEMENT

This announcement is being published in the Washington State Register under the requirements of RCW 34.05.230(4).

The Department of Revenue has cancelled the following Property Tax Bulletins effective November 14, 2003: **PTB 91-4 Notice of Value Change** and **PTB 91-18 Revaluation Notice.**

The information provided in these documents is sufficiently addressed in WAC 458-12-360 Notice of change in value of real property.

Questions regarding the cancellation of these bulletins may be directed to Velinda Brown, Property Tax Division, P.O. Box 47471, Olympia, WA 98504-7471, phone (360) 570-5865, fax (360) 586-7602, internet VelindaB@dor.wa.gov.

Alan R. Lynn
Rules Coordinator

WSR 03-23-063
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
[Filed November 17, 2003, 10:13 a.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Numbered Memorandum 03-18 MAA.
Subject: Nondurable medical supplies and equipment (MSE): Fee schedule and authorization changes.
Effective Date: June 30, 2003.
Document Description: The Medical Assistance Administration (MAA) has revised the nondurable medical supplies and equipment fee schedule section in MAA's nondurable medical supplies and equipment (MSE) billing instructions. The new maximum allowables are **effective for dates of service on and after July 1, 2003.**

To receive a copy of the interpretive or policy statement, contact Kevin Sullivan, Regulatory Improvement Coordinator, Department of Social and Health Services, Medical Assistance Administration, Division of Program Support, P.O. Box 45533, Olympia, WA 98504-5533, phone (360) 725-1344 or go to website http://maa.dshs.wa.gov/download/publicationsfees.htm (click on "Numbered Memoranda," "Year 2003"), TDD 1-800-848-5429, fax (360) 586-9727, e-mail mailto:sullikm@dshs.wa.gov.

November 13, 2003
E. A. Myers, Manager
Rules and Publications Section

WSR 03-23-064
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
[Filed November 17, 2003, 10:14 a.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Numbered Memorandum 03-19 MAA.
Subject: Prosthetic and orthotic devices: Fee schedule changes.
Effective Date: July 1, 2003.
Document Description: **Effective for dates of service on and after July 1, 2003,** the Medical Assistance Administration (MAA) has revised the fee schedule for prosthetic and orthotic devices to match Medicare's 2003 fees. MAA also updated the EPA criteria coding list in MAA's prosthetic and orthotic devices billing instructions, dated September 2001.

To receive a copy of the interpretive or policy statement, contact Kevin Sullivan, Regulatory Improvement Coordinator, Department of Social and Health Services, Medical Assistance Administration, Division of Program Support, P.O. Box 45533, Olympia, WA 98504-5533, phone (360) 725-1344 or go to website http://maa.dshs.wa.gov/download/publicationsfees.htm (click on "Numbered Memoranda," "Year 2003"), TDD 1-800-848-5429, fax (360) 586-9727, e-mail mailto:sullikm@dshs.wa.gov.

November 13, 2003
E. A. Myers, Manager
Rules and Publications Section

WSR 03-23-065
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
[Filed November 17, 2003, 10:15 a.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Numbered Memorandum 03-20 MAA.
Subject: Revised fee schedule for wheelchairs
Effective Date: July 1, 2003.
Document Description: The Medical Assistance Administration (MAA) has revised the wheelchair fee schedule section in MAA's wheelchairs, durable medical equipment and supplies billing instructions. The new maximum allowables are **effective for dates of service on and after July 1, 2003.**

To receive a copy of the interpretive or policy statement, contact Kevin Sullivan, Regulatory Improvement Coordina-

tor, Department of Social and Health Services, Medical Assistance Administration, Division of Program Support, P.O. Box 45533, Olympia, WA 98504-5533, phone (360) 725-1344 or go to website http://maa.dshs.wa.gov/download/publicationsfees.htm (click on "Numbered Memoranda," "Year 2003"), TDD 1-800-848-5429, fax (360) 586-9727, e-mail mailto:sullikm@dshs.wa.gov.

November 13, 2003

E. A. Myers, Manager

Rules and Publications Section

WSR 03-23-066

INTERPRETIVE OR POLICY STATEMENT

DEPARTMENT OF SOCIAL AND HEALTH SERVICES

[Filed November 17, 2003, 10:16 a.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Numbered Memorandum 03-26 MAA.

Subject: Blood banks: Fee schedule changes and discontinued state-unique procedure codes surgery centers: Fee schedule update and technical changes.

Effective Date: June 30, 2003.

Document Description: **Effective for dates of service on and after July 1, 2003,** the Medical Assistance Administration (MAA) will:

- Implement the updated Medicare physician fee schedule data base (MPFSDB) year 2003 relative value units (RVUs);
- Implement the updated Medicare clinical laboratory fee schedule (MCLFS);
- Implement the year 2003 additions of current procedural terminology (CPT.) codes;
- Implement the additions to health care financing administration common procedure coding system (HCPCS) Level II codes; **and**
- **Discontinue** all state-unique procedure codes previously used in the blood bank services billing instructions.

To receive a copy of the interpretive or policy statement, contact Kevin Sullivan, Regulatory Improvement Coordinator, Department of Social and Health Services, Medical Assistance Administration, Division of Program Support, P.O. Box 45533, Olympia, WA 98504-5533, phone (360) 725-1344 or go to website http://maa.dshs.wa.gov/download/publicationsfees.htm (click on "Numbered Memoranda," "Year 2003"), TDD 1-800-848-5429, fax (360) 586-9727, e-mail mailto:sullikm@dshs.wa.gov.

November 13, 2003

E. A. Myers, Manager

Rules and Publications Section

WSR 03-23-067

INTERPRETIVE OR POLICY STATEMENT

DEPARTMENT OF SOCIAL AND HEALTH SERVICES

[Filed November 17, 2003, 10:17 a.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Numbered Memorandum 03-35 MAA.

Subject: Ambulatory surgery centers: Fee schedule update and technical changes.

Effective Date: June 30, 2003.

Document Description: **Effective for dates of service on and after July 1, 2003,** the Medical Assistance Administration (MAA) will adopt the 2003 Medicare fee schedule datebase (MFSDB) ambulatory surgery centers groupers for the new January 1, 2003, CPT procedure codes.

To receive a copy of the interpretive or policy statement, contact Kevin Sullivan, Regulatory Improvement Coordinator, Department of Social and Health Services, Medical Assistance Administration, Division of Program Support, P.O. Box 45533, Olympia, WA 98504-5533, phone (360) 725-1344 or go to website http://maa.dshs.wa.gov/download/publicationsfees.htm (click on "Numbered Memoranda," "Year 2003"), TDD 1-800-848-5429, fax (360) 586-9727, e-mail mailto:sullikm@dshs.wa.gov.

November 13, 2003

E. A. Myers, Manager

Rules and Publications Section

WSR 03-23-068

INTERPRETIVE OR POLICY STATEMENT

DEPARTMENT OF SOCIAL AND HEALTH SERVICES

[Filed November 17, 2003, 10:18 a.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Numbered Memorandum 03-36 MAA.

Subject: Chiropractic services for children: Fee schedule updates and procedure code changes.

Effective Date: June 30, 2003.

Document Description: **Effective for dates of service on and after July 1, 2003,** the Medical Assistance Administration (MAA) will implement the updated Medicare physician fee schedule data base (MPFSDB) year 2003 relative value units (RVUs) and discontinue state-unique modifier 1R for the chiropractic services for children program.

To receive a copy of the interpretive or policy statement, contact Kevin Sullivan, Regulatory Improvement Coordinator, Department of Social and Health Services, Medical Assistance Administration, Division of Program Support, P.O. Box 45533, Olympia, WA 98504-5533, phone (360) 725-1344 or go to website http://maa.dshs.wa.gov/download/publicationsfees.htm (click on "Numbered Memo-

randa," "Year 2003"), TDD 1-800-848-5429, fax (360) 586-9727, e-mail mailto:sullikm@dshs.wa.gov.

November 13, 2003
E. A. Myers, Manager
Rules and Publications Section

WSR 03-23-069
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
[Filed November 17, 2003, 10:19 a.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Numbered Memorandum 03-37 MAA.

Subject: Diabetes education program: Fee schedule update and discontinued state-unique procedure codes.

Effective Date: June 30, 2003.

Document Description: **Effective for dates of service on and after August 1, 2003,** the Medical Assistance Administration (MAA) will **discontinue** all state-unique procedure codes previously used in the diabetes education program.

To receive a copy of the interpretive or policy statement, contact Kevin Sullivan, Regulatory Improvement Coordinator, Department of Social and Health Services, Medical Assistance Administration, Division of Program Support, P.O. Box 45533, Olympia, WA 98504-5533, phone (360) 725-1344 or go to website http://maa.dshs.wa.gov/download/publicationsfees.htm (click on "Numbered Memoranda," "Year 2003"), TDD 1-800-848-5429, fax (360) 586-9727, e-mail mailto:sullikm@dshs.wa.gov.

November 13, 2003
E. A. Myers, Manager
Rules and Publications Section

WSR 03-23-070
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
[Filed November 17, 2003, 10:20 a.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Numbered Memorandum 03-38 MAA.

Subject: Family planning providers: Fee schedule changes and discontinued state-unique procedure codes.

Effective Date: June 30, 2003.

Document Description: **Effective for dates of service on and after July 1, 2003,** the Medical Assistance Administration (MAA) will implement:

- The updated Medicare physician fee schedule data base (MPFSDB) year 2003 relative value units (RVUs);
- The Year 2003 additions of current procedural terminology (CPT.) codes;
- Changes to health care financing administration common procedure coding system (HCPCS) Level II codes; and
- Technical changes.

To receive a copy of the interpretive or policy statement, contact Kevin Sullivan, Regulatory Improvement Coordinator, Department of Social and Health Services, Medical Assistance Administration, Division of Program Support, P.O. Box 45533, Olympia, WA 98504-5533, phone (360) 725-1344 or go to website http://maa.dshs.wa.gov/download/publicationsfees.htm (click on "Numbered Memoranda," "Year 2003"), TDD 1-800-848-5429, fax (360) 586-9727, e-mail mailto:sullikm@dshs.wa.gov.

November 13, 2003
E. A. Myers, Manager
Rules and Publications Section

WSR 03-23-071
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
[Filed November 17, 2003, 10:21 a.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Numbered Memorandum 03-39 MAA.

Subject: HIV/AIDS case management: Fee schedule changes and discontinued state-unique procedure codes.

Effective Date: June 30, 2003.

Document Description: **Effective for dates of service on and after July 1, 2003,** the maximum allowable fees for the HIV/AIDS case management program will remain at their current levels.

To receive a copy of the interpretive or policy statement, contact Kevin Sullivan, Regulatory Improvement Coordinator, Department of Social and Health Services, Medical Assistance Administration, Division of Program Support, P.O. Box 45533, Olympia, WA 98504-5533, phone (360) 725-1344 or go to website http://maa.dshs.wa.gov/download/publicationsfees.htm (click on "Numbered Memoranda," "Year 2003"), TDD 1-800-848-5429, fax (360) 586-9727, e-mail mailto:sullikm@dshs.wa.gov.

November 13, 2003
E. A. Myers, Manager
Rules and Publications Section

WSR 03-23-072
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
[Filed November 17, 2003, 10:23 a.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Numbered Memorandum 03-40 MAA.

Subject: FQHC interpreter services: Discontinued state-unique code.

Effective Date: June 30, 2003.

Document Description: **Effective for dates of service on and after July 1, 2003,** the Medical Assistance Administration (MAA) will **discontinue state-unique procedure code 0982M** for FQHC interpreter services.

To receive a copy of the interpretive or policy statement, contact Kevin Sullivan, Regulatory Improvement Coordinator, Department of Social and Health Services, Medical Assistance Administration, Division of Program Support, P.O. Box 45533, Olympia, WA 98504-5533, phone (360) 725-1344 or go to website http://maa.dshs.wa.gov/download/publicationsfees.htm (click on "Numbered Memoranda," "Year 2003"), TDD 1-800-848-5429, fax (360) 586-9727, e-mail mailto:sullikm@dshs.wa.gov.

November 13, 2003
E. A. Myers, Manager
Rules and Publications Section

WSR 03-23-073
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
[Filed November 17, 2003, 10:24 a.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Numbered Memorandum 03-41 MAA.

Subject: Medical nutrition therapy: Fee schedule changes.

Effective Date: June 30, 2003.

Document Description: **Effective for dates of service on and after July 1, 2003,** the Medical Assistance Administration (MAA) will implement the updated Medicare physician fee schedule data base (MPFSDB) year 2003 relative value units (RVUs).

To receive a copy of the interpretive or policy statement, contact Kevin Sullivan, Regulatory Improvement Coordinator, Department of Social and Health Services, Medical Assistance Administration, Division of Program Support, P.O. Box 45533, Olympia, WA 98504-5533, phone (360) 725-1344 or go to website http://maa.dshs.wa.gov/download/publicationsfees.htm (click on "Numbered Memoranda," "Year 2003"), TDD 1-800-848-5429, fax (360) 586-9727, e-mail mailto:sullikm@dshs.wa.gov.

November 13, 2003
E. A. Myers, Manager
Rules and Publications Section

WSR 03-23-074
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
[Filed November 17, 2003, 10:25 a.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Numbered Memorandum 03-42 MAA.

Subject: Neurodevelopmental centers: Fee schedule changes.

Effective Date: July 1, 2003.

Document Description: **Effective for dates of service on and after July 1, 2003,** the Medical Assistance Administration (MAA) will implement:

- The updated Medicare physician fee schedule data base (MPFSDB) year 2003 relative value units (RVUs);
- The year 2003 additions of current procedural terminology (CPT) codes; and
- Changes to health care financing administration common procedure coding system (HCPCS) Level II codes.

To receive a copy of the interpretive or policy statement, contact Kevin Sullivan, Regulatory Improvement Coordinator, Department of Social and Health Services, Medical Assistance Administration, Division of Program Support, P.O. Box 45533, Olympia, WA 98504-5533, phone (360) 725-1344 or go to website http://maa.dshs.wa.gov/download/publicationsfees.htm (click on "Numbered Memoranda," "Year 2003"), TDD 1-800-848-5429, fax (360) 586-9727, e-mail mailto:sullikm@dshs.wa.gov.

November 13, 2003
E. A. Myers, Manager
Rules and Publications Section

WSR 03-23-075
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
[Filed November 17, 2003, 10:26 a.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Numbered Memorandum 03-43 MAA.

Subject: Occupational therapy program: Fee schedule changes.

Effective Date: June 30, 2003.

Document Description: **Effective for dates of service on and after July 1, 2003,** the Medical Assistance Administration (MAA) will implement:

- The updated Medicare physician fee schedule data base (MPFSDB) year 2003 relative value units (RVUs);
- The year 2003 additions of current procedural terminology (CPT) codes; and
- Changes to health care financing administration common procedure coding system (HCPCS) Level II codes.

To receive a copy of the interpretive or policy statement, contact Kevin Sullivan, Regulatory Improvement Coordinator, Department of Social and Health Services, Medical Assistance Administration, Division of Program Support, P.O. Box 45533, Olympia, WA 98504-5533, phone (360) 725-1344 or go to website http://maa.dshs.wa.gov/download/publicationsfees.htm (click on "Numbered Memo-

randa," "Year 2003"), TDD 1-800-848-5429, fax (360) 586-9727, e-mail mailto:sullikm@dshs.wa.gov.

November 13, 2003
E. A. Myers, Manager
Rules and Publications Section

WSR 03-23-076
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
[Filed November 17, 2003, 10:27 a.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Numbered Memorandum 03-44 MAA.

Subject: Outpatient hospitals: Fee schedule changes and procedure code updates.

Effective Date: July 10, 2003.

Document Description: **Effective for dates of service on and after July 1, 2003,** the Medical Assistance Administration (MAA) has updated the maximum allowable fees for outpatient hospital services.

Effective for dates of service on and after August 1, 2003, the MAA, in accordance with the Medicare fee schedule data base, has added the following procedure codes to the list of codes that MAA will reimburse according to the maximum allowable fee schedule.

To receive a copy of the interpretive or policy statement, contact Kevin Sullivan, Regulatory Improvement Coordinator, Department of Social and Health Services, Medical Assistance Administration, Division of Program Support, P.O. Box 45533, Olympia, WA 98504-5533, phone (360) 725-1344 or go to website http://maa.dshs.wa.gov/download/publicationsfees.htm (click on "Numbered Memoranda," "Year 2003"), TDD 1-800-848-5429, fax (360) 586-9727, e-mail mailto:sullikm@dshs.wa.gov.

November 13, 2003
E. A. Myers, Manager
Rules and Publications Section

WSR 03-23-077
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
[Filed November 17, 2003, 10:28 a.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Numbered Memorandum 03-45 MAA.

Subject: Physical therapy program: Fee schedule changes.

Effective Date: June 30, 2003.

Document Description: **Effective for dates of service on and after July 1, 2003,** the Medical Assistance Administration (MAA) will implement:

- The updated Medicare physician fee schedule data base (MPFSDB) year 2003 relative value units (RVUs);
- The year 2003 additions of current procedural terminology (CPT™) codes; and
- Changes to health care financing administration common procedure coding system (HCPCS) Level II codes.

To receive a copy of the interpretive or policy statement, contact Kevin Sullivan, Regulatory Improvement Coordinator, Department of Social and Health Services, Medical Assistance Administration, Division of Program Support, P.O. Box 45533, Olympia, WA 98504-5533, phone (360) 725-1344 or go to website http://maa.dshs.wa.gov/download/publicationsfees.htm (click on "Numbered Memoranda," "Year 2003"), TDD 1-800-848-5429, fax (360) 586-9727, e-mail mailto:sullikm@dshs.wa.gov.

November 13, 2003
E. A. Myers, Manager
Rules and Publications Section

WSR 03-23-078
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
[Filed November 17, 2003, 10:29 a.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Numbered Memorandum 03-46 MAA.

Subject: Prenatal genetic counseling: Fee schedule changes and discontinued state-unique procedure codes.

Effective Date: July 10, 2003.

Document Description: **Effective for dates of service on and after August 1, 2003,** the Medical Assistance Administration (MAA) will:

- Implement the updated Medicare physician fee schedule data base (MPFSDB) Year 2003 relative value units (RVUs); **and**
- **Discontinue** all state-unique procedure codes previously used in the *Prenatal Diagnosis Genetic Counseling Billing Instructions.*

To receive a copy of the interpretive or policy statement, contact Kevin Sullivan, Regulatory Improvement Coordinator, Department of Social and Health Services, Medical Assistance Administration, Division of Program Support, P.O. Box 45533, Olympia, WA 98504-5533, phone (360) 725-1344 or go to website http://maa.dshs.wa.gov/download/publicationsfees.htm (click on "Numbered Memoranda," "Year 2003"), TDD 1-800-848-5429, fax (360) 586-9727, e-mail mailto:sullikm@dshs.wa.gov.

November 13, 2003
E. A. Myers, Manager
Rules and Publications Section

WSR 03-23-079
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
[Filed November 17, 2003, 10:30 a.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Numbered Memorandum 03-47 MAA.

Subject: Audiologist and speech pathologist program: Fee schedule changes.

Effective Date: June 30, 2003.

Document Description: **Effective for dates of service on and after July 1, 2003,** the Medical Assistance Administration (MAA) will implement:

- The updated Medicare physician fee schedule data base (MPFSDB) year 2003 relative value units (RVUs);
- The year 2003 additions of current procedural terminology (CPT™) codes; and
- Changes to health care financing administration common procedure coding system (HCPCS) Level II codes.

To receive a copy of the interpretive or policy statement, contact Kevin Sullivan, Regulatory Improvement Coordinator, Department of Social and Health Services, Medical Assistance Administration, Division of Program Support, P.O. Box 45533, Olympia, WA 98504-5533, phone (360) 725-1344 or go to website http://maa.dshs.wa.gov/download/publicationsfees.htm (click on "Numbered Memoranda," "Year 2003"), TDD 1-800-848-5429, fax (360) 586-9727, e-mail mailto:sullikm@dshs.wa.gov.

November 13, 2003
E. A. Myers, Manager
Rules and Publications Section

MISC.

WSR 03-23-080
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
[Filed November 17, 2003, 10:31 a.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Numbered Memorandum 03-48 MAA.

Subject: Kidney center program: Fee schedule changes.

Effective Date: June 30, 2003.

Document Description: **Effective for dates of service on or after July 1, 2003.** The Medical Assistance Administration (MAA) will implement:

- The year 2003 additions of current procedural terminology (CPT™) codes;
- Changes to health care financing administration common procedure coding system (HCPCS) Level II Codes; and
- Technical changes.

To receive a copy of the interpretive or policy statement, contact Kevin Sullivan, Regulatory Improvement Coordinator, Department of Social and Health Services, Medical Assistance Administration, Division of Program Support, P.O. Box 45533, Olympia, WA 98504-5533, phone (360) 725-1344 or go to website http://maa.dshs.wa.gov/download/publicationsfees.htm (click on "Numbered Memoranda," "Year 2003"), TDD 1-800-848-5429, fax (360) 586-9727, e-mail mailto:sullikm@dshs.wa.gov.

November 13, 2003
E. A. Myers, Manager
Rules and Publications Section

WSR 03-23-081
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
[Filed November 17, 2003, 10:32 a.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Numbered Memorandum 03-49 MAA.

Subject: Medical nutrition: Fee schedule changes.

Effective Date: June 30, 2003.

Document Description: **Effective for dates of service on and after July 1, 2003,** the maximum allowable fees for the medical nutrition program will remain at their current levels.

To receive a copy of the interpretive or policy statement, contact Kevin Sullivan, Regulatory Improvement Coordinator, Department of Social and Health Services, Medical Assistance Administration, Division of Program Support, P.O. Box 45533, Olympia, WA 98504-5533, phone (360) 725-1344 or go to website http://maa.dshs.wa.gov/download/publicationsfees.htm (click on "Numbered Memoranda," "Year 2003"), TDD 1-800-848-5429, fax (360) 586-9727, e-mail mailto:sullikm@dshs.wa.gov.

November 13, 2003
E. A. Myers, Manager
Rules and Publications Section

WSR 03-23-082
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
[Filed November 17, 2003, 10:33 a.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Numbered Memorandum 03-50 MAA.

Subject: ITA transportation: Fee schedule update.

Effective Date: June 30, 2003.

Document Description: Effective for dates of service on and after July 1, 2003, **the maximum allowable fees for the ITA transportation program will remain at their current levels.**

To receive a copy of the interpretive or policy statement, contact Kevin Sullivan, Regulatory Improvement Coordinator, Department of Social and Health Services, Medical Assistance Administration, Division of Program Support,

P.O. Box 45533, Olympia, WA 98504-5533, phone (360) 725-1344 or go to website http://maa.dshs.wa.gov/download/publicationsfees.htm (click on "Numbered Memoranda," "Year 2003"), TDD 1-800-848-5429, fax (360) 586-9727, e-mail mailto:sullikm@dshs.wa.gov.

November 13, 2003
E. A. Myers, Manager
Rules and Publications Section

WSR 03-23-083
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
[Filed November 17, 2003, 10:35 a.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Numbered Memorandum 03-51 MAA.

Subject: Update oxygen and respiratory billing instructions and fee schedule.

Effective Date: July 9, 2003.

Document Description: **Effective for claims with dates of service on and after July 1, 2003.** The Medical Assistance Administration (MAA) has updated the fee schedule section in MAA's *Oxygen & Respiratory Therapy Billing Instructions* dated January, 2000. The changes are listed in this memorandum.

To receive a copy of the interpretive or policy statement, contact Kevin Sullivan, Regulatory Improvement Coordinator, Department of Social and Health Services, Medical Assistance Administration, Division of Program Support, P.O. Box 45533, Olympia, WA 98504-5533, phone (360) 725-1344 or go to website http://maa.dshs.wa.gov/download/publicationsfees.htm (click on "Numbered Memoranda," "Year 2003"), TDD 1-800-848-5429, fax (360) 586-9727, e-mail mailto:sullikm@dshs.wa.gov.

November 13, 2003
E. A. Myers, Manager
Rules and Publications Section

WSR 03-23-084
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
[Filed November 17, 2003, 10:36 a.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Numbered Memorandum 03-53 MAA.

Subject: Reinstatement of supplemental payments for qualified trauma services.

Effective Date: July 1, 2003.

Document Description: **Effective with dates of service on and after July 1, 2003,** the Medical Assistance Administration (MAA) will reinstate supplemental payments for trauma services provided to Medicaid clients.

To receive a copy of the interpretive or policy statement, contact Kevin Sullivan, Regulatory Improvement Coordinator, Department of Social and Health Services, Medical Assistance Administration, Division of Program Support, P.O. Box 45533, Olympia, WA 98504-5533, phone (360) 725-1344 or go to website http://maa.dshs.wa.gov/download/publicationsfees.htm (click on "Numbered Memoranda," "Year 2003"), TDD 1-800-848-5429, fax (360) 586-9727, e-mail mailto:sullikm@dshs.wa.gov.

November 13, 2003
E. A. Myers, Manager
Rules and Publications Section

WSR 03-23-085
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
[Filed November 17, 2003, 10:37 a.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Numbered Memorandum 03-54 MAA.

Subject: Telehealth.

Effective Date: October 1, 2003.

Document Description: **Effective for dates of service on and after October 1, 2003,** the Medical Assistance Administration (MAA) will reimburse approved providers for covered services provided to MAA clients **via telehealth** when it is considered medically necessary. All telehealth policies and reimbursement methodologies are outlined in this memorandum.

To receive a copy of the interpretive or policy statement, contact Kevin Sullivan, Regulatory Improvement Coordinator, Department of Social and Health Services, Medical Assistance Administration, Division of Program Support, P.O. Box 45533, Olympia, WA 98504-5533, phone (360) 725-1344 or go to website http://maa.dshs.wa.gov/download/publicationsfees.htm (click on "Numbered Memoranda," "Year 2003"), TDD 1-800-848-5429, fax (360) 586-9727, e-mail mailto:sullikm@dshs.wa.gov.

November 13, 2003
E. A. Myers, Manager
Rules and Publications Section

WSR 03-23-087
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
RETIREMENT SYSTEMS
(Employee Retirement Benefits Board)
[Memorandum—November 14, 2003]

The following information is provided in compliance with the requirement for the Employee Retirement Benefits Board (ERBB) to submit a schedule of regular meeting dates and locations for 2004.

The ERBB will conduct quarterly meetings in 2004. Meetings will be held at 9:30 a.m. in the boardroom at the Washington State Investment Board, 2100 Evergreen Park Drive S.W., in Olympia.

The meeting dates are: January 27, 2004, April 27, 2004, July 27, 2004, October 26, 2004.

If you have any questions or need additional information, please contact Wilma Eby at 664-7311.

WSR 03-23-088
NOTICE OF PUBLIC MEETINGS
HORSE RACING COMMISSION
[Memorandum—November 14, 2003]

In compliance with RCW 42.30.075 Schedule of regular meetings—Publication in state register—Notice of change—"regular" meetings defined, following are the adopted 2004 meeting dates for the Washington Horse Racing Commission:

DATE	TOPIC	LOCATION
Thursday January 8, 2004		10:00 a.m. Auburn City Council Chambers 25 West Main Auburn, WA (253) 931-3041
Thursday February 12, 2004	Spring/Summer Race Meets	10:00 a.m. Auburn City Council Chambers 25 West Main Auburn, WA (253) 931-3041
Thursday March 11, 2004		10:00 a.m. Auburn City Council Chambers 25 West Main Auburn, WA (253) 931-3041
Thursday April 8, 2004		10:00 a.m. Auburn City Council Chambers 25 West Main Auburn, WA (253) 931-3041
Thursday May 13, 2004		10:00 a.m. Auburn City Council Chambers 25 West Main Auburn, WA (253) 931-3041
Thursday June 10, 2004		10:00 a.m. Auburn City Council Chambers 25 West Main Auburn, WA (253) 931-3041
DATE	TOPIC	LOCATION
Thursday July 8, 2004	Fall/Winter Race Meets	10:00 a.m. Auburn City Council Chambers 25 West Main Auburn, WA (253) 931-3041
Thursday August 12, 2004		10:00 a.m. Auburn City Council Chambers 25 West Main Auburn, WA (253) 931-3041
Thursday September 9, 2004		10:00 a.m. Auburn City Council Chambers 25 West Main Auburn, WA (253) 931-3041
Thursday October 14, 2004		10:00 a.m. Auburn City Council Chambers 25 West Main Auburn, WA (253) 931-3041
Thursday November 18, 2004		10:00 a.m. Auburn City Council Chambers 25 West Main Auburn, WA (253) 931-3041
Thursday December 16, 2004		10:00 a.m. Auburn City Council Chambers 25 West Main Auburn, WA (253) 931-3041

WSR 03-23-089
NOTICE OF PUBLIC MEETINGS
TACOMA COMMUNITY COLLEGE
[Memorandum—November 14, 2003]

Pursuant to RCW 42.30.075, the following is the schedule for District 22 Tacoma Community College board of trustees meetings for the 2004 calendar year:

January 8, 2004

February 5, 2004
March 4, 2004 (2:00 tenure)
March 4, 2004 (4:00 regular meeting)
April 1, 2004
May 6, 2004
June 3, 2004
July 9-10, 2004 (possible special meeting/retreat)
August 2004 there is no meeting
September 2, 2004
October 7, 2004
November 4, 2004
December 2, 2004

All meetings of the board of trustees will be held at Tacoma Community College, 6501 South 19th Street, Tacoma, WA 98466. The meetings begin at 4:00 p.m. unless otherwise noted.

If you need any other information, you may call Cathie Bitz at (253) 566-5101 or e-mail cbitz@tcc.ctc.edu.

WSR 03-23-090
NOTICE OF PUBLIC MEETINGS
SEATTLE COMMUNITY COLLEGES
[Memorandum—November 14, 2003]

In compliance with RCW 42.30.075, following is the Seattle Community Colleges - District 6 board of trustees regular meeting schedule for 2004, which was adopted by the board on November 13, 2003.

If you have any questions, please contact Carolyn S. Yeager at (206) 587-3850.

BOARD OF TRUSTEES
2004 MEETING SCHEDULE

The board of trustees meetings begin with a study session or reception at **1:00 p.m.** Regular meeting agenda sessions will begin at **2:00 p.m.** Dates and locations of the meetings are noted below. **All meetings are on the second Thursday of the month, except for May and December, which will occur on the first Thursday of those months.**

Date	Location
January 8	Seattle Central Community College (SCCC) 1701 Broadway Seattle, WA 98122
February 12	Seattle Vocational Institute (SVI) 2120 South Jackson Street Seattle, WA 98144
March 11	South Seattle Community College (SSCC) 6000 16th Avenue S.W. Seattle, WA 98106
April 8	SCCD (Siegal Center) 1500 Harvard Avenue Seattle, WA 98122
May 6	North Seattle Community College (NSCC) 9600 College Way North Seattle, WA 98103
June 10	Seattle Central Community College (SCCC) 1701 Broadway Seattle, WA 98122
July 8	Seattle Vocational Institute (SVI) 2120 South Jackson Street Seattle, WA 98144
August	No meeting
September 9	South Seattle Community College (SSCC) 6000 16th Avenue S.W. Seattle, WA 98106
October 14	SCCD (Siegal Center) 1500 Harvard Avenue Seattle, WA 98122
November 11	North Seattle Community College (NSCC) 9600 College Way North Seattle, WA 98103
December 2	Seattle Central Community College (SCCC) 1701 Broadway Seattle, WA 98122

WSR 03-23-091
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF NATURAL RESOURCES
(Board of Natural Resources)
[Memorandum—November 14, 2003]

Board of Natural Resources Date Change

Date	January 8, 2004
Time	9:00 a.m.
Location	NRB-Room 172

The January 6, 2004, Board of Natural Resources meeting has been changed to January 8, 2004. It will be held at the same time and place. If you have any questions please feel free to contact Sasha Lange at 902-1727.

2003 BOARD OF NATURAL RESOURCES MEETING DATES

Below is the schedule for the Board of Natural Resources meetings for 2003. The meetings take place in Olympia at the Natural Resources Building in Room 172. Meetings begin at 9:00 but ending times will be determined as agendas are developed. If you have any questions, please call Maureen Malahovsky at (360) 902-1103 or e-mail at Maureen.malahovsky@wadnr.gov.

January 15, 2003
February 4, 2003
March 4, 2003
April 1, 2003
May 6, 2003

MISC.

June 3, 2003
August 19 and 29, 2003
September 2, 2003
October 7, 2003
November 10, 2003
December 2, 2003
January 8, 2004

WSR 03-23-092
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF NATURAL RESOURCES
(Natural Heritage Advisory Council)
[Memorandum—November 17, 2003]

NOTICE OF MEETINGS OF THE NATURAL HERITAGE ADVISORY COUNCIL

The Natural Heritage Advisory Council will meet on the following dates:

January 14, 2004	9:30 a.m. to 4:30 p.m. Natural Resources Building 1111 Washington Street S.E. Room 175A
March 10, 2004	9:30 a.m. to 4:30 p.m. Natural Resources Building 1111 Washington Street S.E. Room 172
May 20-21, 2004	Field trip - to be determined
October 13, 2004	9:30 a.m. to 4:30 p.m. Natural Resources Building 1111 Washington Street S.E. Room 172

Regular council business generally includes consideration of proposals for new natural areas, additions to existing natural areas, and management activities within existing natural areas.

For further information contact Department of Natural Resources, Natural Heritage Program, 1111 Washington Street S.E., Olympia, WA 98504-7014, (360) 902-1661.

WSR 03-23-095
NOTICE OF PUBLIC MEETINGS
ENERGY FACILITY SITE EVALUATION COUNCIL
[Memorandum—November 14, 2003]

EFSEC 2004 MEETING SCHEDULE TO BE PUBLISHED IN THE STATE REGISTER

2004 MEETING SCHEDULE

The meetings of the Energy Facility Site Evaluation Council will be held twice a month, on the first and third Monday's of the month, unless otherwise specified.

January 5 and *20
February 2 and *17
March 1 and 15
April 5 and 19
May 3 and 17
June 7 and 21
July *6 and 19
August 2 and 16
September *7 and 20
October 4 and 18
November 1 and 15
December 6 and 20

*Due to holiday, meeting scheduled on Tuesday

Council meetings start at 1:30 p.m. and are held at the WSU Building, Conference Room 308, 925 Plum Street S.E., Olympia, WA 98504-3172, phone (360) 956-2121.

WSR 03-23-096
RULES COORDINATOR
COMMUNITY COLLEGES OF SPOKANE
[Filed November 17, 2003, 4:18 p.m.]

The rules coordinator for Community Colleges of Spokane (CCS) has changed.

Please add Scott Morgan, Chief Operations Officer, to the published list as the present rules coordinator at CCS. He can be contacted at (509) 434-5060 or smorgan@ccs.spokane.edu.

Please remove, Connie Stafford Sherman, former rules coordinator.

Gary A. Livingston
Chancellor/Chief Executive Officer

WSR 03-23-102
DEPARTMENT OF ECOLOGY
[Filed November 18, 2003, 11:27 a.m.]

Department of Ecology Public Notice of Intent to Develop A General Permit for Biosolids Management

The Washington State Department of Ecology intends to develop a general permit that would allow permit holders to (1) apply biosolids to land, (2) transfer biosolids from one facility to another for treatment or disposal, and (3) deposit biosolids in a municipal solid waste landfill. This permit

would be the primary regulatory mechanism for approving the final use or disposal of biosolids in Washington state.

The Department of Ecology will use the standards for biosolids management adopted by rule in chapter 173-308 WAC, along with accepted best management practices principles, to assure that conditions in the general permit protect human health and the environment from adverse affects.

A list of the communities or facilities that ask to be covered under such a general permit is available from the person identified below. The department hereby requests your comments. Should the Department of Ecology (a) make a general permit available to all public and private entities that apply, transfer, treat, or dispose of biosolids, or (b) require each entity that manages or uses biosolids to obtain an individual permit?

Please send your comments, questions, or requests for further information by January 4, 2004, to Department of Ecology, c/o Mr. Marv Vialle, Solid Waste and Financial Assistance Program, P.O. Box 47600, Olympia, WA 98504-7600, e-mail mvia461@ecy.wa.gov.

KEY TO TABLE

This table covers the current calendar year through this issue of the Register and should be used to locate rules amended, adopted, or repealed subsequent to the publication date of the latest WAC or Supplement.

Symbols:

AMD = Amendment of existing section
A/R = Amending and recodifying a section
DECOD = Decodification of an existing section
NEW = New section not previously codified
OBJECT = Notice of objection by Joint Administrative Rules Review Committee
PREP = Preproposal comments
RE-AD = Readoption of existing section
RECOD = Recodification of previously codified section
REP = Repeal of existing section
RESCIND = Rescind of existing section
REVIEW = Review of previously adopted rule
SUSP = Suspending an existing section

Suffixes:

-C = Continuance of previous proposal
-E = Emergency action
-P = Proposed action
-S = Supplemental notice
-W = Withdrawal of proposed action
-X = Expedited rule making
-XA = Expedited adoption
-XR = Expedited repeal
No suffix means permanent action

WAC # Shows the section number under which an agency rule is or will be codified in the Washington Administrative Code.

WSR # Shows the issue of the Washington State Register where the document may be found; the last three digits identify the document within the issue.

WAC #	ACTION	WSR #
1- 21-070	AMD-X	03-21-159
3- 20-100	REP-P	03-05-101
3- 20-100	REP	03-09-144
3- 20-200	NEW-P	03-05-101
3- 20-200	NEW	03-09-144
3- 20-300	NEW-P	03-05-101
3- 20-300	NEW	03-09-144
4- 25	PREP	03-12-052
4- 25-410	AMD-P	03-17-061
4- 25-530	AMD-P	03-18-083
4- 25-530	AMD-C	03-22-067
4- 25-622	PREP	03-12-083
4- 25-622	AMD-P	03-17-060
4- 25-640	AMD-P	03-17-061
4- 25-670	NEW-P	03-17-061
4- 25-720	AMD-P	03-09-051
4- 25-720	AMD-S	03-10-036
4- 25-720	AMD	03-17-041
4- 25-721	PREP	03-05-012
4- 25-721	AMD-P	03-09-052
4- 25-721	AMD	03-17-042
4- 25-750	AMD-P	03-17-061
4- 25-830	PREP	03-17-040
4- 25-910	AMD-P	03-17-061
16- 08-003	NEW-E	03-17-080
16- 08-003	NEW-P	03-23-136
16- 08-004	NEW-E	03-17-080
16- 08-004	NEW-P	03-23-136
16- 54-155	NEW-E	03-03-085
16- 54-155	PREP	03-12-020
16- 54-155	NEW-E	03-12-021
16- 54-155	NEW-P	03-15-139
16- 54-155	NEW	03-19-029
16-100-001	REP-X	03-13-130
16-100-001	REP	03-20-063
16-100-010	REP-X	03-13-130
16-100-010	REP	03-20-063
16-100-020	REP-X	03-13-130
16-100-020	REP	03-20-063
16-157-020	AMD	03-03-044
16-157-030	AMD	03-03-044
16-157-100	REP	03-03-044
16-157-110	REP	03-03-044
16-157-200	REP	03-03-044
16-157-220	AMD	03-03-044
16-157-230	AMD	03-03-044
16-157-240	AMD	03-03-044
16-157-245	NEW	03-03-044
16-157-250	AMD	03-03-044
16-157-255	AMD	03-03-044
16-157-260	AMD	03-03-044
16-157-270	AMD	03-03-044
16-157-280	REP	03-03-044
16-157-290	AMD	03-03-044
16-160-010	AMD	03-03-045
16-160-020	AMD	03-03-045
16-160-025	REP	03-03-045
16-160-035	AMD	03-03-045
16-160-060	AMD	03-03-045
16-160-070	AMD	03-03-045
16-200-715	PREP	03-13-114
16-200-715	AMD-P	03-19-125
16-200-7401	NEW	03-02-100
16-200-7402	NEW	03-02-100
16-200-7403	NEW	03-02-100
16-200-7404	NEW	03-02-100
16-200-7405	NEW	03-02-100
16-200-7406	NEW	03-02-100
16-200-7407	NEW	03-02-100
16-200-750	REP-P	03-19-126
16-200-750	REP	03-23-129
16-200-755	REP-P	03-19-126
16-200-755	REP	03-23-129
16-200-760	REP-P	03-19-126
16-200-760	REP	03-23-129
16-200-770	REP-P	03-19-126
16-200-770	REP	03-23-129
16-200-790	REP-P	03-19-126
16-200-790	REP	03-23-129
16-200-795	REP-P	03-19-126
16-200-795	REP	03-23-129
16-200-805	REP-P	03-19-126
16-200-805	REP	03-23-129
16-200-815	REP-P	03-19-126
16-200-815	REP	03-23-129
16-200-820	REP-P	03-19-126
16-200-820	REP	03-23-129
16-200-830	REP-P	03-19-126
16-200-830	REP	03-23-129
16-200-840	REP-P	03-19-126
16-200-840	REP	03-23-129
16-200-860	REP-P	03-19-126
16-200-860	REP	03-23-129
16-200-865	REP-P	03-19-126
16-200-865	REP	03-23-129
16-200-885	REP-P	03-19-126
16-200-885	REP	03-23-129
16-200-887	REP-P	03-19-126
16-200-887	REP	03-23-129
16-200-890	REP-P	03-19-126
16-200-890	REP	03-23-129
16-200-900	REP-P	03-19-126
16-200-900	REP	03-23-129
16-200-910	REP-P	03-19-126
16-200-910	REP	03-23-129
16-200-920	REP-P	03-19-126
16-200-920	REP	03-23-129
16-200-930	REP-P	03-19-126
16-200-930	REP	03-23-129
16-200-940	REP-P	03-19-126
16-200-940	REP	03-23-129
16-200-950	REP-P	03-19-126
16-200-950	REP	03-23-129
16-201	PREP	03-16-102
16-201-010	AMD-P	03-20-118
16-201-010	AMD	03-23-130
16-201-180	AMD-P	03-20-118
16-201-180	AMD	03-23-130
16-219-016	REP-X	03-09-088
16-219-016	REP	03-14-044

TABLE

WAC #	ACTION	WSR #
16-228-1010	AMD-P	03-17-095
16-228-1010	AMD	03-22-029
16-228-1020	AMD-P	03-17-095
16-228-1020	AMD	03-22-029
16-228-1030	AMD-P	03-17-095
16-228-1030	AMD	03-22-029
16-228-1040	AMD-P	03-17-095
16-228-1040	AMD	03-22-029
16-228-1100	AMD-P	03-17-095
16-228-1100	AMD	03-22-029
16-228-1110	AMD-P	03-17-095
16-228-1110	AMD	03-22-029
16-228-1115	AMD-P	03-17-095
16-228-1115	AMD	03-22-029
16-228-1120	AMD-P	03-17-095
16-228-1120	AMD	03-22-029
16-228-1125	AMD-P	03-17-095
16-228-1125	AMD	03-22-029
16-228-1130	AMD-P	03-17-095
16-228-1130	AMD	03-22-029
16-228-1150	AMD-P	03-17-095
16-228-1150	AMD	03-22-029
16-228-1200	AMD-P	03-17-095
16-228-1200	AMD	03-22-029
16-228-1220	AMD-P	03-17-095
16-228-1220	AMD	03-22-029
16-228-1225	NEW-P	03-17-095
16-228-1225	NEW	03-22-029
16-228-1231	AMD-P	03-02-099
16-228-1231	AMD	03-05-034
16-228-1231	AMD-P	03-17-095
16-228-1231	AMD	03-22-029
16-228-1238	NEW-P	03-17-095
16-228-1238	NEW	03-22-029
16-228-1250	AMD-P	03-17-095
16-228-1250	AMD	03-22-029
16-228-1260	AMD-P	03-17-095
16-228-1260	AMD	03-22-029
16-228-1262	NEW-P	03-02-098
16-228-1262	NEW	03-05-033
16-228-1264	NEW-P	03-02-098
16-228-1264	NEW	03-05-033
16-228-1266	NEW-P	03-02-098
16-228-1266	NEW	03-05-033
16-228-1270	AMD-P	03-17-095
16-228-1270	AMD	03-22-029
16-228-1300	AMD-P	03-17-095
16-228-1300	AMD	03-22-029
16-228-1320	AMD-P	03-17-095
16-228-1320	AMD	03-22-029
16-228-1322	AMD-P	03-17-095
16-228-1322	AMD	03-22-029
16-228-1330	AMD-P	03-17-095
16-228-1330	AMD	03-22-029
16-228-1370	AMD-P	03-17-095
16-228-1370	AMD	03-22-029
16-228-1380	AMD-P	03-17-095
16-228-1380	AMD	03-22-029
16-228-1400	AMD-P	03-17-095
16-228-1400	AMD	03-22-029
16-228-1410	AMD-P	03-17-095
16-228-1410	AMD	03-22-029
16-228-1420	AMD-P	03-17-095
16-228-1420	AMD	03-22-029
16-228-1430	AMD-P	03-17-095
16-228-1430	AMD	03-22-029
16-228-1440	AMD-P	03-17-095
16-228-1440	AMD	03-22-029
16-228-1450	AMD-P	03-17-095
16-228-1450	AMD	03-22-029
16-228-1455	AMD-P	03-17-095
16-228-1455	AMD	03-22-029
16-228-1460	AMD-P	03-17-095
16-228-1460	AMD	03-22-029
16-228-1500	AMD-P	03-17-095
16-228-1500	AMD	03-22-029
16-228-1520	AMD-P	03-17-095
16-228-1520	AMD	03-22-029
16-228-1530	AMD-P	03-17-095
16-228-1530	AMD	03-22-029
16-228-1540	AMD-P	03-17-095
16-228-1540	AMD	03-22-029
16-228-1545	AMD-P	03-17-095
16-228-1545	AMD	03-22-029
16-228-1546	AMD-P	03-17-095
16-228-1546	AMD	03-22-029
16-228-1547	AMD-P	03-17-095
16-228-1547	AMD	03-22-029
16-228-1550	AMD-P	03-17-095
16-228-1550	AMD	03-22-029
16-228-1555	AMD-P	03-17-095
16-228-1555	AMD	03-22-029
16-228-1570	AMD-P	03-17-095
16-228-1570	AMD	03-22-029
16-228-1585	AMD-P	03-17-095
16-228-1585	AMD	03-22-029
16-228-1590	AMD-P	03-17-095
16-228-1590	AMD	03-22-029
16-229-010	AMD-P	03-05-075
16-229-010	AMD	03-09-034
16-229-200	AMD-P	03-05-075
16-229-200	AMD-W	03-09-035
16-231-107	AMD-X	03-07-037
16-231-107	AMD	03-11-097
16-237-170	PREP	03-12-086
16-237-170	AMD-P	03-15-090
16-237-170	AMD	03-19-013
16-238-010	REP-P	03-07-082
16-238-010	REP	03-12-040
16-238-020	REP-P	03-07-082
16-238-020	REP	03-12-040
16-238-030	REP-P	03-07-082
16-238-030	REP	03-12-040
16-238-060	REP-P	03-07-082
16-238-060	REP	03-12-040
16-238-070	REP-P	03-07-082
16-238-070	REP	03-12-040
16-238-082	REP-P	03-07-082
16-238-082	REP	03-12-040
16-238-090	REP-P	03-07-082
16-238-090	REP	03-12-040
16-238-100	REP-P	03-07-082
16-238-100	REP	03-12-040
16-238-110	REP-P	03-07-082
16-238-110	REP	03-12-040
16-239-010	NEW-P	03-07-082
16-239-010	NEW	03-12-040
16-239-020	NEW-P	03-07-082
16-239-020	NEW	03-12-040
16-239-030	NEW-P	03-07-082
16-239-030	NEW	03-12-040
16-239-040	NEW-P	03-07-082
16-239-040	NEW	03-12-040
16-239-050	NEW-P	03-07-082
16-239-050	NEW	03-12-040
16-239-060	NEW-P	03-07-082
16-239-060	NEW	03-12-040
16-239-061	NEW-P	03-07-082
16-239-061	NEW	03-12-040
16-239-062	NEW-P	03-07-082
16-239-062	NEW	03-12-040
16-239-063	NEW-P	03-07-082
16-239-063	NEW	03-12-040
16-239-064	NEW-P	03-07-082
16-239-064	NEW	03-12-040
16-239-065	NEW-P	03-07-082
16-239-065	NEW	03-12-040
16-239-070	NEW-P	03-07-082
16-239-070	NEW	03-12-040
16-239-071	NEW-P	03-07-082
16-239-071	NEW	03-12-040
16-239-072	NEW-P	03-07-082
16-239-072	NEW	03-12-040
16-239-073	NEW-P	03-07-082
16-239-073	NEW	03-12-040
16-239-074	NEW-P	03-07-082
16-239-074	NEW	03-12-040
16-239-075	NEW-P	03-07-082
16-239-075	NEW	03-12-040
16-239-076	NEW-P	03-07-082
16-239-076	NEW	03-12-040
16-239-077	NEW-P	03-07-082
16-239-077	NEW	03-12-040
16-239-078	NEW-P	03-07-082
16-239-078	NEW	03-12-040
16-239-079	NEW-P	03-07-082
16-239-079	NEW	03-12-040
16-239-080	NEW-P	03-07-082
16-239-080	NEW	03-12-040
16-239-0801	NEW-P	03-07-082
16-239-0801	NEW	03-12-040
16-239-0802	NEW-P	03-07-082
16-239-0802	NEW	03-12-040
16-239-0803	NEW-P	03-07-082
16-239-0803	NEW	03-12-040
16-239-0804	NEW-P	03-07-082
16-239-0804	NEW	03-12-040
16-239-0805	NEW-P	03-07-082
16-239-0805	NEW	03-12-040
16-239-0806	NEW-P	03-07-082
16-239-0806	NEW	03-12-040
16-239-0807	NEW-P	03-07-082
16-239-0807	NEW	03-12-040
16-239-0808	NEW-P	03-07-082
16-239-0808	NEW	03-12-040
16-239-0809	NEW-P	03-07-082

WAC #	ACTION	WSR #
16-239-0809	NEW	03-12-040
16-239-0810	NEW-P	03-07-082
16-239-0810	NEW	03-12-040
16-239-0811	NEW-P	03-07-082
16-239-0811	NEW	03-12-040
16-239-0812	NEW-P	03-07-082
16-239-0812	NEW	03-12-040
16-239-0813	NEW-P	03-07-082
16-239-0813	NEW	03-12-040
16-239-090	NEW-P	03-07-082
16-239-090	NEW	03-12-040
16-239-0901	NEW-P	03-07-082
16-239-0901	NEW	03-12-040
16-239-0902	NEW-P	03-07-082
16-239-0902	NEW	03-12-040
16-239-0903	NEW-P	03-07-082
16-239-0903	NEW	03-12-040
16-239-0904	NEW-P	03-07-082
16-239-0904	NEW	03-12-040
16-239-0905	NEW-P	03-07-082
16-239-0905	NEW	03-12-040
16-239-0906	NEW-P	03-07-082
16-239-0906	NEW	03-12-040
16-239-0907	NEW-P	03-07-082
16-239-0907	NEW	03-12-040
16-239-0908	NEW-P	03-07-082
16-239-0908	NEW	03-12-040
16-239-0909	NEW-P	03-07-082
16-239-0909	NEW	03-12-040
16-239-0910	NEW-P	03-07-082
16-239-0910	NEW	03-12-040
16-239-0911	NEW-P	03-07-082
16-239-0911	NEW	03-12-040
16-239-0912	NEW-P	03-07-082
16-239-0912	NEW	03-12-040
16-239-100	NEW-P	03-07-082
16-239-100	NEW	03-12-040
16-239-1010	NEW-P	03-07-082
16-239-1010	NEW	03-12-040
16-239-1020	NEW-P	03-07-082
16-239-1020	NEW	03-12-040
16-239-1030	NEW-P	03-07-082
16-239-1030	NEW	03-12-040
16-250-001	NEW-P	03-19-128
16-250-001	NEW	03-23-128
16-250-005	NEW-P	03-19-128
16-250-005	NEW	03-23-128
16-250-010	NEW-P	03-19-128
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16-250-015	NEW-P	03-19-128
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16-250-018	NEW-P	03-19-128
16-250-018	NEW	03-23-128
16-250-020	NEW-P	03-19-128
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16-250-028	NEW-P	03-19-128
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16-250-030	NEW-P	03-19-128
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16-250-035	NEW-P	03-19-128
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16-250-040	NEW-P	03-19-128
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16-250-042	NEW-P	03-19-128
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16-250-045	NEW-P	03-19-128
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16-250-060	NEW-P	03-19-128
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16-250-068	NEW-P	03-19-128
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16-250-069	NEW-P	03-19-128
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16-250-076	NEW-P	03-19-128
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16-250-090	NEW-P	03-19-128
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16-250-095	NEW-P	03-19-128
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16-250-100	NEW-P	03-19-128
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16-250-110	NEW-P	03-19-128
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16-250-120	NEW-P	03-19-128
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16-250-150	NEW-P	03-19-128
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16-250-155	NEW-P	03-19-128
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16-250-160	NEW-P	03-19-128
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16-250-170	NEW-P	03-19-128
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16-250-180	NEW-P	03-19-128
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16-252-001	NEW	03-23-129
16-252-005	NEW-P	03-19-126
16-252-005	NEW	03-23-129
16-252-010	NEW-P	03-19-126
16-252-010	NEW	03-23-129
16-252-015	NEW-P	03-19-126
16-252-015	NEW	03-23-129
16-252-025	NEW-P	03-19-126
16-252-025	NEW	03-23-129
16-252-040	NEW-P	03-19-126
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16-252-042	NEW-P	03-19-126
16-252-042	NEW	03-23-129
16-252-051	NEW-P	03-19-126
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16-252-061	NEW-P	03-19-126
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16-252-062	NEW-P	03-19-126
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16-252-065	NEW-P	03-19-126
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16-252-069	NEW-P	03-19-126
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16-252-070	NEW-P	03-19-126
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16-252-071	NEW-P	03-19-126
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16-252-076	NEW-P	03-19-126
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16-252-080	NEW-P	03-19-126
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16-252-090	NEW-P	03-19-126
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16-252-095	NEW-P	03-19-126
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16-252-100	NEW-P	03-19-126
16-252-100	NEW	03-23-129
16-252-110	NEW-P	03-19-126
16-252-110	NEW	03-23-129
16-252-120	NEW-P	03-19-126

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16-252-140	NEW-P	03-19-126
16-252-140	NEW	03-23-129
16-252-150	NEW-P	03-19-126
16-252-150	NEW	03-23-129
16-252-155	NEW-P	03-19-126
16-252-155	NEW	03-23-129
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16-252-165	NEW	03-23-129
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16-252-180	NEW	03-23-129
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16-256-020	NEW	03-23-131
16-256-030	NEW-P	03-19-127
16-256-030	NEW	03-23-131
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16-256-040	NEW	03-23-131
16-256-050	NEW-P	03-19-127
16-256-050	NEW	03-23-131
16-256-060	NEW-P	03-19-127
16-256-060	NEW	03-23-131
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16-256-070	NEW	03-23-131
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16-256-080	NEW	03-23-131
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16-301-005	AMD	03-18-072
16-301-010	PREP	03-12-085
16-301-010	AMD-P	03-15-145
16-301-010	AMD	03-18-072
16-301-055	PREP	03-12-085
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16-301-055	AMD	03-18-072
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16-301-265	PREP	03-21-158
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16-301-310	PREP	03-21-158
16-301-325	PREP	03-21-158
16-301-330	PREP	03-21-158
16-301-335	PREP	03-21-158
16-302-045	PREP	03-12-085
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16-302-045	AMD	03-18-072
16-302-110	PREP	03-12-085
16-302-110	AMD-P	03-15-145
16-302-110	AMD	03-18-072
16-302-150	PREP	03-12-085
16-302-150	AMD-P	03-15-145
16-302-150	AMD	03-18-072
16-302-155	PREP	03-12-085
16-302-155	AMD-P	03-15-145
16-302-155	AMD	03-18-072
16-302-255	PREP	03-12-085
16-302-255	AMD-P	03-15-145
16-302-255	AMD	03-18-072
16-302-385	PREP	03-12-085
16-302-385	AMD-P	03-15-145
16-302-385	AMD	03-18-072
16-302-410	PREP	03-12-085
16-302-410	AMD-P	03-15-145
16-302-410	AMD	03-18-072
16-302-685	PREP	03-20-091
16-303-200	AMD-P	03-03-130
16-303-200	AMD	03-08-005
16-303-200	PREP	03-12-084
16-303-200	AMD-P	03-15-144
16-303-200	AMD	03-18-071
16-303-210	AMD-P	03-03-130
16-303-210	AMD	03-08-005
16-303-210	PREP	03-12-084
16-303-210	AMD-P	03-15-144
16-303-210	AMD	03-18-071
16-303-220	PREP	03-12-084
16-303-220	REP-P	03-15-144
16-303-220	REP	03-18-071
16-303-230	AMD-P	03-03-130
16-303-230	AMD	03-08-005
16-303-230	PREP	03-12-084
16-303-230	AMD-P	03-15-144
16-303-230	AMD	03-18-071
16-303-240	PREP	03-12-084
16-303-240	AMD-P	03-15-144
16-303-240	AMD	03-18-071
16-303-250	AMD-P	03-03-130
16-303-250	AMD	03-08-005
16-303-250	PREP	03-12-084
16-303-250	AMD-P	03-15-144
16-303-250	AMD	03-18-071
16-303-300	AMD-P	03-03-130
16-303-300	AMD	03-08-005
16-303-300	PREP	03-12-084
16-303-300	AMD-P	03-15-144
16-303-300	AMD	03-18-071
16-303-310	AMD-P	03-03-130
16-303-310	AMD	03-08-005
16-303-310	PREP	03-12-084
16-303-310	AMD-P	03-15-144
16-303-310	AMD	03-18-071
16-303-315	PREP	03-12-084
16-303-315	AMD-P	03-15-144
16-303-315	AMD	03-18-071
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16-303-317	AMD	03-08-005
16-303-317	PREP	03-12-084
16-303-317	AMD-P	03-15-144
16-303-317	AMD	03-18-071
16-303-320	AMD-P	03-03-130
16-303-320	AMD	03-08-005
16-303-320	PREP	03-12-084
16-303-320	AMD-P	03-15-144
16-303-320	AMD	03-18-071
16-303-330	AMD-P	03-03-130
16-303-330	AMD	03-08-005
16-303-330	PREP	03-12-084
16-303-330	REP-P	03-15-144
16-303-330	REP	03-18-071
16-303-340	AMD	03-06-005
16-303-340	PREP	03-20-090
16-319-041	AMD	03-06-006
16-319-041	PREP	03-20-092
16-321-001	REP-X	03-03-124
16-321-001	REP	03-08-018
16-321-010	REP-X	03-03-124
16-321-010	REP	03-08-018
16-321-020	REP-X	03-03-124
16-321-020	REP	03-08-018
16-321-030	REP-X	03-03-124
16-321-030	REP	03-08-018
16-321-040	REP-X	03-03-124
16-321-040	REP	03-08-018
16-321-050	REP-X	03-03-124
16-321-050	REP	03-08-018
16-321-060	REP-X	03-03-124
16-321-060	REP	03-08-018
16-321-070	REP-X	03-03-124
16-321-070	REP	03-08-018
16-321-080	REP-X	03-03-124
16-321-080	REP	03-08-018
16-321-090	REP-X	03-03-124
16-321-090	REP	03-08-018
16-321-100	REP-X	03-03-124
16-321-100	REP	03-08-018
16-321-110	REP-X	03-03-124
16-321-110	REP	03-08-018
16-321-120	REP-X	03-03-124
16-321-120	REP	03-08-018
16-328-008	AMD-P	03-07-090
16-328-008	AMD	03-10-080
16-328-010	PREP	03-03-121
16-328-010	REP-P	03-07-090
16-328-010	REP	03-10-080
16-328-011	PREP	03-03-121
16-328-011	AMD-P	03-07-090
16-328-011	AMD	03-10-080
16-328-011	AMD-X	03-17-075
16-328-011	AMD	03-21-166
16-333-010	AMD-P	03-07-089
16-333-010	AMD	03-10-081
16-333-040	PREP	03-03-120
16-333-040	REP-P	03-07-089
16-333-040	REP	03-10-081
16-333-041	PREP	03-03-120
16-333-041	AMD-P	03-07-089
16-333-041	AMD	03-10-081
16-333-041	AMD-X	03-17-075
16-333-041	AMD	03-21-166
16-350-045	AMD-P	03-18-124
16-350-045	AMD-C	03-21-140
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16-400-040	AMD-P	03-07-081
16-400-040	AMD-W	03-10-062
16-400-100	AMD-P	03-07-081
16-400-100	AMD-W	03-10-062
16-400-210	AMD-P	03-07-081
16-400-210	AMD-W	03-10-062
16-400-215	NEW-P	03-07-081
16-400-215	NEW-W	03-10-062
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16-401-023	AMD	03-10-083
16-401-026	REP-P	03-07-091
16-401-026	REP	03-10-083
16-401-027	AMD-P	03-07-091
16-401-027	AMD	03-10-083
16-401-027	AMD-X	03-17-075
16-401-027	AMD	03-21-166
16-401-031	REP-P	03-07-091
16-401-031	REP	03-10-083
16-401-032	AMD-P	03-07-091
16-401-032	AMD	03-10-083
16-401-041	AMD-P	03-07-091
16-401-041	AMD	03-10-083
16-401-041	AMD-X	03-17-075
16-401-041	AMD	03-21-166
16-401-050	AMD-P	03-18-124
16-401-050	AMD-C	03-21-140
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16-401-050	PREP	03-23-056
16-401-060	NEW-P	03-06-102
16-401-060	NEW	03-09-112
16-403-280	PREP	03-15-120
16-403-280	AMD-P	03-20-094
16-406-001	PREP	03-15-118
16-406-001	REP-P	03-20-093
16-406-025	PREP	03-15-118
16-406-025	AMD-P	03-20-093
16-449	PREP	03-14-142
16-459	PREP	03-14-142
16-461-010	PREP	03-15-119
16-461-015	PREP	03-15-119
16-465-001	REP	03-05-079
16-465-060	REP	03-05-079
16-470	PREP	03-20-119
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16-470-905	AMD	03-10-082
16-470-911	REP-P	03-07-092
16-470-911	REP	03-10-082
16-470-912	AMD-P	03-07-092
16-470-912	AMD	03-10-082
16-470-912	AMD-X	03-17-075
16-470-912	AMD	03-21-166
16-470-916	REP-P	03-07-092
16-470-916	REP	03-10-082
16-470-917	AMD-P	03-07-092
16-470-917	AMD	03-10-082
16-470-917	AMD-X	03-17-075
16-470-917	AMD	03-21-166
16-470-921	AMD-P	03-07-092
16-470-921	AMD	03-10-082
16-512-002	REP-P	03-19-098
16-512-005	AMD-P	03-19-098
16-512-006	NEW-P	03-19-098
16-512-010	AMD-P	03-19-098
16-512-020	AMD-P	03-19-098
16-512-030	REP-P	03-19-098
16-512-040	AMD-P	03-19-098
16-512-050	AMD-P	03-19-098
16-528-004	NEW-P	03-21-142
16-528-005	NEW-P	03-21-142
16-528-010	AMD-P	03-21-142
16-528-020	AMD-P	03-21-142
16-528-030	REP-P	03-21-142
16-528-040	AMD-P	03-21-142
16-528-110	PREP	03-18-047
16-528-110	AMD-P	03-21-143
16-528-150	PREP	03-18-047
16-528-150	AMD-P	03-21-143
16-528-220	PREP	03-18-047
16-528-220	REP-P	03-21-143
16-532	PREP	03-18-119
16-532-005	NEW-P	03-21-169
16-532-006	NEW-P	03-21-169
16-532-010	AMD-P	03-21-169
16-532-020	AMD-P	03-21-169
16-532-030	REP-P	03-21-169
16-532-040	AMD-P	03-21-169
16-532-060	AMD-P	03-21-169
16-532-065	REP-P	03-21-169
16-532-101	PREP	03-18-118
16-532-101	REP-P	03-21-168
16-532-103	NEW-P	03-21-167
16-532-105	NEW-P	03-21-167
16-532-110	PREP	03-18-118
16-532-110	AMD-P	03-21-168
16-532-115	NEW-P	03-21-168
16-532-120	PREP	03-18-118
16-532-120	AMD-P	03-21-168
16-536-040	AMD-C	03-06-101
16-536-040	AMD-W	03-12-042
16-561-005	NEW-P	03-22-086
16-561-006	NEW-P	03-22-086
16-561-010	AMD-P	03-22-086
16-561-020	AMD-P	03-22-086
16-561-030	REP-P	03-22-086
16-561-040	AMD-P	03-22-086
16-561-060	AMD-P	03-22-086
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16-600-010	REP-W	03-20-062
16-603-010	AMD-X	03-08-088
16-603-010	AMD	03-13-005
16-607	PREP	03-13-128
16-607-005	REP-P	03-21-170
16-607-010	REP-P	03-21-170
16-607-015	REP-P	03-21-170
16-607-020	REP-P	03-21-170
16-607-025	REP-P	03-21-170
16-607-035	REP-P	03-21-170
16-607-045	REP-P	03-21-170
16-607-050	REP-P	03-21-170
16-607-055	REP-P	03-21-170
16-607-060	REP-P	03-21-170
16-607-065	REP-P	03-21-170
16-607-070	REP-P	03-21-170
16-607-075	REP-P	03-21-170
16-607-080	REP-P	03-21-170
16-607-085	REP-P	03-21-170
16-607-090	REP-P	03-21-170
16-607-095	REP-P	03-21-170
16-607-100	REP-P	03-21-170
16-607-105	REP-P	03-21-170
16-607-110	REP-P	03-21-170
16-607-115	REP-P	03-21-170
16-607-120	REP-P	03-21-170
16-607-125	REP-P	03-21-170
16-607-130	REP-P	03-21-170
16-607-135	REP-P	03-21-170
16-607-140	REP-P	03-21-170
16-607-145	REP-P	03-21-170
16-610-005	NEW-P	03-21-170
16-610-010	NEW-P	03-21-170
16-610-011	NEW-P	03-21-170
16-610-012	NEW-P	03-21-170
16-610-013	NEW-P	03-21-170
16-610-015	NEW-P	03-21-170
16-610-016	NEW-P	03-21-170
16-610-018	NEW-P	03-21-170
16-610-020	NEW-P	03-21-170
16-610-025	NEW-P	03-21-170
16-610-035	NEW-P	03-21-170
16-610-045	NEW-P	03-21-170
16-610-050	NEW-P	03-21-170
16-610-055	NEW-P	03-21-170
16-610-060	NEW-P	03-21-170
16-610-062	NEW-P	03-21-170
16-610-065	NEW-P	03-21-170
16-610-070	NEW-P	03-21-170
16-610-080	NEW-P	03-21-170
16-610-085	NEW-P	03-21-170
16-610-090	NEW-P	03-21-170
16-610-092	NEW-P	03-21-170
16-610-094	NEW-P	03-21-170
16-610-100	NEW-P	03-21-170
16-610-105	NEW-P	03-21-170
16-610-110	NEW-P	03-21-170
16-610-115	NEW-P	03-21-170
16-610-120	NEW-P	03-21-170
16-610-122	NEW-P	03-21-170
16-610-124	NEW-P	03-21-170
16-610-125	NEW-P	03-21-170
16-610-130	NEW-P	03-21-170
16-610-135	NEW-P	03-21-170
16-610-140	NEW-P	03-21-170
16-610-145	NEW-P	03-21-170
16-657	PREP	03-03-122
16-659	PREP	03-03-122
16-662-100	AMD-X	03-03-123
16-662-100	AMD	03-08-017
16-662-105	AMD-X	03-03-123
16-662-105	AMD	03-08-017
16-662-110	AMD-X	03-03-123
16-662-110	AMD	03-08-017
16-662-115	AMD-X	03-03-123
16-662-115	AMD	03-08-017
16-690	PREP	03-14-142
16-750	PREP	03-10-012
16-750-005	AMD	03-04-001
16-750-011	AMD	03-04-001
16-750-011	AMD-P	03-20-034
16-750-015	AMD	03-04-001
16-750-015	AMD-P	03-20-034

