

NOVEMBER 1, 1989

OLYMPIA, WASHINGTON

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| Issue No. | Closing Dates ¹ | | | Distribution Date | First Agency Hearing Date ³ |
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| | Non-OTS & 30 p. or more | Non-OTS & 11 to 29 p. | OTS ² or 10 p. max. Non-OTS | | |
| For Inclusion in— | File no later than— | | | Count 20 days from— | For hearing on or after |
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¹All documents are due at the code reviser's office by 5:00 p.m. on or before the applicable closing date for inclusion in a particular issue of the Register; see WAC 1-21-040.

²A 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.

³At 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.

WSR 89-21-001
PERMANENT RULES
DEPARTMENT OF REVENUE
 [Filed October 5, 1989, 10:30 a.m.]

Date of Adoption: October 5, 1989.

Purpose: To describe the application of sales and use taxes to the sale of magazines and periodicals.

Citation of Existing Rules Affected by this Order: Amending WAC 458-20-127.

Statutory Authority for Adoption: RCW 82.32.300.

Pursuant to notice filed as WSR 89-17-063 on August 16, 1989.

Effective Date of Rule: Thirty days after filing.

October 5, 1989
 Edward L. Faker
 Assistant Director

AMENDATORY SECTION (Amending Order ET 83-17, filed 3/15/83)

WAC 458-20-127 MAGAZINES AND PERIODICALS.

~~((RETAIL SALES TAX))~~

(1) RETAIL SALES TAX. Sales of magazines and periodicals to the reading public by persons operating news stands, book stores, cigar stores, drug stores and the like are sales at retail and are subject to the retail sales tax. Sales to newsstands or stores which are sales for resale are not subject to the retail sales tax.

When magazines or periodicals are distributed to the final purchaser by a distributor who effects such distribution through organizers ~~((or)),~~ captains, ~~((supervising boys,))~~ or others selling from house to house or upon the streets, the news company or distributor is the one responsible for the collection and payment of the retail sales tax.

Such news companies or distributors shall collect from ~~((the boys or others))~~ those selling the magazines or periodicals the retail sales tax upon the gross retail selling price of all magazines and periodicals taken by such ~~((boys or others))~~ persons.

Registration certificates are not required for organizers ~~((or)),~~ captains, or ~~((for boys or))~~ other persons selling magazines or other periodicals under such circumstances. Branch certificates will be issued to the news company or magazine distributor for each of the local stations operated by such company.

(2) Where subscriptions or renewals of subscriptions are mailed directly by purchasers to publishers outside the state, ~~((such subscriptions constitute transactions in interstate commerce of a type which are not subject to the retail sales tax. Because of circumstances peculiar to the magazine publishing industry, the degree of local activity in respect to interstate sales is either difficult or impossible to determine. For this reason, out-of-state~~

~~vendors of magazines are relieved from liability for collecting either retail sales tax or use tax on sales of magazines or periodicals when such publications are published outside the state and delivered in interstate commerce to consumers in this state)) the guidelines contained in WAC 458-20-193B and 458-20-221 apply to the obligation of publishers to collect sales or use tax.~~

This rule does not apply to the sale of newspapers. The law expressly exempts the sale of newspapers from the retail sales tax. (RCW 82.08.0253.) See WAC 458-20-143 for the definition of "newspaper."

~~((USE TAX))~~

(3) USE TAX. Where no retail sales tax is paid upon the purchase of, or subscription to, a magazine or periodical, the use tax is subsequently payable upon the use of the magazine or periodical in this state by the purchaser or subscriber.

WSR 89-21-002
PERMANENT RULES
DEPARTMENT OF REVENUE
 [Filed October 5, 1989, 10:33 a.m.]

Date of Adoption: October 5, 1989.

Purpose: To describe the application of excise taxes to transactions involving mobile homes and to explain the operation of the mobile home park fee.

Citation of Existing Rules Affected by this Order: Amending WAC 458-20-253.

Statutory Authority for Adoption: RCW 82.32.300.

Pursuant to notice filed as WSR 89-17-064 on August 16, 1989.

Changes Other than Editing from Proposed to Adopted Version: The definition of "mobile home" was amended to conform with the definition of that term in RCW 46.04.302.

Effective Date of Rule: Thirty days after filing.

October 5, 1989
 Edward L. Faker
 Assistant Director

AMENDATORY SECTION (Amending Order 88-8, filed 12/13/88)

WAC 458-20-253 MOBILE HOMES AND MOBILE HOME PARK FEE((S)). (1) DEFINITIONS.

(a) "Landlord" means the owner of a mobile home park and includes the agents of the owner.

(b) "Lot" means a portion of a mobile home park designated as the location for one mobile home and its accessory buildings, and intended for the exclusive use by the occupants of that mobile home as a primary residence.

(c) "Mobile home" means a structure, designed and constructed to be transportable in one or more sections~~((, which is thirty-two body feet or more in length and is eight body feet or more in width and which))~~ and is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities~~((The term))~~

that include ~~((s-the))~~ plumbing, heating, ~~((air-conditioning,))~~ and electrical systems contained ~~((within the structure. It does not include modular homes))~~ therein. The structure must comply with the National Mobile Home Construction and Safety Standards Act of 1974 as adopted by chapter 43.22 RCW if applicable.

(d) "Mobile home park" means any real property which is rented or held out for rent for the placement of two or more mobile homes for the primary purpose of production of income, except where such real property is rented or held out for rent for seasonal, recreational purposes only and is not intended for continuous occupancy.

(e) ~~("Tenant" means a person who rents a lot for a term of one month or longer, and who owns the mobile home on the lot.~~

(f)) "Used mobile home as defined in RCW 82.45-.032" means a mobile home which has been previously sold at retail and has been subjected to sales tax, or which has been previously used and has been subjected to use tax, and which has substantially lost its identity as a mobile unit by virtue of its being fixed in location upon land owned or leased by the owner of the mobile home and placed on a foundation (posts or blocks) with fixed pipe connections with sewer, water, and other utilities.

(2) SALES BY DEALERS OR SELLING AGENTS. Dealers or selling agents applying for new certificates of ownership for mobile homes they have sold must remit the sales tax on such sales to the county auditor or the department of licensing at the time of application.

(a) County auditors and the department of licensing must collect sales tax on these transactions unless the mobile home dealer or selling agent presents a written statement signed by the department of revenue or its duly authorized agent showing that no sales tax or use tax is due.

(b) The application for a new certificate of ownership must state the selling price paid for the mobile home. The selling price does not include the value of trade-in property of like kind. See WAC 458-20-247.

(c) Dealers and selling agents remitting sales tax to county auditors or the department of licensing should report the income from such sales on their combined excise tax returns and take a sales tax deduction in the amount of sales tax so remitted.

(d) Where sales tax on the purchase of a mobile home has been remitted to a county auditor or the department of licensing and the purchaser believes that sales tax was not legally due, such purchaser may apply for a refund directly from the department of revenue. The application for refund must be received by the department of revenue within four years from payment of the tax. If the application for refund is denied the purchaser may seek a refund in accordance with the procedures described in WAC 458-20-100.

(3) USED MOBILE HOMES.

(a) Sales tax. Sales tax does not apply to the sale of used mobile homes as defined in RCW 82.45.032.

(b) Use tax. Use tax does not apply to the use of used mobile homes as defined in RCW 82.45.032.

(4) RENTAL OR LEASE OF MOBILE HOMES. Sales tax does not apply to the rental or lease of mobile homes if

the rental agreement or lease exceeds thirty days in duration and if the rental or lease is not in conjunction with the provision of short term lodging for transients.

(5) MOBILE HOME PARK FEE((s)).

(a) ~~((Duties of landlords:~~

(i)) Landlords, as defined in subdivision (1)(a) of this section, must register with the department of revenue for purposes of the mobile home park fee((s)) imposed in RCW 59.22.060.

~~((ii)) (b) Landlords must ((themselves)) pay a fee of one dollar per year for each lot within the mobile home park((, whether rented or not)) which is occupied on January 1 of each year.~~

~~((iii) In addition, landlords must, on January 1 of each year, collect from each tenant, as defined in subdivision (1)(c) of this section, a fee of one dollar for each lot rented to that tenant on that date.~~

~~(iv)) (c) Landlords must remit ((both)) the fee((s)) to the department of revenue by January 31 of each year. ((The fee collected by landlords from tenants shall be deemed to be held in trust by the landlord until paid to the department of revenue. Any landlord who converts the fee collected to its own use shall be guilty of a gross misdemeanor.~~

~~(b) Duties of tenants. Tenants must, on January 1 of each year, pay a fee of one dollar to their landlord for each lot rented.~~

~~(c) Failure to collect fee. If a landlord fails to collect the fee from a tenant, whether or not such failure is due to circumstances beyond the landlord's control, the landlord is liable to the department for the tenant's fee.))~~

(6) REGISTRATION FOR MOBILE HOME PARKS. Landlords who are registered with the department of revenue for excise tax purposes need not submit a separate registration. Landlords who are not otherwise registered with the department of revenue must register by means of the master business application. There is no cost for registering solely for purposes of reporting the mobile home park fee((s)). A registration remains valid for as long as the landlord owns the mobile home park. The department of revenue will provide registered landlords with returns for reporting the mobile home park fee((s)).

WSR 89-21-003

EMERGENCY RULES

COLUMBIA RIVER GORGE COMMISSION

[Filed October 5, 1989, 3:03 p.m.]

I HEREBY CERTIFY that the copy shown below is a true, full and correct copy of temporary rule(s) adopted on September 26, 1989, by the Columbia River Gorge Commission to become effective immediately through December 25, 1989.

The within matter having come before the Columbia River Gorge Commission after all procedures having been in the required form and conducted in accordance with applicable statutes and rules and being fully advised in the premises.

NOW THEREFORE, IT IS HEREBY ORDERED that the following action be taken: Amending 350-16-012(2) as Administrative Rules of the Columbia River Gorge Commission.

DATED this 3rd day of October, 1989.

Richard P. Benner
Executive Director

Statutory Authority: RCW 43.97.015, chapter 499, Washington Laws of 1987.

For Further Information Contact: Richard P. Benner, Executive Director, (509) 493-3323.

Statement of Need

Need for Rule: The commission needs a process and criteria for controlling requests from parties to contested case hearings to gain access to the subject property to protect the property owner and the parties.

Emergency: The commission finds an emergency exists that calls for immediate adoption of the rule. Without the rule the commission has no process or criteria for controlling access to properties involved in contested cases before the commission. The commission has a request pending before it. The appellants in the case wish prompt disposition of their appeal. Adoption of a temporary rule is the only way to avoid postponement of the hearing on the appeal and avoid substantial prejudice to the appellants.

Authority: These rules are based upon section 10(c) of the National Scenic Area Act, P.L. 99-663, which charges the commission to review development proposals, and section a(4) of the Columbia River Gorge Compact, RCW 43.97.015 et seq. and ORS 390.500 et seq.

Document Relied Upon: Commission Rules 350-16-012(1).

350-16-012. *Depositions or subpoena of material witness; discovery.*

(1) *On petition of any party to a contested case, the commission may order that the testimony of any material witness may be taken by deposition in the manner prescribed by law for depositions in civil actions. Depositions may also be taken by the use of audio or audio-visual records. The petition shall set forth the name and address of the witness whose testimony is desired, a showing of the materiality of the testimony of the witness, and a request for an order that the testimony of such witness be taken before an officer named in the petition for that purpose. If the witness resides in Oregon or Washington and is unwilling to appear, the commission may issue a subpoena, requiring his appearance before such officer.*

(2) *On petition of any party to a contested case the commission may order that the party be allowed an opportunity to visit the property that is the subject of a hearing before the commission. The petition shall set forth the name, address and telephone number of the person or persons who will visit the property, a showing of the purpose of the visit and the materiality and proposed use of the information sought on the property. The applicant, the owner of the property or a representative shall be entitled to accompany the petitioning party*

while on the property and shall be given access to any written report or notes from the site visit prepared for the petitioning party.

WSR 89-21-004

PERMANENT RULES

INSURANCE COMMISSIONER

[Order R 89-12—Filed October 5, 1989, 3:46 p.m.]

Date of Adoption: October 5, 1989.

Purpose: The proposed amendments to WAC 284-23-550(1) make permanent the July 1, 1989, effective date which was adopted on an emergency basis March 31, 1989, WSR 89-08-038; WAC 284-33-550(2) clarify the impact of the rule on universal life insurance forms; and WAC 284-33-550(3) recognize that dividends cannot be guaranteed and thus may not be used to bring a form into compliance with the rule.

Citation of Existing Rules Affected by this Order: Amending WAC 284-23-550.

Statutory Authority for Adoption: RCW 48.02.060 and 48.30.010.

Pursuant to notice filed as WSR 89-17-099 on August 22, 1989, and WSR 89-20-028 on September 29, 1989.

Effective Date of Rule: Thirty days after filing.

October 5, 1989
Dick Marquardt
Insurance Commissioner
David H. Rodgers
Chief Deputy
Insurance Commissioner

AMENDATORY SECTION (Amending Order R 89-4, filed 3/22/89)

WAC 284-23-550 **RELATIONSHIP OF DEATH BENEFITS TO PREMIUMS—UNFAIR PRACTICE DEFINED.** (1) It is an unfair practice for any insurer or fraternal benefit society to provide life insurance coverage on any person through a policy or certificate of coverage delivered on or after ((April)) July 1, 1989, to or on behalf of such person in this state, unless the benefit payable at death under such policy or certificate will equal or exceed the cumulative premiums, as defined in subsection (4) of this section, paid for the policy or certificate, plus interest thereon at the rate of five percent per annum compounded annually to the tenth anniversary of the effective date of coverage.

(2) This section applies to death benefits in relation to premiums, subject to the following provisions:

(a) When determining the relationship between benefits and premiums as set forth in subsection (1) of this section, neither premiums nor death benefits shall be adjusted for maturity benefits, surrender benefits, or policy loans.

(b) Annuity benefits, including annuity death benefits, and the premiums therefor shall be disregarded in applying this section.

(c) The following benefits, but not the premiums therefor, shall be disregarded in applying this section:

- (i) Accidental death benefits;
- (ii) Permanent disability benefits; and
- (iii) Any benefit similar to (c)(i) or (ii) of this subsection.

(3) For coverage which varies by duration, including coverage provided through dividends, the "benefit payable at death" for purposes of this section is the sum of the least death benefit during each policy year, for the lesser of ten years or the term of the coverage, including renewals, divided by the number of death benefits included in said sum.

(4) "Cumulative premiums," for purposes of this section, means all sums paid as consideration, net of dividends paid in cash in an orderly progression, for the coverage during the first ten years of the coverage, excluding amounts which are designated in the policy or certificate as providing for annuity benefits.

(5) The benefits required by this section shall be provided contractually. ~~((If the policy or certificate must rely on dividends or "nonguaranteed" premiums or benefits to obtain compliance, then said policy or certificate shall contain a provision guaranteeing compliance.))~~

(6) This section does not apply to:

(a) Life insurance where the minimum death benefit is twenty-five thousand dollars or more; or

(b) Coverage under group life insurance ((coverage)) policies unless the insured pays all or substantially all of the premium and coverage under individual conversions from such excluded policies; or

(c) Limited payment whole life insurance where the premiums are level at all times, if the least death benefit payable at any time equals or exceeds the total of all premiums which, in the absence of death, would have been paid over the entire limited payment period.

(7) This section does not apply with respect to optional additional contributions paid to the insurer or fraternal benefit society under the terms of a universal life policy, which policy:

(a) Provides a guaranteed plan of insurance of at least ten years' duration on the basis of specified premiums and complies with subsections (1) through (5) of this section; and

(b) Contains a carefully expressed provision which clearly, fairly, and fully discloses the optional plan and the choice to participate therein; and

(c) Is designed so that the charges for, and the benefits to be derived from, the optional contributions are no less favorable to the insured than those which are applicable to the guaranteed plan required by (a) of this subsection.

(8) Approval of ~~((the))~~ policy forms which do not comply with this section is ~~((hereby))~~ withdrawn ~~((effective April 1, 1989)).~~

WSR 89-21-005
EMERGENCY RULES
DEPARTMENT OF AGRICULTURE
 [Order 2017—Filed October 5, 1989, 4:12 p.m.]

Date of Adoption: October 5, 1989.

Purpose: To give the state veterinarian authority to require tuberculosis testing of cattle imported from states classified modified accredited or accredited free of mycobacterium bovis which has been cultured from a herd in that state in the previous twelve months.

Citation of Existing Rules Affected by this Order: Amending WAC 16-54-082.

Statutory Authority for Adoption: Chapter 16.36 RCW.

