

WSR 13-10-016**PERMANENT RULES****DEPARTMENT OF COMMERCE**

[Filed April 22, 2013, 1:41 p.m., effective May 23, 2013]

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

Purpose: This rule defines practicability and clarifies how state agencies will be evaluated in determining whether they have met the goals set forth in RCW 43.19.648.

Statutory Authority for Adoption: RCW 43.325.080.

Adopted under notice filed as WSR 13-06-060 on March 5, 2013.

Changes Other than Editing from Proposed to Adopted Version: The definitions for light-duty vehicle and light-duty truck were combined into a single definition for "light-duty vehicle" which would apply to any vehicle weighing up to 8,500 lbs.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 1, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: April 18, 2013.

Nick Demerice

Director of External Affairs

Chapter 194-28**Practicable use of electricity and biofuels to fuel state vehicles, vessels, and construction equipment****NEW SECTION**

WAC 194-28-010 Authority and purpose. This chapter is pursuant to the authority granted in RCW 43.325.080, which requires the department to adopt rules to define practicability and clarify how state agencies will be evaluated in determining whether they have met the goals set forth in RCW 43.19.648. The goals call for all state agencies, to the extent practicable, to:

(1) Achieve forty percent fuel usage for operating publicly owned vessels, vehicles, and construction equipment from electricity or biofuel by June 1, 2013, and

(2) Satisfy one hundred percent of their fuel usage for operating publicly owned vessels, vehicles, and construction equipment from electricity or biofuel, effective June 1, 2015.

NEW SECTION

WAC 194-28-020 Definitions and abbreviations. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Agency" or "agencies" - means any state agency or all state agencies, including institutions of higher education.

(2) "Biofuels" - as defined by RCW 43.325.010(4) includes but is not limited to biodiesel, ethanol, ethanol blend fuels, and renewable liquid natural gas or liquid compressed natural gas made from biogas.

(3) "Department" - means the Department of Commerce.

(4) "Ecology" - means the Department of Ecology.

(5) "Electric vehicle supply equipment (EVSE)" - means equipment that delivers electrical energy from an electricity source to charge plug-in electric vehicle batteries.

(6) "Enterprise Services" - means the Department of Enterprise Services.

(7) "Greenhouse gas," "greenhouse gases," "GHG" and "GHGs" - include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. Beginning January 1, 2012, "greenhouse gas" also includes any other gas or gases designated by Ecology by rule in Table A-1 under WAC 173-441-040.

(8) "Hybrid electric vehicle (HEV)" - means a vehicle that combines an internal combustion engine or other propulsion source with batteries, regenerative braking, and an electric motor. HEVs rely on petroleum-based or alternative fuel for power and are not plugged in to charge batteries.

(9) "Lifecycle cost" - means the total cost of ownership over the life of an asset. This includes purchase or lease cost, operations and maintenance, depreciation, and resale or surplus value.

(10) "Light-duty vehicle" - means a vehicle with a gross vehicle weight of up to 8,500 pounds.

(11) "Medium-duty vehicle" - means a vehicle with a gross vehicle weight of between 8,500 and 10,000 pounds.

(12) "Plug-in electric vehicle (PEV)" - means a vehicle that derives all or part of its power from electricity supplied by an external source.

(13) "Plug-in hybrid electric vehicle (PHEV)" - means a vehicle that uses batteries to power an electric motor, plugs into an external source to charge batteries, and also uses petroleum-based or alternative fuel to power an internal combustion engine to charge batteries. PHEVs are also known as extended range electric vehicles.

(14) "Practicable or practicability" - means the extent to which electricity and biofuel can be used as a fuel source for state vehicles, vessels, and construction equipment as determined by such factors as cost differentials between fuels, availability, refueling infrastructure, functional differences, technical feasibility, implementation costs, and other factors.

(15) "Reasonably available" - means a determination dependent upon multiple dynamic factors affecting reliable volumes and delivery systems, including ability to purchase through the state procurement system, location of refueling infrastructure, and other issues. RCW 43.19.648(1) provides the department the ability to allow state agencies to substitute Compressed Natural Gas (CNG), Liquid Natural Gas (LNG), and propane from fossil fuel sources if the department deter-

mines that electricity and biofuel are not reasonably available.

(16) "Renewable natural gas" - means biogas derived from landfills, wastewater treatment facilities, anaerobic digesters, and other sources of organic decomposition that has been purified to meet standards for natural gas derived from fossil fuel sources.

(17) "Vehicles, vessels, and construction equipment" - means publicly owned vessels, vehicles, and construction equipment operated by a state agency. It does not mean aircraft and stationary electrical generating equipment.

NEW SECTION

WAC 194-28-030 Applicability. All state agencies are required to transition all vehicles, vessels, and construction equipment to electricity and biofuels to the extent practicable. The provisions of this chapter apply statewide.

NEW SECTION

WAC 194-28-040 Assessment data. For purposes of assessing and reporting use of electricity and biofuels, the Department will use data collected and compiled annually by Ecology on agency GHG emissions as directed by RCW 70.235.050. In the event that mandatory reporting of agency GHG emissions is repealed, the department will work with stakeholders to identify an efficient and effective alternate means of obtaining and reporting information needed to monitor compliance.

Given the findings of the underlying legislation and associated policies guiding agency use of alternative fuels and vehicles, the department intends to continue to monitor agency compliance beyond June 1, 2015.

NEW SECTION

WAC 194-28-050 Compliance threshold. In order to maximize administrative efficiency while still addressing the preponderance of agency fuel consumption, compliance will be assessed for each agency that reported use of more than 50,000 gallons of gasoline and diesel, combined, during the 2011 calendar year for vehicles, vessels, and construction equipment. Progress towards compliance by agencies below this threshold will be assessed in aggregate. Agencies meeting the threshold for individual compliance assessment are:

- Washington State Department of Agriculture
- Washington State Department of Corrections
- Washington State Department of Ecology
- Washington State Department of Enterprise Services
- Washington State Department of Fish and Wildlife
- Washington State Department of Labor and Industries
- Washington State Department of Natural Resources
- Washington State Department of Social and Health Services
- Washington State Department of Transportation
- Washington State Liquor Control Board
- Washington State Parks and Recreation Commission

- Washington State Patrol
- Eastern Washington University
- University of Washington
- Washington State University
- Western Washington University

NEW SECTION

WAC 194-28-060 Technical coordination. The department, in cooperation with the Washington State University Energy Program and external stakeholders with appropriate knowledge and expertise, will convene quarterly meetings with the agencies listed in WAC 194-28-050 to discuss trends in alternative fuel and vehicle development, including current and near-term market availability, procurement costs and pricing differentials, performance metrics, innovative procurement opportunities, and fleet management tools. The meetings will take place in person, by phone, via the Internet, or any combination thereof through the second quarter of 2015, and thereafter as may be warranted.

NEW SECTION

WAC 194-28-070 Compliance evaluation. RCW 43.325.080 requires the department to specify how agency efforts to meet the goals set forth in RCW 43.19.648(1) will be evaluated. In so doing, the department will consider the following criteria in determining whether state agencies have, to the extent practicable, satisfied one hundred percent of fuel usage for operating vessels, vehicles, and construction equipment from electricity or biofuel, effective June 1, 2015:

(1) Vehicle Electrification

(a) It is considered practicable to procure a PHEV and PEV light-duty vehicle, light-duty truck, or medium-duty passenger vehicle when the following criteria are met:

(i) The vehicle is due for replacement,

(ii) The anticipated driving range or use would not require battery charging in the field on a routine basis, and

(iii) The lifecycle cost is within five percent of an equivalent HEV based on anticipated length of service.

(b) Agencies are encouraged to pursue electrification in additional vehicle classes as opportunities emerge.

(c) Per RCW 43.19.648(5), agencies are to install EVSE capable of charging PEVs and PHEVs in each of the state's fleet parking and maintenance facilities, to the extent practicable, by December 31, 2015. The department is not charged with monitoring or reporting on compliance with this law, but agencies need to show progress in this area for electricity to be a feasible fuel source at these locations.

(d) Under the federal Energy Independence and Security Act of 2007, the U.S. Department of Energy (USDOE) is responsible for rulemaking to determine the extent to which alternative fuel credits recognize electricity used by HEVs and PHEVs in state vehicle fleets subject to the federal Energy Policy Act of 1992. The department will utilize the USDOE rule when crediting compliance for these vehicles.

(2) Biofuels

(a) Biodiesel: Unless otherwise limited by law, it is considered practicable for agencies to:

(i) Use a minimum of twenty percent biodiesel-blend fuel (B20) on an annualized basis when purchasing fuel through the state procurement system.

(ii) Make good faith efforts to identify sources and procure a minimum of B20 when purchasing fuel on a retail basis.

(b) Ethanol: It is considered practicable for agencies with "flex-fuel" vehicles capable of using either high-blend ethanol fuel (E85) or regular gasoline to make good faith efforts to identify sources and procure E85 when purchasing fuel on a retail basis if the price of E85 is at least twenty percent less than regular gasoline.

(c) Renewable Natural Gas: It is considered practicable for agencies considering acquisition of natural gas-fueled vehicles to actively assess opportunities to procure renewable natural gas as the primary fuel.

(3) Alternate Fuels

Compressed natural gas, liquefied natural gas, or propane may be substituted for electricity or biofuel if the department determines that electricity and biofuel are not reasonably available. If an agency believes electricity and biofuels are not reasonably available to fuel a specific vehicle, vessel, or construction equipment, the agency must submit a request for such a determination to the department by July 1 of the year prior to the agency's anticipated procurement on a form provided by the department. Such a request may be made as part of the agency's annual reporting under WAC 194-28-080.

NEW SECTION

WAC 194-28-080 Demonstration of progress. By July 1 of each year, each agency listed in WAC 194-28-050 must submit to the department an annual report on a form provided by the department documenting how it is complying with the criteria in WAC 194-28-070, including reasons for noncompliance and plans for future compliance.