WAC #	ACTION	WSR #
16-752-300	AMD-X	03-11-098
16-752-300	AMD	03-16-038
16-752-305	AMD-X	03-11-098
16-752-305	AMD	03-16-038
16-752-315	AMD-X	03-11-098
16-752-315	AMD	03-16-038
16-752-320	AMD-X	03-11-098
16-752-320	AMD	03-16-038
24- 12-010	AMD-E	03-20-036
36- 12-170	AMD-W	03-06-072
36- 14-120	NEW-W	03-06-072
51- 04	PREP	03-08-027
51- 04	PREP	03-12-017
51- 04-015	AMD-P	03-18-074
51- 04-020	AMD-P	03-18-074
51- 04-060	AMD-P	03-18-074
51- 11-0101	AMD-P	03-18-073
51- 11-0105	AMD-P	03-18-073
51- 11-0108	AMD-P	03-18-073
51- 11-0201	AMD-P	03-18-073
51- 11-0402	AMD-P	03-18-073
51- 11-0502	AMD-P	03-18-073
51- 11-0503	AMD-P	03-18-073
51- 11-0504	AMD-P	03-18-073
51- 11-0505	AMD-P	03-18-073
51- 11-0601	AMD-P	03-18-073
51- 11-0602	AMD-P	03-18-073
51- 11-0625	AMD-P	03-18-073
51- 11-0701	AMD-P	03-18-073
51- 11-0900	AMD-P	03-18-073
51- 11-1001	AMD-P	03-18-073
51- 11-1004	AMD-P	03-18-073
51- 11-1005	AMD-P	03-18-073
51- 11-1006	AMD-P	03-18-073
51- 11-1007	AMD-P	03-18-073
51- 11-1009	AMD-P	03-18-073
51- 11-1132	AMD-P	03-18-073
51- 11-1143	AMD-P	03-18-073
51- 11-1150	AMD-P	03-18-073
51- 11-1310	AMD-P	03-18-073
51- 11-1312	AMD-P	03-18-073
51- 11-1313	AMD-P	03-18-073
51- 11-1322	AMD-P	03-18-073
51- 11-1323	AMD-P	03-18-073
51- 11-1331	AMD-P	03-18-073
51- 11-1332	AMD-P	03-18-073
51- 11-1334	AMD-P	03-18-073
51- 11-1411	AMD-P	03-18-073
51- 11-1412	AMD-P	03-18-073
51- 11-1413	AMD-P	03-18-073
51- 11-1414	AMD-P	03-18-073
51- 11-1415	AMD-P	03-18-073
51- 11-1416	AMD-P	03-18-073
51- 11-1423	AMD-P	03-18-073
51- 11-1432	AMD-P	03-18-073
51- 11-1433	AMD-P	03-18-073
51- 11-1436	AMD-P	03-18-073
51- 11-1437	AMD-P	03-18-073
51- 11-1440	AMD-P	03-18-073
51- 11-1454	AMD-P	03-18-073
51- 11-1513	AMD-P	03-18-073
51- 11-1521	AMD-P	03-18-073
51- 11-1532	AMD-P	03-18-073
51- 11-99902	AMD-P	03-18-073
51- 13-503	AMD-P	03-18-076
51- 40-001	REP-P	03-18-075
51- 40-002	REP-P	03-18-075
51- 40-003	REP-P	03-18-075
51- 40-004	REP-P	03-18-075
51- 40-005	REP-P	03-18-075
51- 40-007	REP-P	03-18-075
51- 40-008	REP-P	03-18-075
51- 40-009	REP-P	03-18-075
51- 40-0200	REP-P	03-18-075
51- 40-0302	REP-P	03-18-075
51- 40-0303	REP-P	03-18-075
51- 40-0304	REP-P	03-18-075
51- 40-0305	REP-P	03-18-075
51- 40-0307	REP-P	03-18-075
51- 40-0308	REP-P	03-18-075
51- 40-0310	REP-P	03-18-075
51- 40-0311	REP-P	03-18-075
51- 40-0313	REP-P	03-18-075
51- 40-0403	REP-P	03-18-075
51- 40-0405	REP-P	03-18-075
51- 40-0510	REP-P	03-18-075
51- 40-0804	REP-P	03-18-075
51- 40-0902	REP-P	03-18-075
51- 40-0904	REP-P	03-18-075
51- 40-0905	REP-P	03-18-075
51- 40-1000	REP-P	03-18-075
51- 40-1002	REP-P	03-18-075
51- 40-1003	REP-P	03-18-075
51- 40-1004	REP-P	03-18-075
51- 40-1007	REP-P	03-18-075
51- 40-1091	REP-P	03-18-075
51- 40-1100	REP-P	03-18-075
51- 40-1101	REP-P	03-18-075
51- 40-1102	REP-P	03-18-075
51- 40-1103	REP-P	03-18-075
51- 40-1104	REP-P	03-18-075
51- 40-1105	REP-P	03-18-075
51- 40-1106	REP-P	03-18-075
51- 40-1107	REP-P	03-18-075
51- 40-1108	REP-P	03-18-075
51- 40-1109	REP-P	03-18-075
51- 40-1110	REP-P	03-18-075
51- 40-1111	REP-P	03-18-075
51- 40-1112	REP-P	03-18-075
51- 40-1113	REP-P	03-18-075
51- 40-1114	REP-P	03-18-075
51- 40-1191	REP-P	03-18-075
51- 40-1192	REP-P	03-18-075
51- 40-1193	REP-P	03-18-075
51- 40-1194	REP-P	03-18-075
51- 40-1195	REP-P	03-18-075
51- 40-1196	REP-P	03-18-075
51- 40-1202	REP-P	03-18-075
51- 40-1203	REP-P	03-18-075
51- 40-1616	REP-P	03-18-075
51- 40-1702	REP-P	03-18-075
51- 40-1909	REP-P	03-18-075
51- 40-2406	REP-P	03-18-075
51- 40-2900	REP-P	03-18-075
51- 40-2929	REP-P	03-18-075
51- 40-3004	REP-P	03-18-075
51- 40-3102	REP-P	03-18-075
51- 40-31200	REP-P	03-18-075
51- 40-3404	REP-P	03-18-075
51- 40-93115	REP-P	03-18-075
51- 40-93116	REP-P	03-18-075
51- 40-93117	REP-P	03-18-075
51- 40-93118	REP-P	03-18-075
51- 40-93119	REP-P	03-18-075
51- 40-93120	REP-P	03-18-075
51- 42-001	REP-P	03-18-078
51- 42-002	REP-P	03-18-078
51- 42-003	REP-P	03-18-078
51- 42-004	REP-P	03-18-078
51- 42-005	REP-P	03-18-078
51- 42-007	REP-P	03-18-078
51- 42-008	REP-P	03-18-078
51- 42-0200	REP-P	03-18-078
51- 42-0223	REP-P	03-18-078
51- 42-0303	REP-P	03-18-078
51- 42-0405	REP-P	03-18-078
51- 42-0504	REP-P	03-18-078
51- 42-0600	REP-P	03-18-078
51- 42-0601	REP-P	03-18-078
51- 42-0605	REP-P	03-18-078
51- 42-0901	REP-P	03-18-078
51- 42-1000	REP-P	03-18-078
51- 42-1002	REP-P	03-18-078
51- 42-1004	REP-P	03-18-078
51- 42-1005	REP-P	03-18-078
51- 42-1100	REP-P	03-18-078
51- 42-1101	REP-P	03-18-078
51- 42-1102	REP-P	03-18-078
51- 42-1103	REP-P	03-18-078
51- 42-1104	REP-P	03-18-078
51- 42-1105	REP-P	03-18-078
51- 42-1106	REP-P	03-18-078
51- 42-1107	REP-P	03-18-078
51- 42-1108	REP-P	03-18-078
51- 42-1109	REP-P	03-18-078
51- 42-1110	REP-P	03-18-078
51- 42-1111	REP-P	03-18-078
51- 42-1112	REP-P	03-18-078
51- 42-1113	REP-P	03-18-078
51- 42-1114	REP-P	03-18-078
51- 42-1115	REP-P	03-18-078
51- 42-1116	REP-P	03-18-078
51- 42-1117	REP-P	03-18-078
51- 42-1118	REP-P	03-18-078
51- 42-1119	REP-P	03-18-078
51- 42-1120	REP-P	03-18-078
51- 42-1121	REP-P	03-18-078
51- 42-1122	REP-P	03-18-078
51- 42-1123	REP-P	03-18-078
51- 42-1124	REP-P	03-18-078
51- 42-1126	REP-P	03-18-078
51- 42-1301	REP-P	03-18-078
51- 42-1311	REP-P	03-18-078
51- 42-1312	REP-P	03-18-078
51- 42-1401	REP-P	03-18-078
51- 44-001	REP-P	03-18-079

Table of WAC Sections Affected

WAC #	ACTION	WSR #
51-44-002	REP-P	03-18-079
51-44-003	REP-P	03-18-079
51-44-007	REP-P	03-18-079
51-44-008	REP-P	03-18-079
51-44-0103	REP-P	03-18-079
51-44-0105	REP-P	03-18-079
51-44-0200	REP-P	03-18-079
51-44-0900	REP-P	03-18-079
51-44-1003	REP-P	03-18-079
51-44-1007	REP-P	03-18-079
51-44-10210	REP-P	03-18-079
51-44-1102	REP-P	03-18-079
51-44-1109	REP-P	03-18-079
51-44-2500	REP-P	03-18-079
51-44-5200	REP-P	03-18-079
51-44-6100	REP-P	03-18-079
51-44-6300	REP-P	03-18-079
51-44-7404	REP-P	03-18-079
51-44-7802	REP-P	03-18-079
51-44-7900	REP-P	03-18-079
51-44-8000	REP-P	03-18-079
51-45-001	REP-P	03-18-079
51-45-002	REP-P	03-18-079
51-45-003	REP-P	03-18-079
51-45-007	REP-P	03-18-079
51-45-008	REP-P	03-18-079
51-45-80400	REP-P	03-18-079
51-50-001	NEW-P	03-18-075
51-50-002	NEW-P	03-18-075
51-50-003	NEW-P	03-18-075
51-50-004	NEW-P	03-18-075
51-50-005	NEW-P	03-18-075
51-50-007	NEW-P	03-18-075
51-50-008	NEW-P	03-18-075
51-50-009	NEW-P	03-18-075
51-50-0200	NEW-P	03-18-075
51-50-0302	NEW-P	03-18-075
51-50-0305	NEW-P	03-18-075
51-50-0308	NEW-P	03-18-075
51-50-0310	NEW-P	03-18-075
51-50-0313	NEW-P	03-18-075
51-50-0419	NEW-P	03-18-075
51-50-0707	NEW-P	03-18-075
51-50-0902	NEW-P	03-18-075
51-50-0903	NEW-P	03-18-075
51-50-0909	NEW-P	03-18-075
51-50-1008	NEW-P	03-18-075
51-50-1009	NEW-P	03-18-075
51-50-1010	NEW-P	03-18-075
51-50-1024	NEW-P	03-18-075
51-50-1101	NEW-P	03-18-075
51-50-1103	NEW-P	03-18-075
51-50-1104	NEW-P	03-18-075
51-50-1105	NEW-P	03-18-075
51-50-1106	NEW-P	03-18-075
51-50-1107	NEW-P	03-18-075
51-50-1109	NEW-P	03-18-075
51-50-1203	NEW-P	03-18-075
51-50-1204	NEW-P	03-18-075
51-50-1208	NEW-P	03-18-075
51-50-1702	NEW-P	03-18-075
51-50-1709	NEW-P	03-18-075
51-50-2114	NEW-P	03-18-075
51-50-2900	NEW-P	03-18-075
51-50-3001	NEW-P	03-18-075
51-50-3002	NEW-P	03-18-075
51-50-3003	NEW-P	03-18-075
51-50-3004	NEW-P	03-18-075
51-50-3005	NEW-P	03-18-075
51-50-3006	NEW-P	03-18-075
51-50-31200	NEW-P	03-18-075
51-50-3408	NEW-P	03-18-075
51-50-3409	NEW-P	03-18-075
51-51-001	NEW-P	03-18-077
51-51-002	NEW-P	03-18-077
51-51-003	NEW-P	03-18-077
51-51-007	NEW-P	03-18-077
51-51-008	NEW-P	03-18-077
51-51-0101	NEW-P	03-18-077
51-51-0102	NEW-P	03-18-077
51-51-0202	NEW-P	03-18-077
51-51-0303	NEW-P	03-18-077
51-51-0311	NEW-P	03-18-077
51-51-0313	NEW-P	03-18-077
51-51-0324	NEW-P	03-18-077
51-51-0325	NEW-P	03-18-077
51-51-1004	NEW-P	03-18-077
51-51-2000	NEW-P	03-18-077
51-51-2401	NEW-P	03-18-077
51-51-2415	NEW-P	03-18-077
51-51-2439	NEW-P	03-18-077
51-51-2802	NEW-P	03-18-077
51-51-4300	NEW-P	03-18-077
51-52-001	NEW-P	03-18-078
51-52-002	NEW-P	03-18-078
51-52-003	NEW-P	03-18-078
51-52-004	NEW-P	03-18-078
51-52-005	NEW-P	03-18-078
51-52-007	NEW-P	03-18-078
51-52-008	NEW-P	03-18-078
51-52-0101	NEW-P	03-18-078
51-52-0202	NEW-P	03-18-078
51-52-0504	NEW-P	03-18-078
51-52-0601	NEW-P	03-18-078
51-52-1000	NEW-P	03-18-078
51-52-21000	NEW-P	03-18-078
51-52-21404	NEW-P	03-18-078
51-52-22000	NEW-P	03-18-078
51-52-22006	NEW-P	03-18-078
51-54-001	NEW-P	03-18-079
51-54-002	NEW-P	03-18-079
51-54-003	NEW-P	03-18-079
51-54-007	NEW-P	03-18-079
51-54-008	NEW-P	03-18-079
51-54-0100	NEW-P	03-18-079
51-54-0200	NEW-P	03-18-079
51-54-0300	NEW-P	03-18-079
51-54-0500	NEW-P	03-18-079
51-54-0900	NEW-P	03-18-079
51-54-1000	NEW-P	03-18-079
51-54-3000	NEW-P	03-18-079
51-54-3300	NEW-P	03-18-079
51-54-3400	NEW-P	03-18-079
51-56-003	AMD-P	03-18-080
51-56-007	AMD-P	03-18-080
51-56-008	AMD-P	03-18-080
51-56-0100	AMD-P	03-18-080
51-56-0200	AMD-P	03-18-080
51-56-0300	AMD-P	03-18-080
51-56-0400	AMD-P	03-18-080
51-56-0500	AMD-P	03-18-080
51-56-0600	AMD-P	03-18-080
51-56-1100	NEW-P	03-18-080
51-56-1300	AMD-P	03-18-080
51-56-1400	AMD-P	03-18-080
51-56-201300	REP-P	03-18-080
51-57-003	AMD-P	03-18-080
51-57-008	AMD-P	03-18-080
51-57-202000	NEW-P	03-18-080
82-04-010	NEW-X	03-16-039
82-04-010	NEW	03-21-024
82-04-020	NEW-X	03-16-039
82-04-020	NEW	03-21-024
82-04-030	NEW-X	03-16-039
82-04-030	NEW	03-21-024
82-04-040	NEW-X	03-16-039
82-04-040	NEW	03-21-024
82-04-050	NEW-X	03-16-039
82-04-050	NEW	03-21-024
82-04-060	NEW-X	03-16-039
82-04-060	NEW	03-21-024
82-04-070	NEW-X	03-16-039
82-04-070	NEW	03-21-024
82-50-021	AMD-X	03-07-083
82-50-021	AMD	03-11-073
98-70-010	PREP	03-04-077
98-70-010	AMD-P	03-08-009
98-70-010	AMD	03-11-020
118-33-010	REP-X	03-23-051
118-33-020	REP-X	03-23-051
118-33-030	REP-X	03-23-051
118-33-040	REP-X	03-23-051
118-33-050	REP-X	03-23-051
118-33-060	REP-X	03-23-051
118-33-070	REP-X	03-23-051
118-33-080	REP-X	03-23-051
118-33-090	REP-X	03-23-051
118-33-100	REP-X	03-23-051
118-33-110	REP-X	03-23-051
118-33-120	REP-X	03-23-051
118-65-010	REP-P	03-04-108
118-65-010	REP	03-10-014
118-65-020	REP-P	03-04-108
118-65-020	REP	03-10-014
118-65-030	REP-P	03-04-108
118-65-030	REP	03-10-014
118-65-040	REP-P	03-04-108
118-65-040	REP	03-10-014
118-65-050	REP-P	03-04-108
118-65-050	REP	03-10-014
118-65-060	REP-P	03-04-108
118-65-060	REP	03-10-014
118-65-070	REP-P	03-04-108
118-65-070	REP	03-10-014
118-65-081	REP-P	03-04-108
118-65-081	REP	03-10-014

WAC #	ACTION	WSR #
118-65-090	REP-P	03-04-108
118-65-090	REP	03-10-014
118-66-010	NEW-P	03-04-108
118-66-010	NEW	03-10-014
118-66-020	NEW-P	03-04-108
118-66-020	NEW	03-10-014
118-66-030	NEW-P	03-04-108
118-66-030	NEW	03-10-014
118-66-040	NEW-P	03-04-108
118-66-040	NEW	03-10-014
118-66-042	NEW-P	03-04-108
118-66-042	NEW	03-10-014
118-66-045	NEW-P	03-04-108
118-66-045	NEW	03-10-014
118-66-050	NEW-P	03-04-108
118-66-050	NEW	03-10-014
118-66-080	NEW-P	03-04-108
118-66-080	NEW	03-10-014
118-66-081	NEW-P	03-04-108
118-66-081	NEW	03-10-014
118-66-085	NEW-P	03-04-108
118-66-085	NEW	03-10-014
118-66-090	NEW-P	03-04-108
118-66-090	NEW	03-10-014
118-67-010	NEW-P	03-21-041
118-67-020	NEW-P	03-21-041
118-67-030	NEW-P	03-21-041
118-67-040	NEW-P	03-21-041
118-67-050	NEW-P	03-21-041
118-67-060	NEW-P	03-21-041
118-67-070	NEW-P	03-21-041
118-67-080	NEW-P	03-21-041
118-67-090	NEW-P	03-21-041
118-67-100	NEW-P	03-21-041
118-67-110	NEW-P	03-21-041
118-67-120	NEW-P	03-21-041
118-67-130	NEW-P	03-21-041
131	PREP	03-09-043
131	PREP	03-14-123
131	PREP	03-14-124
131-12-080	NEW-P	03-18-002
131-12-080	NEW	03-22-026
131-28-026	AMD-E	03-15-020
131-28-026	AMD-P	03-15-021
131-28-026	AMD	03-19-050
132A	PREP	03-04-091
132A-116-011	AMD-P	03-08-056
132A-116-011	AMD	03-13-133
132A-150-010	AMD-P	03-08-056
132A-150-010	AMD	03-13-133
132A-320-010	AMD-P	03-08-056
132A-320-010	AMD	03-13-133
132B-120	PREP	03-15-140
132B-120-010	AMD-P	03-19-063
132B-120-030	AMD-P	03-19-063
132B-120-040	AMD-P	03-19-063
132B-120-065	AMD-P	03-19-063
132B-120-080	AMD-P	03-19-063
132B-120-085	AMD-P	03-19-063
132B-120-120	AMD-P	03-19-063
132B-120-130	AMD-P	03-19-063
132B-120-135	AMD-P	03-19-063
132B-120-170	AMD-P	03-19-063
132B-120-180	AMD-P	03-19-063
132B-120-190	AMD-P	03-19-063
132B-120-200	AMD-P	03-19-063
132B-120-220	AMD-P	03-19-063
132F-01	AMD-C	03-10-078
132F-01-010	AMD-P	03-06-067
132F-01-010	AMD	03-16-015
132F-01-020	REP-P	03-06-067
132F-01-020	REP	03-16-015
132F-104	AMD-C	03-10-078
132F-104-010	AMD-P	03-06-067
132F-104-010	AMD	03-16-015
132F-104-020	AMD-P	03-06-067
132F-104-020	AMD	03-16-015
132F-104-030	REP-P	03-06-067
132F-104-030	REP	03-16-015
132F-104-801	REP-P	03-06-067
132F-104-801	REP	03-16-015
132F-104-810	AMD-P	03-06-067
132F-104-810	AMD	03-16-015
132F-104-811	REP-P	03-06-067
132F-104-811	REP	03-16-015
132F-104-812	REP-P	03-06-067
132F-104-812	REP	03-16-015
132F-104-813	REP-P	03-06-067
132F-104-813	REP	03-16-015
132F-104-814	REP-P	03-06-067
132F-104-814	REP	03-16-015
132F-104-815	REP-P	03-06-067
132F-104-815	REP	03-16-015
132F-104-816	REP-P	03-06-067
132F-104-816	REP	03-16-015
132F-104-817	REP-P	03-06-067
132F-104-817	REP	03-16-015
132F-104-818	REP-P	03-06-067
132F-104-818	REP	03-16-015
132F-104-819	REP-P	03-06-067
132F-104-819	REP	03-16-015
132F-108	AMD-P	03-06-067
132F-108	AMD-C	03-10-078
132F-108	AMD	03-16-015
132F-108-020	AMD-P	03-06-067
132F-108-020	AMD	03-16-015
132F-108-050	AMD-P	03-06-067
132F-108-050	AMD	03-16-015
132F-108-070	AMD-P	03-06-067
132F-108-070	AMD	03-16-015
132F-108-080	AMD-P	03-06-067
132F-108-080	AMD	03-16-015
132F-108-100	AMD-P	03-06-067
132F-108-100	AMD	03-16-015
132F-108-120	AMD-P	03-06-067
132F-108-120	AMD	03-16-015
132F-108-130	AMD-P	03-06-067
132F-108-130	AMD	03-16-015
132F-108-140	AMD-P	03-06-067
132F-108-140	AMD	03-16-015
132F-120	AMD-C	03-10-078
132F-120-020	REP-P	03-06-067
132F-120-020	REP	03-16-015
132F-120-030	REP-P	03-06-067
132F-120-030	REP	03-16-015
132F-120-040	REP-P	03-06-067
132F-120-040	REP	03-16-015
132F-120-041	REP-P	03-06-067
132F-120-041	REP	03-16-015
132F-120-042	REP-P	03-06-067
132F-120-042	REP	03-16-015
132F-120-043	REP-P	03-06-067
132F-120-043	REP	03-16-015
132F-120-050	REP-P	03-06-067
132F-120-050	REP	03-16-015
132F-120-060	REP-P	03-06-067
132F-120-060	REP	03-16-015
132F-120-061	REP-P	03-06-067
132F-120-061	REP	03-16-015
132F-120-070	REP-P	03-06-067
132F-120-070	REP	03-16-015
132F-120-080	REP-P	03-06-067
132F-120-080	REP	03-16-015
132F-120-090	REP-P	03-06-067
132F-120-090	REP	03-16-015
132F-120-100	REP-P	03-06-067
132F-120-100	REP	03-16-015
132F-120-110	REP-P	03-06-067
132F-120-110	REP	03-16-015
132F-120-120	REP-P	03-06-067
132F-120-120	REP	03-16-015
132F-120-130	REP-P	03-06-067
132F-120-130	REP	03-16-015
132F-120-140	REP-P	03-06-067
132F-120-140	REP	03-16-015
132F-120-150	REP-P	03-06-067
132F-120-150	REP	03-16-015
132F-120-160	REP-P	03-06-067
132F-120-160	REP	03-16-015
132F-120-170	REP-P	03-06-067
132F-120-170	REP	03-16-015
132F-120-180	REP-P	03-06-067
132F-120-180	REP	03-16-015
132F-120-190	REP-P	03-06-067
132F-120-190	REP	03-16-015
132F-120-200	REP-P	03-06-067
132F-120-200	REP	03-16-015
132F-120-210	REP-P	03-06-067
132F-120-210	REP	03-16-015
132F-121-010	NEW-P	03-06-067
132F-121-010	NEW	03-16-015
132F-121-020	NEW-P	03-06-067
132F-121-020	NEW	03-16-015
132F-121-030	NEW-P	03-06-067
132F-121-030	NEW	03-16-015
132F-121-040	NEW-P	03-06-067
132F-121-040	NEW	03-16-015
132F-121-050	NEW-P	03-06-067
132F-121-050	NEW	03-16-015
132F-121-060	NEW-P	03-06-067
132F-121-060	NEW	03-16-015
132F-121-070	NEW-P	03-06-067
132F-121-070	NEW	03-16-015
132F-121-080	NEW-P	03-06-067
132F-121-080	NEW	03-16-015
132F-121-090	NEW-P	03-06-067

WAC #	ACTION	WSR #
132F-121-090	NEW	03-16-015
132F-121-100	NEW-P	03-06-067
132F-121-100	NEW	03-16-015
132F-121-110	NEW-P	03-06-067
132F-121-110	NEW	03-16-015
132F-121-120	NEW-P	03-06-067
132F-121-120	NEW	03-16-015
132F-121-130	NEW-P	03-06-067
132F-121-130	NEW	03-16-015
132F-121-140	NEW-P	03-06-067
132F-121-140	NEW	03-16-015
132F-121-150	NEW-P	03-06-067
132F-121-150	NEW	03-16-015
132F-121-160	NEW-P	03-06-067
132F-121-160	NEW	03-16-015
132F-121-170	NEW-P	03-06-067
132F-121-170	NEW	03-16-015
132F-121-180	NEW-P	03-06-067
132F-121-180	NEW	03-16-015
132F-121-190	NEW-P	03-06-067
132F-121-190	NEW	03-16-015
132F-121-200	NEW-P	03-06-067
132F-121-200	NEW	03-16-015
132F-121-210	NEW-P	03-06-067
132F-121-210	NEW	03-16-015
132F-121-220	NEW-P	03-06-067
132F-121-220	NEW	03-16-015
132F-121-230	NEW-P	03-06-067
132F-121-230	NEW	03-16-015
132F-121-240	NEW-P	03-06-067
132F-121-240	NEW	03-16-015
132F-121-250	NEW-P	03-06-067
132F-121-250	NEW	03-16-015
132F-121-260	NEW-P	03-06-067
132F-121-260	NEW	03-16-015
132H-116	PREP	03-04-074
132H-116-300	AMD-P	03-19-089
132H-116-310	AMD-P	03-19-089
132H-116-315	AMD-P	03-19-089
132H-116-320	AMD-P	03-19-089
132H-116-330	AMD-P	03-19-089
132H-116-350	AMD-P	03-19-089
132H-116-351	AMD-P	03-19-089
132H-116-352	AMD-P	03-19-089
132H-116-354	AMD-P	03-19-089
132H-116-356	AMD-P	03-19-089
132H-116-360	AMD-P	03-19-089
132H-116-405	AMD-P	03-19-089
132H-116-410	AMD-P	03-19-089
132H-116-415	AMD-P	03-19-089
132H-116-430	AMD-P	03-19-089
132H-116-431	AMD-P	03-19-089
132H-116-470	AMD-P	03-19-089
132H-116-590	AMD-P	03-19-089
132H-116-615	AMD-P	03-19-089
132H-116-620	AMD-P	03-19-089
132H-116-630	AMD-P	03-19-089
132H-116-655	AMD-P	03-19-089
132H-116-750	AMD-P	03-19-089
132H-116-790	AMD-P	03-19-089
132H-120	PREP	03-04-075
132H-120-020	AMD-P	03-08-021
132H-120-020	AMD	03-14-015
132H-120-030	AMD-P	03-08-021
132H-120-030	AMD	03-14-015
132H-120-040	AMD-P	03-08-021
132H-120-040	AMD	03-14-015
132H-120-050	AMD-P	03-08-021
132H-120-050	AMD	03-14-015
132H-120-200	AMD-P	03-08-021
132H-120-200	AMD	03-14-015
132H-120-220	AMD-P	03-08-021
132H-120-220	AMD	03-14-015
132H-120-300	AMD-P	03-08-021
132H-120-300	AMD	03-14-015
132H-120-310	AMD-P	03-08-021
132H-120-310	AMD	03-14-015
132H-132-010	REP-P	03-08-019
132H-132-010	REP	03-14-014
132H-132-020	REP-P	03-08-019
132H-132-020	REP	03-14-014
132H-152-135	PREP	03-04-073
132H-152-135	REP-P	03-08-020
132H-152-135	REP	03-14-013
132H-155-010	NEW-P	03-08-020
132H-155-010	NEW	03-14-013
132H-155-020	NEW-P	03-08-020
132H-155-020	NEW	03-14-013
132H-155-030	NEW-P	03-08-020
132H-155-030	NEW	03-14-013
132H-155-040	NEW-P	03-08-020
132H-155-040	NEW	03-14-013
132H-155-040	NEW	03-14-138
132H-155-050	NEW-P	03-08-020
132H-155-050	NEW	03-14-013
132H-155-060	NEW-P	03-08-020
132H-155-060	NEW	03-14-013
132H-155-070	NEW-P	03-08-020
132H-155-070	NEW	03-14-013
132Q- 01-006	AMD-X	03-21-084
132Q- 01-010	AMD-X	03-21-084
132Q- 01-020	AMD-X	03-21-084
132Q- 01-040	AMD-X	03-21-084
132Q- 01-050	AMD-X	03-21-084
132Q- 02	PREP	03-09-094
132Q- 02-010	NEW-P	03-13-081
132Q- 02-010	NEW	03-18-021
132Q- 02-020	NEW-P	03-13-081
132Q- 02-020	NEW	03-18-021
132Q- 02-030	NEW-P	03-13-081
132Q- 02-030	NEW	03-18-021
132Q- 02-040	NEW-P	03-13-081
132Q- 02-040	NEW	03-18-021
132Q- 02-050	NEW-P	03-13-081
132Q- 02-050	NEW	03-18-021
132Q- 02-060	NEW-P	03-13-081
132Q- 02-060	NEW	03-18-021
132Q- 02-070	NEW-P	03-13-081
132Q- 02-070	NEW	03-18-021
132Q- 02-080	NEW-P	03-13-081
132Q- 02-080	NEW	03-18-021
132Q- 02-090	NEW-P	03-13-081
132Q- 02-090	NEW	03-18-021
132Q- 02-100	NEW-P	03-13-081
132Q- 02-100	NEW	03-18-021
132Q- 02-110	NEW-P	03-13-081
132Q- 02-110	NEW	03-18-021
132Q- 02-120	NEW-P	03-13-081
132Q- 02-120	NEW	03-18-021
132Q- 02-130	NEW-P	03-13-081
132Q- 02-130	NEW	03-18-021
132Q- 02-140	NEW-P	03-13-081
132Q- 02-140	NEW	03-18-021
132Q- 02-150	NEW-P	03-13-081
132Q- 02-150	NEW	03-18-021
132Q- 02-160	NEW-P	03-13-081
132Q- 02-160	NEW	03-18-021
132Q- 02-170	NEW-P	03-13-081
132Q- 02-170	NEW	03-18-021
132Q- 02-180	NEW-P	03-13-081
132Q- 02-180	NEW	03-18-021
132Q- 02-190	NEW-P	03-13-081
132Q- 02-190	NEW	03-18-021
132Q- 02-200	NEW-P	03-13-081
132Q- 02-200	NEW	03-18-021
132Q- 02-210	NEW-P	03-13-081
132Q- 02-210	NEW	03-18-021
132Q- 02-220	NEW-P	03-13-081
132Q- 02-220	NEW	03-18-021
132Q- 02-230	NEW-P	03-13-081
132Q- 02-230	NEW	03-18-021
132Q- 02-240	NEW-P	03-13-081
132Q- 02-240	NEW	03-18-021
132Q- 02-250	NEW-P	03-13-081
132Q- 02-250	NEW	03-18-021
132Q- 02-260	NEW-P	03-13-081
132Q- 02-260	NEW	03-18-021
132Q- 02-270	NEW-P	03-13-081
132Q- 02-270	NEW	03-18-021
132Q- 02-280	NEW-P	03-13-081
132Q- 02-280	NEW	03-18-021
132Q- 02-290	NEW-P	03-13-081
132Q- 02-290	NEW	03-18-021
132Q- 02-300	NEW-P	03-13-081
132Q- 02-300	NEW	03-18-021
132Q- 02-310	NEW-P	03-13-081
132Q- 02-310	NEW	03-18-021
132Q- 02-320	NEW-P	03-13-081
132Q- 02-320	NEW	03-18-021
132Q- 02-330	NEW-P	03-13-081
132Q- 02-330	NEW	03-18-021
132Q- 02-340	NEW-P	03-13-081
132Q- 02-340	NEW	03-18-021
132Q- 02-350	NEW-P	03-13-081
132Q- 02-350	NEW	03-18-021
132Q- 02-360	NEW-P	03-13-081
132Q- 02-360	NEW	03-18-021
132Q- 02-370	NEW-P	03-13-081
132Q- 02-370	NEW	03-18-021
132Q- 02-380	NEW-P	03-13-081
132Q- 02-380	NEW	03-18-021
132Q- 02-390	NEW-P	03-13-081
132Q- 02-390	NEW	03-18-021
132Q- 02-400	NEW-P	03-13-081
132Q- 02-400	NEW	03-18-021
132Q- 02-410	NEW-P	03-13-081

TABLE

WAC #	ACTION	WSR #
132Q- 02-410	NEW	03-18-021
132Q- 02-420	NEW-P	03-13-081
132Q- 02-420	NEW	03-18-021
132Q- 02-430	NEW-P	03-13-081
132Q- 02-430	NEW	03-18-021
132Q- 02-440	NEW-P	03-13-081
132Q- 02-440	NEW	03-18-021
132Q- 02-450	NEW-P	03-13-081
132Q- 02-450	NEW	03-18-021
132Q- 03	PREP	03-09-094
132Q- 03-005	REP-P	03-13-082
132Q- 03-005	REP	03-18-021
132Q- 03-010	REP-P	03-13-082
132Q- 03-010	REP	03-18-021
132Q- 03-020	REP-P	03-13-082
132Q- 03-020	REP	03-18-021
132Q- 03-030	REP-P	03-13-082
132Q- 03-030	REP	03-18-021
132Q- 04	PREP	03-09-094
132Q- 04-010	REP-P	03-13-082
132Q- 04-010	REP	03-18-021
132Q- 04-020	REP-P	03-13-082
132Q- 04-020	REP	03-18-021
132Q- 04-030	REP-P	03-13-082
132Q- 04-030	REP	03-18-021
132Q- 04-031	REP-P	03-13-082
132Q- 04-031	REP	03-18-021
132Q- 04-076	REP-P	03-13-082
132Q- 04-076	REP	03-18-021
132Q- 04-077	REP-P	03-13-082
132Q- 04-077	REP	03-18-021
132Q- 04-078	REP-P	03-13-082
132Q- 04-078	REP	03-18-021
132Q- 04-097	REP-P	03-13-082
132Q- 04-097	REP	03-18-021
132Q- 04-100	REP-P	03-13-082
132Q- 04-100	REP	03-18-021
132Q- 04-105	REP-P	03-13-082
132Q- 04-105	REP	03-18-021
132Q- 04-110	REP-P	03-13-082
132Q- 04-110	REP	03-18-021
132Q- 04-120	REP-P	03-13-082
132Q- 04-120	REP	03-18-021
132Q- 04-130	REP-P	03-13-082
132Q- 04-130	REP	03-18-021
132Q- 04-140	REP-P	03-13-082
132Q- 04-140	REP	03-18-021
132Q- 04-150	REP-P	03-13-082
132Q- 04-150	REP	03-18-021
132Q- 04-160	REP-P	03-13-082
132Q- 04-160	REP	03-18-021
132Q- 04-170	REP-P	03-13-082
132Q- 04-170	REP	03-18-021
132Q- 04-180	REP-P	03-13-082
132Q- 04-180	REP	03-18-021
132Q- 04-190	REP-P	03-13-082
132Q- 04-190	REP	03-18-021
132Q- 04-200	REP-P	03-13-082
132Q- 04-200	REP	03-18-021
132Q- 04-210	REP-P	03-13-082
132Q- 04-210	REP	03-18-021
132Q- 04-220	REP-P	03-13-082
132Q- 04-220	REP	03-18-021
132Q- 04-230	REP-P	03-13-082
132Q- 04-230	REP	03-18-021
132Q- 04-240	REP-P	03-13-082
132Q- 04-240	REP	03-18-021
132Q- 04-250	REP-P	03-13-082
132Q- 04-250	REP	03-18-021
132Q- 04-260	REP-P	03-13-082
132Q- 04-260	REP	03-18-021
132Q- 04-270	REP-P	03-13-082
132Q- 04-270	REP	03-18-021
132Q- 04-280	REP-P	03-13-082
132Q- 04-280	REP	03-18-021
132Q- 05	PREP	03-09-094
132Q- 05-010	REP-P	03-13-082
132Q- 05-010	REP	03-18-021
132Q- 05-020	REP-P	03-13-082
132Q- 05-020	REP	03-18-021
132Q- 05-030	REP-P	03-13-082
132Q- 05-030	REP	03-18-021
132Q- 05-033	REP-P	03-13-082
132Q- 05-033	REP	03-18-021
132Q- 05-036	REP-P	03-13-082
132Q- 05-036	REP	03-18-021
132Q- 05-040	REP-P	03-13-082
132Q- 05-040	REP	03-18-021
132Q- 05-050	REP-P	03-13-082
132Q- 05-050	REP	03-18-021
132Q- 05-060	REP-P	03-13-082
132Q- 05-060	REP	03-18-021
132Q- 05-070	REP-P	03-13-082
132Q- 05-070	REP	03-18-021
132Q- 05-080	REP-P	03-13-082
132Q- 05-080	REP	03-18-021
132Q- 05-090	REP-P	03-13-082
132Q- 05-090	REP	03-18-021
132Q- 05-100	REP-P	03-13-082
132Q- 05-100	REP	03-18-021
132Q- 05-110	REP-P	03-13-082
132Q- 05-110	REP	03-18-021
132Q- 05-120	REP-P	03-13-082
132Q- 05-120	REP	03-18-021
132Q- 06	PREP	03-09-094
132Q- 06-010	REP-P	03-13-082
132Q- 06-010	REP	03-18-021
132Q- 06-015	REP-P	03-13-082
132Q- 06-015	REP	03-18-021
132Q- 06-016	REP-P	03-13-082
132Q- 06-016	REP	03-18-021
132Q- 06-020	REP-P	03-13-082
132Q- 06-020	REP	03-18-021
132Q- 06-025	REP-P	03-13-082
132Q- 06-025	REP	03-18-021
132Q- 06-030	REP-P	03-13-082
132Q- 06-030	REP	03-18-021
132Q- 06-035	REP-P	03-13-082
132Q- 06-035	REP	03-18-021
132Q- 06-040	REP-P	03-13-082
132Q- 06-040	REP	03-18-021
132Q- 07	PREP	03-09-094
132Q- 07-010	NEW-P	03-13-082
132Q- 07-010	NEW	03-18-021
132Q- 07-020	NEW-P	03-13-082
132Q- 07-020	NEW	03-18-021
132Q- 07-030	NEW-P	03-13-082
132Q- 07-030	NEW	03-18-021
132Q- 07-040	NEW-P	03-13-082
132Q- 07-040	NEW	03-18-021
132Q- 07-050	NEW-P	03-13-082
132Q- 07-050	NEW	03-18-021
132Q- 07-060	NEW-P	03-13-082
132Q- 07-060	NEW	03-18-021
132Q- 20	PREP	03-09-094
132Q- 20-005	NEW-P	03-13-082
132Q- 20-005	NEW	03-18-021
132Q- 20-010	AMD-P	03-13-082
132Q- 20-010	AMD	03-18-021
132Q- 20-020	REP-P	03-13-082
132Q- 20-020	REP	03-18-021
132Q- 20-040	AMD-P	03-13-082
132Q- 20-040	AMD	03-18-021
132Q- 20-050	AMD-P	03-13-082
132Q- 20-050	AMD	03-18-021
132Q- 20-060	AMD-P	03-13-082
132Q- 20-060	AMD	03-18-021
132Q- 20-070	AMD-P	03-13-082
132Q- 20-070	AMD	03-18-021
132Q- 20-080	AMD-P	03-13-082
132Q- 20-080	AMD	03-18-021
132Q- 20-090	AMD-P	03-13-082
132Q- 20-090	AMD	03-18-021
132Q- 20-110	AMD-P	03-13-082
132Q- 20-110	AMD	03-18-021
132Q- 20-120	AMD-P	03-13-082
132Q- 20-120	AMD	03-18-021
132Q- 20-130	AMD-P	03-13-082
132Q- 20-130	AMD	03-18-021
132Q- 20-140	AMD-P	03-13-082
132Q- 20-140	AMD	03-18-021
132Q- 20-150	AMD-P	03-13-082
132Q- 20-150	AMD	03-18-021
132Q- 20-170	AMD-P	03-13-082
132Q- 20-170	AMD	03-18-021
132Q- 20-180	AMD-P	03-13-082
132Q- 20-180	AMD	03-18-021
132Q- 20-190	AMD-P	03-13-082
132Q- 20-190	AMD	03-18-021
132Q- 20-200	AMD-P	03-13-082
132Q- 20-200	AMD	03-18-021
132Q- 20-210	AMD-P	03-13-082
132Q- 20-210	AMD	03-18-021
132Q- 20-220	AMD-P	03-13-082
132Q- 20-220	AMD	03-18-021
132Q- 20-230	AMD-P	03-13-082
132Q- 20-230	AMD	03-18-021
132Q- 20-240	AMD-P	03-13-082
132Q- 20-240	AMD	03-18-021
132Q- 20-250	AMD-P	03-13-082
132Q- 20-250	AMD	03-18-021
132Q- 20-260	AMD-P	03-13-082
132Q- 20-260	AMD	03-18-021
132Q- 20-265	AMD-P	03-13-082
132Q- 20-265	AMD	03-18-021
132Q- 20-270	AMD-P	03-13-082

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132Q- 94-010	AMD-P	03-13-082
132Q- 94-010	AMD	03-18-021
132Q- 94-020	AMD-P	03-13-082
132Q- 94-020	AMD	03-18-021
132Q- 94-030	AMD-P	03-13-082
132Q- 94-030	AMD	03-18-021
132Q- 94-130	AMD-P	03-13-082
132Q- 94-130	AMD	03-18-021
132Q- 94-150	AMD-P	03-13-082
132Q- 94-150	AMD	03-18-021
132Q- 94-160	NEW-P	03-13-082
132Q- 94-160	NEW	03-18-021
132Q-108	PREP	03-09-094
132Q-108-010	AMD-P	03-13-082
132Q-108-010	AMD	03-18-021
132Q-108-020	AMD-P	03-13-082
132Q-108-020	AMD	03-18-021
132Q-108-040	AMD-P	03-13-082
132Q-108-040	AMD	03-18-021
132Q-108-050	AMD-P	03-13-082
132Q-108-050	AMD	03-18-021
132Q-113-010	AMD-X	03-21-084
132Q-136-030	AMD-X	03-21-084
132Q-136-040	AMD-X	03-21-084
132Q-276-020	AMD-X	03-21-084
132Q-276-030	AMD-X	03-21-084
132Q-276-040	AMD-X	03-21-084
132Q-276-090	AMD-X	03-21-084
132Q-276-110	AMD-X	03-21-084
132R- 01-010	AMD-P	03-11-006
132R- 01-010	AMD	03-15-063
132R- 02-040	AMD-P	03-11-006
132R- 02-040	AMD	03-15-063
132R- 02-080	AMD-P	03-11-006
132R- 02-080	AMD	03-15-063
132R- 04	AMD-P	03-11-006
132R- 04	AMD	03-15-063
132R- 04-010	AMD-P	03-11-006
132R- 04-010	AMD	03-15-063
132R- 04-015	NEW-P	03-11-006
132R- 04-015	NEW	03-15-063
132R- 04-017	NEW-P	03-11-006
132R- 04-017	NEW	03-15-063
132R- 04-019	NEW-P	03-11-006
132R- 04-019	NEW	03-15-063
132R- 04-020	REP-P	03-11-006
132R- 04-020	REP	03-15-063
132R- 04-030	REP-P	03-11-006
132R- 04-030	REP	03-15-063
132R- 04-035	REP-P	03-11-006
132R- 04-035	REP	03-15-063
132R- 04-040	AMD-P	03-11-006
132R- 04-040	AMD	03-15-063
132R- 04-042	NEW-P	03-11-006
132R- 04-042	NEW	03-15-063
132R- 04-047	NEW-P	03-11-006
132R- 04-047	NEW	03-15-063
132R- 04-050	REP-P	03-11-006
132R- 04-050	REP	03-15-063
132R- 04-055	REP-P	03-11-006
132R- 04-055	REP	03-15-063
132R- 04-056	NEW-P	03-11-006
132R- 04-056	NEW	03-15-063
132R- 04-057	NEW-P	03-11-006
132R- 04-057	NEW	03-15-063
132R- 04-060	REP-P	03-11-006
132R- 04-060	REP	03-15-063
132R- 04-063	NEW-P	03-11-006
132R- 04-063	NEW	03-15-063
132R- 04-064	NEW-P	03-11-006
132R- 04-064	NEW	03-15-063
132R- 04-067	NEW-P	03-11-006
132R- 04-067	NEW	03-15-063
132R- 04-070	REP-P	03-11-006
132R- 04-070	REP	03-15-063
132R- 04-080	REP-P	03-11-006
132R- 04-080	REP	03-15-063
132R- 04-090	REP-P	03-11-006
132R- 04-090	REP	03-15-063
132R- 04-100	AMD-P	03-11-006
132R- 04-100	AMD	03-15-063
132R- 04-110	REP-P	03-11-006
132R- 04-110	REP	03-15-063
132R- 04-112	NEW-P	03-11-006
132R- 04-112	NEW	03-15-063
132R- 04-115	NEW-P	03-11-006
132R- 04-115	NEW	03-15-063
132R- 04-117	NEW-P	03-11-006
132R- 04-117	NEW	03-15-063
132R- 04-120	REP-P	03-11-006
132R- 04-120	REP	03-15-063
132R- 04-130	AMD-P	03-11-006
132R- 04-130	AMD	03-15-063
132R- 04-140	AMD-P	03-11-006
132R- 04-140	AMD	03-15-063
132R- 04-150	AMD-P	03-11-006
132R- 04-150	AMD	03-15-063
132R- 04-160	AMD-P	03-11-006
132R- 04-160	AMD	03-15-063
132R- 04-165	NEW-P	03-11-006
132R- 04-165	NEW	03-15-063
132R- 04-170	AMD-P	03-11-006
132R- 04-170	AMD	03-15-063
132R- 05-010	AMD-P	03-11-006
132R- 05-010	AMD	03-15-063
132R- 12-010	AMD-P	03-11-006
132R- 12-010	AMD	03-15-063
132R- 12-020	AMD-P	03-11-006
132R- 12-020	AMD	03-15-063
132R-116-070	AMD-P	03-11-006
132R-116-070	AMD	03-15-063
132R-116-090	AMD-P	03-11-006
132R-116-090	AMD	03-15-063
132R-117	AMD-P	03-11-006
132R-117	AMD	03-15-063
132R-117-010	AMD-P	03-11-006
132R-117-010	AMD	03-15-063
132R-117-020	NEW-P	03-11-006
132R-117-020	NEW	03-15-063
132R-118-010	AMD-P	03-11-006
132R-118-010	AMD	03-15-063
132R-118-020	AMD-P	03-11-006
132R-118-020	AMD	03-15-063
132R-118-030	AMD-P	03-11-006
132R-118-030	AMD	03-15-063
132R-118-040	AMD-P	03-11-006
132R-118-040	AMD	03-15-063
132R-136	AMD-P	03-11-006
132R-136	AMD	03-15-063
132R-136-010	AMD-P	03-11-006
132R-136-010	AMD	03-15-063
132R-136-030	AMD-P	03-11-006
132R-136-030	AMD	03-15-063
132R-136-035	NEW-P	03-11-006
132R-136-035	NEW	03-15-063
132R-136-055	NEW-P	03-11-006
132R-136-055	NEW	03-15-063
132R-136-060	NEW-P	03-11-006
132R-136-060	NEW	03-15-063
132R-136-070	NEW-P	03-11-006
132R-136-070	NEW	03-15-063
132R-136-080	NEW-P	03-11-006
132R-136-080	NEW	03-15-063
132R-144-010	AMD-P	03-11-006
132R-144-010	AMD	03-15-063
132R-144-020	AMD-P	03-11-006
132R-144-020	AMD	03-15-063
132R-150-030	REP-P	03-11-006
132R-150-030	REP	03-15-063
132R-150-050	AMD-P	03-11-006
132R-150-050	AMD	03-15-063
132R-158-010	AMD-P	03-11-006
132R-158-010	AMD	03-15-063
132R-175-010	AMD-P	03-11-006
132R-175-010	AMD	03-15-063
132R-175-020	AMD-P	03-11-006
132R-175-020	AMD	03-15-063
132R-175-030	AMD-P	03-11-006
132R-175-030	AMD	03-15-063
132R-175-050	AMD-P	03-11-006
132R-175-050	AMD	03-15-063
132R-175-060	AMD-P	03-11-006
132R-175-060	AMD	03-15-063
132R-175-080	AMD-P	03-11-006
132R-175-080	AMD	03-15-063
132R-175-090	AMD-P	03-11-006
132R-175-090	AMD	03-15-063
132R-175-100	AMD-P	03-11-006
132R-175-100	AMD	03-15-063
132R-175-110	AMD-P	03-11-006
132R-175-110	AMD	03-15-063
132R-175-120	AMD-P	03-11-006
132R-175-120	AMD	03-15-063
132R-175-130	AMD-P	03-11-006
132R-175-130	AMD	03-15-063
132R-175-140	AMD-P	03-11-006
132R-175-140	AMD	03-15-063
132R-190-010	AMD-P	03-11-006
132R-190-010	AMD	03-15-063
132R-190-020	AMD-P	03-11-006
132R-190-020	AMD	03-15-063
132R-190-030	AMD-P	03-11-006
132R-190-030	AMD	03-15-063
132R-190-035	AMD-P	03-11-006

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132R-190-040	AMD-P	03-11-006
132R-190-040	AMD	03-15-063
132R-190-050	AMD-P	03-11-006
132R-190-050	AMD	03-15-063
132R-190-070	AMD-P	03-11-006
132R-190-070	AMD	03-15-063
132R-190-100	AMD-P	03-11-006
132R-190-100	AMD	03-15-063
132R-190-110	AMD-P	03-11-006
132R-190-110	AMD	03-15-063
132R-200-010	AMD-P	03-11-006
132R-200-010	AMD	03-15-063
132T- 28-010	REP-X	03-16-114
132T- 28-010	REP	03-21-049
132T- 28-020	REP-X	03-16-114
132T- 28-020	REP	03-21-049
132U-120	PREP	03-19-056
132U-300-020	PREP	03-19-057
132X- 60-065	AMD	03-03-089
136- 28-010	AMD-P	03-21-135
136- 60-010	AMD	03-05-009
136- 60-020	AMD	03-05-009
136- 60-030	AMD	03-05-009
136- 60-040	AMD	03-05-009
136- 60-050	AMD	03-05-009
136- 60-060	AMD	03-05-009
136-130-040	AMD-P	03-21-135
136-130-060	AMD-P	03-21-135
136-130-070	AMD-P	03-21-135
136-150-022	AMD-P	03-17-046
136-150-022	AMD	03-21-136
136-150-023	AMD	03-05-010
136-150-023	AMD-P	03-17-046
136-150-023	AMD	03-21-136
136-150-024	REP	03-05-010
136-150-030	AMD	03-05-010
136-150-040	AMD	03-05-010
136-150-050	NEW	03-05-010
136-150-060	NEW	03-05-010
136-161-080	AMD-P	03-05-008
136-161-080	AMD	03-11-046
136-163-030	AMD	03-05-011
137- 10-015	AMD-X	03-16-073
137- 10-015	AMD	03-21-088
137- 12A-050	AMD-X	03-16-073
137- 12A-050	AMD	03-21-088
137- 12A-060	AMD-X	03-16-073
137- 12A-060	AMD	03-21-088
137- 12A-070	AMD-X	03-16-073
137- 12A-070	AMD	03-21-088
137- 58-010	AMD-X	03-16-073
137- 58-010	AMD	03-21-088
137- 58-020	AMD-X	03-16-073
137- 58-020	AMD	03-21-088
137- 58-030	AMD-X	03-16-073
137- 58-030	AMD	03-21-088
137- 58-040	AMD-X	03-16-073
137- 58-040	AMD	03-21-088
137- 67-015	AMD-X	03-16-073
137- 67-015	AMD	03-21-088
137- 67-025	AMD-X	03-16-073
137- 67-025	AMD	03-21-088
137- 67-030	AMD-X	03-16-073
137- 67-030	AMD	03-21-088
137- 67-035	AMD-X	03-16-073
137- 67-035	AMD	03-21-088
137- 67-040	AMD-X	03-16-073
137- 67-040	AMD	03-21-088
137- 68-010	AMD-X	03-16-073
137- 68-010	AMD	03-21-088
137- 68-020	AMD-X	03-16-073
137- 68-020	AMD	03-21-088
137- 70-020	AMD-X	03-16-073
137- 70-020	AMD	03-21-088
137- 70-060	AMD-X	03-16-073
137- 70-060	AMD	03-21-088
137- 70-070	AMD-X	03-16-073
137- 70-070	AMD	03-21-088
137- 75-020	AMD-X	03-16-073
137- 75-020	AMD	03-21-088
137- 75-040	AMD-X	03-16-073
137- 75-040	AMD	03-21-088
137- 75-050	AMD-X	03-16-073
137- 75-050	AMD	03-21-088
137- 78-010	AMD-X	03-16-073
137- 78-010	AMD	03-21-088
137- 78-030	AMD-X	03-16-073
137- 78-030	AMD	03-21-088
137- 78-060	AMD-X	03-16-073
137- 78-060	AMD	03-21-088
137- 78-070	AMD-X	03-16-073
137- 78-070	AMD	03-21-088
137- 80-010	AMD-X	03-16-073
137- 80-010	AMD	03-21-088
137- 80-020	AMD-X	03-16-073
137- 80-020	AMD	03-21-088
137- 80-040	AMD-X	03-16-073
137- 80-040	AMD	03-21-088
137- 80-060	AMD-X	03-16-073
137- 80-060	AMD	03-21-088
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137- 96-020	AMD	03-16-072
137- 96-110	AMD	03-16-072
137- 96-130	AMD	03-16-072
137- 96-140	REP	03-16-072
137- 96-150	REP	03-16-072
137- 96-160	REP	03-16-072
137-104-020	AMD	03-16-072
139- 01-100	PREP	03-23-026
139- 05-200	PREP	03-11-055
139- 05-200	AMD-P	03-15-029
139- 05-200	AMD	03-19-123
139- 05-210	AMD	03-07-099
139- 05-820	AMD	03-07-099
139- 05-915	AMD-C	03-03-091
139- 05-915	AMD	03-07-100
139- 05-925	PREP	03-11-056
139- 05-925	AMD-P	03-15-030
139- 05-925	AMD	03-19-122
139- 10-215	PREP	03-05-090
139- 10-215	AMD-P	03-09-010
139- 10-215	AMD	03-13-098
139- 30-015	AMD	03-07-098
139- 35-015	AMD	03-07-098
148-120-400	NEW-E	03-21-011
148-120-400	NEW-P	03-21-112
148-120-405	NEW-E	03-21-011
148-120-405	NEW-P	03-21-112
148-120-410	NEW-E	03-21-011
148-120-410	NEW-P	03-21-112
148-120-415	NEW-E	03-21-011
148-120-415	NEW-P	03-21-112
148-280	AMD-C	03-16-068
148-280-010	AMD-P	03-15-015
148-280-010	AMD	03-20-014
148-280-011	AMD-P	03-15-015
148-280-011	AMD	03-20-014
148-280-015	AMD-P	03-15-015
148-280-015	AMD	03-20-014
148-280-020	AMD-P	03-15-015
148-280-020	AMD	03-20-014
148-280-025	AMD-P	03-15-015
148-280-025	AMD	03-20-014
148-280-030	AMD-P	03-15-015
148-280-030	AMD	03-20-014
148-280-040	AMD-P	03-15-015
148-280-040	AMD	03-20-014
148-280-050	REP-P	03-15-015
148-280-050	REP	03-20-014
148-280-055	AMD-P	03-15-015
148-280-055	AMD	03-20-014
148-280-060	AMD-P	03-15-015
148-280-060	AMD	03-20-014
148-280-070	REP-P	03-15-015
148-280-070	REP	03-20-014
172- 64-010	NEW-P	03-11-099
172- 64-010	NEW	03-18-070
172- 64-020	NEW-P	03-11-099
172- 64-020	NEW	03-18-070
172- 64-030	NEW-P	03-11-099
172- 64-030	NEW	03-18-070
172- 64-040	NEW-P	03-11-099
172- 64-040	NEW	03-18-070
172- 64-050	NEW-P	03-11-099
172- 64-050	NEW	03-18-070
172- 64-060	NEW-P	03-11-099
172- 64-060	NEW	03-18-070
172- 64-070	NEW-P	03-11-099
172- 64-070	NEW	03-18-070
172- 64-080	NEW-P	03-11-099
172- 64-080	NEW	03-18-070
172- 64-090	NEW-P	03-11-099
172- 64-090	NEW	03-18-070
172- 64-100	NEW-P	03-11-099
172- 64-100	NEW	03-18-070
172- 64-110	NEW-P	03-11-099
172- 64-110	NEW	03-18-070
172- 64-120	NEW-P	03-11-099
172- 64-120	NEW	03-18-070
172- 64-130	NEW-P	03-11-099
172- 64-130	NEW	03-18-070
172- 64-140	NEW-P	03-11-099
172- 64-140	NEW	03-18-070
173- 06-120	AMD-X	03-04-081
173- 06-120	AMD	03-10-019

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173- 26	PREP	03-03-019
173- 26-010	AMD-P	03-13-108
173- 26-020	AMD-P	03-13-108
173- 26-170	REP-P	03-13-108
173- 26-171	NEW-P	03-13-108
173- 26-176	NEW-P	03-13-108
173- 26-180	REP-P	03-13-108
173- 26-181	NEW-P	03-13-108
173- 26-186	NEW-P	03-13-108
173- 26-190	REP-P	03-13-108
173- 26-191	NEW-P	03-13-108
173- 26-200	REP-P	03-13-108
173- 26-201	NEW-P	03-13-108
173- 26-210	REP-P	03-13-108
173- 26-211	NEW-P	03-13-108
173- 26-220	REP-P	03-13-108
173- 26-221	NEW-P	03-13-108
173- 26-230	REP-P	03-13-108
173- 26-231	NEW-P	03-13-108
173- 26-240	REP-P	03-13-108
173- 26-241	NEW-P	03-13-108
173- 26-250	REP-P	03-13-108
173- 26-251	NEW-P	03-13-108
173- 26-270	REP-P	03-13-108
173- 26-280	REP-P	03-13-108
173- 26-290	REP-P	03-13-108
173- 26-300	REP-P	03-13-108
173- 26-310	REP-P	03-13-108
173- 26-320	REP-P	03-13-108
173- 26-330	REP-P	03-13-108
173- 26-340	REP-P	03-13-108
173- 26-350	REP-P	03-13-108
173-157-010	NEW	03-03-081
173-157-020	NEW	03-03-081
173-157-030	NEW	03-03-081
173-157-040	NEW	03-03-081
173-157-050	NEW	03-03-081
173-157-100	NEW	03-03-081
173-157-110	NEW	03-03-081
173-157-120	NEW	03-03-081
173-157-130	NEW	03-03-081
173-157-140	NEW	03-03-081
173-157-150	NEW	03-03-081
173-157-160	NEW	03-03-081
173-157-170	NEW	03-03-081
173-157-180	NEW	03-03-081
173-157-200	NEW	03-03-081
173-157-210	NEW	03-03-081
173-157-220	NEW	03-03-081
173-157-230	NEW	03-03-081
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173-170-020	AMD	03-07-104
173-170-040	AMD	03-07-104
173-170-050	AMD	03-07-104
173-170-070	AMD	03-07-104
173-170-080	AMD	03-07-104
173-170-090	AMD	03-07-104
173-170-100	AMD	03-07-104
173-175	PREP	03-22-040
173-183-820	AMD-X	03-06-036
173-183-820	AMD	03-11-010
173-183-830	AMD-X	03-06-036
173-183-830	AMD	03-11-010
173-183-850	AMD-X	03-06-036
173-183-850	AMD	03-11-010
173-183-860	AMD-X	03-06-036
173-183-860	AMD	03-11-010
173-201A	AMD-S	03-04-082
173-201A-010	AMD	03-14-129
173-201A-020	AMD	03-14-129
173-201A-030	REP	03-14-129
173-201A-040	AMD	03-14-129
173-201A-040	DECOD	03-14-129
173-201A-050	DECOD	03-14-129
173-201A-060	REP	03-14-129
173-201A-070	REP	03-14-129
173-201A-080	REP	03-14-129
173-201A-100	AMD	03-14-129
173-201A-100	DECOD	03-14-129
173-201A-110	AMD	03-14-129
173-201A-110	DECOD	03-14-129
173-201A-120	REP	03-14-129
173-201A-130	REP	03-14-129
173-201A-140	REP	03-14-129
173-201A-150	DECOD	03-14-129
173-201A-160	AMD	03-14-129
173-201A-160	DECOD	03-14-129
173-201A-170	AMD	03-14-129
173-201A-170	DECOD	03-14-129
173-201A-180	DECOD	03-14-129
173-201A-200	NEW	03-14-129
173-201A-210	NEW	03-14-129
173-201A-230	NEW	03-14-129
173-201A-240	RECOD	03-14-129
173-201A-250	RECOD	03-14-129
173-201A-260	NEW	03-14-129
173-201A-300	NEW	03-14-129
173-201A-310	NEW	03-14-129
173-201A-320	NEW	03-14-129
173-201A-330	NEW	03-14-129
173-201A-400	RECOD	03-14-129
173-201A-410	RECOD	03-14-129
173-201A-420	NEW	03-14-129
173-201A-430	NEW	03-14-129
173-201A-440	NEW	03-14-129
173-201A-450	NEW	03-14-129
173-201A-500	RECOD	03-14-129
173-201A-510	RECOD	03-14-129
173-201A-520	RECOD	03-14-129
173-201A-530	RECOD	03-14-129
173-201A-600	NEW	03-14-129
173-201A-602	NEW	03-14-129
173-201A-610	NEW	03-14-129
173-201A-612	NEW	03-14-129
173-303-045	AMD	03-07-049
173-303-070	AMD	03-07-049
173-303-071	AMD-E	03-03-047
173-303-071	AMD	03-07-049
173-303-100	AMD	03-07-049
173-303-110	AMD	03-07-049
173-303-140	AMD	03-07-049
173-303-170	AMD	03-07-049
173-303-200	AMD	03-07-049
173-303-283	AMD	03-07-049
173-303-380	AMD	03-07-049
173-303-390	AMD	03-07-049
173-303-400	AMD	03-07-049
173-303-500	AMD	03-07-049
173-303-505	AMD	03-07-049
173-303-506	AMD	03-07-049
173-303-510	AMD	03-07-049
173-303-520	AMD	03-07-049
173-303-522	AMD	03-07-049
173-303-525	AMD	03-07-049
173-303-578	AMD	03-07-049
173-303-620	AMD	03-07-049
173-303-645	AMD	03-07-049
173-303-646	AMD	03-07-049
173-303-690	AMD	03-07-049
173-303-691	AMD	03-07-049
173-303-692	AMD	03-07-049
173-303-806	AMD	03-07-049
173-303-830	AMD	03-07-049
173-314-010	REP-X	03-05-095
173-314-010	REP	03-10-020
173-314-100	REP-X	03-05-095
173-314-100	REP	03-10-020
173-314-200	REP-X	03-05-095
173-314-200	REP	03-10-020
173-314-210	REP-X	03-05-095
173-314-210	REP	03-10-020
173-314-220	REP-X	03-05-095
173-314-220	REP	03-10-020
173-314-300	REP-X	03-05-095
173-314-300	REP	03-10-020
173-314-310	REP-X	03-05-095
173-314-310	REP	03-10-020
173-314-320	REP-X	03-05-095
173-314-320	REP	03-10-020
173-314-330	REP-X	03-05-095
173-314-330	REP	03-10-020
173-314-340	REP-X	03-05-095
173-314-340	REP	03-10-020
173-350-010	NEW	03-03-043
173-350-020	NEW	03-03-043
173-350-025	NEW	03-03-043
173-350-030	NEW	03-03-043
173-350-040	NEW	03-03-043
173-350-100	NEW	03-03-043
173-350-200	NEW	03-03-043
173-350-210	NEW	03-03-043
173-350-220	NEW	03-03-043
173-350-230	NEW	03-03-043
173-350-240	NEW	03-03-043
173-350-300	NEW	03-03-043
173-350-310	NEW	03-03-043
173-350-320	NEW	03-03-043
173-350-330	NEW	03-03-043
173-350-350	NEW	03-03-043
173-350-360	NEW	03-03-043
173-350-400	NEW	03-03-043
173-350-410	NEW	03-03-043
173-350-490	NEW	03-03-043
173-350-500	NEW	03-03-043
173-350-600	NEW	03-03-043
173-350-600	NEW	03-04-103