Pursuant to 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: One hundred and forty Pennsylvania cattle herds have had contact with a dairy herd found infected with tuberculosis. Washington is certified free of bovine tuberculosis and occasionally receives shipments of cattle from Pennsylvania, therefore the state veterinarian needs authority in chapter 16-54 WAC to require TB tests on any shipments at this time from Pennsylvania. The present wording would allow cattle shipments from Pennsylvania without the TB test as the state has retained modified accredited status.

Effective Date of Rule: Immediately.

October 5, 1989
 Mike Schwisow
 Deputy Director

AMENDATORY SECTION (Amending Order 1964, filed 2/5/88)

WAC 16-54-082 DOMESTIC BOVINE ANIMALS. *All domestic bovine animals (including bison) entering Washington shall be moved on a permit issued by the office of the state veterinarian. All domestic bovine animals (including bison) shall meet the following requirements:*

(1) *Tuberculosis. All beef and dairy cattle must originate from herds not under quarantine in a not less than modified accredited area. The state veterinarian may require a negative tuberculosis test within thirty days of import for cattle (including bison) from the states classified as modified accredited or accredited free if Mycobacterium bovis (M. bovis) has been cultured from a herd in that state within the previous twelve months.*

(2) *Brucellosis health certificate requirements. All domestic bovine animals (including bison), except those consigned to restricted feedlots, or to federally inspected slaughter plants for immediate slaughter, or beef breed cattle or slaughter only dairy breed cattle consigned to a state-federal approved livestock market, shall be accompanied by an official interstate health certificate and shall meet the following requirements:*

(a) *Brucellosis test.*

(i) *Cattle from class free and A states.*

(A) *Sexually intact heifers from brucellosis quarantined herds in class free and A states shall not be imported into the state of Washington except for immediate slaughter at a federally inspected slaughter plant.*

(B) Cattle other than those referred to in (a)(i)(A) of this subsection from class free or A states which are test eligible, unless destined for a restricted feedlot or for immediate slaughter at a federally inspected slaughter establishment, must be negative to an official brucellosis test conducted within thirty days prior to date of entry. Cattle not considered test eligible include:

(I) Calves under six months of age.

(II) Steers and spayed heifers.

(III) Officially vaccinated dairy cattle under twenty months of age and officially vaccinated beef cattle under twenty-four months of age.

(IV) Cattle from a certified brucellosis free herd.

(V) Cattle from selected brucellosis free states designated by the Washington state veterinarian.

(ii) Cattle from Class B or C states.

(A) Sexually intact heifers from other than certified brucellosis free herds in states classified B or C by the USDA shall not be imported into the state of Washington except for immediate slaughter at a federally inspected slaughter establishment.

(B) Cattle other than those referred to in (a)(ii)(A) of this subsection from Class B states which are test eligible, unless destined for a restricted feedlot or for immediate slaughter at a federally inspected slaughter establishment, must be negative to an official brucellosis test conducted within thirty days prior to date of entry and held on the premises of destination and kept separate from all other cattle for retest not less than forty-five nor more than one hundred twenty days from the date of the preentry test. Cattle not considered test eligible include:

(I) Calves under six months of age.

(II) Steers and spayed heifers.

(III) Cattle from a certified brucellosis free herd.

(C) Cattle other than those referred to in (a)(ii)(A) of this subsection from Class C states which are test eligible must be negative to two official brucellosis tests conducted prior to entry at least sixty days apart, the second test to be conducted within thirty days of entry. Those cattle shall be held on the premises of destination and kept separate from all other cattle for retest not less than forty-five nor more than one hundred twenty days from the date of the second negative preentry test. Cattle not considered test eligible include:

(I) Calves under six months of age.

(II) Steers and spayed heifers.

(III) Cattle from a certified brucellosis free herd.

(iii) Beef cattle eligible for brucellosis testing coming from class free or A states may be moved to state-federal approved livestock markets in Washington to meet entry health requirements.

(iv) Should brucellosis infection occur in the state of Washington as a result of importation of infected animals, all future importations from the state of origin shall be required to meet import regulations of the next lower classification. State regulatory officials of that state shall be notified and the lower classification entry requirement will be in effect for twelve months following notification to the state of origin.

(b) Brucellosis calfhood vaccinates—female dairy cattle. All female dairy cattle must be identified as official

brucellosis calfhood vaccinates before entry. Except the following classes of cattle are exempt from this requirement:

(i) Calves under four months of age.

(ii) Those cattle consigned directly to a federally inspected slaughter plant.

(iii) Those cattle consigned directly to a restricted feedlot.

(iv) Spayed heifers.

(c) Brucellosis calfhood vaccinates—female beef cattle. All female beef breed cattle must be identified as official brucellosis vaccinates before entry, except the following classes of cattle are exempt from this requirement:

(i) Calves under four months of age.

(ii) Female beef breed cattle born before January 1, 1983.

(iii) Cattle sold or consigned to a restricted feedlot.

(iv) Cattle sold or consigned to a federally inspected slaughter plant.

(v) Cattle sold or consigned to a public livestock market for immediate slaughter only.

(vi) Spayed heifers.

(vii) Cattle from a certified brucellosis free country where vaccination is prohibited by law: PROVIDED, That the state veterinarian, upon being assured that to allow such cattle to enter would not create any jeopardy to the livestock industry of the state of Washington, may issue a special permit for such entry.

(3) Scabies. The office of the state veterinarian may require that any cattle from a known infected area be dipped at an official dipping facility within ten days of entry and, except those consigned to a federally inspected slaughter plant for immediate slaughter within fourteen days, be accompanied by an official interstate health certificate. Ivermectin may be used as an alternative to the dipping procedure for beef and nonlactating dairy animals.

(4) Vesicular stomatitis. The office of the state veterinarian may require that:

(a) Any cattle be accompanied by an official interstate health certificate except those consigned to a federally inspected slaughter plant for immediate slaughter within fourteen days;

(b) Dairy breed cattle be held separate and apart from all other cattle for a period of seven days at the point of destination and rechecked by an accredited veterinarian at the end of that period; except that dairy breed cattle from known infected areas shall not be allowed entry into the state; and

(c) Beef breed cattle from known infected areas be held separate and apart from all other cattle for a period of thirty days either prior to entry or at the point of destination or both.

(5) Temporary grazing permits. Herd owners desiring to move cattle into Washington for temporary grazing purposes must obtain a prior permit from the office of the state veterinarian: PROVIDED, That the state veterinarian may, if deemed necessary, require a brucellosis herd test and/or an official health certificate for any cattle entering the state for grazing purposes. Applicants must also file an approved herd plan with the office of

the state veterinarian to phase out all brucellosis nonvaccinates in the herd prior to January 1, 1988. Grazing permits shall be for one specified season only and shall be valid for movement to only that destination declared on the permit. A copy of the permit shall accompany any vehicle transporting cattle into the state for such temporary grazing purposes.

WSR 89-21-006
PROPOSED RULES
WASHINGTON STATE PATROL
(Commission on Equipment)
 [Filed October 6, 1989, 10:10 a.m.]

Original Notice.

Title of Rule: Motor vehicle suncreening devices.

Purpose: Establishes limitations on placement of materials and/or items on or near motor vehicle windows used for driving visibility.

Statutory Authority for Adoption: RCW 46.37.005.

Statute Being Implemented: RCW 46.37.005.

Summary: Adopts new rules limiting placement of materials and devices on motor vehicles and repeals old rules that were superseded by 1989 legislation.

Reasons Supporting Proposal: Old rules included window tinting limits that were codified by 1989 legislation.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Lt. L. E. Klewin, 6604 Martin Way, Olympia, 438-7219.

Name of Proponent: Washington State Patrol, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Limits the locations that motorists may apply sunscreening devices and materials, as well as toys, dolls and other recreational devises on or near vehicle windows.

Proposal Changes the Following Existing Rules: Eliminates window tint limits that have been codified and clarifies other language.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: State Patrol, Supply Conference Room, 4242 Martin Way, Olympia, WA 98504, on November 21, 1989, at 9 a.m.

Submit Written Comments to: Lt. L. E. Klewin, ESR Section, 6604 Martin Way, Olympia, 98504, by November 20, 1989.

Date of Intended Adoption: November 22, 1989.

October 6, 1989
 George B. Tellevik
 Chief

Chapter 204-82A WAC
 MOTOR VEHICLE SUNSCREENING DEVICES

WAC

- 204-82A-010 Authority.
- 204-82A-020 Purpose.
- 204-82A-030 Scope.
- 204-82A-040 Definitions.

- 204-82A-050 Maximum levels and other restrictions.
- 204-82A-060 Exceptions.

NEW SECTION

WAC 204-82A-010 AUTHORITY. This chapter is promulgated pursuant to RCW 46.37.005.

NEW SECTION

WAC 204-82A-020 PURPOSE. The purpose of this rule is to establish limitations on the use of materials and devices that are applied to motor vehicle windows in a manner that reduces or interferes with the operator's vision. Such devices may be designed to reduce the effects of the sun, for decoration or amusement purposes or a combination, and are applied or installed on vehicles after initial sale. This rule does not apply to safety glazing material that is manufactured and installed in accordance with Federal Motor Vehicle Safety Standards (FMVSS 205 and 128) and American National Standards Institute (ANSI Z26.1.1977) nor tinting material applied to safety glazing after initial sale of the vehicle: PROVIDED, That such material does not exceed the limitations established in RCW 46.37.430.

NEW SECTION

WAC 204-82A-030 SCOPE. This regulation is applicable to passenger cars, multipurpose passenger vehicles, trucks and buses. The specific vehicle window areas encompassed by this rule are:

- (1) Windshields;
- (2) Windows to the immediate right and left of the driver, including wind wings;
- (3) Rearmost windows;
- (4) Any other window used by the driver to safely operate the vehicle.

The provisions of this rule do not permit or prohibit the use and placement of federal, state, or local certificates or decals on any window as are required or prohibited by applicable laws or regulations. Any such decal or certificate must, however, be of such size and placement so that the ability of the driver to safely operate the vehicle is not impaired.

NEW SECTION

WAC 204-82A-040 DEFINITIONS. (1) Sunscreening devices are those products and/or materials applied or installed on motor vehicle windows for the purpose of reducing adverse effects of the sun. Such devices include, but are not limited to, semipermanently installed roll-up style shades and louver materials as well as temporarily applied articles such as towels, sheets, and blankets.

(2) Recreational products are those toys, cartoon characters, stuffed animals, signs, and other vision-reducing articles and materials that may be applied to or suspended near motor vehicle windows for entertainment and/or amusement purposes.

NEW SECTION

WAC 204-82A-050 MAXIMUM LEVELS AND OTHER RESTRICTIONS. (1) Sunscreening devices and/or recreational products may not be applied to or suspended between the driver and the windshield or the windows to the immediate right and left of the driver.

(2) Sunscreening devices may be applied to other windows provided that such devices reduce the driver's area of vision uniformly and by no more than fifty percent, as measured on a horizontal plane.

(3) If sunscreening devices are applied to the rear window, the vehicle must be equipped with outside rear view mirrors on both the left and the right.

(4) Recreational products may be applied to windows, other than those referred to in subsection (1) of this section, only if they do not interfere, by their size or position, with the driver's ability to see other vehicles, persons, and objects.

NEW SECTION

WAC 204-82A-060 EXCEPTIONS. Due to the nature of use, function and operation of such vehicles, the following are exempted from the provisions of WAC 204-82A-050(2):

- (1) Hearses.
- (2) Ambulances.

(3) Limousines and passenger buses used to transport persons for compensation.

Such vehicles shall have mirrors on both the right and left to provide vision at least two hundred feet to the rear. This section does not limit liability of the operators and/or owners of such vehicles involved in accidents resulting from reduced visibility.

WSR 89-21-007
PERMANENT RULES
DEPARTMENT OF LICENSING
(Board of Physical Therapy)
 [Filed October 6, 1989, 10:50 a.m.]

Date of Adoption: September 26, 1989.

Purpose: To further define the practice of physical therapy.

Citation of Existing Rules Affected by this Order:
 Amending WAC 308-42-010.

Statutory Authority for Adoption: RCW 18.74.023(3).

Pursuant to notice filed as WSR 89-17-095 on August 22, 1989.

Effective Date of Rule: Thirty days after filing.

October 5, 1989

Patricia VanWagner
 Chair

AMENDATORY SECTION (Amending Order PM 789, filed 11/7/88)

WAC 308-42-010 DEFINITIONS. For the purposes of administering chapter 18.74 RCW, the following terms are to be construed as set forth herein:

(1) The "performance of tests of neuromuscular function" includes the performance of electroneuromyographic examinations.

(2) "Consultation" means a communication regarding a patient's evaluation and proposed treatment plan with an authorized health care practitioner.

(3) "Supervisor" shall mean the licensed physical therapist.

(4) "Physical therapist assistant" shall mean an individual who shall have received an associate degree as a physical therapist assistant from an approved school, or a graduate of an approved school of physical therapy who has not been licensed to practice physical therapy in Washington state.

(5) "Physical therapist aide" shall mean an individual who shall have received on-the-job training from a physical therapist.

(6) "Immediate supervision" shall mean the supervisor is in audible or visual range of the patient and the person treating the patient.

(7) "Direct supervision" shall mean the supervisor is on the premises, is quickly and easily available and the patient has been examined by the physical therapist at such time as acceptable physical therapy practice requires, consistent with the delegated health care task.

(8) "Indirect supervision" shall mean the supervisor is not on the premises, but has given either written or oral

instructions for treatment of the patient and the patient has been examined by the physical therapist at such time as acceptable health care practice requires, and consistent with the particular delegated health care task.

(9) "Acquired immunodeficiency syndrome" or "AIDS" means the clinical syndrome of HIV-related illness as defined by the board of health by rule.

(10) "Office on AIDS" means that section within the department of social and health services or any successor department with jurisdiction over public health matters as defined in chapter 70.24 RCW.

(11) "Spinal manipulation" or "manipulative mobilization" is defined as movement beyond the normal physiological range of motion.

WSR 89-21-008
PERMANENT RULES
DEPARTMENT OF LICENSING
(Board of Physical Therapy)
 [Filed October 6, 1989, 10:54 a.m.]

Date of Adoption: September 26, 1989.

Purpose: To make it clear to licensees that it is their responsibility to ensure their licenses are renewed in a timely fashion.

Citation of Existing Rules Affected by this Order:
 Amending WAC 308-42-120(3).

Statutory Authority for Adoption: RCW 18.74.023(3).

Pursuant to notice filed as WSR 89-17-096 on August 22, 1989.

Effective Date of Rule: Thirty days after filing.

October 5, 1989

Patricia VanWagner
 Chair

AMENDATORY SECTION (Amending Order PM 789, filed 11/7/88)

WAC 308-42-120 RENEWAL OF LICENSE. (1) The annual license renewal date for physical therapists shall coincide with the licensee's birthdate. Individuals making application for initial license and examination, provided they meet all such requirements, will be issued a license to expire on their next birth anniversary date.

(2) Effective January 1, 1989, all persons making application for licensure renewal shall submit, in addition to the other requirements, evidence to show compliance with the education requirements of WAC 308-42-123. Persons whose 1989 license expires on or before March 31, 1989, may, upon written application, be granted an extension to April 15, 1989, to meet the AIDS education requirement.

(3) Licensees are responsible for annual renewal of a license whether or not they receive notification from the department.

WSR 89-21-009
PERMANENT RULES
DEPARTMENT OF LICENSING
(Board of Physical Therapy)
 [Filed October 6, 1989, 10:58 a.m.]

Date of Adoption: September 26, 1989.

Purpose: To enhance the ability of the Washington State Board of Physical Therapy to serve the public.

Statutory Authority for Adoption: RCW 18.74.023(3).

Pursuant to notice filed as WSR 89-17-097 on August 22, 1989.

Effective Date of Rule: Thirty days after filing.

October 5, 1989
 Patricia VanWagner
 Chair

NEW SECTION

WAC 308-42-121 CHANGE OF ADDRESS OR NAME—NOTIFICATION OF DEPARTMENT. Any physical therapy licensee who moves from the address named in his or her application or license or who changes his or her name shall within 10 days thereafter notify the department in writing of his or her old and new addresses or of the former and new names.

WSR 89-21-010
PROPOSED RULES
DEPARTMENT OF LABOR AND INDUSTRIES
 [Filed October 6, 1989, 3:25 p.m.]

Continuance of WSR 89-16-088.

Title of Rule: Agricultural employment standards.

Purpose: Implement provisions of section 84, chapter 380, Laws of 1989, providing agricultural employees rights to pay statements and requiring employer recordkeeping.

Statutory Authority for Adoption: RCW 43.22.270 and chapter 49.46 RCW.