WSR 13-10-018
PERMANENT RULES
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed April 23, 2013, 8:25 a.m., effective June 1, 2013]

Effective Date of Rule: June 1, 2013.

Purpose: The boiler program reviews their rules for additions and revisions to ensure the rules are consistent with the national consensus standards and industry practice. This rule making will:

- Adopt the current edition of the national safety standards for boiler and pressure vessels as these standards are required to be used by boiler and pressure vessel manufacturers and repair organizations throughout the state. Also, these standards ensure that Washington state is consistent with other states and the same safety standards are met.

- Adopt amendments that have been determined to be beneficial to or requested and supported by the regulated entities or small businesses they affect.

Citation of Existing Rules Affected by this Order:
Amending WAC 296-104-010 Administration—What are the definitions of terms used in this chapter?, 296-104-018 Administration—How are rules interpreted and revised?, 296-104-025 Administration—What are the notification requirements following an accident involving a boiler or pressure vessel?, 296-104-140 Inspection—How should a state stamp be applied?, 296-104-200 Construction—What are the standards for new construction?, 296-104-205 Construction—What are the requirements for nonstandard new construction?, 296-104-210 Construction—What are the requirements for construction of boilers and unfired pressure vessels of special design?, 296-104-215 Construction—What are the requirements to use nonstandard boilers and unfired pressure vessels constructed prior to January 1, 1952?, 296-104-220 Construction—What are the requirements to use nonstandard second hand boilers and unfired pressure vessels?, 296-104-303 Installation—What control and limit devices are required on automatically fired boilers after December 2004?, 296-104-316 Installation—What safety pressure relief devices are required on boilers and unfired pressure vessels? and 296-104-700 What are the inspection fees—Examination fees—Certificate fees—Expenses?; new sections WAC 296-104-226 Construction—What are the requirements to use historical boilers and pressure vessels?; and repealing WAC 296-104-230 Construction—What are the testing requirements for new boilers or unfired pressure vessels exempted from code requirements for volume pressure or temperature?, 296-104-235 Construction—What are the requirements for code exempted boiler and unfired pressure vessel safety relief valves?, and 296-104-330 Installation—What are the relief or safety valve requirements when pressure reducing valves are used?

Statutory Authority for Adoption: Chapter 70.79 RCW.

Adopted under notice filed as WSR 13-03-125 on January 22, 2013.

A final cost-benefit analysis is available by contacting Alicia Curry, P.O. Box 44400, Olympia, WA 98504-4400, phone (360) 902-6244, fax (360) 902-5292, e-mail alicia.curry@lni.wa.gov.

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

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

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 12, Repealed 3.

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 1, Amended 12, Repealed 3.

Date Adopted: April 23, 2013.

Robert E. Olson, Chair
Board of Boiler Rules

AMENDATORY SECTION (Amending WSR 10-06-049, filed 2/24/10, effective 4/1/10)

WAC 296-104-010 Administration—What are the definitions of terms used in this chapter? "Accident" shall mean a failure of the boiler or unfired pressure vessel resulting in personal injury or property loss or an event which renders a boiler or unfired pressure vessel unsafe to return to operation.

"Agriculture purposes" shall mean any act performed on a farm in production of crops or livestock, and shall include the storage of such crops and livestock in their natural state, but shall not be construed to include the processing or sale of crops or livestock.

"Attendant" shall mean the person in charge of the operation of a boiler or unfired pressure vessel.

"Automatic operation of a boiler" shall mean automatic unattended control of feed water and fuel in order to maintain the pressure and temperature within the limits set. Controls must be such that the operation follows the demand without interruption. Manual restart may be required when the burner is off because of low water, flame failure, power failure, high temperatures or pressures.

"Board of boiler rules" or "board" shall mean the board created by law and empowered under RCW 70.79.010.

"Boiler and unfired pressure vessel installation/reinstallation permit," shall mean a permit approved by the chief inspector before starting installation or reinstallation of any boiler and unfired pressure vessel within the jurisdiction of Washington.

Owner/user inspection agency's, and Washington specials are exempt from "boiler and unfired pressure vessel installation/reinstallation permit."

"Boilers and/or unfired pressure vessels" - Below are definitions for types of boilers and unfired pressure vessels used in these regulations:

- **"Condemned boiler or unfired pressure vessel"** shall mean a boiler or unfired pressure vessel that has been inspected and declared unsafe or disqualified for further use by legal requirements and appropriately marked by an inspector.

"Corrosion" shall mean the destruction or deterioration of a material, that results from a reaction with its environment.

- **"Expansion tank"** shall mean a tank used to absorb excess water pressure. Expansion tanks installed in closed water heating systems and hot water supply systems shall meet the requirements of ASME Section IV, HG-709.

"Historical boilers and unfired pressure vessel" shall mean nonstandard boilers and pressure vessels including steam tractors, traction engines, hobby steam boilers, portable steam boilers, and other such boilers or pressure vessels that are preserved, restored, and maintained only for demonstration, viewing, or educational purposes. They do not

include miniature hobby boilers as described in RCW 70.79.070.

- **"Hot water heater"** shall mean a closed vessel designed to supply hot water for external use to the system. All vessels must be listed by a nationally recognized testing agency and shall be protected with an approved temperature and pressure safety relief valve and shall not exceed any of the following limits:
 - * Pressure of 160 psi (1100 kpa);
 - * Temperature of 210 degrees F (99°C).
 Additional requirements:
 - * Hot water heaters exceeding 120 gallons (454 liters) must be ASME code stamped;
 - * Hot water heaters exceeding 200,000 Btu/hr (58.58 kW) input must be ASME code stamped.

"Indirect water heater" shall mean a closed vessel appliance used to heat water for use external to itself, which includes a heat exchanger used to transfer heat to water from an external source. The requirements and limits described above shall apply.
- **"Low pressure boiler"** shall mean a steam boiler operating at a pressure not exceeding 15 psig or a boiler in which water is heated and intended for operation at pressures not exceeding 160 psig or temperatures not exceeding 250 degrees F by the direct application of energy from the combustion of fuels or from electricity, solar or nuclear energy. Low pressure boilers open to atmosphere and vacuum boilers are excluded.
- **"Nonstandard boiler or unfired pressure vessel"** shall mean a boiler or unfired pressure vessel that does not bear marking of the codes adopted in WAC 296-104-200.

"Pool heaters" shall mean a gas, oil, or electric appliance that is used to heat water contained in swimming pools, spas, and hot tubs.

 - Pool heaters with energy input equivalent to 399,999 Btu/hr (117.2 kW) or less shall be manufactured and certified to ANSI Z21.56, UL1261, CSA 4.7 or equivalent manufacturing standards, as approved by the chief inspector, and are excluded from the limit and control devices requirements of WAC 296-104-300 through 296-104-303.
 - Pool heaters with energy input of 400,000 Btu/hr and above shall be stamped with an ASME Section IV Code symbol, and the requirements of WAC 296-104-300 through 296-104-303 shall apply.
 - Pool heaters open to the atmosphere are excluded.
- **"Power boiler"** shall mean a boiler in which steam or other vapor is generated at a pressure of more than 15 psig for use external to itself or a boiler in which water is heated and intended for operation at pressures in excess of 160 psig and/or temperatures in excess of 250 degrees F by the direct application of energy from the combustion of fuels or from electricity, solar or nuclear energy.
- **"Reinstalled boiler or unfired pressure vessel"** shall mean a boiler or unfired pressure vessel removed from its original setting and reset at the

same location or at a new location without change of ownership.

- **"Rental boiler"** shall mean any power or low pressure heating boiler that is under a rental contract between owner and user.
- **"Second hand boiler or unfired pressure vessel"** shall mean a boiler or unfired pressure vessel of which both the location and ownership have changed after primary use.
- **"Standard boiler or unfired pressure vessel"** shall mean a boiler or unfired pressure vessel which bears the marking of the codes adopted in WAC 296-104-200.
- **"Unfired pressure vessel"** shall mean a closed vessel under pressure excluding:
 - * Fired process tubular heaters;
 - * Pressure containers which are integral parts of components of rotating or reciprocating mechanical devices where the primary design considerations and/or stresses are derived from the functional requirements of the device;
 - * Piping whose primary function is to transport fluids from one location to another;
 - * Those vessels defined as low pressure heating boilers or power boilers.
- **"Unfired steam boiler"** shall mean a pressure vessel in which steam is generated by an indirect application of heat. It shall not include pressure vessels known as evaporators, heat exchangers, or vessels in which steam is generated by the use of heat resulting from the operation of a processing system containing a number of pressure vessels, such as used in the manufacture of chemical and petroleum products, which will be classed as unfired pressure vessels.

"Certificate of competency" shall mean a certificate issued by the Washington state board of boiler rules to a person who has passed the tests as set forth in WAC 296-104-050.

"Certificate of inspection" shall mean a certificate issued by the chief boiler inspector to the owner/user of a boiler or unfired pressure vessel upon inspection by an inspector. The boiler or unfired pressure vessel must comply with rules, regulations, and appropriate fee payment shall be made directly to the chief boiler inspector.

"Code, API-510" shall mean the Pressure Vessel Inspection Code of the American Petroleum Institute with addenda and revisions, thereto made and approved by the institute which have been adopted by the board of boiler rules in accordance with the provisions of RCW 70.79.030.

"Code, ASME" shall mean the boiler and pressure vessel code of the American Society of Mechanical Engineers with addenda thereto made and approved by the council of the society which have been adopted by the board of boiler rules in accordance with the provisions of RCW 70.79.030.

"Code, NBIC" shall mean the National Board Inspection Code of the National Board of Boiler and Pressure Vessel Inspectors with addenda and revisions, thereto made and approved by the National Board of Boiler and Pressure Vessel Inspectors and adopted by the board of boiler rules in accordance with the provisions of RCW 70.79.030.