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173-350-700	NEW	03-03-043
173-350-710	NEW	03-03-043
173-350-715	NEW	03-03-043
173-350-900	NEW	03-03-043
173-350-990	NEW	03-03-043
173-400	PREP	03-17-049
173-434	AMD-C	03-16-027
173-434-020	AMD-P	03-13-077
173-434-030	AMD-P	03-13-077
173-434-050	REP-P	03-13-077
173-434-070	REP-P	03-13-077
173-434-100	REP-P	03-13-077
173-434-110	AMD-P	03-13-077
173-434-120	REP-P	03-13-077
173-434-130	AMD-P	03-13-077
173-434-160	AMD-P	03-13-077
173-434-170	AMD-P	03-13-077
173-434-190	AMD-P	03-13-077
173-434-200	AMD-P	03-13-077
173-503	PREP	03-10-011
173-503	PREP	03-14-023
180- 10-001	REP-W	03-03-060
180- 10-003	REP-W	03-03-060
180- 10-005	REP-W	03-03-060
180- 10-007	REP-W	03-03-060
180- 10-010	REP-W	03-03-060
180- 10-015	REP-W	03-03-060
180- 10-020	REP-W	03-03-060
180- 10-025	REP-W	03-03-060
180- 10-030	REP-W	03-03-060
180- 10-035	REP-W	03-03-060
180- 10-040	REP-W	03-03-060
180- 10-045	REP-W	03-03-060
180- 16-220	PREP	03-18-055
180- 16-220	AMD-P	03-23-027
180- 16-225	AMD-P	03-23-027
180- 16-227	AMD-P	03-23-027
180- 18-050	PREP	03-18-056
180- 18-050	AMD-P	03-23-027
180- 18-055	AMD-P	03-23-027
180- 18-090	NEW-P	03-23-027
180- 20-101	PREP	03-18-053
180- 20-111	PREP	03-18-053
180- 24	PREP	03-19-018
180- 24-00701	PREP	03-12-037
180- 24-00701	AMD-E	03-14-117
180- 24-00701	AMD-P	03-18-063
180- 24-00701	AMD-E	03-18-065
180- 24-00701	AMD	03-23-040
180- 24-215	PREP	03-12-037
180- 24-215	AMD-E	03-14-117
180- 24-215	AMD-P	03-18-063
180- 24-215	AMD-E	03-18-065
180- 24-215	AMD	03-23-040
180- 24-220	PREP	03-12-037
180- 24-220	AMD-E	03-14-117
180- 24-220	AMD-P	03-18-063
180- 24-220	AMD-E	03-18-065
180- 24-220	AMD	03-23-040
180- 24-225	NEW-P	03-23-031
180- 25	PREP	03-10-077
180- 26	PREP	03-10-077
180- 27	PREP	03-10-077
180- 29	PREP	03-10-077
180- 31	PREP	03-10-077
180- 32	PREP	03-10-077
180- 33	PREP	03-10-077
180- 33-035	AMD-E	03-14-116
180- 38-065	AMD-W	03-03-062
180- 38-065	REP	03-13-079
180- 38-080	NEW	03-13-079
180- 46	PREP	03-10-074
180- 46-005	REP-P	03-18-061
180- 46-010	REP-P	03-18-061
180- 46-015	REP-P	03-18-061
180- 46-020	REP-P	03-18-061
180- 46-025	REP-P	03-18-061
180- 46-030	REP-P	03-18-061
180- 46-035	REP-P	03-18-061
180- 46-040	REP-P	03-18-061
180- 46-045	REP-P	03-18-061
180- 46-050	REP-P	03-18-061
180- 46-055	REP-P	03-18-061
180- 46-065	REP-P	03-18-061
180- 50-315	AMD	03-04-054
180- 51-050	PREP	03-18-057
180- 51-050	AMD-P	03-23-027
180- 51-061	PREP	03-18-049
180- 51-061	AMD-P	03-23-030
180- 51-063	PREP	03-04-110
180- 51-063	AMD-E	03-09-018
180- 51-063	AMD-P	03-09-028
180- 51-063	AMD	03-14-118
180- 55-005	PREP	03-18-058
180- 55-005	AMD-P	03-23-027
180- 55-015	PREP	03-18-058
180- 55-015	AMD-P	03-23-027
180- 55-020	PREP	03-18-058
180- 55-020	AMD-P	03-23-027
180- 55-032	NEW-W	03-03-061
180- 55-034	PREP	03-04-112
180- 55-034	PREP	03-18-058
180- 55-034	AMD-P	03-23-027
180- 55-150	PREP	03-04-111
180- 55-150	PREP	03-18-058
180- 55-150	REP-P	03-23-027
180- 57-050	AMD	03-04-055
180- 57-055	AMD	03-04-055
180- 57-070	AMD	03-04-055
180- 72	PREP	03-10-075
180- 77	PREP	03-10-076
180- 77-014	AMD-P	03-18-059
180- 77-014	AMD	03-23-038
180- 77-068	AMD-P	03-10-070
180- 77-068	AMD	03-14-119
180- 77A	PREP	03-10-076
180- 78A	PREP	03-10-076
180- 78A-100	PREP	03-18-051
180- 78A-100	AMD-P	03-23-029
180- 78A-250	PREP	03-09-086
180- 78A-250	AMD-P	03-14-113
180- 78A-250	AMD	03-19-020
180- 78A-264	PREP	03-09-085
180- 78A-264	AMD-P	03-14-111
180- 78A-264	PREP	03-18-054
180- 78A-264	AMD	03-19-021
180- 78A-270	PREP	03-18-052
180- 78A-270	AMD-P	03-23-028
180- 78A-505	AMD	03-04-025
180- 78A-505	PREP	03-09-020
180- 78A-505	AMD-E	03-12-039
180- 78A-505	AMD-P	03-18-060
180- 78A-505	AMD-E	03-18-064
180- 78A-505	AMD	03-23-037
180- 78A-507	AMD-P	03-23-032
180- 78A-535	AMD	03-04-024
180- 78A-535	AMD-P	03-18-060
180- 78A-535	AMD-E	03-18-064
180- 78A-535	AMD	03-23-037
180- 78A-700	NEW	03-04-026
180- 79A	PREP	03-10-076
180- 79A-030	AMD-P	03-23-036
180- 79A-117	PREP	03-07-004
180- 79A-117	AMD-E	03-08-060
180- 79A-117	AMD-P	03-09-029
180- 79A-117	AMD	03-14-120
180- 79A-117	AMD-P	03-23-052
180- 79A-127	AMD-X	03-10-071
180- 79A-127	AMD	03-15-121
180- 79A-140	PREP	03-09-019
180- 79A-140	AMD-E	03-12-038
180- 79A-150	PREP	03-04-109
180- 79A-155	AMD	03-04-022
180- 79A-206	AMD-P	03-23-036
180- 79A-213	AMD-P	03-23-036
180- 79A-223	PREP	03-12-036
180- 79A-223	AMD-P	03-23-035
180- 79A-226	AMD-P	03-23-036
180- 79A-231	AMD-P	03-04-019
180- 79A-231	AMD-P	03-09-023
180- 79A-231	AMD	03-12-035
180- 79A-231	AMD-E	03-12-038
180- 79A-231	AMD	03-14-115
180- 79A-257	AMD-P	03-23-033
180- 79A-257	AMD-P	03-23-036
180- 79A-308	PREP	03-09-021
180- 79A-308	AMD-P	03-14-112
180- 79A-308	AMD	03-19-019
180- 81	PREP	03-10-076
180- 82	PREP	03-10-076
180- 82-105	AMD-E	03-14-121
180- 82-105	AMD-P	03-16-013
180- 82-105	PREP	03-18-050
180- 82-105	AMD-E	03-18-066
180- 82-105	AMD-C	03-18-067
180- 82-105	AMD	03-23-039
180- 82-110	AMD	03-04-023
180- 82-115	PREP	03-09-084
180- 82-115	REP-P	03-18-062
180- 82-115	REP	03-23-034
180- 82-204	PREP	03-04-020
180- 82-204	AMD-E	03-04-027
180- 82-204	AMD-P	03-09-024
180- 82-204	AMD-E	03-09-025
180- 82-204	AMD	03-14-114
180- 82-205	PREP	03-09-022

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180- 82A-204	PREP	03-04-020
180- 82A-204	AMD-E	03-04-028
180- 82A-204	AMD-P	03-09-024
180- 82A-204	AMD-E	03-09-025
180- 82A-204	AMD	03-14-114
180- 82A-206	PREP	03-04-021
180- 82A-206	AMD-P	03-09-026
180- 82A-206	AMD-E	03-09-027
180- 82A-206	AMD	03-14-122
180- 82A-215	PREP	03-04-021
180- 82A-215	AMD-P	03-09-026
180- 82A-215	AMD-E	03-09-027
180- 82A-215	AMD	03-14-122
180- 83	PREP	03-10-076
180- 85	PREP	03-10-076
180- 86	PREP	03-10-076
180- 86-100	PREP	03-09-082
180- 86-100	PREP	03-10-029
180- 86-116	PREP	03-09-083
180- 86-116	PREP	03-10-028
180- 87	PREP	03-10-076
180- 90-105	AMD	03-04-053
180- 90-110	REP	03-04-053
180- 90-112	AMD	03-04-053
180- 90-115	REP	03-04-053
180- 90-119	REP	03-04-053
180- 90-120	REP	03-04-053
180- 90-123	REP	03-04-053
180- 90-125	REP	03-04-053
180- 90-130	AMD	03-04-053
180- 90-133	REP	03-04-053
180- 90-135	REP	03-04-053
180- 90-137	REP	03-04-053
180- 90-141	AMD	03-04-053
180- 90-160	AMD	03-04-053
180- 95	PREP	03-10-072
180- 96	PREP	03-10-073
182- 08	AMD-C	03-16-033
182- 08-015	AMD-P	03-13-138
182- 08-015	AMD	03-17-031
182- 08-020	REP-P	03-13-138
182- 08-020	REP	03-17-031
182- 08-095	AMD-P	03-13-138
182- 08-095	AMD	03-17-031
182- 08-120	AMD-P	03-13-138
182- 08-120	AMD	03-17-031
182- 08-125	AMD-P	03-13-138
182- 08-125	AMD	03-17-031
182- 08-175	AMD-P	03-13-138
182- 08-175	AMD	03-17-031
182- 08-180	AMD-P	03-13-138
182- 08-180	AMD	03-17-031
182- 08-190	AMD-P	03-13-138
182- 08-190	AMD	03-17-031
182- 08-196	NEW-P	03-13-138
182- 08-196	NEW	03-17-031
182- 08-210	AMD-P	03-13-138
182- 08-210	AMD	03-17-031
182- 08-220	AMD-P	03-13-138
182- 08-220	AMD	03-17-031
182- 12	AMD-C	03-16-033
182- 12-111	AMD-P	03-13-138
182- 12-111	AMD	03-17-031
182- 12-115	AMD-P	03-13-138
182- 12-115	AMD	03-17-031
182- 12-117	AMD-P	03-13-138
182- 12-117	AMD	03-17-031
182- 12-119	AMD-P	03-13-138
182- 12-119	AMD	03-17-031
182- 12-124	NEW	03-17-031
182- 12-132	AMD-P	03-13-138
182- 12-132	AMD	03-17-031
182- 12-145	AMD-P	03-13-138
182- 12-145	AMD	03-17-031
182- 12-220	AMD-P	03-13-138
182- 12-220	AMD	03-17-031
182- 25-010	AMD-P	03-14-097
182- 25-010	AMD	03-18-039
182- 25-030	AMD-P	03-05-094
182- 25-030	AMD-W	03-18-086
182- 25-031	REP-X	03-19-016
182- 25-035	NEW-P	03-05-094
182- 25-035	NEW-W	03-18-086
182- 25-090	AMD-P	03-21-157
182- 50	PREP	03-14-096
192- 16-033	REP	03-06-038
192- 16-036	REP	03-06-038
192- 16-040	REP	03-06-038
192- 16-042	REP	03-06-038
192- 16-045	REP	03-06-038
192- 16-047	REP	03-06-038
192- 36-010	PREP	03-11-072
192- 36-020	PREP	03-11-072
192- 36-025	PREP	03-11-072
192-240-010	NEW	03-06-038
192-240-015	NEW	03-06-038
192-240-020	NEW	03-06-038
192-240-025	NEW	03-06-038
192-240-030	NEW	03-06-038
192-240-035	NEW	03-06-038
192-240-040	NEW	03-06-038
192-240-045	NEW	03-06-038
192-330-110	NEW-P	03-16-111
192-330-110	NEW	03-22-032
192-330-150	NEW-P	03-16-111
192-330-150	NEW	03-22-032
192-330-155	NEW-P	03-16-111
192-330-155	NEW	03-22-032
196- 09	AMD-P	03-16-112
196- 09-010	AMD-P	03-16-112
196- 09-050	NEW-P	03-16-112
196- 09-055	NEW-P	03-16-112
196- 09-060	NEW-P	03-16-112
196- 09-100	NEW-P	03-16-112
196- 09-110	NEW-P	03-16-112
196- 09-120	NEW-P	03-16-112
196- 12	PREP	03-09-032
196- 12-005	NEW-P	03-16-113
196- 12-010	AMD-P	03-16-113
196- 12-020	AMD-P	03-16-113
196- 12-030	AMD-P	03-16-113
196- 12-045	AMD-P	03-16-113
196- 12-050	AMD-P	03-16-113
196- 12-055	NEW-P	03-16-113
196- 12-065	NEW-P	03-16-113
196- 16	PREP	03-09-032
196- 16-006	NEW-P	03-16-113
196- 16-007	AMD-P	03-16-113
196- 16-010	AMD-P	03-16-113
196- 16-020	AMD-P	03-16-113
196- 16-031	AMD-P	03-16-113
196- 16-035	NEW-P	03-16-113
196- 20	PREP	03-09-032
196- 21	PREP	03-09-032
196- 21-005	NEW-P	03-16-113
196- 21-010	AMD-P	03-16-113
196- 21-020	AMD-P	03-16-113
196- 21-030	AMD-P	03-16-113
196- 23-070	PREP	03-13-012
196- 23-070	AMD-P	03-16-113
196- 24	PREP	03-09-032
196- 24-041	REP-P	03-16-113
196- 24-080	REP-P	03-16-113
196- 24-085	REP-P	03-16-113
196- 24-100	REP-P	03-16-113
196- 24-105	REP-P	03-16-113
196- 24-110	REP-P	03-16-113
196- 25	PREP	03-09-032
196- 25-001	AMD-P	03-16-113
196- 25-002	AMD-P	03-16-113
196- 25-005	AMD-P	03-16-113
196- 25-010	AMD-P	03-16-113
196- 25-020	REP-P	03-16-113
196- 25-030	REP-P	03-16-113
196- 25-040	AMD-P	03-16-113
196- 25-050	AMD-P	03-16-113
196- 25-100	REP-P	03-16-113
196- 26A	PREP	03-09-032
196- 27A	PREP	03-14-024
196- 27A-025	NEW-P	03-16-113
196- 30	PREP	03-03-111
197- 11-070	AMD-P	03-03-082
197- 11-070	AMD	03-16-067
197- 11-250	AMD-P	03-03-082
197- 11-250	AMD	03-16-067
197- 11-310	AMD-P	03-03-082
197- 11-310	AMD	03-16-067
197- 11-800	AMD-P	03-03-082
197- 11-800	AMD	03-16-067
197- 11-820	AMD-P	03-03-082
197- 11-820	AMD	03-16-067
197- 11-835	AMD-P	03-03-082
197- 11-835	AMD	03-16-067
197- 11-850	AMD-P	03-03-082
197- 11-850	AMD	03-16-067
197- 11-855	AMD-P	03-03-082
197- 11-855	AMD	03-16-067
197- 11-902	AMD-P	03-03-082
197- 11-902	AMD	03-16-067
197- 11-904	AMD-P	03-03-082
197- 11-904	AMD	03-16-067
197- 11-908	AMD-P	03-03-082
197- 11-908	AMD	03-16-067
204- 10-040	REP-X	03-18-010
204- 10-040	REP	03-23-007
204- 82A-060	AMD-P	03-08-089

WAC #	ACTION	WSR #
204- 82A-060	AMD	03-12-013
204- 96-010	PREP	03-19-017
208-680F-020	PREP	03-23-120
208-680G-050	PREP	03-23-121
208-690-010	NEW-E	03-16-074
208-690-020	NEW-E	03-16-074
208-690-030	NEW-E	03-16-074
208-690-040	NEW-E	03-16-074
208-690-050	NEW-E	03-16-074
208-690-060	NEW-E	03-16-074
208-690-070	NEW-E	03-16-074
208-690-080	NEW-E	03-16-074
208-690-090	NEW-E	03-16-074
208-690-100	NEW-E	03-16-074
208-690-110	NEW-E	03-16-074
208-690-120	NEW-E	03-16-074
208-690-130	NEW-E	03-16-074
208-690-140	NEW-E	03-16-074
208-690-150	NEW-E	03-16-074
208-690-160	NEW-E	03-16-074
208-690-170	NEW-E	03-16-074
208-700-010	NEW-P	03-21-175
208-700-020	NEW-P	03-21-175
208-700-030	NEW-P	03-21-175
208-700-040	NEW-P	03-21-175
212- 12-200	NEW	03-06-063
212- 12-210	NEW	03-06-063
212- 12-220	NEW	03-06-063
212- 12-230	NEW	03-06-063
212- 12-240	NEW	03-06-063
212- 12-250	NEW	03-06-063
212- 12-260	NEW	03-06-063
212- 12-270	NEW	03-06-063
212- 12-280	NEW	03-06-063
212- 12-290	NEW	03-06-063
212- 12-300	NEW	03-06-063
212- 12-310	NEW	03-06-063
212- 12-320	NEW	03-06-063
212- 12-330	NEW	03-06-063
212- 12-340	NEW	03-06-063
212- 12-350	NEW	03-06-063
212- 12-360	NEW	03-06-063
212- 12-370	NEW	03-06-063
212- 12-380	NEW	03-06-063
212- 12-390	NEW	03-06-063
212- 12-400	NEW	03-06-063
212- 12-410	NEW	03-06-063
212- 12-420	NEW-W	03-06-071
218- 10-005	NEW-P	03-19-099
218- 10-005	NEW	03-22-012
218- 10-010	NEW-P	03-19-099
218- 10-010	NEW	03-22-012
218- 10-015	NEW-P	03-19-099
218- 10-015	NEW	03-22-012
218- 10-020	NEW-P	03-19-099
218- 10-020	NEW	03-22-012
218- 10-025	NEW-P	03-19-099
218- 10-025	NEW	03-22-012
218- 10-030	NEW-P	03-19-099
218- 10-030	NEW	03-22-012
220- 12-020	AMD	03-05-057
220- 12-020	AMD-P	03-21-174
220- 12-090	AMD-P	03-21-173
220- 16-270	AMD-P	03-13-147
220- 16-270	AMD	03-16-097
220- 16-270	AMD-P	03-21-174
220- 16-27000A	NEW-E	03-09-081
220- 16-290	NEW	03-05-061
220- 16-550	AMD-P	03-21-174
220- 16-800	NEW-P	03-21-174
220- 16-810	NEW-P	03-21-174
220- 20-01000C	NEW-E	03-19-049
220- 20-016	AMD	03-10-010
220- 20-056	REP-X	03-23-004
220- 20-080	NEW	03-05-059
220- 20-080	AMD-X	03-19-109
220- 20-08000C	NEW-E	03-16-031
220- 20-08000C	REP-E	03-17-090
220- 20-08000D	NEW-E	03-17-090
220- 20-110	NEW-P	03-12-076
220- 20-110	NEW-P	03-21-103
220- 20-110	NEW-P	03-21-164
220- 20-110	NEW-W	03-21-165
220- 20-115	NEW-P	03-21-137
220- 22-40000E	NEW-E	03-13-067
220- 24-04000I	NEW-E	03-10-005
220- 24-04000I	REP-E	03-13-014
220- 24-04000J	NEW-E	03-14-049
220- 24-04000J	REP-E	03-14-049
220- 24-04000K	NEW-E	03-14-084
220- 24-04000K	REP-E	03-14-084
220- 32-05100A	NEW-E	03-07-044
220- 32-05100A	REP-E	03-07-044
220- 32-05100B	NEW-E	03-10-003
220- 32-05100B	REP-E	03-10-003
220- 32-05100B	REP-E	03-12-002
220- 32-05100C	NEW-E	03-12-002
220- 32-05100C	REP-E	03-12-023
220- 32-05100D	NEW-E	03-12-023
220- 32-05100D	REP-E	03-15-004
220- 32-05100E	NEW-E	03-15-004
220- 32-05100E	REP-E	03-15-004
220- 32-05100E	REP-E	03-15-042
220- 32-05100F	NEW-E	03-15-042
220- 32-05100F	REP-E	03-15-042
220- 32-05100G	NEW-E	03-15-093
220- 32-05100G	REP-E	03-15-093
220- 32-05100H	NEW-E	03-17-020
220- 32-05100H	REP-E	03-18-018
220- 32-05100I	NEW-E	03-18-018
220- 32-05100I	REP-E	03-18-018
220- 32-05100J	NEW-E	03-19-084
220- 32-05100J	REP-E	03-20-019
220- 32-05100K	NEW-E	03-20-019
220- 32-05100K	REP-E	03-20-098
220- 32-05100L	NEW-E	03-20-098
220- 32-05100L	REP-E	03-21-012
220- 32-05100M	NEW-E	03-21-012
220- 32-05100M	REP-E	03-21-050
220- 32-05100N	NEW-E	03-21-050
220- 32-05100N	REP-E	03-21-050
220- 32-05100Z	REP-E	03-07-044
220- 32-05500F	NEW-E	03-08-047
220- 32-05700S	NEW-E	03-13-017
220- 32-05700S	REP-E	03-13-017
220- 32-05700S	REP-E	03-15-043
220- 32-05700T	NEW-E	03-15-043
220- 32-05700T	REP-E	03-15-043
220- 32-05700T	REP-E	03-15-094
220- 32-05700U	NEW-E	03-15-094
220- 32-05700U	REP-E	03-15-094
220- 32-05700V	NEW-E	03-21-058
220- 32-06000A	NEW-E	03-10-003
220- 32-06000A	REP-E	03-10-003
220- 33-01000A	NEW-E	03-05-036
220- 33-01000A	REP-E	03-05-036
220- 33-01000A	REP-E	03-06-007
220- 33-01000B	NEW-E	03-06-007
220- 33-01000B	REP-E	03-06-007
220- 33-01000C	NEW-E	03-08-004
220- 33-01000C	REP-E	03-08-004
220- 33-01000D	NEW-E	03-09-080
220- 33-01000D	REP-E	03-09-080
220- 33-01000D	REP-E	03-10-006
220- 33-01000E	NEW-E	03-10-042
220- 33-01000E	REP-E	03-10-042
220- 33-01000F	NEW-E	03-16-056
220- 33-01000F	REP-E	03-16-056
220- 33-01000G	NEW-E	03-17-019
220- 33-01000G	REP-E	03-17-019
220- 33-01000G	REP-E	03-18-019
220- 33-01000H	NEW-E	03-18-019
220- 33-01000H	REP-E	03-18-019
220- 33-01000H	REP-E	03-18-045
220- 33-01000I	NEW-E	03-18-045
220- 33-01000I	REP-E	03-18-045
220- 33-01000I	REP-E	03-19-040
220- 33-01000J	NEW-E	03-19-040
220- 33-01000J	REP-E	03-19-040
220- 33-01000J	REP-E	03-19-085
220- 33-01000K	NEW-E	03-19-085
220- 33-01000K	REP-E	03-20-002
220- 33-01000L	NEW-E	03-20-002
220- 33-01000L	REP-E	03-20-018
220- 33-01000M	NEW-E	03-20-018
220- 33-01000M	REP-E	03-21-060
220- 33-01000N	NEW-E	03-21-060
220- 33-01000N	REP-E	03-22-001
220- 33-01000P	NEW-E	03-22-001
220- 33-01000P	REP-E	03-22-001
220- 33-01000Y	REP-E	03-04-033
220- 33-01000Z	NEW-E	03-04-033
220- 33-01000Z	REP-E	03-04-033
220- 33-01000Z	REP-E	03-04-078
220- 33-03000T	NEW-E	03-11-002
220- 33-03000T	REP-E	03-11-002
220- 33-04000S	REP-E	03-07-015
220- 33-04000T	NEW-E	03-07-015
220- 33-04000T	REP-E	03-07-015
220- 33-060	AMD	03-05-062
220- 33-070	NEW-P	03-21-138
220- 36-023	AMD-X	03-13-106
220- 36-023	AMD	03-18-004
220- 36-02300F	NEW-E	03-19-038
220- 36-02300F	REP-E	03-21-037
220- 36-02300G	NEW-E	03-21-037

WAC #	ACTION	WSR #
220- 36-03001	AMD	03-05-062
220- 36-03001A	NEW-E	03-05-002
220- 36-03001A	REP-E	03-05-002
220- 40-02100X	NEW-E	03-14-086
220- 40-02100X	REP-E	03-14-086
220- 40-02100X	REP-E	03-16-064
220- 40-02100Y	NEW-E	03-16-064
220- 40-02100Y	REP-E	03-16-064
220- 40-027	AMD-X	03-13-106
220- 40-027	AMD	03-18-004
220- 40-02700B	NEW-E	03-19-037
220- 40-02700B	REP-E	03-21-106
220- 40-02700C	NEW-E	03-21-106
220- 40-02700C	REP-E	03-22-018
220- 40-02700D	NEW-E	03-22-018
220- 40-030	AMD	03-05-062
220- 44-050	AMD-P	03-02-105
220- 44-050	AMD	03-05-078
220- 44-05000R	REP-E	03-04-058
220- 44-05000S	NEW-E	03-04-058
220- 44-05000S	REP-E	03-05-027
220- 44-05000T	NEW-E	03-05-027
220- 44-05000T	REP-E	03-07-024
220- 44-05000U	NEW-E	03-07-024
220- 44-05000U	REP-E	03-13-008
220- 44-05000V	NEW-E	03-13-008
220- 44-05000V	REP-E	03-15-064
220- 44-05000W	NEW-E	03-15-064
220- 44-05000W	REP-E	03-16-016
220- 44-05000X	NEW-E	03-16-016
220- 44-05000X	REP-E	03-22-028
220- 44-05000Y	NEW-E	03-22-028
220- 47-301	AMD	03-05-076
220- 47-302	AMD-X	03-13-145
220- 47-302	AMD	03-18-005
220- 47-307	AMD-X	03-13-145
220- 47-307	AMD	03-18-005
220- 47-30700D	NEW-E	03-17-053
220- 47-30700D	REP-E	03-17-053
220- 47-311	AMD-X	03-13-145
220- 47-311	AMD	03-18-005
220- 47-31100L	NEW-E	03-21-105
220- 47-31100L	REP-E	03-22-017
220- 47-31100M	NEW-E	03-22-017
220- 47-31100M	REP-E	03-22-058
220- 47-31100N	NEW-E	03-22-058
220- 47-31100N	REP-E	03-23-008
220- 47-31100P	NEW-E	03-23-008
220- 47-31100P	REP-E	03-23-058
220- 47-31100Q	NEW-E	03-23-058
220- 47-31100Q	REP-E	03-23-118
220- 47-31100R	NEW-E	03-23-118
220- 47-325	AMD-X	03-13-145
220- 47-325	AMD	03-18-005
220- 47-401	AMD-X	03-13-145
220- 47-401	AMD	03-18-005
220- 47-411	AMD-P	03-13-146
220- 47-411	AMD	03-16-101
220- 47-41100K	NEW-E	03-21-025
220- 47-41100K	REP-E	03-21-062
220- 47-41100K	REP-E	03-21-105
220- 47-41100L	NEW-E	03-21-062
220- 47-41100L	REP-E	03-21-144
220- 47-41100M	NEW-E	03-21-105
220- 47-41100M	REP-E	03-22-017
220- 47-41100N	NEW-E	03-22-017
220- 47-41100N	REP-E	03-22-058
220- 47-41100P	NEW-E	03-22-058
220- 47-41100P	REP-E	03-23-008
220- 47-41100Q	NEW-E	03-23-008
220- 47-41100Q	REP-E	03-23-058
220- 47-41100R	NEW-E	03-23-058
220- 47-41100R	REP-E	03-23-118
220- 47-41100S	NEW-E	03-23-118
220- 47-427	AMD-X	03-13-145
220- 47-427	AMD	03-18-005
220- 47-428	AMD-X	03-13-145
220- 47-428	AMD	03-18-005
220- 47-430	AMD-X	03-13-145
220- 47-430	AMD	03-18-005
220- 47-50100A	NEW-E	03-17-025
220- 47-50100A	REP-E	03-18-034
220- 47-50100B	NEW-E	03-18-034
220- 47-50100B	REP-E	03-18-043
220- 47-50100C	NEW-E	03-18-043
220- 47-50100C	REP-E	03-18-095
220- 47-50100D	NEW-E	03-18-095
220- 47-50100D	REP-E	03-19-024
220- 47-50100E	NEW-E	03-19-024
220- 47-50100E	REP-E	03-19-086
220- 47-50100F	NEW-E	03-19-086
220- 47-50100F	REP-E	03-20-005
220- 47-50100G	NEW-E	03-20-005
220- 47-50100G	REP-E	03-21-013
220- 47-50100H	NEW-E	03-21-013
220- 47-50100H	REP-E	03-21-013
220- 48-01500R	NEW-E	03-13-025
220- 48-01500S	NEW-E	03-19-049
220- 48-029	AMD	03-05-063
220- 48-02900B	NEW-E	03-13-078
220- 48-02900C	NEW-E	03-19-088
220- 48-032	AMD	03-05-063
220- 48-03200A	NEW-E	03-13-078
220- 48-03200B	NEW-E	03-19-088
220- 48-06200B	NEW-E	03-19-088
220- 49-02000N	NEW-E	03-19-088
220- 49-05600B	NEW-E	03-19-088
220- 52-018	AMD-P	03-13-140
220- 52-019	AMD-P	03-06-065
220- 52-019	AMD	03-10-008
220- 52-01900A	NEW-E	03-09-072
220- 52-020	AMD-P	03-13-032
220- 52-020	AMD-P	03-13-140
220- 52-020	AMD	03-16-099
220- 52-02000A	NEW-E	03-10-002
220- 52-03000S	NEW-E	03-17-001
220- 52-03000S	REP-E	03-17-001
220- 52-03000S	REP-E	03-17-018
220- 52-03000T	NEW-E	03-18-035
220- 52-03000T	REP-E	03-18-035
220- 52-035	AMD-P	03-13-147
220- 52-035	AMD	03-16-097
220- 52-03500A	NEW-E	03-09-081
220- 52-04000M	REP-E	03-06-030
220- 52-04000N	NEW-E	03-13-067
220- 52-04000N	REP-E	03-13-067
220- 52-04000P	NEW-E	03-14-085
220- 52-04000P	REP-E	03-14-085
220- 52-04000Q	NEW-E	03-17-052
220- 52-04000Q	REP-E	03-17-052
220- 52-04000R	NEW-E	03-19-048
220- 52-04000R	REP-E	03-21-108
220- 52-04000S	NEW-E	03-20-044
220- 52-04000S	REP-E	03-22-050
220- 52-04000T	NEW-E	03-22-050
220- 52-04000T	REP-E	03-23-057
220- 52-04000U	NEW-E	03-23-057
220- 52-04600A	NEW-E	03-19-048
220- 52-04600A	REP-E	03-21-108
220- 52-04600B	NEW-E	03-21-108
220- 52-04600N	REP-E	03-04-046
220- 52-04600P	NEW-E	03-04-007
220- 52-04600P	REP-E	03-04-007
220- 52-04600P	REP-E	03-07-014
220- 52-04600Q	NEW-E	03-04-046
220- 52-04600Q	REP-E	03-07-002
220- 52-04600R	NEW-E	03-05-006
220- 52-04600R	REP-E	03-06-020
220- 52-04600S	NEW-E	03-05-047
220- 52-04600S	REP-E	03-10-022
220- 52-04600T	NEW-E	03-06-020
220- 52-04600T	REP-E	03-10-022
220- 52-04600U	NEW-E	03-07-002
220- 52-04600U	REP-E	03-08-048
220- 52-04600V	NEW-E	03-07-014
220- 52-04600V	REP-E	03-07-014
220- 52-04600V	REP-E	03-10-021
220- 52-04600W	NEW-E	03-08-048
220- 52-04600X	NEW-E	03-10-021
220- 52-04600X	REP-E	03-10-021
220- 52-04600Y	NEW-E	03-13-067
220- 52-04600Y	REP-E	03-13-067
220- 52-04600Z	NEW-E	03-14-085
220- 52-04600Z	REP-E	03-14-085
220- 52-050	AMD	03-05-060
220- 52-051	AMD	03-05-064
220- 52-05100A	NEW-E	03-16-023
220- 52-05100A	REP-E	03-16-042
220- 52-05100B	NEW-E	03-16-042
220- 52-05100B	REP-E	03-17-002
220- 52-05100C	NEW-E	03-17-002
220- 52-05100C	REP-E	03-17-011
220- 52-05100D	NEW-E	03-17-011
220- 52-05100D	REP-E	03-17-017
220- 52-05100E	NEW-E	03-17-017
220- 52-05100E	REP-E	03-17-050
220- 52-05100F	NEW-E	03-17-051
220- 52-05100F	REP-E	03-17-051
220- 52-05100G	NEW-E	03-17-050
220- 52-05100G	REP-E	03-17-067
220- 52-05100H	NEW-E	03-17-067
220- 52-05100H	REP-E	03-19-002
220- 52-05100I	NEW-E	03-19-002
220- 52-05100I	REP-E	03-19-041
220- 52-05100J	NEW-E	03-19-041
220- 52-05100J	REP-E	03-20-039

WAC #	ACTION	WSR #
220- 52-05100K	NEW-E	03-19-042
220- 52-05100K	REP-E	03-19-042
220- 52-05100K	REP-E	03-20-006
220- 52-05100L	NEW-E	03-20-006
220- 52-05100L	REP-E	03-20-006
220- 52-05100M	NEW-E	03-20-039
220- 52-05100M	REP-E	03-21-059
220- 52-05100N	NEW-E	03-21-059
220- 52-05100N	REP-E	03-23-046
220- 52-05100P	NEW-E	03-09-013
220- 52-05100P	REP-E	03-09-081
220- 52-05100Q	NEW-E	03-09-081
220- 52-05100Q	REP-E	03-11-008
220- 52-05100R	NEW-E	03-11-008
220- 52-05100R	REP-E	03-12-016
220- 52-05100S	NEW-E	03-12-016
220- 52-05100S	REP-E	03-13-084
220- 52-05100T	NEW-E	03-13-084
220- 52-05100T	REP-E	03-14-048
220- 52-05100U	NEW-E	03-14-048
220- 52-05100U	REP-E	03-14-149
220- 52-05100V	NEW-E	03-14-149
220- 52-05100V	REP-E	03-15-053
220- 52-05100W	NEW-E	03-15-053
220- 52-05100W	REP-E	03-15-083
220- 52-05100X	NEW-E	03-15-083
220- 52-05100X	REP-E	03-15-136
220- 52-05100Y	NEW-E	03-15-136
220- 52-05100Y	REP-E	03-16-011
220- 52-05100Z	NEW-E	03-16-011
220- 52-05100Z	REP-E	03-16-023
220- 52-066	AMD-P	03-06-064
220- 52-066	AMD-W	03-19-103
220- 52-071	AMD-P	03-13-085
220- 52-071	AMD	03-16-098
220- 52-07100A	NEW-E	03-14-031
220- 52-07100A	REP-E	03-15-052
220- 52-07100B	NEW-E	03-15-052
220- 52-07100B	REP-E	03-17-003
220- 52-07100C	NEW-E	03-17-003
220- 52-07100C	REP-E	03-18-048
220- 52-07300A	REP-E	03-03-002
220- 52-07300B	NEW-E	03-03-002
220- 52-07300B	REP-E	03-03-068
220- 52-07300C	NEW-E	03-03-068
220- 52-07300C	REP-E	03-06-001
220- 52-07300D	NEW-E	03-06-001
220- 52-07300D	REP-E	03-06-001
220- 52-07300E	NEW-E	03-11-080
220- 52-07300F	NEW-E	03-20-100
220- 52-07300F	REP-E	03-22-049
220- 52-07300G	NEW-E	03-22-049
220- 52-075	AMD	03-05-064
220- 55-001	AMD-P	03-06-079
220- 55-001	AMD-W	03-19-104
220- 55-060	REP-P	03-06-079
220- 55-060	REP	03-10-040
220- 55-175	NEW-P	03-21-146
220- 55-180	AMD-X	03-18-038
220- 55-18000A	NEW-E	03-18-042
220- 56-100	AMD-X	03-13-144
220- 56-100	AMD-X	03-16-084
220- 56-100	AMD	03-18-007
220- 56-100	AMD-P	03-21-174
220- 56-10000A	NEW-E	03-10-039
220- 56-10000A	REP-E	03-16-043
220- 56-10000B	NEW-E	03-16-043
220- 56-105	AMD	03-05-057
220- 56-115	AMD-P	03-21-174
220- 56-118	NEW-P	03-21-174
220- 56-126	AMD-X	03-14-069
220- 56-126	AMD	03-21-001
220- 56-12800F	NEW-E	03-10-039
220- 56-12800F	REP-E	03-10-039
220- 56-12800F	REP-E	03-16-043
220- 56-12800G	NEW-E	03-16-043
220- 56-12800G	REP-E	03-16-043
220- 56-129	NEW	03-05-057
220- 56-150	AMD-P	03-21-174
220- 56-175	AMD	03-05-057
220- 56-175	AMD-X	03-21-139
220- 56-18000B	NEW-E	03-10-039
220- 56-18000B	REP-E	03-10-039
220- 56-19500K	NEW-E	03-10-039
220- 56-19500K	REP-E	03-10-039
220- 56-19500K	REP-E	03-16-043
220- 56-19500L	NEW-E	03-16-043
220- 56-19500L	REP-E	03-16-043
220- 56-21000A	NEW-E	03-16-055
220- 56-21000A	REP-E	03-16-055
220- 56-215	AMD-P	03-21-174
220- 56-230	AMD	03-05-057
220- 56-23000A	NEW-E	03-07-032
220- 56-23000A	REP-E	03-07-032
220- 56-23000B	NEW-E	03-19-087
220- 56-23000C	NEW-E	03-23-042
220- 56-23000C	REP-E	03-23-042
220- 56-232	NEW-P	03-21-174
220- 56-235	AMD	03-05-057
220- 56-235	AMD-P	03-13-083
220- 56-235	AMD	03-16-100
220- 56-235	AMD-P	03-21-131
220- 56-235	AMD-P	03-21-174
220- 56-23500Q	NEW-E	03-07-032
220- 56-23500Q	REP-E	03-07-032
220- 56-23500Q	REP-E	03-09-123
220- 56-23500R	NEW-E	03-09-123
220- 56-250	AMD	03-05-057
220- 56-250	AMD-P	03-21-131
220- 56-250	AMD-P	03-21-174
220- 56-25000E	NEW-E	03-07-032
220- 56-25000E	REP-E	03-07-032
220- 56-255	AMD	03-05-057
220- 56-25500E	NEW-E	03-09-061
220- 56-25500E	REP-E	03-11-026
220- 56-25500F	NEW-E	03-11-026
220- 56-25500F	REP-E	03-11-081
220- 56-25500G	NEW-E	03-11-081
220- 56-25500G	REP-E	03-13-019
220- 56-25500H	NEW-E	03-13-019
220- 56-25500H	REP-E	03-13-070
220- 56-25500I	NEW-E	03-13-070
220- 56-25500I	REP-E	03-15-082
220- 56-25500J	NEW-E	03-15-082
220- 56-25500J	REP-E	03-21-061
220- 56-265	AMD	03-05-057
220- 56-26700A	NEW-E	03-19-087
220- 56-27000N	REP-E	03-05-025
220- 56-27000P	NEW-E	03-05-025
220- 56-27000P	REP-E	03-05-025
220- 56-27000Q	NEW-E	03-19-087
220- 56-282	AMD-X	03-13-011
220- 56-282	AMD-P	03-13-086
220- 56-282	AMD	03-18-006
220- 56-282	AMD	03-21-133
220- 56-282	AMD-P	03-21-174
220- 56-310	AMD-P	03-21-174
220- 56-315	AMD-P	03-21-174
220- 56-320	AMD	03-05-057
220- 56-325	AMD	03-05-057
220- 56-325	AMD-P	03-21-174
220- 56-32500C	NEW-E	03-09-014
220- 56-32500C	REP-E	03-10-034
220- 56-32500D	NEW-E	03-10-034
220- 56-32500D	REP-E	03-11-003
220- 56-32500E	NEW-E	03-11-003
220- 56-32500E	REP-E	03-12-079
220- 56-32500F	NEW-E	03-12-079
220- 56-32500F	REP-E	03-13-038
220- 56-32500G	NEW-E	03-13-038
220- 56-32500G	REP-E	03-13-107
220- 56-32500H	NEW-E	03-13-107
220- 56-32500H	REP-E	03-14-150
220- 56-32500I	NEW-E	03-14-150
220- 56-32500I	REP-E	03-16-005
220- 56-32500J	NEW-E	03-16-005
220- 56-32500J	REP-E	03-21-107
220- 56-330	AMD-P	03-21-174
220- 56-33000A	NEW-E	03-12-032
220- 56-33000A	REP-E	03-12-060
220- 56-33000B	NEW-E	03-12-060
220- 56-33000B	REP-E	03-13-039
220- 56-33000C	NEW-E	03-13-039
220- 56-33000C	REP-E	03-13-066
220- 56-33000D	NEW-E	03-13-066
220- 56-33000D	REP-E	03-15-003
220- 56-33000E	NEW-E	03-15-003
220- 56-33000E	REP-E	03-16-010
220- 56-33000F	NEW-E	03-16-010
220- 56-33000F	REP-E	03-17-032
220- 56-33000G	NEW-E	03-17-032
220- 56-33000G	REP-E	03-21-046
220- 56-33000H	NEW-E	03-21-046
220- 56-33000R	REP-E	03-05-026
220- 56-33000S	NEW-E	03-05-005
220- 56-33000S	REP-E	03-06-020
220- 56-33000T	NEW-E	03-05-026
220- 56-33000T	REP-E	03-07-003
220- 56-33000U	NEW-E	03-06-020
220- 56-33000U	REP-E	03-10-022
220- 56-33000V	NEW-E	03-07-003
220- 56-33000V	REP-E	03-08-049
220- 56-33000W	NEW-E	03-08-049
220- 56-33000W	REP-E	03-09-060
220- 56-33000X	NEW-E	03-09-060
220- 56-33000X	REP-E	03-11-023

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220- 56-33000Y	NEW-E	03-11-023
220- 56-33000Y	REP-E	03-11-039
220- 56-33000Z	NEW-E	03-11-039
220- 56-33000Z	REP-E	03-12-032
220- 56-335	AMD-P	03-21-174
220- 56-350	AMD	03-05-057
220- 56-350	AMD-P	03-21-174
220- 56-35000P	NEW-E	03-07-025
220- 56-35000P	REP-E	03-07-025
220- 56-36000R	NEW-E	03-20-038
220- 56-36000R	REP-E	03-20-038
220- 56-36000R	REP-E	03-20-054
220- 56-36000S	NEW-E	03-20-054
220- 56-36000S	REP-E	03-20-054
220- 56-36000T	NEW-E	03-22-002
220- 56-36000T	REP-E	03-22-002
220- 56-370	REP-P	03-06-079
220- 56-370	REP-W	03-19-104
220- 56-370	REP-P	03-21-174
220- 56-380	AMD	03-05-057
220- 56-380	AMD-P	03-21-174
220- 56-39000A	NEW-E	03-19-087
220- 60-010	AMD-P	03-21-101
220- 69-240	AMD	03-05-059
220- 69-240	AMD	03-05-064
220- 69-240	AMD-P	03-13-030
220- 69-240	AMD-P	03-13-087
220- 69-240	AMD	03-17-008
220- 69-24000F	NEW-E	03-11-080
220- 69-241	AMD	03-05-059
220- 69-27300A	NEW-E	03-12-024
220- 72-002	AMD-P	03-06-109
220- 72-002	AMD	03-10-041
220- 72-011	AMD-P	03-06-109
220- 72-011	AMD	03-10-041
220- 72-015	AMD-P	03-06-109
220- 72-015	AMD	03-10-041
220- 72-070	AMD-P	03-06-109
220- 72-070	AMD	03-10-041
220- 72-073	AMD-P	03-06-109
220- 72-073	AMD	03-10-041
220- 72-076	AMD-P	03-06-109
220- 72-076	AMD	03-10-041
220- 72-086	NEW-P	03-06-109
220- 72-086	NEW	03-10-041
220- 72-087	NEW-P	03-06-109
220- 72-087	NEW	03-10-041
220- 72-089	NEW-P	03-06-109
220- 72-089	NEW	03-10-041
220- 72-090	NEW-P	03-06-109
220- 72-090	NEW	03-10-041
220- 72-092	NEW-P	03-06-109
220- 72-092	NEW	03-10-041
220- 88B-010	AMD-P	03-13-030
220- 88B-010	AMD	03-17-007
220- 88B-020	AMD-P	03-13-030
220- 88B-020	AMD	03-17-007
220- 88B-030	AMD-P	03-13-030
220- 88B-030	AMD	03-17-007
220- 88B-050	REP-P	03-13-030
220- 88B-050	REP	03-17-007
220- 88C-020	AMD-P	03-08-100
220- 88C-020	AMD	03-13-002
220- 88C-02000	NEW-E	03-13-036
220- 88C-02000	REP-E	03-13-036
220- 88C-030	AMD-P	03-08-100
220- 88C-030	AMD	03-13-002
220- 88C-03000	NEW-E	03-13-036
220- 88C-03000	REP-E	03-13-036
220- 88C-040	AMD-P	03-08-100
220- 88C-040	AMD	03-13-002
220- 88C-04000	NEW-E	03-13-036
220- 88C-04000	REP-E	03-13-036
220- 88C-04000	NEW-E	03-15-137
220- 88C-04000	NEW-E	03-21-144
220- 88C-04000	NEW-E	03-11-027
220- 88C-04000	REP-E	03-11-027
220- 88C-050	AMD-P	03-08-100
220- 88C-050	AMD	03-13-002
220- 88D-010	NEW-P	03-13-140
220- 88D-020	NEW-P	03-13-140
220- 88D-030	NEW-P	03-13-140
220- 88D-040	NEW-P	03-13-140
220- 88D-050	NEW-P	03-13-140
220-100-010	AMD-P	03-06-080
220-100-010	AMD	03-10-038
220-100-020	AMD-P	03-06-080
220-100-020	AMD	03-10-038
220-100-027	NEW-P	03-06-080
220-100-027	NEW	03-10-038
220-100-030	AMD-P	03-06-080
220-100-030	AMD	03-10-038
220-100-040	AMD-P	03-06-080
220-100-040	AMD	03-10-038
220-100-045	AMD-P	03-06-080
220-100-045	AMD	03-10-038
220-100-055	AMD-P	03-06-080
220-100-055	AMD	03-10-038
220-100-057	NEW-P	03-06-080
220-100-057	NEW	03-10-038
220-100-058	NEW-P	03-06-080
220-100-058	NEW	03-10-038
220-100-060	AMD-P	03-06-080
220-100-060	AMD	03-10-038
220-100-065	AMD-P	03-06-080
220-100-065	AMD	03-10-038
220-100-068	NEW-P	03-06-080
220-100-068	NEW	03-10-038
220-100-070	AMD-P	03-06-080
220-100-070	AMD	03-10-038
220-100-075	AMD-P	03-06-080
220-100-075	AMD	03-10-038
220-100-080	AMD-P	03-06-080
220-100-080	AMD	03-10-038
220-100-095	AMD-P	03-06-080
220-100-095	AMD	03-10-038
220-130-040	AMD-P	03-21-130
220-130-080	AMD-P	03-21-130
222- 16-010	AMD-P	03-17-078
222- 16-010	AMD-E	03-22-042
222- 20-010	AMD-P	03-17-078
222- 20-010	AMD-E	03-22-042
222- 20-015	AMD-P	03-17-078
222- 20-015	AMD-E	03-22-042
222- 20-040	AMD-P	03-17-078
222- 20-040	AMD-E	03-22-042
222- 20-055	AMD-P	03-17-078
222- 20-055	AMD-E	03-22-042
222- 21-010	AMD	03-06-039
222- 21-030	AMD	03-06-039
222- 21-035	AMD	03-06-039
222- 21-040	AMD	03-06-039
222- 21-045	AMD	03-06-039
222- 21-050	AMD	03-06-039
222- 24-010	AMD-E	03-22-042
222- 24-050	AMD-P	03-17-078
222- 24-050	AMD-E	03-22-042
222- 24-051	AMD-P	03-17-078
222- 24-051	AMD-E	03-22-042
222- 24-0511	NEW-P	03-17-078
222- 24-0511	NEW-E	03-22-042
222- 24-0512	NEW-P	03-17-078
222- 24-0512	NEW-E	03-22-042
230- 02-412	AMD-P	03-08-002
230- 02-412	AMD	03-11-042
230- 04-110	AMD-P	03-08-002
230- 04-110	AMD	03-11-042
230- 04-124	AMD-P	03-16-061
230- 08-010	AMD-P	03-13-135
230- 08-010	AMD	03-20-009
230- 08-017	AMD	03-05-089
230- 12-050	AMD-P	03-17-103
230- 12-050	AMD	03-21-065
230- 12-305	AMD-P	03-08-001
230- 12-305	AMD	03-11-041
230- 12-315	AMD-P	03-08-002
230- 12-315	AMD	03-11-042
230- 12-316	NEW-P	03-08-002
230- 12-316	NEW	03-11-042
230- 12-340	AMD-P	03-13-135
230- 20-050	AMD-P	03-17-103
230- 20-050	AMD	03-21-065
230- 20-052	REP-P	03-17-103
230- 20-052	REP	03-21-065
230- 20-059	AMD-P	03-05-088
230- 20-059	AMD	03-11-040
230- 20-190	REP-P	03-17-103
230- 20-190	REP	03-21-065
230- 20-242	AMD-P	03-17-103
230- 20-242	AMD	03-21-065
230- 40-010	AMD-P	03-13-135
230- 40-010	AMD	03-20-009
230- 40-040	AMD-P	03-13-135
230- 40-040	AMD	03-20-009
230- 40-055	AMD-P	03-17-104
230- 40-055	AMD	03-21-064
230- 40-120	AMD-P	03-13-137
230- 40-120	AMD	03-17-044
230- 40-120	AMD-P	03-17-102
230- 40-125	REP-P	03-13-135
230- 40-125	REP	03-20-009
230- 40-550	AMD-P	03-05-087
230- 40-550	AMD	03-09-076
230- 40-625	AMD-P	03-05-087
230- 40-625	AMD	03-09-076
230- 40-803	REP-P	03-13-137

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230- 40-803	REP	03-17-044
230- 40-805	AMD-P	03-13-135
230- 40-805	AMD	03-20-009
230- 40-815	AMD-P	03-05-087
230- 40-815	AMD	03-09-076
230- 40-821	AMD-P	03-13-135
230- 40-821	AMD	03-20-009
230- 40-823	AMD-P	03-20-008
230- 40-825	AMD-P	03-05-087
230- 40-825	AMD	03-09-076
230- 40-825	AMD-P	03-13-137
230- 40-825	AMD	03-17-044
230- 40-833	AMD-P	03-13-137
230- 40-860	AMD-P	03-05-087
230- 40-860	AMD	03-09-076
230- 40-875	AMD-P	03-05-087
230- 40-875	AMD	03-09-076
230- 40-895	AMD-P	03-05-087
230- 40-895	AMD	03-09-076
232- 12-016	AMD-P	03-21-173
232- 12-019	AMD-P	03-21-174
232- 12-045	NEW-P	03-06-104
232- 12-045	NEW	03-13-047
232- 12-051	AMD-P	03-06-104
232- 12-051	AMD	03-13-047
232- 12-054	AMD-P	03-06-104
232- 12-054	AMD	03-13-047
232- 12-055	AMD-P	03-13-141
232- 12-055	NEW	03-16-087
232- 12-068	AMD-P	03-06-106
232- 12-068	AMD	03-13-047
232- 12-068	AMD-P	03-13-088
232- 12-068	AMD	03-16-030
232- 12-086	AMD-P	03-18-001
232- 12-086	AMD-P	03-21-145
232- 12-086	AMD-W	03-21-165
232- 12-106	AMD	03-03-016
232- 12-168	AMD-P	03-21-174
232- 12-181	AMD	03-03-016
232- 12-243	AMD-P	03-13-142
232- 12-243	AMD	03-17-037
232- 12-24300A	NEW-E	03-20-045
232- 12-287	AMD-P	03-12-078
232- 12-287	AMD	03-16-087
232- 12-289	NEW-P	03-02-103
232- 12-289	NEW	03-06-110
232- 12-31500J	NEW-E	03-08-075
232- 12-619	AMD-W	03-10-095
232- 12-619	AMD-P	03-21-174
232- 12-61900S	NEW-E	03-10-039
232- 12-61900S	REP-E	03-10-039
232- 12-61900S	REP-E	03-16-043
232- 12-61900T	NEW-E	03-16-043
232- 12-61900T	REP-E	03-16-043
232- 12-828	AMD-P	03-06-079
232- 12-828	AMD	03-10-040
232- 16-600	AMD-P	03-13-115
232- 16-600	AMD	03-16-087
232- 16-660	AMD-P	03-13-115
232- 16-660	AMD	03-16-087
232- 16-740	AMD-P	03-13-115
232- 16-740	AMD	03-16-087
232- 19-010	REP-P	03-06-080
232- 19-010	REP	03-10-038
232- 19-015	REP-P	03-06-080
232- 19-015	REP	03-10-038
232- 19-020	REP-P	03-06-080
232- 19-020	REP	03-10-038
232- 19-030	REP-P	03-06-080
232- 19-030	REP	03-10-038
232- 19-040	REP-P	03-06-080
232- 19-040	REP	03-10-038
232- 19-050	REP-P	03-06-080
232- 19-050	REP	03-10-038
232- 19-055	REP-P	03-06-080
232- 19-055	REP	03-10-038
232- 19-060	REP-P	03-06-080
232- 19-060	REP	03-10-038
232- 19-070	REP-P	03-06-080
232- 19-070	REP	03-10-038
232- 19-080	REP-P	03-06-080
232- 19-080	REP	03-10-038
232- 19-090	REP-P	03-06-080
232- 19-090	REP	03-10-038
232- 19-100	REP-P	03-06-080
232- 19-100	REP	03-10-038
232- 19-110	REP-P	03-06-080
232- 19-110	REP	03-10-038
232- 19-120	REP-P	03-06-080
232- 19-120	REP	03-10-038
232- 19-130	REP-P	03-06-080
232- 19-130	REP	03-10-038
232- 19-140	REP-P	03-06-080
232- 19-140	REP	03-10-038
232- 19-180	REP-P	03-06-080
232- 19-180	REP	03-10-038
232- 28-02201	REP-P	03-02-103
232- 28-02201	REP	03-06-110
232- 28-02202	REP-P	03-02-103
232- 28-02202	REP	03-06-110
232- 28-02203	REP-P	03-02-103
232- 28-02203	REP	03-06-110
232- 28-02204	REP-P	03-02-103
232- 28-02204	REP	03-06-110
232- 28-02205	REP-P	03-02-103
232- 28-02205	REP	03-06-110
232- 28-02206	REP-P	03-02-103
232- 28-02206	REP	03-06-110
232- 28-02220	REP-P	03-06-112
232- 28-02220	REP	03-13-047
232- 28-02240	REP-P	03-06-112
232- 28-02240	REP	03-13-047
232- 28-02280	REP-P	03-02-103
232- 28-02280	REP	03-06-110
232- 28-248	AMD-P	03-06-108
232- 28-248	AMD	03-13-047
232- 28-266	AMD-P	03-06-066
232- 28-266	AMD	03-10-009
232- 28-271	AMD	03-03-016
232- 28-271	AMD-P	03-21-134
232- 28-272	AMD-P	03-06-108
232- 28-272	AMD	03-13-047
232- 28-273	AMD-P	03-06-105
232- 28-273	AMD	03-13-047
232- 28-276	REP-P	03-06-106
232- 28-276	REP	03-13-047
232- 28-278	REP-P	03-06-113
232- 28-278	REP	03-13-047
232- 28-279	REP-P	03-06-114
232- 28-279	REP	03-13-047
232- 28-282	AMD	03-03-016
232- 28-282	AMD-P	03-13-141
232- 28-282	AMD	03-16-087
232- 28-291	AMD-P	03-06-105
232- 28-291	AMD-P	03-12-077
232- 28-291	AMD	03-13-047
232- 28-291	AMD	03-16-087
232- 28-331	NEW-P	03-02-103
232- 28-331	NEW	03-06-110
232- 28-331	AMD-P	03-13-117
232- 28-331	AMD	03-16-087
232- 28-332	NEW-P	03-02-103
232- 28-332	NEW	03-06-110
232- 28-332	AMD-P	03-13-118
232- 28-332	AMD	03-16-087
232- 28-333	NEW-P	03-02-103
232- 28-333	NEW	03-06-110
232- 28-333	AMD-P	03-13-121
232- 28-333	AMD	03-16-087
232- 28-334	NEW-P	03-02-103
232- 28-334	NEW	03-06-110
232- 28-334	AMD-P	03-13-119
232- 28-334	AMD	03-16-087
232- 28-335	NEW-P	03-02-103
232- 28-335	NEW	03-06-110
232- 28-335	AMD-P	03-13-120
232- 28-335	AMD	03-16-087
232- 28-336	NEW-P	03-02-103
232- 28-336	NEW	03-06-110
232- 28-337	NEW-P	03-06-112
232- 28-337	NEW	03-13-047
232- 28-33700A	NEW-E	03-23-009
232- 28-341	NEW-P	03-06-106
232- 28-341	NEW	03-13-047
232- 28-341	AMD-P	03-13-116
232- 28-341	AMD	03-16-087
232- 28-351	NEW-P	03-06-113
232- 28-351	NEW	03-13-047
232- 28-35100A	NEW-E	03-17-038
232- 28-35100A	REP-E	03-17-038
232- 28-352	NEW-P	03-06-114
232- 28-352	NEW	03-13-047
232- 28-35200A	NEW-E	03-17-039
232- 28-35200A	REP-E	03-18-016
232- 28-35200B	NEW-E	03-18-016
232- 28-426	REP-P	03-13-115
232- 28-426	REP	03-16-087
232- 28-42600C	NEW-E	03-03-102
232- 28-42600C	REP-E	03-03-102
232- 28-427	NEW-P	03-13-115
232- 28-427	NEW	03-16-087
232- 28-515	AMD-P	03-06-107
232- 28-515	AMD	03-13-047
232- 28-619	AMD	03-05-057
232- 28-619	AMD-X	03-12-094
232- 28-619	AMD	03-16-110