Statute Being Implemented: Chapter 380, Laws of 1989.

Summary: Agricultural employers are required to provide employees pay statements when wages are paid. Wages shall be paid at least monthly. Employment records shall be kept for three years and are open to inspection and copying by the department and the employees.

Reasons Supporting Proposal: Availability of pay statement, a minimum wage payment schedule and the ability to review employment records are essential to ensure adherence to the Minimum Wage Act.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Mark M. McDermott, 925 Plum Street, Olympia, (206) 753-3487.

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 rule sets forth requirements for pay statements that must accompany wage payments, requires that wage payment occur at least once a month, and allows for review of employment records by the department, and upon employee request for his own records, by the employee. The rule is expected to assist agricultural employees in understanding the system under which they are paid.

Proposal does not change existing rules.

Small Business Economic Impact Statement: [No information supplied by agency.]

Submit Written Comments to: Mark M. McDermott, ESAC Division, HC-710, Olympia, Washington 98504, by October 24, 1989.

Date of Intended Adoption: October 24, 1989.

October 6, 1989
 Dorette M. Markham
 for Joseph A. Dear
 Director

WSR 89-21-011
PROPOSED RULES
DEPARTMENT OF LABOR AND INDUSTRIES
 [Filed October 6, 1989, 3:26 p.m.]

Continuance of WSR 89-16-089.

Title of Rule: Minimum wage recordkeeping and payment procedures.

Purpose: To standardize various statutory requirements for records access and payment procedures.

Statutory Authority for Adoption: RCW 43.22.270.

Statute Being Implemented: RCW 49.12.020, 49.12-.091 and 49.12.050.

Summary: Recordkeeping requirements under chapters 49.12 and 49.46 RCW are standardized at three years; monthly wage payment is established; and employee access to employment records is increased to improve enforcement of minimum wage laws.

Reasons Supporting Proposal: Confusion currently exists regarding different recordkeeping provisions under chapters 49.12 and 49.46 RCW. The proposed rules move toward uniform standards.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Mark M. McDermott, 925 Plum Street, Olympia, (206) 753-3487.

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 proposed rules amend or adopt provisions requiring employers to maintain employment records, make those records available for inspection and copying, and to pay employee wages at least monthly. With extension of the minimum wage laws to almost all state employees as a result of the passage in Initiative 518, the department considers it appropriate to establish uniform recordkeeping and pay interval requirements under both

statutes requiring payment of a minimum wage. The proposed rules are expected to minimize confusion and simplify procedures for business, workers, and the department.

Proposal Changes the Following Existing Rules: WAC 296-126-023, amending a section to delete language allowing for lag payrolls; WAC 296-126-050, amending a section to reduce the length of time employers are required to retain employment records from five to three years; and WAC 296-128-025, amending a section to expand access to employment records to all persons covered by the Minimum Wage Act.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Submit Written Comments to: Mark M. McDermott, 925 Plum Street, HC-710, Olympia, by October 24, 1989.

Date of Intended Adoption: October 24, 1989.

October 6, 1989
Dorette M. Markham
for Joseph A. Dear
Director

WSR 89-21-012
EMERGENCY RULES
DEPARTMENT OF FISHERIES

[Order 89-120—Filed October 6, 1989, 4:10 p.m.]

Date of Adoption: October 6, 1989.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order:
Repealing WAC 220-57-14000K.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to 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: Immediate implementation of this opening is necessary to regulate the Chehalis River recreational fishery in accordance with the 1989 Grays Harbor management plan.

Effective Date of Rule: Immediately.

October 6, 1989
Sally J. Hicks
for Joseph R. Blum
Director

NEW SECTION

WAC 220-57-14000L CHEHALIS RIVER Notwithstanding the provisions of WAC 220-57-140, it is unlawful to fish for or possess salmon taken for personal use from the waters of the Chehalis River except as provided for in this section:

Effective immediately through January 31, 1989 – Bag Limit A – Waters downstream of the Fuller Bridge to the Union Pacific Railroad Bridge.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-57-14000K CHEHALIS RIVER. (89-66)

WSR 89-21-013
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 89-122—Filed October 6, 1989, 4:14 p.m.]

Date of Adoption: October 6, 1989.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order:
Amending WAC 220-56-360.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: A population of razor clams is available for immediate harvest in the razor clam areas south of the Copalis River mouth.

Effective Date of Rule: 12 noon, October 27, 1989.

October 6, 1989
Sally J. Hicks
for Joseph R. Blum
Director

NEW SECTION

WAC 220-56-36000S RAZOR CLAMS – SEASON AND AREAS Notwithstanding the provisions of WAC 220-56-360, effective 12 noon October 27, 1989, it is unlawful to dig for or possess razor clams from any beach in Razor Clam Areas 1, 2, and 3, except as provided for in this section:

(1) Open to personal use Razor Clams from October 27 through November 19, 12 noon to 11:59 p.m. on odd-numbered days only.

(2) Beaches north of the Copalis River, and the Razor Clam Sanctuaries at Long Beach and Copalis as defined in WAC 220-56-372 are closed to the digging or possession of Razor Clams.

WSR 89-21-014
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 89-123—Filed October 6, 1989, 4:17 p.m.]

Date of Adoption: October 6, 1989.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:
Repealing WAC 220-47-517.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to 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: Openings in Area 6D provide opportunity to harvest the non-Indian allocations of Strait origin coho, and is necessary to prevent wastage. Restrictions in Area 6D are necessary to ensure an orderly fishery. Openings in Area 7B provide opportunity to harvest non-Indian allocation of Nooksack-Samish origin coho, per permanent regulations. Openings in Area 8D are experimental and provide opportunity to harvest the non-Indian allocation of Tulalip Bay hatchery origin coho, provide information on daylight gillnet effectiveness in Area 8D and the impacts of nontraditional fishing hours for purse seines and gillnets in Area 8D, and ensure an orderly fishery. Openings in Areas 10 and 11 provide opportunity to harvest nontreaty allocation of South Sound origin coho stocks, and provide a one day fishery to help balance South Puget Sound treaty/nontreaty allocations per state/tribal agreement. The restriction in Area 10 provides enhanced sport opportunity in Elliott Bay. Openings in Areas 12 and 12B provide opportunity to harvest the nontreaty allocation of Hood Canal origin coho. The restriction in Area 12B is necessary to reduce interactions between commercial and sport fisheries, and prevent overharvest of local 12B/12C coho stocks. All other Puget Sound areas are closed to prevent overharvest of local salmon stocks.

Effective Date of Rule: 12:01 a.m., October 8, 1989.

October 6, 1989

Sally J. Hicks

for Joseph R. Blum

Director

NEW SECTION

WAC 220-47-518 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY. Notwithstanding the provisions of Chapter 220-47 WAC, effective 12:01 AM Sunday October 8th, until further notice, it is unlawful to take, fish for, or possess salmon or Atlantic salmon for commercial purposes taken from the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following open periods and restrictions:

- * Area 6D – Gillnets using 5-inch minimum mesh and fishing with no more than 900 feet of net, and purse seines using the 5-inch strip, may fish from 12:00 noon Sunday October 8th through 6:00 PM Friday October 13th.
- * Area 7B – Gillnets using 5-inch minimum mesh may fish continuously through 4:00 PM Friday October 27 and purse seines may fish continuously through 4:00 PM Friday October 27.

- * Area 8D – Gillnets using 5-inch minimum mesh may fish from 9:00 AM to 5:00 PM daily, Monday October 9th and Wednesday October 11th, and purse seines using the 5-inch strip may fish from 9:00 AM to 5:00 PM Tuesday October 10th and Thursday October 12th.
- * Areas 10 and 11 – Gill nets using 5-inch minimum mesh may fish from 5:00 PM to 9:00 AM nightly, Monday October 9th and Thursday October 12th, and purse seines using the 5-inch strip may fish from 5:00 AM to 9:00 PM Tuesday, October 10th and from 5:00 AM to 4:00 PM Friday, October 13th. This opening excludes those waters of Area 10 east of a line projected from West Point to Alki Point.
- * Areas 12 and 12B – Gill nets using 5-inch minimum mesh may fish from 5:00 PM to 9:00 AM nightly, Monday and Tuesday October 9th and 10th, and and purse seines using the 5-inch strip may fish from 5:00 AM to 9:00 PM daily, Tuesday and Wednesday, October 10th and 11th. This opening excludes those waters of Area 12B south and west of a line projected from Hood Point to Quatsap Point.
- * Areas 4B, 5, 6, 6A, 6B, 6C, 7, 7A, 7C, 7D, 7E, 8, 8A, 9, 9A, 10A, 10C, 10D, 10E, 10F, 10G, 11A, 12A, 12C, 12D, 13, 13A, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, and 13K and all freshwater areas – Closed.

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

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 AM Sunday October 8th:

WAC 220-47-517 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY (89-117)

WSR 89-21-015

PROPOSED RULES

DEPARTMENT OF HEALTH

[Filed October 9, 1989, 11:21 a.m.]

Original Notice.

Title of Rule: New chapter 248-106 WAC, definitions and State Board of Health standards for congenital and heritable disorders.

Purpose: To establish State Board of Health standards regarding congenital and heritable disorders.

Statutory Authority for Adoption: RCW 48.21.244, 48.44.344 and 48.46.375.

Statute Being Implemented: RCW 48.21.244, 48.44.344 and 48.46.375.

Summary: Chapter 248-106 WAC establishes in rule definitions of and descriptions of prenatal services. For purposes of insurers, health care service contractors, and health maintenance organizations, State Board of

Health standards are established specific to: Maternal serum alpha-fetoprotein screening; prenatal ultrasonography; amniocentesis; chorionic villus sampling and percutaneous umbilical cord blood sampling.

Reasons Supporting Proposal: Provide insurers, health care service contractors, and HMOs with standards to use when determining medically necessary services.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Roberta Spiro, Genetics Program, ODPC, 545-6783.

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: Same as above.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: West Coast Sea-Tac Hotel, Seattle Room, Seattle, on December 13, 1989, at 9:30 a.m.

Submit Written Comments to: Roberta Spiro, Department of Health, N17-8, Olympia, Washington 98504, by December 13, 1989.

Date of Intended Adoption: December 21, 1989.

October 4, 1989
Graham Tollefson
Chair

Chapter 248-106 WAC
PRENATAL TESTS FOR CONGENITAL AND HERITABLE
DISORDERS

NEW SECTION

WAC 248-106-001 PURPOSE. The purpose of this chapter is to:

(1) Establish department and state board of health description, definition, and enumeration of prenatal tests under RCW 70.83B.020 (3)(a) and (b);

(2) Establish standards of the Washington state board of health for screening and diagnostic procedures for prenatal diagnosis of congenital disorders of the fetus under RCW 48.21.244, 48.44.344, and 48.46.375;

(3) Require health care provider to provide information on certain prenatal tests under RCW 70.83B.030 to both their pregnant patients and the department;

(4) Establish requirements for laboratories to provide information on certain prenatal tests under RCW 70.83B.030 to the department; and

(5) Establish criteria and time lines for distribution of educational materials by health care providers related to prenatal tests under RCW 70.54.220.

NEW SECTION

WAC 248-106-010 DEFINITIONS. For the purpose of RCW 70.83B.020, 70.83B.030, 70.83B.040, 70.54.220, 48.42.090, 48.21.244, 48.44.344, and 48.46.375 and chapter 248-106 WAC:

(1) "Approved written information" means the department form or prenatal genetic information, or an equivalent form.

(2) "Department" means the Washington state department of health.

(3) "Health care providers" means persons licensed or certified by the state of Washington under Title 18 RCW to provide prenatal care or to practice medicine.

(4) "Laboratory" means a private or public person, agency, or organization performing prenatal tests for congenital and heritable disorders.

(5) "Parental chromosomal testing" means a procedure to remove blood or other tissue from one or both parents in order to perform laboratory analysis to establish chromosome constitution of the parents.

(6) "Prenatal test" means any test to predict congenital or heritable disorders which:

(a) When improperly utilized, may clearly harm or endanger the health, safety, or welfare of the public;

(b) Potential harm is easily recognizable and not remote or dependent upon tenuous argument; and

(c) As determined by the state board of health under RCW 70.83B.020(3) and enumerated by the department, includes procedures and laboratory tests as follows:

(i) Maternal serum alpha-fetoprotein (MSAFP) screening is a procedure involving obtaining blood from a pregnant woman during the fifteenth to twentieth completed menstrual weeks of gestation, in order to measure through laboratory tests the level of alpha-fetoprotein in the blood.

(ii) Amniocentesis is a procedure performed to remove a small amount of amniotic fluid from the uterus of a pregnant woman, in order to perform one or more of the following laboratory tests:

(A) Measure the level of alpha-fetoprotein;

(B) Measure the level of acetylcholinesterase;

(C) Cytogenetic studies on fetal cells;

(D) Biochemical studies on fetal cells or amniotic fluid; and

(E) Deoxyribonucleic Acid (DNA) studies on fetal cells.

(iii) Chorionic villus sampling is a procedure to remove a small amount of cells from the developing placenta, in order to perform one or more of the following laboratory tests:

(A) Cytogenetic studies on fetal cells;

(B) Biochemical studies on fetal cells; and

(C) DNA studies on fetal cells.

(iv) Percutaneous umbilical cord blood sampling is a procedure to obtain blood from the fetus, in order to perform one or more of the following laboratory tests:

(A) Cytogenetic studies;

(B) Viral titer studies;

(C) Fetal blood typing for isoimmunization studies;

(D) Prenatal diagnostic tests for hematological disorders;

(E) DNA studies on fetal cells.

(v) Prenatal ultrasonography is a procedure resulting in visualization of the uterus, the placenta, the fetus, and internal structures through use of sound waves.

(d) Includes pre-procedure and post-procedure genetic counseling when required under WAC 248-106-020.

(7) "Pre-procedure genetic counseling" means individual counseling, which may be part of another substantive procedure or service, involving a health care provider or a qualified genetic counselor under direction of a physician and a pregnant woman with or without other family members, to discuss the purposes, risks, accuracy, and limitations of a prenatal testing procedure, and to aid in decision making.

(8) "Post-procedure genetic counseling" means, when test results are available, individual counseling, which may be part of another substantive procedure or service, involving a health care provider or a qualified genetic counselor under direction of a physician and a pregnant woman with or without other family members, to discuss:

(a) The meaning of the results of the prenatal tests done; and

(b) Subsequent testing or procedures available.

(9) "Qualified genetic counselor" means an individual eligible for certification or certified as defined in Bulletin of Information, 1984, American Board of Medical Genetics, Inc., as a:

(a) Genetic counselor;

(b) Clinical geneticist;

(c) Ph.D. medical geneticist;

(d) Clinical cytogeneticist; or

(e) Clinical biochemical geneticist.

NEW SECTION

WAC 248-106-020 BOARD OF HEALTH STANDARDS FOR SCREENING AND DIAGNOSTIC TESTS DURING PREGNANCY. (1) For the purpose of RCW 48.21.244, RCW 48.44.344, and RCW 48.46.375, the following are standards of medical necessity for insurers, health care service contractors, and health maintenance organizations to use in determining medical necessity on a case-by-case basis:

(a) Maternal serum alpha-fetoprotein screening for all pregnant women beginning prenatal care before the twentieth completed menstrual week of gestation:

(i) Without the requirement for case-by-case determination; and

(ii) Including post-procedure genetic counseling if test result is abnormal.

(b) Prenatal ultrasonography if one or more of the following criteria are met:

(i) A woman undergoing amniocentesis, chorionic villus sampling, or percutaneous umbilical cord blood sampling;

(ii) The results on a maternal serum alpha-fetoprotein screening test are abnormal;

(iii) A woman or her partner:

(A) Has a prior child or fetus with a congenital abnormality detectable by prenatal ultrasonography; or

(B) Has a family history of congenital abnormality detectable by prenatal ultrasonography; or

(C) Is affected with a congenital abnormality detectable by prenatal ultrasonography.

(iv) A woman is suspected to be carrying a fetus with a congenital abnormality; or

(v) A medical evaluation indicates the possibility of hydramnios or oligohydramnios.

(c) Amniocentesis with pre-procedure and post-procedure genetic counseling if one or more of the following criteria are met:

(i) A woman thirty-five years of age or older at the time of delivery;

(ii) A woman or her partner having had a previous child or fetus with a chromosomal abnormality;

(iii) A woman or her partner is a carrier of a chromosomal rearrangement or anomaly;

(iv) A woman or her partner:

(A) With a neural tube defect; or

(B) Having had a child or fetus with a neural tube defect.