"Commission" shall mean an annual commission card issued to a person in the employ of Washington state, an insurance company or a company owner/user inspection agency holding a Washington state certificate of competency which authorizes them to perform inspections of boilers and/or unfired pressure vessels.

"Department" as used herein shall mean the department of labor and industries of the state of Washington.

"Director" shall mean the director of the department of labor and industries.

"Domestic and/or residential purposes" shall mean serving a private residence or an apartment house of less than six families.

"Existing installations" shall mean any boiler or unfired pressure vessel constructed, installed, placed in operation, or contracted for before January 1, 1952.

"Inspection certificate" see "certificate of inspection."

"Inspection, external" shall mean an inspection made while a boiler or unfired pressure vessel is in operation and includes the inspection and demonstration of controls and safety devices required by these rules.

"Inspection, internal" shall mean an inspection made when a boiler or unfired pressure vessel is shut down and handholes, manholes, or other inspection openings are open or removed for examination of the interior. An external ultrasonic examination of unfired pressure vessels less than 36" inside diameter shall constitute an internal inspection.

"Inspector" shall mean the chief boiler inspector, a deputy inspector, or a special inspector.

- **"Chief inspector"** shall mean the inspector appointed under RCW 70.79.100 who serves as the secretary to the board without a vote.
- **"Deputy inspector"** shall mean an inspector appointed under RCW 70.79.120.
- **"Special inspector"** shall mean an inspector holding a Washington commission identified under RCW 70.79.130.

"Nationwide engineering standard" shall mean a nationally accepted design method, formulae and practice acceptable to the board.

"Operating permit" see "certificate of inspection."

"Owner" or "user" shall mean a person, firm, or corporation owning or operating any boiler or unfired pressure vessel within the state.

"Owner/user inspection agency" shall mean an owner or user of boilers and/or pressure vessels that maintains an established inspection department, whose organization and inspection procedures meet the requirements of a nationally recognized standard acceptable to the department.

"Place of public assembly" or "assembly hall" shall mean a building or portion of a building used for the gathering together of 50 or more persons for such purposes as deliberation, education, instruction, worship, entertainment, amusement, drinking, or dining or waiting transportation. This shall also include child care centers (those agencies which operate for the care of thirteen or more children), public and private hospitals, nursing and boarding homes.

"Special design" shall mean a design using (~~nation-wide~~) nationally or internationally recognized engineering

standards other than the codes adopted in WAC 296-104-200 (or other than allowed in WAC 296-104-230)).

AMENDATORY SECTION (Amending WSR 09-12-033, filed 5/27/09, effective 6/30/09)

WAC 296-104-018 Administration—((How are rules interpreted and revised?)) Interpretation of rules—Appeal rights—Hearings. ~~((Stakeholder requests for clarifications and interpretations of these rules shall be made to the chief inspector in writing upon the form furnished by the chief inspector located on the boiler program web site. Interpretations will be brought to the board in the same manner if the inquirer is aggrieved by the interpretation of the chief inspector (RCW 70.79.360). For board consideration the form must be submitted to the department of labor and industries forty-five days prior to the board of boiler rules meeting date. Forms may also be requested by contacting the department-))~~ (1) Any person desiring clarification or interpretation and/or application of the rules in this chapter shall submit a request in writing to the chief inspector upon the "chief inspector clarification and interpretation request form." The chief inspector shall issue a written decision responding to such a request.

(2) Any person who disputes the interpretation and/or application of the rule(s) by the chief inspector may ask the board of boiler rules (board) for its interpretation. Such requests must:

(a) Be submitted in writing to the board upon the "board of boiler rules interpretation and revision request form";

(b) Be received by the secretary to the board (the chief inspector) within thirty days after the date on which the chief inspector's written decision was served on the person making the request; and

(c) Be received by the secretary at least forty-five days before the board meeting date for inclusion at the next regularly scheduled board meeting. Otherwise, the request will be heard and considered at the following board meeting.

At the meeting, the board will affirm, modify or revoke the department's interpretation and a written order reflecting the board's decision will be issued by the chair.

(3) A party may seek judicial review of a final order of the board within thirty days after service of the order, in accordance with RCW 34.05.542.

(4) Any person, firm, partnership, corporation, or other entity wishing to appeal a penalty issued under chapter 70.79 RCW or this chapter must file a written notice of appeal with the chief boiler inspector within twenty days after the date on which the notice of the penalty was served on the assessed party. In the hearing of the appeal, the department has the burden of proof by a preponderance of the evidence. At the hearing, the board will decide the appropriateness of the penalty and may either affirm, modify or overturn the assessment. The parties shall prepare and submit an order reflecting the board's decision to the chair of the board.

(5) Except as provided in chapter 70.79 RCW and this chapter, all proceedings before the board and the courts will be conducted according to chapter 34.05 RCW, Administrative Procedure Act and chapter 10-08 WAC, Model rules of procedure.

AMENDATORY SECTION (Amending WSR 99-22-026, filed 10/26/99, effective 11/26/99)

WAC 296-104-025 Administration—What are the notification and reporting requirements following an accident involving a boiler or pressure vessel? When an accident occurs which renders a boiler or unfired pressure vessel inoperative, the owner or user shall notify the chief inspector, and submit a detailed report of the accident. In cases of accidents, such as explosions or those resulting in personal injury, notice to the chief inspector shall be given immediately by telephone or electronic means designed to assure its earliest possible receipt. Neither the boiler or unfired pressure vessel nor any parts thereof shall be removed or disturbed before an inspection has been made by the chief inspector, or his designee except for the purpose of saving life or limiting consequential damage. The inspector making the investigation and inspection shall report to the chief inspector as soon as possible. The boiler or pressure vessel owner shall be responsible for all costs of the department's investigation.

AMENDATORY SECTION (Amending WSR 04-21-069, filed 10/19/04, effective 1/1/05)

WAC 296-104-140 Inspection—How should a state ((stamp)) number be assigned and applied? Upon completion of the installation, all boilers and unfired pressure vessels shall be inspected by an inspector as defined in WAC ((296-104-010)) 296-104-100. At the time of this inspection, each boiler or unfired pressure vessel shall be marked with a serial number of the state of Washington followed by the letter "W." The marking should be conspicuously located and as close as possible to the boiler or unfired pressure vessel nameplate.

All boilers and unfired pressure vessels granted a Washington state special ((numbers when assigned by the chief inspector)) by the board of boiler rules shall ((be)) have a serial number of the state of Washington followed by the letters "WS." This number shall be assigned by the chief inspector.

Washington numbers assigned by the chief inspector for historical boilers and pressure vessels from outside the jurisdiction shall be a serial number of the state of Washington followed by the letters "WH."

All rental boilers used in the state of Washington shall be marked with the serial number of the state of Washington followed by the letters "WR." This will indicate that the boiler is a rental unit.

The state of Washington markings, numbers and letters, referenced above, shall not be less than 5/16 inches in height and shall not be concealed by lagging or paint and shall be exposed at all times.

AMENDATORY SECTION (Amending WSR 09-12-033, filed 5/27/09, effective 6/30/09)

WAC 296-104-200 Construction—What are the standards for new construction? The standards for new construction are:

(1) ASME Boiler and Pressure Vessel Code, ((2007)) current edition, ((with addenda)) Sections I, III, IV, VIII, Division 1, 2, 3, X, XII;

(2) ASME PVHO-1 ((2007)) Safety Standard for Pressure Vessels for Human Occupancy, current edition; and

(3) Standards of construction approved by the chief inspector and meeting the National Board Criteria for Registration of Boilers, Pressure Vessels and Other Pressure Retaining Items.

These codes and standards may be used on or after the date of issue and become mandatory twelve months after adoption by the board as specified in RCW 70.79.050(2). ASME Code Cases may be approved for use when accepted by the chief inspector. The board recognizes that the ASME Code states that new editions of the code become mandatory ((on issue and that subsequent addenda become mandatory)) six months after the date of issue. For nuclear systems, components and parts the time period for addenda becoming mandatory is defined in the Code of Federal Regulations.

AMENDATORY SECTION (Amending WSR 09-12-033, filed 5/27/09, effective 6/30/09)

WAC 296-104-205 Construction—What are the requirements for nonstandard new construction? ((Those boilers and unfired pressure vessels that are exempted by the codes adopted in WAC 296-104-200 due to volume, temperature or pressure requirements, and are not to be constructed to those codes, must be certified to a nationally recognized testing agency or constructed to WAC 296-104-230. See WAC 296-104-316 for safety pressure relief devices.

Other)) Nonstandard boilers and unfired pressure vessels that are not to be constructed to the codes adopted in WAC 296-104-200 may be treated as special designs at the discretion of the board. Nonstandard construction shall not be permitted to avoid standard construction.

AMENDATORY SECTION (Amending WSR 05-22-092, filed 11/1/05, effective 1/1/06)

WAC 296-104-210 Construction—What are the requirements for construction of boilers and unfired pressure vessels of special design? Boilers and unfired pressure vessels of special design require a special certificate granted by the board of boiler rules. At a minimum the following information shall be supplied to obtain board approval for special designs: Construction drawings, design calculations, material specifications, and a ((Washington state)) written evaluation by a professional ((engineer's evaluation of the design)) engineer knowledgeable with boilers and unfired pressure vessels. Upon board approval a Washington special number will be assigned by the chief inspector. The installation will be subject to the regular inspections required by WAC 296-104-100 and any additional conditions as required by the board.

AMENDATORY SECTION (Amending WSR 00-21-024, filed 10/10/00, effective 11/13/00)

WAC 296-104-215 Construction—What are the requirements to use nonstandard boilers and unfired

pressure vessels ((constructed prior to January 1, 1952)) other than historical boilers and pressure vessels? Nonstandard boilers and unfired pressure vessels ((constructed prior to January 1, 1952)), other than historical boilers and pressure vessels may be used provided they have not been moved from their original setting since January 1, 1952.