WAC #	ACTION	WSR #
232- 28-619	AMD-P	03-21-174
232- 28-61900A	NEW-E	03-10-053
232- 28-61900A	REP-E	03-10-053
232- 28-61900A	NEW-E	03-20-099
232- 28-61900A	REP-E	03-20-099
232- 28-61900B	REP-E	03-04-047
232- 28-61900B	NEW-E	03-11-001
232- 28-61900B	REP-E	03-11-001
232- 28-61900B	REP-E	03-13-001
232- 28-61900B	NEW-E	03-21-002
232- 28-61900B	REP-E	03-21-002
232- 28-61900B	REP-E	03-21-026
232- 28-61900C	NEW-E	03-03-004
232- 28-61900C	REP-E	03-03-004
232- 28-61900C	NEW-E	03-11-037
232- 28-61900C	REP-E	03-11-082
232- 28-61900C	NEW-E	03-21-026
232- 28-61900D	NEW-E	03-03-098
232- 28-61900D	REP-E	03-03-098
232- 28-61900D	NEW-E	03-11-051
232- 28-61900D	REP-E	03-11-051
232- 28-61900D	NEW-E	03-23-047
232- 28-61900D	REP-E	03-23-047
232- 28-61900E	NEW-E	03-04-047
232- 28-61900E	REP-E	03-04-047
232- 28-61900E	NEW-E	03-11-082
232- 28-61900E	REP-E	03-12-022
232- 28-61900F	NEW-E	03-05-003
232- 28-61900F	REP-E	03-05-003
232- 28-61900F	NEW-E	03-12-022
232- 28-61900F	REP-E	03-13-068
232- 28-61900G	NEW-E	03-05-038
232- 28-61900G	REP-E	03-05-038
232- 28-61900G	NEW-E	03-12-041
232- 28-61900G	REP-E	03-12-041
232- 28-61900H	NEW-E	03-05-037
232- 28-61900H	REP-E	03-05-037
232- 28-61900H	REP-E	03-09-001
232- 28-61900H	NEW-E	03-13-003
232- 28-61900H	REP-E	03-13-003
232- 28-61900I	NEW-E	03-06-009
232- 28-61900I	REP-E	03-06-009
232- 28-61900I	NEW-E	03-13-013
232- 28-61900I	REP-E	03-13-013
232- 28-61900J	NEW-E	03-06-008
232- 28-61900J	REP-E	03-06-008
232- 28-61900J	NEW-E	03-13-001
232- 28-61900J	REP-E	03-13-001
232- 28-61900K	NEW-E	03-06-028
232- 28-61900K	REP-E	03-06-028
232- 28-61900K	NEW-E	03-13-069
232- 28-61900K	REP-E	03-14-028
232- 28-61900L	NEW-E	03-07-001
232- 28-61900L	REP-E	03-07-001
232- 28-61900L	REP-E	03-11-037
232- 28-61900L	NEW-E	03-13-068
232- 28-61900L	REP-E	03-14-073
232- 28-61900M	NEW-E	03-07-016
232- 28-61900M	REP-E	03-07-016
232- 28-61900M	REP-E	03-11-037
232- 28-61900M	NEW-E	03-13-094
232- 28-61900M	REP-E	03-13-094
232- 28-61900N	NEW-E	03-07-023
232- 28-61900N	REP-E	03-07-023
232- 28-61900N	NEW-E	03-14-028
232- 28-61900N	REP-E	03-14-093
232- 28-61900P	NEW-E	03-07-075
232- 28-61900P	REP-E	03-07-075
232- 28-61900P	REP-E	03-13-069
232- 28-61900P	NEW-E	03-14-073
232- 28-61900P	REP-E	03-20-004
232- 28-61900Q	REP-E	03-05-003
232- 28-61900Q	NEW-E	03-07-064
232- 28-61900Q	REP-E	03-07-064
232- 28-61900Q	NEW-E	03-14-093
232- 28-61900Q	REP-E	03-15-092
232- 28-61900R	NEW-E	03-07-068
232- 28-61900R	REP-E	03-07-068
232- 28-61900R	NEW-E	03-15-092
232- 28-61900R	REP-E	03-20-099
232- 28-61900S	NEW-E	03-08-054
232- 28-61900S	REP-E	03-08-054
232- 28-61900S	NEW-E	03-16-012
232- 28-61900S	REP-E	03-21-082
232- 28-61900T	NEW-E	03-09-001
232- 28-61900T	REP-E	03-09-001
232- 28-61900T	REP-E	03-10-033
232- 28-61900T	NEW-E	03-16-057
232- 28-61900T	REP-E	03-16-057
232- 28-61900U	NEW-E	03-09-016
232- 28-61900U	REP-E	03-09-016
232- 28-61900U	NEW-E	03-18-041
232- 28-61900V	NEW-E	03-10-001
232- 28-61900V	REP-E	03-10-001
232- 28-61900V	REP-E	03-12-041
232- 28-61900V	NEW-E	03-18-081
232- 28-61900V	REP-E	03-18-081
232- 28-61900W	NEW-E	03-10-015
232- 28-61900W	REP-E	03-11-037
232- 28-61900W	NEW-E	03-19-023
232- 28-61900W	REP-E	03-19-023
232- 28-61900W	REP-E	03-19-039
232- 28-61900X	NEW-E	03-10-032
232- 28-61900X	REP-E	03-10-032
232- 28-61900X	REP-E	03-11-037
232- 28-61900X	NEW-E	03-19-036
232- 28-61900X	REP-E	03-19-036
232- 28-61900Y	NEW-E	03-10-039
232- 28-61900Y	REP-E	03-10-039
232- 28-61900Y	REP-E	03-10-053
232- 28-61900Y	NEW-E	03-19-039
232- 28-61900Y	REP-E	03-19-039
232- 28-61900Z	NEW-E	03-10-033
232- 28-61900Z	REP-E	03-10-033
232- 28-61900Z	NEW-E	03-20-004
232- 28-61900Z	REP-E	03-20-004
232- 28-61900Z	REP-E	03-21-002
232- 28-620	AMD-X	03-12-095
232- 28-620	AMD	03-16-109
232- 28-62000K	NEW-E	03-10-039
232- 28-62000K	REP-E	03-10-039
232- 28-62000K	REP-E	03-15-095
232- 28-62000L	NEW-E	03-15-095
232- 28-62000L	REP-E	03-18-011
232- 28-62000M	NEW-E	03-18-011
232- 28-62000M	REP-E	03-18-033
232- 28-62000N	NEW-E	03-18-033
232- 28-621	AMD	03-05-057
232- 28-621	AMD-X	03-12-095
232- 28-621	AMD	03-16-109
232- 28-62100K	NEW-E	03-10-039
232- 28-62100K	REP-E	03-10-039
232- 28-62100K	REP-E	03-16-043
232- 28-62100L	NEW-E	03-16-043
232- 28-62100L	REP-E	03-18-082
232- 28-62100M	NEW-E	03-18-082
232- 28-62100M	REP-E	03-18-082
236- 12-435	NEW-P	03-20-112
236- 12-480	NEW-E	03-08-006
236- 12-480	REP-E	03-09-030
242- 02-010	AMD-X	03-10-069
242- 02-010	AMD	03-15-047
242- 02-052	AMD-X	03-10-069
242- 02-052	AMD	03-15-047
242- 02-070	AMD-X	03-10-069
242- 02-070	AMD	03-15-047
242- 02-072	AMD-X	03-10-069
242- 02-072	AMD	03-15-047
242- 02-076	NEW-X	03-10-069
242- 02-076	NEW	03-15-047
242- 02-834	AMD-X	03-10-069
242- 02-834	AMD	03-15-047
242- 04-050	AMD-X	03-10-069
242- 04-050	AMD	03-15-047
246- 01-001	AMD-X	03-04-105
246- 01-001	AMD	03-11-032
246- 01-040	REP-X	03-04-105
246- 01-040	REP	03-11-032
246- 01-070	REP-X	03-04-105
246- 01-070	REP	03-11-032
246- 01-080	AMD-X	03-04-105
246- 01-080	AMD	03-11-032
246- 01-090	AMD-X	03-04-105
246- 01-090	AMD	03-11-032
246- 01-100	REP-X	03-04-105
246- 01-100	REP	03-11-032
246- 08-400	AMD-P	03-10-098
246- 08-400	AMD	03-14-036
246- 12-040	AMD-P	03-15-105
246- 12-040	AMD	03-19-136
246- 50-001	AMD-X	03-23-135
246- 50-005	NEW-X	03-23-135
246- 50-010	AMD-X	03-23-135
246- 50-020	AMD-X	03-23-135
246- 50-030	AMD-X	03-23-135
246- 50-035	NEW-X	03-23-135
246- 50-040	REP-X	03-23-135
246- 50-990	AMD-X	03-23-135
246-100	AMD-W	03-06-051
246-100	PREP	03-20-043
246-100-011	AMD	03-06-003
246-100-036	AMD	03-05-048
246-100-036	AMD-X	03-09-066
246-100-036	AMD	03-17-022
246-100-040	NEW	03-05-048
246-100-045	NEW	03-05-048

WAC #	ACTION	WSR #
246-100-050	NEW	03-05-048
246-100-055	NEW	03-05-048
246-100-060	NEW	03-05-048
246-100-065	NEW	03-05-048
246-100-070	NEW	03-05-048
246-100-166	PREP	03-09-126
246-101	PREP	03-20-043
246-101-505	AMD	03-06-003
246-205-990	AMD-P	03-08-033
246-205-990	AMD	03-13-123
246-232-020	AMD-P	03-23-133
246-232-040	AMD-P	03-23-133
246-232-050	AMD-P	03-23-133
246-232-060	AMD-P	03-23-133
246-233-001	AMD-P	03-23-133
246-233-005	NEW-P	03-23-133
246-233-015	NEW-P	03-23-133
246-233-020	AMD-P	03-23-133
246-233-025	NEW-P	03-23-133
246-233-030	NEW-P	03-23-133
246-233-035	NEW-P	03-23-133
246-233-040	NEW-P	03-23-133
246-235-093	AMD-P	03-23-133
246-235-095	AMD-P	03-23-133
246-235-097	AMD-P	03-23-133
246-239-080	AMD-P	03-23-133
246-243-150	AMD-P	03-07-094
246-243-150	AMD	03-12-062
246-244-020	AMD-P	03-07-094
246-244-020	AMD	03-12-062
246-244-030	AMD-P	03-07-094
246-244-030	AMD	03-12-062
246-244-080	AMD-P	03-07-094
246-244-080	AMD	03-12-062
246-244-110	AMD-P	03-07-094
246-244-110	AMD	03-12-062
246-244-115	NEW-P	03-07-094
246-244-115	NEW	03-12-062
246-244-160	AMD-P	03-07-094
246-244-160	AMD	03-12-062
246-244-240	AMD-P	03-07-094
246-244-240	AMD	03-12-062
246-247-075	AMD-P	03-15-104
246-247-110	PREP	03-10-016
246-247-110	AMD-P	03-15-104
246-247-120	PREP	03-10-016
246-247-120	AMD-P	03-15-104
246-247-130	PREP	03-10-016
246-247-130	AMD-P	03-15-104
246-254-053	AMD-P	03-08-034
246-254-053	AMD	03-13-122
246-254-070	AMD-P	03-08-035
246-254-070	AMD	03-14-034
246-254-080	AMD-P	03-08-035
246-254-080	AMD	03-14-034
246-254-090	AMD-P	03-08-035
246-254-090	AMD	03-14-034
246-254-090	AMD-P	03-23-133
246-254-100	AMD-P	03-08-035
246-254-100	AMD	03-14-034
246-260-9901	AMD-P	03-11-030
246-260-9901	AMD	03-14-146
246-262-990	AMD-P	03-11-030
246-262-990	AMD	03-14-146
246-272	PREP	03-08-028
246-272B-00101	NEW-P	03-12-089
246-272B-00101	NEW-S	03-18-091
246-272B-00101	NEW	03-22-098
246-272B-00501	NEW-P	03-12-089
246-272B-00501	NEW-S	03-18-091
246-272B-00501	NEW	03-22-098
246-272B-01001	NEW-P	03-12-089
246-272B-01001	NEW-S	03-18-091
246-272B-01001	NEW	03-22-098
246-272B-03001	NEW-P	03-12-089
246-272B-03001	NEW-S	03-18-091
246-272B-03001	NEW	03-22-098
246-272B-07001	NEW-S	03-18-091
246-272B-07001	NEW	03-22-098
246-272B-08001	NEW-P	03-12-089
246-272B-08001	NEW-S	03-18-091
246-272B-08001	NEW	03-22-098
246-272B-09501	NEW-P	03-12-089
246-272B-09501	NEW-S	03-18-091
246-272B-09501	NEW	03-22-098
246-272B-0990	NEW-P	03-12-089
246-272B-0990	NEW-S	03-18-091
246-272B-11001	NEW-P	03-12-089
246-272B-11001	NEW-S	03-18-091
246-272B-11001	NEW	03-22-098
246-272B-11501	NEW-P	03-12-089
246-272B-11501	NEW-S	03-18-091
246-272B-11501	NEW	03-22-098
246-272B-12501	NEW-P	03-12-089
246-272B-12501	NEW-S	03-18-091
246-272B-12501	NEW	03-22-098
246-272B-13501	NEW-P	03-12-089
246-272B-13501	NEW-S	03-18-091
246-272B-13501	NEW	03-22-098
246-272B-15501	NEW-P	03-12-089
246-272B-15501	NEW-S	03-18-091
246-272B-15501	NEW	03-22-098
246-272B-16501	NEW-P	03-12-089
246-272B-16501	NEW-S	03-18-091
246-272B-16501	NEW	03-22-098
246-272B-17501	NEW-P	03-12-089
246-272B-17501	NEW-S	03-18-091
246-272B-17501	NEW	03-22-098
246-272B-18501	NEW-P	03-12-089
246-272B-18501	NEW-S	03-18-091
246-272B-18501	NEW	03-22-098
246-272B-19501	NEW-P	03-12-089
246-272B-19501	NEW-S	03-18-091
246-272B-19501	NEW	03-22-098
246-272B-20501	NEW-P	03-12-089
246-272B-20501	NEW-S	03-18-091
246-272B-20501	NEW	03-22-098
246-272B-21501	NEW-S	03-18-091
246-272B-21501	NEW	03-22-098
246-272B-24001	NEW-S	03-18-091
246-272B-24001	NEW	03-22-098
246-272B-25001	NEW-P	03-12-089
246-272B-25001	NEW-S	03-18-091
246-272B-25001	NEW	03-22-098
246-272B-26001	NEW-P	03-12-089
246-272B-26001	NEW-S	03-18-091
246-272B-26001	NEW	03-22-098
246-272B-27001	NEW-P	03-12-089
246-272B-27001	NEW-S	03-18-091
246-272B-27001	NEW	03-22-098
246-272B-28001	NEW-P	03-12-089
246-272B-28001	NEW-S	03-18-091
246-272B-28001	NEW	03-22-098
246-272B-990	NEW	03-22-098
246-282-990	AMD-P	03-10-043
246-282-990	AMD	03-14-037
246-282-990	AMD-P	03-14-145
246-282-990	AMD	03-18-093
246-290	PREP	03-04-044
246-290	PREP-W	03-07-101
246-290	PREP-W	03-07-102
246-290	PREP	03-07-103
246-290-002	AMD-P	03-03-079
246-290-002	AMD	03-08-037
246-290-010	AMD-P	03-03-079
246-290-010	AMD	03-08-037
246-290-025	AMD-P	03-03-079
246-290-025	AMD	03-08-037
246-290-060	AMD-P	03-03-078
246-290-060	AMD-P	03-03-079
246-290-060	AMD	03-08-037
246-290-100	AMD-P	03-03-079
246-290-100	AMD	03-08-037
246-290-105	AMD-P	03-03-079
246-290-105	AMD	03-08-037
246-290-125	AMD-P	03-03-079
246-290-125	AMD	03-08-037
246-290-220	AMD-P	03-03-079
246-290-220	AMD	03-08-037
246-290-300	AMD-P	03-03-079
246-290-300	AMD	03-08-037
246-290-310	AMD-P	03-03-079
246-290-310	AMD	03-08-037
246-290-320	AMD-P	03-03-079
246-290-320	AMD	03-08-037
246-290-416	AMD-P	03-03-079
246-290-416	AMD	03-08-037
246-290-451	AMD-P	03-03-079
246-290-451	AMD	03-08-037
246-290-480	AMD-P	03-03-079
246-290-480	AMD	03-08-037
246-290-490	AMD-P	03-03-079
246-290-490	AMD	03-08-037
246-290-495	REP-P	03-03-079
246-290-495	REP	03-08-037
246-290-601	AMD-P	03-03-079
246-290-601	AMD	03-08-037
246-290-630	AMD-P	03-03-079
246-290-630	AMD	03-08-037
246-290-634	AMD-P	03-03-079
246-290-634	AMD	03-08-037
246-290-638	AMD-P	03-03-079
246-290-638	AMD	03-08-037
246-290-654	AMD-P	03-03-079
246-290-654	AMD	03-08-037
246-290-660	AMD-P	03-03-079

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246-290-660	AMD	03-08-037
246-290-662	AMD-P	03-03-079
246-290-662	AMD	03-08-037
246-290-664	AMD-P	03-03-079
246-290-664	AMD	03-08-037
246-290-666	AMD-P	03-03-079
246-290-666	AMD	03-08-037
246-290-672	AMD-P	03-03-079
246-290-672	AMD	03-08-037
246-290-674	AMD-P	03-03-079
246-290-674	AMD	03-08-037
246-290-676	AMD-P	03-03-079
246-290-676	AMD	03-08-037
246-290-690	AMD-P	03-03-079
246-290-690	AMD	03-08-037
246-290-691	AMD-P	03-03-079
246-290-691	AMD	03-08-037
246-290-692	AMD-P	03-03-079
246-290-692	AMD	03-08-037
246-290-694	AMD-P	03-03-079
246-290-694	AMD	03-08-037
246-290-696	AMD-P	03-03-079
246-290-696	AMD	03-08-037
246-290-71001	NEW-P	03-03-079
246-290-71001	NEW	03-08-037
246-290-71002	NEW-P	03-03-079
246-290-71002	NEW	03-08-037
246-290-71003	NEW-P	03-03-079
246-290-71003	NEW	03-08-037
246-290-71004	NEW-P	03-03-079
246-290-71004	NEW	03-08-037
246-290-71005	NEW-P	03-03-079
246-290-71005	NEW	03-08-037
246-290-71006	NEW-P	03-03-079
246-290-71006	NEW	03-08-037
246-290-71007	NEW-P	03-03-079
246-290-71007	NEW	03-08-037
246-290-72001	AMD-P	03-03-079
246-290-72001	AMD	03-08-037
246-290-72005	AMD-P	03-03-079
246-290-72005	AMD	03-08-037
246-290-72007	AMD-P	03-03-079
246-290-72007	AMD	03-08-037
246-290-72010	AMD-P	03-03-079
246-290-72010	AMD	03-08-037
246-290-72012	AMD-P	03-03-079
246-290-72012	AMD	03-08-037
246-290-990	AMD-P	03-08-036
246-290-990	AMD	03-13-028
246-292	PREP	03-04-044
246-292-160	AMD-P	03-08-036
246-292-160	AMD	03-13-028
246-294	PREP	03-04-044
246-294-001	AMD-P	03-23-134
246-294-010	AMD-P	03-23-134
246-294-020	AMD-P	03-23-134
246-294-030	AMD-P	03-23-134
246-294-040	AMD-P	03-23-134
246-294-050	AMD-P	03-23-134
246-294-060	AMD-P	03-23-134
246-294-070	AMD-P	03-23-134
246-294-080	AMD-P	03-23-134
246-294-090	AMD-P	03-23-134
246-310-132	REP-W	03-14-137
246-310-261	AMD-W	03-14-137
246-310-262	AMD-W	03-14-137
246-310-263	NEW-W	03-14-137
246-310-290	NEW-P	03-03-097
246-310-290	NEW	03-07-096
246-310-295	NEW-P	03-03-097
246-310-295	NEW	03-07-096
246-310-990	AMD-P	03-03-097
246-310-990	AMD	03-07-096
246-310-990	AMD-P	03-18-092
246-310-990	AMD	03-22-020
246-320-010	AMD-P	03-12-090
246-320-010	AMD-W	03-14-016
246-320-010	AMD-X	03-22-083
246-320-370	NEW-P	03-12-090
246-320-370	NEW-W	03-14-016
246-320-370	NEW-X	03-22-083
246-320-990	AMD-P	03-18-092
246-320-990	AMD	03-22-020
246-322-990	AMD-P	03-18-092
246-322-990	AMD	03-22-020
246-323-990	AMD-P	03-10-099
246-323-990	AMD	03-14-147
246-324-990	AMD-P	03-18-092
246-324-990	AMD	03-22-020
246-325-990	AMD-P	03-18-092
246-325-990	AMD	03-22-020
246-326-990	AMD-P	03-18-092
246-326-990	AMD	03-22-020
246-329-990	AMD-P	03-18-092
246-329-990	AMD	03-22-020
246-335-015	AMD-X	03-19-135
246-335-060	AMD-X	03-19-135
246-335-990	AMD-P	03-18-092
246-335-990	AMD	03-22-020
246-380-990	AMD-P	03-18-092
246-380-990	AMD	03-22-020
246-455-001	AMD-P	03-05-024
246-455-001	AMD-S	03-09-127
246-455-001	AMD	03-13-029
246-455-010	AMD-P	03-05-024
246-455-010	AMD-S	03-09-127
246-455-010	AMD	03-13-029
246-455-020	AMD-P	03-05-024
246-455-020	AMD-S	03-09-127
246-455-020	AMD	03-13-029
246-455-030	AMD-P	03-05-024
246-455-030	AMD-S	03-09-127
246-455-030	AMD	03-13-029
246-455-040	AMD-P	03-05-024
246-455-040	AMD-S	03-09-127
246-455-040	AMD	03-13-029
246-455-070	AMD-P	03-05-024
246-455-070	AMD-W	03-18-084
246-455-080	AMD-P	03-05-024
246-455-080	AMD-S	03-09-127
246-455-080	AMD	03-13-029
246-455-090	AMD-P	03-05-024
246-455-090	AMD-W	03-18-084
246-455-100	AMD-P	03-05-024
246-455-100	AMD-S	03-09-127
246-455-100	AMD	03-13-029
246-562	PREP	03-09-017
246-562-010	AMD-P	03-15-141
246-562-010	AMD	03-19-054
246-562-020	AMD-E	03-06-050
246-562-020	AMD-P	03-15-141
246-562-020	AMD	03-19-054
246-562-050	AMD-P	03-15-141
246-562-050	AMD	03-19-054
246-562-060	AMD-P	03-15-141
246-562-060	AMD	03-19-054
246-562-080	AMD-P	03-15-141
246-562-080	AMD	03-19-054
246-562-110	AMD-P	03-15-141
246-562-110	AMD	03-19-054
246-562-120	AMD-P	03-15-141
246-562-120	AMD	03-19-054
246-562-130	AMD-P	03-15-141
246-562-130	AMD	03-19-054
246-562-140	AMD-P	03-15-141
246-562-140	AMD	03-19-054
246-562-160	AMD-P	03-15-141
246-562-160	AMD	03-19-054
246-650-001	AMD-P	03-17-092
246-650-010	AMD-P	03-17-092
246-650-020	AMD-P	03-17-092
246-650-030	AMD-P	03-17-092
246-650-040	NEW-P	03-17-092
246-650-050	NEW-P	03-17-092
246-680-001	AMD	03-11-031
246-680-010	AMD	03-11-031
246-680-020	AMD	03-11-031
246-802-990	AMD-P	03-03-077
246-802-990	AMD	03-07-095
246-809-610	AMD-P	03-19-132
246-809-620	AMD-P	03-19-132
246-809-630	AMD-P	03-19-132
246-809-700	NEW-P	03-19-134
246-809-710	NEW-P	03-19-134
246-809-720	NEW-P	03-19-134
246-812-010	AMD	03-12-061
246-812-130	REP	03-12-061
246-812-160	AMD	03-12-061
246-815-990	AMD-P	03-03-077
246-815-990	AMD	03-07-095
246-826-990	AMD-P	03-20-110
246-828-020	AMD-P	03-14-033
246-828-020	AMD	03-21-114
246-828-030	REP-P	03-15-106
246-828-045	AMD-P	03-15-106
246-828-055	REP-P	03-15-106
246-828-061	REP-P	03-15-106
246-828-070	REP-P	03-15-106
246-828-075	AMD-P	03-15-106
246-828-090	AMD-P	03-15-106
246-828-095	AMD-P	03-15-106
246-828-100	AMD-P	03-15-106
246-828-105	AMD-P	03-15-106
246-828-220	AMD-P	03-15-106
246-828-270	AMD-P	03-15-106
246-828-290	AMD-P	03-15-106

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246-828-320	AMD-P	03-15-106
246-828-330	AMD-P	03-15-106
246-828-350	AMD-P	03-15-106
246-828-500	AMD-P	03-15-106
246-828-550	AMD-P	03-15-106
246-828-990	AMD-P	03-15-106
246-830-005	AMD	03-11-033
246-830-435	NEW	03-11-033
246-830-990	AMD-P	03-03-077
246-830-990	AMD	03-07-095
246-834-990	PREP	03-13-126
246-836-990	AMD-P	03-03-077
246-836-990	AMD	03-07-095
246-840-010	PREP	03-12-087
246-840-010	AMD-E	03-13-143
246-840-010	AMD-E	03-21-115
246-840-700	AMD-E	03-15-034
246-840-700	AMD-E	03-22-085
246-840-840	PREP	03-12-087
246-840-840	AMD-E	03-13-143
246-840-840	AMD-E	03-21-115
246-840-850	PREP	03-12-087
246-840-850	AMD-E	03-13-143
246-840-850	AMD-E	03-21-115
246-840-860	PREP	03-12-087
246-840-860	AMD-E	03-13-143
246-840-860	AMD-E	03-21-115
246-840-870	PREP	03-12-087
246-840-870	AMD-E	03-13-143
246-840-870	AMD-E	03-21-115
246-840-880	PREP	03-12-087
246-840-880	AMD-E	03-13-143
246-840-880	AMD-E	03-21-115
246-840-890	PREP	03-12-087
246-840-890	AMD-E	03-13-143
246-840-890	AMD-E	03-21-115
246-840-900	PREP	03-12-087
246-840-900	REP-E	03-13-143
246-840-900	REP-E	03-21-115
246-840-910	AMD-E	03-15-034
246-840-910	AMD-E	03-22-085
246-840-930	AMD-E	03-15-034
246-840-930	AMD-E	03-22-085
246-840-940	AMD-E	03-15-034
246-840-940	AMD-E	03-22-085
246-840-990	AMD-E	03-12-063
246-840-990	AMD-E	03-20-108
246-841-405	AMD-E	03-15-033
246-841-405	AMD-E	03-22-084
246-847-010	PREP	03-08-031
246-847-065	PREP	03-08-029
246-847-120	PREP	03-08-092
246-847-170	PREP	03-08-030
246-850-130	NEW-P	03-12-088
246-850-130	NEW	03-17-093
246-850-140	NEW-P	03-12-088
246-850-140	NEW	03-17-093
246-850-150	NEW-P	03-12-088
246-850-150	NEW	03-17-093
246-850-160	NEW-P	03-12-088
246-850-160	NEW	03-17-093
246-850-990	AMD-P	03-17-091
246-850-990	AMD	03-21-116
246-851-160	PREP	03-04-043
246-851-170	PREP	03-04-043
246-851-390	REP	03-05-021
246-854-020	PREP	03-17-056
246-854-080	PREP	03-17-056
246-854-090	PREP	03-17-056
246-869-220	PREP	03-15-067
246-869-260	PREP-W	03-04-042
246-870-010	NEW-P	03-11-092
246-870-010	NEW-C	03-17-004
246-870-010	NEW-C	03-20-106
246-870-020	NEW-P	03-11-092
246-870-020	NEW-C	03-17-004
246-870-020	NEW-C	03-20-106
246-870-030	NEW-P	03-11-092
246-870-030	NEW-C	03-17-004
246-870-030	NEW-C	03-20-106
246-870-040	NEW-P	03-11-092
246-870-040	NEW-C	03-17-004
246-870-040	NEW-C	03-20-106
246-870-050	NEW-P	03-11-092
246-870-050	NEW-C	03-17-004
246-870-050	NEW-C	03-20-106
246-870-060	NEW-P	03-11-092
246-870-060	NEW-C	03-17-004
246-870-060	NEW-C	03-20-106
246-870-070	NEW-P	03-11-092
246-870-070	NEW-C	03-17-004
246-870-070	NEW-C	03-20-106
246-870-080	NEW-P	03-11-092
246-870-080	NEW-C	03-17-004
246-870-080	NEW-C	03-20-106
246-870-090	NEW-P	03-11-092
246-870-090	NEW-C	03-17-004
246-870-090	NEW-C	03-20-106
246-872	PREP	03-18-117
246-887	PREP	03-09-124
246-887	PREP	03-15-103
246-887-045	NEW	03-04-045
246-887-165	NEW-X	03-03-096
246-887-165	NEW	03-09-064
246-889-050	NEW-P	03-06-002
246-889-050	NEW	03-13-027
246-919	PREP	03-08-032
246-919-100	REP-X	03-12-091
246-919-100	REP	03-20-109
246-919-110	AMD-X	03-15-068
246-919-120	REP-X	03-12-091
246-919-120	REP	03-20-109
246-919-130	REP-X	03-12-091
246-919-130	REP	03-20-109
246-919-140	REP-X	03-12-091
246-919-140	REP	03-20-109
246-919-150	REP-X	03-12-091
246-919-150	REP	03-20-109
246-919-320	AMD-X	03-15-068
246-919-330	AMD-X	03-15-068
246-919-350	REP-X	03-12-091
246-919-350	REP	03-20-109
246-919-360	AMD-X	03-15-068
246-919-720	REP-X	03-12-091
246-919-720	REP	03-20-109
246-924-354	PREP	03-05-020
246-926-020	PREP	03-14-032
246-926-100	AMD	03-10-100
246-926-100	PREP	03-14-144
246-926-110	PREP	03-14-144
246-926-120	PREP	03-14-144
246-926-130	PREP	03-14-144
246-926-140	PREP	03-14-032
246-926-180	PREP	03-14-032
246-926-190	PREP	03-14-032
246-926-990	PREP	03-14-032
246-927-010	NEW-P	03-17-057
246-927-010	NEW	03-22-021
246-927-990	NEW-P	03-05-022
246-927-990	NEW	03-09-065
246-933-320	AMD-P	03-06-100
246-933-320	AMD	03-14-035
246-933-501	NEW-P	03-06-100
246-933-501	NEW	03-14-035
246-933-510	NEW-P	03-06-100
246-933-510	NEW	03-14-035
246-933-520	NEW-P	03-06-100
246-933-520	NEW	03-14-035
246-933-530	NEW-P	03-06-100
246-933-530	NEW	03-14-035
246-933-550	NEW-P	03-06-100
246-933-550	NEW	03-14-035
246-933-590	NEW-P	03-05-023
246-933-590	NEW	03-10-044
246-935-070	AMD-P	03-04-104
246-935-070	AMD	03-11-034
246-976-021	PREP	03-09-125
246-976-021	AMD-P	03-15-069
246-976-021	AMD	03-20-107
246-976-485	AMD-P	03-19-133
246-976-500	REP-P	03-19-133
246-976-510	REP-P	03-19-133
246-976-520	REP-P	03-19-133
246-976-530	NEW-P	03-19-133
246-976-535	NEW-P	03-19-133
246-976-540	NEW-P	03-19-133
246-976-550	REP-P	03-19-133
246-976-560	REP-P	03-19-133
246-976-570	REP-P	03-19-133
246-976-600	REP-P	03-19-133
246-976-610	REP-P	03-19-133
246-976-615	REP-P	03-19-133
246-976-620	AMD-P	03-19-133
246-976-640	REP-P	03-19-133
246-976-650	REP-P	03-19-133
246-976-680	REP-P	03-19-133
246-976-690	REP-P	03-19-133
246-976-720	REP-P	03-19-133
246-976-730	REP-P	03-19-133
246-976-740	REP-P	03-19-133
246-976-750	NEW-P	03-19-133
246-976-755	NEW-P	03-19-133
246-976-760	NEW-P	03-19-133
246-976-770	REP-P	03-19-133
246-976-780	REP-P	03-19-133
246-976-790	REP-P	03-19-133

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246-976-810	REP-P	03-19-133
246-976-820	REP-P	03-19-133
246-976-822	REP-P	03-19-133
246-976-870	AMD-P	03-19-133
246-976-881	AMD-P	03-19-133
246-976-885	AMD-P	03-19-133
246-976-886	AMD-P	03-19-133
246-976-887	AMD-P	03-19-133
246-976-890	AMD-P	03-19-133
246-976-935	PREP	03-21-117
250- 18-015	AMD-P	03-09-145
250- 18-015	AMD	03-13-056
250- 18-020	AMD-P	03-09-145
250- 18-020	AMD	03-13-056
250- 18-020	AMD-P	03-16-089
250- 18-020	AMD	03-20-053
250- 18-025	AMD-P	03-09-145
250- 18-025	AMD	03-13-056
250- 18-030	AMD-P	03-09-145
250- 18-030	AMD	03-13-056
250- 18-035	AMD-P	03-09-145
250- 18-035	AMD	03-13-056
250- 18-035	AMD-P	03-16-089
250- 18-035	AMD	03-20-053
250- 18-040	REP-P	03-09-145
250- 18-040	REP	03-13-056
250- 18-060	AMD-P	03-16-089
250- 18-060	AMD	03-20-053
250- 18-070	NEW-P	03-09-145
250- 18-070	NEW-W	03-22-062
250- 61	PREP	03-04-079
250- 69	AMD	03-04-101
250- 69-010	AMD	03-04-101
250- 69-020	AMD	03-04-101
250- 69-030	AMD	03-04-101
250- 69-040	AMD	03-04-101
250- 69-050	AMD	03-04-101
250- 69-060	AMD	03-04-101
250- 69-070	AMD	03-04-101
250- 69-090	AMD	03-04-101
250- 69-110	REP	03-04-101
250- 70-010	AMD-P	03-16-065
250- 70-010	AMD	03-20-047
250- 70-020	AMD-P	03-16-065
250- 70-020	AMD	03-20-047
250- 70-030	AMD-P	03-16-065
250- 70-030	AMD	03-20-047
250- 70-040	AMD-P	03-16-065
250- 70-040	AMD	03-20-047
250- 70-050	AMD-P	03-16-065
250- 70-050	AMD	03-20-047
250- 70-060	AMD-P	03-16-065
250- 70-060	AMD	03-20-047
250- 70-070	AMD-P	03-16-065
250- 70-070	AMD	03-20-047
250- 70-080	AMD-P	03-16-065
250- 70-080	AMD	03-20-047
250- 80-060	AMD-P	03-19-108
250- 80-060	AMD	03-23-119
251- 04-035	NEW-E	03-03-042
251- 04-035	NEW-P	03-07-059
251- 04-035	NEW-P	03-10-101
251- 04-035	NEW-E	03-11-004
251- 04-035	NEW-W	03-11-005
251- 04-035	NEW	03-13-051
251- 04-035	AMD-P	03-19-129
251- 04-035	AMD	03-22-003
251- 14-015	NEW-P	03-19-129
251- 17-150	AMD-P	03-16-107
251- 17-150	AMD	03-20-010
251- 22-250	AMD-P	03-16-108
251- 22-250	AMD	03-20-011
251- 22-260	AMD-P	03-16-108
251- 22-260	AMD	03-20-011
251- 22-270	AMD-P	03-16-108
251- 22-270	AMD	03-20-011
251- 22-280	AMD-P	03-16-108
251- 22-280	AMD	03-20-011
251- 22-290	AMD-P	03-16-108
251- 22-290	AMD	03-20-011
260	PREP	03-09-131
260	PREP	03-21-076
260- 08-595	NEW	03-03-041
260- 13-420	PREP	03-03-067
260- 13-420	AMD-P	03-07-054
260- 13-420	AMD	03-11-015
260- 14-101	PREP	03-21-053
260- 20-035	PREP	03-03-025
260- 20-035	REP-P	03-07-051
260- 20-035	REP	03-11-016
260- 24	PREP	03-05-067
260- 24	PREP	03-21-077
260- 24	PREP	03-21-079
260- 24-510	AMD-P	03-09-132
260- 24-510	AMD	03-13-074
260- 28-030	AMD-P	03-03-040
260- 28-030	AMD	03-07-056
260- 32-005	NEW-P	03-07-074
260- 32-005	NEW-W	03-11-014
260- 34-090	AMD	03-05-071
260- 36	PREP	03-21-054
260- 36	PREP-W	03-21-104
260- 36	PREP	03-23-125
260- 40	PREP	03-21-078
260- 40-160	PREP	03-21-056
260- 48	PREP	03-05-068
260- 48-630	AMD-P	03-04-089
260- 48-630	AMD	03-07-057
260- 48-890	AMD-P	03-09-133
260- 48-890	AMD-W	03-13-072
260- 48-900	AMD-P	03-09-133
260- 48-900	AMD-W	03-13-072
260- 48-910	AMD-P	03-09-133
260- 48-910	AMD-W	03-13-072
260- 48-940	NEW-P	03-07-053
260- 48-940	NEW	03-11-017
260- 60	PREP	03-21-081
260- 70	PREP	03-21-055
260- 70-610	AMD-P	03-07-052
260- 70-610	AMD	03-11-018
260- 70-630	AMD-P	03-07-055
260- 70-630	AMD-E	03-09-057
260- 70-630	AMD	03-11-019
260- 70-630	PREP	03-13-071
260- 70-650	AMD	03-06-004
260- 70-660	AMD	03-06-004
260- 70-700	AMD	03-06-004
260- 72-010	AMD-W	03-05-069
260- 72-010	REP-P	03-05-070
260- 72-010	REP-P	03-09-134
260- 72-010	REP	03-13-073
260- 72-010	REP-W	03-18-085
260- 72-040	NEW-P	03-04-090
260- 72-040	NEW	03-07-058
260- 80	PREP	03-21-080
260- 88-010	PREP	03-21-057
284	PREP	03-19-004
284- 07-010	AMD	03-03-133
284- 22-020	AMD	03-03-052
284- 22-050	AMD	03-03-052
284- 22-060	AMD	03-03-052
284- 22-080	AMD	03-03-052
284- 24	PREP	03-19-004
284- 24-065	PREP	03-19-003
284- 24-120	AMD-P	03-22-094
284- 24A-070	NEW-W	03-03-063
284- 30-390	AMD-P	03-03-132
284- 30-390	AMD-S	03-09-143
284- 30-390	AMD	03-14-092
284- 30-3901	NEW-P	03-03-132
284- 30-3901	NEW-S	03-09-143
284- 30-3901	NEW	03-14-092
284- 30-3902	NEW-P	03-03-132
284- 30-3902	NEW-S	03-09-143
284- 30-3902	NEW	03-14-092
284- 30-3903	NEW-P	03-03-132
284- 30-3903	NEW-S	03-09-143
284- 30-3903	NEW	03-14-092
284- 30-3904	NEW-P	03-03-132
284- 30-3904	NEW-S	03-09-143
284- 30-3904	NEW	03-14-092
284- 30-3905	NEW-P	03-03-132
284- 30-3905	NEW-S	03-09-143
284- 30-3905	NEW	03-14-092
284- 30-3906	NEW-P	03-03-132
284- 30-3906	NEW-S	03-09-143
284- 30-3906	NEW	03-14-092
284- 30-3907	NEW-P	03-03-132
284- 30-3907	NEW-S	03-09-143
284- 30-3907	NEW	03-14-092
284- 30-3908	NEW-P	03-03-132
284- 30-3908	NEW-S	03-09-143
284- 30-3908	NEW	03-14-092
284- 30-3909	NEW-P	03-03-132
284- 30-3909	NEW-S	03-09-143
284- 30-3909	NEW	03-14-092
284- 30-3910	NEW-P	03-03-132
284- 30-3910	NEW-S	03-09-143
284- 30-3910	NEW	03-14-092
284- 30-3911	NEW-P	03-03-132
284- 30-3911	NEW-S	03-09-143
284- 30-3911	NEW	03-14-092
284- 30-3912	NEW-P	03-03-132
284- 30-3912	NEW-S	03-09-143
284- 30-3912	NEW	03-14-092
284- 30-3912	AMD-X	03-20-123

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284- 30-3913	NEW-P	03-03-132
284- 30-3913	NEW-S	03-09-143
284- 30-3913	NEW	03-14-092
284- 30-3914	NEW-P	03-03-132
284- 30-3914	NEW-S	03-09-143
284- 30-3914	NEW	03-14-092
284- 30-3915	NEW-P	03-03-132
284- 30-3915	NEW-S	03-09-143
284- 30-3915	NEW	03-14-092
284- 30-3916	NEW-S	03-09-143
284- 30-3916	NEW	03-14-092
284- 30-505	NEW-W	03-08-071
284- 30-510	NEW-W	03-10-096
284- 43-220	AMD-X	03-03-134
284- 43-220	AMD	03-09-142
284- 43-323	NEW	03-07-006
284- 53	PREP	03-22-009
284- 74-400	NEW-P	03-23-105
284- 74-410	NEW-P	03-23-105
284- 74-420	NEW-P	03-23-105
284- 74-430	NEW-P	03-23-105
284- 74-440	NEW-P	03-23-105
284- 74-450	NEW-P	03-23-105
284- 74-460	NEW-P	03-23-105
284- 91	AMD	03-07-007
284- 91-001	NEW	03-07-007
284- 91-010	REP	03-07-007
284- 91-020	REP	03-07-007
284- 91-025	REP	03-07-007
284- 91-027	REP	03-07-007
284- 91-030	REP	03-07-007
284- 91-040	REP	03-07-007
284- 91-050	REP	03-07-007
284- 91-060	REP	03-07-007
287- 01-030	AMD-X	03-22-082
287- 02-030	AMD-X	03-22-082
287- 02-130	AMD-X	03-22-082
296- 05	PREP	03-21-160
296- 13-001	REP-P	03-05-074
296- 13-001	REP	03-09-111
296- 13-010	REP-P	03-05-074
296- 13-010	REP	03-09-111
296- 13-020	REP-P	03-05-074
296- 13-020	REP	03-09-111
296- 13-030	REP-P	03-05-074
296- 13-030	REP	03-09-111
296- 13-035	REP-P	03-05-074
296- 13-035	REP	03-09-111
296- 13-040	REP-P	03-05-074
296- 13-040	REP	03-09-111
296- 13-050	REP-P	03-05-074
296- 13-050	REP	03-09-111
296- 13-052	REP-P	03-05-074
296- 13-052	REP	03-09-111
296- 13-053	REP-P	03-05-074
296- 13-053	REP	03-09-111
296- 13-055	REP-P	03-05-074
296- 13-055	REP	03-09-111
296- 13-057	REP-P	03-05-074
296- 13-057	REP	03-09-111
296- 13-060	REP-P	03-05-074
296- 13-060	REP	03-09-111
296- 13-080	REP-P	03-05-074
296- 13-080	REP	03-09-111
296- 13-090	REP-P	03-05-074
296- 13-090	REP	03-09-111
296- 13-100	REP-P	03-05-074
296- 13-100	REP	03-09-111
296- 13-110	REP-P	03-05-074
296- 13-110	REP	03-09-111
296- 13-130	REP-P	03-05-074
296- 13-130	REP	03-09-111
296- 13-140	REP-P	03-05-074
296- 13-140	REP	03-09-111
296- 13-150	REP-P	03-05-074
296- 13-150	REP	03-09-111
296- 13-160	REP-P	03-05-074
296- 13-160	REP	03-09-111
296- 13-170	REP-P	03-05-074
296- 13-170	REP	03-09-111
296- 13-180	REP-P	03-05-074
296- 13-180	REP	03-09-111
296- 13-190	REP-P	03-05-074
296- 13-190	REP	03-09-111
296- 13-200	REP-P	03-05-074
296- 13-200	REP	03-09-111
296- 13-210	REP-P	03-05-074
296- 13-210	REP	03-09-111
296- 13-220	REP-P	03-05-074
296- 13-220	REP	03-09-111
296- 13-230	REP-P	03-05-074
296- 13-230	REP	03-09-111
296- 13-240	REP-P	03-05-074
296- 13-240	REP	03-09-111
296- 13-250	REP-P	03-05-074
296- 13-250	REP	03-09-111
296- 13-260	REP-P	03-05-074
296- 13-260	REP	03-09-111
296- 13-270	REP-P	03-05-074
296- 13-270	REP	03-09-111
296- 13-280	REP-P	03-05-074
296- 13-280	REP	03-09-111
296- 13-290	REP-P	03-05-074
296- 13-290	REP	03-09-111
296- 13-300	REP-P	03-05-074
296- 13-300	REP	03-09-111
296- 13-310	REP-P	03-05-074
296- 13-310	REP	03-09-111
296- 13-320	REP-P	03-05-074
296- 13-320	REP	03-09-111
296- 13-330	REP-P	03-05-074
296- 13-330	REP	03-09-111
296- 13-340	REP-P	03-05-074
296- 13-340	REP	03-09-111
296- 13-350	REP-P	03-05-074
296- 13-350	REP	03-09-111
296- 13-360	REP-P	03-05-074
296- 13-360	REP	03-09-111
296- 13-370	REP-P	03-05-074
296- 13-370	REP	03-09-111
296- 13-380	REP-P	03-05-074
296- 13-380	REP	03-09-111
296- 13-390	REP-P	03-05-074
296- 13-390	REP	03-09-111
296- 13-400	REP-P	03-05-074
296- 13-400	REP	03-09-111
296- 13-410	REP-P	03-05-074
296- 13-410	REP	03-09-111
296- 13-420	REP-P	03-05-074
296- 13-420	REP	03-09-111
296- 13-430	REP-P	03-05-074
296- 13-430	REP	03-09-111
296- 13-440	REP-P	03-05-074
296- 13-440	REP	03-09-111
296- 14-310	NEW-P	03-06-074
296- 14-310	NEW	03-12-046
296- 14-315	NEW-P	03-06-074
296- 14-315	NEW	03-12-046
296- 14-320	NEW-P	03-06-074
296- 14-320	NEW	03-12-046
296- 14-325	NEW-P	03-06-074
296- 14-325	NEW	03-12-046
296- 14-330	NEW-P	03-06-074
296- 14-330	NEW	03-12-046
296- 14-520	NEW	03-11-035
296- 14-522	NEW	03-11-035
296- 14-524	NEW	03-11-035
296- 14-526	NEW	03-11-035
296- 14-528	NEW	03-11-035
296- 14-530	NEW	03-11-035
296- 150C	PREP	03-04-098
296- 150F	PREP	03-04-098
296- 150M	PREP	03-04-098
296- 150P	PREP	03-04-098
296- 150R	PREP	03-04-098
296- 150T	PREP	03-04-098
296- 150V	PREP	03-04-098
296- 17	PREP	03-05-072
296- 17	PREP-W	03-09-106
296- 17	PREP	03-13-099
296- 17	PREP	03-18-088
296- 17-31002	AMD-P	03-17-016
296- 17-31002	AMD	03-23-025
296- 17-31007	AMD-P	03-17-016
296- 17-31007	AMD	03-23-025
296- 17-31009	AMD-P	03-17-016
296- 17-31009	AMD	03-23-025
296- 17-31018	AMD-P	03-17-016
296- 17-31018	AMD	03-23-025
296- 17-31021	AMD-P	03-17-016
296- 17-31021	AMD	03-23-025
296- 17-31027	AMD-P	03-14-126
296- 17-31027	AMD	03-20-081
296- 17-35201	AMD-P	03-17-016
296- 17-35201	AMD	03-23-025
296- 17-35203	AMD-P	03-17-016
296- 17-35203	AMD	03-23-025
296- 17-501	AMD-P	03-17-016
296- 17-501	AMD	03-23-025
296- 17-519	AMD-P	03-17-016
296- 17-519	AMD	03-23-025
296- 17-52001	REP-P	03-17-016
296- 17-52001	REP	03-23-025
296- 17-521	AMD-P	03-17-016
296- 17-521	AMD	03-23-025
296- 17-52108	AMD-P	03-17-016

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296- 17-52108	AMD	03-23-025
296- 17-52109	AMD-P	03-17-016
296- 17-52109	AMD	03-23-025
296- 17-52110	AMD-P	03-17-016
296- 17-52110	AMD	03-23-025
296- 17-527	AMD-P	03-17-016
296- 17-527	AMD	03-23-025
296- 17-536	AMD-P	03-17-016
296- 17-536	AMD	03-23-025
296- 17-538	AMD-P	03-17-016
296- 17-538	AMD	03-23-025
296- 17-544	AMD-P	03-17-016
296- 17-544	AMD	03-23-025
296- 17-57001	AMD-P	03-17-016
296- 17-57001	AMD	03-23-025
296- 17-583	AMD-P	03-17-016
296- 17-583	AMD	03-23-025
296- 17-594	AMD-P	03-17-016
296- 17-594	AMD	03-23-025
296- 17-618	AMD-P	03-17-016
296- 17-618	AMD	03-23-025
296- 17-644	AMD-P	03-17-016
296- 17-64999	AMD-P	03-17-016
296- 17-64999	AMD	03-23-025
296- 17-659	AMD-P	03-17-016
296- 17-659	AMD	03-23-025
296- 17-66002	AMD-P	03-17-016
296- 17-66002	AMD	03-23-025
296- 17-66003	AMD-P	03-17-016
296- 17-66003	AMD	03-23-025
296- 17-67601	AMD-P	03-17-016
296- 17-67601	AMD	03-23-025
296- 17-677	AMD-P	03-17-016
296- 17-677	AMD	03-23-025
296- 17-680	AMD-P	03-17-016
296- 17-680	AMD	03-23-025
296- 17-681	AMD-P	03-17-016
296- 17-681	AMD	03-23-025
296- 17-698	AMD-P	03-17-016
296- 17-698	AMD	03-23-025
296- 17-72201	AMD-P	03-17-016
296- 17-72201	AMD	03-23-025
296- 17-72202	AMD-P	03-17-016
296- 17-72202	AMD	03-23-025
296- 17-724	AMD-P	03-17-016
296- 17-724	AMD	03-23-025
296- 17-729	AMD-P	03-17-016
296- 17-729	AMD	03-23-025
296- 17-752	AMD-P	03-17-016
296- 17-752	AMD	03-23-025
296- 17-757	PREP	03-03-026
296- 17-757	AMD-P	03-14-126
296- 17-757	AMD	03-20-081
296- 17-758	PREP	03-03-026
296- 17-758	AMD-P	03-14-126
296- 17-758	AMD	03-20-081
296- 17-759	PREP	03-03-026
296- 17-759	AMD-P	03-14-126
296- 17-759	AMD	03-20-081
296- 17-760	PREP	03-03-026
296- 17-760	AMD-P	03-14-126
296- 17-760	AMD	03-20-081
296- 17-761	PREP	03-03-026
296- 17-761	AMD-P	03-14-126
296- 17-761	AMD	03-20-081
296- 17-762	PREP	03-03-026
296- 17-762	AMD-P	03-14-126
296- 17-762	AMD	03-20-081
296- 17-76201	PREP	03-03-026
296- 17-76201	AMD-P	03-14-126
296- 17-76201	AMD	03-20-081
296- 17-76202	PREP	03-03-026
296- 17-76202	AMD-P	03-14-126
296- 17-76202	AMD	03-20-081
296- 17-76203	PREP	03-03-026
296- 17-76203	AMD-P	03-14-126
296- 17-76203	AMD	03-20-081
296- 17-76204	PREP	03-03-026
296- 17-76204	AMD-P	03-14-126
296- 17-76204	AMD	03-20-081
296- 17-76205	PREP	03-03-026
296- 17-76205	AMD-P	03-14-126
296- 17-76205	AMD	03-20-081
296- 17-76206	PREP	03-03-026
296- 17-76206	AMD-P	03-14-126
296- 17-76206	AMD	03-20-081
296- 17-76207	PREP	03-03-026
296- 17-76207	AMD-P	03-14-126
296- 17-76207	AMD	03-20-081
296- 17-76208	PREP	03-03-026
296- 17-76208	AMD-P	03-14-126
296- 17-76208	AMD	03-20-081
296- 17-76209	PREP	03-03-026
296- 17-76209	AMD-P	03-14-126
296- 17-76209	AMD	03-20-081
296- 17-76210	PREP	03-03-026
296- 17-76210	AMD-P	03-14-126
296- 17-76210	AMD	03-20-081
296- 17-76211	PREP	03-03-026
296- 17-76211	AMD-P	03-14-126
296- 17-76211	AMD	03-20-081
296- 17-76212	PREP	03-03-026
296- 17-76212	AMD-P	03-14-126
296- 17-76212	AMD	03-20-081
296- 17-76213	NEW-P	03-14-126
296- 17-76213	NEW	03-20-081
296- 17-855	AMD-P	03-19-107
296- 17-870	AMD-P	03-19-107
296- 17-875	AMD-P	03-19-107
296- 17-880	AMD-P	03-19-107
296- 17-885	AMD-P	03-19-107
296- 17-890	AMD-P	03-19-107
296- 17-895	AMD-P	03-19-107
296- 17-89502	AMD-P	03-19-107
296- 17-90492	AMD-P	03-19-107
296- 17-90493	AMD-P	03-19-107
296- 17-90494	AMD-P	03-19-107
296- 17-90495	AMD-P	03-19-107
296- 17-90496	AMD-P	03-19-107
296- 17-90497	AMD-P	03-19-107
296- 17-920	AMD-P	03-19-107
296- 19A-010	AMD	03-11-009
296- 19A-020	AMD	03-11-009
296- 19A-025	NEW	03-11-009
296- 19A-030	AMD	03-11-009
296- 19A-040	AMD	03-11-009
296- 19A-045	AMD-X	03-17-072
296- 19A-045	AMD	03-22-030
296- 19A-050	PREP	03-17-070
296- 19A-050	PREP-W	03-22-068
296- 19A-060	AMD	03-11-009
296- 19A-065	NEW	03-11-009
296- 19A-065	PREP	03-17-070
296- 19A-065	PREP-W	03-22-068
296- 19A-070	AMD	03-11-009
296- 19A-080	AMD-X	03-17-072
296- 19A-080	AMD	03-22-030
296- 19A-090	AMD	03-11-009
296- 19A-090	PREP	03-17-070
296- 19A-090	PREP-W	03-22-068
296- 19A-100	AMD	03-11-009
296- 19A-110	AMD	03-11-009
296- 19A-110	PREP	03-17-070
296- 19A-110	PREP-W	03-22-068
296- 19A-120	PREP	03-17-070
296- 19A-120	AMD-X	03-17-072
296- 19A-120	AMD	03-22-030
296- 19A-120	PREP-W	03-22-068
296- 19A-125	NEW	03-11-009
296- 19A-130	AMD	03-11-009
296- 19A-135	NEW	03-11-009
296- 19A-137	NEW	03-11-009
296- 19A-140	AMD	03-11-009
296- 19A-170	AMD	03-11-009
296- 19A-180	AMD	03-11-009
296- 19A-190	AMD	03-11-009
296- 19A-191	NEW	03-11-009
296- 19A-192	NEW	03-11-009
296- 19A-193	NEW	03-11-009
296- 19A-200	AMD	03-11-009
296- 19A-210	AMD	03-11-009
296- 19A-210	PREP	03-16-083
296- 19A-240	AMD	03-11-009
296- 19A-245	NEW	03-11-009
296- 19A-260	AMD	03-11-009
296- 19A-270	AMD	03-11-009
296- 19A-300	AMD	03-11-009
296- 19A-350	AMD	03-11-009
296- 19A-400	AMD	03-11-009
296- 19A-440	AMD	03-11-009
296- 19A-480	AMD	03-11-009
296- 20	PREP	03-23-023
296- 20-010	AMD-X	03-14-127
296- 20-010	AMD	03-21-069
296- 20-01002	AMD-X	03-14-127
296- 20-01002	AMD	03-21-069
296- 20-01002	PREP	03-23-024
296- 20-01501	AMD-X	03-14-127
296- 20-01501	AMD	03-21-069
296- 20-02010	AMD-X	03-14-127
296- 20-02010	AMD	03-21-069
296- 20-02704	PREP	03-23-024
296- 200A	PREP	03-04-098
296- 20-12501	AMD-X	03-14-127
296- 20-12501	AMD	03-21-069
296- 20-135	AMD-P	03-09-107

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296- 20-135	AMD	03-14-043
296- 20-170	AMD-X	03-14-127
296- 20-170	AMD	03-21-069
296- 20-200	AMD-P	03-21-070
296- 20-2010	NEW-P	03-21-070
296- 20-2015	NEW-P	03-21-070
296- 20-2020	NEW-P	03-21-070
296- 20-2025	NEW-P	03-21-070
296- 20-2030	NEW-P	03-21-070
296- 20-210	REP-P	03-21-070
296- 20-303	DECOD-X	03-14-127
296- 20-303	DECOD	03-21-069
296- 23-220	AMD-P	03-09-107
296- 23-220	AMD	03-14-043
296- 23-230	AMD-P	03-09-107
296- 23-230	AMD	03-14-043
296- 23-240	AMD-X	03-14-127
296- 23-240	AMD	03-21-069
296- 23-246	RECOD-X	03-14-127
296- 23-246	RECOD	03-21-069
296- 23-255	REP-P	03-21-070
296- 23-260	REP-P	03-21-070
296- 23-265	REP-P	03-21-070
296- 23-26501	REP-P	03-21-070
296- 23-26502	REP-P	03-21-070
296- 23-26503	REP-P	03-21-070
296- 23-26504	REP-P	03-21-070
296- 23-26505	REP-P	03-21-070
296- 23-26506	REP-P	03-21-070
296- 23-267	REP-P	03-21-070
296- 23-270	REP-P	03-21-070
296- 23-302	NEW-P	03-21-070
296- 23-307	NEW-P	03-21-070
296- 23-312	NEW-P	03-21-070
296- 23-317	NEW-P	03-21-070
296- 23-322	NEW-P	03-21-070
296- 23-327	NEW-P	03-21-070
296- 23-332	NEW-P	03-21-070
296- 23-337	NEW-P	03-21-070
296- 23-342	NEW-P	03-21-070
296- 23-347	NEW-P	03-21-070
296- 23-352	NEW-P	03-21-070
296- 23-357	NEW-P	03-21-070
296- 23-362	NEW-P	03-21-070
296- 23-367	NEW-P	03-21-070
296- 23-372	NEW-P	03-21-070
296- 23-377	NEW-P	03-21-070
296- 23-382	NEW-P	03-21-070
296- 23-387	NEW-P	03-21-070
296- 23-392	NEW-P	03-21-070
296- 23A-0710	AMD-X	03-14-127
296- 23A-0710	AMD	03-21-069
296- 24	PREP	03-03-110
296- 24	PREP	03-10-064
296- 24	PREP	03-10-066
296- 24	PREP	03-20-080
296- 24-120	AMD-X	03-12-072
296- 24-120	AMD	03-18-090
296- 24-12001	REP-X	03-12-072
296- 24-12001	REP	03-18-090
296- 24-12002	REP-X	03-12-072
296- 24-12002	REP	03-18-090
296- 24-12010	REP-X	03-12-072
296- 24-12010	REP	03-18-090
296- 24-12011	REP-X	03-12-072
296- 24-12011	REP	03-18-090
296- 24-12017	REP-X	03-12-072
296- 24-12017	REP	03-18-090
296- 24-235	REP-P	03-14-075
296- 24-23501	REP-P	03-14-075
296- 24-23503	REP-P	03-14-075
296- 24-23505	REP-P	03-14-075
296- 24-23507	REP-P	03-14-075
296- 24-23509	REP-P	03-14-075
296- 24-23511	REP-P	03-14-075
296- 24-23513	REP-P	03-14-075
296- 24-23515	REP-P	03-14-075
296- 24-23517	REP-P	03-14-075
296- 24-23519	REP-P	03-14-075
296- 24-23521	REP-P	03-14-075
296- 24-23523	REP-P	03-14-075
296- 24-23525	REP-P	03-14-075
296- 24-23527	REP-P	03-14-075
296- 24-23529	REP-P	03-14-075
296- 24-23531	REP-P	03-14-075
296- 24-240	REP-P	03-14-075
296- 24-24001	REP-P	03-14-075
296- 24-24003	REP-P	03-14-075
296- 24-24005	REP-P	03-14-075
296- 24-24007	REP-P	03-14-075
296- 24-24009	REP-P	03-14-075
296- 24-24011	REP-P	03-14-075
296- 24-24013	REP-P	03-14-075
296- 24-24015	REP-P	03-14-075
296- 24-24017	REP-P	03-14-075
296- 24-24019	REP-P	03-14-075
296- 24-245	REP-P	03-14-075
296- 24-24501	REP-P	03-14-075
296- 24-24503	REP-P	03-14-075
296- 24-24505	REP-P	03-14-075
296- 24-24507	REP-P	03-14-075
296- 24-24509	REP-P	03-14-075
296- 24-24511	REP-P	03-14-075
296- 24-24513	REP-P	03-14-075
296- 24-24515	REP-P	03-14-075
296- 24-24517	REP-P	03-14-075
296- 24-24519	REP-P	03-14-075
296- 24-650	REP	03-09-009
296- 24-65003	REP	03-09-009
296- 24-65005	REP	03-09-009
296- 24-65007	REP	03-09-009
296- 24-655	REP	03-09-009
296- 24-65501	REP	03-09-009
296- 24-657	REP	03-09-009
296- 24-65701	REP	03-09-009
296- 24-65703	REP	03-09-009
296- 24-660	REP	03-09-009
296- 24-66001	REP	03-09-009
296- 24-66003	REP	03-09-009
296- 24-66005	REP	03-09-009
296- 24-66007	REP	03-09-009
296- 24-66009	REP	03-09-009
296- 24-66011	REP	03-09-009
296- 24-663	REP	03-09-009
296- 24-66301	REP	03-09-009
296- 24-66303	REP	03-09-009
296- 24-66305	REP	03-09-009
296- 24-66307	REP	03-09-009
296- 24-66309	REP	03-09-009
296- 24-66311	REP	03-09-009
296- 24-66313	REP	03-09-009
296- 24-66315	REP	03-09-009
296- 24-66317	REP	03-09-009
296- 24-66319	REP	03-09-009
296- 24-66321	REP	03-09-009
296- 24-665	REP	03-09-009
296- 24-66501	REP	03-09-009
296- 24-66503	REP	03-09-009
296- 24-66505	REP	03-09-009
296- 24-66507	REP	03-09-009
296- 24-66509	REP	03-09-009
296- 24-670	REP	03-09-009
296- 24-67001	REP	03-09-009
296- 24-67003	REP	03-09-009
296- 24-67005	REP	03-09-009
296- 27-01109	AMD	03-09-110
296- 27-01113	AMD-X	03-19-105
296- 27-01117	REP-X	03-19-105
296- 27-01119	AMD-X	03-19-105
296- 27-061	NEW-X	03-19-105
296- 30-190	PREP	03-11-057
296- 30-200	PREP	03-11-058
296- 37	PREP	03-04-097
296- 37-575	AMD-P	03-23-101
296- 400A	PREP	03-04-098
296- 401B	PREP	03-04-098
296- 402A	PREP	03-04-098
296- 45	PREP	03-07-072
296- 45	PREP	03-10-064
296- 45	PREP	03-21-126
296- 45-045	AMD-P	03-10-067
296- 45-045	AMD	03-17-071
296- 45-255	AMD-P	03-10-067
296- 45-255	AMD	03-17-071
296- 45-325	AMD-P	03-10-067
296- 45-325	AMD	03-17-071
296- 45-48535	AMD-X	03-12-072
296- 45-48535	AMD	03-18-090
296- 46A	PREP	03-04-098
296- 46A-090	REP-P	03-05-074
296- 46A-090	REP	03-09-111
296- 46A-092	REP-P	03-05-074
296- 46A-092	REP	03-09-111
296- 46A-095	REP-P	03-05-074
296- 46A-095	REP	03-09-111
296- 46A-100	REP-P	03-05-074
296- 46A-100	REP	03-09-111
296- 46A-102	REP-P	03-05-074
296- 46A-102	REP	03-09-111
296- 46A-104	REP-P	03-05-074
296- 46A-104	REP	03-09-111
296- 46A-110	REP-P	03-05-074
296- 46A-110	REP	03-09-111
296- 46A-130	REP-P	03-05-074
296- 46A-130	REP	03-09-111
296- 46A-140	REP-P	03-05-074

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296- 46A-140	REP	03-09-111
296- 46A-155	REP-P	03-05-074
296- 46A-155	REP	03-09-111
296- 46A-21052	REP-P	03-05-074
296- 46A-21052	REP	03-09-111
296- 46A-215	REP-P	03-05-074
296- 46A-215	REP	03-09-111
296- 46A-220	REP-P	03-05-074
296- 46A-220	REP	03-09-111
296- 46A-22530	REP-P	03-05-074
296- 46A-22530	REP	03-09-111
296- 46A-23001	REP-P	03-05-074
296- 46A-23001	REP	03-09-111
296- 46A-23028	REP-P	03-05-074
296- 46A-23028	REP	03-09-111
296- 46A-23040	REP-P	03-05-074
296- 46A-23040	REP	03-09-111
296- 46A-23062	REP-P	03-05-074
296- 46A-23062	REP	03-09-111
296- 46A-250	REP-P	03-05-074
296- 46A-250	REP	03-09-111
296- 46A-300	REP-P	03-05-074
296- 46A-300	REP	03-09-111
296- 46A-30011	REP-P	03-05-074
296- 46A-30011	REP	03-09-111
296- 46A-324	REP-P	03-05-074
296- 46A-324	REP	03-09-111
296- 46A-348	REP-P	03-05-074
296- 46A-348	REP	03-09-111
296- 46A-365	REP-P	03-05-074
296- 46A-365	REP	03-09-111
296- 46A-370	REP-P	03-05-074
296- 46A-370	REP	03-09-111
296- 46A-41004	REP-P	03-05-074
296- 46A-41004	REP	03-09-111
296- 46A-41030	REP-P	03-05-074
296- 46A-41030	REP	03-09-111
296- 46A-422	REP-P	03-05-074
296- 46A-422	REP	03-09-111
296- 46A-450	REP-P	03-05-074
296- 46A-450	REP	03-09-111
296- 46A-500	REP-P	03-05-074
296- 46A-500	REP	03-09-111
296- 46A-514	REP-P	03-05-074
296- 46A-514	REP	03-09-111
296- 46A-517	REP-P	03-05-074
296- 46A-517	REP	03-09-111
296- 46A-550	REP-P	03-05-074
296- 46A-550	REP	03-09-111
296- 46A-553	REP-P	03-05-074
296- 46A-553	REP	03-09-111
296- 46A-600	REP-P	03-05-074
296- 46A-600	REP	03-09-111
296- 46A-680	REP-P	03-05-074
296- 46A-680	REP	03-09-111
296- 46A-700	REP-P	03-05-074
296- 46A-700	REP	03-09-111
296- 46A-702	REP-P	03-05-074
296- 46A-702	REP	03-09-111
296- 46A-900	REP-P	03-05-074
296- 46A-900	REP	03-09-111
296- 46A-910	REP-P	03-05-074
296- 46A-910	REP	03-09-111
296- 46A-915	REP-P	03-05-074
296- 46A-915	REP	03-09-111
296- 46A-920	REP-P	03-05-074
296- 46A-920	REP	03-09-111
296- 46A-930	REP-P	03-05-074
296- 46A-930	REP	03-09-111
296- 46A-931	REP-P	03-05-074
296- 46A-931	REP	03-09-111
296- 46A-932	REP-P	03-05-074
296- 46A-932	REP	03-09-111
296- 46A-933	REP-P	03-05-074
296- 46A-933	REP	03-09-111
296- 46A-934	REP-P	03-05-074
296- 46A-934	REP	03-09-111
296- 46A-935	REP-P	03-05-074
296- 46A-935	REP	03-09-111
296- 46A-940	REP-P	03-05-074
296- 46A-940	REP	03-09-111
296- 46A-950	REP-P	03-05-074
296- 46A-950	REP	03-09-111
296- 46A-960	REP-P	03-05-074
296- 46A-960	REP	03-09-111
296- 46B	PREP	03-10-065
296- 46B	PREP	03-15-116
296- 46B-005	NEW-P	03-05-074
296- 46B-005	NEW	03-09-111
296- 46B-010	NEW-P	03-05-074
296- 46B-010	NEW	03-09-111
296- 46B-020	NEW-P	03-05-074
296- 46B-020	NEW	03-09-111
296- 46B-030	NEW-P	03-05-074
296- 46B-030	NEW	03-09-111
296- 46B-040	NEW-P	03-05-074
296- 46B-040	NEW	03-09-111
296- 46B-110	NEW-P	03-05-074
296- 46B-110	NEW	03-09-111
296- 46B-210	NEW-P	03-05-074
296- 46B-210	NEW	03-09-111
296- 46B-215	NEW-P	03-05-074
296- 46B-215	NEW	03-09-111
296- 46B-220	NEW-P	03-05-074
296- 46B-220	NEW	03-09-111
296- 46B-225	NEW-P	03-05-074
296- 46B-225	NEW	03-09-111
296- 46B-230	NEW-P	03-05-074
296- 46B-230	NEW	03-09-111
296- 46B-250	NEW-P	03-05-074
296- 46B-250	NEW	03-09-111
296- 46B-300	NEW-P	03-05-074
296- 46B-300	NEW	03-09-111
296- 46B-314	NEW-P	03-05-074
296- 46B-314	NEW	03-09-111
296- 46B-334	NEW-P	03-05-074
296- 46B-334	NEW	03-09-111
296- 46B-358	NEW-P	03-05-074
296- 46B-358	NEW	03-09-111
296- 46B-394	NEW-P	03-05-074
296- 46B-394	NEW	03-09-111
296- 46B-410	NEW-P	03-05-074
296- 46B-410	NEW	03-09-111
296- 46B-422	NEW-P	03-05-074
296- 46B-422	NEW	03-09-111
296- 46B-430	NEW-P	03-05-074
296- 46B-430	NEW	03-09-111
296- 46B-450	NEW-P	03-05-074
296- 46B-450	NEW	03-09-111
296- 46B-501	NEW-P	03-05-074
296- 46B-501	NEW	03-09-111
296- 46B-514	NEW-P	03-05-074
296- 46B-514	NEW	03-09-111
296- 46B-517	NEW-P	03-05-074
296- 46B-517	NEW	03-09-111
296- 46B-520	NEW-P	03-05-074
296- 46B-520	NEW	03-09-111
296- 46B-527	NEW-P	03-05-074
296- 46B-527	NEW	03-09-111
296- 46B-550	NEW-P	03-05-074
296- 46B-550	NEW	03-09-111
296- 46B-553	NEW-P	03-05-074
296- 46B-553	NEW	03-09-111
296- 46B-555	NEW-P	03-05-074
296- 46B-555	NEW	03-09-111
296- 46B-600	NEW-P	03-05-074
296- 46B-600	NEW	03-09-111
296- 46B-680	NEW-P	03-05-074
296- 46B-680	NEW	03-09-111
296- 46B-700	NEW-P	03-05-074
296- 46B-700	NEW	03-09-111
296- 46B-800	NEW-P	03-05-074
296- 46B-800	NEW	03-09-111
296- 46B-900	NEW-P	03-05-074
296- 46B-900	NEW	03-09-111
296- 46B-905	NEW-P	03-05-074
296- 46B-905	NEW	03-09-111
296- 46B-905	AMD-X	03-13-100
296- 46B-905	AMD	03-18-089
296- 46B-910	NEW-P	03-05-074
296- 46B-910	NEW	03-09-111
296- 46B-911	NEW-P	03-05-074
296- 46B-911	NEW	03-09-111
296- 46B-915	NEW-P	03-05-074
296- 46B-915	NEW	03-09-111
296- 46B-920	NEW-P	03-05-074
296- 46B-920	NEW	03-09-111
296- 46B-925	NEW-P	03-05-074
296- 46B-925	NEW	03-09-111
296- 46B-930	NEW-P	03-05-074
296- 46B-930	NEW	03-09-111
296- 46B-930	AMD-X	03-13-100
296- 46B-930	AMD	03-18-089
296- 46B-935	NEW-P	03-05-074
296- 46B-935	NEW	03-09-111
296- 46B-940	NEW-P	03-05-074
296- 46B-940	NEW	03-09-111
296- 46B-945	NEW-P	03-05-074
296- 46B-945	NEW	03-09-111
296- 46B-950	NEW-P	03-05-074
296- 46B-950	NEW	03-09-111
296- 46B-950	AMD-X	03-13-100
296- 46B-950	AMD	03-18-089
296- 46B-951	NEW-P	03-05-074
296- 46B-951	NEW	03-09-111
296- 46B-955	NEW-P	03-05-074