(v) A woman or her partner with a history of:

(A) A sibling with a neural tube defect;

(B) A parent with a neural tube defect;

(C) A niece or nephew with a neural tube defect; or

(D) Other risk factors related to a neural tube defect.

(vi) A woman and/or her partner are carriers of, or affected with, a prenatal diagnosable inherited disorder;

(vii) The results on a maternal serum alpha-fetoprotein screening test are abnormal;

(viii) A woman with a documented history of three or more miscarriages of unknown cause when circumstances prevent parental chromosomal testing;

(ix) Ultrasound diagnosis of fetal anomaly.

(2) The board recommends the following additional procedures for use of insurers, health service contractors, and health maintenance organizations in determining medical necessity on a case-by-case basis:

(a) Chorionic villus sampling with pre-procedure and post-procedure genetic counseling if one or more of the following criteria are met:

(i) A woman thirty-five years of age or older at the time of delivery;

(ii) A woman or her partner having had a previous child or fetus with a chromosomal abnormality;

(iii) A woman or her partner is a carrier of a chromosomal rearrangement or anomaly;

(iv) A woman or her partner are carriers of, or affected with, a prenatal diagnosable inherited disorder; or

(v) A woman with a documented history of three or more miscarriages of unknown cause when circumstances prevent parental chromosomal testing.

(b) Percutaneous umbilical cord blood sampling with pre-procedure and post-procedure genetic counseling if one or more of the following criteria are met:

(i) A medical evaluation indicates rapid or detailed chromosomal diagnosis is required to:

(A) Protect the health of the mother; or

(B) Predict prognosis for the fetus.

(ii) A medical evaluation indicates the possibility of a prenatal diagnosable fetal infection;

(iii) Fetal blood studies are medically indicated for isoimmunization studies or therapy;

(iv) Prenatal diagnosis of hematological disorders is medically indicated.

WSR 89-21-016

PROPOSED RULES

BOARD OF HEALTH

[Filed October 9, 1989, 11:24 a.m.]

Original Notice.

Title of Rule: WAC 248-100-016, Confidentiality.

Purpose: The 1989 legislature amended RCW 70.24.105(6), related to customary methods of exchange of medical information. This rule amends sections of WAC 248-100-016 to set forth Board of Health standards for exchange of medical information and access to confidential information in health care facilities.

Statutory Authority for Adoption: RCW 70.24.105.

Statute Being Implemented: RCW 70.24.105.

Summary: Subsections (1) and (2) of WAC 248-100-016, are amended to set forth Board of Health standards on customary methods for exchange of medical information and access to confidential information in health care facilities.

Reasons Supporting Proposal: Revise WAC implementing the sections of RCW amended by the legislature.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Jean Ullom, State Board of Health, 753-5824.

Name of Proponent: State Board of Health, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: West Coast Sea-Tac Hotel, Seattle Room, Seattle, on December 13, 1989, at 9:30 a.m.

Submit Written Comments to: Jean Ullom, State Board of Health, 1112 Quince Street, Building A., ET-23, Olympia, WA 98504, by December 13, 1989.

Date of Intended Adoption: December 21, 1989.

October 4, 1989

Graham Tollefson
Chair

AMENDATORY SECTION (Amending Order 322, filed 10/19/88)

WAC 248-100-016 CONFIDENTIALITY. Identifying information about any individual with a reportable disease or condition pursuant to chapter 248-100 WAC shall be protected by persons with knowledge of such identity.

(1) Health care providers, employees of a health care facility or medical laboratory, and other individuals with knowledge of a person with sexually transmitted disease:

(a) May disclose identity of a person or release identifying information only as specified in RCW 70.24.105; and

(b) Shall take steps to ensure maintenance of confidentiality related to a patient's medical information.

(2) For the purpose of RCW 70.24.105(6), customary methods for exchange of medical information shall be limited as follows:

(a) Health care providers may exchange confidential medical information related to HIV testing, HIV test results, and confirmed HIV or confirmed STD diagnosis and treatment in order to provide health care services to a patient. As a basic principle of respect for a patient's human dignity, this means:

(i) The information shared impacts the care or treatment decisions concerning the patient; and

(ii) The health care provider requires the information only for the patient's benefit.

(b) "Health care services to a patient" means personal interaction, treatment, consultation, or intervention for patient care.

(c) Health care facility administrators are authorized to permit access to medical information as necessary to fulfill professional duties. Health care facility administrators shall advise those permitted access under this subsection of the need to maintain confidentiality of such information as defined under this section and chapter 70.24 RCW. Professional duties means the following or functionally similar activities:

- (i) Medical record or chart audits;
- (ii) Peer reviews;
- (iii) Quality assurance;
- (iv) Utilization review purposes;
- (v) Research review board reviews under chapter 42.48 RCW;
- (vi) Risk management; and
- (vii) Reviews required under federal or state law or rule.

(d) Health care facility administrators and health care providers responsible for office management are authorized to permit access to a patient's medical information and medical record by health care facility and medical staff or office staff to carry out duties required for care and treatment of a patient and the management of medical information and the patient's medical record.

(3) Health care providers, employees of a health care facility or medical laboratory, and other individuals with knowledge of a person with a reportable disease or condition, other than those specified in subsections (1) and (2) of this section, shall release identifying information only to other individuals responsible for protecting the health and well being of the public through control of communicable and certain other diseases.

((3)) (4) Local and state health department personnel shall maintain individual case reports as confidential records consistent with WAC 248-100-091.

((4)) (5) The Washington state public health laboratory, other laboratories approved as public health referral laboratories, and any persons, institutions, or facilities submitting specimens or records containing patient identifying information shall maintain the identifying information accompanying submitted laboratory specimens as confidential records.

((5)) (6) Statistical summaries and epidemiologic studies based on individual case reports may be public information provided no individual is identified.

WSR 89-21-017

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 89-121—Filed October 9, 1989, 4:44 p.m.]

Date of Adoption: October 9, 1989.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:
Repealing WAC 220-32-05100V and 220-33-01000J.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to 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: Lower river late coho are immediately available for harvest. This regulation is consistent with the Columbia River Compact recommendation. Harvestable numbers of salmon are immediately available in the Priest Rapids Reservoir. This regulation is consistent with the Yakima Indian Nation fishery regulation.

Effective Date of Rule: Immediately.

October 9, 1989

Joseph R. Blum

Director

NEW SECTION

WAC 220-33-01000K **COLUMBIA RIVER GILL NET SEASONS BELOW BONNEVILLE.** Notwithstanding the provisions of WACs 220-33-005, 220-33-010, 220-33-020 and 220-33-030, it is unlawful for a person to take or possess salmon, shad, and sturgeon taken for commercial purposes from Columbia River Salmon Management and Catch Reporting Areas 1A, 1B, 1C, 1D and 1E except as provided for in the following section:

(1) Open to the taking of salmon, sturgeon and shad.

- (a) Time: 6:00 p.m. October 9 to 6:00 p.m. October 13
6:00 p.m. October 16 to 6:00 p.m. October 20
6:00 p.m. October 23 to 6:00 p.m. October 27
6:00 p.m. October 30 to 6:00 p.m. November 3
6:00 p.m. November 6 to 6:00 p.m. November 10

(b) Area: SMCRA 1A, 1B, 1C, 1D, and 1E

- (c) Sanctuaries: Closed to fishing
Grays Bay
Cowlitz
Washougal
Elokomin-A
Kalama-A
Lewis-A

Mesh: No special mesh restrictions

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-33-01000J **COLUMBIA RIVER GILL NET SEASONS BELOW BONNEVILLE.** (89-114)

NEW SECTION

WAC 220-32-05100W **COLUMBIA RIVER SALMON SEASONS ABOVE BONNEVILLE** Notwithstanding the provisions of WAC 220-32-051, 220-32-052, 220-32-053, 220-32-056, 220-32-057 and 220-32-058, effective immediately until 6 PM October 20, 1989, it is unlawful to fish for or possess salmon, shad, or sturgeon taken for commercial purposes from the Columbia River, upstream from a line at Bonneville Dam except for those individuals possessing treaty fishing rights under the Yakima, Warm Springs, Umatilla and Nez Perce treaties may fish or possess salmon and shad under the following provisions:

- (1) Open: For salmon and shad, Wanapum Dam downstream to Priest Rapids Dam.
- (2) Time 6 AM October 9 to 6 PM October 13
6 AM October 16 to 6 PM October 20

(3) *Area Closures: Safety Zone and Boat Registration Zones as marked by buoy lines or markers and waters within a 400 foot radius of the fish ladder exit at Priest Rapids are closed to fishing.*

(4) *Gear: Gill nets no longer that 400 feet with an 8 inch minimum mesh. A maximum of five nets per crew. Nets must be marked with the name and enrollment number of the head fisherman. Nets must be placed at least 400 feet apart.*

(5) *All fish must be sold in accordance with Yakima Tribal Fishery Regulations. The sale of sturgeon is prohibited.*

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-32-05100V COLUMBIA RIVER SALMON SEASONS ABOVE BONNEVILLE. (89-113)

WSR 89-21-018

PERMANENT RULES

DEPARTMENT OF LABOR AND INDUSTRIES

[Order 89-10—Filed October 10, 1989, 9:00 a.m.]

Date of Adoption: October 10, 1989.

Purpose: To ensure a healthful and safe workplace for all employees in Washington state. Federal-initiated changes to be "identical" to comparable federal final rule 29 CFR 1910.120 amending rules affecting hazardous waste operations and emergency response. State-initiated changes to comply with Washington State SSB 5681 amending chapter 49.26 RCW relating to asbestos projects, to correct specific terminology and make new legislative requirements available in WAC standards for enforcement. State-initiated changes to comply with Washington State SSB 5265 which amends chapter 88-04 RCW relating to the regulation of charter boats.

Citation of Existing Rules Affected by this Order: Repealing WAC 296-62-3150; and amending WAC 296-62-07703, 296-62-07707, 296-62-07712, 296-62-07721, 296-62-07753, 296-62-300, 296-62-3010, 296-62-3020, 296-62-3030, 296-62-3040, 296-62-3050, 296-62-3060, 296-62-3070, 296-62-3080, 296-62-3090, 296-62-3100, 296-62-3110, 296-62-3120, 296-62-3130, 296-62-3140, 296-62-3152, 296-62-3160, 296-62-3170, 296-62-3180, 296-62-3190, 296-65-001, 296-65-003, 296-65-005, 296-65-010, 296-65-015, 296-65-020, 296-65-025, 296-65-030, 296-115-030 and 296-115-120.

Statutory Authority for Adoption: Chapters 34.04 [34.05] and 49.17 RCW and chapter 1-21 WAC.

Pursuant to notice filed as WSR 89-14-124 on July 5, 1989.

Changes Other than Editing from Proposed to Adopted Version: WAC 296-62-07703(16): New subsection,

(16) "Owner" means the person who owns any public or private building, structure, facility, or mechanical system, or the remnants thereof, or the agent of such

person, but does not include individuals who work on asbestos projects in their own single-family residences, no part of which is used for commercial purposes;

WAC 296-62-07707(4) line 2:

From: remodeling, maintenance, repair, or demolition project with receiving

To: remodeling, maintenance, repair, or demolition project without receiving;

WAC 296-62-07721 (7)(b) line 3:

From: this section

To: this section, regardless of their exposure levels;

WAC 296-62-300. New subsection,

(s) SITE WORK ZONES means an exclusion zone, contamination reduction zone and a clean zone established at a hazardous waste site before the clean-up work begins to prevent or reduce the movement of contaminants from the site to uncontaminated areas and to control public, employee and equipment exposure to hazardous substances.

(i) The exclusion zone is the innermost of the zones and is where contamination does occur. The contamination reduction zone is the zone between the exclusion zone and the clean zone and serves as a transition and buffer between the contaminated and clean zone to further reduce the physical transfer of contaminating substances to the public, employees and equipment. The clean zone is the outermost of the zones and is a non-contaminated area.

(ii) The contaminated reduction corridors are the designated areas within the contaminated reduction zone for the decontamination of personnel and equipment.;

WAC 296-62-3030: New subsection (4).

(4) SITE WORK ZONES.

(a) The site work zones shall be the exclusion zone, contamination reduction zone and the clean zone.

(b) Decontamination procedures shall take place in the contamination reduction corridor consisting, if practical, of separate corridors for personnel and for equipment.

(c) An entry and exit check point must be established at the boundary of the exclusion zone to regulate the flow of personnel and equipment into and out of the zone. Exit from the exclusion zone must be through a contamination reduction corridor.

(d) Access to the contamination reduction zone from the clean zone is through a control point. Personnel entering or working in the contamination zone shall wear the prescribed personal protective equipment, if required, for working in this zone. Entering the clean zone requires removal of any protective equipment worn in the contamination reduction zone.;

WAC 296-62-3040: New [sub]section,

(b) Effective June 1, 1990 employers shall adjust the initial training required by WAC 296-62-3040 (3)(a) of this subsection, to meet as a minimum the following training requirements.

(i) Workers engaged in hazardous waste operation within the exclusion zone and the contamination reduction zone shall receive 80 hours of instruction off the site, and a minimum of three days actual field experience under the direct supervisor [supervision] of a trained, experienced supervisor.

(ii) Equipment operators and transport vehicle operators engaged in hazardous waste operation within the exclusion zone and the contamination reduction zone shall receive 40 hours of training, and a minimum of three days actual field experience under the direct supervision of a trained, experienced supervisor.

(iii) Supervisors engaged in hazardous waste operation within the exclusion zone and the contamination reduction zone shall receive as a minimum the same number of hours of instruction as the workers for whom the supervisor is directly responsible, and a minimum of three days actual field experience under the direct supervision of a trained, experienced supervisor.

The following is added to WAC 296-62-3040 (3)(d). After the word "areas" and before the words "which have been": Other than the exclusion zone and the contamination reduction zone.

WAC 296-65-003: Add new subsection (4)

"Asbestos abatement project" means any asbestos project which is conducted primarily to remove or encapsulate asbestos containing material (ACM). Removal of ACM which is ancillary to a maintenance task is not considered an abatement project as long as the amount of ACM removed is less than 48 square feet or 10 linear feet.

WAC 296-65-003(5) line 13:

From: project dealing with pipe insulation.

To: project dealing with pipe insulation. Also excluded from this definition is work on asbestos cement water-pipe provided such work is done in accordance with the latest edition of "Recommended Standard Asbestos-Cement Pipe Work Practice Procedures and Training Requirements" adopted and published by the Pacific Northwest Section of the American Water Works Association and as approved by the department.

WAC 296-65-010(3) line 1:

From: Individuals shall not perform any asbestos ~~(project)~~ abatement

To: Individuals shall not perform any asbestos project ~~(project)~~ ~~((abatement))~~;

WAC 296-65-012(2) line 2:

From: individual must do the following:

To: individual must meet the following criteria;

WAC 296-65-012 (2)(a):

From: (a) Be a certified asbestos worker as prescribed in WAC 296-65-010 for at least one year:

To: (a) Have at least 1600 hours of experience in one or more of the following disciplines:

(i) asbestos abatement

(ii) asbestos project design

(iii) consultation on asbestos abatement projects

(iv) operations and maintenance program supervision

(v) construction project supervision;

(b) Possess a valid and current Washington state asbestos worker certificate;

WAC 296-65-012(3) line 1:

From: Individuals shall not supervise any asbestos abatement work

To: An individual shall not supervise any asbestos project ~~((abatement work))~~;

WAC 296-65-015(1) line 6:

From: having department approval.

To: having department approval. Approval shall be contingent on the sponsor's compliance, as applicable, with licensing requirements established by the State Board of Vocational Education.

WAC 296-65-015(9) line 2:

From: writing, at least ~~((one week))~~ thirty days before a training course is

To: writing, at least fourteen days before a training course is;

WAC 296-65-017(3) line 5:

From: fee prescribed in WAC 296-65-025 shall be prorated accordingly.

To: fee prescribed in WAC 296-65-025 shall be prorated accordingly for the initial application only.;

WAC 296-65-025(3) line 5:

From: fee prescribed in WAC 296-65-025 shall be prorated accordingly.

To: fee prescribed in WAC 296-65-025 shall be prorated accordingly for the initial application only.;

WAC 296-65-035(4): Subsection is deleted;

WAC 296-115-030(1) line 2:

From: registered owner of passenger vessels for hire ~~((will be))~~ is responsible

To: registered owner of passenger vessels or barges for hire ~~((will be))~~ is responsible;

WAC 296-115-030(2) line 3:

From: Coast Guard license, or without having a valid license in his or her

To: Coast Guard or department license, or without having a valid license in his or her;

WAC 296-115-120(1) line 1:

From: The annual license fee for passenger vessels is \$250.00 plus

To: The annual license fee for passenger vessels or barges is \$250.00 plus; and

WAC 296-115-120(2) line 1:

From: The fee for an operator's license for passenger vessels is

To: The fee for an operator's license for passenger vessels or barges is.