AMENDATORY SECTION (Amending WSR 05-22-092, filed 11/1/05, effective 1/1/06)

WAC 296-104-220 Construction—What are the requirements to use nonstandard second hand boilers and unfired pressure vessels, other than historical boilers and pressure vessels? Nonstandard second hand boilers and unfired pressure vessels constructed after January 1, 1952, cannot be used in this state without prior approval of the board of boiler rules. At a minimum the following information shall be supplied to obtain board approvals: Construction drawings, photographs, operating and inspection history, design calculations, ((and a Washington state professional)) an engineer's evaluation of the design and present condition((- Upon board approval a Washington special number will be assigned by the chief inspector. The installation will be subject to the regular inspections required by WAC 296-104-100 and any additional conditions as required by)) and any additional requirements of the board.

NEW SECTION

WAC 296-104-226 Construction—What are the requirements to use historical boilers and pressure vessels? Historical boilers and pressure vessels not previously registered may be used in this state provided they meet all the requirements for historical boilers in the National Board Inspection Code and have prior approval of the board of boiler rules.

Historical boilers and pressure vessels from outside the jurisdiction can be used subject to the approval of the chief inspector, provided they have been registered in another national board jurisdiction and have been inspected and maintained in accordance with all requirements for historical boilers in the National Board Inspection Code.

The object will be subject to regular periodic inspections as required in WAC 296-104-100.

AMENDATORY SECTION (Amending WSR 04-21-069, filed 10/19/04, effective 1/1/05)

WAC 296-104-303 Installation—What control and limit devices are required on automatically fired boilers after December 2004? In addition to those requirements listed in WAC 296-104-302, the following are also required with regard to installations or refits of gas, oil, or combinations of gas or oil:

(1) All automatically fired boilers with input greater than 400,000 Btu/hr, including electric boilers with input greater than 117 kW shall have a manually operated remote shutdown switch or circuit breaker. The shutdown switch should be located just outside the boiler room door and marked for easy identification. Consideration should be given to the type and location of the switch to safeguard against tampering. If

the boiler room door is on the building exterior, the switch should be located just inside the door. If there is more than one door to the boiler room, there should be a switch located at each door.

(2) A means shall be provided for testing the operation of hot water heating boiler low-water fuel cutoff(s) without resorting to draining the entire system. Such means shall not render the device(s) inoperable. If the means temporarily isolates the device from the boiler during testing, it shall automatically return to its normal position.

AMENDATORY SECTION (Amending WSR 04-01-194, filed 12/24/03, effective 1/24/04)

WAC 296-104-316 Installation—What safety pressure relief devices are required on boilers and unfired pressure vessels? All boilers and unfired pressure vessels, including pressure retaining items listed in RCW 70.79.090 (5), shall be safeguarded by safety (~~valves, safety relief valves, or rupture discs~~) pressure relief devices as specified in the applicable ASME Code or recognized standard. The pressure relieving device set pressure shall not exceed the boiler's or the unfired pressure vessel's maximum allowable working pressure unless allowed by the code of construction. These pressure relieving devices shall be installed per the applicable ASME Code or manufacturer's requirements. The outlet of the relief valve shall be run full size to a safe place and shall not induce undue stress on the valve. As an alternative they may be safeguarded by a fail safe pressure relief control system that is evaluated by a professional engineer knowledgeable with boilers and pressure vessels (~~licensed by the state of Washington~~) and accepted by the chief inspector.

AMENDATORY SECTION (Amending WSR 12-09-057, filed 4/17/12, effective 6/30/12)

WAC 296-104-700 What are the inspection fees—Examination fees—Certificate fees—Expenses? The following fees shall be paid by, or on behalf of, the owner or user upon the completion of the inspection. The inspection fees apply to inspections made by inspectors employed by the state.

Boiler and pressure vessel installation/reinstallation permit (excludes inspection and certificate of inspection fee): \$50.00.

Certificate of inspection fees: For objects inspected, the certificate of inspection fee per object is \$21.50.

Hot water heaters per RCW 70.79.090, inspection fee: \$6.70.

Heating boilers:	Internal	External
Cast iron—All sizes	\$36.30	\$29.00
All other boilers less than 500 sq. ft.	\$36.30	\$29.00
500 sq. ft. to 2500 sq. ft.	\$72.40	\$36.30
Each additional 2500 sq. ft. of total heating surface, or any portion thereof	\$29.00	\$14.20

Power boilers:	Internal	External
Less than 100 sq. ft.	\$36.30	\$29.00
100 sq. ft. to less than 500 sq. ft.	\$43.90	\$29.00
500 sq. ft. to 2500 sq. ft.	\$72.40	\$36.30
Each additional 2500 sq. ft. of total heating surface, or any portion thereof	\$29.00	\$14.20

Pressure vessels:

Square feet shall be determined by multiplying the length of the shell by its diameter.

	Internal	External
Less than 15 sq. ft.	\$29.00	\$21.50
15 sq. ft. to less than 50 sq. ft.	\$43.00	\$21.50
50 sq. ft. to 100 sq. ft.	\$50.10	\$29.00
For each additional 100 sq. ft. or any portion thereof	\$50.10	\$14.20

Nonnuclear shop inspections, field construction inspections, and special inspection services:

For each hour or part of an hour up to 8 hours	\$43.90
For each hour or part of an hour in excess of 8 hours	\$65.50

Nuclear shop inspections, nuclear field construction inspections, and nuclear triennial shop survey and audit:

For each hour or part of an hour up to 8 hours	\$65.50
For each hour or part of an hour in excess of 8 hours	\$102.40

Nonnuclear triennial shop survey and audit:

When state is authorized inspection agency:	
For each hour or part of an hour up to 8 hours	\$43.90
For each hour or part of an hour in excess of 8 hours	\$65.50
When insurance company is authorized inspection agency:	
For each hour or part of an hour up to 8 hours	\$65.50
For each hour or part of an hour in excess of 8 hours	\$102.40

Examination fee: A fee of \$81.00 will be charged for each applicant sitting for an inspection examination(s).

Special inspector commission: (~~An initial~~) A fee of (\$27.40 and an) \$43.80 for initial work card. A fee of \$27.30 for annual renewal ((fee of \$10.90 along with an annual work card fee of \$16.40)).

If a special inspector changes companies: A work card fee of \$43.80.

Expenses shall include:

Travel time and mileage: The department shall charge for its inspectors' travel time from their offices to the inspection sites and return. The travel time shall be charged for at the same rate as that for the inspection, audit, or survey. The department shall also charge the current Washington office of financial management accepted mileage cost fees or the actual cost of purchased transportation. Hotel and meals: Actual cost not to exceed the office of financial management approved rate.

Requests for Washington state specials and extensions of inspection frequency: For each vessel to be considered by the board, a fee of \$407.40 must be paid to the department before the board meets to consider the vessel. The board may, at its discretion, prorate the fee when a number of vessels that are essentially the same are to be considered.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 296-104-230 Construction—What are the testing requirements for new boilers or unfired pressure vessels exempted from code requirements for volume, pressure or temperature?
- WAC 296-104-235 Construction—What are the requirements for code exempted boiler and unfired pressure vessel safety relief valves?
- WAC 296-104-330 Installation—What are the relief or safety valve requirements when pressure reducing valves are used?

**WSR 13-10-026
PERMANENT RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION**

[Filed April 23, 2013, 4:26 p.m., effective May 24, 2013]

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

Purpose: The state board of education recently changed the definition of a high school credit from one hundred fifty hours seat time to a performance-based definition. WAC 392-410-417 Temporary exemption from credit requirements, was developed to allow those schools using a performance-based system or on a four or five period day to seek an exemption from the seat time definition.

Since the seat time definition no longer exists, the WAC is no longer needed. WAC 180-51-050 was amended by the state board of education, redefining the definition of a high school credit to performance-based rather than the one hundred fifty hour credit definition.

Citation of Existing Rules Affected by this Order: Repealing WAC 392-410-417 Temporary exemption from credit requirements.

Statutory Authority for Adoption: RCW 28A.655.180.

Adopted under notice filed as WSR 13-06-032 on February 28, 2013.

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 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 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 1.

Date Adopted: April 10, 2013.

Randy Dorn
Superintendent of
Public Instruction

REPEALER

The following section of the Washington Administrative Code is repealed:

- WAC 392-410-117 Temporary exemption from credit requirements.

**WSR 13-10-028
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Children's Administration)**

[Filed April 24, 2013, 9:57 a.m., effective May 25, 2013]

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

Purpose: The purpose of the chapter is to have uniform statewide standards for domestic violence shelters and supportive services funded by DSHS. These standards address issues such as adequate food, clothing, emergency housing, safety, security, and advocacy. The amendments update the section on crib safety to be compliant with rules adopted by the federal Consumer Product Safety Commission in December 2010, and make clarifying edits to rules adopted in November 2010.

Citation of Existing Rules Affected by this Order: Amending WAC 388-61A-0220, 388-61A-0280, 388-61A-0390, 388-61A-0410, 388-61A-0569, and 388-61A-0650.

Statutory Authority for Adoption: Chapter 70.123 RCW.

Other Authority: Consumer Product Safety Commission, 16 C.F.R. Part 1219.

Adopted under notice filed as WSR 13-05-047 on February 13, 2013.

A final cost-benefit analysis is available by contacting Susan Hannibal, Program Manager, DSHS, 4045 Delridge Way S.W., Room 200, Seattle, WA 98106, phone (206) 923-4910, fax (206) 923-4899, e-mail hsus300@dshs.wa.gov.

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

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

Number of Sections Adopted on the Agency's Own Initiative: New 5, 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.

Date Adopted: April 16, 2013.