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296- 46B-955	NEW	03-09-111
296- 46B-960	NEW-P	03-05-074
296- 46B-960	NEW	03-09-111
296- 46B-965	NEW-P	03-05-074
296- 46B-965	NEW	03-09-111
296- 46B-970	NEW-P	03-05-074
296- 46B-970	NEW	03-09-111
296- 46B-971	NEW-P	03-05-074
296- 46B-971	NEW	03-09-111
296- 46B-975	NEW-P	03-05-074
296- 46B-975	NEW	03-09-111
296- 46B-980	NEW-P	03-05-074
296- 46B-980	NEW	03-09-111
296- 46B-985	NEW-P	03-05-074
296- 46B-985	NEW	03-09-111
296- 46B-990	NEW-P	03-05-074
296- 46B-990	NEW	03-09-111
296- 46B-995	NEW-P	03-05-074
296- 46B-995	NEW	03-09-111
296- 46B-998	NEW-P	03-05-074
296- 46B-998	NEW	03-09-111
296- 46B-999	NEW-P	03-05-074
296- 46B-999	NEW	03-09-111
296- 52-60020	AMD	03-06-073
296- 52-60130	AMD	03-06-073
296- 52-61040	AMD-X	03-05-073
296- 52-61040	AMD	03-10-037
296- 52-62005	AMD-X	03-05-073
296- 52-62005	AMD	03-10-037
296- 52-63005	AMD-X	03-05-073
296- 52-63005	AMD	03-10-037
296- 52-65005	AMD-X	03-05-073
296- 52-65005	AMD	03-10-037
296- 52-66005	AMD-X	03-05-073
296- 52-66005	AMD	03-10-037
296- 52-67065	AMD	03-06-073
296- 52-67160	AMD	03-06-073
296- 52-68060	AMD	03-06-073
296- 52-69010	AMD	03-06-073
296- 52-69015	AMD	03-06-073
296- 52-69095	AMD	03-06-073
296- 52-69125	AMD	03-06-073
296- 52-69130	NEW	03-06-073
296- 52-70010	AMD	03-06-073
296- 52-710	AMD	03-06-073
296- 52-71020	AMD	03-06-073
296- 52-71040	AMD	03-06-073
296- 52-71045	AMD	03-06-073
296- 54	PREP	03-10-064
296- 54	PREP	03-10-066
296- 54-51130	AMD	03-11-060
296- 56	PREP	03-03-110
296- 56	PREP	03-10-066
296- 56	PREP	03-20-080
296- 56-60001	AMD	03-11-060
296- 59	PREP	03-03-110
296- 59	PREP	03-10-064
296- 59	PREP	03-20-080
296- 59-090	AMD	03-11-060
296- 62	PREP	03-04-097
296- 62	PREP	03-08-073
296- 62-052	REP-P	03-23-101
296- 62-05201	REP-P	03-23-101
296- 62-05203	REP-P	03-23-101
296- 62-05205	REP-P	03-23-101
296- 62-05207	REP-P	03-23-101
296- 62-05209	REP-P	03-23-101
296- 62-05213	REP-P	03-23-101
296- 62-05215	REP-P	03-23-101
296- 62-05217	REP-P	03-23-101
296- 62-05219	REP-P	03-23-101
296- 62-05221	REP-P	03-23-101
296- 62-05223	REP-P	03-23-101
296- 62-054	REP-X	03-04-100
296- 62-054	REP	03-10-068
296- 62-05402	REP-X	03-04-100
296- 62-05402	REP	03-10-068
296- 62-05404	REP-X	03-04-100
296- 62-05404	REP	03-10-068
296- 62-05406	REP-X	03-04-100
296- 62-05406	REP	03-10-068
296- 62-05408	REP-X	03-04-100
296- 62-05408	REP	03-10-068
296- 62-05410	REP-X	03-04-100
296- 62-05410	REP	03-10-068
296- 62-05412	REP-X	03-04-100
296- 62-05412	REP	03-10-068
296- 62-070	REP-X	03-04-100
296- 62-070	REP	03-10-068
296- 62-07001	REP-X	03-04-100
296- 62-07001	REP	03-10-068
296- 62-07003	REP-X	03-04-100
296- 62-07003	REP	03-10-068
296- 62-07005	REP-X	03-04-100
296- 62-07005	REP	03-10-068
296- 62-071	AMD-P	03-08-044
296- 62-071	AMD	03-20-114
296- 62-07308	AMD-X	03-12-072
296- 62-07308	AMD	03-18-090
296- 62-07314	AMD-P	03-23-101
296- 62-07329	AMD-P	03-23-101
296- 62-07336	AMD-X	03-12-072
296- 62-07336	AMD	03-18-090
296- 62-07336	AMD-P	03-23-101
296- 62-07342	AMD-X	03-12-072
296- 62-07342	AMD	03-18-090
296- 62-07342	AMD-P	03-23-101
296- 62-07347	AMD-X	03-12-072
296- 62-07347	AMD	03-18-090
296- 62-07375	AMD-P	03-23-101
296- 62-07419	AMD-X	03-12-072
296- 62-07419	AMD	03-18-090
296- 62-07427	AMD-P	03-23-101
296- 62-07460	AMD-X	03-12-072
296- 62-07460	AMD	03-18-090
296- 62-07460	AMD-P	03-23-101
296- 62-07470	AMD-P	03-23-101
296- 62-075	AMD-P	03-11-059
296- 62-075	AMD	03-20-115
296- 62-07521	AMD-X	03-12-072
296- 62-07521	AMD	03-18-090
296- 62-07521	AMD-P	03-23-101
296- 62-07540	AMD-P	03-23-101
296- 62-07631	AMD-P	03-23-101
296- 62-07719	AMD-X	03-12-072
296- 62-07719	AMD	03-18-090
296- 62-07727	AMD-P	03-23-101
296- 62-080	REP-X	03-04-100
296- 62-080	REP	03-10-068
296- 62-08001	AMD	03-09-110
296- 62-09015	AMD	03-11-060
296- 62-09041	AMD-P	03-23-101
296- 62-11021	REP-X	03-04-100
296- 62-11021	REP	03-10-068
296- 62-130	REP-X	03-04-100
296- 62-130	REP	03-10-068
296- 62-141	AMD-P	03-19-106
296- 62-14533	AMD-P	03-23-101
296- 62-20015	AMD-X	03-12-072
296- 62-20015	AMD	03-18-090
296- 62-20023	AMD-P	03-23-101
296- 62-300	AMD-P	03-14-074
296- 62-31020	AMD-X	03-12-072
296- 62-31020	AMD	03-18-090
296- 62-31335	AMD-X	03-12-072
296- 62-31335	AMD	03-18-090
296- 62-40019	AMD-P	03-23-101
296- 78	PREP	03-10-064
296- 78	PREP	03-10-066
296- 78	PREP	03-20-080
296- 78	PREP	03-21-126
296- 78-56505	AMD	03-06-076
296- 78-71001	AMD	03-06-076
296- 78-71011	AMD	03-06-076
296- 78-835	AMD	03-06-076
296- 79	PREP	03-03-110
296- 79	PREP	03-10-064
296- 79	PREP	03-10-066
296- 79	PREP	03-20-080
296- 96	PREP	03-04-098
296- 96	PREP	03-10-065
296- 96-01005	AMD-P	03-09-108
296- 96-01005	AMD	03-12-045
296- 96-01030	AMD-P	03-09-108
296- 96-01030	AMD	03-12-045
296- 96-01050	AMD-P	03-09-108
296- 96-01050	AMD	03-12-045
296- 96-01055	AMD-P	03-09-108
296- 96-01055	AMD	03-12-045
296-104	PREP	03-03-129
296-104	PREP	03-12-081
296-104-010	AMD-P	03-20-120
296-104-050	AMD-P	03-20-120
296-104-055	AMD-P	03-08-076
296-104-055	AMD	03-12-051
296-104-055	REP-P	03-20-120
296-104-060	AMD-P	03-20-120
296-104-065	AMD-P	03-20-120
296-104-100	AMD-P	03-20-120
296-104-256	AMD-P	03-20-120
296-104-265	AMD-P	03-20-120
296-104-300	AMD-P	03-20-120
296-104-307	AMD-P	03-20-120
296-104-316	AMD-P	03-20-120
296-104-320	AMD-P	03-20-120
296-104-325	AMD-P	03-20-120

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296-104-405	AMD-P	03-20-120
296-104-510	AMD-P	03-20-120
296-104-515	AMD-P	03-20-120
296-104-520	AMD-P	03-20-120
296-104-530	REP-P	03-20-120
296-104-700	AMD-P	03-08-076
296-104-700	AMD	03-12-051
296-104-700	AMD-P	03-20-120
296-115-050	AMD-X	03-12-072
296-115-050	AMD	03-18-090
296-126-025	PREP	03-20-095
296-127-018	PREP	03-20-096
296-128-500	AMD	03-03-109
296-128-532	NEW	03-03-109
296-128-533	NEW	03-03-109
296-130-010	AMD	03-03-010
296-130-020	AMD	03-03-010
296-130-030	AMD	03-03-010
296-130-035	AMD	03-03-010
296-130-040	AMD	03-03-010
296-130-050	AMD	03-03-010
296-130-060	AMD	03-03-010
296-130-065	AMD	03-03-010
296-130-070	AMD	03-03-010
296-130-080	AMD	03-03-010
296-130-100	NEW	03-03-010
296-130-500	REP	03-03-010
296-150C	PREP	03-10-065
296-150C	PREP	03-15-115
296-150C-0150	NEW-P	03-09-109
296-150C-0150	NEW	03-12-044
296-150C-3000	AMD-P	03-09-108
296-150C-3000	AMD	03-12-045
296-150F	PREP	03-10-065
296-150F	PREP	03-15-115
296-150F-3000	AMD-P	03-09-109
296-150F-3000	AMD	03-12-044
296-150M	PREP	03-10-065
296-150M	PREP	03-15-115
296-150M-0020	AMD-P	03-09-109
296-150M-0020	AMD	03-12-044
296-150M-0049	AMD-P	03-09-109
296-150M-0049	AMD	03-12-044
296-150M-0050	AMD-P	03-09-109
296-150M-0050	AMD	03-12-044
296-150M-0051	NEW-P	03-09-109
296-150M-0051	NEW	03-12-044
296-150M-0302	AMD-P	03-09-109
296-150M-0302	AMD	03-12-044
296-150M-0320	AMD-P	03-09-109
296-150M-0320	AMD	03-12-044
296-150M-0322	NEW-P	03-09-109
296-150M-0322	NEW	03-12-044
296-150M-0360	AMD-P	03-09-109
296-150M-0360	AMD	03-12-044
296-150M-0705	NEW-P	03-09-109
296-150M-0705	NEW	03-12-044
296-150M-0715	NEW-P	03-09-109
296-150M-0715	NEW	03-12-044
296-150M-0725	NEW-P	03-09-109
296-150M-0725	NEW	03-12-044
296-150M-0800	NEW-P	03-09-109
296-150M-0800	NEW	03-12-044
296-150M-0805	NEW-P	03-09-109
296-150M-0805	NEW	03-12-044
296-150M-0810	NEW-P	03-09-109
296-150M-0810	NEW	03-12-044
296-150M-0815	NEW-P	03-09-109
296-150M-0815	NEW	03-12-044
296-150M-0820	NEW-P	03-09-109
296-150M-0820	NEW	03-12-044
296-150M-0830	NEW-P	03-09-109
296-150M-0830	NEW	03-12-044
296-150M-0835	NEW-P	03-09-109
296-150M-0835	NEW	03-12-044
296-150M-0840	NEW-P	03-09-109
296-150M-0840	NEW	03-12-044
296-150M-0845	NEW-P	03-09-109
296-150M-0845	NEW	03-12-044
296-150M-0855	NEW-P	03-09-109
296-150M-0855	NEW	03-12-044
296-150M-0860	NEW-P	03-09-109
296-150M-0860	NEW	03-12-044
296-150M-0865	NEW-P	03-09-109
296-150M-0865	NEW	03-12-044
296-150M-3000	AMD-P	03-09-109
296-150M-3000	AMD	03-12-044
296-150P	PREP	03-10-065
296-150P	PREP	03-15-115
296-150P-0020	AMD-P	03-09-109
296-150P-0020	AMD	03-12-044
296-150P-3000	AMD-P	03-09-108
296-150P-3000	AMD	03-12-045
296-150R	PREP	03-10-065
296-150R	PREP	03-15-115
296-150R-0020	AMD-P	03-09-109
296-150R-0020	AMD	03-12-044
296-150R-3000	AMD-P	03-09-108
296-150R-3000	AMD	03-12-045
296-150T	PREP	03-10-065
296-150T	PREP	03-15-115
296-150T-3000	AMD-P	03-09-108
296-150T-3000	AMD	03-12-045
296-150V	PREP	03-10-065
296-150V	PREP	03-15-115
296-150V-0020	AMD-P	03-09-109
296-150V-0020	AMD	03-12-044
296-150V-0800	AMD-P	03-09-109
296-150V-0800	AMD	03-12-044
296-150V-1090	AMD-P	03-09-109
296-150V-1090	AMD	03-12-044
296-150V-1220	REP-P	03-09-109
296-150V-1220	REP	03-12-044
296-150V-1530	AMD-P	03-09-109
296-150V-1530	AMD	03-12-044
296-150V-1600	NEW-P	03-09-109
296-150V-1600	NEW	03-12-044
296-150V-3000	AMD-P	03-09-108
296-150V-3000	AMD	03-12-045
296-155	PREP	03-04-097
296-155	PREP	03-10-064
296-155	PREP	03-10-066
296-155	PREP	03-20-080
296-155	PREP	03-21-126
296-155-145	AMD	03-11-060
296-155-17331	AMD-P	03-23-101
296-155-174	AMD-P	03-23-101
296-155-210	AMD	03-11-060
296-155-300	AMD	03-06-075
296-155-305	AMD	03-06-075
296-155-310	AMD	03-06-075
296-155-315	AMD	03-06-075
296-200A	PREP	03-10-065
296-200A-015	AMD-P	03-15-117
296-200A-015	AMD	03-20-097
296-200A-025	AMD-P	03-15-117
296-200A-025	AMD	03-20-097
296-200A-030	NEW-P	03-15-117
296-200A-030	NEW	03-20-097
296-200A-035	AMD-P	03-15-117
296-200A-035	AMD	03-20-097
296-200A-040	AMD-P	03-15-117
296-200A-040	AMD	03-20-097
296-200A-060	AMD-P	03-15-117
296-200A-060	AMD	03-20-097
296-200A-065	NEW-P	03-15-117
296-200A-065	NEW	03-20-097
296-200A-070	AMD-P	03-15-117
296-200A-070	AMD	03-20-097
296-200A-080	AMD-P	03-15-117
296-200A-080	AMD	03-20-097
296-200A-090	AMD-P	03-15-117
296-200A-090	AMD	03-20-097
296-200A-111	AMD-P	03-15-117
296-200A-111	AMD	03-20-097
296-200A-112	AMD-P	03-15-117
296-200A-112	AMD	03-20-097
296-200A-300	AMD-P	03-15-117
296-200A-300	AMD	03-20-097
296-200A-305	AMD-P	03-15-117
296-200A-305	AMD	03-20-097
296-200A-310	AMD-P	03-15-117
296-200A-310	AMD	03-20-097
296-200A-320	AMD-P	03-15-117
296-200A-320	AMD	03-20-097
296-200A-330	AMD-P	03-15-117
296-200A-330	AMD	03-20-097
296-200A-340	AMD-P	03-15-117
296-200A-340	AMD	03-20-097
296-200A-360	AMD-P	03-15-117
296-200A-360	AMD	03-20-097
296-200A-370	AMD-P	03-15-117
296-200A-370	AMD	03-20-097
296-200A-380	AMD-P	03-15-117
296-200A-380	AMD	03-20-097
296-200A-390	AMD-P	03-15-117
296-200A-390	AMD	03-20-097
296-200A-400	AMD-P	03-15-117
296-200A-400	AMD	03-20-097
296-200A-405	AMD-P	03-15-117
296-200A-405	AMD	03-20-097
296-200A-500	REP-P	03-15-117
296-200A-500	REP	03-20-097
296-200A-510	REP-P	03-15-117
296-200A-510	REP	03-20-097
296-200A-900	AMD-P	03-15-117

WAC #	ACTION	WSR #
296-200A-900	AMD	03-20-097
296-304-01001	AMD	03-04-099
296-304-01003	AMD	03-04-099
296-304-02007	AMD	03-04-099
296-304-02009	AMD	03-04-099
296-304-03007	AMD	03-04-099
296-304-04001	AMD	03-04-099
296-304-05001	AMD	03-04-099
296-304-05003	AMD	03-04-099
296-304-05005	AMD	03-04-099
296-304-05009	AMD	03-04-099
296-304-05013	AMD	03-04-099
296-304-06003	AMD	03-04-099
296-304-07009	AMD	03-04-099
296-304-07011	AMD	03-04-099
296-304-07013	AMD	03-04-099
296-304-08001	AMD	03-04-099
296-304-08009	AMD	03-11-060
296-304-09009	AMD	03-11-060
296-304-09017	AMD	03-04-099
296-304-09021	AMD	03-04-099
296-304-09023	AMD	03-04-099
296-304-10003	AMD	03-04-099
296-304-10007	AMD	03-04-099
296-305	PREP	03-04-097
296-305	PREP	03-10-066
296-305	PREP	03-21-126
296-305-01515	AMD	03-09-110
296-305-02005	AMD	03-11-060
296-305-02501	AMD	03-09-110
296-305-02501	AMD-P	03-23-101
296-305-05503	AMD	03-11-060
296-307	PREP	03-10-064
296-307	PREP	03-10-066
296-307	AMD-S	03-18-046
296-307	PREP	03-21-126
296-307-009	AMD-X	03-04-100
296-307-009	AMD	03-10-068
296-307-018	AMD-X	03-04-100
296-307-018	AMD	03-10-068
296-307-03930	NEW-X	03-04-100
296-307-03930	NEW	03-10-068
296-307-03935	NEW-X	03-04-100
296-307-03935	NEW	03-10-068
296-307-03940	NEW-X	03-04-100
296-307-03940	NEW	03-10-068
296-307-03945	NEW-X	03-04-100
296-307-03945	NEW	03-10-068
296-307-148	NEW-P	03-15-032
296-307-148	NEW-S	03-20-113
296-307-14805	NEW-P	03-15-032
296-307-14805	NEW-S	03-20-113
296-307-14810	NEW-P	03-15-032
296-307-14810	NEW-S	03-20-113
296-307-14815	NEW-P	03-15-032
296-307-14815	NEW-S	03-20-113
296-307-14820	NEW-P	03-15-032
296-307-14820	NEW-S	03-20-113
296-307-14825	NEW-P	03-15-032
296-307-14825	NEW-S	03-20-113
296-307-14830	NEW-P	03-15-032
296-307-14830	NEW-S	03-20-113
296-307-14835	NEW-P	03-15-032
296-307-14835	NEW-S	03-20-113
296-307-14840	NEW-P	03-15-032
296-307-14840	NEW-S	03-20-113
296-307-14845	NEW-P	03-15-032
296-307-14845	NEW-S	03-20-113
296-307-40013	AMD-X	03-04-100
296-307-40013	AMD	03-10-068
296-307-40015	AMD-X	03-04-100
296-307-40015	AMD	03-10-068
296-307-40027	AMD-X	03-04-100
296-307-40027	AMD	03-10-068
296-307-445	NEW-X	03-04-100
296-307-445	NEW	03-10-068
296-307-450	AMD-X	03-04-100
296-307-450	AMD	03-10-068
296-307-45001	REP-X	03-04-100
296-307-45001	REP	03-10-068
296-307-45003	REP-X	03-04-100
296-307-45003	REP	03-10-068
296-307-45005	AMD-X	03-04-100
296-307-45005	AMD	03-10-068
296-307-45007	REP-X	03-04-100
296-307-45007	REP	03-10-068
296-307-45009	REP-X	03-04-100
296-307-45009	REP	03-10-068
296-307-45010	NEW-X	03-04-100
296-307-45010	NEW	03-10-068
296-307-45011	REP-X	03-04-100
296-307-45011	REP	03-10-068
296-307-45013	REP-X	03-04-100
296-307-45013	REP	03-10-068
296-307-45015	AMD-X	03-04-100
296-307-45015	AMD	03-10-068
296-307-45017	REP-X	03-04-100
296-307-45017	REP	03-10-068
296-307-45019	REP-X	03-04-100
296-307-45019	REP	03-10-068
296-307-45020	NEW-X	03-04-100
296-307-45020	NEW	03-10-068
296-307-45021	REP-X	03-04-100
296-307-45021	REP	03-10-068
296-307-45023	REP-X	03-04-100
296-307-45023	REP	03-10-068
296-307-45025	AMD-X	03-04-100
296-307-45025	AMD	03-10-068
296-307-45027	REP-X	03-04-100
296-307-45027	REP	03-10-068
296-307-45029	REP-X	03-04-100
296-307-45029	REP	03-10-068
296-307-45030	NEW-X	03-04-100
296-307-45030	NEW	03-10-068
296-307-45035	NEW-X	03-04-100
296-307-45035	NEW	03-10-068
296-307-45045	NEW-X	03-04-100
296-307-45045	NEW	03-10-068
296-307-45050	NEW-X	03-04-100
296-307-45050	NEW	03-10-068
296-307-455	NEW-X	03-04-100
296-307-455	NEW	03-10-068
296-307-45505	NEW-X	03-04-100
296-307-45505	NEW	03-10-068
296-307-45510	NEW-X	03-04-100
296-307-45510	NEW	03-10-068
296-307-45515	NEW-X	03-04-100
296-307-45515	NEW	03-10-068
296-307-45520	NEW-X	03-04-100
296-307-45520	NEW	03-10-068
296-307-45525	NEW-X	03-04-100
296-307-45525	NEW	03-10-068
296-307-45535	NEW-X	03-04-100
296-307-45535	NEW	03-10-068
296-307-45540	NEW-X	03-04-100
296-307-45540	NEW	03-10-068
296-307-45545	NEW-X	03-04-100
296-307-45545	NEW	03-10-068
296-307-45550	NEW-X	03-04-100
296-307-45550	NEW	03-10-068
296-307-45555	NEW-X	03-04-100
296-307-45555	NEW	03-10-068
296-307-45560	NEW-X	03-04-100
296-307-45560	NEW	03-10-068
296-307-45565	NEW-X	03-04-100
296-307-45565	NEW	03-10-068
296-307-460	NEW-X	03-04-100
296-307-460	NEW	03-10-068
296-307-46005	NEW-X	03-04-100
296-307-46005	NEW	03-10-068
296-307-46025	NEW-X	03-04-100
296-307-46025	NEW	03-10-068
296-307-46030	NEW-X	03-04-100
296-307-46030	NEW	03-10-068
296-307-465	NEW-X	03-04-100
296-307-465	NEW	03-10-068
296-307-55030	AMD-X	03-04-100
296-307-55030	AMD	03-10-068
296-307-560	NEW-X	03-04-100
296-307-560	NEW	03-10-068
296-307-56005	NEW-X	03-04-100
296-307-56005	NEW	03-10-068
296-307-56010	NEW-X	03-04-100
296-307-56010	NEW	03-10-068
296-307-56015	NEW-X	03-04-100
296-307-56015	NEW	03-10-068
296-307-56020	NEW-X	03-04-100
296-307-56020	NEW	03-10-068
296-307-56025	NEW-X	03-04-100
296-307-56025	NEW	03-10-068
296-307-56030	NEW-X	03-04-100
296-307-56030	NEW	03-10-068
296-307-56035	NEW-X	03-04-100
296-307-56035	NEW	03-10-068
296-307-56040	NEW-X	03-04-100
296-307-56040	NEW	03-10-068
296-307-56045	NEW-X	03-04-100
296-307-56045	NEW	03-10-068
296-307-56050	NEW-X	03-04-100
296-307-56050	NEW	03-10-068
296-400A	PREP	03-10-065
296-400A	PREP	03-15-114
296-400A-045	AMD-P	03-09-108
296-400A-045	AMD	03-12-045
296-401B-092	REP-P	03-05-074
296-401B-092	REP	03-09-111

WAC #	ACTION	WSR #
296-401B-100	REP-P	03-05-074
296-401B-100	REP	03-09-111
296-401B-110	REP-P	03-05-074
296-401B-110	REP	03-09-111
296-401B-120	REP-P	03-05-074
296-401B-120	REP	03-09-111
296-401B-130	REP-P	03-05-074
296-401B-130	REP	03-09-111
296-401B-140	REP-P	03-05-074
296-401B-140	REP	03-09-111
296-401B-180	REP-P	03-05-074
296-401B-180	REP	03-09-111
296-401B-200	REP-P	03-05-074
296-401B-200	REP	03-09-111
296-401B-250	REP-P	03-05-074
296-401B-250	REP	03-09-111
296-401B-260	REP-P	03-05-074
296-401B-260	REP	03-09-111
296-401B-270	REP-P	03-05-074
296-401B-270	REP	03-09-111
296-401B-300	REP-P	03-05-074
296-401B-300	REP	03-09-111
296-401B-310	REP-P	03-05-074
296-401B-310	REP	03-09-111
296-401B-320	REP-P	03-05-074
296-401B-320	REP	03-09-111
296-401B-330	REP-P	03-05-074
296-401B-330	REP	03-09-111
296-401B-335	REP-P	03-05-074
296-401B-335	REP	03-09-111
296-401B-340	REP-P	03-05-074
296-401B-340	REP	03-09-111
296-401B-350	REP-P	03-05-074
296-401B-350	REP	03-09-111
296-401B-410	REP-P	03-05-074
296-401B-410	REP	03-09-111
296-401B-420	REP-P	03-05-074
296-401B-420	REP	03-09-111
296-401B-430	REP-P	03-05-074
296-401B-430	REP	03-09-111
296-401B-440	REP-P	03-05-074
296-401B-440	REP	03-09-111
296-401B-445	REP-P	03-05-074
296-401B-445	REP	03-09-111
296-401B-450	REP-P	03-05-074
296-401B-450	REP	03-09-111
296-401B-455	REP-P	03-05-074
296-401B-455	REP	03-09-111
296-401B-460	REP-P	03-05-074
296-401B-460	REP	03-09-111
296-401B-470	REP-P	03-05-074
296-401B-470	REP	03-09-111
296-401B-475	REP-P	03-05-074
296-401B-475	REP	03-09-111
296-401B-476	REP-P	03-05-074
296-401B-476	REP	03-09-111
296-401B-500	REP-P	03-05-074
296-401B-500	REP	03-09-111
296-401B-510	REP-P	03-05-074
296-401B-510	REP	03-09-111
296-401B-520	REP-P	03-05-074
296-401B-520	REP	03-09-111
296-401B-600	REP-P	03-05-074
296-401B-600	REP	03-09-111
296-401B-610	REP-P	03-05-074
296-401B-610	REP	03-09-111
296-401B-620	REP-P	03-05-074
296-401B-620	REP	03-09-111
296-401B-630	REP-P	03-05-074
296-401B-630	REP	03-09-111
296-401B-640	REP-P	03-05-074
296-401B-640	REP	03-09-111
296-401B-700	REP-P	03-05-074
296-401B-700	REP	03-09-111
296-401B-800	REP-P	03-05-074
296-401B-800	REP	03-09-111
296-401B-850	REP-P	03-05-074
296-401B-850	REP	03-09-111
296-401B-860	REP-P	03-05-074
296-401B-860	REP	03-09-111
296-401B-870	REP-P	03-05-074
296-401B-870	REP	03-09-111
296-401B-900	REP-P	03-05-074
296-401B-900	REP	03-09-111
296-401B-910	REP-P	03-05-074
296-401B-910	REP	03-09-111
296-401B-920	REP-P	03-05-074
296-401B-920	REP	03-09-111
296-401B-950	REP-P	03-05-074
296-401B-950	REP	03-09-111
296-401B-960	REP-P	03-05-074
296-401B-960	REP	03-09-111
296-401B-970	REP-P	03-05-074
296-401B-970	REP	03-09-111
296-401B-980	REP-P	03-05-074
296-401B-980	REP	03-09-111
296-401B-990	REP-P	03-05-074
296-401B-990	REP	03-09-111
296-402A-010	REP-P	03-05-074
296-402A-010	REP	03-09-111
296-402A-020	REP-P	03-05-074
296-402A-020	REP	03-09-111
296-402A-030	REP-P	03-05-074
296-402A-030	REP	03-09-111
296-402A-040	REP-P	03-05-074
296-402A-040	REP	03-09-111
296-402A-050	REP-P	03-05-074
296-402A-050	REP	03-09-111
296-402A-060	REP-P	03-05-074
296-402A-060	REP	03-09-111
296-402A-070	REP-P	03-05-074
296-402A-070	REP	03-09-111
296-402A-080	REP-P	03-05-074
296-402A-080	REP	03-09-111
296-402A-090	REP-P	03-05-074
296-402A-090	REP	03-09-111
296-402A-100	REP-P	03-05-074
296-402A-100	REP	03-09-111
296-402A-110	REP-P	03-05-074
296-402A-110	REP	03-09-111
296-402A-130	REP-P	03-05-074
296-402A-130	REP	03-09-111
296-402A-140	REP-P	03-05-074
296-402A-140	REP	03-09-111
296-402A-150	REP-P	03-05-074
296-402A-150	REP	03-09-111
296-402A-160	REP-P	03-05-074
296-402A-160	REP	03-09-111
296-402A-170	REP-P	03-05-074
296-402A-170	REP	03-09-111
296-402A-180	REP-P	03-05-074
296-402A-180	REP	03-09-111
296-402A-190	REP-P	03-05-074
296-402A-190	REP	03-09-111
296-402A-200	REP-P	03-05-074
296-402A-200	REP	03-09-111
296-402A-210	REP-P	03-05-074
296-402A-210	REP	03-09-111
296-402A-220	REP-P	03-05-074
296-402A-220	REP	03-09-111
296-402A-230	REP-P	03-05-074
296-402A-230	REP	03-09-111
296-402A-240	REP-P	03-05-074
296-402A-240	REP	03-09-111
296-402A-250	REP-P	03-05-074
296-402A-250	REP	03-09-111
296-402A-260	REP-P	03-05-074
296-402A-260	REP	03-09-111
296-402A-270	REP-P	03-05-074
296-402A-270	REP	03-09-111
296-402A-290	REP-P	03-05-074
296-402A-290	REP	03-09-111
296-402A-300	REP-P	03-05-074
296-402A-300	REP	03-09-111
296-402A-310	REP-P	03-05-074
296-402A-310	REP	03-09-111
296-402A-320	REP-P	03-05-074
296-402A-320	REP	03-09-111
296-402A-330	REP-P	03-05-074
296-402A-330	REP	03-09-111
296-402A-340	REP-P	03-05-074
296-402A-340	REP	03-09-111
296-402A-350	REP-P	03-05-074
296-402A-350	REP	03-09-111
296-402A-360	REP-P	03-05-074
296-402A-360	REP	03-09-111
296-402A-370	REP-P	03-05-074
296-402A-370	REP	03-09-111
296-402A-380	REP-P	03-05-074
296-402A-380	REP	03-09-111
296-402A-390	REP-P	03-05-074
296-402A-390	REP	03-09-111
296-402A-400	REP-P	03-05-074
296-402A-400	REP	03-09-111
296-402A-410	REP-P	03-05-074
296-402A-410	REP	03-09-111
296-402A-430	REP-P	03-05-074
296-402A-430	REP	03-09-111
296-402A-440	REP-P	03-05-074
296-402A-440	REP	03-09-111
296-402A-450	REP-P	03-05-074
296-402A-450	REP	03-09-111
296-402A-460	REP-P	03-05-074
296-402A-460	REP	03-09-111
296-402A-470	REP-P	03-05-074
296-402A-470	REP	03-09-111

WAC #	ACTION	WSR #
296-402A-480	REP-P	03-05-074
296-402A-480	REP	03-09-111
296-402A-490	REP-P	03-05-074
296-402A-490	REP	03-09-111
296-402A-500	REP-P	03-05-074
296-402A-500	REP	03-09-111
296-402A-510	REP-P	03-05-074
296-402A-510	REP	03-09-111
296-402A-520	REP-P	03-05-074
296-402A-520	REP	03-09-111
296-402A-530	REP-P	03-05-074
296-402A-530	REP	03-09-111
296-402A-540	REP-P	03-05-074
296-402A-540	REP	03-09-111
296-402A-550	REP-P	03-05-074
296-402A-550	REP	03-09-111
296-402A-560	REP-P	03-05-074
296-402A-560	REP	03-09-111
296-402A-570	REP-P	03-05-074
296-402A-570	REP	03-09-111
296-402A-580	REP-P	03-05-074
296-402A-580	REP	03-09-111
296-402A-590	REP-P	03-05-074
296-402A-590	REP	03-09-111
296-402A-600	REP-P	03-05-074
296-402A-600	REP	03-09-111
296-402A-610	REP-P	03-05-074
296-402A-610	REP	03-09-111
296-402A-620	REP-P	03-05-074
296-402A-620	REP	03-09-111
296-402A-630	REP-P	03-05-074
296-402A-630	REP	03-09-111
296-402A-640	REP-P	03-05-074
296-402A-640	REP	03-09-111
296-402A-650	REP-P	03-05-074
296-402A-650	REP	03-09-111
296-402A-660	REP-P	03-05-074
296-402A-660	REP	03-09-111
296-402A-670	REP-P	03-05-074
296-402A-670	REP	03-09-111
296-402A-675	REP-P	03-05-074
296-402A-675	REP	03-09-111
296-402A-680	REP-P	03-05-074
296-402A-680	REP	03-09-111
296-402A-690	REP-P	03-05-074
296-402A-690	REP	03-09-111
296-800	PREP	03-04-097
296-800	PREP	03-21-126
296-800-110	AMD-X	03-12-072
296-800-110	AMD	03-18-090
296-800-11030	AMD-X	03-12-072
296-800-11030	AMD	03-18-090
296-800-15005	AMD	03-09-110
296-800-170	AMD-X	03-12-072
296-800-170	AMD	03-18-090
296-800-17005	AMD-X	03-12-072
296-800-17005	AMD	03-18-090
296-800-17005	AMD-P	03-23-101
296-800-17007	NEW-X	03-12-072
296-800-17007	NEW	03-18-090
296-800-17015	AMD-X	03-12-072
296-800-17015	AMD	03-18-090
296-800-17020	AMD-X	03-12-072
296-800-17020	AMD	03-18-090
296-800-180	AMD-P	03-23-101
296-800-230	AMD-X	03-12-072
296-800-230	AMD	03-18-090
296-800-23005	AMD-X	03-12-072
296-800-23005	AMD	03-18-090
296-800-23010	AMD-X	03-12-072
296-800-23010	AMD	03-18-090
296-800-23020	AMD-X	03-12-072
296-800-23020	AMD	03-18-090
296-800-23025	AMD-X	03-12-072
296-800-23025	AMD	03-18-090
296-800-23030	REP-X	03-12-072
296-800-23030	REP	03-18-090
296-800-23035	REP-X	03-12-072
296-800-23035	REP	03-18-090
296-800-23040	NEW-X	03-12-072
296-800-23040	NEW	03-18-090
296-800-23045	NEW-X	03-12-072
296-800-23045	NEW	03-18-090
296-800-23050	NEW-X	03-12-072
296-800-23050	NEW	03-18-090
296-800-23055	NEW-X	03-12-072
296-800-23055	NEW	03-18-090
296-800-23060	NEW-X	03-12-072
296-800-23060	NEW	03-18-090
296-800-23065	NEW-X	03-12-072
296-800-23065	NEW	03-18-090
296-800-23070	NEW-X	03-12-072
296-800-23070	NEW	03-18-090
296-800-23075	NEW-X	03-12-072
296-800-23075	NEW	03-18-090
296-800-310	AMD-X	03-22-069
296-800-31010	AMD-X	03-22-069
296-800-31020	AMD-X	03-22-069
296-800-31050	AMD-X	03-12-072
296-800-31050	AMD	03-18-090
296-800-31070	AMD-X	03-22-069
296-800-350	AMD-X	03-12-072
296-800-350	AMD	03-18-090
296-800-35038	AMD-X	03-12-072
296-800-35038	AMD	03-18-090
296-800-35040	AMD-X	03-12-072
296-800-35040	AMD	03-18-090
296-800-35062	AMD-X	03-12-072
296-800-35062	AMD	03-18-090
296-800-35064	AMD-X	03-12-072
296-800-35064	AMD	03-18-090
296-800-370	AMD-X	03-12-072
296-800-370	AMD	03-18-090
296-800-370	AMD-X	03-22-069
296-802-100	NEW-P	03-23-101
296-802-200	NEW-P	03-23-101
296-802-20005	NEW-P	03-23-101
296-802-20010	NEW-P	03-23-101
296-802-20015	NEW-P	03-23-101
296-802-300	NEW-P	03-23-101
296-802-30005	NEW-P	03-23-101
296-802-400	NEW-P	03-23-101
296-802-40005	NEW-P	03-23-101
296-802-40010	NEW-P	03-23-101
296-802-40015	NEW-P	03-23-101
296-802-500	NEW-P	03-23-101
296-802-50005	NEW-P	03-23-101
296-802-50010	NEW-P	03-23-101
296-802-600	NEW-P	03-23-101
296-802-60005	NEW-P	03-23-101
296-802-900	NEW-P	03-23-101
296-807-100	NEW	03-09-009
296-807-110	NEW	03-09-009
296-807-11005	NEW	03-09-009
296-807-120	NEW	03-09-009
296-807-12005	NEW	03-09-009
296-807-130	NEW	03-09-009
296-807-13005	NEW	03-09-009
296-807-140	NEW	03-09-009
296-807-14005	NEW	03-09-009
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296-807-15015	NEW	03-09-009
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296-807-18015	NEW	03-09-009
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296-807-18030	NEW	03-09-009
296-807-18035	NEW	03-09-009
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296-807-18045	NEW	03-09-009
296-807-18050	NEW	03-09-009
296-807-18055	NEW	03-09-009
296-807-18060	NEW	03-09-009
296-807-18065	NEW	03-09-009

WAC #	ACTION	WSR #
296-807-18070	NEW	03-09-009
296-807-18075	NEW	03-09-009
296-807-18080	NEW	03-09-009
296-807-18085	NEW	03-09-009
296-807-190	NEW	03-09-009
296-809-100	NEW-P	03-19-106
296-809-200	NEW-P	03-19-106
296-809-20002	NEW-P	03-19-106
296-809-20004	NEW-P	03-19-106
296-809-20006	NEW-P	03-19-106
296-809-300	NEW-P	03-19-106
296-809-30002	NEW-P	03-19-106
296-809-30004	NEW-P	03-19-106
296-809-400	NEW-P	03-19-106
296-809-40002	NEW-P	03-19-106
296-809-40004	NEW-P	03-19-106
296-809-500	NEW-P	03-19-106
296-809-50002	NEW-P	03-19-106
296-809-50004	NEW-P	03-19-106
296-809-50006	NEW-P	03-19-106
296-809-50008	NEW-P	03-19-106
296-809-50010	NEW-P	03-19-106
296-809-50012	NEW-P	03-19-106
296-809-50014	NEW-P	03-19-106
296-809-50016	NEW-P	03-19-106
296-809-50018	NEW-P	03-19-106
296-809-50020	NEW-P	03-19-106
296-809-50022	NEW-P	03-19-106
296-809-50024	NEW-P	03-19-106
296-809-600	NEW-P	03-19-106
296-809-60002	NEW-P	03-19-106
296-809-60004	NEW-P	03-19-106
296-809-700	NEW-P	03-19-106
296-809-70002	NEW-P	03-19-106
296-809-70004	NEW-P	03-19-106
296-809-800	NEW-P	03-19-106
296-817-010	NEW-W	03-13-096
296-817-01005	NEW-W	03-13-096
296-817-01010	NEW-W	03-13-096
296-817-01015	NEW-W	03-13-096
296-817-01020	NEW-W	03-13-096
296-817-01025	NEW-W	03-13-096
296-817-01030	NEW-W	03-13-096
296-817-01035	NEW-W	03-13-096
296-817-01040	NEW-W	03-13-096
296-817-020	NEW-W	03-13-096
296-817-02005	NEW-W	03-13-096
296-817-02010	NEW-W	03-13-096
296-817-02015	NEW-W	03-13-096
296-817-030	NEW-W	03-13-096
296-817-03005	NEW-W	03-13-096
296-817-03010	NEW-W	03-13-096
296-817-03015	NEW-W	03-13-096
296-817-03020	NEW-W	03-13-096
296-817-03025	NEW-W	03-13-096
296-817-03030	NEW-W	03-13-096
296-817-03035	NEW-W	03-13-096
296-817-040	NEW-W	03-13-096
296-817-04005	NEW-W	03-13-096
296-817-04010	NEW-W	03-13-096
296-817-04015	NEW-W	03-13-096
296-817-04020	NEW-W	03-13-096
296-817-04025	NEW-W	03-13-096
296-817-050	NEW-W	03-13-096
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296-817-200	NEW	03-11-060
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296-817-20015	NEW	03-11-060
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296-817-20025	NEW	03-11-060
296-817-20030	NEW	03-11-060
296-817-20035	NEW	03-11-060
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296-817-30005	NEW	03-11-060
296-817-30010	NEW	03-11-060
296-817-30015	NEW	03-11-060
296-817-400	NEW	03-11-060
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296-817-50025	NEW	03-11-060
296-817-600	NEW	03-11-060
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296-823-12015	NEW	03-09-110
296-823-130	NEW	03-09-110
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296-823-13010	NEW	03-09-110
296-823-13015	NEW-W	03-14-136
296-823-13020	NEW-W	03-14-136
296-823-13025	NEW-W	03-14-136
296-823-13030	NEW-W	03-14-136
296-823-140	NEW	03-09-110
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296-823-14020	NEW	03-09-110
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296-823-14055	NEW	03-09-110
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296-823-14065	NEW	03-09-110
296-823-150	NEW	03-09-110
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296-823-15010	NEW	03-09-110
296-823-15015	NEW	03-09-110
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296-823-160	NEW	03-09-110
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296-823-16010	NEW	03-09-110
296-823-16015	NEW	03-09-110
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296-823-16025	NEW	03-09-110
296-823-16030	NEW	03-09-110
296-823-16035	NEW-W	03-14-136
296-823-16040	NEW-W	03-14-136
296-823-16045	NEW-W	03-14-136
296-823-170	NEW	03-09-110
296-823-17005	NEW	03-09-110
296-823-17010	NEW	03-09-110
296-823-17015	NEW-W	03-14-136
296-823-17020	NEW-W	03-14-136
296-823-17025	NEW-W	03-14-136
296-823-17030	NEW-W	03-14-136
296-823-180	NEW	03-09-110
296-823-18005	NEW	03-09-110
296-823-18010	NEW	03-09-110
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296-823-18050	NEW	03-09-110
296-823-18055	NEW	03-09-110
296-823-190	NEW-W	03-14-136
296-823-19005	NEW-W	03-14-136
296-823-19010	NEW-W	03-14-136
296-823-19015	NEW-W	03-14-136
296-823-19020	NEW-W	03-14-136
296-823-19025	NEW-W	03-14-136
296-823-19030	NEW-W	03-14-136
296-823-19035	NEW-W	03-14-136
296-823-19040	NEW-W	03-14-136
296-823-19045	NEW-W	03-14-136
296-823-19050	NEW-W	03-14-136
296-823-19055	NEW-W	03-14-136
296-823-200	NEW	03-09-110
296-824-50030	AMD	03-09-110
296-831	PREP	03-20-080
296-831-100	NEW-P	03-14-075
296-831-200	NEW-P	03-14-075
296-831-210	NEW-P	03-14-075
296-831-21005	NEW-P	03-14-075
296-831-21010	NEW-P	03-14-075
296-831-21015	NEW-P	03-14-075
296-831-21020	NEW-P	03-14-075
296-831-21025	NEW-P	03-14-075
296-831-21030	NEW-P	03-14-075
296-831-21035	NEW-P	03-14-075
296-831-21040	NEW-P	03-14-075
296-831-21045	NEW-P	03-14-075
296-831-21050	NEW-P	03-14-075

WAC #	ACTION	WSR #
296-831-21055	NEW-P	03-14-075
296-831-21060	NEW-P	03-14-075
296-831-21065	NEW-P	03-14-075
296-831-21070	NEW-P	03-14-075
296-831-220	NEW-P	03-14-075
296-831-22005	NEW-P	03-14-075
296-831-22010	NEW-P	03-14-075
296-831-22015	NEW-P	03-14-075
296-831-22020	NEW-P	03-14-075
296-831-230	NEW-P	03-14-075
296-831-23001	NEW-P	03-14-075
296-831-23005	NEW-P	03-14-075
296-831-23010	NEW-P	03-14-075
296-831-23015	NEW-P	03-14-075
296-831-23025	NEW-P	03-14-075
296-831-23030	NEW-P	03-14-075
296-831-23035	NEW-P	03-14-075
296-831-23040	NEW-P	03-14-075
296-831-23045	NEW-P	03-14-075
296-831-23050	NEW-P	03-14-075
296-831-23055	NEW-P	03-14-075
296-831-23060	NEW-P	03-14-075
296-831-240	NEW-P	03-14-075
296-831-24005	NEW-P	03-14-075
296-831-24010	NEW-P	03-14-075
296-831-24020	NEW-P	03-14-075
296-831-24025	NEW-P	03-14-075
296-831-300	NEW-P	03-14-075
296-831-310	NEW-P	03-14-075
296-831-31005	NEW-P	03-14-075
296-831-31010	NEW-P	03-14-075
296-831-31015	NEW-P	03-14-075
296-831-31020	NEW-P	03-14-075
296-831-31025	NEW-P	03-14-075
296-831-31030	NEW-P	03-14-075
296-831-320	NEW-P	03-14-075
296-831-32005	NEW-P	03-14-075
296-831-32010	NEW-P	03-14-075
296-831-32015	NEW-P	03-14-075
296-831-32020	NEW-P	03-14-075
296-831-330	NEW-P	03-14-075
296-831-33005	NEW-P	03-14-075
296-831-33010	NEW-P	03-14-075
296-831-33015	NEW-P	03-14-075
296-831-33020	NEW-P	03-14-075
296-831-33025	NEW-P	03-14-075
296-831-33030	NEW-P	03-14-075
296-831-33035	NEW-P	03-14-075
296-831-33040	NEW-P	03-14-075
296-831-33045	NEW-P	03-14-075
296-831-33050	NEW-P	03-14-075
296-831-340	NEW-P	03-14-075
296-831-34005	NEW-P	03-14-075
296-831-34015	NEW-P	03-14-075
296-831-34016	NEW-P	03-14-075
296-831-34020	NEW-P	03-14-075
296-831-34025	NEW-P	03-14-075
296-831-400	NEW-P	03-14-075
296-831-410	NEW-P	03-14-075
296-831-41005	NEW-P	03-14-075
296-831-41010	NEW-P	03-14-075
296-831-41015	NEW-P	03-14-075
296-831-41020	NEW-P	03-14-075
296-831-41025	NEW-P	03-14-075
296-831-41030	NEW-P	03-14-075
296-831-41035	NEW-P	03-14-075
296-831-41040	NEW-P	03-14-075
296-831-41045	NEW-P	03-14-075
296-831-41050	NEW-P	03-14-075
296-831-41055	NEW-P	03-14-075
296-831-41060	NEW-P	03-14-075
296-831-41065	NEW-P	03-14-075
296-831-420	NEW-P	03-14-075
296-831-42005	NEW-P	03-14-075
296-831-42010	NEW-P	03-14-075
296-831-42015	NEW-P	03-14-075
296-831-42020	NEW-P	03-14-075
296-831-430	NEW-P	03-14-075
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296-831-43010	NEW-P	03-14-075
296-831-43015	NEW-P	03-14-075
296-831-43020	NEW-P	03-14-075
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296-831-43030	NEW-P	03-14-075
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296-831-43040	NEW-P	03-14-075
296-831-43045	NEW-P	03-14-075
296-831-43050	NEW-P	03-14-075
296-831-43055	NEW-P	03-14-075
296-831-43060	NEW-P	03-14-075
296-831-440	NEW-P	03-14-075
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296-831-44015	NEW-P	03-14-075
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296-831-510	NEW-P	03-14-075
296-831-51005	NEW-P	03-14-075
296-831-51010	NEW-P	03-14-075
296-831-51015	NEW-P	03-14-075
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296-831-520	NEW-P	03-14-075
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296-831-52010	NEW-P	03-14-075
296-831-52015	NEW-P	03-14-075
296-831-52020	NEW-P	03-14-075
296-831-530	NEW-P	03-14-075
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296-831-53010	NEW-P	03-14-075
296-831-53015	NEW-P	03-14-075
296-831-53020	NEW-P	03-14-075
296-831-53025	NEW-P	03-14-075
296-831-53030	NEW-P	03-14-075
296-831-53035	NEW-P	03-14-075
296-831-53040	NEW-P	03-14-075
296-831-53045	NEW-P	03-14-075
296-831-53050	NEW-P	03-14-075
296-831-53055	NEW-P	03-14-075
296-831-540	NEW-P	03-14-075
296-831-54005	NEW-P	03-14-075
296-831-54010	NEW-P	03-14-075
296-831-54015	NEW-P	03-14-075
296-831-54020	NEW-P	03-14-075
296-831-900	NEW-P	03-14-075
296-841	PREP	03-08-073
296-841-100	NEW-P	03-11-059
296-841-100	NEW	03-20-115
296-841-200	NEW-P	03-11-059
296-841-200	NEW	03-20-115
296-841-20005	NEW-P	03-11-059
296-841-20005	NEW	03-20-115
296-841-20010	NEW-P	03-11-059
296-841-20010	NEW	03-20-115
296-841-20015	NEW-P	03-11-059
296-841-20015	NEW	03-20-115
296-841-20020	NEW-P	03-11-059
296-841-20020	NEW	03-20-115
296-841-300	NEW-P	03-11-059
296-841-300	NEW	03-20-115
296-842-100	NEW-P	03-08-044
296-842-100	NEW	03-20-114
296-842-105	NEW-P	03-08-044
296-842-105	NEW	03-20-114
296-842-10505	NEW-P	03-08-044
296-842-10505	NEW	03-20-114
296-842-110	NEW-P	03-08-044
296-842-110	NEW	03-20-114
296-842-11005	NEW-P	03-08-044
296-842-11005	NEW	03-20-114
296-842-11010	NEW-P	03-08-044
296-842-11010	NEW	03-20-114
296-842-120	NEW-P	03-08-044
296-842-120	NEW	03-20-114
296-842-12005	NEW-P	03-08-044
296-842-12005	NEW	03-20-114
296-842-12010	NEW-P	03-08-044
296-842-12010	NEW	03-20-114
296-842-130	NEW-P	03-08-044
296-842-130	NEW	03-20-114
296-842-13005	NEW-P	03-08-044
296-842-13005	NEW	03-20-114
296-842-140	NEW-P	03-08-044
296-842-140	NEW	03-20-114
296-842-14005	NEW-P	03-08-044
296-842-14005	NEW	03-20-114
296-842-150	NEW-P	03-08-044
296-842-150	NEW	03-20-114
296-842-15005	NEW-P	03-08-044
296-842-15005	NEW	03-20-114
296-842-160	NEW-P	03-08-044
296-842-160	NEW	03-20-114
296-842-16005	NEW-P	03-08-044
296-842-16005	NEW	03-20-114
296-842-170	NEW-P	03-08-044
296-842-170	NEW	03-20-114
296-842-17005	NEW-P	03-08-044
296-842-17005	NEW	03-20-114
296-842-17010	NEW-P	03-08-044
296-842-17010	NEW	03-20-114
296-842-17015	NEW-P	03-08-044
296-842-17015	NEW	03-20-114
296-842-180	NEW-P	03-08-044
296-842-180	NEW	03-20-114
296-842-18005	NEW-P	03-08-044
296-842-18005	NEW	03-20-114

WAC #	ACTION	WSR #
296-842-18010	NEW-P	03-08-044
296-842-18010	NEW	03-20-114
296-842-190	NEW-P	03-08-044
296-842-190	NEW	03-20-114
296-842-19005	NEW-P	03-08-044
296-842-19005	NEW	03-20-114
296-842-200	NEW-P	03-08-044
296-842-200	NEW	03-20-114
296-842-20005	NEW-P	03-08-044
296-842-20005	NEW	03-20-114
296-842-20010	NEW-P	03-08-044
296-842-20010	NEW	03-20-114
296-842-20015	NEW-P	03-08-044
296-842-20015	NEW	03-20-114
296-842-210	NEW-P	03-08-044
296-842-210	NEW	03-20-114
296-842-21005	NEW-P	03-08-044
296-842-21005	NEW	03-20-114
296-842-220	NEW-P	03-08-044
296-842-220	NEW	03-20-114
296-842-22005	NEW-P	03-08-044
296-842-22005	NEW	03-20-114
296-842-22010	NEW-P	03-08-044
296-842-22010	NEW	03-20-114
296-842-22015	NEW-P	03-08-044
296-842-22015	NEW	03-20-114
296-842-22020	NEW-P	03-08-044
296-842-22020	NEW	03-20-114
296-842-300	NEW-P	03-08-044
296-842-300	NEW	03-20-114
296-843-100	NEW-P	03-14-074
296-843-110	NEW-P	03-14-074
296-843-11005	NEW-P	03-14-074
296-843-11010	NEW-P	03-14-074
296-843-120	NEW-P	03-14-074
296-843-12005	NEW-P	03-14-074
296-843-130	NEW-P	03-14-074
296-843-13005	NEW-P	03-14-074
296-843-13010	NEW-P	03-14-074
296-843-140	NEW-P	03-14-074
296-843-14005	NEW-P	03-14-074
296-843-150	NEW-P	03-14-074
296-843-15005	NEW-P	03-14-074
296-843-15010	NEW-P	03-14-074
296-843-15015	NEW-P	03-14-074
296-843-160	NEW-P	03-14-074
296-843-16005	NEW-P	03-14-074
296-843-170	NEW-P	03-14-074
296-843-17005	NEW-P	03-14-074
296-843-180	NEW-P	03-14-074
296-843-18005	NEW-P	03-14-074
296-843-18010	NEW-P	03-14-074
296-843-18015	NEW-P	03-14-074
296-843-18020	NEW-P	03-14-074
296-843-190	NEW-P	03-14-074
296-843-19005	NEW-P	03-14-074
296-843-200	NEW-P	03-14-074
296-843-20005	NEW-P	03-14-074
296-843-20010	NEW-P	03-14-074
296-843-20015	NEW-P	03-14-074
296-843-20020	NEW-P	03-14-074
296-843-20025	NEW-P	03-14-074
296-843-20030	NEW-P	03-14-074
296-843-20035	NEW-P	03-14-074
296-843-210	NEW-P	03-14-074
296-843-21005	NEW-P	03-14-074
296-843-220	NEW-P	03-14-074
296-843-22005	NEW-P	03-14-074
296-843-22010	NEW-P	03-14-074
296-843-300	NEW-P	03-14-074
296-878	PREP	03-03-110
308- 11	PREP	03-17-028
308- 13-150	PREP	03-04-056
308- 13-150	AMD-P	03-08-062
308- 13-150	AMD	03-11-074
308- 13-150	PREP	03-20-033
308- 14	PREP	03-17-027
308- 14	PREP	03-21-063
308- 15	PREP	03-04-080
308- 15	PREP	03-23-003
308- 17-120	AMD	03-03-024
308- 17-240	AMD	03-03-024
308- 19-140	AMD-P	03-20-067
308- 20	PREP	03-10-084
308- 20	PREP	03-17-026
308- 20-010	AMD-P	03-10-085
308- 20-010	AMD	03-14-046
308- 20-040	AMD-P	03-10-085
308- 20-040	AMD	03-14-046
308- 20-080	AMD-P	03-10-085
308- 20-080	AMD-W	03-23-098
308- 20-090	AMD-P	03-10-085
308- 20-090	AMD	03-14-046
308- 20-091	NEW-P	03-10-085
308- 20-091	NEW	03-14-046
308- 20-105	AMD-P	03-10-085
308- 20-105	AMD	03-14-046
308- 20-107	AMD-P	03-10-085
308- 20-107	AMD	03-14-046
308- 20-110	AMD-P	03-10-085
308- 20-110	AMD	03-14-046
308- 20-120	AMD-P	03-05-058
308- 20-120	AMD	03-08-043
308- 20-120	AMD-P	03-10-085
308- 20-120	AMD	03-14-046
308- 20-180	REP-P	03-10-085
308- 20-180	REP	03-14-046
308- 20-210	AMD-P	03-03-119
308- 20-210	AMD	03-06-054
308- 20-210	AMD-P	03-10-085
308- 20-210	AMD	03-14-046
308- 20-520	AMD-P	03-10-085
308- 20-520	AMD	03-14-046
308- 20-530	REP-P	03-10-085
308- 20-530	REP	03-14-046
308- 20-550	AMD-P	03-10-085
308- 20-550	AMD	03-14-046
308- 20-560	AMD-P	03-10-085
308- 20-560	AMD	03-14-046
308- 20-570	AMD-P	03-10-085
308- 20-570	AMD	03-14-046
308- 20-575	NEW-P	03-10-085
308- 20-575	NEW	03-14-046
308- 20-600	AMD-P	03-10-085
308- 20-600	AMD	03-14-046
308- 20-710	AMD-P	03-10-085
308- 20-710	AMD	03-14-046
308- 30-100	PREP	03-15-108
308- 48-800	PREP	03-04-076
308- 48-800	AMD-P	03-08-010
308- 48-800	AMD	03-11-021
308- 56A	PREP	03-20-068
308- 56A-020	AMD	03-05-081
308- 56A-021	AMD-P	03-07-080
308- 56A-021	AMD	03-11-069
308- 56A-030	AMD	03-05-081
308- 56A-040	AMD	03-05-081
308- 56A-056	AMD	03-05-081
308- 56A-060	AMD	03-05-081
308- 56A-065	AMD-P	03-06-040
308- 56A-065	AMD	03-10-097
308- 56A-070	AMD-P	03-08-093
308- 56A-070	AMD	03-12-071
308- 56A-075	AMD-P	03-06-040
308- 56A-075	AMD	03-10-097
308- 56A-110	AMD	03-05-081
308- 56A-115	AMD	03-05-081
308- 56A-140	AMD-P	03-05-001
308- 56A-140	AMD	03-12-006
308- 56A-150	AMD-P	03-05-001
308- 56A-150	AMD	03-05-081
308- 56A-150	AMD	03-12-006
308- 56A-150	PREP	03-14-022
308- 56A-150	PREP	03-22-043
308- 56A-160	AMD-P	03-05-001
308- 56A-160	AMD	03-12-006
308- 56A-160	PREP	03-14-022
308- 56A-200	AMD-P	03-05-001
308- 56A-200	AMD	03-12-006
308- 56A-210	AMD	03-05-081
308- 56A-210	PREP	03-14-022
308- 56A-215	AMD-P	03-05-001
308- 56A-215	AMD	03-12-006
308- 56A-250	AMD-P	03-03-095
308- 56A-250	AMD	03-08-055
308- 56A-265	AMD-P	03-03-095
308- 56A-265	AMD	03-08-055
308- 56A-270	AMD-P	03-03-095
308- 56A-270	AMD	03-08-055
308- 56A-275	AMD-P	03-03-095
308- 56A-275	AMD	03-08-055
308- 56A-295	AMD	03-05-081
308- 56A-300	AMD-P	03-08-093
308- 56A-300	AMD	03-12-071
308- 56A-305	AMD-P	03-08-093
308- 56A-305	AMD	03-12-071
308- 56A-315	AMD-P	03-08-093
308- 56A-315	AMD	03-12-071
308- 56A-320	AMD-P	03-08-093
308- 56A-320	AMD	03-12-071
308- 56A-325	AMD-P	03-08-093
308- 56A-325	AMD	03-12-071
308- 56A-330	AMD-P	03-08-093
308- 56A-330	AMD	03-12-071
308- 56A-450	PREP	03-22-043
308- 56A-455	AMD-P	03-06-040