Effective Date of Rule: November 24, 1989.

October 10, 1989

Joseph A. Dear

Director

AMENDATORY SECTION (Amending Order 89-03, filed 5/15/89, effective 6/30/89)

WAC 296-62-07703 DEFINITIONS. For the purpose of WAC 296-62-077 through 296-62-07753:

(1) "Action level" means an airborne concentration of asbestos of 0.1 fiber per cubic centimeter (f/cc) of air calculated as an eight-hour time-weighted average.

(2) "Air lock" means a system for ingress or egress to minimize air movement between a contaminated area and an uncontaminated area, consisting of an enclosure with two curtained doorways at least six feet apart unless space prohibits.

(3) "Asbestos" includes chrysotile, amosite, crocidolite, tremolite asbestos, anthophyllite asbestos, actinolite asbestos, and any of these minerals that have been chemically treated and/or altered.

(4) "Authorized person" means any person authorized by the employer and required by work duties to be present in regulated areas.

(5) "Clean room" means an uncontaminated room having facilities for the storage of employees' street clothing and uncontaminated materials and equipment.

(6) ~~("Competent person" means one who is)~~ "Certified asbestos supervisor" means an individual certified by the department under WAC 296-65-012. This person shall be capable of identifying existing asbestos hazards in the workplace and ~~((who has))~~ have the authority to take prompt corrective measures to eliminate them, as specified in WAC ~~((296-155-012(4)))~~ 296-62-202(6). The duties of the ~~((competent person))~~ asbestos supervisor include at least the following: Establishing the negative-pressure enclosure, ~~((ensuring its integrity, and controlling entry to and exit from the enclosure))~~ mini-enclosure, glove bag, or any other engineering control used in an asbestos removal or encapsulation operation; ensuring the integrity of the control being used; supervising any employee ((exposure)) monitoring required by the standard; ensuring that all employees ((working within such an enclosure)) involved in removal or encapsulation of asbestos wear the appropriate ((person- at)) protective equipment, are trained in the use of appropriate methods of exposure control, and use the hygiene facilities and decontamination procedures specified in the standard; and ensuring that engineering controls in use are in proper operating condition and are functioning properly. ((To be designated as a competent person, the worker must satisfactorily complete a training course in accordance with WAC 296-62-07712(3).))

(7) "Curtained doorway" means overlapping plastic sheeting curtains, at least four mils in thickness, constructed and used at entrance and exit of regulated areas, and designed to restrict the movement of air from one area to another.

(8) "Decontamination area" means an enclosed area adjacent and connected to the regulated area and consisting of an equipment room, shower area, and clean room, which is used for the decontamination of workers, materials, and equipment contaminated with asbestos.

(9) "Demolition" means the wrecking or taking out of any load-supporting structural member and any related razing, removing, or stripping of asbestos products.

(10) "Department" means the department of labor and industries.

(11) "Director" means the director of the department of labor and industries or his/her authorized representative((s)).

(12) "Employee exposure" means that exposure to airborne asbestos that would occur if the employee were not using respiratory protective equipment.

(13) "Equipment room" means a contaminated room located within the decontamination area that is supplied with impermeable bags or containers for the disposal of contaminated protective clothing and equipment.

(14) "Fiber" means a particulate form of asbestos, five micrometers or longer, with a length-to-diameter ratio of at least three to one.

(15) "High-efficiency particulate air (HEPA) filter" means a filter capable of trapping and retaining at least

99.97 percent of all monodispersed particles of 0.3 micrometers mean aerodynamic diameter or larger.

(16) "Owner" means the person who owns any public or private building, structure, facility, or mechanical system, or the remnants thereof, or the agent of such person, but does not include individuals who work on asbestos projects in their own single-family residences, no part of which is used for commercial purposes.

(17) "Regulated area" means an area established by the employer to demarcate areas where airborne concentrations of asbestos exceed, or can reasonably be expected to exceed, the permissible exposure limits. The regulated area may take the form of (a) a temporary enclosure, as required by WAC 296-62-07711, or (b) an area demarcated in any manner that minimizes the number of employees exposed to asbestos.

~~((17))~~ (18) "Removal" means the taking out or stripping of asbestos or materials containing asbestos.

~~((18))~~ (19) "Renovation" means the modifying of any existing structure, or portion thereof, where exposure to airborne asbestos may result.

~~((19))~~ (20) "Repair" means overhauling, rebuilding, reconstructing, or reconditioning of structure or substrates where asbestos is present.

~~((20))~~ "Small-scale, short duration operations" means tasks involving less than ten linear feet and less than eleven square feet of material. This means a total of eleven square feet of material whether on flat surfaces or not and includes pipes. Regardless of pipe diameter, runs cannot exceed ten linear feet.)

(21) "Structural member" means any load-supporting or nonload-supporting member of a facility such as beams, walls, and ceilings.

AMENDATORY SECTION (Amending Order 87-24, filed 11/30/87)

WAC 296-62-07707 IDENTIFICATION. ~~((The employer shall determine if materials to be worked on or removed contain asbestos. Determinations shall be documented (e.g., laboratory analysis report, manufacturer's product information), maintained on file and made available upon request to the director. A determination shall not be required when an employer assumes that the suspect material contains asbestos and handles the material in accordance with WAC 296-62-077 through 296-62-07753.))~~ (1) Before authorizing or allowing any construction, renovation, remodeling, maintenance, repair, or demolition project, an owner or owner's agent shall perform, or cause to be performed, a good faith inspection to determine whether materials to be worked on or removed contain asbestos. The inspection shall be documented by a written report maintained on file and made available upon request to the director.

Note: Such good faith inspection is not required if the owner or owner's agent is reasonably certain that asbestos will not be disturbed by the project or the owner or owner's agent assumes that the suspect material contains asbestos and handles the material in accordance with WAC 296-62-077 through 296-62-07753.

(2) The owner or owner's agent shall make available, to any contractor submitting a bid to undertake any

construction, renovation, remodeling, maintenance, repair, or demolition project, the written statement either of the reasonable certainty of nondisturbance of asbestos or of assumption of the presence of asbestos.

(3) Any owner or owner's agent who fails to comply with subsections (1) and (2) of this section shall be subject to a mandatory fine of not less than two hundred fifty dollars for each violation. Each day the violation continues shall be considered a separate violation. In addition, any construction, renovation, remodeling, maintenance, repair, or demolition which was started without meeting the requirements of this section shall be halted immediately and cannot be resumed before meeting such requirements.

(4) No contractor may commence any construction, renovation, remodeling, maintenance, repair, or demolition project without receiving a copy of the written response or statement required by subsection (2) of this section. Any contractor who begins any project without the copy of the written report or statement shall be subject to a mandatory fine of not less than two hundred fifty dollars per day. Each day the violation continues shall be considered a separate violation.

AMENDATORY SECTION (Amending Order 89-03, filed 5/15/89, effective 6/30/89)

WAC 296-62-07712 REQUIREMENTS FOR ASBESTOS REMOVAL, DEMOLITION, AND RENOVATION OPERATIONS. (1) ~~((Except when proper glove bag techniques are used as described in Appendix J WAC 296-62-07753;))~~ The employer, wherever feasible, shall establish negative-pressure enclosures having a minimum of one air exchange every fifteen minutes within the enclosure before commencing removal, demolition, and renovation operations. A sufficient amount of air shall be exhausted to create a pressure of -0.02 inches of water within the enclosure with respect to the area outside the enclosure.

(2) The employer shall designate a ~~((competent person))~~ certified asbestos supervisor who shall perform~~((;))~~ or directly supervise the following duties:

- (a) Set up the enclosure;
- (b) Ensure the integrity of the enclosure;
- (c) Control entry to and exit from the enclosure;
- (d) Supervise all employee exposure monitoring required by this section;
- (e) Ensure that employees working within the enclosure wear protective clothing and respirators as required by WAC 296-62-07715 and 296-62-07717;
- (f) Ensure that employees are trained in the use of engineering controls, work practices, and personal protective equipment;
- (g) Ensure that employees use the hygiene facilities and observe the decontamination procedures specified in WAC 296-62-07719; and
- (h) Ensure that engineering controls including HEPA filters are functioning properly.

(3) In addition to the qualifications specified in WAC 296-62-07703, the ~~((competent person))~~ certified asbestos supervisor shall be trained in all aspects of asbestos

abatement, the contents of this standard, the identification of asbestos and their removal procedures, and other practices for reducing the hazard. Such training shall be obtained in a comprehensive course conducted by ~~((an EPA asbestos training center, or an equivalent training course recognized by the department as complying with the requirements of this subsection. Every competent person shall also maintain a valid asbestos worker certificate as specified in WAC 296-65-010))~~ an approved asbestos supervisor course as specified in WAC 296-65-007. The certified asbestos supervisor shall meet all requirements as specified in WAC 296-65-012.

(4) Exceptions:

(a) For small-scale, short-duration operations, such as pipe repair, valve replacement, installing electrical conduits, installing or removing drywall, roofing, and other general building maintenance or renovation, the employer is not required to comply with the requirements of WAC 296-62-07712(1). Employers wishing to take advantage of the exemption in this subsection shall comply with WAC 296-62-07753, Appendix J.

(b) A certified asbestos supervisor shall not be required for projects consisting of less than 48 square feet or 10 lineal feet of asbestos-containing material.

AMENDATORY SECTION (Amending Order 89-03, filed 5/15/89, effective 6/30/89)

WAC 296-62-07721 COMMUNICATION OF HAZARDS TO EMPLOYEES. (1) Upon written or oral request, a copy of the written report required in WAC 296-62-07707 and 296-65-020 shall be given to the collective bargaining representatives or employee representatives of any employee who may be exposed to any asbestos or asbestos-containing material. A copy of the written report shall be posted conspicuously at the location where employees report to work.

(2) Warning signs.

(a) Warning signs shall be provided and displayed at each regulated area. 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.

(b) The warning signs required by (a) of this subsection shall bear the following information:

DANGER
ASBESTOS
CANCER AND LUNG DISEASE HAZARD
AUTHORIZED PERSONNEL ONLY
RESPIRATORS AND PROTECTIVE CLOTHING ARE REQUIRED
IN THIS AREA

~~((2))~~ (3) Warning labels.

(a) Warning labels shall be affixed to all products containing asbestos including raw materials, mixtures, scrap, waste, debris, and other products containing asbestos fibers, and to their containers including waste containers. Where feasible, installed asbestos products shall contain a visible label.

(b) Labels shall be printed in large, bold letters on a contrasting background.

(c) The labels shall comply with the requirements of WAC 296-62-05411, and shall include the following information:

DANGER
CONTAINS ASBESTOS FIBERS
AVOID CREATING DUST
CANCER AND LUNG DISEASE HAZARD
AVOID BREATHING AIRBORNE ASBESTOS FIBERS

(d) Where minerals to be labeled are only tremolite, anthophyllite, or actinolite, the employer may replace the term "asbestos" with the appropriate mineral name.

~~((3))~~ (4) Material safety data sheets. Employers who are manufacturers or importers of asbestos, or asbestos products shall comply with the requirements regarding development of material safety data sheets as specified in WAC 296-62-05413, except as provided by subsection ~~((4))~~ (5) of this section.

~~((4))~~ (5) The provisions for labels required by subsection ~~((2))~~ (3) of this section or for material safety data sheets required by subsection ~~((3))~~ (4) of this section do not apply where:

(a) Asbestos fibers have been modified by a bonding agent, coating, binder, or other material, provided that the manufacturer can demonstrate that during any reasonably foreseeable use, handling, storage, disposal, processing, or transportation, no airborne concentrations of fibers of asbestos in excess of the action level and/or excursion limit will be released; or

(b) Asbestos is present in a product in concentrations less than 0.1 percent by weight.

~~((5))~~ (6) Employee information and training.

(a) The employer shall institute a training program for all employees who are exposed to airborne concentrations of asbestos at or above the action level and/or excursion limit and ensure their participation in the program.

(b) Training shall be provided prior to or at the time of initial assignment, unless the employee has received equivalent training within the previous twelve months, and at least annually thereafter.

(c) The training program shall be conducted in a manner which the employee is able to understand. The employer shall ensure that each employee is informed of the following:

(i) The health effects associated with asbestos;

(ii) The relationship between smoking and exposure to asbestos in producing lung cancer;

(iii) Methods of recognizing asbestos and the quantity, location, manner of use, release, and storage of asbestos and the specific nature of operations which could result in exposure to asbestos;

(iv) The engineering controls and work practices associated with the employee's job assignment;

(v) The specific procedures implemented to protect employees from exposure to asbestos such as appropriate work practices, housekeeping procedures, hygiene facilities, decontamination procedures, emergency and clean-up procedures, personal protective equipment to be used, and waste disposal procedures, and any necessary instructions in the use of these controls and procedures;

(vi) The purpose, proper use, and limitations of respirators and protective clothing;

(vii) The purpose and a description of the medical surveillance program required by WAC 296-62-07725; and

(viii) The content of this standard, including appendices.

(d) 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.

(ii) The employer shall provide, upon request, all materials relating to the employee information and training program to the director.

~~((6))~~ (7) Certification.

(a) All individuals working ~~((on))~~ or supervising asbestos projects, as defined in WAC 296-65-003(4) shall be certified as required by WAC 296-65-010, 296-65-012, and 296-65-030.

(b) In cases excepted under WAC 296-65-030 ~~((+))~~ (2) and ~~((2))~~ (3), all employees shall be trained according to subsection ~~((5))~~ (6) of this section, regardless of their exposure levels.

AMENDATORY SECTION (Amending Order 87-24, filed 11/30/87)

WAC 296-62-07753 APPENDIX J—WORK PRACTICES AND ENGINEERING CONTROLS FOR SMALL-SCALE, SHORT-DURATION ASBESTOS RENOVATION AND MAINTENANCE ~~((OPERATIONS))~~ ACTIVITIES—NONMANDATORY. This appendix is not mandatory, in that employers may choose to comply with all of the requirements of WISHA's standard for occupational exposure to asbestos during construction activities, WAC 296-62-077 through 296-62-07753. However, employers wishing to be exempted from the requirements of WAC 296-62-07712 shall comply with the provisions of this appendix when performing small-scale, short-duration renovation or maintenance operations. WISHA anticipates that employers in the electrical, carpentry, utility, plumbing, and interior construction trades may wish to avail themselves of the final standard's exemptions for small-scale, short-duration renovation and maintenance ~~((operations))~~ activities.

(1) Definition of small-scale, short-duration ~~((operations))~~ activities. For the purposes of this appendix, small-scale, short-duration renovation and maintenance activities are tasks ~~((involving less than ten linear feet and less than eleven square feet of material. This means a total of eleven square feet of material whether on flat surfaces or not and includes pipes. Regardless of pipe diameter, runs cannot exceed ten linear feet. The tasks include))~~ such as, but ~~((are))~~ not limited to:

Removal of asbestos-containing insulation on pipes;

Removal of small quantities of asbestos-containing insulation on beams or above ceilings;

Replacement of an asbestos-containing gasket on a valve;

Installation or removal of a small section of drywall;

Installation of electrical conduits through or proximate to asbestos-containing materials.

Evidence in the record suggests that the use of certain engineering and work practice controls is capable of reducing employee exposures to asbestos to levels below the action level (0.1 f/cc). Several controls and work practices, used either singly or in combination, can be employed effectively to reduce asbestos exposures during small maintenance and renovation operations. These include:

- Wet methods;
- Removal methods;
- Use of glove bags;
- Removal of entire asbestos insulated pipes or structures;
- Use of mini-enclosures;
- Enclosure of asbestos materials; and
- Maintenance programs.

This appendix describes these controls and work practices in detail.

(2) Preparation of the area before renovation or maintenance activities. The first step in preparing to perform a small-scale, short-duration asbestos renovation or maintenance task, regardless of the abatement method that will be used, is the removal from the work area of all objects that are movable to protect them from asbestos contamination. Objects that cannot be removed must be covered completely with a 6-mil-thick polyethylene plastic sheeting before the task begins. If objects have already been contaminated, they should be thoroughly cleaned with a high-efficiency particulate air (HEPA) filtered vacuum or be wet wiped before they are removed from the work area or completely encased in the plastic.

(3) Wet methods. Whenever feasible, and regardless of the abatement method to be used (e.g., removal, enclosure, use of glove bags), wet methods must be used during small-scale, short-duration maintenance and renovation activities that involve disturbing asbestos-containing materials. Handling asbestos materials wet is one of the most reliable methods of ensuring that asbestos fibers do not become airborne, and this practice should therefore be used whenever feasible. Wet methods can be used in the great majority of workplace situations. Only in cases where asbestos work must be performed on live electrical equipment, on live steam lines, or in other areas where water will seriously damage materials or equipment may dry removal be performed. Amended water or another wetting agent should be applied by means of an airless sprayer to minimize the extent to which the asbestos-containing material is disturbed.