Kevin Quigley
Secretary

AMENDATORY SECTION (Amending WSR 10-22-040, filed 10/27/10, effective 11/27/10)

WAC 388-61A-0220 What definitions apply to this chapter? "Advocacy" means that the client is involved with an advocate in individual or group sessions with a primary focus of safety planning, empowerment, and education of the client through reinforcement of the client's autonomy and self-determination. Advocacy also means speaking and acting for change or justice with, or on behalf of, another person or cause. Advocacy is survivor-centered and uses nonvictim blaming methods that include:

- Identifying barriers to, and strategies to enhance, safety, including safety planning.
- Clarifying and increasing awareness of the power and control associated with domestic violence and the options one may have to obtain resources while staying safe.
- Supporting independent decision-making based on the unique needs and circumstances of each individual.

"Advocate" means a trained staff person who works in a domestic violence agency and provides advocacy to clients.

"Child care" means the temporary care of a client's child or children by staff of the domestic violence agency at the agency's location or another location where the client is receiving confidential or individual services from the domestic violence agency or is participating in activities sponsored

by the domestic violence agency, other than employment, and so long as the client remains on the premises.

"Children/youth activities" means activities other than children/youth advocacy, such as recreational and educational activities(~~(, and including child care as defined in this chapter)~~).

"Children/youth advocacy" means an age-appropriate intervention service that strives to assist children/youth to express feelings about their exposure to domestic violence. It is an educational, rather than a therapeutic intervention, and is focused on providing education about domestic violence, safety planning, and developing or enhancing problem-solving skills. Advocacy can be provided on an individual basis and in group settings.

"Client" means a victim of domestic violence who is accessing services at a domestic violence agency. Client can also be referred to as a survivor, service recipient, or resident.

"Cohabitant" means a person who is or was married, in a state registered domestic partnership, or cohabiting with another person in an intimate or dating relationship at the present time or at some time in the past. Any person who has one or more children in common with another person, regardless of whether they have been married, were/are in a domestic partnership with each other, or have lived together at any time, must be treated as a cohabitant. Any person who is or was in a dating relationship with another person at the present or at some time in the past, regardless of whether they lived together at any time, must be treated as a cohabitant.

"Community education" refers to information that is provided in community settings about domestic violence and services related to victims of domestic violence. Community education activities include: Training, presentations, outreach to specific communities or geographic areas, community events, and media events.

"Confidential communication" means all information, oral, written or nonverbal, that is transmitted between a victim of domestic violence and an employee or supervised volunteer of a domestic violence agency in the course of their relationship and in confidence by means which, so far as the victim is aware, does not disclose the information to a third person.

"Confidential information" includes, but is not limited to, any information, advice, notes, reports, statistical data, memoranda, working papers, records or the like, made or given during the relationship between a victim of domestic violence and a domestic violence agency, however maintained. Confidential information includes the name, address, telephone number, social security number, date of birth, nine-digit postal (ZIP) code, physical appearance of, case file or history of, and other information that would personally identify a victim of domestic violence who seeks or has received services from a domestic violence agency.

"Crisis hotline or helpline" means a designated telephone line of the domestic violence agency that operates twenty-four hours a day, three hundred sixty-five days a year. A hotline/helpline provides crisis intervention, safety planning, information, and referral services.

"Crisis intervention" means services provided to an individual in crisis to stabilize an individual's emotions, clarify issues, and provide support and assistance to help explore

options for resolution of the individual's immediate crisis and needs.

"Department" means the department of social and health services (DSHS).

"Domestic violence" is a pattern of assaultive and coercive behaviors that an adult or adolescent uses to maintain power and control over their intimate partner. Abusive tactics may include, but are not limited to the following: Physical abuse, sexual abuse, intimidating tactics, physical and/or psychological isolation of the victim, repeated attacks against the victim's competence, alternating use of indulgences, control of family funds and resources, stalking, and the use of children and systems to control the victim. The abuser's use of physical force against persons or property or the use of conduct that establishes credible threat of physical harm (i.e. terrorizing tactics) combined with other controlling tactics are key elements of domestic violence. The effect of the overall pattern of assaultive and coercive behavior is to increase the abuser's power and control in the relationship. It includes, but is not limited to, the categorization of offenses defined in RCW 10.99.020(3) when committed by one cohabitant against another.

"Domestic violence agency" means an agency that provides shelter and advocacy for domestic violence clients in a safe and supportive environment.

"Intimate partner violence" focuses on the most common form of domestic violence, which is between adult or adolescent intimate partners or cohabitants, rather than on violence between nonintimate adult or adolescent household members.

"Legal advocacy" means personal support and assistance with victims of domestic violence to ensure their interests are represented and their rights upheld within the civil and criminal justice systems, including administrative hearings. It includes educating and assisting victims in navigating the justice systems; assisting victims in evaluating advantages and disadvantages of participating in the legal processes; facilitating victims' access and participation in the legal systems; and promoting victims' choices and rights to individuals within the legal systems.

"Lodging unit" means one or more rooms used for a victim of domestic violence including rooms used for sleeping or sitting.

"Marginalized populations" includes, but is not limited to, populations that have been historically underserved and oppressed in society because of ethnicity, race, culture or language diversity, age, sexual orientation, or disability.

"Personally identifying information" includes, but is not limited to, first and last name, home or other physical address, telephone number, Social Security number, date of birth, nine-digit postal (ZIP) code, physical appearance of, case file or history of, and other information that would personally identify a victim of domestic violence who seeks or has received services from a domestic violence agency, or such other information which, taken individually or together with other identifying information, could identify a particular individual.

"Program" means the DSHS domestic violence program.

"Resident" means a client of the domestic violence agency who is residing in a shelter as defined in this chapter.

"Safe home" means a shelter that has two or fewer lodging units and has a written working agreement with a domestic violence agency.

"Safety plan" is a process of thinking through with the victim how to increase safety for both the victim of domestic violence and any dependent children of the victim. Safety planning addresses both immediate and long term risks, barriers, or concerns regarding the victim and any dependent children. It is based on knowledge about the specific pattern of the domestic violence perpetrator's tactics and the protective factors of the victim and any dependent children. Safety planning can be done formally, informally, in writing or orally, or in any other conversational process between the victim and advocate.

"Secretary" means the DSHS secretary or the secretary's designee.

"Shelter" means a safe home or shelter home that provides temporary refuge and food and clothing offered on a twenty-four hour, seven-day-per-week basis to victims of domestic violence and their dependent children. Domestic violence agencies may use hotels and motels for victims who need safe shelter, but the domestic violence agency must also have a shelter home and/or safe home(s) that meet the requirements of this chapter.

"Shelter home" means a shelter that has three or more lodging units and is either a component of, or has a written working agreement with, a domestic violence agency.

"Staff" means persons who are paid or who volunteer to provide services to clients and are a part of a domestic violence agency.

"Support group" means interactive group sessions of two or more victims of domestic violence that is facilitated by trained staff on a regular basis. Participants share experiences, offer mutual support, and receive information and education around a specific topic of common interest. Support groups validate the experiences of victims, explore options, build on strengths, and respect participants' rights to make their own decisions. A shelter or house meeting where, for example, chores are discussed, and there is no advocacy provided, is not a support group.

"Victim" means a cohabitant who has been subjected to domestic violence.

"We, us and our" refers to the department of social and health services and its employees.

"You, I and your" refers to the domestic violence agency.

AMENDATORY SECTION (Amending WSR 10-22-040, filed 10/27/10, effective 11/27/10)

WAC 388-61A-0280 What are the requirements for the crisis hotline or helpline? (1) You must provide a crisis hotline/helpline telephone number to access services of the domestic violence agency. The telephone number must ~~((be listed in the local telephone book, and identified as the crisis hotline/helpline telephone number of the domestic violence agency. The crisis hotline/helpline telephone number must also))~~ be widely distributed throughout the service area cov-

ered by the domestic violence agency and be identified as the crisis hotline/helpline of the agency.

(2) The crisis hotline/helpline service must comply with the following minimum requirements:

(a) It must operate twenty-four hours a day, three hundred sixty-five days a year.

(b) It must be a dedicated telephone line that serves as the crisis hotline or helpline.

(c) Staff that answer the hotline/helpline must be trained in, and familiar with, all referral and intake practices of the domestic violence agency.

(d) In most cases, callers to the hotline/helpline must be able to speak, within fifteen minutes, to a trained staff person from whom the caller can obtain services, including access to emergency shelter.

(e) Staff must have access to TTY or similar technology, and they must be trained on its use.

(f) Safety must be addressed in every call.

(3) You must have written procedures that address the following:

(a) How crisis hotline staff will meet the needs of non-English speaking and hearing impaired callers.

(b) Steps that must be taken when a caller requests emergency shelter.

(c) If you use an answering service, or any other similar system, how you will provide training to the staff of the answering service, and how you will monitor the services provided to your agency.

(4) If you use a call-forwarding system for your domestic violence agency's hotline/helpline, answering service, or any other similar system, you must guarantee that the caller's first contact is supportive.

(5) You may use an answering machine, voice mail, or similar recording device as a back-up means of responding to calls to your agency's crisis hotline/helpline. However, these devices cannot be used as your agency's primary method of answering crisis hotline/helpline calls. Messages left on your agency's answering machine, voice mail, or similar recording device must be returned within the time frame described in subsection (2)(d) of this section.

AMENDATORY SECTION (Amending WSR 10-22-040, filed 10/27/10, effective 11/27/10)

WAC 388-61A-0390 What safety requirements are shelters required to meet? You must keep your equipment and the physical structures in the shelter, including furniture and appliances, safe and clean for the clients you serve. You must:

(1) Maintain the shelter, premises, equipment, and supplies in a clean, safe and sanitary condition, free of hazards, and in good repair.

(2) Provide guard or handrails, as necessary, for stairways, porches and balconies.

(3) Maintain swimming pools, wading pools, bathtubs, hot tubs, spas, and bathing beaches in a safe manner and in such a way that does not present a health hazard, safety problem, or nuisance.

(4) Have a method for securing all windows, doors, and other building accesses to prevent the entry of intruders.

(5) ~~((Make sure all window screens can be secured to prevent children from falling from window openings.~~

~~((6))~~ Make sure that clients residing in shelter are able to immediately enter the shelter if they do not have the ability to independently access the facility with their own key, keycard, door code, or other device.