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308- 56A-455	AMD	03-10-097
308- 56A-455	PREP	03-14-022
308- 56A-460	PREP	03-14-022
308- 56A-640	PREP-W	03-07-078
308- 56A-640	AMD-P	03-09-031
308- 56A-640	AMD-W	03-09-075
308- 56A-640	AMD-P	03-23-100
308- 57	PREP-W	03-07-077
308- 57-030	PREP	03-12-018
308- 78	PREP	03-17-035
308- 78-010	AMD-P	03-21-087
308- 78-045	AMD-P	03-21-087
308- 88	PREP	03-11-069A
308- 88-020	AMD-P	03-20-069
308- 90-040	PREP	03-14-095
308- 90-040	AMD-P	03-17-094
308- 90-040	AMD	03-22-095
308- 93-056	PREP	03-23-099
308- 93-230	AMD-P	03-10-045
308- 93-230	AMD	03-15-019
308- 93-370	AMD	03-07-076
308- 93-380	AMD	03-07-076
308- 93-390	AMD	03-07-076
308- 93-440	AMD	03-07-076
308- 96A-021	AMD	03-05-080
308- 96A-021	PREP	03-17-107
308- 96A-026	PREP	03-14-021
308- 96A-047	NEW	03-05-080
308- 96A-074	AMD	03-05-082
308- 96A-099	PREP	03-14-021
308- 96A-136	PREP	03-14-021
308- 96A-177	REP	03-05-080
308- 96A-180	AMD-P	03-20-069
308- 96A-314	AMD	03-05-082
308- 96A-316	AMD	03-05-082
308- 96A-550	AMD	03-05-082
308- 97-011	PREP	03-13-018
308- 97-011	AMD-P	03-19-007
308- 97-125	PREP	03-13-018
308- 97-125	AMD-P	03-19-007
308- 97-230	PREP	03-13-018
308- 97-230	AMD-P	03-19-007
308- 99-040	AMD	03-04-092
308-100-090	AMD-P	03-07-097
308-100-090	AMD	03-10-024
308-100-180	AMD-P	03-07-097
308-100-180	AMD	03-10-024
308-124A-110	PREP	03-21-018
308-124B-150	AMD-P	03-09-059
308-124B-150	AMD	03-14-019
308-124C-010	PREP	03-09-049
308-124C-020	PREP	03-09-049
308-124C-030	PREP	03-21-016
308-124C-030	PREP	03-21-017
308-124D-030	PREP	03-21-017
308-124E-013	PREP	03-09-049
308-124E-013	AMD-P	03-13-024
308-124E-013	AMD	03-21-019
308-124H-029	PREP	03-03-080
308-124H-029	AMD-P	03-09-058
308-124H-029	AMD	03-14-020
308-124H-061	PREP	03-03-080
308-124H-061	AMD-P	03-09-058
308-124H-061	AMD	03-14-020
308-125-090	AMD-P	03-11-050
308-125-090	AMD	03-14-091
308-127	PREP	03-17-030
308-129-100	AMD	03-03-055
308-129-110	PREP	03-14-047
308-390	PREP	03-17-069
308-420	PREP	03-17-029
308-420-010	REP	03-03-054
308-420-020	AMD	03-03-054
308-420-050	AMD	03-03-054
308-420-060	AMD	03-03-054
308-420-070	AMD	03-03-054
308-420-080	REP	03-03-054
308-420-090	AMD	03-03-054
308-420-100	AMD	03-03-054
308-420-130	REP	03-03-054
308-420-140	AMD	03-03-054
308-420-190	AMD	03-03-054
308-420-200	AMD	03-03-054
308-420-210	AMD	03-03-054
308-420-230	AMD	03-03-054
314- 02-105	PREP	03-22-093
314- 02-125	PREP	03-23-132
314- 02-130	PREP	03-23-132
314- 12-170	REP-P	03-02-097
314- 12-170	REP	03-09-015
314- 12-180	REP-P	03-02-097
314- 12-180	REP	03-09-015
314- 12-300	REP-P	03-02-097
314- 12-300	REP	03-09-015
314- 12-310	REP-P	03-02-097
314- 12-310	REP	03-09-015
314- 12-320	REP-P	03-02-097
314- 12-320	REP	03-09-015
314- 12-330	REP-P	03-02-097
314- 12-330	REP	03-09-015
314- 12-340	REP-P	03-02-097
314- 12-340	REP	03-09-015
314- 20-020	AMD-P	03-22-092
314- 29-003	NEW-P	03-02-097
314- 29-003	NEW	03-09-015
314- 29-015	NEW-P	03-02-097
314- 29-015	NEW	03-09-015
314- 29-020	NEW-P	03-02-097
314- 29-020	NEW	03-09-015
314- 29-025	NEW-P	03-02-097
314- 29-025	NEW	03-09-015
314- 29-030	NEW-P	03-02-097
314- 29-030	NEW	03-09-015
314- 29-035	NEW-P	03-02-097
314- 29-035	NEW	03-09-015
314- 29-040	NEW-P	03-02-097
314- 29-040	NEW	03-09-015
315- 04-065	NEW-C	03-07-067
315- 04-065	NEW	03-11-054
315- 34-040	PREP	03-15-109
315- 34-040	AMD-E	03-15-110
315- 34-040	AMD-P	03-20-001
315- 34-040	AMD	03-23-097
316- 45-001	AMD-X	03-08-070
316- 45-001	AMD	03-12-074
316- 45-003	AMD-X	03-08-070
316- 45-003	AMD	03-12-074
316- 45-010	AMD-X	03-08-070
316- 45-010	AMD	03-12-074
316- 45-020	AMD-X	03-08-070
316- 45-020	AMD	03-12-074
316- 45-030	AMD-X	03-08-070
316- 45-030	AMD	03-12-074
316- 45-050	AMD-X	03-08-070
316- 45-050	AMD	03-12-074
316- 45-110	AMD-X	03-08-070
316- 45-110	AMD	03-12-074
316- 45-130	AMD-X	03-08-070
316- 45-130	AMD	03-12-074
316- 45-150	AMD-X	03-08-070
316- 45-150	AMD	03-12-074
316- 45-170	AMD-X	03-08-070
316- 45-170	AMD	03-12-074
316- 45-190	AMD-X	03-08-070
316- 45-190	AMD	03-12-074
316- 45-210	AMD-X	03-08-070
316- 45-210	AMD	03-12-074
316- 45-230	AMD-X	03-08-070
316- 45-230	AMD	03-12-074
316- 45-250	AMD-X	03-08-070
316- 45-250	AMD	03-12-074
316- 45-270	AMD-X	03-08-070
316- 45-270	AMD	03-12-074
316- 45-290	AMD-X	03-08-070
316- 45-290	AMD	03-12-074
316- 45-310	AMD-X	03-08-070
316- 45-310	AMD	03-12-074
316- 45-330	AMD-X	03-08-070
316- 45-330	AMD	03-12-074
316- 45-350	AMD-X	03-08-070
316- 45-350	AMD	03-12-074
316- 45-370	AMD-X	03-08-070
316- 45-370	AMD	03-12-074
316- 45-390	AMD-X	03-08-070
316- 45-390	AMD	03-12-074
316- 45-410	AMD-X	03-08-070
316- 45-410	AMD	03-12-074
316- 45-430	AMD-X	03-08-070
316- 45-430	AMD	03-12-074
316- 45-550	AMD-X	03-08-070
316- 45-550	AMD	03-12-074
316- 55-001	AMD-X	03-08-070
316- 55-001	AMD	03-12-074
316- 55-005	AMD-X	03-08-070
316- 55-005	AMD	03-12-074
316- 55-010	AMD-X	03-08-070
316- 55-010	AMD	03-12-074
316- 55-020	AMD-X	03-08-070
316- 55-020	AMD	03-12-074
316- 55-030	AMD-X	03-08-070
316- 55-030	AMD	03-12-074
316- 55-070	AMD-X	03-08-070
316- 55-070	AMD	03-12-074
316- 55-090	AMD-X	03-08-070
316- 55-090	AMD	03-12-074
316- 55-110	AMD-X	03-08-070

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316- 55-110	AMD	03-12-074
316- 55-120	AMD-X	03-08-070
316- 55-120	AMD	03-12-074
316- 55-130	AMD-X	03-08-070
316- 55-130	AMD	03-12-074
316- 55-150	AMD-X	03-08-070
316- 55-150	AMD	03-12-074
316- 55-160	AMD-X	03-08-070
316- 55-160	AMD	03-12-074
316- 55-170	AMD-X	03-08-070
316- 55-170	AMD	03-12-074
316- 55-500	AMD-X	03-08-070
316- 55-500	AMD	03-12-074
316- 55-505	AMD-X	03-08-070
316- 55-505	AMD	03-12-074
316- 55-510	AMD-X	03-08-070
316- 55-510	AMD	03-12-074
316- 55-515	AMD-X	03-08-070
316- 55-515	AMD	03-12-074
316- 55-517	AMD-X	03-08-070
316- 55-517	AMD	03-12-074
316- 55-525	AMD-X	03-08-070
316- 55-525	AMD	03-12-074
316- 55-600	AMD-X	03-08-070
316- 55-600	AMD	03-12-074
316- 55-700	AMD-X	03-08-070
316- 55-700	AMD	03-12-074
316- 55-710	AMD-X	03-08-070
316- 55-710	AMD	03-12-074
316- 55-730	AMD-X	03-08-070
316- 55-730	AMD	03-12-074
326- 20-092	PREP	03-23-123
326- 20-094	PREP	03-23-123
326- 20-095	PREP	03-23-123
326- 20-096	PREP	03-23-123
326- 20-098	PREP	03-23-123
326- 20-125	PREP	03-23-124
352- 12	PREP	03-18-123
352- 12-005	AMD-P	03-21-171
352- 12-010	AMD-P	03-21-171
352- 12-020	AMD-P	03-21-171
352- 12-030	AMD-P	03-21-171
352- 12-050	AMD-P	03-21-171
352- 28	PREP	03-04-115
352- 32-010	AMD-P	03-21-172
352- 32-030	AMD-P	03-21-172
352- 32-090	AMD-P	03-21-172
352- 32-120	AMD-P	03-21-172
352- 32-121	NEW-P	03-21-172
352- 32-250	AMD-P	03-21-172
352- 32-310	AMD-P	03-21-172
352- 40	PREP	03-04-038
352- 40-010	AMD-P	03-08-101
352- 40-010	AMD	03-11-068
352- 40-020	AMD-P	03-08-101
352- 40-020	AMD	03-11-068
352- 40-030	AMD-P	03-08-101
352- 40-030	AMD	03-11-068
352- 40-040	AMD-P	03-08-101
352- 40-040	AMD	03-11-068
352- 40-050	REP-P	03-08-101
352- 40-050	REP	03-11-068
352- 40-060	AMD-P	03-08-101
352- 40-060	AMD	03-11-068
352- 40-070	AMD-P	03-08-101
352- 40-070	AMD	03-11-068
352- 40-080	AMD-P	03-08-101
352- 40-080	AMD	03-11-068
352- 40-090	AMD-P	03-08-101
352- 40-090	AMD	03-11-068
352- 40-100	AMD-P	03-08-101
352- 40-100	AMD	03-11-068
352- 40-110	AMD-P	03-08-101
352- 40-110	AMD	03-11-068
352- 40-120	AMD-P	03-08-101
352- 40-120	AMD	03-11-068
352- 40-125	REP-P	03-08-101
352- 40-125	REP	03-11-068
352- 40-127	REP-P	03-08-101
352- 40-127	REP	03-11-068
352- 40-130	AMD-P	03-08-101
352- 40-130	AMD	03-11-068
352- 40-140	REP-P	03-08-101
352- 40-140	REP	03-11-068
352- 40-150	AMD-P	03-08-101
352- 40-150	AMD	03-11-068
352- 40-900	REP-P	03-08-101
352- 40-900	REP	03-11-068
356- 06-065	AMD-X	03-12-092
356- 06-065	AMD	03-16-085
356- 18-112	AMD-P	03-16-108
356- 18-112	AMD	03-20-011
356- 22-220	AMD-P	03-16-107
356- 22-220	AMD	03-20-010
363-116-185	AMD-P	03-09-135
363-116-185	AMD	03-14-042
363-116-185	AMD-P	03-18-069
363-116-185	AMD	03-21-089
363-116-300	AMD-P	03-08-058
363-116-300	AMD	03-12-019
363-116-365	NEW-P	03-06-061
363-116-365	NEW	03-09-097
363-116-405	NEW-P	03-06-060
363-116-405	NEW	03-09-096
365-210-030	AMD	03-07-035
365-210-060	AMD	03-07-035
365-210-061	NEW	03-07-035
365-210-062	NEW	03-07-035
365-210-063	NEW	03-07-035
365-210-090	NEW	03-07-035
365-210-100	NEW	03-07-035
365-210-110	NEW	03-07-035
365-210-120	NEW	03-07-035
365-210-130	NEW	03-07-035
365-210-140	NEW	03-07-035
365-210-150	NEW	03-07-035
365-210-160	NEW	03-07-035
365-210-170	NEW	03-07-035
365-210-180	NEW	03-07-035
365-210-190	NEW	03-07-035
365-212-010	NEW	03-07-036
365-212-020	NEW	03-07-036
365-212-030	NEW	03-07-036
365-212-040	NEW	03-07-036
365-212-050	NEW	03-07-036
365-212-060	NEW	03-07-036
365-212-070	NEW	03-07-036
365-212-080	NEW	03-07-036
365-212-090	NEW	03-07-036
371- 08-306	NEW-E	03-17-077
371- 08-306	NEW-P	03-23-126
371- 08-315	AMD-E	03-17-077
371- 08-315	AMD-P	03-23-126
374- 80-010	AMD	03-06-015
374- 80-040	AMD	03-06-015
374- 80-050	AMD	03-06-015
388- 01-030	PREP	03-10-087
388- 01-030	AMD-P	03-14-063
388- 01-030	AMD	03-17-014
388- 02	PREP	03-21-149
388- 02-0005	AMD-W	03-06-070
388- 02-0215	AMD-E	03-07-043
388- 02-0215	AMD-P	03-09-116
388- 02-0215	AMD	03-13-046
388- 02-0215	AMD-E	03-23-113
388- 14A-1030	AMD-P	03-16-094
388- 14A-1030	AMD	03-20-072
388- 14A-2040	AMD-P	03-16-094
388- 14A-2040	AMD	03-20-072
388- 14A-2075	AMD-P	03-16-094
388- 14A-2075	AMD	03-20-072
388- 14A-2135	AMD-P	03-16-094
388- 14A-2135	AMD	03-20-072
388- 14A-2150	AMD-P	03-16-094
388- 14A-2150	AMD	03-20-072
388- 14A-2155	AMD-P	03-16-094
388- 14A-2155	AMD	03-20-072
388- 14A-3100	AMD-E	03-04-088
388- 14A-3100	AMD-E	03-12-064
388- 14A-3100	AMD-P	03-13-092
388- 14A-3100	AMD	03-17-013
388- 14A-3102	AMD-E	03-04-088
388- 14A-3102	AMD-E	03-12-064
388- 14A-3102	AMD-P	03-13-092
388- 14A-3102	AMD	03-17-013
388- 14A-3110	AMD-E	03-04-088
388- 14A-3110	AMD-E	03-12-064
388- 14A-3110	AMD-P	03-13-092
388- 14A-3110	AMD	03-17-013
388- 14A-3115	AMD-E	03-04-088
388- 14A-3115	AMD-E	03-12-064
388- 14A-3115	AMD-P	03-13-092
388- 14A-3115	AMD	03-17-013
388- 14A-3120	AMD-E	03-04-088
388- 14A-3120	AMD-E	03-12-064
388- 14A-3120	AMD-P	03-13-092
388- 14A-3120	AMD	03-17-013
388- 14A-3122	NEW-E	03-04-088
388- 14A-3122	NEW-E	03-12-064
388- 14A-3125	AMD-P	03-16-094
388- 14A-3125	AMD	03-20-072
388- 14A-3131	AMD-P	03-13-092
388- 14A-3131	AMD	03-17-013
388- 14A-3132	AMD-P	03-13-092
388- 14A-3132	AMD	03-17-013
388- 14A-3133	AMD-P	03-13-092

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388- 14A-3133	AMD	03-17-013
388- 14A-3135	AMD-P	03-16-094
388- 14A-3135	AMD	03-20-072
388- 14A-3140	AMD-P	03-16-094
388- 14A-3140	AMD	03-20-072
388- 14A-3205	AMD-P	03-16-094
388- 14A-3205	AMD	03-20-072
388- 14A-3300	AMD-P	03-16-094
388- 14A-3300	AMD	03-20-072
388- 14A-3300	PREP	03-23-107
388- 14A-3304	PREP	03-23-107
388- 14A-3310	PREP	03-23-107
388- 14A-3315	AMD-P	03-16-094
388- 14A-3315	AMD	03-20-072
388- 14A-3315	PREP	03-23-107
388- 14A-3320	PREP	03-23-107
388- 14A-3350	AMD-P	03-16-094
388- 14A-3350	AMD	03-20-072
388- 14A-3370	AMD-E	03-04-088
388- 14A-3370	AMD-E	03-12-064
388- 14A-3370	AMD-P	03-13-092
388- 14A-3370	AMD	03-17-013
388- 14A-3375	AMD-P	03-16-094
388- 14A-3375	AMD	03-20-072
388- 14A-3600	AMD-P	03-13-092
388- 14A-3600	AMD	03-17-013
388- 14A-3800	AMD-P	03-16-094
388- 14A-3800	AMD	03-20-072
388- 14A-3810	AMD-E	03-04-088
388- 14A-3810	AMD-E	03-12-064
388- 14A-3810	AMD-P	03-13-092
388- 14A-3810	AMD	03-17-013
388- 14A-3865	AMD-P	03-16-094
388- 14A-3865	AMD	03-20-072
388- 14A-3875	AMD-P	03-16-094
388- 14A-3875	AMD	03-20-072
388- 14A-3900	PREP	03-22-054
388- 14A-3901	PREP	03-22-054
388- 14A-3902	PREP	03-22-054
388- 14A-3903	PREP	03-22-054
388- 14A-3904	PREP	03-22-054
388- 14A-3905	PREP	03-22-054
388- 14A-3906	PREP	03-22-054
388- 14A-3907	PREP	03-22-054
388- 14A-3925	PREP	03-22-054
388- 14A-4000	PREP	03-23-106
388- 14A-4500	PREP	03-09-090
388- 14A-4500	AMD-P	03-15-027
388- 14A-4500	AMD	03-18-114
388- 14A-4505	PREP	03-09-090
388- 14A-4505	AMD-P	03-15-027
388- 14A-4505	AMD	03-18-114
388- 14A-4510	PREP	03-09-090
388- 14A-4510	AMD-P	03-15-027
388- 14A-4510	AMD	03-18-114
388- 14A-4515	PREP	03-09-090
388- 14A-4515	AMD-P	03-15-027
388- 14A-4515	AMD	03-18-114
388- 14A-4520	PREP	03-09-090
388- 14A-4520	AMD-P	03-15-027
388- 14A-4520	AMD	03-18-114
388- 14A-4525	PREP	03-09-090
388- 14A-4525	AMD-P	03-15-027
388- 14A-4525	AMD	03-18-114
388- 14A-4530	PREP	03-09-090
388- 14A-4530	AMD-P	03-15-027
388- 14A-4530	AMD	03-18-114
388- 14A-4605	AMD-P	03-16-094
388- 14A-4605	AMD	03-20-072
388- 14A-5000	AMD-P	03-16-094
388- 14A-5000	AMD	03-20-072
388- 14A-5008	AMD-P	03-16-094
388- 14A-5008	AMD	03-20-072
388- 14A-6105	NEW-E	03-07-030
388- 14A-6105	NEW-P	03-13-092
388- 14A-6105	NEW-E	03-15-028
388- 14A-6105	NEW	03-17-013
388- 14A-6110	NEW-E	03-07-030
388- 14A-6110	NEW-P	03-13-092
388- 14A-6110	NEW-E	03-15-028
388- 14A-6110	NEW	03-17-013
388- 14A-6115	NEW-E	03-07-030
388- 14A-6115	NEW-P	03-13-092
388- 14A-6115	NEW-E	03-15-028
388- 14A-6115	NEW	03-17-013
388- 14A-6120	NEW-E	03-07-030
388- 14A-6120	NEW-P	03-13-092
388- 14A-6120	NEW-E	03-15-028
388- 14A-6120	NEW	03-17-013
388- 14A-6125	NEW-E	03-07-030
388- 14A-6125	NEW-P	03-13-092
388- 14A-6125	NEW-E	03-15-028
388- 14A-6125	NEW	03-17-013
388- 14A-6300	PREP	03-23-106
388- 15-650	REP	03-06-024
388- 15-651	REP	03-06-024
388- 15-652	REP	03-06-024
388- 15-653	REP	03-06-024
388- 15-654	REP	03-06-024
388- 15-655	REP	03-06-024
388- 15-656	REP	03-06-024
388- 15-657	REP	03-06-024
388- 15-658	REP	03-06-024
388- 15-659	REP	03-06-024
388- 15-660	REP	03-06-024
388- 15-661	REP	03-06-024
388- 15-662	REP	03-06-024
388- 25-0018	NEW-X	03-08-087
388- 25-0018	NEW	03-14-062
388- 27-0120	AMD-E	03-11-067
388- 27-0120	PREP	03-11-090
388- 27-0120	AMD-E	03-19-097
388- 27-0130	AMD-E	03-11-067
388- 27-0130	PREP	03-11-090
388- 27-0130	AMD-E	03-19-097
388- 27-0135	AMD-E	03-11-067
388- 27-0135	PREP	03-11-090
388- 27-0135	AMD-E	03-19-097
388- 27-0155	AMD-E	03-11-067
388- 27-0155	PREP	03-11-090
388- 27-0155	AMD-E	03-19-097
388- 27-0160	AMD-E	03-11-067
388- 27-0160	PREP	03-11-090
388- 27-0160	AMD-E	03-19-097
388- 27-0165	AMD-E	03-11-067
388- 27-0165	PREP	03-11-090
388- 27-0165	AMD-E	03-19-097
388- 27-0175	AMD-E	03-11-067
388- 27-0175	PREP	03-11-090
388- 27-0175	AMD-E	03-19-097
388- 27-0190	AMD-E	03-11-067
388- 27-0190	PREP	03-11-090
388- 27-0190	AMD-E	03-19-097
388- 27-0195	AMD-E	03-11-067
388- 27-0195	PREP	03-11-090
388- 27-0195	AMD-E	03-19-097
388- 27-0200	AMD-E	03-11-067
388- 27-0200	PREP	03-11-090
388- 27-0200	AMD-E	03-19-097
388- 27-0210	AMD-E	03-11-067
388- 27-0210	PREP	03-11-090
388- 27-0210	AMD-E	03-19-097
388- 27-0215	AMD-E	03-11-067
388- 27-0215	PREP	03-11-090
388- 27-0215	AMD-E	03-19-097
388- 27-0220	AMD-E	03-11-067
388- 27-0220	PREP	03-11-090
388- 27-0220	AMD-E	03-19-097
388- 27-0225	REP-E	03-11-067
388- 27-0225	PREP	03-11-090
388- 27-0225	REP-E	03-19-097
388- 27-0230	AMD-E	03-11-067
388- 27-0230	AMD-E	03-19-097
388- 27-0235	REP-E	03-11-067
388- 27-0235	PREP	03-11-090
388- 27-0235	REP-E	03-19-097
388- 27-0240	REP-E	03-11-067
388- 27-0240	PREP	03-11-090
388- 27-0240	REP-E	03-19-097
388- 27-0245	REP-E	03-11-067
388- 27-0245	PREP	03-11-090
388- 27-0245	REP-E	03-19-097
388- 27-0270	REP-E	03-11-067
388- 27-0270	PREP	03-11-090
388- 27-0270	REP-E	03-19-097
388- 32-0025	PREP	03-03-056
388- 32-0025	AMD-E	03-03-069
388- 32-0025	AMD-E	03-11-024
388- 32-0025	AMD-P	03-14-100
388- 32-0025	AMD	03-19-051
388- 32-0030	PREP	03-03-056
388- 32-0030	AMD-E	03-03-069
388- 32-0030	AMD-E	03-11-024
388- 32-0030	AMD-P	03-14-100
388- 32-0030	AMD	03-19-051
388- 61A	PREP	03-22-087
388- 71-0100	PREP	03-17-064
388- 71-0105	PREP	03-17-064
388- 71-0105	AMD-E	03-22-053
388- 71-0110	PREP	03-17-064
388- 71-0115	PREP	03-17-064
388- 71-0116	NEW-E	03-22-053
388- 71-0120	PREP	03-17-064
388- 71-0150	PREP	03-17-064
388- 71-0155	PREP	03-17-064
388- 71-0194	AMD-E	03-05-044

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388-71-0194	AMD-E	03-05-098
388-71-0194	AMD-P	03-09-042
388-71-0194	PREP	03-11-088
388-71-0194	AMD-E	03-13-007
388-71-0194	AMD	03-13-052
388-71-0194	PREP-W	03-14-098
388-71-0194	PREP	03-14-099
388-71-0194	AMD-E	03-15-133
388-71-0194	AMD-P	03-19-073
388-71-0194	AMD-E	03-23-114
388-71-0202	AMD-E	03-05-044
388-71-0202	AMD-E	03-05-098
388-71-0202	AMD-P	03-09-042
388-71-0202	AMD-E	03-13-007
388-71-0202	AMD	03-13-052
388-71-0202	PREP	03-17-065
388-71-0202	AMD-P	03-22-055
388-71-0203	AMD-E	03-05-044
388-71-0203	AMD-E	03-05-098
388-71-0203	AMD-P	03-09-042
388-71-0203	AMD-E	03-13-007
388-71-0203	AMD	03-13-052
388-71-0203	PREP	03-21-148
388-71-0205	PREP	03-21-148
388-71-0405	AMD-E	03-05-044
388-71-0405	AMD-E	03-05-098
388-71-0405	AMD-P	03-09-042
388-71-0405	AMD-E	03-13-007
388-71-0405	AMD	03-13-052
388-71-0405	PREP	03-14-099
388-71-0410	AMD-E	03-05-044
388-71-0410	AMD-E	03-05-098
388-71-0410	AMD-P	03-09-042
388-71-0410	AMD-E	03-13-007
388-71-0410	AMD	03-13-052
388-71-0415	AMD-E	03-05-044
388-71-0415	AMD-E	03-05-098
388-71-0415	AMD-P	03-09-042
388-71-0415	AMD-E	03-13-007
388-71-0415	AMD	03-13-052
388-71-0415	PREP	03-14-099
388-71-0415	AMD-E	03-15-133
388-71-0415	AMD-P	03-19-073
388-71-0415	AMD-E	03-23-114
388-71-0420	AMD-E	03-05-044
388-71-0420	AMD-E	03-05-098
388-71-0420	AMD-P	03-09-042
388-71-0420	AMD-E	03-13-007
388-71-0420	AMD	03-13-052
388-71-0425	AMD-E	03-05-044
388-71-0425	AMD-E	03-05-098
388-71-0425	AMD-P	03-09-042
388-71-0425	AMD-E	03-13-007
388-71-0425	AMD	03-13-052
388-71-0430	AMD-E	03-05-044
388-71-0430	AMD-E	03-05-098
388-71-0430	AMD-P	03-09-042
388-71-0430	AMD-E	03-13-007
388-71-0430	AMD	03-13-052
388-71-0435	AMD-E	03-05-044
388-71-0435	AMD-E	03-05-098
388-71-0435	AMD-P	03-09-042
388-71-0435	AMD-E	03-13-007
388-71-0435	AMD	03-13-052
388-71-0440	PREP	03-14-099
388-71-0440	AMD-E	03-15-133
388-71-0440	AMD-P	03-19-073
388-71-0440	AMD-E	03-23-114
388-71-0442	NEW-E	03-05-044
388-71-0442	NEW-E	03-05-098
388-71-0442	NEW-P	03-09-042
388-71-0442	NEW-E	03-13-007
388-71-0442	NEW	03-13-052
388-71-0445	AMD-E	03-05-044
388-71-0445	AMD-E	03-05-098
388-71-0445	AMD-P	03-09-042
388-71-0445	AMD-E	03-13-007
388-71-0445	AMD	03-13-052
388-71-0460	AMD-E	03-05-044
388-71-0460	AMD-E	03-05-098
388-71-0460	AMD-P	03-09-042
388-71-0460	AMD-W	03-11-025
388-71-0460	AMD-P	03-11-066
388-71-0460	AMD	03-15-010
388-71-0465	AMD-E	03-05-044
388-71-0465	AMD-E	03-05-098
388-71-0465	AMD-P	03-09-042
388-71-0465	AMD-E	03-13-007
388-71-0465	AMD	03-13-052
388-71-0465	PREP	03-16-019
388-71-0465	AMD-P	03-20-104
388-71-0470	AMD-E	03-05-044
388-71-0470	AMD-E	03-05-098
388-71-0470	AMD-P	03-09-042
388-71-0470	AMD-E	03-13-007
388-71-0470	AMD	03-13-052
388-71-0475	REP-P	03-06-093
388-71-0475	REP	03-09-092
388-71-0480	AMD-E	03-05-044
388-71-0480	AMD-E	03-05-098
388-71-0480	AMD-P	03-09-042
388-71-0480	AMD-E	03-13-007
388-71-0480	AMD	03-13-052
388-71-0500	PREP	03-17-065
388-71-0505	PREP	03-17-065
388-71-0510	PREP	03-17-065
388-71-0513	PREP	03-17-065
388-71-0515	PREP	03-17-065
388-71-0520	PREP	03-17-065
388-71-0520	PREP	03-19-117
388-71-0520	AMD-E	03-20-105
388-71-0520	AMD-P	03-22-091
388-71-0531	NEW-P	03-22-055
388-71-0540	PREP	03-17-065
388-71-0546	PREP	03-17-065
388-71-0551	PREP	03-17-065
388-71-0556	PREP	03-17-065
388-71-0560	PREP	03-17-065
388-71-05640	RECOD-P	03-22-091
388-71-05665	RECOD-P	03-22-091
388-71-05670	RECOD-P	03-22-091
388-71-05675	RECOD-P	03-22-091
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388-71-05685	RECOD-P	03-22-091
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388-71-05695	RECOD-P	03-22-091
388-71-05700	RECOD-P	03-22-091
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388-71-05720	RECOD-P	03-22-091
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388-71-05750	RECOD-P	03-22-091
388-71-05755	RECOD-P	03-22-091
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388-71-05780	RECOD-P	03-22-091
388-71-05785	RECOD-P	03-22-091
388-71-05790	RECOD-P	03-22-091
388-71-05795	RECOD-P	03-22-091
388-71-05799	RECOD-P	03-22-091
388-71-0580	PREP	03-17-065
388-71-0580	DECOD-P	03-22-091
388-71-05805	NEW-P	03-22-091
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388-71-05815	NEW-P	03-22-091
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388-71-05825	NEW-P	03-22-091
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388-71-05855	RECOD-P	03-22-091
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388-71-05910	PREP	03-17-065
388-71-05910	AMD-P	03-22-091
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388-71-05911	PREP	03-17-065
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388-71-05912	PREP	03-17-065
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388-71-05913	PREP	03-17-065
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388-71-05914	PREP	03-17-065
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388-71-05915	PREP	03-17-065
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388-71-05916	PREP	03-17-065
388-71-05916	DECOD-P	03-22-091

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388-71-05918	PREP	03-17-065
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388-71-05918	DECOD-P	03-22-091
388-71-05919	PREP	03-17-065
388-71-05919	AMD-P	03-22-091
388-71-05919	DECOD-P	03-22-091
388-71-05920	PREP	03-17-065
388-71-05920	AMD-P	03-22-091
388-71-05920	DECOD-P	03-22-091
388-71-05921	PREP	03-17-065
388-71-05921	DECOD-P	03-22-091
388-71-05922	PREP	03-17-065
388-71-05922	DECOD-P	03-22-091
388-71-05923	PREP	03-09-089
388-71-05923	AMD-P	03-15-126
388-71-05923	PREP	03-17-065
388-71-05923	AMD	03-19-076
388-71-05923	DECOD-P	03-22-091
388-71-05924	PREP	03-17-065
388-71-05924	AMD-P	03-22-091
388-71-05924	DECOD-P	03-22-091
388-71-05925	PREP	03-17-065
388-71-05925	AMD-P	03-22-091
388-71-05925	DECOD-P	03-22-091
388-71-05926	PREP	03-17-065
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388-71-05926	DECOD-P	03-22-091
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388-71-05928	PREP	03-17-065
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388-71-05935	PREP	03-17-065
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388-71-05936	PREP	03-17-065
388-71-05936	DECOD-P	03-22-091
388-71-05937	PREP	03-17-065
388-71-05937	DECOD-P	03-22-091
388-71-05938	PREP	03-17-065
388-71-05938	PREP	03-19-117
388-71-05938	DECOD-P	03-22-091
388-71-05939	PREP	03-17-065
388-71-05939	PREP	03-19-117
388-71-05939	DECOD-P	03-22-091
388-71-05940	PREP	03-17-065
388-71-05940	PREP	03-19-117
388-71-05940	DECOD-P	03-22-091
388-71-05941	PREP	03-17-065
388-71-05941	PREP	03-19-117
388-71-05941	AMD-P	03-22-091
388-71-05941	DECOD-P	03-22-091
388-71-05942	PREP	03-17-065
388-71-05942	PREP	03-19-117
388-71-05942	DECOD-P	03-22-091
388-71-05943	PREP	03-17-065
388-71-05943	PREP	03-19-117
388-71-05943	AMD-P	03-22-091
388-71-05943	DECOD-P	03-22-091
388-71-05944	PREP	03-17-065
388-71-05944	PREP	03-19-117
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388-71-05945	PREP	03-17-065
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388-71-05945	DECOD-P	03-22-091
388-71-05946	PREP	03-17-065
388-71-05946	PREP	03-19-117
388-71-05946	AMD-P	03-22-091
388-71-05946	DECOD-P	03-22-091
388-71-05947	PREP	03-17-065
388-71-05947	PREP	03-19-117
388-71-05947	AMD-P	03-22-091
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388-71-05948	PREP	03-17-065
388-71-05948	PREP	03-19-117
388-71-05948	DECOD-P	03-22-091
388-71-05949	PREP	03-17-065
388-71-05949	PREP	03-19-117
388-71-05949	AMD-P	03-22-091
388-71-05949	DECOD-P	03-22-091
388-71-05950	PREP	03-17-065
388-71-05950	PREP	03-19-117
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388-71-05951	PREP	03-17-065
388-71-05951	PREP	03-19-117
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388-71-05951	DECOD-P	03-22-091
388-71-05952	PREP	03-17-065
388-71-05952	PREP	03-19-117
388-71-05952	AMD-P	03-22-091
388-71-05952	DECOD-P	03-22-091
388-71-05953	NEW-E	03-20-105
388-71-05954	NEW-E	03-20-105
388-71-05955	NEW-E	03-20-105
388-71-05956	NEW-E	03-20-105
388-71-05957	NEW-E	03-20-105
388-71-05958	NEW-E	03-20-105
388-71-0600	AMD-E	03-05-044
388-71-0600	AMD-E	03-05-098
388-71-0600	AMD-P	03-09-042
388-71-0600	AMD-E	03-13-007
388-71-0600	AMD	03-13-052
388-71-0605	AMD-E	03-05-044
388-71-0605	AMD-E	03-05-098
388-71-0605	AMD-P	03-09-042
388-71-0605	AMD-E	03-13-007
388-71-0605	AMD	03-13-052
388-71-0610	AMD-E	03-05-044
388-71-0610	AMD-E	03-05-098
388-71-0610	AMD-P	03-09-042
388-71-0610	AMD-E	03-13-007
388-71-0610	AMD	03-13-052
388-71-0702	NEW	03-06-024
388-71-0704	NEW	03-06-024
388-71-0706	NEW	03-06-024
388-71-0708	NEW	03-06-024
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388-71-0776	NEW	03-06-024
388-71-0800	AMD-P	03-09-091
388-71-0800	AMD	03-13-091
388-71-0805	AMD-P	03-09-091
388-71-0805	AMD	03-13-091
388-71-0810	AMD-P	03-09-091
388-71-0810	AMD	03-13-091
388-71-0815	AMD-P	03-09-091
388-71-0815	AMD	03-13-091
388-71-0820	AMD-P	03-09-091
388-71-0820	AMD	03-13-091
388-71-0825	AMD-P	03-09-091
388-71-0825	AMD	03-13-091
388-71-0835	AMD-P	03-09-091
388-71-0835	AMD	03-13-091
388-71-0840	AMD-P	03-09-091
388-71-0840	AMD	03-13-091
388-71-0845	AMD-P	03-09-091
388-71-0845	AMD	03-13-091
388-72A	PREP	03-21-148
388-72A-0005	NEW	03-05-097
388-72A-0010	NEW	03-05-097
388-72A-0015	NEW	03-05-097
388-72A-0020	NEW	03-05-097
388-72A-0025	NEW	03-05-097

WAC #	ACTION	WSR #
388-72A-0030	NEW	03-05-097
388-72A-0035	NEW	03-05-097
388-72A-0040	NEW	03-05-097
388-72A-0045	NEW	03-05-097
388-72A-0050	NEW	03-05-097
388-72A-0055	NEW	03-05-097
388-72A-0060	NEW	03-05-097
388-72A-0060	PREP	03-14-099
388-72A-0060	AMD-E	03-15-133
388-72A-0060	AMD-P	03-19-073
388-72A-0060	AMD-E	03-23-114
388-72A-0065	NEW	03-05-097
388-72A-0070	NEW	03-05-097
388-72A-0075	NEW	03-05-097
388-72A-0080	NEW	03-05-097
388-72A-0085	NEW	03-05-097
388-72A-0090	NEW	03-05-097
388-72A-0095	NEW	03-05-097
388-72A-0095	PREP	03-17-065
388-72A-0100	NEW	03-05-097
388-72A-0105	NEW	03-05-097
388-72A-0110	NEW	03-05-097
388-76-655	AMD-P	03-10-090
388-76-655	AMD	03-14-018
388-76-675	PREP	03-12-055
388-76-675	AMD-P	03-21-123
388-78A	AMD-P	03-03-018
388-78A	AMD-C	03-07-088
388-78A	AMD	03-16-047
388-78A-0010	NEW-P	03-03-018
388-78A-0010	NEW	03-16-047
388-78A-0020	NEW-P	03-03-018
388-78A-0020	NEW	03-16-047
388-78A-0030	NEW-P	03-03-018
388-78A-0030	NEW	03-16-047
388-78A-0040	NEW-P	03-03-018
388-78A-0040	NEW	03-16-047
388-78A-0050	NEW-P	03-03-018
388-78A-0050	NEW	03-16-047
388-78A-0060	NEW-P	03-03-018
388-78A-0060	NEW	03-16-047
388-78A-0070	NEW-P	03-03-018
388-78A-0070	NEW	03-16-047
388-78A-0080	NEW-P	03-03-018
388-78A-0080	NEW	03-16-047
388-78A-0090	NEW-P	03-03-018
388-78A-0090	NEW	03-16-047
388-78A-010	REP-P	03-03-018
388-78A-010	REP	03-16-047
388-78A-0100	NEW-P	03-03-018
388-78A-0100	NEW	03-16-047
388-78A-0110	NEW-P	03-03-018
388-78A-0110	NEW	03-16-047
388-78A-0120	NEW-P	03-03-018
388-78A-0120	NEW	03-16-047
388-78A-0130	NEW-P	03-03-018
388-78A-0130	NEW	03-16-047
388-78A-0140	NEW-P	03-03-018
388-78A-0140	NEW	03-16-047
388-78A-0150	NEW-P	03-03-018
388-78A-0150	NEW	03-16-047
388-78A-0160	NEW-P	03-03-018
388-78A-0160	NEW	03-16-047
388-78A-0170	NEW-P	03-03-018
388-78A-0170	NEW	03-16-047
388-78A-0180	NEW-P	03-03-018
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388-78A-0190	NEW-P	03-03-018
388-78A-0190	NEW	03-16-047
388-78A-020	REP-P	03-03-018
388-78A-020	REP	03-16-047
388-78A-0200	NEW-P	03-03-018
388-78A-0200	NEW	03-16-047
388-78A-0210	NEW-P	03-03-018
388-78A-0210	NEW	03-16-047
388-78A-0220	NEW-P	03-03-018
388-78A-0220	NEW	03-16-047
388-78A-0230	NEW-P	03-03-018
388-78A-0230	NEW	03-16-047
388-78A-0240	NEW-P	03-03-018
388-78A-0240	NEW	03-16-047
388-78A-0250	NEW-P	03-03-018
388-78A-0250	NEW	03-16-047
388-78A-0260	NEW-P	03-03-018
388-78A-0260	NEW	03-16-047
388-78A-0270	NEW-P	03-03-018
388-78A-0270	NEW	03-16-047
388-78A-0280	NEW-P	03-03-018
388-78A-0280	NEW	03-16-047
388-78A-0290	NEW-P	03-03-018
388-78A-0290	NEW	03-16-047
388-78A-030	REP-P	03-03-018
388-78A-030	REP	03-16-047
388-78A-0300	NEW-P	03-03-018
388-78A-0300	NEW	03-16-047
388-78A-0310	NEW-P	03-03-018
388-78A-0310	NEW	03-16-047
388-78A-0320	NEW-P	03-03-018
388-78A-0320	NEW	03-16-047
388-78A-0330	NEW-P	03-03-018
388-78A-0330	NEW	03-16-047
388-78A-0340	NEW-P	03-03-018
388-78A-0340	NEW	03-16-047
388-78A-0350	NEW-P	03-03-018
388-78A-0350	NEW	03-16-047
388-78A-0360	NEW-P	03-03-018
388-78A-0360	NEW	03-16-047
388-78A-0370	NEW-P	03-03-018
388-78A-0370	NEW	03-16-047
388-78A-0380	NEW-P	03-03-018
388-78A-0380	NEW	03-16-047
388-78A-0390	NEW-P	03-03-018
388-78A-0390	NEW	03-16-047
388-78A-040	REP-P	03-03-018
388-78A-040	REP	03-16-047
388-78A-0400	NEW-P	03-03-018
388-78A-0400	NEW	03-16-047
388-78A-0410	NEW-P	03-03-018
388-78A-0410	NEW	03-16-047
388-78A-0420	NEW-P	03-03-018
388-78A-0420	NEW	03-16-047
388-78A-0430	NEW-P	03-03-018
388-78A-0430	NEW	03-16-047
388-78A-0440	NEW-P	03-03-018
388-78A-0440	NEW	03-16-047
388-78A-045	REP-P	03-03-018
388-78A-045	REP	03-16-047
388-78A-0450	NEW-P	03-03-018
388-78A-0450	NEW	03-16-047
388-78A-0460	NEW-P	03-03-018
388-78A-0460	NEW	03-16-047
388-78A-0470	NEW-P	03-03-018
388-78A-0470	NEW	03-16-047
388-78A-0480	NEW-P	03-03-018
388-78A-0480	NEW	03-16-047
388-78A-0490	NEW-P	03-03-018
388-78A-0490	NEW	03-16-047
388-78A-050	REP-P	03-03-018
388-78A-050	REP	03-16-047
388-78A-0500	NEW-P	03-03-018
388-78A-0500	NEW	03-16-047
388-78A-0510	NEW-P	03-03-018
388-78A-0510	NEW	03-16-047
388-78A-0520	NEW-P	03-03-018
388-78A-0520	NEW	03-16-047
388-78A-0530	NEW-P	03-03-018
388-78A-0530	NEW	03-16-047
388-78A-0540	NEW-P	03-03-018
388-78A-0540	NEW	03-16-047
388-78A-055	REP-P	03-03-018
388-78A-055	REP	03-16-047
388-78A-0550	NEW-P	03-03-018
388-78A-0550	NEW	03-16-047
388-78A-0560	NEW-P	03-03-018
388-78A-0560	NEW	03-16-047
388-78A-0570	NEW-P	03-03-018
388-78A-0570	NEW	03-16-047
388-78A-0580	NEW-P	03-03-018
388-78A-0580	NEW	03-16-047
388-78A-0590	NEW-P	03-03-018
388-78A-0590	NEW	03-16-047
388-78A-060	REP-P	03-03-018
388-78A-060	REP	03-16-047
388-78A-0600	NEW-P	03-03-018
388-78A-0600	NEW	03-16-047
388-78A-0605	NEW-P	03-03-018
388-78A-0605	NEW	03-16-047
388-78A-0610	NEW-P	03-03-018
388-78A-0610	NEW	03-16-047
388-78A-0620	NEW-P	03-03-018
388-78A-0620	NEW	03-16-047
388-78A-0630	NEW-P	03-03-018
388-78A-0630	NEW	03-16-047
388-78A-0635	NEW-P	03-03-018
388-78A-0635	NEW	03-16-047
388-78A-0640	NEW-P	03-03-018
388-78A-0640	NEW	03-16-047
388-78A-0650	NEW-P	03-03-018
388-78A-0650	NEW	03-16-047
388-78A-0660	NEW-P	03-03-018
388-78A-0660	NEW	03-16-047
388-78A-0670	NEW-P	03-03-018
388-78A-0670	NEW	03-16-047
388-78A-0680	NEW-P	03-03-018
388-78A-0680	NEW	03-16-047
388-78A-0690	NEW-P	03-03-018

WAC #	ACTION	WSR #
388- 78A-0690	NEW	03-16-047
388- 78A-070	REP-P	03-03-018
388- 78A-070	REP	03-16-047
388- 78A-0700	NEW-P	03-03-018
388- 78A-0700	NEW	03-16-047
388- 78A-0710	NEW-P	03-03-018
388- 78A-0710	NEW	03-16-047
388- 78A-0720	NEW-P	03-03-018
388- 78A-0720	NEW	03-16-047
388- 78A-0730	NEW-P	03-03-018
388- 78A-0730	NEW	03-16-047
388- 78A-0740	NEW-P	03-03-018
388- 78A-0740	NEW	03-16-047
388- 78A-0750	NEW-P	03-03-018
388- 78A-0750	NEW	03-16-047
388- 78A-0760	NEW-P	03-03-018
388- 78A-0760	NEW	03-16-047
388- 78A-0770	NEW-P	03-03-018
388- 78A-0770	NEW	03-16-047
388- 78A-0780	NEW-P	03-03-018
388- 78A-0780	NEW	03-16-047
388- 78A-0790	NEW-P	03-03-018
388- 78A-0790	NEW	03-16-047
388- 78A-080	REP-P	03-03-018
388- 78A-080	REP	03-16-047
388- 78A-0800	NEW-P	03-03-018
388- 78A-0800	NEW	03-16-047
388- 78A-0810	NEW-P	03-03-018
388- 78A-0810	NEW	03-16-047
388- 78A-0820	NEW-P	03-03-018
388- 78A-0820	NEW	03-16-047
388- 78A-0830	NEW-P	03-03-018
388- 78A-0830	NEW	03-16-047
388- 78A-0840	NEW-P	03-03-018
388- 78A-0840	NEW	03-16-047
388- 78A-0850	NEW-P	03-03-018
388- 78A-0850	NEW	03-16-047
388- 78A-0860	NEW-P	03-03-018
388- 78A-0860	NEW	03-16-047
388- 78A-0870	NEW-P	03-03-018
388- 78A-0870	NEW	03-16-047
388- 78A-0880	NEW-P	03-03-018
388- 78A-0880	NEW	03-16-047
388- 78A-0890	NEW-P	03-03-018
388- 78A-0890	NEW	03-16-047
388- 78A-090	REP-P	03-03-018
388- 78A-090	REP	03-16-047
388- 78A-0900	NEW-P	03-03-018
388- 78A-0900	NEW	03-16-047
388- 78A-0910	NEW-P	03-03-018
388- 78A-0910	NEW	03-16-047
388- 78A-0920	NEW-P	03-03-018
388- 78A-0920	NEW	03-16-047
388- 78A-0930	NEW-P	03-03-018
388- 78A-0930	NEW	03-16-047
388- 78A-0940	NEW-P	03-03-018
388- 78A-0940	NEW	03-16-047
388- 78A-0950	NEW-P	03-03-018
388- 78A-0950	NEW	03-16-047
388- 78A-0960	NEW-P	03-03-018
388- 78A-0960	NEW	03-16-047
388- 78A-0970	NEW-P	03-03-018
388- 78A-0970	NEW	03-16-047
388- 78A-0980	NEW-P	03-03-018
388- 78A-0980	NEW	03-16-047
388- 78A-0990	NEW-P	03-03-018
388- 78A-0990	NEW	03-16-047
388- 78A-100	REP-P	03-03-018
388- 78A-100	REP	03-16-047
388- 78A-1000	NEW-P	03-03-018
388- 78A-1000	NEW	03-16-047
388- 78A-1010	NEW-P	03-03-018
388- 78A-1010	NEW	03-16-047
388- 78A-1020	NEW-P	03-03-018
388- 78A-1020	NEW	03-16-047
388- 78A-1030	NEW-P	03-03-018
388- 78A-1030	NEW	03-16-047
388- 78A-1040	NEW-P	03-03-018
388- 78A-1040	NEW	03-16-047
388- 78A-1050	NEW-P	03-03-018
388- 78A-1050	NEW	03-16-047
388- 78A-1060	NEW-P	03-03-018
388- 78A-1060	NEW	03-16-047
388- 78A-1070	NEW-P	03-03-018
388- 78A-1070	NEW	03-16-047
388- 78A-1080	NEW-P	03-03-018
388- 78A-1080	NEW	03-16-047
388- 78A-1090	NEW-P	03-03-018
388- 78A-1090	NEW	03-16-047
388- 78A-110	REP-P	03-03-018
388- 78A-110	REP	03-16-047
388- 78A-1100	NEW-P	03-03-018
388- 78A-1100	NEW	03-16-047
388- 78A-1110	NEW-P	03-03-018
388- 78A-1110	NEW	03-16-047
388- 78A-1120	NEW-P	03-03-018
388- 78A-1120	NEW	03-16-047
388- 78A-1130	NEW-P	03-03-018
388- 78A-1130	NEW	03-16-047
388- 78A-1140	NEW-P	03-03-018
388- 78A-1140	NEW	03-16-047
388- 78A-1150	NEW-P	03-03-018
388- 78A-1150	NEW	03-16-047
388- 78A-1160	NEW-P	03-03-018
388- 78A-1160	NEW	03-16-047
388- 78A-1170	NEW-P	03-03-018
388- 78A-1170	NEW	03-16-047
388- 78A-1180	NEW-P	03-03-018
388- 78A-1180	NEW	03-16-047
388- 78A-1190	NEW-P	03-03-018
388- 78A-1190	NEW	03-16-047
388- 78A-120	REP-P	03-03-018
388- 78A-120	REP	03-16-047
388- 78A-1200	NEW-P	03-03-018
388- 78A-1200	NEW	03-16-047
388- 78A-1210	NEW-P	03-03-018
388- 78A-1210	NEW	03-16-047
388- 78A-1220	NEW-P	03-03-018
388- 78A-1220	NEW	03-16-047
388- 78A-1230	NEW-P	03-03-018
388- 78A-1230	NEW	03-16-047
388- 78A-130	REP-P	03-03-018
388- 78A-130	REP	03-16-047
388- 78A-140	REP-P	03-03-018
388- 78A-140	REP	03-16-047
388- 78A-150	REP-P	03-03-018
388- 78A-150	REP	03-16-047
388- 78A-160	REP-P	03-03-018
388- 78A-160	REP	03-16-047
388- 78A-170	REP-P	03-03-018
388- 78A-170	REP	03-16-047
388- 78A-180	REP-P	03-03-018
388- 78A-180	REP	03-16-047
388- 78A-190	REP-P	03-03-018
388- 78A-190	REP	03-16-047
388- 78A-200	REP-P	03-03-018
388- 78A-200	REP	03-16-047
388- 78A-210	REP-P	03-03-018
388- 78A-210	REP	03-16-047
388- 78A-220	REP-P	03-03-018
388- 78A-220	REP	03-16-047
388- 78A-230	REP-P	03-03-018
388- 78A-230	REP	03-16-047
388- 78A-240	REP-P	03-03-018
388- 78A-240	REP	03-16-047
388- 78A-250	REP-P	03-03-018
388- 78A-250	REP	03-16-047
388- 78A-260	REP-P	03-03-018
388- 78A-260	REP	03-16-047
388- 78A-265	REP-P	03-03-018
388- 78A-265	REP	03-16-047
388- 78A-268	REP-P	03-03-018
388- 78A-268	REP	03-16-047
388- 78A-280	REP-P	03-03-018
388- 78A-280	REP	03-16-047
388- 78A-290	REP-P	03-03-018
388- 78A-290	REP	03-16-047
388- 78A-300	REP-P	03-03-018
388- 78A-300	REP	03-16-047
388- 78A-310	REP-P	03-03-018
388- 78A-310	REP	03-16-047
388- 78A-320	REP-P	03-03-018
388- 78A-320	REP	03-16-047
388- 78A-330	REP-P	03-03-018
388- 78A-330	REP	03-16-047
388- 78A-335	REP-P	03-03-018
388- 78A-335	REP	03-16-047
388- 78A-340	REP-P	03-03-018
388- 78A-340	REP	03-16-047
388- 78A-990	REP-P	03-03-018
388- 78A-990	REP	03-16-047
388- 79-010	AMD-P	03-06-094
388- 79-010	AMD	03-16-022
388- 79-020	AMD-P	03-06-094
388- 79-020	AMD	03-16-022
388- 79-030	AMD-P	03-06-094
388- 79-030	AMD	03-16-022
388- 79-040	AMD-P	03-06-094
388- 79-040	AMD	03-16-022
388- 79-050	NEW-P	03-06-094
388- 79-050	NEW	03-16-022
388- 96	PREP	03-07-031
388- 97-027	PREP-W	03-16-018
388- 97-076	PREP	03-12-056
388- 97-076	AMD-P	03-20-040
388- 97-076	AMD	03-23-021

WAC #	ACTION	WSR #
388-105	PREP	03-15-050
388-105-0005	AMD-E	03-15-011
388-105-0005	AMD-E	03-22-052
388-105-0030	AMD-E	03-15-011
388-105-0030	AMD-E	03-22-052
388-105-0040	AMD-E	03-15-011
388-105-0040	AMD-E	03-22-052
388-105-0045	NEW-E	03-15-011
388-105-0045	NEW-E	03-22-052
388-140-0005	NEW-E	03-04-035
388-140-0005	NEW-E	03-12-004
388-140-0005	NEW-E	03-19-074
388-140-0010	NEW-E	03-04-035
388-140-0010	NEW-E	03-12-004
388-140-0010	NEW-E	03-19-074
388-140-0015	NEW-E	03-04-035
388-140-0015	NEW-E	03-12-004
388-140-0015	NEW-E	03-19-074
388-140-0020	NEW-E	03-04-035
388-140-0020	NEW-E	03-12-004
388-140-0020	NEW-E	03-19-074
388-140-0025	NEW-E	03-04-035
388-140-0025	NEW-E	03-12-004
388-140-0025	NEW-E	03-19-074
388-140-0030	NEW-E	03-04-035
388-140-0030	NEW-E	03-12-004
388-140-0030	NEW-E	03-19-074
388-140-0035	NEW-E	03-04-035
388-140-0035	NEW-E	03-12-004
388-140-0035	NEW-E	03-19-074
388-140-0040	NEW-E	03-04-035
388-140-0040	NEW-E	03-12-004
388-140-0040	NEW-E	03-19-074
388-140-0045	NEW-E	03-04-035
388-140-0045	NEW-E	03-12-004
388-140-0045	NEW-E	03-19-074
388-140-0050	NEW-E	03-04-035
388-140-0050	NEW-E	03-12-004
388-140-0050	NEW-E	03-19-074
388-140-0055	NEW-E	03-04-035
388-140-0055	NEW-E	03-12-004
388-140-0055	NEW-E	03-19-074
388-140-0060	NEW-E	03-04-035
388-140-0060	NEW-E	03-12-004
388-140-0060	NEW-E	03-19-074
388-140-0065	NEW-E	03-04-035
388-140-0065	NEW-E	03-12-004
388-140-0065	NEW-E	03-19-074
388-140-0070	NEW-E	03-04-035
388-140-0070	NEW-E	03-12-004
388-140-0070	NEW-E	03-19-074
388-140-0075	NEW-E	03-04-035
388-140-0075	NEW-E	03-12-004
388-140-0075	NEW-E	03-19-074
388-140-0080	NEW-E	03-04-035
388-140-0080	NEW-E	03-12-004
388-140-0080	NEW-E	03-19-074
388-140-0085	NEW-E	03-04-035
388-140-0085	NEW-E	03-12-004
388-140-0085	NEW-E	03-19-074
388-140-0090	NEW-E	03-04-035
388-140-0090	NEW-E	03-12-004
388-140-0090	NEW-E	03-19-074
388-140-0095	NEW-E	03-04-035
388-140-0095	NEW-E	03-12-004
388-140-0095	NEW-E	03-19-074
388-140-0100	NEW-E	03-04-035
388-140-0100	NEW-E	03-12-004
388-140-0100	NEW-E	03-19-074
388-140-0105	NEW-E	03-04-035
388-140-0105	NEW-E	03-12-004
388-140-0105	NEW-E	03-19-074
388-140-0110	NEW-E	03-04-035
388-140-0110	NEW-E	03-12-004
388-140-0110	NEW-E	03-19-074
388-140-0115	NEW-E	03-04-035
388-140-0115	NEW-E	03-12-004
388-140-0115	NEW-E	03-19-074
388-140-0120	NEW-E	03-04-035
388-140-0120	NEW-E	03-12-004
388-140-0120	NEW-E	03-19-074
388-140-0125	NEW-E	03-04-035
388-140-0125	NEW-E	03-12-004
388-140-0125	NEW-E	03-19-074
388-140-0130	NEW-E	03-04-035
388-140-0130	NEW-E	03-12-004
388-140-0130	NEW-E	03-19-074
388-140-0135	NEW-E	03-04-035
388-140-0135	NEW-E	03-12-004
388-140-0135	NEW-E	03-19-074
388-140-0140	NEW-E	03-04-035
388-140-0140	NEW-E	03-12-004
388-140-0140	NEW-E	03-19-074
388-140-0145	NEW-E	03-04-035
388-140-0145	NEW-E	03-12-004
388-140-0145	NEW-E	03-19-074
388-140-0150	NEW-E	03-04-035
388-140-0150	NEW-E	03-12-004
388-140-0150	NEW-E	03-19-074
388-140-0155	NEW-E	03-04-035
388-140-0155	NEW-E	03-12-004
388-140-0155	NEW-E	03-19-074
388-140-0160	NEW-E	03-04-035
388-140-0160	NEW-E	03-12-004
388-140-0160	NEW-E	03-19-074
388-140-0165	NEW-E	03-04-035
388-140-0165	NEW-E	03-12-004
388-140-0165	NEW-E	03-19-074
388-140-0170	NEW-E	03-04-035
388-140-0170	NEW-E	03-12-004
388-140-0170	NEW-E	03-19-074
388-140-0175	NEW-E	03-04-035
388-140-0175	NEW-E	03-12-004
388-140-0175	NEW-E	03-19-074
388-140-0180	NEW-E	03-04-035
388-140-0180	NEW-E	03-12-004
388-140-0180	NEW-E	03-19-074
388-140-0185	NEW-E	03-04-035
388-140-0185	NEW-E	03-12-004
388-140-0185	NEW-E	03-19-074
388-140-0190	NEW-E	03-04-035
388-140-0190	NEW-E	03-12-004
388-140-0190	NEW-E	03-19-074
388-140-0195	NEW-E	03-04-035
388-140-0195	NEW-E	03-12-004
388-140-0195	NEW-E	03-19-074
388-140-0200	NEW-E	03-04-035
388-140-0200	NEW-E	03-12-004
388-140-0200	NEW-E	03-19-074
388-140-0205	NEW-E	03-04-035
388-140-0205	NEW-E	03-12-004
388-140-0205	NEW-E	03-19-074
388-140-0210	NEW-E	03-04-035
388-140-0210	NEW-E	03-12-004
388-140-0210	NEW-E	03-19-074
388-140-0215	NEW-E	03-04-035
388-140-0215	NEW-E	03-12-004
388-140-0215	NEW-E	03-19-074
388-140-0220	NEW-E	03-04-035
388-140-0220	NEW-E	03-12-004
388-140-0220	NEW-E	03-19-074
388-140-0225	NEW-E	03-04-035
388-140-0225	NEW-E	03-12-004
388-140-0225	NEW-E	03-19-074
388-140-0230	NEW-E	03-04-035
388-140-0230	NEW-E	03-12-004
388-140-0230	NEW-E	03-19-074
388-140-0235	NEW-E	03-04-035
388-140-0235	NEW-E	03-12-004
388-140-0235	NEW-E	03-19-074
388-140-0240	NEW-E	03-04-035
388-140-0240	NEW-E	03-12-004
388-140-0240	NEW-E	03-19-074
388-140-0245	NEW-E	03-04-035
388-140-0245	NEW-E	03-12-004
388-140-0245	NEW-E	03-19-074
388-140-0250	NEW-E	03-04-035
388-140-0250	NEW-E	03-12-004
388-140-0250	NEW-E	03-19-074
388-140-0255	NEW-E	03-04-035
388-140-0255	NEW-E	03-12-004
388-140-0255	NEW-E	03-19-074
388-140-0260	NEW-E	03-04-035
388-140-0260	NEW-E	03-12-004
388-140-0260	NEW-E	03-19-074
388-140-0265	NEW-E	03-04-035
388-140-0265	NEW-E	03-12-004
388-140-0265	NEW-E	03-19-074
388-140-0270	NEW-E	03-04-035
388-140-0270	NEW-E	03-12-004
388-140-0270	NEW-E	03-19-074
388-140-0275	NEW-E	03-04-035
388-140-0275	NEW-E	03-12-004
388-140-0275	NEW-E	03-19-074
388-140-0280	NEW-E	03-04-035
388-140-0280	NEW-E	03-12-004
388-140-0280	NEW-E	03-19-074
388-140-0285	NEW-E	03-04-035
388-140-0285	NEW-E	03-12-004
388-140-0285	NEW-E	03-19-074
388-140-0290	NEW-E	03-04-035
388-140-0290	NEW-E	03-12-004
388-140-0290	NEW-E	03-19-074
388-140-0295	NEW-E	03-04-035
388-140-0295	NEW-E	03-12-004
388-140-0295	NEW-E	03-19-074

WAC #	ACTION	WSR #
388-140-0300	NEW-E	03-04-035
388-140-0300	NEW-E	03-12-004
388-140-0300	NEW-E	03-19-074
388-140-0305	NEW-E	03-04-035
388-140-0305	NEW-E	03-12-004
388-140-0305	NEW-E	03-19-074
388-140-0310	NEW-E	03-04-035
388-140-0310	NEW-E	03-12-004
388-140-0310	NEW-E	03-19-074
388-140-0315	NEW-E	03-04-035
388-140-0315	NEW-E	03-12-004
388-140-0315	NEW-E	03-19-074
388-140-0320	NEW-E	03-04-035
388-140-0320	NEW-E	03-12-004
388-140-0320	NEW-E	03-19-074
388-140-0325	NEW-E	03-04-035
388-140-0325	NEW-E	03-12-004
388-140-0325	NEW-E	03-19-074
388-140-0330	NEW-E	03-04-035
388-140-0330	NEW-E	03-12-004
388-140-0330	NEW-E	03-19-074
388-140-0335	NEW-E	03-04-035
388-140-0335	NEW-E	03-12-004
388-140-0335	NEW-E	03-19-074
388-140-0340	NEW-E	03-04-035
388-140-0340	NEW-E	03-12-004
388-140-0340	NEW-E	03-19-074
388-140-0345	NEW-E	03-04-035
388-140-0345	NEW-E	03-12-004
388-140-0345	NEW-E	03-19-074
388-140-0350	NEW-E	03-04-035
388-140-0350	NEW-E	03-12-004
388-140-0350	NEW-E	03-19-074
388-140-0355	NEW-E	03-04-035
388-140-0355	NEW-E	03-12-004
388-140-0355	NEW-E	03-19-074
388-140-0360	NEW-E	03-04-035
388-140-0360	NEW-E	03-12-004
388-140-0360	NEW-E	03-19-074
388-140-0365	NEW-E	03-04-035
388-140-0365	NEW-E	03-12-004
388-140-0365	NEW-E	03-19-074
388-140-0370	NEW-E	03-04-035
388-140-0370	NEW-E	03-12-004
388-140-0370	NEW-E	03-19-074
388-140-0375	NEW-E	03-04-035
388-140-0375	NEW-E	03-12-004
388-140-0375	NEW-E	03-19-074
388-140-0380	NEW-E	03-04-035
388-140-0380	NEW-E	03-12-004
388-140-0380	NEW-E	03-19-074
388-140-0385	NEW-E	03-04-035
388-140-0385	NEW-E	03-12-004
388-140-0385	NEW-E	03-19-074
388-140-0390	NEW-E	03-04-035
388-140-0390	NEW-E	03-12-004
388-140-0390	NEW-E	03-19-074
388-140-0395	NEW-E	03-04-035
388-140-0395	NEW-E	03-12-004
388-140-0395	NEW-E	03-19-074
388-140-0400	NEW-E	03-04-035
388-140-0400	NEW-E	03-12-004
388-140-0400	NEW-E	03-19-074
388-140-0405	NEW-E	03-04-035
388-140-0405	NEW-E	03-12-004
388-140-0405	NEW-E	03-19-074
388-140-0410	NEW-E	03-04-035
388-140-0410	NEW-E	03-12-004
388-140-0410	NEW-E	03-19-074
388-140-0415	NEW-E	03-04-035
388-140-0415	NEW-E	03-12-004
388-140-0415	NEW-E	03-19-074
388-140-0420	NEW-E	03-04-035
388-140-0420	NEW-E	03-12-004
388-140-0420	NEW-E	03-19-074
388-140-0425	NEW-E	03-04-035
388-140-0425	NEW-E	03-12-004
388-140-0425	NEW-E	03-19-074
388-140-0430	NEW-E	03-04-035
388-140-0430	NEW-E	03-12-004
388-140-0430	NEW-E	03-19-074
388-140-0435	NEW-E	03-04-035
388-140-0435	NEW-E	03-12-004
388-140-0435	NEW-E	03-19-074
388-140-0440	NEW-E	03-04-035
388-140-0440	NEW-E	03-12-004
388-140-0440	NEW-E	03-19-074
388-140-0445	NEW-E	03-04-035
388-140-0445	NEW-E	03-12-004
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388-140-0450	NEW-E	03-04-035
388-140-0450	NEW-E	03-12-004
388-140-0450	NEW-E	03-19-074
388-140-0455	NEW-E	03-04-035
388-140-0455	NEW-E	03-12-004
388-140-0455	NEW-E	03-19-074
388-140-0460	NEW-E	03-04-035
388-140-0460	NEW-E	03-12-004
388-140-0460	NEW-E	03-19-074
388-140-0465	NEW-E	03-04-035
388-140-0465	NEW-E	03-12-004
388-140-0465	NEW-E	03-19-074
388-140-0470	NEW-E	03-04-035
388-140-0470	NEW-E	03-12-004
388-140-0470	NEW-E	03-19-074
388-140-0475	NEW-E	03-04-035
388-140-0475	NEW-E	03-12-004
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388-140-0480	NEW-E	03-04-035
388-140-0480	NEW-E	03-12-004
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388-140-0485	NEW-E	03-04-035
388-140-0485	NEW-E	03-12-004
388-140-0485	NEW-E	03-19-074
388-140-0490	NEW-E	03-04-035
388-140-0490	NEW-E	03-12-004
388-140-0490	NEW-E	03-19-074
388-140-0495	NEW-E	03-04-035
388-140-0495	NEW-E	03-12-004
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388-140-0500	NEW-E	03-04-035
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388-140-0505	NEW-E	03-04-035
388-140-0505	NEW-E	03-12-004
388-140-0505	NEW-E	03-19-074
388-140-0510	NEW-E	03-04-035
388-140-0510	NEW-E	03-12-004
388-140-0510	NEW-E	03-19-074
388-140-0515	NEW-E	03-04-035
388-140-0515	NEW-E	03-12-004
388-140-0515	NEW-E	03-19-074
388-140-0520	NEW-E	03-04-035
388-140-0520	NEW-E	03-12-004
388-140-0520	NEW-E	03-19-074
388-140-0525	NEW-E	03-04-035
388-140-0525	NEW-E	03-12-004
388-140-0525	NEW-E	03-19-074
388-140-0530	NEW-E	03-04-035
388-140-0530	NEW-E	03-12-004
388-140-0530	NEW-E	03-19-074
388-140-0535	NEW-E	03-04-035
388-140-0535	NEW-E	03-12-004
388-140-0535	NEW-E	03-19-074
388-140-0540	NEW-E	03-04-035
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388-140-0545	NEW-E	03-04-035
388-140-0545	NEW-E	03-12-004
388-140-0545	NEW-E	03-19-074
388-140-0550	NEW-E	03-04-035
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388-140-0560	NEW-E	03-04-035
388-140-0560	NEW-E	03-12-004
388-140-0560	NEW-E	03-19-074
388-140-0565	NEW-E	03-04-035
388-140-0565	NEW-E	03-12-004
388-140-0565	NEW-E	03-19-074
388-140-0570	NEW-E	03-04-035
388-140-0570	NEW-E	03-12-004
388-140-0570	NEW-E	03-19-074
388-140-0575	NEW-E	03-04-035
388-140-0575	NEW-E	03-12-004
388-140-0575	NEW-E	03-19-074
388-140-0580	NEW-E	03-04-035
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388-140-0580	NEW-E	03-19-074
388-140-0585	NEW-E	03-04-035
388-140-0585	NEW-E	03-12-004
388-140-0585	NEW-E	03-19-074
388-140-0590	NEW-E	03-04-035
388-140-0590	NEW-E	03-12-004
388-140-0590	NEW-E	03-19-074
388-140-0595	NEW-E	03-04-035
388-140-0595	NEW-E	03-12-004
388-140-0595	NEW-E	03-19-074
388-140-0600	NEW-E	03-04-035
388-140-0600	NEW-E	03-12-004
388-140-0600	NEW-E	03-19-074
388-140-0605	NEW-E	03-04-035
388-140-0605	NEW-E	03-12-004
388-140-0605	NEW-E	03-19-074
388-140-0610	NEW-E	03-04-035
388-140-0610	NEW-E	03-12-004
388-140-0610	NEW-E	03-19-074