Asbestos-containing materials should be wetted from the initiation of the maintenance or renovation operation and wetting agents should be used continually throughout the work period to ensure that any dry asbestos-containing material exposed in the course of the work is wet and remains wet until final disposal.

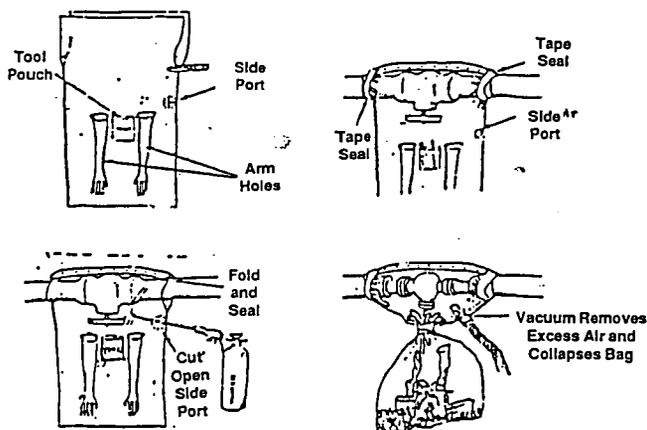
(4) Removal of small amount of asbestos-containing materials. Several methods can be used to remove small amounts of asbestos-containing materials during small-scale, short-duration renovation or maintenance tasks. These include the use of glove bags, the removal of an

entire asbestos-covered pipe or structure, and the construction of mini-enclosures. The procedures that employers must use for each of these operations if they wish to avail themselves of the final rule's exemptions are described in the following subsections.

(5) Glove bags. The use of glove bags to enclose the work area during small-scale, short-duration maintenance or renovation activities will result in employee exposures to asbestos that are below the action level of 0.1 f/cc. This appendix provides requirements for glove bag procedures to be followed by employers wishing to avail themselves of the standard's exemptions for each activities. WISHA has determined that the use of these procedures will reduce the eight-hour time-weighted average (TWA) exposures of employees involved in these work operations to levels below the action level and will thus provide a degree of employee protection equivalent to that provided by compliance with all provisions of the final rule.

(a) Glove bag installation. Glove bags are approximately forty-inch-wide times sixty-four-inch-long bags fitted with arms through which the work can be performed (see Figure J-1(A)). When properly installed and used, they permit workers to remain completely isolated from the asbestos material removed or replaced inside the bag. Glove bags can thus provide a flexible, easily installed, and quickly dismantled temporary small work area enclosure that is ideal for small-scale asbestos renovation or maintenance jobs.

Figure J-1. Diagrams showing proper use of glove bags in small-scale, short-duration maintenance and renovation operations



These bags are single use control devices that are disposed of at the end of each job. The bags are made of transparent 6-mil-thick polyethylene plastic with arms made of material such as Tyvek* (the same material used to make the disposable protective suits used in major asbestos removal, renovation, and demolition operations and in protective gloves). Glove bags are readily available from safety supply stores or specialty asbestos removal supply houses. Glove bags come pre-labeled with the asbestos warning label prescribed by WISHA and EPA for bags used to dispose of asbestos waste.

(b) Glove bag equipment and supplies. Supplies and materials that are necessary to use glove bags effectively include:

(i) Tape to seal the glove bag to the area from which asbestos is to be removed;

(ii) Amended water or other wetting agents;

(iii) An airless sprayer for the application of the wetting agent;

(iv) Bridging encapsulant (a paste-like substance for coating asbestos) to seal the rough edges of any asbestos-containing materials that remain within the glove bag at the points of attachment after the rest of the asbestos has been removed;

(v) Tools such as razor knives, nips, and wire brushes (or other tools suitable for cutting wire, etc.);

(vi) A HEPA filter-equipped vacuum for evacuating the glove bag (to minimize the release of asbestos fibers) during removal of the bag from the work area and for cleaning any material that may have escaped during the installation of the glove bag; and

(vii) HEPA-equipped cartridge respirators for use by the employees involved in the removal of asbestos with the glove bag.

(c) Glove bag work practices. The proper use of glove bags requires the following steps:

(i) Glove bags must be installed so that they completely cover the pipe or other structure where asbestos work is to be done. Glove bags are installed by cutting the sides of the glove bag to fit the size of the pipe from which asbestos is to be removed. The glove bag is attached to the pipe by folding the open edges together and securely sealing them with tape. All openings in the glove bag must be sealed with duct tape or equivalent material. The bottom seam of the glove bag must also be sealed with duct tape or equivalent to prevent any leakage from the bag that may result from a defect in the bottom seam (Figure J-1(B)).

(ii) The employee who is performing the asbestos removal with the glove bag must don a half-mask dual-cartridge HEPA-equipped respirator; respirators and protective clothing should be worn by employees who are in close contact with the glove bag and who may thus be exposed as a result of small gaps in the seams of the bag or holes punched through the bag by a razor knife or a piece of wire mesh.

(iii) The removed asbestos material from the pipe or other surface that has fallen into the enclosed bag must be thoroughly wetted with a wetting agent (applied with an airless sprayer through the precut port provided in most glove bags or applied through a small hole cut in the bag) (Figure J-1(C)).

(iv) Once the asbestos material has been thoroughly wetted, it can be removed from the pipe, beam or other surface. The choice of tool to use to remove the asbestos-containing material depends on the type of material to be removed. Asbestos-containing materials are generally covered with painted canvas and/or wire mesh. Painted canvas can be cut with a razor knife and peeled away from the asbestos-containing material underneath. Once the canvas has been peeled away, the asbestos-containing material underneath may be dry, in which

case it should be resprayed with a wetting agent to ensure that it generates as little dust as possible when removed. If the asbestos-containing material is covered with wire mesh, the mesh should be cut with nips, tin snips, or other appropriate tool and removed.

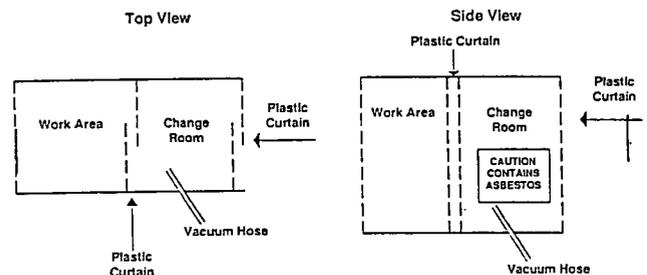
A wetting agent must then be used to spray any layer of dry material that is exposed beneath the mesh, the surface of the stripped underlying structure, and the inside of the glove bag.

(v) After removal of the layer of asbestos-containing material, the pipe or surface from which asbestos has been removed must be thoroughly cleaned with a wire brush and wet wiped with a wetting agent until no traces of the asbestos-containing material can be seen.

(vi) Any asbestos-containing insulation edges that have been exposed as a result of the removal or maintenance activity must be encapsulated with bridging encapsulant to ensure that the edges do not release asbestos fibers to the atmosphere after the glove bag has been removed.

(vii) When the asbestos removal and encapsulation have been completed, a vacuum hose from a HEPA-filtered vacuum must be inserted into the glove bag through the port to remove any air in the bag that may contain asbestos fibers. When the air has been removed from the bag, the bag should be squeezed tightly (as close to the top as possible), twisted, and sealed with tape, to keep the asbestos materials safely in the bottom of the bag. The HEPA vacuum can then be removed from the bag and the glove bag itself can be removed from the work area to be disposed of properly (Figure J-1(D)).

Figure J-2. Schematic of mini-enclosure



(6) Mini-enclosures. In some instances, such as removal of asbestos from a small ventilation system or from a short length of duct, a glove bag may not be either large enough or of the proper shape to enclose the work area. In such cases, a mini-enclosure can be built around the area where small-scale, short-duration asbestos maintenance or renovation work is to be performed (Figure J-2). Such an enclosure should be constructed of 6-mil-thick polyethylene plastic sheeting and can be small enough to restrict entry to the asbestos work area to one worker.

For example, a mini-enclosure can be built in a small utility closet when asbestos-containing duct covering is to be removed. The enclosure is constructed by:

(a) Affixing plastic sheeting to the walls with spray adhesive and tape;

(b) Covering the floor with plastic and sealing the plastic covering the floor to the plastic on the walls;

(c) Sealing any penetrations such as pipes or electrical conduits with tape; and

(d) Constructing a small change room (approximately three feet square) made of 6-mil-thick polyethylene plastic supported by two-inch by four-inch lumber (the plastic should be attached to the lumber supports with staples or spray adhesive and tape).

The change room should be contiguous to the mini-enclosure, and is necessary to allow the worker to vacuum off his protective coveralls and remove them before leaving the work area. While inside the enclosure, the worker should wear Tyvek¹ disposable coveralls and use the appropriate HEPA-filtered dual cartridge respiratory protection.

The advantages of mini-enclosures are that they limit the spread of asbestos contamination, reduce the potential exposure of bystanders and other workers who may be working in adjacent areas, and are quick and easy to install. The disadvantage of mini-enclosures is that they may be too small to contain the equipment necessary to create a negative-pressure within the enclosure; however, the double layer of plastic sheeting will serve to restrict the release of asbestos fibers to the area outside the enclosure.

(7) Removal of entire structures. When pipes are insulated with asbestos-containing materials, removal of the entire pipe may be more protective, easier, and more cost-effective than stripping the asbestos insulation from the pipe. Before such a pipe is cut, the asbestos-containing insulation must be wrapped with 6-mil polyethylene plastic and securely sealed with duct tape or equivalent. This plastic covering will prevent asbestos fibers from becoming airborne as a result of the vibration created by the power saws used to cut the pipe. If possible, the pipes should be cut at locations that are not insulated to avoid disturbing the asbestos. If a pipe is completely insulated with asbestos-containing materials, small sections should be stripped using the glove-bag method described above before the pipe is cut at the stripped sections.

(8) Enclosure. The decision to enclose rather than remove asbestos-containing material from an area depends on the building owner's preference, i.e., for removal or containment. Owners consider such factors as cost effectiveness, the physical configuration of the work area, and the amount of traffic in the area when determining which abatement method to use.

If the owner chooses to enclose the structure rather than to remove the asbestos-containing material insulating it, a solid structure (airtight walls and ceilings) must be built around the asbestos covered pipe or structure to prevent the release of asbestos-containing materials into the area beyond the enclosure and to prevent disturbing these materials by casual contact during future maintenance operations.

Such a permanent (i.e., for the life of the building) enclosure should be built of new construction materials and should be impact resistant and airtight. Enclosure walls should be made of tongue-and-groove boards, boards with spine joints, or gypsum boards having taped

seams. The underlying structure must be able to support the weight of the enclosure. (Suspended ceilings with laid in panels do not provide airtight enclosures and should not be used to enclose structures covered with asbestos-containing materials.) All joints between the walls and ceiling of the enclosure should be caulked to prevent the escape of asbestos fibers. During the installation of enclosures, tools that are used (such as drills or rivet tools) should be equipped with HEPA-filtered vacuums. Before constructing the enclosure, all electrical conduits, telephone lines, recessed lights, and pipes in the area to be enclosed should be moved to ensure that the enclosure will not have to be reopened later for routine or emergency maintenance. If such lights or other equipment cannot be moved to a new location for logistic reasons, or if moving them will disturb the asbestos-containing materials, removal rather than enclosure of the asbestos-containing materials is the appropriate control method to use.

(9) Maintenance program. An asbestos maintenance program must be initiated in all facilities that have asbestos-containing materials. Such a program should include:

- Development of an inventory of all asbestos-containing materials in the facility;

- Periodic examination of all asbestos-containing materials to detect deterioration;

- Written procedures for handling asbestos materials during the performance of small-scale, short-duration maintenance and renovation activities;

- Written procedures for asbestos disposal; and

- Written procedures for dealing with asbestos-related emergencies.

Members of the building's maintenance engineering staff (electricians, heating/air conditioning engineers, plumbers, etc.) who may be required to handle asbestos-containing materials should be trained in safe procedures. Such training should include at a minimum:

- Information regarding types of asbestos and its various uses and forms;

- Information on the health effects associated with asbestos exposure;

- Descriptions of the proper methods of handling asbestos-containing materials; and

- Information on the use of HEPA-equipped dual cartridge respiratory and other personal protection during maintenance activities.

(10) Prohibited activities. The training program for the maintenance engineering staff should describe methods of handling asbestos-containing materials as well as routine maintenance activities that are prohibited when asbestos-containing materials are involved. For example, maintenance staff employees should be instructed:

- Not to drill holes in asbestos-containing materials;

- Not to hang plants or pictures on structures covered with asbestos-containing materials;

- Not to sand asbestos-containing floor tile;

- Not to damage asbestos-containing materials while moving furniture or other objects;

- Not to install curtains, drapes, or dividers in such a way that they damage asbestos-containing materials;

Not to dust floors, ceilings, moldings or other surfaces in asbestos-contaminated environments with a dry brush or sweep with a dry broom;

Not to use an ordinary vacuum to clean up asbestos-containing debris;

Not to remove ceiling tiles below asbestos-containing materials without wearing the proper respiratory protection, clearing the area of other people, and observing asbestos removal waste disposal procedures;

Not to remove ventilation system filters dry; and

Not to shake ventilation system filters.

* Mention of trade names or commercial products does not constitute endorsement or recommendation for use.

¹ Mention of trade names or commercial products does not constitute endorsement or recommendation for use.

AMENDATORY SECTION (Amending Order 88-23, filed 10/6/88, effective 11/7/88)

WAC 296-62-300 SCOPE, APPLICATION, AND DEFINITIONS. (1) ~~((Scope for operations other than emergency response. This section covers employers and employees engaged in the following operations:~~

~~(a) Hazardous substance response operations that are conducted under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 as amended (42 U.S.C. 9601 et seq.) (CERCLA), including initial investigations at CERCLA sites before the presence or absence of hazardous substances has been ascertained;~~

~~(b) Major corrective actions taken in clean-up operations under the Resource Conservation and Recovery Act of 1976 as amended (42 U.S.C. 6901 et seq.) (RCRA);~~

~~(c) Operations involving hazardous waste storage, disposal, and treatment facilities regulated under WAC 173-303-400 pursuant to RCRA;~~

~~(d) Hazardous waste operations sites that have been designated for clean-up by state or local governmental authorities; and~~

~~(2) Scope for emergency response operations. This section also covers employers whose employees have a reasonable possibility of engaging in) Scope. This section covers the following operations, unless the employer can demonstrate that the operation does not involve employee exposure or the reasonable possibility for employee exposure to safety or health hazards:~~

~~(a) Clean-up operations required by a governmental body, whether federal, state, local, or other involving hazardous substances that are conducted at uncontrolled hazardous waste sites (including, but not limited to, the EPA's National Priority Site List (NPL), state priority site lists, sites recommended for the EPA NPL, and initial investigations of government identified sites which are conducted before the presence or absence of hazardous substances has been ascertained);~~

~~(b) Corrective actions involving clean-up operations at sites covered by the Resource Conservation and Recovery Act of 1976 (RCRA) as amended (42 U.S.C. 6901 et seq.);~~

~~(c) Voluntary clean-up operations at sites recognized by federal, state, local, or other governmental bodies as uncontrolled hazardous waste sites;~~

~~(d) Operations involving hazardous wastes that are conducted at treatment, storage, and disposal (TSD) facilities regulated by 40 CFR Parts 264 and 265 pursuant to RCRA; or by agencies under agreement with U.S.E.P.A. to implement RCRA regulations; and~~

~~(e) Emergency response operations for releases of, or substantial threats of releases of, hazardous substances without regard to the location of the hazard.~~

~~((3)) (2) Application.~~

~~(a) All requirements of this chapter and chapters 296-24 and 296-155 WAC apply pursuant to their terms to hazardous waste and emergency response operations whether covered by this part or not. ((In addition, the provisions of this part apply to operations covered by this part.)) If there is a conflict or overlap, the provision more protective of employee safety and health shall apply.~~

~~(b) ((All sections of this part except WAC 296-62-3110 and 296-62-3140 apply to operations involving hazardous substances conducted under CERCLA, major corrective actions taken in clean-up operations under RCRA, and hazardous waste operations that have been designated for clean-up by state or local governmental authorities.~~

~~(c) Only the requirements of WAC 296-62-3110 and 296-62-3140 apply to those operations involving hazardous waste storage, disposal, and treatment facilities regulated under WAC 173-303-400.)) Hazardous substance clean-up operations within the scope of subsection (1)(a), (b), and (c) of this section must comply with all sections (WAC 296-62-300 through 296-62-3145) except WAC 296-62-3140, 296-62-3110 (4) and (5), and 296-62-3112.~~

~~(c) Operations within the scope of subsection (1)(d) of this section must comply only with the requirements of WAC 296-62-3140 and 296-62-3110 (4) and (5).~~

Exceptions: For large quantity generators of hazardous waste who store those wastes less than 90 days and for small quantity generators ((and generators with less than ninety days accumulation)) of hazardous wastes, who have emergency response teams that respond to releases of, or substantial threats of releases of, hazardous substances, for their RCRA workplaces only WAC 296-62-3110(5) is applicable. ((Small quantity generators and generators with less than ninety days accumulation)) Generators of hazardous wastes who do not have emergency response teams that respond to releases of, or substantial threats of releases of, hazardous substances are exempt from the ((regulations)) requirements of this section.