~~((7))~~ (6) Provide adequate lighting of exterior areas to ensure the safety of clients residing in shelter and staff during the night.

~~((8))~~ (7) Provide a way for staff to enter any area occupied by clients should there be an emergency.

~~((9))~~ (8) Secure all unused refrigerators and freezers accessible to children in such a way that prevents them from climbing in and becoming trapped.

AMENDATORY SECTION (Amending WSR 10-22-040, filed 10/27/10, effective 11/27/10)

WAC 388-61A-0410 What are requirements for cribs or bassinets? If the shelter provides cribs or bassinets, the shelter must comply with ~~((each of these requirements:~~

~~(1) Cribs and bassinets must have a clean, firm mattress covered with waterproof material that is easily sanitized.~~

~~(2) Crib mattresses must fit snugly to prevent the infant from being caught between the mattress and crib side rails.~~

~~(3) Cribs must be assembled correctly, and not have any missing, loose, or broken hardware or slats. There must not be any missing, loose, broken or improperly installed screws, brackets or other hardware on the crib or mattress support.~~

~~(4) Soft objects and loose bedding, including bumper pads, cannot be used in cribs and bassinets.~~

~~(5) Cribs must be made of wood, metal, or approved plastic with secure latching devices.~~

~~(6) Cribs must have no more than two and three eighths inches of space between vertical slats so an infant's body cannot fit through the slats. There must not be any missing or cracked slats.~~

~~(7) Cribs must not have corner posts over one sixteenth inch high so a child's clothing cannot catch.~~

~~(8) Crib headboards and footboards must not have any cutouts that would result in a child's head getting trapped.~~

~~(9) For mesh-sided cribs and playpens:~~

~~(a) Mesh must not have any tears, holes or loose threads.~~

~~(b) Mesh must be securely attached to the top rail and floor plate.~~

~~(c) Top rail covers must not have any tears or holes))~~ crib safety standards issued by the United States Consumer Product Safety Commission.

AMENDATORY SECTION (Amending WSR 10-22-040, filed 10/27/10, effective 11/27/10)

WAC 388-61A-0560 What first-aid supplies must I ~~((approve))~~ provide? You must keep first-aid supplies on hand and accessible to clients residing in shelter for immediate use. First-aid supplies must include at a minimum the following:

First-aid instruction booklet, band-aids, sterile gauze, adhesive tape, antibiotic ointment single use packets, antiseptic wipe single use packets, hydrocortisone ointment single use packets, roller bandage, thermometer (nonmercury/nonglass), and nonlatex gloves. In instances where an

adult or child has ingested a potentially poisonous chemical or substance, you must call the Washington Poison Center for further instruction.

AMENDATORY SECTION (Amending WSR 10-22-040, filed 10/27/10, effective 11/27/10)

WAC 388-61A-0650 What will happen if I am out of compliance with the minimum standards or my contract((s))? (1) If we find that the domestic violence agency is out of compliance with the standards specified in this chapter or the terms of the DSHS contract, we will give you written notice of the deficiencies. You must correct the deficiencies according to a plan of correction we approve.

(2) We may suspend or revoke the funding of a domestic violence agency if it is out of compliance with this chapter or the DSHS contract.

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 1, Amended 3, Repealed 0.

Date Adopted: May 1, 2013.

Joel Sacks
Director

AMENDATORY SECTION (Amending WSR 12-24-048, filed 11/30/12, effective 1/1/13)

WAC 296-17-895 Industrial insurance accident fund base rates, stay at work and medical aid base rates by class of industry. Industrial insurance accident fund, stay at work and medical aid fund base rates by class of industry shall be as set forth below.

WSR 13-10-080
PERMANENT RULES
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed May 1, 2013, 9:57 a.m., effective July 1, 2013]

Effective Date of Rule: July 1, 2013.

Purpose: A classification study was conducted on land surveying businesses. It was determined that land surveyors report approximately ten percent of the total hours for risk classification 4901; which also includes consulting engineers and geologists. Land surveyors file approximately forty-two percent of the claims. This rule filing is necessary to ensure land surveying businesses reflect their degree of hazard.

WAC 296-17-895 Industrial insurance accident fund base rates, stay at work and medical aid base rates by class of industry, update the industrial insurance rate table.

WAC 296-17-901 Risk classification hazard group table, assign a hazard group to new risk classification created.

WAC 296-17A-1006-00 Land surveying services, N.O.C., create a new classification to cover those businesses currently reporting in classification WAC 296-17A-4901-17.

WAC 296-17A-4901-17 Land surveying services, N.O.C., inactivate this subclassification.

Citation of Existing Rules Affected by this Order: Amending WAC 296-17-895, 296-17-901, and 296-17A-4901-17.

Statutory Authority for Adoption: RCW 51.16.035, 51.04.020(1).

Adopted under notice filed as WSR 13-06-049 on March 5, 2013.

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

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

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 3, Repealed 0.

Base Rates Effective
January 1, 2013

Class	Accident Fund	Stay at Work	Medical Aid Fund
0101	2.4521	0.0544	0.8672
0103	2.6794	0.0592	1.1423
0104	1.4858	0.0329	0.6091
0105	1.9690	0.0434	0.9560
0107	1.8473	0.0410	0.6658
0108	1.4858	0.0329	0.6091
0112	1.0337	0.0228	0.4616
0201	4.0605	0.0907	1.0336
0202	5.0794	0.1126	1.8737
0210	1.6933	0.0376	0.5936
0212	1.9761	0.0438	0.7294
0214	2.2407	0.0497	0.8127
0217	1.7454	0.0386	0.6949
0219	1.8077	0.0400	0.6968
0301	0.9934	0.0218	0.5550
0302	3.6601	0.0815	1.1392
0303	2.7861	0.0619	0.9609
0306	1.5788	0.0350	0.5780
0307	1.3218	0.0292	0.5398
0308	0.6992	0.0152	0.4697
0403	2.7006	0.0598	1.0958
0502	2.0864	0.0463	0.7219
0504	2.4230	0.0533	1.1955
0507	4.5735	0.1007	2.2194
0508	3.1055	0.0692	0.8958
0509	2.7067	0.0602	0.8784
0510	2.9031	0.0642	1.2429
0511	2.3957	0.0531	0.8983
0512	2.2743	0.0504	0.8712

Base Rates Effective January 1, 2013				Base Rates Effective January 1, 2013			
Class	Accident Fund	Stay at Work	Medical Aid Fund	Class	Accident Fund	Stay at Work	Medical Aid Fund
0513	1.2434	0.0275	0.4905	1704	1.1763	0.0260	0.5330
0514	2.7645	0.0612	1.1382	1801	0.6773	0.0149	0.3276
0516	2.4353	0.0540	0.9330	1802	1.1150	0.0245	0.5657
0517	3.4633	0.0765	1.4857	2002	1.1335	0.0248	0.6412
0518	2.3260	0.0517	0.7983	2004	1.0274	0.0225	0.5725
0519	2.7303	0.0604	1.1198	2007	0.7879	0.0172	0.4681
0521	0.8335	0.0184	0.3552	2008	0.5148	0.0113	0.2863
0601	0.9317	0.0206	0.3622	2009	0.4719	0.0103	0.3097
0602	1.1507	0.0256	0.3819	2101	1.0118	0.0221	0.6393
0603	1.4680	0.0326	0.4980	2102	0.8862	0.0194	0.4882
0604	1.5115	0.0331	0.8807	2104	0.3390	0.0073	0.3202
0606	0.7953	0.0175	0.4260	2105	0.7810	0.0171	0.4580
0607	1.0208	0.0225	0.4840	2106	0.6615	0.0145	0.4066
0608	0.4780	0.0105	0.2288	2201	0.3285	0.0072	0.2061
0701	3.4398	0.0770	0.7428	2202	1.0855	0.0239	0.5671
0803	0.7238	0.0159	0.3855	2203	0.6037	0.0131	0.4068
0901	2.3260	0.0517	0.7983	2204	0.3285	0.0072	0.2061
1002	1.3782	0.0304	0.6488	2401	0.7058	0.0156	0.3005
1003	1.1253	0.0247	0.5731	2903	0.8998	0.0197	0.5404
1004	0.8381	0.0185	0.3485	2904	0.9947	0.0219	0.5054
1005	13.3656	0.2965	4.8837	2905	0.8652	0.0189	0.5371
<u>1006</u>	<u>0.0970</u>	<u>0.0021</u>	<u>0.0445</u>	2906	0.5070	0.0111	0.3180
1007	0.5638	0.0125	0.2066	2907	0.7312	0.0160	0.4213
1101	1.1185	0.0246	0.5476	2908	1.6124	0.0355	0.8226
1102	2.2770	0.0504	0.8926	2909	0.5415	0.0118	0.3339
1103	1.8916	0.0418	0.8024	3101	1.0553	0.0232	0.5163
1104	0.8531	0.0187	0.5089	3102	0.3638	0.0080	0.2020
1105	1.2801	0.0283	0.5214	3103	0.7431	0.0163	0.3774
1106	0.4049	0.0088	0.2780	3104	0.9171	0.0202	0.4514
1108	0.8625	0.0189	0.4641	3105	1.0010	0.0219	0.5872
1109	2.1887	0.0482	1.0581	3303	0.6232	0.0137	0.3421
1301	0.8129	0.0180	0.3556	3304	0.6318	0.0137	0.4528
1303	0.2901	0.0064	0.1581	3309	0.5745	0.0126	0.2852
1304	0.0413	0.0009	0.0202	3402	0.7259	0.0160	0.3758
1305	0.6926	0.0152	0.3542	3403	0.2970	0.0065	0.1538
1401	0.2750	0.0060	0.1766	3404	0.6549	0.0144	0.3690
1404	1.1914	0.0261	0.6895	3405	0.3833	0.0084	0.2281
1405	1.0249	0.0225	0.5500	3406	0.3337	0.0073	0.2219
1407	0.6643	0.0145	0.4439	3407	1.2606	0.0278	0.5470
1501	0.9245	0.0204	0.4241	3408	0.3102	0.0068	0.1724
1507	0.8642	0.0190	0.4307	3409	0.2003	0.0044	0.1293
1701	1.1763	0.0260	0.5330	3410	0.2728	0.0059	0.1950
1702	3.1012	0.0692	0.8394	3411	0.8249	0.0182	0.3686
1703	1.7348	0.0388	0.4136	3412	0.9685	0.0214	0.3814