WAC #	ACTION	WSR #
388-140-0615	NEW-E	03-04-035
388-140-0615	NEW-E	03-12-004
388-140-0615	NEW-E	03-19-074
388-140-0620	NEW-E	03-04-035
388-140-0620	NEW-E	03-12-004
388-140-0620	NEW-E	03-19-074
388-140-0625	NEW-E	03-04-035
388-140-0625	NEW-E	03-12-004
388-140-0625	NEW-E	03-19-074
388-140-0630	NEW-E	03-04-035
388-140-0630	NEW-E	03-12-004
388-140-0630	NEW-E	03-19-074
388-140-0635	NEW-E	03-04-035
388-140-0635	NEW-E	03-12-004
388-140-0635	NEW-E	03-19-074
388-145-0010	NEW	03-08-026
388-145-0020	NEW	03-08-026
388-145-0030	NEW	03-08-026
388-145-0040	NEW	03-08-026
388-145-0050	NEW	03-08-026
388-145-0060	NEW	03-08-026
388-145-0070	NEW	03-08-026
388-145-0080	NEW	03-08-026
388-145-0090	NEW	03-08-026
388-145-0100	NEW	03-08-026
388-145-0110	NEW	03-08-026
388-145-0120	NEW	03-08-026
388-145-0130	NEW	03-08-026
388-145-0140	NEW	03-08-026
388-145-0150	NEW	03-08-026
388-145-0160	NEW	03-08-026
388-145-0170	NEW	03-08-026
388-145-0180	NEW	03-08-026
388-145-0190	NEW	03-08-026
388-145-0200	NEW	03-08-026
388-145-0210	NEW	03-08-026
388-145-0220	NEW	03-08-026
388-145-0230	NEW	03-08-026
388-145-0240	NEW	03-08-026
388-145-0250	NEW	03-08-026
388-145-0260	NEW	03-08-026
388-145-0270	NEW	03-08-026
388-145-0280	NEW	03-08-026
388-145-0290	NEW	03-08-026
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388-145-0860	NEW	03-08-026
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388-145-0960	NEW	03-08-026
388-145-0970	NEW	03-08-026
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388-145-1000	NEW	03-08-026
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388-145-1060	NEW	03-08-026
388-145-1070	NEW	03-08-026
388-145-1080	NEW	03-08-026
388-145-1090	NEW	03-08-026
388-145-1100	NEW	03-08-026
388-145-1110	NEW	03-08-026
388-145-1120	NEW	03-08-026
388-145-1130	NEW	03-08-026
388-145-1140	NEW	03-08-026
388-145-1150	NEW	03-08-026
388-145-1160	NEW	03-08-026
388-145-1170	NEW	03-08-026
388-145-1180	NEW	03-08-026
388-145-1190	NEW	03-08-026
388-145-1200	NEW	03-08-026
388-145-1210	NEW	03-08-026
388-145-1220	NEW	03-08-026
388-148-0035	AMD-E	03-14-012
388-148-0035	AMD-E	03-21-074
388-148-0040	AMD-E	03-05-099
388-148-0040	AMD-E	03-14-012
388-148-0040	AMD-E	03-21-074
388-148-0045	AMD-E	03-05-099
388-148-0045	AMD-E	03-14-012
388-148-0045	AMD-E	03-21-074
388-148-0050	AMD-E	03-05-099
388-148-0050	AMD-E	03-14-012
388-148-0050	AMD-E	03-21-074
388-148-0058	NEW-E	03-05-099
388-148-0058	NEW-E	03-14-012
388-148-0058	NEW-E	03-21-074
388-148-0060	AMD-E	03-05-099
388-148-0060	AMD-E	03-14-012
388-148-0060	AMD-E	03-21-074
388-148-0065	AMD-E	03-05-099
388-148-0065	AMD-E	03-14-012
388-148-0065	AMD-E	03-21-074
388-148-0095	AMD-E	03-14-012
388-148-0095	AMD-E	03-21-074
388-148-0120	AMD-E	03-05-099
388-148-0120	AMD-E	03-14-012
388-148-0120	AMD-E	03-21-074
388-148-0125	AMD-E	03-05-099
388-148-0125	AMD-E	03-14-012
388-148-0125	AMD-E	03-21-074
388-148-0140	AMD-E	03-05-099
388-148-0140	AMD-E	03-14-012
388-148-0140	AMD-E	03-21-074
388-148-0170	AMD-E	03-14-012
388-148-0170	AMD-E	03-21-074
388-148-0220	AMD-E	03-05-099
388-148-0220	AMD-E	03-14-012
388-148-0220	AMD-E	03-21-074
388-148-0260	AMD-E	03-05-099
388-148-0260	AMD-E	03-14-012
388-148-0260	AMD-E	03-21-074
388-148-0270	AMD-E	03-05-099
388-148-0270	AMD-E	03-14-012
388-148-0270	AMD-E	03-21-074
388-148-0335	AMD-E	03-05-099
388-148-0335	AMD-E	03-14-012
388-148-0335	AMD-E	03-21-074
388-148-0345	AMD-E	03-05-099
388-148-0345	AMD-E	03-14-012
388-148-0345	AMD-E	03-21-074
388-148-0350	AMD-E	03-05-099

WAC #	ACTION	WSR #
388-148-0350	AMD-E	03-14-012
388-148-0350	AMD-E	03-21-074
388-148-0395	AMD-E	03-05-099
388-148-0395	AMD-E	03-14-012
388-148-0395	AMD-E	03-21-074
388-148-0427	NEW-E	03-05-099
388-148-0427	NEW-E	03-14-012
388-148-0427	NEW-E	03-21-074
388-148-0460	AMD-E	03-05-099
388-148-0460	AMD-E	03-14-012
388-148-0460	AMD-E	03-21-074
388-148-0462	NEW-E	03-05-099
388-148-0462	NEW-E	03-14-012
388-148-0462	NEW-E	03-21-074
388-148-0520	AMD-E	03-05-099
388-148-0520	AMD-E	03-14-012
388-148-0520	AMD-E	03-21-074
388-148-0542	NEW-E	03-05-099
388-148-0542	NEW-E	03-14-012
388-148-0542	NEW-E	03-21-074
388-148-0560	AMD-E	03-05-099
388-148-0560	AMD-E	03-14-012
388-148-0560	AMD-E	03-21-074
388-148-0585	AMD-E	03-05-099
388-148-0585	AMD-E	03-14-012
388-148-0585	AMD-E	03-21-074
388-148-0630	AMD-E	03-05-099
388-148-0630	AMD-E	03-14-012
388-148-0630	AMD-E	03-21-074
388-148-0700	AMD-E	03-05-099
388-148-0700	AMD-E	03-14-012
388-148-0700	AMD-E	03-21-074
388-148-0720	AMD-E	03-05-099
388-148-0720	AMD-E	03-14-012
388-148-0720	AMD-E	03-21-074
388-148-0722	NEW-E	03-05-099
388-148-0722	NEW-E	03-14-012
388-148-0722	NEW-E	03-21-074
388-148-0725	AMD-E	03-05-099
388-148-0725	AMD-E	03-14-012
388-148-0725	AMD-E	03-21-074
388-148-0785	AMD-E	03-05-099
388-148-0785	AMD-E	03-14-012
388-148-0785	AMD-E	03-21-074
388-148-0880	AMD-E	03-05-099
388-148-0880	AMD-E	03-14-012
388-148-0880	AMD-E	03-21-074
388-148-0892	NEW-E	03-05-099
388-148-0892	NEW-E	03-14-012
388-148-0892	NEW-E	03-21-074
388-148-0915	AMD-E	03-05-099
388-148-0915	AMD-E	03-14-012
388-148-0915	AMD-E	03-21-074
388-148-0995	AMD-E	03-05-099
388-148-0995	AMD-E	03-14-012
388-148-0995	AMD-E	03-21-074
388-148-1060	AMD-E	03-05-099
388-148-1060	AMD-E	03-14-012
388-148-1060	AMD-E	03-21-074
388-148-1070	AMD-E	03-05-099
388-148-1070	AMD-E	03-14-012
388-148-1070	AMD-E	03-21-074
388-148-1076	NEW-E	03-05-099
388-148-1076	NEW-E	03-14-012
388-148-1076	NEW-E	03-21-074
388-148-1077	NEW-E	03-05-099
388-148-1077	NEW-E	03-14-012
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388-148-1078	NEW-E	03-05-099
388-148-1078	NEW-E	03-14-012
388-148-1078	NEW-E	03-21-074
388-148-1079	NEW-E	03-05-099
388-148-1079	NEW-E	03-14-012
388-148-1079	NEW-E	03-21-074
388-148-1115	AMD-E	03-05-099
388-148-1115	AMD-E	03-14-012
388-148-1115	AMD-E	03-21-074
388-148-1120	AMD-E	03-05-099
388-148-1120	AMD-E	03-14-012
388-148-1120	AMD-E	03-21-074
388-148-1140	NEW-E	03-05-099
388-148-1140	NEW-E	03-14-012
388-148-1145	NEW-E	03-05-099
388-148-1145	NEW-E	03-14-012
388-148-1150	NEW-E	03-05-099
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388-148-1155	NEW-E	03-05-099
388-148-1155	NEW-E	03-14-012
388-148-1160	NEW-E	03-05-099
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388-148-1165	NEW-E	03-14-012
388-148-1170	NEW-E	03-05-099
388-148-1170	NEW-E	03-14-012
388-148-1175	NEW-E	03-05-099
388-148-1175	NEW-E	03-14-012
388-148-1180	NEW-E	03-05-099
388-148-1180	NEW-E	03-14-012
388-148-1185	NEW-E	03-05-099
388-148-1185	NEW-E	03-14-012
388-148-1190	NEW-E	03-05-099
388-148-1190	NEW-E	03-14-012
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388-148-1210	NEW-E	03-06-091
388-148-1215	NEW-E	03-06-091
388-148-1220	NEW-E	03-06-091
388-148-1225	NEW-E	03-06-091
388-148-1230	NEW-E	03-06-091
388-148-1235	NEW-E	03-06-091
388-148-1240	NEW-E	03-06-091
388-148-1245	NEW-E	03-06-091
388-148-1250	NEW-E	03-06-091
388-148-1255	NEW-E	03-06-091
388-148-1260	NEW-E	03-06-091
388-148-1265	NEW-E	03-06-091
388-148-1270	NEW-E	03-06-091
388-148-1275	NEW-E	03-06-091
388-148-1280	NEW-E	03-06-091
388-148-1285	NEW-E	03-06-091
388-148-1290	NEW-E	03-06-091
388-148-1295	NEW-E	03-06-091
388-148-1300	NEW-E	03-06-091
388-150-005	REP-P	03-09-005
388-150-005	REP	03-14-110
388-150-010	REP-P	03-09-005
388-150-010	REP	03-14-110
388-150-020	REP-P	03-09-005
388-150-020	REP	03-14-110
388-150-040	REP-P	03-09-005
388-150-040	REP	03-14-110
388-150-050	REP-P	03-09-005
388-150-050	REP	03-14-110
388-150-060	REP-P	03-09-005
388-150-060	REP	03-14-110
388-150-070	REP-P	03-09-005
388-150-070	REP	03-14-110
388-150-080	REP-P	03-09-005
388-150-080	REP	03-14-110
388-150-085	REP-P	03-09-005
388-150-085	REP	03-14-110
388-150-090	REP-P	03-09-005
388-150-090	REP	03-14-110
388-150-092	REP-P	03-09-005
388-150-092	REP	03-14-110
388-150-093	REP-P	03-09-005
388-150-093	REP	03-14-110
388-150-094	REP-P	03-09-005
388-150-094	REP	03-14-110
388-150-095	REP-P	03-09-005
388-150-095	REP	03-14-110
388-150-096	REP-P	03-09-005
388-150-096	REP	03-14-110
388-150-097	REP-P	03-09-005
388-150-097	REP	03-14-110
388-150-098	REP-P	03-09-005
388-150-098	REP	03-14-110
388-150-100	REP-P	03-09-005
388-150-100	REP	03-14-110
388-150-110	REP-P	03-09-005
388-150-110	REP	03-14-110
388-150-120	REP-P	03-09-005
388-150-120	REP	03-14-110
388-150-130	REP-P	03-09-005
388-150-130	REP	03-14-110
388-150-140	REP-P	03-09-005
388-150-140	REP	03-14-110
388-150-150	REP-P	03-09-005
388-150-150	REP	03-14-110
388-150-160	REP-P	03-09-005
388-150-160	REP	03-14-110
388-150-165	REP-P	03-09-005
388-150-165	REP	03-14-110
388-150-170	REP-P	03-09-005
388-150-170	REP	03-14-110
388-150-180	REP-P	03-09-005
388-150-180	REP	03-14-110
388-150-190	REP-P	03-09-005
388-150-190	REP	03-14-110
388-150-200	REP-P	03-09-005
388-150-200	REP	03-14-110
388-150-210	REP-P	03-09-005
388-150-210	REP	03-14-110
388-150-220	REP-P	03-09-005
388-150-220	REP	03-14-110
388-150-230	REP-P	03-09-005
388-150-230	REP	03-14-110

WAC #	ACTION	WSR #
388-150-240	REP-P	03-09-005
388-150-240	REP	03-14-110
388-150-250	REP-P	03-09-005
388-150-250	REP	03-14-110
388-150-260	REP-P	03-09-005
388-150-260	REP	03-14-110
388-150-270	REP-P	03-09-005
388-150-270	REP	03-14-110
388-150-280	REP-P	03-09-005
388-150-280	REP	03-14-110
388-150-290	REP-P	03-09-005
388-150-290	REP	03-14-110
388-150-295	REP-P	03-09-005
388-150-295	REP	03-14-110
388-150-310	REP-P	03-09-005
388-150-310	REP	03-14-110
388-150-320	REP-P	03-09-005
388-150-320	REP	03-14-110
388-150-330	REP-P	03-09-005
388-150-330	REP	03-14-110
388-150-340	REP-P	03-09-005
388-150-340	REP	03-14-110
388-150-350	REP-P	03-09-005
388-150-350	REP	03-14-110
388-150-360	REP-P	03-09-005
388-150-360	REP	03-14-110
388-150-370	REP-P	03-09-005
388-150-370	REP	03-14-110
388-150-380	REP-P	03-09-005
388-150-380	REP	03-14-110
388-150-390	REP-P	03-09-005
388-150-390	REP	03-14-110
388-150-400	REP-P	03-09-005
388-150-400	REP	03-14-110
388-150-410	REP-P	03-09-005
388-150-410	REP	03-14-110
388-150-420	REP-P	03-09-005
388-150-420	REP	03-14-110
388-150-430	REP-P	03-09-005
388-150-430	REP	03-14-110
388-150-440	REP-P	03-09-005
388-150-440	REP	03-14-110
388-150-450	REP-P	03-09-005
388-150-450	REP	03-14-110
388-150-460	REP-P	03-09-005
388-150-460	REP	03-14-110
388-150-470	REP-P	03-09-005
388-150-470	REP	03-14-110
388-150-480	REP-P	03-09-005
388-150-480	REP	03-14-110
388-150-490	REP-P	03-09-005
388-150-490	REP	03-14-110
388-150-500	REP-P	03-09-005
388-150-500	REP	03-14-110
388-150-990	REP-P	03-09-005
388-150-990	REP	03-14-110
388-150-991	REP-P	03-09-005
388-150-991	REP	03-14-110
388-150-992	REP-P	03-09-005
388-150-992	REP	03-14-110
388-150-993	REP-P	03-09-005
388-150-993	REP	03-14-110
388-151	PREP	03-20-025
388-155-070	AMD-P	03-06-092
388-155-070	AMD	03-09-074
388-155-090	AMD-P	03-06-092
388-155-090	AMD	03-09-074
388-165-130	REP-P	03-09-033
388-165-130	REP	03-14-109
388-180-0100	NEW	03-04-013
388-180-0110	NEW	03-04-013
388-180-0120	NEW	03-04-013
388-180-0130	NEW	03-04-013
388-180-0140	NEW	03-04-013
388-180-0150	NEW	03-04-013
388-180-0160	NEW	03-04-013
388-180-0170	NEW	03-04-013
388-180-0180	NEW	03-04-013
388-180-0190	NEW	03-04-013
388-180-0200	NEW	03-04-013
388-180-0210	NEW	03-04-013
388-180-0220	NEW	03-04-013
388-180-0230	NEW	03-04-013
388-273-0025	AMD-E	03-12-057
388-273-0025	PREP	03-13-044
388-273-0025	AMD-E	03-20-051
388-273-0030	AMD-E	03-12-057
388-273-0030	PREP	03-13-044
388-273-0030	AMD-E	03-20-051
388-273-0035	AMD-E	03-12-057
388-273-0035	PREP	03-13-044
388-273-0035	AMD-E	03-20-051
388-290-0075	AMD-E	03-06-045
388-290-0075	AMD-E	03-14-061
388-290-0075	AMD-E	03-22-005
388-290-0085	AMD-E	03-06-045
388-290-0085	AMD-E	03-14-061
388-290-0085	AMD-E	03-22-005
388-290-0130	AMD-E	03-12-026
388-290-0130	AMD-E	03-20-050
388-290-0190	AMD-E	03-06-045
388-290-0190	AMD-E	03-14-061
388-290-0190	AMD-E	03-22-005
388-290-0210	REP-E	03-06-045
388-290-0210	REP-E	03-14-061
388-290-0210	REP-E	03-22-005
388-292-0001	NEW-P	03-09-033
388-292-0001	NEW	03-14-109
388-292-0003	NEW-P	03-09-033
388-292-0003	NEW	03-14-109
388-292-0005	NEW-P	03-09-033
388-292-0005	NEW	03-14-109
388-292-0010	NEW-P	03-09-033
388-292-0010	NEW	03-14-109
388-292-0015	NEW-P	03-09-033
388-292-0015	NEW	03-14-109
388-292-0020	NEW-P	03-09-033
388-292-0020	NEW	03-14-109
388-292-0025	NEW-P	03-09-033
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388-292-0030	NEW-P	03-09-033
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388-292-0035	NEW-P	03-09-033
388-292-0035	NEW	03-14-109
388-292-0040	NEW-P	03-09-033
388-292-0040	NEW	03-14-109
388-292-0045	NEW-P	03-09-033
388-292-0045	NEW	03-14-109
388-292-0050	NEW-P	03-09-033
388-292-0050	NEW	03-14-109
388-292-0055	NEW-P	03-09-033
388-292-0055	NEW	03-14-109
388-292-0060	NEW-P	03-09-033
388-292-0060	NEW	03-14-109
388-292-0065	NEW-P	03-09-033
388-292-0065	NEW	03-14-109
388-292-0070	NEW-P	03-09-033
388-292-0070	NEW	03-14-109
388-292-0075	NEW-P	03-09-033
388-292-0075	NEW	03-14-109
388-292-0080	NEW-P	03-09-033
388-292-0080	NEW	03-14-109
388-292-0085	NEW-P	03-09-033
388-292-0085	NEW	03-14-109
388-292-0090	NEW-P	03-09-033
388-292-0090	NEW	03-14-109
388-292-0095	NEW-P	03-09-033
388-292-0095	NEW	03-14-109
388-292-0100	NEW-P	03-09-033
388-292-0100	NEW	03-14-109
388-292-0102	NEW-P	03-09-033
388-292-0102	NEW	03-14-109
388-292-0105	NEW-P	03-09-033
388-292-0105	NEW	03-14-109
388-292-0110	NEW-P	03-09-033
388-292-0110	NEW	03-14-109
388-292-0115	NEW-P	03-09-033
388-292-0115	NEW	03-14-109
388-292-0120	NEW-P	03-09-033
388-292-0120	NEW	03-14-109
388-292-0125	NEW-P	03-09-033
388-292-0125	NEW	03-14-109
388-292-0130	NEW-P	03-09-033
388-292-0130	NEW	03-14-109
388-292-0135	NEW-P	03-09-033
388-292-0135	NEW	03-14-109
388-292-0140	NEW-P	03-09-033
388-292-0140	NEW	03-14-109
388-292-0145	NEW-P	03-09-033
388-292-0145	NEW	03-14-109
388-292-0150	NEW-P	03-09-033
388-292-0150	NEW	03-14-109
388-292-0155	NEW-P	03-09-033
388-292-0155	NEW	03-14-109
388-292-0160	NEW-P	03-09-033
388-292-0160	NEW	03-14-109
388-295-0001	NEW-P	03-09-005
388-295-0001	NEW	03-14-110
388-295-0010	NEW-P	03-09-005
388-295-0010	NEW	03-14-110
388-295-0020	NEW-P	03-09-005
388-295-0020	NEW	03-14-110
388-295-0020	PREP	03-23-062
388-295-0030	NEW-P	03-09-005
388-295-0030	NEW	03-14-110
388-295-0040	NEW-P	03-09-005

WAC #	ACTION	WSR #
388-295-0040	NEW	03-14-110
388-295-0050	NEW-P	03-09-005
388-295-0050	NEW	03-14-110
388-295-0055	NEW-P	03-09-005
388-295-0055	NEW	03-14-110
388-295-0060	NEW-P	03-09-005
388-295-0060	NEW	03-14-110
388-295-0060	PREP	03-23-062
388-295-0070	NEW-P	03-09-005
388-295-0070	NEW	03-14-110
388-295-0070	PREP	03-23-062
388-295-0080	NEW-P	03-09-005
388-295-0080	NEW	03-14-110
388-295-0090	NEW-P	03-09-005
388-295-0090	NEW	03-14-110
388-295-0090	PREP	03-23-062
388-295-0100	NEW-P	03-09-005
388-295-0100	NEW	03-14-110
388-295-0100	PREP	03-23-062
388-295-0110	NEW-P	03-09-005
388-295-0110	NEW	03-14-110
388-295-0110	PREP	03-23-062
388-295-0120	NEW-P	03-09-005
388-295-0120	NEW	03-14-110
388-295-0130	NEW-P	03-09-005
388-295-0130	NEW	03-14-110
388-295-0140	NEW-P	03-09-005
388-295-0140	NEW	03-14-110
388-295-0150	NEW-P	03-09-005
388-295-0150	NEW	03-14-110
388-295-1010	NEW-P	03-09-005
388-295-1010	NEW	03-14-110
388-295-1010	PREP	03-23-062
388-295-1020	NEW-P	03-09-005
388-295-1020	NEW	03-14-110
388-295-1030	NEW-P	03-09-005
388-295-1030	NEW	03-14-110
388-295-1040	NEW-P	03-09-005
388-295-1040	NEW	03-14-110
388-295-1050	NEW-P	03-09-005
388-295-1050	NEW	03-14-110
388-295-1060	NEW-P	03-09-005
388-295-1060	NEW	03-14-110
388-295-1070	NEW-P	03-09-005
388-295-1070	NEW	03-14-110
388-295-1070	PREP	03-23-062
388-295-1080	NEW-P	03-09-005
388-295-1080	NEW	03-14-110
388-295-1090	NEW-P	03-09-005
388-295-1090	NEW	03-14-110
388-295-1100	NEW-P	03-09-005
388-295-1100	NEW	03-14-110
388-295-1110	NEW-P	03-09-005
388-295-1110	NEW	03-14-110
388-295-1110	PREP	03-23-062
388-295-1120	NEW-P	03-09-005
388-295-1120	NEW	03-14-110
388-295-2010	NEW-P	03-09-005
388-295-2010	NEW	03-14-110
388-295-2010	PREP	03-23-062
388-295-2020	NEW-P	03-09-005
388-295-2020	NEW	03-14-110
388-295-2030	NEW-P	03-09-005
388-295-2030	NEW	03-14-110
388-295-2040	NEW-P	03-09-005
388-295-2040	NEW	03-14-110
388-295-2050	NEW-P	03-09-005
388-295-2050	NEW	03-14-110
388-295-2060	NEW-P	03-09-005
388-295-2060	NEW	03-14-110
388-295-2070	NEW-P	03-09-005
388-295-2070	NEW	03-14-110
388-295-2080	NEW-P	03-09-005
388-295-2080	NEW	03-14-110
388-295-2090	NEW-P	03-09-005
388-295-2090	NEW	03-14-110
388-295-2090	PREP	03-23-062
388-295-2100	NEW-P	03-09-005
388-295-2100	NEW	03-14-110
388-295-2100	PREP	03-23-062
388-295-2110	NEW-P	03-09-005
388-295-2110	NEW	03-14-110
388-295-2120	NEW-P	03-09-005
388-295-2120	NEW	03-14-110
388-295-2130	NEW-P	03-09-005
388-295-2130	NEW	03-14-110
388-295-3010	NEW-P	03-09-005
388-295-3010	NEW	03-14-110
388-295-3010	PREP	03-23-062
388-295-3020	NEW-P	03-09-005
388-295-3020	NEW	03-14-110
388-295-3030	NEW-P	03-09-005
388-295-3030	NEW	03-14-110
388-295-3040	NEW-P	03-09-005
388-295-3040	NEW	03-14-110
388-295-3050	NEW-P	03-09-005
388-295-3050	NEW	03-14-110
388-295-3060	NEW-P	03-09-005
388-295-3060	NEW	03-14-110
388-295-3070	NEW-P	03-09-005
388-295-3070	NEW	03-14-110
388-295-3080	NEW-P	03-09-005
388-295-3080	NEW	03-14-110
388-295-3090	NEW-P	03-09-005
388-295-3090	NEW	03-14-110
388-295-3100	NEW-P	03-09-005
388-295-3100	NEW	03-14-110
388-295-3110	NEW-P	03-09-005
388-295-3110	NEW	03-14-110
388-295-3120	NEW-P	03-09-005
388-295-3120	NEW	03-14-110
388-295-3130	NEW-P	03-09-005
388-295-3130	NEW	03-14-110
388-295-3140	NEW-P	03-09-005
388-295-3140	NEW	03-14-110
388-295-3150	NEW-P	03-09-005
388-295-3150	NEW	03-14-110
388-295-3160	NEW-P	03-09-005
388-295-3160	NEW	03-14-110
388-295-3170	NEW-P	03-09-005
388-295-3170	NEW	03-14-110
388-295-3180	NEW-P	03-09-005
388-295-3180	NEW	03-14-110
388-295-3190	NEW-P	03-09-005
388-295-3190	NEW	03-14-110
388-295-3200	NEW-P	03-09-005
388-295-3200	NEW	03-14-110
388-295-3210	NEW-P	03-09-005
388-295-3210	NEW	03-14-110
388-295-3220	NEW-P	03-09-005
388-295-3220	NEW	03-14-110
388-295-3230	NEW-P	03-09-005
388-295-3230	NEW	03-14-110
388-295-4010	NEW-P	03-09-005
388-295-4010	NEW	03-14-110
388-295-4010	PREP	03-23-062
388-295-4020	NEW-P	03-09-005
388-295-4020	NEW	03-14-110
388-295-4030	NEW-P	03-09-005
388-295-4030	NEW	03-14-110
388-295-4040	NEW-P	03-09-005
388-295-4040	NEW	03-14-110
388-295-4050	NEW-P	03-09-005
388-295-4050	NEW	03-14-110
388-295-4060	NEW-P	03-09-005
388-295-4060	NEW	03-14-110
388-295-4070	NEW-P	03-09-005
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388-295-4080	NEW-P	03-09-005
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388-295-4090	NEW-P	03-09-005
388-295-4090	NEW	03-14-110
388-295-4100	NEW-P	03-09-005
388-295-4100	NEW	03-14-110
388-295-4100	PREP	03-23-062
388-295-4110	NEW-P	03-09-005
388-295-4110	NEW	03-14-110
388-295-4120	NEW-P	03-09-005
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388-295-4130	NEW-P	03-09-005
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388-295-4140	NEW-P	03-09-005
388-295-4140	NEW	03-14-110
388-295-5010	NEW-P	03-09-005
388-295-5010	NEW	03-14-110
388-295-5020	NEW-P	03-09-005
388-295-5020	NEW	03-14-110
388-295-5030	NEW-P	03-09-005
388-295-5030	NEW	03-14-110
388-295-5030	PREP	03-23-062
388-295-5040	NEW-P	03-09-005
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388-295-5050	NEW-P	03-09-005
388-295-5050	NEW	03-14-110
388-295-5060	NEW-P	03-09-005
388-295-5060	NEW	03-14-110
388-295-5070	NEW-P	03-09-005
388-295-5070	NEW	03-14-110
388-295-5080	NEW-P	03-09-005
388-295-5080	NEW	03-14-110
388-295-5090	NEW-P	03-09-005
388-295-5090	NEW	03-14-110
388-295-5100	NEW-P	03-09-005
388-295-5100	NEW	03-14-110
388-295-5110	NEW-P	03-09-005
388-295-5110	NEW	03-14-110

WAC #	ACTION	WSR #
388-295-5120	NEW-P	03-09-005
388-295-5120	NEW	03-14-110
388-295-5140	NEW-P	03-09-005
388-295-5140	NEW	03-14-110
388-295-5150	NEW-P	03-09-005
388-295-5150	NEW	03-14-110
388-295-5150	PREP	03-23-062
388-295-5160	NEW-P	03-09-005
388-295-5160	NEW	03-14-110
388-295-5170	NEW-P	03-09-005
388-295-5170	NEW	03-14-110
388-295-6010	NEW-P	03-09-005
388-295-6010	NEW	03-14-110
388-295-6020	NEW-P	03-09-005
388-295-6020	NEW	03-14-110
388-295-6030	NEW-P	03-09-005
388-295-6030	NEW	03-14-110
388-295-6040	NEW-P	03-09-005
388-295-6040	NEW	03-14-110
388-295-6050	NEW-P	03-09-005
388-295-6050	NEW	03-14-110
388-295-6060	NEW-P	03-09-005
388-295-6060	NEW	03-14-110
388-295-7010	NEW-P	03-09-005
388-295-7010	NEW	03-14-110
388-295-7010	PREP	03-23-062
388-295-7020	NEW-P	03-09-005
388-295-7020	NEW	03-14-110
388-295-7030	NEW-P	03-09-005
388-295-7030	NEW	03-14-110
388-295-7040	NEW-P	03-09-005
388-295-7040	NEW	03-14-110
388-295-7040	PREP	03-23-062
388-295-7050	NEW-P	03-09-005
388-295-7050	NEW	03-14-110
388-295-7050	PREP	03-23-062
388-295-7060	NEW-P	03-09-005
388-295-7060	NEW	03-14-110
388-295-7070	NEW-P	03-09-005
388-295-7070	NEW	03-14-110
388-295-7080	NEW-P	03-09-005
388-295-7080	NEW	03-14-110
388-297	PREP	03-20-025
388-310	PREP	03-17-063
388-310-0350	AMD-P	03-21-153
388-310-0800	AMD-E	03-04-066
388-310-0800	PREP	03-11-087
388-310-0800	AMD-E	03-12-025
388-310-0800	AMD-E	03-14-105
388-310-0800	AMD-P	03-18-104
388-310-0800	AMD	03-21-154
388-310-1500	AMD-P	03-23-112
388-310-1800	AMD-E	03-14-105
388-310-1800	AMD-P	03-18-104
388-310-1800	AMD	03-21-154
388-310-2000	AMD-P	03-23-112
388-400-0040	AMD	03-05-028
388-400-0045	AMD	03-05-028
388-406-0005	PREP	03-15-024
388-406-0005	AMD-P	03-19-112
388-406-0005	AMD	03-22-039
388-406-0010	PREP	03-15-024
388-406-0010	AMD-P	03-19-112
388-406-0010	AMD	03-22-039
388-406-0012	AMD-P	03-19-112
388-406-0012	AMD	03-22-039
388-406-0015	PREP-W	03-03-112
388-406-0015	PREP	03-15-024
388-406-0015	AMD-P	03-19-069
388-406-0015	AMD	03-22-061
388-406-0021	PREP	03-15-024
388-406-0021	AMD-P	03-19-112
388-406-0021	AMD	03-22-039
388-406-0035	PREP	03-15-024
388-406-0035	AMD-P	03-19-112
388-406-0035	AMD	03-22-039
388-406-0040	PREP	03-15-024
388-406-0040	AMD-P	03-19-112
388-406-0040	AMD	03-22-039
388-406-0055	PREP	03-15-024
388-406-0055	AMD-P	03-19-112
388-406-0055	AMD	03-22-039
388-406-0060	PREP	03-15-024
388-406-0060	AMD-P	03-19-112
388-406-0060	AMD	03-22-039
388-406-0065	PREP	03-15-024
388-406-0065	AMD-P	03-19-112
388-406-0065	AMD	03-22-039
388-408-0005	AMD-P	03-13-090
388-408-0005	AMD	03-17-066
388-408-0025	PREP	03-19-032
388-408-0034	PREP	03-06-056
388-408-0034	AMD-P	03-16-045
388-408-0034	AMD	03-19-118
388-408-0034	PREP	03-23-060
388-408-0035	PREP	03-06-056
388-408-0035	AMD-P	03-16-045
388-408-0035	AMD	03-19-118
388-408-0035	PREP	03-23-060
388-408-0040	PREP	03-06-056
388-408-0040	AMD-P	03-16-045
388-408-0040	AMD	03-19-118
388-408-0045	PREP	03-06-056
388-408-0045	AMD-P	03-16-045
388-408-0045	AMD	03-19-118
388-408-0050	PREP	03-06-056
388-408-0050	AMD-P	03-16-045
388-408-0050	AMD	03-19-118
388-410-0001	AMD-P	03-23-112
388-410-0030	PREP	03-07-040
388-410-0030	AMD-P	03-17-086
388-410-0030	AMD	03-21-027
388-412-0015	PREP	03-15-023
388-412-0015	AMD-P	03-19-072
388-412-0015	AMD	03-22-038
388-412-0015	PREP	03-23-108
388-412-0020	PREP	03-15-023
388-412-0020	AMD-P	03-19-072
388-412-0020	AMD	03-22-038
388-412-0025	PREP	03-15-023
388-412-0025	AMD-P	03-19-072
388-412-0025	AMD	03-22-038
388-412-0040	PREP	03-15-023
388-412-0040	AMD-P	03-19-072
388-412-0040	AMD	03-22-038
388-416	PREP	03-17-085
388-416-0005	PREP	03-15-024
388-416-0005	AMD-P	03-19-112
388-416-0005	AMD	03-22-039
388-416-0015	AMD-E	03-14-060
388-416-0015	PREP	03-14-077
388-416-0015	AMD-P	03-19-068
388-416-0015	AMD-E	03-22-004
388-416-0035	PREP-W	03-15-051
388-416-0035	PREP-W	03-16-080
388-418	PREP	03-13-035
388-418	PREP	03-17-085
388-418-0005	AMD-E	03-14-060
388-418-0005	PREP	03-14-077
388-418-0005	AMD-P	03-17-087
388-418-0005	AMD-P	03-19-068
388-418-0005	AMD	03-21-028
388-418-0005	AMD-E	03-22-004
388-418-0007	AMD-P	03-17-087
388-418-0007	AMD	03-21-028
388-418-0020	AMD-P	03-17-087
388-418-0020	AMD	03-21-028
388-418-0025	AMD-E	03-14-060
388-418-0025	PREP	03-14-077
388-418-0025	AMD-P	03-19-068
388-418-0025	AMD-E	03-22-004
388-424-0005	PREP	03-03-007
388-424-0010	PREP	03-03-007
388-424-0015	PREP	03-03-007
388-424-0020	AMD	03-05-029
388-424-0025	AMD	03-05-029
388-426-0005	PREP	03-20-024
388-426-0005	AMD-P	03-23-110
388-434-0005	AMD-E	03-14-060
388-434-0005	PREP	03-14-077
388-434-0005	PREP	03-19-031
388-434-0005	AMD-P	03-19-068
388-434-0005	AMD-E	03-22-004
388-434-0005	PREP	03-23-061
388-434-0010	PREP	03-23-061
388-436-0002	AMD-E	03-04-067
388-436-0002	PREP	03-11-089
388-436-0002	AMD-E	03-12-027
388-436-0002	AMD-E	03-20-041
388-436-0015	PREP	03-20-021
388-436-0040	AMD-P	03-23-112
388-438	PREP	03-12-054
388-438	PREP-W	03-15-051
388-438-0100	PREP-W	03-14-058
388-438-0100	REP-E	03-14-104
388-438-0100	REP-E	03-22-027
388-438-0110	PREP	03-10-088
388-438-0110	AMD-E	03-14-104
388-438-0110	AMD-P	03-20-074
388-438-0110	AMD-E	03-22-027
388-440	PREP-W	03-15-051
388-440-0001	AMD-P	03-23-112
388-444	PREP	03-13-035
388-444-0035	AMD	03-05-031
388-444-0055	AMD-P	03-23-112
388-446-0005	PREP	03-20-022

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388-446-0015	PREP	03-20-022
388-448	PREP	03-13-033
388-448-0130	AMD-P	03-08-079
388-448-0130	AMD-W	03-19-047
388-448-0140	AMD-P	03-08-079
388-448-0140	AMD-W	03-19-047
388-448-0160	AMD-E	03-19-030
388-448-0170	REP-E	03-19-030
388-448-0190	REP-E	03-19-030
388-450	PREP	03-13-035
388-450-0005	AMD-P	03-23-112
388-450-0015	PREP	03-18-098
388-450-0020	PREP	03-08-083
388-450-0020	REP-P	03-20-079
388-450-0045	AMD	03-03-071
388-450-0050	AMD-P	03-03-008
388-450-0050	AMD	03-06-095
388-450-0080	PREP	03-06-057
388-450-0080	AMD-P	03-09-073
388-450-0080	AMD	03-13-045
388-450-0085	AMD-P	03-09-073
388-450-0085	AMD	03-13-045
388-450-0150	REP-P	03-20-079
388-450-0156	AMD	03-05-030
388-450-0165	AMD-P	03-23-112
388-450-0170	PREP	03-18-100
388-450-0170	AMD-P	03-23-111
388-450-0185	PREP	03-13-034
388-450-0185	AMD-P	03-17-089
388-450-0185	AMD-E	03-20-071
388-450-0185	AMD	03-21-030
388-450-0190	PREP	03-13-034
388-450-0190	AMD-P	03-17-089
388-450-0190	AMD-E	03-20-071
388-450-0190	AMD	03-21-030
388-450-0195	PREP	03-13-034
388-450-0195	AMD-P	03-17-089
388-450-0195	AMD-E	03-20-071
388-450-0195	AMD	03-21-030
388-450-0200	PREP	03-19-033
388-450-0200	AMD-P	03-23-109
388-450-0215	AMD-P	03-17-088
388-450-0215	AMD	03-21-029
388-450-0225	AMD-P	03-17-088
388-450-0225	AMD	03-21-029
388-450-0230	AMD-P	03-17-088
388-450-0230	AMD	03-21-029
388-450-0245	AMD-P	03-17-088
388-450-0245	AMD	03-21-029
388-452-0005	PREP	03-07-042
388-452-0005	AMD-P	03-15-026
388-452-0005	AMD	03-18-113
388-452-0005	PREP	03-23-061
388-460-0001	PREP	03-15-023
388-460-0001	AMD-P	03-19-072
388-460-0001	AMD	03-22-038
388-460-0005	AMD	03-03-072
388-460-0005	PREP	03-15-023
388-460-0005	AMD-P	03-19-072
388-460-0005	AMD	03-22-038
388-460-0010	PREP	03-15-023
388-460-0010	AMD-P	03-19-072
388-460-0010	AMD	03-22-038
388-460-0015	PREP	03-15-023
388-460-0015	AMD-P	03-19-072
388-460-0015	AMD	03-22-038
388-466-0130	AMD-P	03-23-112
388-468-0005	PREP	03-14-080
388-468-0005	AMD-P	03-16-081
388-468-0005	AMD	03-20-060
388-470-0005	AMD	03-05-015
388-470-0010	REP	03-05-015
388-470-0012	AMD	03-05-015
388-470-0015	REP	03-05-015
388-470-0020	REP	03-05-015
388-470-0025	REP	03-05-015
388-470-0030	REP	03-05-015
388-470-0035	REP	03-05-015
388-470-0040	PREP	03-20-023
388-470-0040	REP-P	03-20-077
388-470-0040	PREP-W	03-23-059
388-470-0045	AMD	03-05-015
388-470-0050	REP	03-05-015
388-470-0055	AMD	03-05-015
388-470-0065	REP	03-05-015
388-472-0005	PREP	03-19-035
388-472-0010	PREP	03-21-150
388-474	PREP	03-15-048
388-474-0012	NEW	03-03-114
388-474-0012	AMD-P	03-18-105
388-474-0012	AMD	03-21-125
388-475	PREP	03-12-054
388-475-0050	NEW-P	03-20-076
388-475-0100	NEW-P	03-20-076
388-475-0150	NEW-P	03-20-076
388-475-0200	NEW-P	03-20-076
388-475-0250	NEW-P	03-20-076
388-475-0300	NEW-P	03-20-076
388-475-0350	NEW-P	03-20-077
388-475-0400	NEW-P	03-20-077
388-475-0450	NEW-P	03-20-077
388-475-0500	NEW-P	03-20-077
388-475-0550	NEW-P	03-20-078
388-475-0600	NEW-P	03-20-078
388-475-0650	NEW-P	03-20-078
388-475-0700	NEW-P	03-20-078
388-475-0750	NEW-P	03-20-078
388-475-0800	NEW-P	03-20-079
388-475-0820	NEW-P	03-20-079
388-475-0840	NEW-P	03-20-079
388-475-0860	NEW-P	03-20-079
388-475-0880	NEW-P	03-20-079
388-475-0900	NEW-P	03-20-079
388-475-1250	PREP-W	03-15-051
388-476-0005	PREP	03-04-086
388-476-0005	AMD-P	03-16-082
388-476-0005	AMD	03-20-061
388-478-0005	AMD-P	03-23-112
388-478-0015	PREP	03-15-125
388-478-0015	AMD-P	03-19-070
388-478-0015	AMD	03-23-116
388-478-0055	AMD	03-03-114
388-478-0055	PREP	03-18-101
388-478-0055	AMD-P	03-21-124
388-478-0055	AMD-E	03-21-147
388-478-0060	PREP	03-13-034
388-478-0060	AMD-P	03-17-089
388-478-0060	AMD-E	03-20-071
388-478-0060	AMD	03-21-030
388-478-0075	PREP	03-06-058
388-478-0075	AMD-E	03-08-066
388-478-0075	AMD-P	03-12-068
388-478-0075	AMD	03-15-088
388-478-0080	PREP	03-08-085
388-478-0085	AMD-E	03-08-065
388-478-0085	PREP	03-08-081
388-478-0085	PREP-W	03-10-051
388-478-0085	PREP-W	03-15-051
388-478-0085	AMD-E	03-16-021
388-480-0001	PREP	03-15-025
388-480-0001	AMD-P	03-19-071
388-480-0001	AMD	03-22-037
388-482-0005	PREP	03-15-025
388-482-0005	AMD-P	03-19-071
388-482-0005	AMD	03-22-037
388-484-0005	AMD	03-06-046
388-484-0005	AMD-P	03-23-112
388-484-0006	AMD-P	03-21-153
388-490-0005	AMD-P	03-17-088
388-490-0005	AMD	03-21-029
388-492	PREP	03-07-087
388-492-0040	PREP	03-13-034
388-492-0040	AMD-P	03-17-089
388-492-0040	AMD-E	03-20-071
388-492-0040	AMD	03-21-030
388-492-0070	PREP	03-13-034
388-492-0070	AMD-P	03-17-089
388-492-0070	AMD-E	03-20-071
388-492-0070	AMD	03-21-030
388-500	PREP	03-08-086
388-500-0005	AMD-W	03-13-095
388-500-0005	AMD-P	03-22-089
388-501	PREP	03-08-086
388-501-0135	AMD-P	03-20-073
388-501-0165	AMD-P	03-22-088
388-502	PREP	03-08-086
388-502-0010	PREP	03-03-017
388-502-0010	AMD-E	03-03-027
388-502-0010	AMD-P	03-10-091
388-502-0010	AMD-E	03-10-092
388-502-0010	AMD	03-14-106
388-503	PREP	03-08-086
388-503-0505	AMD-E	03-14-104
388-503-0505	AMD-E	03-22-027
388-505	PREP	03-08-086
388-505	PREP	03-14-079
388-505-0110	PREP	03-12-054
388-505-0210	PREP	03-06-055
388-505-0210	AMD-P	03-10-048
388-505-0210	AMD	03-14-107
388-505-0211	NEW-P	03-21-152
388-506	PREP	03-08-086
388-510	PREP	03-08-086
388-510-1005	REP-X	03-10-093
388-510-1005	REP	03-23-086
388-511	PREP	03-08-086

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388-511-1130	REP-P	03-20-078
388-512	PREP	03-08-086
388-513	PREP	03-08-086
388-513-1301	PREP	03-20-103
388-513-1315	PREP	03-20-103
388-513-1340	PREP	03-08-083
388-513-1350	AMD-E	03-08-064
388-513-1350	PREP	03-08-082
388-513-1350	PREP-W	03-15-022
388-513-1350	PREP	03-15-049
388-513-1350	AMD-E	03-15-087
388-513-1350	AMD-E	03-15-134
388-513-1350	AMD-E	03-23-115
388-513-1364	NEW	03-06-048
388-513-1364	AMD-X	03-13-112
388-513-1364	AMD	03-20-059
388-513-1365	AMD-P	03-09-117
388-513-1365	AMD	03-14-038
388-513-1365	PREP-W	03-15-051
388-513-1380	AMD-E	03-08-064
388-513-1380	PREP	03-08-082
388-513-1380	PREP-W	03-15-022
388-513-1380	PREP	03-15-049
388-513-1380	AMD-E	03-15-087
388-513-1380	AMD-E	03-15-134
388-513-1380	AMD-E	03-23-115
388-515	PREP	03-08-086
388-515-1510	PREP	03-20-103
388-515-1530	REP	03-08-067
388-515-1540	NEW-E	03-05-044
388-515-1540	NEW-E	03-05-098
388-515-1540	NEW-P	03-09-042
388-515-1540	NEW-E	03-13-007
388-515-1540	NEW	03-13-052
388-517	PREP	03-08-086
388-517-0300	PREP-W	03-15-051
388-519	PREP	03-08-086
388-519-0120	PREP-W	03-14-058
388-523	PREP	03-08-086
388-523-0120	PREP	03-04-085
388-523-0120	AMD-P	03-10-089
388-523-0120	AMD	03-14-108
388-526	PREP	03-08-086
388-527	PREP	03-08-086
388-529	PREP	03-08-086
388-529	PREP-W	03-15-051
388-530	PREP	03-08-086
388-530-1270	NEW	03-05-043
388-530-1300	PREP	03-11-086
388-530-1300	AMD-P	03-20-075
388-530-1850	PREP	03-14-078
388-531	PREP	03-04-087
388-531	PREP	03-08-084
388-531	PREP	03-08-086
388-531	PREP-W	03-16-018
388-531-0050	AMD	03-06-049
388-531-0050	AMD-P	03-16-091
388-531-0050	AMD	03-19-081
388-531-1650	AMD-P	03-16-091
388-531-1650	AMD	03-19-081
388-532	PREP	03-08-086
388-532-001	NEW-P	03-12-067
388-532-001	NEW-S	03-18-108
388-532-050	AMD-P	03-12-067
388-532-050	AMD-S	03-18-108
388-532-100	AMD-P	03-12-067
388-532-100	AMD-S	03-18-108
388-532-110	NEW-P	03-12-067
388-532-110	NEW-S	03-18-108
388-532-120	NEW-P	03-12-067
388-532-120	NEW-S	03-18-108
388-532-130	NEW-P	03-12-067
388-532-130	NEW-S	03-18-108
388-532-140	NEW-P	03-12-067
388-532-140	NEW-S	03-18-108
388-532-500	NEW-P	03-12-067
388-532-500	NEW-S	03-18-108
388-532-510	NEW-P	03-12-067
388-532-510	NEW-S	03-18-108
388-532-520	NEW-P	03-12-067
388-532-520	NEW-S	03-18-108
388-532-530	NEW-P	03-12-067
388-532-530	NEW-S	03-18-108
388-532-540	NEW-P	03-12-067
388-532-540	NEW-S	03-18-108
388-532-550	NEW-P	03-12-067
388-532-550	NEW-S	03-18-108
388-533	PREP	03-08-086
388-533	PREP	03-11-085
388-533	PREP	03-15-124
388-533-1000	AMD-P	03-14-101
388-533-1000	AMD	03-19-010
388-534	PREP	03-08-086
388-535	PREP	03-08-086
388-535	PREP	03-12-054
388-535	PREP-W	03-15-051
388-535	PREP-W	03-16-090
388-535-1050	AMD-P	03-15-127
388-535-1050	AMD-E	03-16-046
388-535-1050	PREP-W	03-16-090
388-535-1050	AMD	03-19-077
388-535-1060	AMD-P	03-15-127
388-535-1060	AMD-E	03-16-046
388-535-1060	AMD	03-19-077
388-535-1065	NEW-P	03-15-127
388-535-1065	NEW-E	03-16-046
388-535-1065	NEW	03-19-077
388-535-1070	AMD-P	03-15-127
388-535-1070	AMD-E	03-16-046
388-535-1070	PREP-W	03-16-090
388-535-1070	AMD	03-19-077
388-535-1080	AMD-P	03-15-128
388-535-1080	AMD-E	03-16-046
388-535-1080	PREP-W	03-16-090
388-535-1080	AMD	03-19-078
388-535-1100	AMD-P	03-15-128
388-535-1100	AMD-E	03-16-046
388-535-1100	PREP-W	03-16-090
388-535-1100	AMD	03-19-078
388-535-1120	REP-P	03-15-138
388-535-1120	REP-E	03-16-046
388-535-1120	REP	03-19-080
388-535-1200	AMD-P	03-15-128
388-535-1200	AMD-E	03-16-046
388-535-1200	PREP-W	03-16-090
388-535-1200	AMD	03-19-078
388-535-1220	AMD-P	03-15-128
388-535-1220	AMD-E	03-16-046
388-535-1220	AMD	03-19-078
388-535-1230	AMD-P	03-15-128
388-535-1230	AMD-E	03-16-046
388-535-1230	PREP-W	03-16-090
388-535-1230	AMD	03-19-078
388-535-1240	AMD-P	03-15-129
388-535-1240	AMD-E	03-16-046
388-535-1240	PREP-W	03-16-090
388-535-1240	AMD	03-19-079
388-535-1255	NEW-P	03-15-129
388-535-1255	NEW-E	03-16-046
388-535-1255	NEW	03-19-079
388-535-1265	NEW-P	03-15-129
388-535-1265	NEW-E	03-16-046
388-535-1265	NEW	03-19-079
388-535-1270	NEW-P	03-15-138
388-535-1270	NEW-E	03-16-046
388-535-1270	NEW	03-19-080
388-535-1280	NEW-P	03-15-138
388-535-1280	NEW-E	03-16-046
388-535-1280	NEW	03-19-080
388-535-1290	NEW-P	03-15-138
388-535-1290	NEW-E	03-16-046
388-535-1290	NEW	03-19-080
388-535-1350	AMD-P	03-15-138
388-535-1350	AMD-E	03-16-046
388-535-1350	AMD	03-19-080
388-535-1400	AMD-P	03-15-138
388-535-1400	AMD-E	03-16-046
388-535-1400	AMD	03-19-080
388-535-1450	AMD-P	03-15-138
388-535-1450	AMD-E	03-16-046
388-535-1450	PREP-W	03-16-090
388-535-1450	AMD	03-19-080
388-535A	PREP	03-08-086
388-535A	PREP	03-20-102
388-535A-0050	AMD-E	03-21-038
388-535A-0060	AMD-E	03-21-038
388-537	PREP	03-08-086
388-538	PREP	03-08-086
388-538	PREP	03-10-086
388-538-050	AMD-P	03-14-064
388-538-050	AMD	03-18-109
388-538-060	AMD-P	03-14-064
388-538-060	PREP	03-16-020
388-538-060	AMD	03-18-109
388-538-067	AMD-P	03-14-067
388-538-067	AMD	03-18-112
388-538-070	AMD-P	03-14-064
388-538-070	AMD	03-18-109
388-538-080	REP-P	03-14-064
388-538-080	REP	03-18-109
388-538-095	AMD-P	03-14-064
388-538-095	AMD	03-18-109
388-538-100	AMD-P	03-14-065
388-538-100	AMD	03-18-110
388-538-110	AMD-P	03-14-065
388-538-110	AMD	03-18-110

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388-538-111	NEW-P	03-14-065
388-538-111	NEW	03-18-110
388-538-112	NEW-P	03-14-065
388-538-112	NEW	03-18-110
388-538-112	PREP	03-21-151
388-538-130	AMD-P	03-14-066
388-538-130	AMD	03-18-111
388-538-140	AMD-P	03-14-066
388-538-140	AMD	03-18-111
388-539	PREP	03-08-086
388-540	PREP	03-08-086
388-540	AMD-P	03-14-103
388-540	AMD	03-21-039
388-540-001	AMD-P	03-14-103
388-540-001	AMD	03-21-039
388-540-005	AMD-P	03-14-103
388-540-005	AMD	03-21-039
388-540-010	REP-P	03-14-103
388-540-010	REP	03-21-039
388-540-015	NEW-P	03-14-103
388-540-015	NEW	03-21-039
388-540-020	REP-P	03-14-103
388-540-020	REP	03-21-039
388-540-025	NEW-P	03-14-103
388-540-025	NEW	03-21-039
388-540-030	REP-P	03-14-103
388-540-030	REP	03-21-039
388-540-035	NEW-P	03-14-103
388-540-035	NEW	03-21-039
388-540-040	REP-P	03-14-103
388-540-040	REP	03-21-039
388-540-045	NEW-P	03-14-103
388-540-045	NEW	03-21-039
388-540-050	REP-P	03-14-103
388-540-050	REP	03-21-039
388-540-055	NEW-P	03-14-103
388-540-055	NEW	03-21-039
388-540-060	REP-P	03-14-103
388-540-060	REP	03-21-039
388-540-065	NEW-P	03-14-103
388-540-065	NEW	03-21-039
388-540-101	NEW-P	03-14-103
388-540-101	NEW	03-21-039
388-540-105	NEW-P	03-14-103
388-540-105	NEW	03-21-039
388-540-110	NEW-P	03-14-103
388-540-110	NEW	03-21-039
388-540-120	NEW-P	03-14-103
388-540-120	NEW	03-21-039
388-540-130	NEW-P	03-14-103
388-540-130	NEW	03-21-039
388-540-140	NEW-P	03-14-103
388-540-140	NEW	03-21-039
388-540-150	NEW-P	03-14-103
388-540-150	NEW	03-21-039
388-540-160	NEW-P	03-14-103
388-540-160	NEW	03-21-039
388-540-170	NEW-P	03-14-103
388-540-170	NEW	03-21-039
388-540-180	NEW-P	03-14-103
388-540-180	NEW	03-21-039
388-540-190	NEW-P	03-14-103
388-540-190	NEW	03-21-039
388-540-200	NEW-P	03-14-103
388-540-200	NEW	03-21-039
388-540-210	NEW-P	03-14-103
388-540-210	NEW	03-21-039
388-542	PREP	03-08-086
388-542-0100	AMD-X	03-19-067
388-542-0125	AMD-X	03-19-067
388-542-0500	AMD-X	03-19-067
388-543	PREP	03-08-086
388-543-1100	AMD-X	03-05-054
388-543-1100	AMD	03-12-005
388-543-1150	AMD-P	03-16-092
388-543-1150	AMD	03-19-082
388-543-1225	NEW	03-05-051
388-543-2100	AMD-P	03-16-093
388-543-2100	AMD	03-19-083
388-543-2500	AMD-P	03-16-093
388-543-2500	AMD	03-19-083
388-543-2900	AMD-P	03-16-093
388-543-2900	AMD	03-19-083
388-544	PREP	03-08-086
388-544	PREP	03-12-054
388-544	PREP-W	03-15-051
388-545	PREP	03-08-086
388-546	PREP	03-04-087
388-546	PREP	03-08-023
388-546	PREP	03-08-086
388-550	PREP	03-08-086
388-550	PREP	03-10-050
388-550-1050	AMD-P	03-14-102
388-550-1050	AMD	03-19-043
388-550-1300	PREP	03-10-050
388-550-1300	AMD-P	03-15-130
388-550-1300	AMD	03-19-044
388-550-1350	NEW-P	03-15-130
388-550-1350	NEW	03-19-044
388-550-1400	PREP	03-10-050
388-550-1400	AMD-P	03-15-131
388-550-1400	AMD	03-19-045
388-550-1500	PREP	03-10-050
388-550-1500	AMD-P	03-15-132
388-550-1500	AMD	03-19-046
388-550-2501	AMD	03-06-047
388-550-2511	AMD	03-06-047
388-550-2521	AMD	03-06-047
388-550-2531	AMD	03-06-047
388-550-2541	AMD	03-06-047
388-550-2551	AMD	03-06-047
388-550-2561	AMD	03-06-047
388-550-2800	PREP	03-04-087
388-550-3381	AMD	03-06-047
388-550-3401	REP	03-06-047
388-550-3700	AMD-P	03-09-118
388-550-3700	AMD	03-13-053
388-550-4500	AMD-P	03-06-111
388-550-4500	AMD	03-13-055
388-550-4800	PREP	03-04-087
388-550-4800	PREP	03-13-089
388-550-4900	AMD-P	03-06-111
388-550-4900	AMD	03-13-055
388-550-5000	AMD-P	03-06-111
388-550-5000	AMD	03-13-055
388-550-5100	AMD-P	03-06-111
388-550-5100	AMD	03-13-055
388-550-5150	AMD-P	03-06-111
388-550-5150	AMD	03-13-055
388-550-5200	AMD-P	03-06-111
388-550-5200	AMD	03-13-055
388-550-5400	AMD-P	03-06-111
388-550-5400	AMD	03-13-055
388-550-5450	PREP	03-04-087
388-550-5600	AMD-P	03-06-111
388-550-5600	AMD	03-13-055
388-550-6000	PREP	03-04-087
388-550-6000	PREP	03-10-050
388-550-6000	AMD-P	03-15-130
388-550-6000	PREP-W	03-16-018
388-550-6000	AMD	03-19-044
388-550-6100	AMD-P	03-14-102
388-550-6100	AMD	03-19-043
388-550-6150	AMD-P	03-14-102
388-550-6150	AMD	03-19-043
388-550-6200	AMD-P	03-14-102
388-550-6200	AMD	03-19-043
388-550-6400	AMD-P	03-14-102
388-550-6400	AMD	03-19-043
388-550-6800	NEW-P	03-06-111
388-550-6800	NEW	03-13-055
388-550-6900	NEW-P	03-06-111
388-550-6900	NEW	03-13-055
388-551	PREP	03-08-086
388-552	PREP	03-08-086
388-555	PREP	03-08-086
388-556	PREP	03-08-086
388-557-5000	NEW-P	03-09-119
388-557-5000	NEW	03-13-054
388-557-5050	NEW-P	03-09-119
388-557-5050	NEW	03-13-054
388-557-5100	NEW-P	03-09-119
388-557-5100	NEW	03-13-054
388-557-5150	NEW-P	03-09-119
388-557-5150	NEW	03-13-054
388-557-5200	NEW-P	03-09-119
388-557-5200	NEW	03-13-054
388-557-5250	NEW-P	03-09-119
388-557-5250	NEW	03-13-054
388-557-5300	NEW-P	03-09-119
388-557-5300	NEW	03-13-054
388-561	PREP	03-08-086
388-561-0001	AMD	03-06-048
388-561-0100	AMD-P	03-09-117
388-561-0100	AMD	03-13-113
388-561-0100	AMD-W	03-15-066
388-720-0020	PREP	03-18-099
388-720-0020	AMD-P	03-23-020
388-730-0010	AMD	03-03-070
388-730-0060	AMD	03-03-070
388-730-0065	AMD	03-03-070
388-730-0070	AMD	03-03-070
388-730-0090	AMD	03-03-070
388-805-005	AMD-E	03-06-059
388-805-005	AMD-P	03-12-066
388-805-005	AMD-E	03-14-076