~~(d) ((WAC 296-62-3110 applies to all)) Emergency response operations for releases of, or substantial threats of releases of hazardous substances ((including those releases of or substantial threats of releases that occur at worksites other than those sites identified in (a) through (c) of this subsection)) which are not covered by subsection (1)(a) through (d) of this section must only comply with the requirements of WAC 296-62-3112.~~

~~((4)) (3) Definitions.~~

~~(a) "Buddy system" means a system of organizing employees into work groups in such a manner that each employee of the work group is designated to ((observe~~

~~the activities of~~) be observed by at least one other employee in the work group. The purpose of the buddy system is to provide ~~((quick))~~ rapid assistance to ~~((those other))~~ employees in the event of an emergency.

(b) "Clean-up operation" means an operation where hazardous substances are removed, contained, incinerated, neutralized, stabilized, cleared-up, or in any other manner processed or handled with the ultimate goal of making the site safer for people or the environment.

(c) "Decontamination" means the removal of hazardous substances from employees and their equipment to the extent necessary to preclude the occurrence of foreseeable adverse health effects.

~~((c))~~ (d) "Emergency response" or "responding to emergencies" means a ~~((coordinated))~~ response effort by employees from outside the immediate release area or by ~~((outside))~~ other designated responders (i.e., mutual aid groups, local fire departments, etc.) to an occurrence which results, or is likely to result, in an uncontrolled release of a hazardous substance. Responses to incidental releases of hazardous substances where the substance can be absorbed, neutralized, or otherwise controlled at the time of release by employees in the immediate release area or by maintenance personnel are not considered to be emergency responses within the scope of this standard. Responses to release of hazardous substances where ~~((the concentration of hazardous substance is below the established permissible exposure limits established in this standard))~~ there is no potential safety or health hazard (i.e., fire, explosion, or chemical exposure) are not considered to be emergency responses.

~~((d))~~ "Established exposure levels" means the inhalation or dermal permissible exposure limit specified, in this chapter, or if none is specified, the exposure limits in "NIOSH Recommendations for Occupational Health Standards" dated 1986 incorporated by reference, or if neither of the above is specified, the standards specified by the American Conference of Governmental Industrial Hygienists in their publication "Threshold Limit Values and Biological Exposure Indices for 1986-87" dated 1986 incorporated by reference. The two documents incorporated by reference are available for purchase from the following:

~~NIOSH, Publications Dissemination, Division of Standards Development and Technology Transfer, National Institute for Occupational Safety and Health, 4676 Columbia Parkway, Cincinnati, OH 45226, (513) 841-4287, and~~

~~American Conference of Governmental Industrial Hygienists, 6500 Glenway Ave., Building D-7, Cincinnati, OH 45211-4438, (513) 661-7881 and are available for inspection and copying at the OSHA Docket Office, Docket No. S-760, Room N-3671, 200 Constitution Ave., N.W., Washington, DC 20210.)~~

(e) "Facility" means (i) any building structure, installation, equipment, pipe or pipeline (including any pipe into a sewer or publicly-owned treatment works), well, pit, pond, lagoon, impoundment, ditch, storage container, motor vehicle, rolling stock, or aircraft, or (ii) any site or area where a hazardous substance has been deposited, stored, disposed of, or placed, or otherwise

come to be located; but does not include any consumer product in consumer use or any water-borne vessel.

(f) "Hazardous materials response (HAZMAT) team" means an organized group of employees, designated by the employer, who are ~~((knowledgeable and specifically trained and skilled))~~ expected to perform work, to handle and control ~~((leasing containers or vessels, use and select special chemical protective clothing and perform other duties associated with accidental releases of hazardous substances))~~ actual or potential leaks or spills of hazardous substances requiring possible close approach to the substance. The team members perform responses to releases or potential releases of hazardous substances for the purpose of control or stabilization of the ~~((release))~~ incident. A HAZMAT team is not a fire brigade nor is a typical fire brigade a HAZMAT team. A HAZMAT team, however, may be a separate component of a fire brigade or fire department.

(g) "Hazardous substance" means any substance designated or listed under (g)(i) through (iv) of this subsection, exposure to which results or may result in adverse effects on the health or safety of employees:

(i) Any substance defined under section 101(14) of CERCLA;

(ii) Any biological agent and other disease-causing agent as defined in section 101(33) of CERCLA;

(iii) Any substance listed by the United States Department of Transportation ~~((and regulated))~~ as hazardous materials under WAC 480-12-195; and

(iv) Hazardous waste as herein defined.

(h) "Hazardous waste" means:

(i) A waste or combination of wastes as defined in WAC 173-303-040; or

(ii) Those substances defined in WAC 480-12-195.

(i) "Hazardous waste operation" means any operation conducted within the scope of this standard ~~((involving employee exposure to hazardous wastes, hazardous substances, or any combination of hazardous wastes and hazardous substances))~~.

(j) "Hazardous waste site" or "site" means any facility or location within the scope of this standard at which hazardous waste operations take place.

(k) "Health hazard" means a chemical, mixture of chemicals, or a pathogen for which there is statistically significant evidence based on at least one study conducted in accordance with established scientific principles that acute or chronic health effects may occur in exposed employees. The term "health hazard" includes chemicals which are carcinogens, toxic or highly toxic agents, reproductive toxins, irritants, corrosives, sensitizers, hepatotoxins, nephrotoxins, neurotoxins, agents which act on the hematopoietic system, and agents which damage the lungs, skin, eyes, or mucous membranes. It also includes stress due to temperature extremes. Further definition of the terms used above can be found in Appendix A to WAC 296-62-054 through 296-62-05427.

(l) "IDLH" or "immediately dangerous to life or health" means any atmospheric concentration of any toxic, corrosive, or asphyxiant substance that poses an immediate threat to life or would cause irreversible or delayed adverse health effects or would interfere with an

individual's ability to escape from a dangerous atmosphere.

(m) "Oxygen deficiency" means that concentration of oxygen by volume below which ~~((air))~~ atmosphere supplying respiratory protection must be provided. It exists in atmospheres where the percentage of oxygen by volume is less than 19.5 percent oxygen.

(n) "Permissible exposure limit" means the exposure, inhalation, or dermal permissible limit specified in WAC 296-62-075 through 296-62-07515.

(o) "Published exposure level" means the exposure limits published in "NIOSH Recommendations for Occupational Health Standards" dated 1986 incorporated by reference, or if none is specified, the exposure limits published in the standards specified by the American Conference of Governmental Industrial Hygienists in their publication "Threshold Limit Values and Biological Exposure Indices for 1988-89" dated 1988 incorporated by reference.

(p) "Post emergency response" means that portion of an emergency response performed after the immediate threat of a release has been stabilized or eliminated and clean-up of the site has begun. If post emergency response is performed by an employer's own employees ~~((as a continuation))~~ who were part of the initial emergency response, it is considered to be part of the initial response and not post emergency response. However, if a group of an employer's own employees, separate from the group providing initial response, performs the clean-up operation, then the separate group of employees would be considered to be performing post-emergency response and subject to WAC 296-62-3112(11).

~~((p))~~ (q) "Qualified person" means a person with specific training, knowledge, and experience in the area for which the person has responsibility and the authority to control.

~~((q))~~ (r) "Site safety and health supervisor (or official)" means the individual located on a hazardous waste site who is responsible to the employer and has the authority and knowledge necessary to implement the site safety and health plan and verify compliance with applicable safety and health requirements.

~~((r))~~ (s) "Site work zones" means an exclusion zone, contamination reduction zone, and a clean zone established at a hazardous waste site before clean-up work begins to prevent or reduce the movement of contaminants from the site to uncontaminated areas and to control public, employee, and equipment exposure to hazardous substances.

(i) The exclusion zone is the innermost of the zones and is where contamination does occur. The contamination reduction zone is the zone between the exclusion zone and the clean zone and serves as a transition and buffer between the contaminated and clean zone to further reduce the physical transfer of contaminating substances to the public, employees, and equipment. The clean zone is the outermost of the zones and is a non-contaminated or clean area.

(ii) The contaminated reduction corridors are the designated areas within the contaminated reduction zone for the decontamination of personnel and equipment.

(t) "Small quantity generator" means a generator of hazardous wastes who in any calendar month generates no more than 1000 kilograms ~~((2240))~~ 2205 pounds) of hazardous waste in that month.

(u) "Uncontrolled hazardous waste site" means an area where an accumulation of hazardous waste creates a threat to the health and safety of individuals or the environment or both. Some sites are found on public lands, such as those created by former municipal, county, or state landfills where illegal or poorly managed waste disposal has taken place. Other sites are found on private property, often belonging to generators or former generators of hazardous waste. Examples of such sites include, but are not limited to, surface impoundments, landfills, dumps, and tank or drum farms. Normal operations at TSD sites are not covered by this definition.

AMENDATORY SECTION (Amending Order 88-23, filed 10/6/88, effective 11/7/88)

WAC 296-62-3010 ~~((GENERAL REQUIREMENTS))~~ SAFETY AND HEALTH PROGRAM. ~~((+))~~ Safety and health program:

(a))

Note: Safety and health programs developed and implemented to meet other federal, state, or local regulations are considered acceptable in meeting this requirement if they cover or are modified to cover the topics required in this section. An additional or separate safety and health program is not required by this section.

(1) General.

(a) Employers shall develop and implement a written safety and health program for their employees involved in hazardous waste operations. The program shall be designed to identify, evaluate, and control safety and health hazards and provide for emergency response for hazardous waste operations.

(b) The written safety and health program shall incorporate ~~((as a separate chapter))~~ the following:

(i) An organizational structure ~~((chapter))~~;

(ii) A comprehensive workplan ~~((chapter, and))~~;

(iii) A site-specific safety and health plan ~~((chapter-))~~ which need not repeat the employer's standard operating procedures required in (b)(vi) of this subsection;

~~((b))~~ (iv) The safety and health training program;

(v) The medical surveillance program;

(vi) The employer's standard operating procedures for safety and health; and

(vii) Any necessary interface between general program and site specific activities.

(c) Site excavation. Site excavations created during initial site preparation or during hazardous waste operations shall be shored or sloped as appropriate to prevent accidental collapse in accordance with subpart N of chapter 296-155 WAC.

(d) Contractors and subcontractors. An employer who retains contractor or subcontractor services for work in hazardous waste operations shall inform those contractors, subcontractors, or their representatives of the site emergency response procedures and any potential fire,

explosion, health, safety, or other hazards of the hazardous waste operation that have been identified by the employer, including those identified in the employer's information program.

(e) Program availability. The written safety and health program shall be made available to any contractor or subcontractor or their representative who will be involved with the hazardous waste operation; to employees; to employee designated representatives; to WISHA personnel, and to personnel of other federal, state, or local agencies with regulatory authority over the site.

(2) Organizational structure ((chapter)) part of the site program.

((f)) (a) The organizational structure ((chapter)) part of the program shall establish the specific chain of command and specify the overall responsibilities of supervisors and employees. It shall include at a minimum, the following elements:

((A)) (i) A general supervisor who has the responsibility and authority to direct all hazardous waste operations.

((B)) (ii) A site safety and health supervisor who has the responsibility and authority to develop and implement the site safety and health plan and verify compliance.

((C)) (iii) All other personnel needed for hazardous waste site operations and emergency response and their general functions and responsibilities.

((D)) (iv) The lines of authority, responsibility, and communication.

((f)) (b) The organizational structure shall be reviewed and updated as necessary to reflect the current status of waste site operations.

((iii) The original organizational structure plan and any changes to the overall organizational structure shall be made available to all affected employees.

(c)) (3) Comprehensive workplan ((chapter)) part of the site program. The comprehensive workplan ((chapter)) shall address the tasks and objectives of site operations and the logistics and resources required to reach those tasks and objectives.

((f)) (a) The comprehensive workplan shall address anticipated clean-up activities as well as normal operating procedures which need not repeat the employers procedures available elsewhere.

((f)) (b) The comprehensive workplan shall define work tasks and objectives and identify the methods for accomplishing those tasks and objectives.

((f)) (c) The comprehensive workplan shall establish personnel requirements for implementing the plan.

((f)) (d) The comprehensive workplan shall provide for the implementation of the training required in WAC 296-62-3040.

((f)) (e) The comprehensive workplan shall provide for the implementation of the required informational programs required in WAC 296-62-3080.

((f)) (f) The comprehensive workplan shall provide for the implementation of the medical surveillance program described in WAC 296-62-3050.

((d)) (4) Site-specific safety and health plan ((chapter)) part of the program.

(a) General. The site safety and health plan, which ((is part of the overall safety and health program shall be available on the site for inspection by employees, their designated representatives, and WISHA personnel)) must be kept on site, shall address the safety and health hazards of each phase of site operation; and include the requirements and procedures for employee protection.

((f)) (b) Elements. The site safety and health plan, as a minimum, shall address the following:

((A)) (i) Names of key personnel and alternates responsible for site safety and health, including a site safety and health supervisor.

((B)) (ii) A safety and health risk or hazard analysis for each site task and operation found in the workplan.

((C)) (iii) Employee training assignments to assure compliance with WAC 296-62-3040.

((D)) (iv) Personal protective equipment to be used by employees for each of the site tasks and operations being conducted as required by the personal protective equipment program in WAC 296-62-3060(5).

((E)) (v) Medical surveillance requirements in accordance with the program in WAC 296-62-3050.

((F)) (vi) Frequency and types of air monitoring, personnel monitoring, and environmental sampling techniques and instrumentation to be used, including methods of maintenance and calibration of monitoring and sampling equipment to be used.

((G)) (vii) Site control measures in accordance with the site control program required in WAC 296-62-3030.

((H)) (viii) Decontamination procedures in accordance with WAC 296-62-3100.

((I)) (ix) An emergency response plan meeting the requirements of WAC 296-62-3110 for safe and effective responses to emergencies, including the necessary PPE and other equipment.

((J)) (x) Confined space entry procedures.

((ii) Preentry briefings shall be held prior to initiating any site activity and at such other times as necessary to ensure that employees are apprised of the site safety and health plan and that this plan is being followed.

((iii)) (xi) A spill containment program meeting the requirements of WAC 296-62-3090.

(c) Preentry briefing. The site specific safety and health plan shall provide for preentry briefings to be held prior to initiating any site activity, and at such other times as necessary to ensure that employees are apprised of the site safety and health plan and that this plan is being followed. The information and data obtained from site characterization and analysis work required in WAC 296-62-3020 shall be used to prepare and update the site safety and health plan.

(d) Effectiveness of site safety and health plan. Inspections shall be conducted by the site safety and health supervisor or, in the absence of that individual, another individual who is knowledgeable in occupational safety and health acting on behalf of the employer as necessary to determine the effectiveness of the site safety and health plan. Any deficiencies in the effectiveness of the site safety and health plan shall be corrected by the employer.

~~((iv)) When major spills may be anticipated due to the type of work involved, a spill containment program meeting the requirements of WAC 296-62-3080.~~

~~(2) Site excavation. Site excavations created during initial site preparation or during hazardous waste operations shall be shored or sloped as appropriate to prevent accidental collapse in accordance with WAC 296-155-650 through 296-155-66505.~~

~~(3) Contractors and subcontractors.~~

~~(a) An employer who retains contractor or subcontractor services for work in hazardous waste operations shall inform those contractors, subcontractors, or their representatives of any potential fire, explosion, health, safety, or other hazards of the hazardous waste operation that have been identified by the employer including the employer's information program.~~

~~(b) The safety and health program required in this section shall be made available to any subcontractor or its representative who will be involved with the hazardous waste operation and employees, their designated representatives, and WISHA personnel.)~~

AMENDATORY SECTION (Amending Order 88-23, filed 10/6/88, effective 11/7/88)

WAC 296-62-3020 SITE CHARACTERIZATION AND ANALYSIS. (1) General. Hazardous waste sites shall be evaluated in accordance with this section to identify specific site hazards and to determine the appropriate safety and health control procedures needed to protect employees from the identified hazards.