Base Rates Effective January 1, 2013				Base Rates Effective January 1, 2013			
Class	Accident Fund	Stay at Work	Medical Aid Fund	Class	Accident Fund	Stay at Work	Medical Aid Fund
3414	0.9173	0.0202	0.4644	4803	0.3283	0.0070	0.2961
3415	1.2609	0.0278	0.5903	4804	0.6222	0.0135	0.4387
3501	1.5004	0.0330	0.7564	4805	0.3836	0.0083	0.2743
3503	0.3760	0.0081	0.3036	4806	0.0812	0.0018	0.0587
3506	1.4096	0.0312	0.5345	4808	0.6253	0.0136	0.3998
3509	0.4917	0.0107	0.3347	4809	0.3903	0.0085	0.2898
3510	0.4659	0.0102	0.2789	4810	0.1708	0.0037	0.1405
3511	0.8664	0.0190	0.4544	4811	0.4127	0.0089	0.3387
3512	0.4810	0.0105	0.3283	4812	0.4929	0.0107	0.3199
3513	0.6992	0.0152	0.4776	4813	0.2036	0.0044	0.1518
3602	0.1559	0.0034	0.0947	4900	0.2798	0.0062	0.1004
3603	0.6534	0.0143	0.3942	4901	0.0970	0.0021	0.0445
3604	0.9929	0.0216	0.6886	4902	0.1733	0.0038	0.0927
3605	0.7860	0.0173	0.3781	4903	0.2183	0.0048	0.1293
3701	0.3638	0.0080	0.2020	4904	0.0321	0.0007	0.0216
3702	0.6261	0.0137	0.3455	4905	0.4431	0.0095	0.3763
3708	0.8849	0.0195	0.4348	4906	0.1327	0.0029	0.0726
3802	0.2778	0.0061	0.1716	4907	0.0729	0.0016	0.0484
3808	0.6351	0.0140	0.2744	4908	0.1171	0.0025	0.1004
3901	0.1860	0.0040	0.1496	4909	0.0496	0.0010	0.0561
3902	0.5808	0.0126	0.4031	4910	0.6420	0.0141	0.3581
3903	1.4019	0.0305	0.9902	4911	0.0912	0.0020	0.0497
3905	0.1657	0.0036	0.1405	5001	14.2821	0.3172	4.9189
3906	0.5958	0.0130	0.3978	5002	0.8855	0.0195	0.4383
3909	0.4312	0.0094	0.2886	5003	3.5579	0.0792	1.1030
4002	1.9643	0.0435	0.7829	5004	1.1090	0.0243	0.6096
4101	0.4891	0.0107	0.2593	5005	1.1812	0.0261	0.4763
4103	0.7331	0.0160	0.4412	5006	2.3416	0.0520	0.7925
4107	0.2271	0.0050	0.1273	5101	1.4077	0.0311	0.6131
4108	0.2651	0.0058	0.1598	5103	1.0949	0.0238	0.7413
4109	0.2818	0.0062	0.1596	5106	1.0949	0.0238	0.7413
4201	1.1239	0.0249	0.4075	5108	1.1334	0.0248	0.7066
4301	0.8649	0.0188	0.5681	5109	0.8679	0.0192	0.3809
4302	0.9936	0.0218	0.5499	5201	0.5499	0.0121	0.2825
4304	1.1888	0.0258	0.8256	5204	1.5391	0.0340	0.6890
4305	1.7574	0.0389	0.7249	5206	0.5550	0.0122	0.2626
4401	0.5558	0.0121	0.3632	5207	0.1834	0.0040	0.1434
4402	1.1152	0.0244	0.6306	5208	1.0405	0.0228	0.6152
4404	0.6912	0.0151	0.4303	5209	1.0261	0.0226	0.5134
4501	0.2389	0.0052	0.1741	5300	0.1707	0.0038	0.0896
4502	0.0580	0.0013	0.0369	5301	0.0498	0.0011	0.0296
4504	0.1528	0.0033	0.1082	5302	0.0217	0.0005	0.0110
4601	1.1025	0.0242	0.5798	5305	0.0745	0.0016	0.0504
4802	0.4275	0.0093	0.2821	5306	0.0625	0.0014	0.0446

Base Rates Effective January 1, 2013				Base Rates Effective January 1, 2013			
Class	Accident Fund	Stay at Work	Medical Aid Fund	Class	Accident Fund	Stay at Work	Medical Aid Fund
5307	1.0113	0.0223	0.4561	6511	0.4844	0.0105	0.3347
5308	0.1306	0.0028	0.0896	6512	0.1963	0.0043	0.1060
6103	0.0976	0.0021	0.0835	6601	0.2750	0.0060	0.1766
6104	0.5314	0.0116	0.3263	6602	0.6545	0.0142	0.4540
6105	0.5759	0.0127	0.2671	6603	0.4433	0.0097	0.2623
6107	0.1740	0.0037	0.1513	6604	0.1073	0.0023	0.0736
6108	0.5734	0.0125	0.4054	6605	0.5161	0.0112	0.3468
6109	0.1519	0.0033	0.0813	6607	0.2010	0.0044	0.1308
6110	0.8459	0.0185	0.4813	6608	0.9685	0.0216	0.2680
6120	0.4528	0.0100	0.2245	6620	4.9459	0.1092	2.1603
6121	0.5110	0.0112	0.2600	6704	0.1750	0.0038	0.1081
6201	0.4640	0.0102	0.2315	6705	1.0472	0.0226	0.8269
6202	0.9320	0.0204	0.5342	6706	0.3749	0.0081	0.2726
6203	0.1224	0.0026	0.1164	6707	5.7200	0.1231	4.9261
6204	0.1641	0.0036	0.1155	6708	9.2814	0.1975	9.6979
6205	0.3159	0.0069	0.2061	6709	0.3464	0.0075	0.2409
6206	0.3115	0.0068	0.2002	6801	1.1170	0.0247	0.4887
6207	1.5595	0.0337	1.2587	6802	0.7898	0.0173	0.4896
6208	0.3017	0.0065	0.2515	6803	1.4287	0.0318	0.4212
6209	0.3984	0.0087	0.2744	6804	0.4717	0.0103	0.2904
6301	0.2032	0.0045	0.0782	6809	6.4856	0.1405	4.9240
6303	0.1074	0.0024	0.0614	6901	0.0000	0.0000	0.0660
6304	0.3904	0.0084	0.3128	6902	1.5931	0.0354	0.5527
6305	0.1324	0.0029	0.0958	6903	11.3132	0.2508	4.2662
6306	0.4339	0.0095	0.2345	6904	0.8761	0.0194	0.3551
6308	0.0955	0.0021	0.0531	6905	0.6698	0.0148	0.3244
6309	0.2859	0.0062	0.1782	6906	0.0000	0.0000	0.3244
6402	0.3363	0.0073	0.2339	6907	1.6832	0.0369	0.9362
6403	0.2007	0.0043	0.1592	6908	0.6082	0.0133	0.3311
6404	0.3352	0.0073	0.2412	6909	0.1499	0.0033	0.1009
6405	0.8424	0.0186	0.4046	7100	0.0442	0.0010	0.0270
6406	0.1486	0.0032	0.1143	7101	0.0347	0.0008	0.0184
6407	0.3394	0.0074	0.2217	7102	4.0666	0.0858	4.8031
6408	0.6453	0.0142	0.3347	7103	1.0239	0.0226	0.4723
6409	1.0812	0.0239	0.4915	7104	0.0422	0.0009	0.0279
6410	0.4269	0.0094	0.2441	7105	0.0333	0.0007	0.0210
6501	0.1945	0.0042	0.1261	7106	0.3079	0.0067	0.2269
6502	0.0422	0.0009	0.0263	7107	0.2901	0.0063	0.2355
6503	0.1137	0.0025	0.0476	7108	0.2335	0.0050	0.1904
6504	0.4536	0.0098	0.3737	7109	0.1859	0.0040	0.1285
6505	0.1447	0.0031	0.1381	7110	0.4966	0.0110	0.2159
6506	0.1519	0.0033	0.1040	7111	0.7247	0.0161	0.2755
6509	0.4253	0.0092	0.3297	7112	0.9217	0.0201	0.6107
6510	0.6737	0.0149	0.2928	7113	0.4995	0.0109	0.3477

Class	Base Rates Effective January 1, 2013			Risk Classification	Hazard Group
	Accident Fund	Stay at Work	Medical Aid Fund		
7114	0.7211	0.0155	0.6031	306	8
7115	0.6305	0.0137	0.4754	307	7
7116	0.8409	0.0184	0.5029	308	3
7117	1.7056	0.0373	0.9913	403	6
7118	1.9595	0.0428	1.2244	502	8
7119	1.9361	0.0424	1.1135	504	9
7120	8.6413	0.1896	4.7038	507	8
7121	8.0855	0.1774	4.4099	508	9
7122	0.5889	0.0128	0.4189	509	9
7200	2.1784	0.0482	0.9040	510	7
7201	2.6166	0.0579	1.0803	511	7
7202	0.0456	0.0010	0.0198	512	9
7203	0.1357	0.0029	0.1504	513	6
7204	0.0000	0.0000	0.0000	514	7
7205	0.0000	0.0000	0.0000	516	8
7301	0.5894	0.0129	0.3450	517	9
7302	1.2427	0.0271	0.7998	518	9
7307	0.5780	0.0126	0.3837	519	9
7308	0.4811	0.0104	0.3633	521	7
7309	0.3242	0.0070	0.2638	540	8
7400	2.6166	0.0579	1.0803	541	9
				550	9
				551	9
				601	7
				602	7
				603	9
				604	7
				606	4
				607	6
				608	7
				701	9
				803	5
				901	8
				1002	8
				1003	7
				1004	6
				1005	8
				<u>1006</u>	<u>6</u>
				1007	7
				1101	5
				1102	8
				1103	8
				1104	3
				1105	7
				1106	5
				1108	5
				1109	6

AMENDATORY SECTION (Amending WSR 10-21-086, filed 10/19/10, effective 11/19/10)

WAC 296-17-901 Risk classification hazard group table. Effective November 19, 2010.