WAC #	ACTION	WSR #
388-805-005	AMD	03-20-020
388-805-010	AMD-P	03-12-066
388-805-010	AMD	03-20-020
388-805-015	AMD-P	03-12-066
388-805-015	AMD	03-20-020
388-805-030	AMD-E	03-06-059
388-805-030	AMD-P	03-12-066
388-805-030	AMD-E	03-14-076
388-805-030	AMD	03-20-020
388-805-035	NEW-E	03-06-059
388-805-035	NEW-P	03-12-066
388-805-035	NEW-E	03-14-076
388-805-035	NEW	03-20-020
388-805-040	NEW-E	03-06-059
388-805-040	NEW-P	03-12-066
388-805-040	NEW-E	03-14-076
388-805-040	NEW	03-20-020
388-805-065	AMD-E	03-06-059
388-805-065	AMD-P	03-12-066
388-805-065	AMD-E	03-14-076
388-805-065	AMD	03-20-020
388-805-075	AMD-P	03-12-066
388-805-075	AMD	03-20-020
388-805-085	AMD-P	03-12-066
388-805-085	AMD	03-20-020
388-805-090	AMD-P	03-12-066
388-805-090	AMD	03-20-020
388-805-100	AMD-P	03-12-066
388-805-100	AMD	03-20-020
388-805-120	AMD-P	03-12-066
388-805-120	AMD	03-20-020
388-805-130	AMD-P	03-12-066
388-805-130	AMD	03-20-020
388-805-140	AMD-P	03-12-066
388-805-140	AMD	03-20-020
388-805-145	AMD-E	03-06-059
388-805-145	AMD-P	03-12-066
388-805-145	AMD-E	03-14-076
388-805-145	AMD	03-20-020
388-805-150	AMD-P	03-12-066
388-805-150	AMD	03-20-020
388-805-205	AMD-E	03-06-059
388-805-205	AMD-P	03-12-066
388-805-205	AMD-E	03-14-076
388-805-205	AMD	03-20-020
388-805-210	AMD-P	03-12-066
388-805-210	AMD	03-20-020
388-805-220	AMD-P	03-12-066
388-805-220	AMD	03-20-020
388-805-250	AMD-P	03-12-066
388-805-250	AMD	03-20-020
388-805-300	AMD-E	03-06-059
388-805-300	AMD-P	03-12-066
388-805-300	AMD-E	03-14-076
388-805-300	AMD	03-20-020
388-805-305	AMD-P	03-12-066
388-805-305	AMD	03-20-020
388-805-310	AMD-P	03-12-066
388-805-310	AMD	03-20-020
388-805-315	AMD-P	03-12-066
388-805-315	AMD	03-20-020
388-805-320	AMD-P	03-12-066
388-805-320	AMD	03-20-020
388-805-325	AMD-P	03-12-066
388-805-325	AMD	03-20-020
388-805-350	AMD-P	03-12-066
388-805-350	AMD	03-20-020
388-805-400	AMD-P	03-12-066
388-805-400	AMD	03-20-020
388-805-410	AMD-P	03-12-066
388-805-410	AMD	03-20-020
388-805-500	AMD-P	03-12-066
388-805-500	AMD	03-20-020
388-805-520	AMD-P	03-12-066
388-805-520	AMD	03-20-020
388-805-530	AMD-P	03-12-066
388-805-530	AMD	03-20-020
388-805-540	AMD-P	03-12-066
388-805-540	AMD	03-20-020
388-805-550	AMD-P	03-12-066
388-805-550	AMD	03-20-020
388-805-600	AMD-P	03-12-066
388-805-600	AMD	03-20-020
388-805-610	AMD-P	03-12-066
388-805-610	AMD	03-20-020
388-805-625	NEW-P	03-12-066
388-805-625	NEW	03-20-020
388-805-700	AMD-P	03-12-066
388-805-700	AMD	03-20-020
388-805-710	AMD-E	03-06-059
388-805-710	AMD-P	03-12-066
388-805-710	AMD-E	03-14-076
388-805-710	AMD	03-20-020
388-805-715	NEW-P	03-12-066
388-805-715	NEW	03-20-020
388-805-720	AMD-E	03-06-059
388-805-720	AMD-P	03-12-066
388-805-720	AMD-E	03-14-076
388-805-720	AMD	03-20-020
388-805-730	AMD-E	03-06-059
388-805-730	AMD-P	03-12-066
388-805-730	AMD-E	03-14-076
388-805-730	AMD	03-20-020
388-805-740	AMD-E	03-06-059
388-805-740	AMD-P	03-12-066
388-805-740	AMD-E	03-14-076
388-805-740	AMD	03-20-020
388-805-750	AMD-E	03-06-059
388-805-750	AMD-P	03-12-066
388-805-750	AMD-E	03-14-076
388-805-750	AMD	03-20-020
388-805-800	AMD-P	03-12-066
388-805-800	AMD	03-20-020
388-805-810	AMD-P	03-12-066
388-805-810	AMD	03-20-020
388-805-820	AMD-P	03-12-066
388-805-820	AMD	03-20-020
388-805-850	AMD-P	03-12-066
388-805-850	AMD	03-20-020
388-805-900	REP-P	03-12-066
388-805-900	REP	03-20-020
388-805-905	REP-P	03-12-066
388-805-905	REP	03-20-020
388-805-910	REP-P	03-12-066
388-805-910	REP	03-20-020
388-805-915	REP-P	03-12-066
388-805-915	REP	03-20-020
388-805-920	REP-P	03-12-066
388-805-920	REP	03-20-020
388-805-925	REP-P	03-12-066
388-805-925	REP	03-20-020
388-805-930	REP-P	03-12-066
388-805-930	REP	03-20-020
388-805-935	REP-P	03-12-066
388-805-935	REP	03-20-020
388-818-001	REP	03-05-100
388-818-0010	NEW	03-05-100
388-818-002	REP	03-05-100
388-818-0020	NEW	03-05-100
388-818-003	REP	03-05-100
388-818-0030	NEW	03-05-100
388-818-0040	NEW	03-05-100
388-818-005	REP	03-05-100
388-818-0050	NEW	03-05-100
388-818-0060	NEW	03-05-100
388-818-0070	NEW	03-05-100
388-818-0080	NEW	03-05-100
388-818-0090	NEW	03-05-100
388-818-010	REP	03-05-100
388-818-0100	NEW	03-05-100
388-818-0110	NEW	03-05-100
388-818-0120	NEW	03-05-100
388-818-0130	NEW	03-05-100
388-818-0140	NEW	03-05-100
388-818-0150	NEW	03-05-100
388-818-0160	NEW	03-05-100
388-818-0170	NEW	03-05-100
388-818-0180	NEW	03-05-100
388-818-0190	NEW	03-05-100
388-818-020	REP	03-05-100
388-818-0200	NEW	03-05-100
388-818-0210	NEW	03-05-100
388-818-0220	NEW	03-05-100
388-818-0230	NEW	03-05-100
388-818-0240	NEW	03-05-100
388-818-0250	NEW	03-05-100
388-818-0260	NEW	03-05-100
388-818-0270	NEW	03-05-100
388-818-0280	NEW	03-05-100
388-818-0290	NEW	03-05-100
388-818-030	REP	03-05-100
388-818-0300	NEW	03-05-100
388-818-0310	NEW	03-05-100
388-818-0320	NEW	03-05-100
388-818-0330	NEW	03-05-100
388-818-0340	NEW	03-05-100
388-818-0350	NEW	03-05-100
388-818-0360	NEW	03-05-100
388-818-0370	NEW	03-05-100
388-818-0380	NEW	03-05-100
388-818-0390	NEW	03-05-100
388-818-040	REP	03-05-100
388-818-0400	NEW	03-05-100
388-818-050	REP	03-05-100
388-818-060	REP	03-05-100
388-818-070	REP	03-05-100

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388-818-080	REP	03-05-100
388-818-090	REP	03-05-100
388-818-110	REP	03-05-100
388-818-130	REP	03-05-100
388-820	PREP	03-20-103
388-820-020	AMD-E	03-03-115
388-820-020	AMD-E	03-10-026
388-820-020	AMD-E	03-18-030
388-820-020	AMD-P	03-21-033
388-820-030	AMD-P	03-21-033
388-820-050	AMD-P	03-21-033
388-820-056	NEW-P	03-21-033
388-820-060	AMD-E	03-03-115
388-820-060	AMD-E	03-10-026
388-820-060	AMD-E	03-18-030
388-820-060	AMD-P	03-21-033
388-820-070	AMD-P	03-21-033
388-820-076	NEW-P	03-21-033
388-820-086	NEW-P	03-21-033
388-820-090	AMD-P	03-21-033
388-820-100	AMD-P	03-21-033
388-820-120	AMD-E	03-03-115
388-820-120	AMD-E	03-10-026
388-820-120	AMD-E	03-18-030
388-820-120	AMD-P	03-21-033
388-820-230	AMD-P	03-21-033
388-820-260	AMD-P	03-21-033
388-820-290	AMD-P	03-21-033
388-820-300	AMD-P	03-21-033
388-820-310	AMD-P	03-21-033
388-820-320	AMD-P	03-21-033
388-820-330	AMD-P	03-21-033
388-820-340	AMD-P	03-21-033
388-820-350	AMD-P	03-21-033
388-820-400	AMD-P	03-21-033
388-820-405	NEW-P	03-21-033
388-820-410	AMD-P	03-21-033
388-820-550	AMD-P	03-21-033
388-820-555	NEW-P	03-21-033
388-820-560	AMD-P	03-21-033
388-820-600	AMD-P	03-21-033
388-820-650	AMD-P	03-21-033
388-820-690	AMD-P	03-21-033
388-825	PREP	03-18-028
388-825	PREP	03-20-103
388-825-020	AMD-E	03-03-115
388-825-020	AMD-E	03-10-027
388-825-020	AMD-E	03-18-029
388-825-020	AMD-P	03-21-156
388-825-055	AMD-E	03-03-115
388-825-055	AMD-E	03-10-027
388-825-055	AMD-E	03-18-029
388-825-055	AMD-P	03-21-156
388-825-060	NEW-E	03-18-029
388-825-060	NEW-P	03-21-156
388-825-064	NEW-E	03-18-029
388-825-064	NEW-P	03-21-156
388-825-070	NEW-E	03-18-029
388-825-070	NEW-P	03-21-156
388-825-075	NEW-E	03-18-029
388-825-075	NEW-P	03-21-156
388-825-076	NEW-P	03-21-156
388-825-077	NEW-P	03-21-156
388-825-078	NEW-P	03-21-156
388-825-079	NEW-P	03-21-156
388-825-081	NEW-P	03-21-156
388-825-082	NEW-P	03-21-156
388-825-090	NEW-P	03-21-156
388-825-095	NEW-P	03-21-156
388-825-100	AMD-E	03-03-115
388-825-100	AMD-E	03-10-027
388-825-100	AMD-E	03-18-029
388-825-100	AMD-P	03-21-156
388-825-120	AMD-E	03-03-115
388-825-120	AMD-E	03-10-027
388-825-120	AMD-E	03-18-029
388-825-120	AMD-P	03-21-156
388-825-180	AMD-E	03-03-115
388-825-180	AMD-E	03-10-027
388-825-180	AMD-E	03-18-029
388-825-205	AMD-E	03-03-115
388-825-205	AMD-E	03-10-027
388-825-205	AMD-E	03-18-029
388-825-205	AMD-P	03-21-156
388-825-252	AMD-E	03-03-115
388-825-252	AMD-E	03-10-027
388-825-252	AMD-E	03-18-029
388-825-252	AMD-P	03-21-156
388-825-254	AMD-E	03-03-115
388-825-254	AMD-E	03-10-027
388-825-254	AMD-E	03-18-029
388-825-254	AMD-P	03-21-156
388-825-500	NEW-E	03-03-115
388-825-500	NEW-E	03-10-027
388-825-505	NEW-E	03-03-115
388-825-505	NEW-E	03-10-027
388-825-510	NEW-E	03-03-115
388-825-510	NEW-E	03-10-027
388-825-515	NEW-E	03-03-115
388-825-515	NEW-E	03-10-027
388-825-520	NEW-E	03-03-115
388-825-520	NEW-E	03-10-027
388-825-525	NEW-E	03-03-115
388-825-525	NEW-E	03-10-027
388-825-530	NEW-E	03-03-115
388-825-530	NEW-E	03-10-027
388-825-535	NEW-E	03-03-115
388-825-535	NEW-E	03-10-027
388-825-540	NEW-E	03-03-115
388-825-540	NEW-E	03-10-027
388-825-545	NEW-E	03-03-115
388-825-545	NEW-E	03-10-027
388-825-546	NEW-E	03-03-115
388-825-546	NEW-E	03-10-027
388-825-550	NEW-E	03-03-115
388-825-550	NEW-E	03-10-027
388-825-555	NEW-E	03-03-115
388-825-555	NEW-E	03-10-027
388-825-560	NEW-E	03-03-115
388-825-560	NEW-E	03-10-027
388-825-565	NEW-E	03-03-115
388-825-570	NEW-E	03-03-115
388-825-570	NEW-E	03-10-027
388-825-571	NEW-E	03-03-115
388-825-571	NEW-E	03-10-027
388-825-575	NEW-E	03-03-115
388-825-575	NEW-E	03-10-027
388-825-576	NEW-E	03-03-115
388-825-576	NEW-E	03-10-027
388-825-580	NEW-E	03-03-115
388-825-580	NEW-E	03-10-027
388-825-585	NEW-E	03-03-115
388-825-585	NEW-E	03-10-027
388-825-590	NEW-E	03-03-115
388-825-590	NEW-E	03-10-027
388-825-591	NEW-E	03-03-115
388-825-591	NEW-E	03-10-027
388-825-592	NEW-E	03-03-115
388-825-592	NEW-E	03-10-027
388-825-600	NEW-E	03-03-115
388-825-600	NEW-E	03-10-027
388-827	PREP	03-18-026
388-827-0100	NEW-E	03-18-027
388-827-0100	NEW-P	03-22-056
388-827-0105	NEW-E	03-18-027
388-827-0105	NEW-P	03-22-056
388-827-0110	NEW-E	03-18-027
388-827-0110	NEW-P	03-22-056
388-827-0115	NEW-E	03-18-027
388-827-0115	NEW-P	03-22-056
388-827-0120	NEW-E	03-18-027
388-827-0120	NEW-P	03-22-056
388-827-0125	NEW-E	03-18-027
388-827-0125	NEW-P	03-22-056
388-827-0130	NEW-E	03-18-027
388-827-0130	NEW-P	03-22-056
388-827-0131	NEW-E	03-18-027
388-827-0131	NEW-P	03-22-056
388-827-0135	NEW-E	03-18-027
388-827-0135	NEW-P	03-22-056
388-827-0140	NEW-E	03-18-027
388-827-0140	NEW-P	03-22-056
388-827-0145	NEW-E	03-18-027
388-827-0145	NEW-P	03-22-056
388-827-0146	NEW-E	03-18-027
388-827-0146	NEW-P	03-22-056
388-827-0150	NEW-E	03-18-027
388-827-0150	NEW-P	03-22-056
388-827-0155	NEW-E	03-18-027
388-827-0155	NEW-P	03-22-056
388-827-0160	NEW-E	03-18-027
388-827-0160	NEW-P	03-22-056
388-827-0170	NEW-E	03-18-027
388-827-0170	NEW-P	03-22-056
388-827-0175	NEW-E	03-18-027
388-827-0175	NEW-P	03-22-056
388-827-0180	NEW-E	03-18-027
388-827-0180	NEW-P	03-22-056
388-827-0185	NEW-E	03-18-027
388-827-0185	NEW-P	03-22-056
388-827-0200	NEW-E	03-18-027
388-827-0200	NEW-P	03-22-056
388-827-0210	NEW-E	03-18-027
388-827-0210	NEW-P	03-22-056
388-827-0215	NEW-E	03-18-027
388-827-0215	NEW-P	03-22-056

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388-827-0400	NEW-E	03-18-027
388-827-0400	NEW-P	03-22-056
388-827-0410	NEW-E	03-18-027
388-827-0410	NEW-P	03-22-056
388-827-0420	NEW-E	03-18-027
388-827-0420	NEW-P	03-22-056
388-850-035	AMD-E	03-03-115
388-850-035	AMD-E	03-10-027
388-850-035	AMD-E	03-18-029
388-850-035	AMD-P	03-21-156
388-850-045	AMD-E	03-03-115
388-850-045	AMD-E	03-10-027
388-850-045	AMD-E	03-18-029
388-850-045	AMD-P	03-21-156
388-865-0100	PREP	03-08-077
388-865-0105	PREP	03-08-077
388-865-0110	PREP	03-08-077
388-865-0115	PREP	03-08-077
388-865-0120	PREP	03-08-077
388-865-0150	PREP	03-08-077
388-865-0150	AMD-P	03-19-096
388-865-0200	PREP	03-08-077
388-865-0201	PREP	03-08-077
388-865-0203	PREP	03-08-077
388-865-0205	PREP	03-08-077
388-865-0210	PREP	03-08-077
388-865-0215	PREP	03-08-077
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388-865-0217	NEW-E	03-19-009
388-865-0217	NEW-P	03-19-096
388-865-0220	PREP	03-08-077
388-865-0221	PREP	03-08-077
388-865-0222	PREP	03-08-077
388-865-0225	PREP	03-08-077
388-865-0229	PREP	03-08-077
388-865-0230	PREP	03-08-077
388-865-0235	PREP	03-08-077
388-865-0240	PREP	03-08-077
388-865-0245	PREP	03-08-077
388-865-0250	PREP	03-08-077
388-865-0255	PREP	03-08-077
388-865-0260	PREP	03-08-077
388-865-0265	PREP	03-08-077
388-865-0270	PREP	03-08-077
388-865-0275	PREP	03-08-077
388-865-0280	PREP	03-08-077
388-865-0282	PREP	03-08-077
388-865-0284	PREP	03-08-077
388-865-0286	PREP	03-08-077
388-865-0288	PREP	03-08-077
388-865-0300	PREP	03-08-077
388-865-0305	PREP	03-08-077
388-865-0310	PREP	03-08-077
388-865-0315	PREP	03-08-077
388-865-0320	PREP	03-08-077
388-865-0325	PREP	03-08-077
388-865-0330	PREP	03-08-077
388-865-0335	PREP	03-08-077
388-865-0340	PREP	03-08-077
388-865-0345	PREP	03-08-077
388-865-0350	PREP	03-08-077
388-865-0355	PREP	03-08-077
388-865-0360	PREP	03-08-077
388-865-0363	PREP	03-08-077
388-865-0365	PREP	03-08-077
388-865-0400	PREP	03-08-077
388-865-0400	PREP	03-17-062
388-865-0405	PREP	03-08-077
388-865-0410	PREP	03-08-077
388-865-0415	PREP	03-08-077
388-865-0420	PREP	03-08-077
388-865-0425	PREP	03-08-077
388-865-0430	PREP	03-08-077
388-865-0435	PREP	03-08-077
388-865-0436	PREP	03-08-077
388-865-0440	PREP	03-08-077
388-865-0445	PREP	03-08-077
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388-865-0452	PREP	03-08-077
388-865-0454	PREP	03-08-077
388-865-0456	PREP	03-08-077
388-865-0458	PREP	03-08-077
388-865-0460	PREP	03-08-077
388-865-0462	PREP	03-08-077
388-865-0464	PREP	03-08-077
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388-865-0466	PREP	03-08-077
388-865-0468	PREP	03-08-077
388-865-0470	PREP	03-08-077
388-865-0472	PREP	03-08-077
388-865-0474	PREP	03-08-077
388-865-0476	PREP	03-08-077
388-865-0478	PREP	03-08-077
388-865-0480	PREP	03-08-077
388-865-0482	PREP	03-08-077
388-865-0484	PREP	03-08-077
388-865-0500	PREP	03-07-041
388-865-0500	AMD-P	03-18-103
388-865-0501	PREP	03-07-041
388-865-0501	REP-P	03-18-103
388-865-0502	PREP	03-07-041
388-865-0502	REP-P	03-18-103
388-865-0504	PREP	03-07-041
388-865-0504	REP-P	03-18-103
388-865-0505	PREP	03-07-041
388-865-0505	REP-P	03-18-103
388-865-0510	PREP	03-07-041
388-865-0510	REP-P	03-18-103
388-865-0511	NEW-P	03-18-103
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388-865-0525	PREP	03-07-041
388-865-0526	NEW-P	03-18-103
388-865-0530	PREP	03-07-041
388-865-0530	REP-P	03-18-103
388-865-0531	NEW-P	03-18-103
388-865-0535	PREP	03-07-041
388-865-0535	REP-P	03-18-103
388-865-0536	NEW-P	03-18-103
388-865-0540	PREP	03-07-041
388-865-0540	REP-P	03-18-103
388-865-0541	NEW-P	03-18-103
388-865-0545	PREP	03-07-041
388-865-0545	REP-P	03-18-103
388-865-0546	PREP	03-07-041
388-865-0546	REP-P	03-18-103
388-865-0547	NEW-P	03-18-103
388-865-0550	PREP	03-07-041
388-865-0550	REP-P	03-18-103
388-865-0551	NEW-P	03-18-103
388-865-0555	PREP	03-07-041
388-865-0555	REP-P	03-18-103
388-865-0557	PREP	03-07-041
388-865-0557	REP-P	03-18-103
388-865-0560	PREP	03-07-041
388-865-0560	REP-P	03-18-103
388-865-0561	NEW-P	03-18-103
388-865-0565	PREP	03-07-041
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388-880-010	AMD-E	03-12-003
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388-880-010	AMD-E	03-19-119
388-880-010	AMD	03-23-022
388-880-020	AMD-E	03-12-003
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388-880-020	AMD-E	03-19-119
388-880-020	AMD	03-23-022
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388-880-031	AMD-E	03-12-003
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388-880-036	NEW-E	03-12-003
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388-880-045	AMD-P	03-18-106
388-880-045	AMD-E	03-19-119
388-880-045	AMD	03-23-022
388-880-050	AMD-P	03-18-106
388-880-050	AMD	03-23-022
388-880-055	NEW-E	03-12-003
388-880-055	NEW-P	03-18-106
388-880-055	NEW-E	03-19-119
388-880-055	NEW	03-23-022
388-880-060	AMD-P	03-18-106
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388-891	PREP-W	03-14-057
388-892-0100	NEW-P	03-15-035
388-892-0100	NEW	03-19-075
388-892-0110	NEW-P	03-15-035
388-892-0110	NEW	03-19-075
388-892-0120	NEW-P	03-15-035
388-892-0120	NEW	03-19-075
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388-892-0140	NEW	03-19-075
388-892-0200	NEW-P	03-15-035
388-892-0200	NEW	03-19-075
388-892-0210	NEW-P	03-15-035
388-892-0210	NEW	03-19-075
388-892-0300	NEW-P	03-15-035
388-892-0300	NEW	03-19-075
388-892-0310	NEW-P	03-15-035
388-892-0310	NEW	03-19-075
388-892-0320	NEW-P	03-15-035
388-892-0320	NEW	03-19-075
388-892-0400	NEW-P	03-15-035
388-892-0400	NEW	03-19-075
388-892-0410	NEW-P	03-15-035
388-892-0410	NEW	03-19-075
388-892-0420	NEW-P	03-15-035
388-892-0420	NEW	03-19-075
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388-892-0510	NEW	03-19-075
388-892-0520	NEW-P	03-15-035
388-892-0520	NEW	03-19-075
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390- 17-100	AMD	03-08-052
390- 17-105	NEW-P	03-22-066
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390- 20-110	AMD-X	03-21-072
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390- 37	AMD	03-22-065
390- 37-001	NEW-P	03-19-053
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390- 37-010	AMD-P	03-19-053
390- 37-010	AMD	03-22-065
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390- 37-030	AMD	03-22-065
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390- 37-040	AMD	03-22-065
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390- 37-041	NEW	03-22-065
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390- 37-060	AMD	03-22-065
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390- 37-070	AMD-P	03-19-053
390- 37-070	AMD	03-22-065
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390- 37-090	AMD	03-22-065
390- 37-100	AMD-P	03-19-053
390- 37-100	AMD	03-22-065
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390- 37-103	NEW	03-22-065
390- 37-105	AMD-P	03-19-053
390- 37-105	AMD	03-22-065
390- 37-120	AMD-P	03-19-053
390- 37-120	AMD	03-22-065
390- 37-130	AMD-P	03-19-053
390- 37-130	AMD	03-22-065
390- 37-132	AMD-P	03-19-053
390- 37-132	AMD	03-22-065
390- 37-134	AMD-X	03-13-105
390- 37-134	AMD	03-18-003
390- 37-136	AMD-P	03-19-053
390- 37-136	AMD	03-22-065
390- 37-140	AMD-P	03-19-053
390- 37-140	AMD	03-22-065
390- 37-142	AMD-P	03-19-053
390- 37-142	AMD	03-22-065
390- 37-144	AMD-P	03-19-053
390- 37-144	AMD	03-22-065
390- 37-150	AMD-P	03-19-053
390- 37-150	AMD	03-22-065
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390- 37-155	NEW	03-22-065
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390- 37-160	NEW	03-22-065
390- 37-165	NEW-P	03-19-053
390- 37-165	NEW	03-22-065
390- 37-170	NEW-P	03-19-053
390- 37-170	NEW	03-22-065
390- 37-175	NEW-P	03-19-053
390- 37-175	NEW	03-22-065
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391- 08-630	AMD	03-03-064
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391- 25-011	AMD	03-03-064
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391- 25-011	REP	03-11-029
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391- 25-036	NEW	03-03-064
391- 25-037	NEW	03-03-064
391- 25-051	NEW	03-03-064
391- 25-076	NEW	03-03-064
391- 25-096	NEW	03-03-064
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391- 25-197	NEW	03-03-064
391- 25-210	AMD-P	03-07-093
391- 25-210	AMD	03-11-029
391- 25-216	NEW	03-03-064
391- 25-216	PREP	03-03-066
391- 25-216	REP-P	03-07-093
391- 25-216	REP	03-11-029
391- 25-217	NEW	03-03-064
391- 25-396	NEW	03-03-064
391- 25-416	NEW	03-03-064
391- 25-426	NEW-E	03-03-065
391- 25-426	PREP	03-03-066
391- 25-426	NEW-P	03-07-093
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391- 35-347	NEW	03-03-064
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392-121-574	NEW-P	03-21-141
392-121-576	NEW-P	03-21-141
392-121-578	NEW-P	03-21-141
392-139	PREP	03-05-093
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392-139-008	AMD	03-21-040
392-139-310	AMD-P	03-13-103
392-139-310	AMD	03-21-040
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392-139-350	NEW-P	03-13-103
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392-140-602	PREP	03-19-006
392-140-605	PREP	03-19-006
392-140-608	PREP	03-19-006
392-140-609	PREP	03-19-006
392-140-616	PREP	03-19-006
392-140-626	PREP	03-19-006
392-140-630	PREP	03-19-006
392-140-640	PREP	03-19-006
392-140-643	PREP	03-19-006
392-140-646	PREP	03-19-006
392-140-650	PREP	03-19-006
392-140-653	PREP	03-19-006
392-140-656	PREP	03-19-006
392-140-660	PREP	03-19-006
392-140-675	PREP	03-19-006
392-140-685	PREP	03-19-006
392-140-908	AMD	03-03-001
392-140-908	AMD-W	03-07-070
392-140-912	AMD	03-03-001
392-140-912	AMD-W	03-07-070
392-140-970	PREP	03-14-039
392-140-971	PREP	03-14-039
392-140-972	PREP	03-14-039
392-140-973	PREP	03-14-039
392-140-974	PREP	03-14-039
392-140-974	AMD-P	03-17-059
392-140-974	AMD	03-21-100
392-142	PREP	03-03-033
392-142	PREP	03-18-094
392-142-010	AMD-P	03-09-050
392-142-010	AMD	03-13-049
392-142-090	REP-P	03-09-050
392-142-090	REP	03-13-049
392-142-120	REP-P	03-09-050
392-142-120	REP	03-13-049
392-142-125	AMD-P	03-09-050
392-142-125	AMD	03-13-049
392-142-140	REP-P	03-09-050
392-142-140	REP	03-13-049
392-142-145	AMD-P	03-09-050
392-142-145	AMD	03-13-049
392-142-150	REP-P	03-09-050
392-142-150	REP	03-13-049
392-142-155	AMD-P	03-09-050
392-142-155	AMD	03-13-049
392-142-165	AMD-P	03-09-050
392-142-165	AMD	03-13-049
392-142-170	REP-P	03-09-050
392-142-170	REP	03-13-049
392-142-180	AMD-P	03-09-050
392-142-180	AMD	03-13-049
392-142-185	AMD-P	03-09-050
392-142-185	AMD	03-13-049
392-142-190	AMD-P	03-09-050
392-142-190	AMD	03-13-049
392-142-195	AMD-P	03-09-050
392-142-195	AMD	03-13-049
392-142-200	REP-P	03-09-050
392-142-200	REP	03-13-049
392-142-212	AMD-P	03-09-050
392-142-212	AMD	03-13-049
392-142-213	AMD-P	03-09-050
392-142-213	AMD	03-13-049
392-142-225	AMD-P	03-09-050
392-142-225	AMD	03-13-049
392-142-230	REP-P	03-09-050
392-142-230	REP	03-13-049
392-142-235	REP-P	03-09-050
392-142-235	REP	03-13-049
392-142-240	AMD-P	03-09-050
392-142-240	AMD	03-13-049
392-142-245	AMD-P	03-09-050
392-142-245	AMD	03-13-049
392-142-250	AMD-P	03-09-050
392-142-250	AMD	03-13-049
392-142-255	AMD-P	03-09-050
392-142-255	AMD	03-13-049
392-142-260	AMD-P	03-09-050
392-142-260	AMD	03-13-049
392-142-270	AMD-P	03-09-050
392-142-270	AMD	03-13-049
392-143	PREP	03-03-034
415- 02	PREP	03-04-017
415- 02-140	NEW	03-06-043
415- 02-140	PREP	03-16-050
415- 02-150	PREP	03-16-086
415- 02-310	NEW	03-06-044
415- 02-345	NEW-P	03-21-098
415- 02-350	NEW	03-06-044
415- 02-370	NEW-E	03-10-007
415- 02-370	NEW-P	03-11-043
415- 02-370	NEW	03-15-006
415- 02-380	AMD-P	03-05-042
415- 02-380	AMD	03-12-014
415- 02-380	PREP	03-13-026
415- 02-500	NEW-P	03-05-042
415- 02-500	NEW	03-12-014
415- 02-500	PREP	03-13-026
415- 02-510	NEW-P	03-05-042
415- 02-510	NEW	03-12-014
415- 02-510	PREP	03-13-026
415- 02-520	NEW-P	03-05-042
415- 02-520	NEW	03-12-014
415- 02-520	PREP	03-13-026
415- 02-520	AMD-P	03-21-097
415- 02-530	NEW-P	03-05-042
415- 02-530	NEW	03-12-014
415- 02-530	PREP	03-13-026
415- 02-540	NEW-P	03-05-042
415- 02-540	NEW	03-12-014
415- 02-540	PREP	03-13-026
415- 02-540	AMD-P	03-21-097
415- 02-550	NEW-P	03-05-042
415- 02-550	NEW	03-12-014
415- 02-550	PREP	03-13-026
415- 02-700	NEW-P	03-13-101
415- 02-700	NEW	03-18-031
415- 02-710	NEW-P	03-21-096
415- 04-040	PREP	03-22-070
415- 06-100	AMD-P	03-21-099
415- 10	PREP	03-04-017
415- 10-020	AMD-E	03-10-007
415- 10-020	AMD-P	03-11-043
415- 10-020	AMD	03-15-006
415- 10-030	AMD-E	03-10-007
415- 10-030	AMD-P	03-11-043
415- 10-030	AMD	03-15-006
415- 10-040	AMD-E	03-10-007
415- 10-040	AMD-P	03-11-043
415- 10-040	AMD	03-15-006
415-103	PREP	03-07-063
415-104	PREP	03-07-063
415-104-202	NEW-P	03-05-042
415-104-202	NEW	03-12-014
415-104-202	PREP	03-13-026
415-104-211	AMD-P	03-05-042
415-104-211	AMD	03-12-014
415-104-211	PREP	03-13-026
415-104-215	AMD-P	03-05-042
415-104-215	AMD	03-12-014
415-104-215	PREP	03-13-026
415-104-245	AMD-P	03-23-053
415-104-299	AMD	03-06-042
415-104-3402	AMD	03-06-042
415-104-385	AMD	03-06-042
415-108	PREP	03-07-063
415-108	PREP	03-18-012
415-108-425	AMD-P	03-11-044
415-108-425	AMD	03-15-007
415-108-443	AMD	03-06-042
415-108-475	AMD	03-06-042

WAC #	ACTION	WSR #
415-108-550	AMD-P	03-05-041
415-108-550	AMD	03-08-090
415-108-560	AMD-P	03-05-041
415-108-560	AMD	03-08-090
415-108-575	NEW-P	03-05-041
415-108-575	NEW	03-08-090
415-110-443	AMD	03-06-042
415-110-475	AMD	03-06-042
415-110-575	NEW-P	03-05-041
415-110-575	NEW	03-08-090
415-111-220	AMD-P	03-23-054
415-111-310	AMD-P	03-16-095
415-111-310	AMD	03-19-120
415-111-450	REP-P	03-05-042
415-111-450	REP	03-12-014
415-112	PREP	03-18-013
415-112-445	AMD	03-06-042
415-112-480	AMD	03-06-042
415-501-430	PREP	03-15-059
415-501-510	PREP	03-15-059
415-600-210	AMD-P	03-16-096
415-600-210	AMD	03-19-121
415-600-260	AMD-P	03-16-096
415-600-260	AMD	03-19-121
415-600-310	AMD-P	03-16-096
415-600-310	AMD	03-19-121
415-600-410	AMD-P	03-16-096
415-600-410	AMD	03-19-121
434- 12-005	NEW-P	03-22-075
434- 12-010	REP-E	03-15-084
434- 12-010	REP-E	03-23-127
434- 12-015	NEW-E	03-15-084
434- 12-015	NEW-E	03-23-127
434- 12-020	REP-E	03-15-084
434- 12-020	REP-E	03-23-127
434- 12-025	NEW-P	03-22-075
434- 12-030	REP-E	03-15-084
434- 12-030	REP-E	03-23-127
434- 12-040	REP-E	03-15-084
434- 12-040	REP-E	03-23-127
434- 12-050	REP-E	03-15-084
434- 12-050	REP-E	03-23-127
434- 12-060	REP-E	03-15-084
434- 12-060	REP-E	03-23-127
434- 12-070	REP-E	03-15-084
434- 12-070	REP-E	03-23-127
434- 12-080	REP-E	03-15-084
434- 12-080	REP-E	03-23-127
434- 12-090	REP-E	03-15-084
434- 12-090	REP-E	03-23-127
434- 12-100	REP-E	03-15-084
434- 12-100	REP-E	03-23-127
434- 12-110	REP-E	03-15-084
434- 12-110	REP-E	03-23-127
434- 12-120	REP-E	03-15-084
434- 12-120	REP-E	03-23-127
434- 12-130	REP-E	03-15-084
434- 12-130	REP-E	03-23-127
434- 12-140	REP-E	03-15-084
434- 12-140	REP-E	03-23-127
434- 12-150	REP-E	03-15-084
434- 12-150	REP-E	03-23-127
434- 12-160	REP-E	03-15-084
434- 12-160	REP-E	03-23-127
434- 12-170	REP-E	03-15-084
434- 12-170	REP-E	03-23-127
434- 12-180	REP-E	03-15-084
434- 12-180	REP-E	03-23-127
434- 12-200	REP-E	03-15-084
434- 12-200	REP-E	03-23-127
434- 12-210	REP-E	03-15-084
434- 12-210	REP-E	03-23-127
434- 12-220	REP-E	03-15-084
434- 12-220	REP-E	03-23-127
434- 12-230	REP-E	03-15-084
434- 12-230	REP-E	03-23-127
434-110-070	REP-P	03-22-075
434-110-080	REP-P	03-22-075
434-110-090	REP-P	03-22-075
434-110-100	AMD-P	03-22-075
434-112-010	NEW-P	03-22-075
434-112-020	NEW-P	03-22-075
434-112-025	NEW-P	03-22-075
434-112-030	NEW-P	03-22-075
434-112-040	NEW-P	03-22-075
434-112-045	NEW-P	03-22-075
434-112-050	NEW-P	03-22-075
434-112-065	NEW-P	03-22-075
434-112-070	NEW-P	03-22-075
434-112-075	NEW-P	03-22-075
434-112-080	NEW-P	03-22-075
434-112-085	NEW-P	03-22-075
434-112-090	NEW-P	03-22-075
434-112-095	NEW-P	03-22-075
434-120-015	REP-P	03-22-075
434-120-017	NEW-P	03-22-075
434-120-020	REP-P	03-22-075
434-120-025	AMD-P	03-22-075
434-120-040	AMD-P	03-22-075
434-120-045	NEW-P	03-22-075
434-120-050	NEW-P	03-22-075
434-120-103	AMD-P	03-22-075
434-120-105	AMD-P	03-22-075
434-120-110	NEW-P	03-22-075
434-120-145	AMD-P	03-22-075
434-120-155	REP-P	03-22-075
434-120-160	AMD-P	03-22-075
434-120-170	AMD-P	03-22-075
434-120-212	AMD-P	03-22-075
434-120-215	AMD-P	03-22-075
434-120-240	AMD-P	03-22-075
434-120-250	AMD-P	03-22-075
434-120-260	AMD-P	03-22-075
434-120-305	AMD-P	03-22-075
434-120-307	NEW-P	03-22-075
434-120-310	AMD-P	03-22-075
434-120-320	REP-P	03-22-075
434-120-330	AMD-P	03-22-075
434-120-345	NEW-P	03-22-075
434-120-355	NEW-P	03-22-075
434-120-360	NEW-P	03-22-075
434-130-020	REP-P	03-22-075
434-130-030	REP-P	03-22-075
434-135-020	REP-P	03-22-075
434-135-030	REP-P	03-22-075
434-135-070	REP-P	03-22-075
434-180-110	REP-P	03-22-075
434-208-010	PREP	03-07-086
434-208-100	NEW-P	03-10-055
434-208-100	NEW	03-15-054
434-209-040	REP-P	03-16-058
434-209-040	REP	03-23-094
434-209-050	AMD-P	03-16-058
434-209-050	AMD	03-23-094
434-209-060	AMD-P	03-16-058
434-209-060	AMD	03-23-094
434-209-080	AMD-P	03-16-058
434-209-080	AMD	03-23-094
434-219-010	REP-P	03-16-041
434-219-010	REP	03-23-093
434-219-020	AMD-P	03-16-041
434-219-020	AMD	03-23-093
434-219-030	REP-P	03-16-041
434-219-030	REP	03-23-093
434-219-040	REP-P	03-16-041
434-219-040	REP	03-23-093
434-219-080	AMD-P	03-16-041
434-219-080	AMD	03-23-093
434-219-100	AMD-P	03-16-041
434-219-100	AMD	03-23-093
434-219-130	REP-P	03-16-041
434-219-130	REP	03-23-093
434-219-150	AMD-P	03-16-041
434-219-150	AMD	03-23-093
434-219-160	AMD-P	03-16-041
434-219-160	AMD	03-23-093
434-219-170	AMD-P	03-16-041
434-219-170	AMD	03-23-093
434-219-180	AMD-P	03-16-041
434-219-180	AMD	03-23-093
434-219-185	AMD-P	03-16-041
434-219-185	AMD	03-23-093
434-219-210	AMD-P	03-16-041
434-219-210	AMD	03-23-093
434-219-220	AMD-P	03-16-041
434-219-220	AMD	03-23-093
434-219-230	AMD-P	03-16-041
434-219-230	AMD	03-23-093
434-219-250	AMD-P	03-16-041
434-219-250	AMD	03-23-093
434-219-255	REP-P	03-16-041
434-219-255	REP	03-23-093
434-219-270	REP-P	03-16-041
434-219-270	REP	03-23-093
434-219-280	AMD-P	03-16-041
434-219-280	AMD	03-23-093
434-219-285	REP-P	03-16-041
434-219-285	REP	03-23-093
434-219-290	AMD-P	03-16-041
434-219-290	AMD	03-23-093
434-219-300	REP-P	03-16-041
434-219-300	REP	03-23-093
434-219-340	AMD-P	03-16-041
434-219-340	AMD	03-23-093
434-219-350	REP-P	03-16-041
434-219-350	REP	03-23-093

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434-238-057	NEW-E	03-18-025
434-240-010	AMD-P	03-10-055
434-240-010	AMD	03-15-054
434-240-210	NEW-E	03-18-025
434-240-245	NEW-P	03-18-022
434-262-010	PREP	03-07-086
434-262-010	AMD-P	03-10-055
434-262-010	AMD	03-15-054
434-262-020	PREP	03-07-086
434-262-020	AMD-P	03-10-055
434-262-020	AMD	03-15-054
434-670-010	NEW	03-06-069
434-670-020	NEW	03-06-069
434-670-030	NEW	03-06-069
434-670-040	NEW	03-06-069
434-670-050	NEW	03-06-069
434-670-060	NEW	03-06-069
434-670-070	NEW	03-06-069
434-670-080	NEW	03-06-069
434-670-090	NEW	03-06-069
446-20-285	AMD	03-05-007
446-75-010	AMD-P	03-04-070
446-75-010	AMD	03-08-053
446-75-020	AMD-P	03-04-070
446-75-020	AMD	03-08-053
446-75-030	AMD-P	03-04-070
446-75-030	AMD	03-08-053
446-75-060	AMD-P	03-04-070
446-75-060	AMD	03-08-053
446-75-070	AMD-P	03-04-070
446-75-070	AMD	03-08-053
446-75-080	AMD-P	03-04-070
446-75-080	AMD	03-08-053
458-07-020	AMD-X	03-17-096
458-07-020	AMD	03-22-025
458-07-035	AMD-X	03-17-097
458-07-035	AMD	03-22-025
458-10-050	PREP	03-19-022
458-12-050	PREP	03-19-060
458-12-060	PREP	03-03-100
458-12-060	AMD-P	03-17-005
458-12-065	PREP	03-03-100
458-12-065	REP-P	03-17-005
458-12-070	PREP	03-03-100
458-12-070	REP-P	03-17-005
458-12-075	PREP	03-03-100
458-12-075	REP-P	03-17-005
458-12-080	PREP	03-03-100
458-12-080	REP-P	03-17-005
458-12-095	PREP	03-19-060
458-12-100	PREP	03-19-060
458-12-105	PREP	03-19-060
458-12-110	PREP	03-19-060
458-12-360	PREP	03-03-100
458-12-360	AMD-P	03-09-098
458-12-360	AMD	03-18-037
458-16-010	REP-P	03-03-099
458-16-010	REP	03-09-002
458-16-011	REP-P	03-03-099
458-16-011	REP	03-09-002
458-16-012	REP-P	03-03-099
458-16-012	REP	03-09-002
458-16-013	REP-P	03-03-099
458-16-013	REP	03-09-002
458-16-020	REP-P	03-03-099
458-16-020	REP	03-09-002
458-16-022	REP-P	03-03-099
458-16-022	REP	03-09-002
458-16-030	REP-P	03-03-099
458-16-030	REP	03-09-002
458-16-040	REP-P	03-03-099
458-16-040	REP	03-09-002
458-16-060	REP-P	03-03-099
458-16-060	REP	03-09-002
458-16-070	REP-P	03-03-099
458-16-070	REP	03-09-002
458-16-079	REP-P	03-03-099
458-16-079	REP	03-09-002
458-16A	AMD-P	03-03-099
458-16A	AMD	03-09-002
458-16A-100	NEW-P	03-03-099
458-16A-100	NEW	03-09-002
458-16A-110	NEW-P	03-03-099
458-16A-110	NEW	03-09-002
458-16A-115	NEW-P	03-03-099
458-16A-115	NEW	03-09-002
458-16A-120	NEW-P	03-03-099
458-16A-120	NEW	03-09-002
458-16A-130	NEW-P	03-03-099
458-16A-130	NEW	03-09-002
458-16A-135	NEW-P	03-03-099
458-16A-135	NEW	03-09-002
458-16A-140	NEW-P	03-03-099
458-16A-140	NEW	03-09-002
458-16A-150	NEW-P	03-03-099
458-16A-150	NEW	03-09-002
458-16A-150	AMD-X	03-11-095
458-16A-150	AMD	03-16-029
458-17	AMD	03-16-028
458-17-101	NEW-P	03-09-147
458-17-101	NEW	03-16-028
458-17-105	REP-P	03-09-147
458-17-105	REP	03-16-028
458-17-110	REP-P	03-09-147
458-17-110	REP	03-16-028
458-17-115	REP-P	03-09-147
458-17-115	REP	03-16-028
458-17-120	REP-P	03-09-147
458-17-120	REP	03-16-028
458-18-220	AMD-X	03-19-061
458-20-122	REP-P	03-09-146
458-20-122	REP	03-18-024
458-20-135	AMD-P	03-04-032
458-20-135	AMD-W	03-17-068
458-20-135	AMD-P	03-21-035
458-20-148	PREP	03-15-065
458-20-177	PREP	03-11-048
458-20-17803	NEW-E	03-04-031
458-20-185	AMD-E	03-06-016
458-20-185	AMD-S	03-08-042
458-20-185	AMD	03-12-058
458-20-18801	PREP	03-18-120
458-20-208	AMD	03-07-066
458-20-209	AMD-P	03-09-146
458-20-209	AMD-W	03-22-063
458-20-210	AMD-P	03-09-146
458-20-210	AMD	03-18-024
458-20-211	PREP	03-16-044
458-20-231	REP-X	03-04-030
458-20-231	REP	03-09-062
458-20-24001	PREP	03-15-039
458-20-24001	AMD-P	03-21-034
458-20-24001A	PREP	03-15-039
458-20-24001A	AMD-P	03-21-034
458-20-24003	PREP	03-03-101
458-20-24003	NEW-P	03-08-069
458-20-24003	NEW	03-12-053
458-20-244	PREP	03-15-038
458-20-244	AMD-P	03-20-042
458-20-251	AMD-P	03-13-022
458-20-251	AMD	03-19-059
458-20-266	PREP	03-16-044
458-30-262	AMD-X	03-19-062
458-30-590	AMD-X	03-20-087
458-40-540	AMD-P	03-23-049
458-40-660	PREP	03-05-084
458-40-660	AMD-P	03-10-079
458-40-660	AMD	03-14-072
458-40-660	PREP	03-17-098
458-40-660	AMD-P	03-22-100
458-40-680	PREP	03-09-100
458-40-680	AMD-P	03-16-009
458-40-680	AMD	03-22-099
458-61-100	PREP	03-07-065
458-61-100	AMD-P	03-11-079
458-61-100	AMD	03-18-023
460-42A-081	AMD-P	03-23-103
468-06-040	AMD-X	03-04-062
468-06-040	AMD	03-09-103
468-15-010	NEW	03-03-012
468-15-020	NEW	03-03-012
468-15-030	NEW	03-03-012
468-15-040	NEW	03-03-012
468-15-050	NEW	03-03-012
468-15-060	NEW	03-03-012
468-38-110	PREP	03-14-027
468-38-110	AMD-P	03-17-045
468-38-110	AMD	03-20-070
468-38-265	PREP	03-11-075
468-38-265	AMD-E	03-14-026
468-38-265	AMD-P	03-15-041
468-38-265	AMD	03-19-026
468-38-340	AMD	03-03-035
468-58-010	AMD-E	03-16-026
468-58-010	PREP	03-16-059
468-58-010	AMD-P	03-20-012
468-58-010	AMD	03-23-048
468-58-080	AMD-E	03-04-040
468-58-080	AMD-E	03-08-008
468-58-080	AMD-P	03-08-061
468-58-080	AMD	03-11-076
468-70	PREP	03-13-040
468-70-050	AMD-E	03-11-071
468-70-050	AMD-P	03-16-104
468-70-050	AMD	03-20-084
468-70-070	AMD-E	03-06-052

WAC #	ACTION	WSR #
468-70-070	AMD-E	03-14-051
468-70-070	AMD-P	03-16-105
468-70-070	AMD	03-20-082
468-70-080	REP-E	03-06-052
468-70-080	REP-E	03-14-051
468-70-080	REP-P	03-16-105
468-70-080	REP	03-20-082
468-95-010	AMD-E	03-03-028
468-95-010	AMD-P	03-03-029
468-95-010	AMD	03-06-053
468-95-020	REP-E	03-03-028
468-95-020	REP-P	03-03-029
468-95-020	REP	03-06-053
468-95-025	REP-E	03-03-028
468-95-025	REP-P	03-03-029
468-95-025	REP	03-06-053
468-95-030	REP-E	03-03-028
468-95-030	REP-P	03-03-029
468-95-030	REP	03-06-053
468-95-035	REP-E	03-03-028
468-95-035	REP-P	03-03-029
468-95-035	REP	03-06-053
468-95-037	REP-E	03-03-028
468-95-037	REP-P	03-03-029
468-95-037	REP	03-06-053
468-95-040	REP-E	03-03-028
468-95-040	REP-P	03-03-029
468-95-040	REP	03-06-053
468-95-050	REP-E	03-03-028
468-95-050	REP-P	03-03-029
468-95-050	REP	03-06-053
468-95-055	REP-E	03-03-028
468-95-055	REP-P	03-03-029
468-95-055	REP	03-06-053
468-95-060	REP-E	03-03-028
468-95-060	REP-P	03-03-029
468-95-060	REP	03-06-053
468-95-070	REP-E	03-03-028
468-95-070	REP-P	03-03-029
468-95-070	REP	03-06-053
468-95-080	REP-E	03-03-028
468-95-080	REP-P	03-03-029
468-95-080	REP	03-06-053
468-95-090	REP-E	03-03-028
468-95-090	REP-P	03-03-029
468-95-090	REP	03-06-053
468-95-100	REP-E	03-03-028
468-95-100	REP-P	03-03-029
468-95-100	REP	03-06-053
468-95-110	NEW-E	03-03-028
468-95-110	NEW-P	03-03-029
468-95-110	NEW	03-06-053
468-95-120	NEW-E	03-03-028
468-95-120	NEW-P	03-03-029
468-95-120	NEW	03-06-053
468-95-130	NEW-E	03-03-028
468-95-130	NEW-P	03-03-029
468-95-130	NEW	03-06-053
468-95-140	NEW-E	03-03-028
468-95-140	NEW-P	03-03-029
468-95-140	NEW	03-06-053
468-95-150	NEW-E	03-03-028
468-95-150	NEW-P	03-03-029
468-95-150	NEW	03-06-053
468-95-160	NEW-E	03-03-028
468-95-160	NEW-P	03-03-029
468-95-160	NEW	03-06-053
468-95-170	NEW-E	03-03-028
468-95-170	NEW-P	03-03-029
468-95-170	NEW	03-06-053
468-95-180	NEW-E	03-03-028
468-95-180	NEW-P	03-03-029
468-95-180	NEW	03-06-053
468-95-190	NEW-E	03-03-028
468-95-190	NEW-P	03-03-029
468-95-190	NEW	03-06-053
468-95-200	NEW-E	03-03-028
468-95-200	NEW-P	03-03-029
468-95-200	NEW	03-06-053
468-95-210	NEW-E	03-03-028
468-95-210	NEW-P	03-03-029
468-95-210	NEW	03-06-053
468-95-220	NEW-E	03-03-028
468-95-220	NEW-P	03-03-029
468-95-220	NEW	03-06-053
468-95-230	NEW-E	03-03-028
468-95-230	NEW-P	03-03-029
468-95-230	NEW	03-06-053
468-95-240	NEW-E	03-03-028
468-95-240	NEW-P	03-03-029
468-95-240	NEW	03-06-053
468-95-250	NEW-E	03-03-028
468-95-250	NEW-P	03-03-029
468-95-250	NEW	03-06-053
468-95-260	NEW-E	03-03-028
468-95-260	NEW-P	03-03-029
468-95-260	NEW	03-06-053
468-95-270	NEW-E	03-03-028
468-95-270	NEW-P	03-03-029
468-95-270	NEW	03-06-053
468-95-280	NEW-E	03-03-028
468-95-280	NEW-P	03-03-029
468-95-280	NEW	03-06-053
468-95-290	NEW-E	03-03-028
468-95-290	NEW-P	03-03-029
468-95-290	NEW	03-06-053
468-95-300	NEW-E	03-03-028
468-95-300	NEW-P	03-03-029
468-95-300	NEW	03-06-053
468-95-310	NEW-E	03-03-028
468-95-310	NEW-P	03-03-029
468-95-310	NEW	03-06-053
468-95-320	NEW-E	03-03-028
468-95-320	NEW-P	03-03-029
468-95-320	NEW	03-06-053
468-95-330	NEW-E	03-03-028
468-95-330	NEW-P	03-03-029
468-95-330	NEW	03-06-053
468-95-340	NEW-E	03-03-028
468-95-340	NEW-P	03-03-029
468-95-340	NEW	03-06-053
468-95-350	NEW-E	03-03-028
468-95-350	NEW-P	03-03-029
468-95-350	NEW	03-06-053
468-95-360	NEW-E	03-03-028
468-95-360	NEW-P	03-03-029
468-95-360	NEW	03-06-053
468-95-370	NEW-E	03-03-028
468-95-370	NEW-P	03-03-029
468-95-370	NEW	03-06-053
468-95-400	NEW-E	03-03-028
468-95-400	NEW-P	03-03-029
468-95-400	NEW	03-06-053
468-100-306	AMD-X	03-23-104
468-300-010	AMD-P	03-04-102
468-300-010	AMD	03-08-072
468-300-020	AMD-P	03-04-102
468-300-020	AMD	03-08-072
468-300-040	AMD-P	03-04-102
468-300-040	AMD	03-08-072
468-300-220	AMD-P	03-04-102
468-300-220	AMD	03-08-072
468-300-700	AMD-P	03-04-102
468-300-700	AMD	03-08-072
468-510-010	AMD-E	03-06-014
468-510-010	AMD-E	03-14-050
468-510-010	AMD-P	03-16-106
468-510-010	AMD	03-20-083
478-04	PREP	03-09-040
478-04-020	AMD-P	03-19-101
478-04-030	AMD-P	03-19-101
478-04-040	NEW-P	03-19-101
478-116	PREP	03-21-085
478-132-030	AMD	03-08-040
478-136	PREP	03-15-099
478-136-030	AMD-E	03-16-024
478-136-030	AMD-P	03-19-102
478-136-060	AMD-E	03-16-024
478-136-060	AMD-P	03-19-102
478-138-060	AMD-X	03-05-019
478-138-060	AMD	03-12-007
478-140-018	AMD-X	03-05-019
478-140-018	AMD	03-12-007
478-160-085	AMD-X	03-05-019
478-160-085	AMD	03-12-007
478-168-170	AMD-X	03-05-019
478-168-170	AMD	03-12-007
478-276-140	AMD-X	03-05-019
478-276-140	AMD	03-12-007
478-324-020	AMD-X	03-05-019
478-324-020	AMD	03-12-007
478-324-045	AMD-X	03-05-019
478-324-045	AMD	03-12-007
478-324-140	AMD-X	03-05-019
478-324-140	AMD	03-12-007
478-324-145	NEW-X	03-05-019
478-324-145	NEW	03-12-007
478-324-180	AMD-X	03-05-019
478-324-180	AMD	03-12-007
479-01-010	AMD-P	03-12-009
479-01-010	AMD	03-16-077
479-01-050	AMD-P	03-12-009
479-01-050	AMD	03-16-077
479-05-010	AMD-P	03-12-009
479-05-010	AMD	03-16-077
479-05-050	AMD-P	03-12-009

WAC #	ACTION	WSR #
479- 05-050	AMD	03-16-077
479- 05-240	AMD-P	03-12-009
479- 05-240	AMD	03-16-077
479- 12-260	REP-P	03-12-009
479- 12-260	REP	03-16-077
479- 12-430	AMD-P	03-12-009
479- 12-430	AMD	03-16-077
480- 04-020	AMD-P	03-17-100
480- 04-030	AMD-P	03-17-100
480- 04-035	NEW-P	03-17-100
480- 04-050	AMD-P	03-17-100
480- 04-060	AMD-P	03-17-100
480- 04-065	AMD-P	03-17-100
480- 04-070	REP-P	03-17-100
480- 04-090	AMD-P	03-17-100
480- 04-095	AMD-P	03-17-100
480- 04-100	AMD-P	03-17-100
480- 04-110	REP-P	03-17-100
480- 04-120	AMD-P	03-17-100
480- 04-130	AMD-P	03-17-100
480- 07-010	NEW-P	03-17-100
480- 07-100	NEW-P	03-17-100
480- 07-110	NEW-P	03-17-100
480- 07-120	NEW-P	03-17-100
480- 07-125	NEW-P	03-17-100
480- 07-130	NEW-P	03-17-100
480- 07-140	NEW-P	03-17-100
480- 07-140	NEW-S	03-20-117
480- 07-143	NEW-P	03-17-100
480- 07-145	NEW-P	03-17-100
480- 07-150	NEW-P	03-17-100
480- 07-160	NEW-P	03-17-100
480- 07-170	NEW-P	03-17-100
480- 07-180	NEW-P	03-17-100
480- 07-200	NEW-P	03-17-100
480- 07-210	NEW-P	03-17-100
480- 07-220	NEW-P	03-17-100
480- 07-230	NEW-P	03-17-100
480- 07-240	NEW-P	03-17-100
480- 07-300	NEW-P	03-17-100
480- 07-305	NEW-P	03-17-100
480- 07-310	NEW-P	03-17-100
480- 07-320	NEW-P	03-17-100
480- 07-330	NEW-P	03-17-100
480- 07-340	NEW-P	03-17-100
480- 07-345	NEW-P	03-17-100
480- 07-350	NEW-P	03-17-100
480- 07-355	NEW-P	03-17-100
480- 07-360	NEW-P	03-17-100
480- 07-370	NEW-P	03-17-100
480- 07-375	NEW-P	03-17-100
480- 07-380	NEW-P	03-17-100
480- 07-385	NEW-P	03-17-100
480- 07-390	NEW-P	03-17-100
480- 07-395	NEW-P	03-17-100
480- 07-400	NEW-P	03-17-100
480- 07-405	NEW-P	03-17-100
480- 07-410	NEW-P	03-17-100
480- 07-415	NEW-P	03-17-100
480- 07-420	NEW-P	03-17-100
480- 07-423	NEW-P	03-17-100
480- 07-425	NEW-P	03-17-100
480- 07-430	NEW-P	03-17-100
480- 07-440	NEW-P	03-17-100
480- 07-450	NEW-P	03-17-100
480- 07-460	NEW-P	03-17-100
480- 07-470	NEW-P	03-17-100
480- 07-480	NEW-P	03-17-100
480- 07-490	NEW-P	03-17-100
480- 07-495	NEW-P	03-17-100
480- 07-498	NEW-P	03-17-100
480- 07-500	NEW-P	03-17-100
480- 07-505	NEW-P	03-17-100
480- 07-510	NEW-P	03-17-100
480- 07-520	NEW-P	03-17-100
480- 07-530	NEW-P	03-17-100
480- 07-540	NEW-P	03-17-100
480- 07-550	NEW-P	03-17-100
480- 07-600	NEW-P	03-17-100
480- 07-610	NEW-P	03-17-100
480- 07-620	NEW-P	03-17-100
480- 07-630	NEW-P	03-17-100
480- 07-640	NEW-P	03-17-100
480- 07-650	NEW-P	03-17-100
480- 07-660	NEW-P	03-17-100
480- 07-700	NEW-P	03-17-100
480- 07-710	NEW-P	03-17-100
480- 07-720	NEW-P	03-17-100
480- 07-730	NEW-P	03-17-100
480- 07-740	NEW-P	03-17-100
480- 07-750	NEW-P	03-17-100
480- 07-800	NEW-P	03-17-100
480- 07-810	NEW-P	03-17-100
480- 07-820	NEW-P	03-17-100
480- 07-825	NEW-P	03-17-100
480- 07-830	NEW-P	03-17-100
480- 07-835	NEW-P	03-17-100
480- 07-840	NEW-P	03-17-100
480- 07-850	NEW-P	03-17-100
480- 07-860	NEW-P	03-17-100
480- 07-870	NEW-P	03-17-100
480- 07-875	NEW-P	03-17-100
480- 07-880	NEW-P	03-17-100
480- 07-883	NEW-P	03-17-100
480- 07-885	NEW-P	03-17-100
480- 07-900	NEW-P	03-17-100
480- 07-910	NEW-P	03-17-100
480- 07-920	NEW-P	03-17-100
480- 07-930	NEW-P	03-17-100
480- 07-940	NEW-P	03-17-100
480- 07-950	NEW-P	03-17-100
480- 09-005	REP-P	03-17-100
480- 09-010	REP-P	03-17-100
480- 09-012	REP-P	03-17-100
480- 09-015	REP-P	03-17-100
480- 09-100	REP-P	03-17-100
480- 09-101	REP-P	03-17-100
480- 09-110	REP-P	03-17-100
480- 09-115	REP-P	03-17-100
480- 09-120	REP-P	03-17-100
480- 09-125	REP-P	03-17-100
480- 09-130	REP-P	03-17-100
480- 09-135	REP-P	03-17-100
480- 09-140	REP-P	03-17-100
480- 09-150	REP-P	03-17-100
480- 09-200	REP-P	03-17-100
480- 09-210	REP-P	03-17-100
480- 09-220	REP-P	03-17-100
480- 09-230	REP-P	03-17-100
480- 09-300	REP-P	03-17-100
480- 09-310	REP-P	03-17-100
480- 09-320	REP-P	03-17-100
480- 09-330	REP-P	03-17-100
480- 09-335	REP-P	03-17-100
480- 09-337	REP-P	03-17-100
480- 09-340	REP-P	03-17-100
480- 09-390	REP-P	03-17-100
480- 09-400	REP-P	03-17-100
480- 09-410	REP-P	03-17-100
480- 09-420	REP-P	03-17-100
480- 09-425	REP-P	03-17-100
480- 09-426	REP-P	03-17-100
480- 09-430	REP-P	03-17-100
480- 09-440	REP-P	03-17-100
480- 09-450	REP-P	03-17-100
480- 09-460	REP-P	03-17-100
480- 09-465	REP-P	03-17-100
480- 09-466	REP-P	03-17-100
480- 09-467	REP-P	03-17-100
480- 09-470	REP-P	03-17-100
480- 09-475	REP-P	03-17-100
480- 09-480	REP-P	03-17-100
480- 09-500	REP-P	03-17-100
480- 09-510	REP-P	03-17-100
480- 09-520	REP-P	03-17-100
480- 09-530	REP-P	03-17-100
480- 09-600	REP-P	03-17-100
480- 09-610	REP-P	03-17-100
480- 09-620	REP-P	03-17-100
480- 09-700	REP-P	03-17-100
480- 09-705	REP-P	03-17-100
480- 09-710	REP-P	03-17-100
480- 09-720	REP-P	03-17-100
480- 09-730	REP-P	03-17-100
480- 09-735	REP-P	03-17-100
480- 09-736	REP-P	03-17-100
480- 09-740	REP-P	03-17-100
480- 09-745	REP-P	03-17-100
480- 09-750	REP-P	03-17-100
480- 09-751	REP-P	03-17-100
480- 09-760	REP-P	03-17-100
480- 09-770	REP-P	03-17-100
480- 09-780	REP-P	03-17-100
480- 09-800	REP-P	03-17-100
480- 09-810	REP-P	03-17-100
480- 09-815	REP-P	03-17-100
480- 09-820	REP-P	03-17-100
480- 14-050	AMD-S	03-20-117
480- 14-190	AMD-S	03-20-117
480- 14-999	AMD-X	03-19-130
480- 15-035	AMD-S	03-20-117
480- 15-080	AMD-S	03-20-117
480- 15-090	AMD-S	03-20-117
480- 15-120	AMD-S	03-20-117
480- 15-310	AMD-S	03-20-117
480- 15-350	AMD-S	03-20-117

WAC #	ACTION	WSR #
480- 15-440	AMD-S	03-20-117
480- 15-460	AMD-S	03-20-117
480- 15-510	AMD-S	03-20-117
480- 15-520	AMD-S	03-20-117
480- 15-999	AMD-X	03-19-130
480- 30-032	AMD-S	03-20-117
480- 30-999	AMD-X	03-19-130
480- 31-090	AMD-S	03-20-117
480- 31-999	AMD-X	03-19-130
480- 40-999	NEW-X	03-19-130
480- 51-040	AMD-S	03-20-117
480- 51-050	AMD-S	03-20-117
480- 51-060	AMD-S	03-20-117
480- 51-120	AMD-S	03-20-117
480- 60-012	AMD-S	03-20-117
480- 60-014	AMD-S	03-20-117
480- 60-020	AMD-S	03-20-117
480- 62-140	AMD-S	03-20-117
480- 62-145	AMD-S	03-20-117
480- 62-999	AMD-X	03-19-130
480- 66-120	AMD-S	03-20-117
480- 66-140	AMD-S	03-20-117
480- 66-150	AMD-S	03-20-117
480- 66-160	AMD-S	03-20-117
480- 70-036	AMD-S	03-20-117
480- 70-051	AMD-S	03-20-117
480- 70-106	AMD-S	03-20-117
480- 70-131	AMD-S	03-20-117
480- 70-231	AMD-S	03-20-117
480- 70-256	AMD-S	03-20-117
480- 70-339	AMD-S	03-20-117
480- 70-386	AMD-S	03-20-117
480- 70-999	AMD-X	03-19-130
480- 75-260	AMD-S	03-20-117
480- 75-999	AMD-X	03-19-130
480- 80-010	AMD-S	03-20-117
480- 80-015	AMD-S	03-20-117
480- 80-105	AMD-S	03-20-117
480- 80-121	AMD-X	03-15-142
480- 80-121	AMD	03-22-046
480- 80-122	AMD-X	03-15-142
480- 80-122	AMD	03-22-046
480- 80-126	NEW-X	03-15-142
480- 80-126	NEW	03-22-046
480- 80-142	AMD-S	03-20-117
480- 80-143	AMD-S	03-20-117
480- 80-205	AMD-X	03-15-142
480- 80-205	AMD	03-22-046
480- 80-241	AMD-S	03-20-117
480- 90-003	AMD-S	03-20-117
480- 90-008	AMD-S	03-20-117
480- 90-123	AMD-S	03-20-117
480- 90-153	AMD-X	03-15-142
480- 90-153	AMD	03-22-046
480- 90-173	AMD-S	03-20-117
480- 90-238	PREP	03-09-069
480- 90-999	AMD-X	03-19-130
480- 92-060	AMD-S	03-20-117
480- 92-090	AMD-S	03-20-117
480-100-003	AMD-S	03-20-117
480-100-008	AMD-S	03-20-117
480-100-123	AMD-S	03-20-117
480-100-153	AMD-X	03-15-142
480-100-153	AMD	03-22-046
480-100-173	AMD-S	03-20-117
480-100-238	PREP	03-09-068
480-100-999	AMD-X	03-19-130
480-107	PREP	03-09-070
480-107-001	AMD-X	03-15-142
480-107-001	AMD	03-22-046
480-107-005	AMD-X	03-15-142
480-107-005	AMD	03-22-046
480-110-215	AMD-S	03-20-117
480-110-295	AMD-S	03-20-117
480-110-385	AMD-S	03-20-117
480-110-435	AMD-X	03-15-142
480-110-435	AMD	03-22-046
480-120-011	AMD-S	03-20-117
480-120-015	AMD-S	03-20-117
480-120-017	NEW	03-03-090
480-120-019	NEW	03-03-090
480-120-083	AMD-X	03-15-142
480-120-083	AMD	03-22-046
480-120-146	AMD-P	03-16-063
480-120-147	AMD-X	03-15-142
480-120-147	AMD	03-22-046
480-120-166	AMD-S	03-20-117
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