Risk Classification	Hazard Group
101	9
103	8
104	8
105	5
107	9
108	8
112	7
201	9
202	9
210	8
212	9
214	8
217	7
219	7
301	4
302	9
303	9

Risk Classification	Hazard Group	Risk Classification	Hazard Group
1301	2	3403	6
1303	3	3404	5
1304	5	3405	3
1305	4	3406	1
1401	9	3407	6
1404	3	3408	1
1405	1	3409	1
1407	4	3410	2
1501	5	3411	6
1507	5	3412	8
1701	7	3414	6
1702	9	3415	9
1703	9	3501	6
1704	7	3503	3
1801	9	3506	7
1802	5	3509	1
2002	6	3510	2
2004	4	3511	6
2007	6	3512	3
2008	6	3513	8
2009	3	3602	4
2101	5	3603	4
2102	3	3604	7
2104	2	3605	5
2105	2	3701	5
2106	4	3702	3
2201	6	3708	5
2202	5	3802	3
2203	2	3808	7
2204	6	3901	1
2401	1	3902	4
2903	4	3903	6
2904	6	3905	1
2905	3	3906	4
2906	4	3909	3
2907	3	4002	7
2908	7	4101	5
2909	4	4103	2
3101	6	4107	6
3102	6	4108	3
3103	6	4109	6
3104	6	4201	6
3105	5	4301	4
3303	3	4302	4
3304	3	4304	6
3309	6	4305	5
3402	6	4401	6

Risk Classification	Hazard Group	Risk Classification	Hazard Group
4402	2	5301	3
4404	5	5302	5
4501	1	5305	1
4502	5	5306	1
4504	1	5307	4
4601	5	5308	1
4802	7	6103	1
4803	2	6104	2
4804	2	6105	6
4805	2	6107	1
4806	5	6108	1
4808	6	6109	4
4809	3	6110	5
4810	3	6120	5
4811	3	6121	5
4812	2	6201	7
4813	3	6202	6
4900	9	6203	1
4901	6	6204	2
4902	3	6205	4
4903	1	6206	3
4904	3	6207	6
4905	2	6208	2
4906	2	6209	3
4907	4	6301	8
4908	2	6303	5
4909	3	6304	1
4910	6	6305	1
4911	6	6306	4
5001	9	6308	2
5002	3	6309	3
5003	9	6402	1
5004	8	6403	1
5005	9	6404	3
5006	9	6405	5
5101	4	6406	1
5103	3	6407	3
5106	2	6408	4
5108	3	6409	6
5109	6	6410	3
5201	4	6501	1
5204	8	6502	4
5206	6	6503	5
5207	2	6504	1
5208	4	6505	1
5209	6	6506	2
5300	2	6509	2

Risk Classification	Hazard Group	Risk Classification	Hazard Group
6510	8	7116	8
6511	3	7117	3
6512	6	7118	7
6601	4	7119	6
6602	5	7120	9
6603	4	7121	9
6604	1	7122	5
6605	1	7200	3
6607	4	7201	5
6608	9	7202	6
6620	1	7203	1
6704	2	7301	6
6705	2	7302	7
6706	6	7307	5
6707	1	7308	1
6708	8	7309	2
6709	2	7400	6
6801	3	The following classes have no hazard group assigned to them	
6802	2	6614	
6803	9	6615	
6804	3	6616	
6809	2	6617	
6901	1	6618	
6902	9	7204	
6903	9	7205	
6904	1		
6905	1		
6906	1		
6907	4		
6908	4		
6909	2		
7100	7		
7101	8		
7102	3		
7103	4		
7104	3		
7105	3		
7106	3		
7107	2		
7108	4		
7109	4		
7110	5		
7111	4		
7112	4		
7113	3		
7114	3		
7115	3		

The following classes have no hazard group assigned to them

- 6614
- 6615
- 6616
- 6617
- 6618
- 7204
- 7205

NEW SECTION

WAC 296-17A-1006 Classification 1006.

1006-00 Land surveying services, N.O.C.

Applies to establishments engaged in providing professional land surveying services not covered by another classification (N.O.C.).

Work in this rate classification includes, but is not limited to:

- Measuring the size and physical characteristics of earth surfaces to determine precise location and measurements of points, elevations, lines, areas, contours and boundaries; and
- Performing marine, mine, forestry, geological and photogrammetric surveys which utilize sophisticated instruments and techniques, including aerial photography.

Field data collected by surveyors may be used to produce maps, architectural and civil engineering plans and drawings. Maps and drawings may be produced by drafters who plot out the field data by hand or by using computer-aided drafting programs.

What activities are not included in this classification?

- Draftsmen whose duties are limited to office work; if all conditions of the general reporting rules governing standard exception employees have been met, they may be reported separately in classification 4904; and

- Surveyors employed by construction companies or other types of businesses who are to be reported separately in the applicable classification for those businesses.

AMENDATORY SECTION (Amending WSR 07-01-014, filed 12/8/06, effective 12/8/06)

WAC 296-17A-4901 Classification 4901.

**4901-00 Consulting engineering
Architectural services, N.O.C.**

Applies to establishments engaged in providing consulting engineering services, construction management or consulting services, or architectural services not covered by another classification (N.O.C.). Engineers consult with and give technical advice to clients through the use of plans, maps, charts, specifications or other media. They may specialize in particular fields of endeavor such as aeronautical, chemical, civil, electrical, industrial, marine, mechanical or structural engineering. Engineers may research, design and develop a plan, a part, a piece of equipment, or a structure and may also build prototypes and models. Architects research, plan and design building projects for clients, applying knowledge of design, construction procedures, zoning and building codes, and building materials. They may enlist the services of engineers to provide specialized technical services or to solve specific problems. Architects may specialize in certain types of facilities such as hotels, hospitals, or industrial plants, or in the restoration of older structures, or may confine their practice to residential work. They also may be involved in the design of transportation facilities, public assembly complexes, marine or public utility projects. This classification includes employees of engineering or architectural services who perform surveys or who act as project managers or project superintendents for their employer's engineering or architectural projects. Businesses which specialize in offering construction management and/or consulting services, which are not involved in designing, engineering, or any of the actual construction activities, are also included in this classification.

This classification excludes draftsmen whose duties are limited to office work, who may be reported separately in classification 4904 provided the conditions set forth in the standard exception rule have been met, and the engineering and architectural staff of construction companies or other types of businesses who are to be reported in the classifications applicable for those businesses.

Special note: When assigning classifications 4901 or 1007, care must be taken to look beyond the words "consulting" or "engineering" to determine the actual nature of the activities being performed.

4901-16 Geologists, N.O.C.

Applies to establishments engaged in providing geological services, including oil or gas geologists or scouts and lease buyers performing work similar to oil geologists, not covered by another classification. Geologists study the composition, structure, and history of the earth's crust to identify and determine the sequence of processes affecting the development of the earth. By applying knowledge of chemistry, physics, biology and mathematics to explain these phenom-

ena, they help locate mineral, geothermal, petroleum, and underground water resources. They will consult with and give technical advice to clients based on their findings. Projects may include, but are not limited to, landslide analysis and correction, rock slope design, rock fall mitigation and control, and soil cut and embankment design. They also prepare geologic reports and maps, interpret research data, recommend further study or action, and may participate in environmental studies. Duties of oil or gas geologists or scouts and lease buyers include, but are not limited to, reviewing court records, interviewing lease holders, securing data for prospective oil or gas producing land, as well as procuring core or shale samples at drilling locations for analyzing. The oil or gas geologist also may explore and chart stratigraphic arrangement and structure of the earth to locate gas and oil deposits, evaluate results of geophysical prospecting, prepare maps and diagrams indicating probable deposits of gas and oil, as well as estimate oil reserves in proven or prospective fields and visit drilling sites. Scouts keep the client company informed of events in their region, attend local meetings, and report the findings on work.

This classification excludes geophysical exploration which is to be reported separately in classification 1007; seismic geophysical exploration which is to be reported separately in classification 0103; and geologists or scouts of a drilling or construction contractor who are to be reported separately in the classification applicable to the employer's business.

Special note: When assigning classifications 4901-16, geologists, 1007-08, geophysical exploration, and 0103, seismic geophysical exploration, care must be taken to look beyond the word "geologist" to determine the actual nature of the activities being performed.

((4901-17 Land surveying services, N.O.C.

~~Applies to establishments engaged in providing professional land surveying services not covered by another classification (N.O.C.). Land surveyors measure the size and physical characteristics of earth surfaces to determine precise location and measurements of points, elevations, lines, areas, contours and boundaries for private, public, and commercial applications. Some firms also perform marine, mine, forestry, geological and photogrammetric surveys which utilize sophisticated instruments and techniques, including aerial photography. The field data collected by surveyors may be used to produce maps and architectural and civil engineering plans and drawings. Maps and drawings may be produced by drafters who plot out the field data by hand or by using computer-aided drafting programs.~~

~~This classification excludes draftsmen whose duties are limited to office work, who may be reported separately in classification 4904 provided all the conditions of the general reporting rules covering standard exception employees have been met, and surveyors employed by construction companies or other types of businesses who are to be reported separately in the applicable classifications for those businesses.))~~