~~((1))~~ (2) Preliminary evaluation. A preliminary evaluation of a site's characteristics shall be performed prior to site entry by a ~~((trained))~~ qualified person in order to aid in the selection of appropriate employee protection methods prior to site entry. Immediately after initial site entry, a more detailed evaluation of the site's specific characteristics shall be performed by a qualified person in order to further identify existing site hazards and to further aid in the selection of the appropriate engineering controls and personal protective equipment for the tasks to be performed.

~~((2))~~ (3) Hazard identification. All suspected conditions that may pose inhalation or skin absorption hazards that are immediately dangerous to life or health (IDLH), or other conditions that may cause death or serious harm, shall be identified during the preliminary survey and evaluated during the detailed survey. Examples of such hazards include, but are not limited to, confined space entry, potentially explosive or flammable situations, visible vapor clouds, or areas where biological indicators such as dead animals or vegetation are located.

~~((3))~~ (4) Required information. The following information to the extent available shall be obtained by the employer prior to allowing employees to enter a site:

(a) Location and approximate size of the site.

(b) Description of the response activity and/or the job task to be performed.

(c) Duration of the planned employee activity.

(d) Site topography(:

~~(e) Site))~~ and accessibility by air and roads.

(e) Safety and health hazards expected at the site.

(f) Pathways for hazardous substance dispersion.

(g) Present status and capabilities of emergency response teams that would provide assistance to ((on-site)) hazardous waste clean-up site employees at the time of an emergency.

(h) Hazardous substances and health hazards involved or expected at the site and their chemical and physical properties.

~~((4))~~ (5) Personal protective equipment. Personal protective equipment (PPE) shall be provided and used during initial site entry in accordance with the following requirements:

(a) Based upon the results of the preliminary site evaluation, an ensemble of PPE shall be selected and used during initial site entry which will provide protection to a level of exposure below established permissible exposure limits and published exposure levels for known or suspected hazardous substances and health hazards, and which will provide protection against other known and suspected hazards identified during the preliminary site evaluation. If there is no permissible exposure limit or published exposure level, the employer may use other published studies and information as a guide to appropriate personal protective equipment.

(b) ((During initial site entry an escape self-contained breathing apparatus of at least five minutes' duration shall be carried by employees or kept available at their immediate work station if positive-pressure self-contained breathing apparatus is not used as part of the entry ensemble.)) If positive-pressure self-contained breathing apparatus is not used as part of the entry ensemble, and if respiratory protection is warranted by the potential hazards identified during the preliminary site evaluation, an escape self-contained breathing apparatus of at least five minute's duration shall be carried by employees during initial site entry.

(c) If the preliminary site evaluation does not produce sufficient information to identify the hazards or suspected hazards of the site an ensemble ((of)) providing protection equivalent to Level B PPE shall be provided as minimum protection and direct reading instruments shall be used as appropriate for identifying IDLH conditions. (See WAC 296-62-3170 - Appendix B for ((guidelines or)) a description of Level B hazards and the recommendations for Level B protective equipment.)

(d) Once the hazards of the site have been ((positive-ly)) identified, the appropriate PPE shall be selected and used in accordance with WAC 296-62-3060.

~~((5))~~ (6) Monitoring. The following monitoring shall be conducted during initial site entry when the site evaluation produces information that shows the potential for ionizing radiation or IDLH conditions, or when the site information is not sufficient to rule out these possible conditions:

(a) Monitoring with direct reading instruments for hazardous levels of ionizing radiation.

(b) Monitoring the air with appropriate ((test)) direct reading equipment (i.e., combustible gas meters, detector tubes) for IDLH and other conditions that may cause death or serious harm (combustible or explosive atmospheres, oxygen deficiency, toxic substances).

(c) Visually observing for signs of actual or potential IDLH or other dangerous conditions.

~~((6))~~ (d) An ongoing air monitoring program in accordance with WAC 296-62-3070 shall be implemented after site characterization has determined the site is safe for the start-up of operations.

(7) Risk identification. Once the presence and concentrations of specific hazardous substances and health hazards have been established, the risks associated with these substances shall be identified. Employees who will be working on the site shall be informed of any risks that have been identified. In situations covered by WAC 296-62-054 through ~~((296-62-05425))~~ 296-62-05427, training required by ~~((that))~~ those standards need not be duplicated.

Note: Risks to consider include, but are not limited to:

(a) Exposures exceeding the ~~((appropriate threshold limit values (TLVs);))~~ permissible exposure limits ~~((PELs), or recommended))~~ and published exposure ~~((limits (RELs)))~~ levels.

(b) IDLH concentrations.

(c) Potential skin absorption and irritation sources.

(d) Potential eye irritation sources.

(e) Explosion sensitivity and flammability ranges.

(f) Oxygen deficiency.

~~((7))~~ (8) Employee notification. Any information concerning the chemical, physical, and toxicologic properties of each substance known or expected to be present on site that is available to the employer and relevant to the duties an employee is expected to perform shall be made available to all employees prior to the commencement of their work activities. The employer may utilize information developed for the hazard communication standard for this purpose.

~~((8) An ongoing air monitoring program in accordance with WAC 296-62-3070 shall be implemented after site characterization has determined the site is safe for the start-up of operations.))~~

AMENDATORY SECTION (Amending Order 88-23, filed 10/6/88, effective 11/7/88)

WAC 296-62-3030 SITE CONTROL. (1) General. Appropriate site control procedures shall be implemented ~~((before clean-up work begins))~~ to control employee exposure to hazardous substances before clean-up work begins.

~~((1))~~ (2) Site control program. A site control program for protecting employees which is part of the employer's site safety and health program required in WAC 296-62-3010 shall be developed during the planning stages of a hazardous waste clean-up operation ~~((clean-up))~~ and modified as necessary as new information becomes available.

~~((2))~~ (3) Elements of the site control program. The site control program shall, as a minimum, include: A site map~~(;)~~; site work zones~~(;)~~; the use of a "buddy system~~(;)~~"; site communications~~(;)~~ including alerting means for emergencies; the standard operating procedures or safe work practices~~(;)~~; and, identification of nearest medical assistance. Where these requirements are covered elsewhere they need not be repeated.

(4) Site work zones.

(a) The site work zones shall be the exclusion zone, contamination reduction zone, and the clean zone.

(b) Decontamination procedures shall take place in the contamination reduction corridor consisting, if practical, of separate corridors for personnel and for equipment.

(c) An entry and exit check point must be established at the boundary of the exclusion zone to regulate the flow of personnel and equipment into and out of the zone. Exit from the exclusion zone must be through a contamination reduction corridor.

(d) Access to the contamination reduction zone from the clean zone is through a control point. Personnel entering or working in the contamination zone shall wear the prescribed personnel protective equipment, if required, for working in this zone. Entering the clean zone requires removal of any protective equipment worn in the contamination reduction zone.

AMENDATORY SECTION (Amending Order 88-23, filed 10/6/88, effective 11/7/88)

WAC 296-62-3040 TRAINING. (1) General.

(a) All employees working on site (such as but not limited to equipment operators ~~((and))~~, general laborers, and others) exposed to hazardous substances, health hazards, or safety hazards ~~((shall be thoroughly trained in))~~, and their supervisors and management responsible for the site, shall receive training meeting the requirements of this subsection before they are permitted to engage in hazardous waste operations that could expose them to hazardous substances, safety, or health hazards, and they shall review training as specified in this subsection.

(b) Employees shall not be permitted to participate in or supervise field activities until they have been trained to a level required by their job function and responsibility.

(2) Elements to be covered. The training shall thoroughly cover the following:

(a) Names of personnel and alternates responsible for site safety and health;

(b) Safety, health, and other hazards present on the site;

(c) Use of ~~((PPE))~~ personal protective equipment;

(d) Work practices by which the employee can minimize risks from hazards;

(e) Safe use of engineering controls and equipment on the site;

(f) Medical surveillance requirements including recognition of symptoms and signs which might indicate overexposure to hazards; and

(g) The contents of items (vii) through (x) of the site safety and health plan set forth in WAC 296-62-3010 ~~((1))~~ ~~((d))~~ (4)(b).

~~((2) All employees shall at the time of job assignment receive a minimum of forty hours of initial instruction off the site, and a minimum of three days of actual field experience under the direct supervision of a trained, experienced supervisor. Workers who may be exposed to unique or special hazards shall be provided additional training. The level of training provided shall~~

be consistent with the employee's job function and responsibilities.) (3) Initial training.

(a) General site workers (such as equipment operators, general laborers, and supervisory personnel) engaged in hazardous substance removal or other activities which expose or potentially expose workers to hazardous substances and health hazards shall receive a minimum of 40 hours of instruction off the site, and a minimum of three days actual field experience under the direct supervision of a trained, experienced supervisor.

(b) Effective June 1, 1990, employers shall adjust the initial training required by (a) of this subsection, to meet as a minimum the following training requirements:

(i) Workers engaged in hazardous waste operation within the exclusion zone and the contamination reduction zone shall receive 80 hours of instruction off the site, and a minimum of three days actual field experience under the direct supervision of a trained, experienced supervisor.

(ii) Equipment operators and transport vehicle operators engaged in hazardous waste operation within the exclusion zone and the contamination reduction zone shall receive 40 hours of training, and a minimum of three days actual field experience under the direct supervision of a trained, experienced supervisor.

(iii) Supervisors engaged in hazardous waste operation within the exclusion zone and the contamination reduction zone shall receive as a minimum the same number of hours of instruction as the workers for whom the supervisor is directly responsible, and a minimum of three days actual field experience under the direct supervision of a trained, experienced supervisor.

(c) Workers on site only occasionally for a specific limited task (such as, but not limited to, ground water monitoring, land surveying, or geophysical surveying) and who are unlikely to be exposed over permissible exposure limits and published exposure levels shall receive a minimum of 24 hours of instruction off the site, and the minimum of one day actual field experience under the direct supervision of a trained, experienced supervisor.

(d) Workers regularly on site who work in areas other than the exclusion zone and the contamination reduction zone which have been monitored and fully characterized indicating that exposures are under permissible exposure limits and published exposure levels where respirators are not necessary, and the characterization indicates that there are no health hazards or the possibility of an emergency developing, shall receive a minimum of 24 hours of instruction off the site and the minimum of one day actual field experience under the direct supervision of a trained, experienced supervisor.

(e) Workers with 24 hours of training who are covered by (c) and (d) of this subsection, and who become general site workers or who are required to wear respirators, shall have the additional 16 hours and two days of training necessary to total the training specified in (a) of this subsection.

~~((3))~~ (4) Management and supervisor training. On-site management and supervisors directly responsible for, or who supervise employees engaged in, hazardous waste operations shall receive 40 hours initial training (as

provided in subsections (1) and (2)), and three days of supervised field experience (the training may be reduced to 24 hours and one day if the only area of their responsibility is employees covered by subsection (3)(c) and (d) of this section) and at least eight additional hours of specialized training at the time of job assignment on such topics as, but not limited to, the employer's safety and health program and the associated employee training program, personal protective equipment program, spill containment program, and health hazard monitoring procedure and techniques.

~~((4))~~ (5) Qualifications for trainers. Trainers shall be qualified to instruct employees about the subject matter that is being presented in training. Such trainers shall have satisfactorily completed a training program for teaching the subjects they are expected to teach, or they shall have the academic credentials and instructional experience necessary for teaching the subjects. Instructors shall demonstrate competent instructional skills and knowledge of the applicable subject matter.

(Note: Trainers can show their qualifications by having the knowledge or training equivalent to a level of training higher than the level they are presenting. This may be shown by academic degrees, training courses completed and/or work experience.

(5) Employees shall not be permitted to participate in field activities until they have been trained to a level required by their job function and responsibility.)

(6) Training certification. Employees and supervisors that have received and successfully completed the training and field experience specified in subsections (1)(; (2), and (3)) through (4) of this section shall be certified by their instructor or the head instructor and trained supervisor as having successfully completed the necessary training. A written certificate shall be given to each person so certified. Any person who has not been so certified (~~nor meets~~) or who does not meet the requirements of subsection (9) of this section shall be prohibited from engaging in hazardous waste operations.

(7) Emergency response. Employees who are engaged in responding to hazardous emergency situations at hazardous waste clean-up sites that may expose them to hazardous substances shall be trained in how to respond to expected emergencies.

(8) Refresher training. Employees specified in subsection (1) of this section, and managers specified in subsection ~~((3))~~ (4) of this section, shall receive eight hours of refresher training annually on the items specified in subsections ~~((1))~~ (2) and/or (4) of this section, any critique of incidents that have occurred in the past year that can serve as training examples of related work, and other relevant topics.

(9) Equivalent training. Employers who can show by documentation or certification that an employee's work experience and/or training has resulted in ~~((initial))~~ training equivalent to that training required in subsections (1)(, (2), and (3)) through (4) of this section shall not be required to provide the initial training requirements of those sections to such employees. However, certified employees new to a site shall receive appropriate, site specific training before site entry and have appropriate supervised field experience at the new site.

Equivalent training includes ~~((the))~~ any academic training or the training that existing employees might have already received from actual hazardous waste site work experience.

AMENDATORY SECTION (Amending Order 88-23, filed 10/6/88, effective 11/7/88)

WAC 296-62-3050 MEDICAL SURVEILLANCE. ~~((Medical surveillance shall be provided in accordance with this section for employees exposed or potentially exposed to hazardous substances or health hazards or who wear respirators.~~

~~(1) Employees covered. A medical surveillance program which is part of the employer's safety and health program required in WAC 296-62-3010)~~ (1) General. Employers engaged in operations specified in WAC 296-62-300 (1)(a) through (d) and not covered by WAC 296-62-300(2), exceptions; and employers of employees specified in WAC 296-62-3112(9) shall institute a medical surveillance program in accordance with this subsection.

(2) Employees covered. The medical surveillance program shall be instituted by the employer for the following employees:

(a) All employees who are or may be exposed to hazardous substances or health hazards at or above the ~~((established))~~ permissible exposure limits or, if there is no permissible exposure limit, above the published exposure levels for these substances, without regard to the use of respirators, for ~~((thirty))~~ 30 days or more a year;

(b) All employees who wear a respirator for ~~((thirty))~~ 30 days or more a year or as required by WAC 296-62-071; and

(c) All employees who are injured due to overexposure from an emergency incident involving hazardous substances or health hazards; or

(d) Members of HAZMAT teams.

~~((2))~~ (3) Frequency of medical examinations and consultations. Medical examinations and consultations shall be made available by the employer to each employee covered under subsection (1) of this section on the following schedules:

(a) For employees covered under WAC 296-62-3150 (2)(a), (b), and (d):

(i) Prior to assignment ~~((or for employees covered on the effective date of this standard as specified in WAC 296-62-3150:))~~;

~~((b))~~ (ii) At least once every twelve months for each employee covered~~((:))~~ unless the attending physician believes a longer interval (not greater than biennially) is appropriate;

~~((c))~~ (iii) At termination of employment or reassignment to an area where the employee would not be covered if the employee has not had an examination within the last six months~~((:))~~;

~~((d))~~ (iv) As soon as possible upon notification by an employee that the employee has developed signs or symptoms indicating possible overexposure to hazardous substances or health hazards, or that the employee has been injured or exposed above the ~~((established))~~ permissible exposure limits, or published exposure levels in an emergency situation~~((:))~~;

~~((e))~~ (v) At more frequent times, if the examining physician determines that an increased frequency of examination is medically necessary.

(b) For employees covered under subsection (1)(c) of this section and for all employees including those employees covered by WAC 296-62-300 (1)(e) who may have been injured, received a health impairment, developed signs or symptoms which may have resulted from exposure to hazardous substances resulting from an emergency incident, or exposed during an emergency incident to hazardous substances at concentrations above the ~~((established))~~ permissible exposure limits or the published exposure levels without the necessary personal protective equipment being used:

(i) As soon as possible following the emergency incident or development of signs or symptoms;

(ii) At additional times, if the examining physician determines that follow-up examinations or consultations are medically necessary.

~~((3))~~ (4) Content of medical examinations and consultations.

(a) Medical examinations required by subsection ~~((2))~~ (3) of this section shall include a medical and work history (or updated history if one is in the employee's file) with special emphasis on symptoms related to the handling of hazardous substances and health hazards, and to fitness for duty including the ability to wear any required PPE under conditions (i.e., temperature extremes) that may be expected at the worksite.

(b) The content of medical examinations or consultations made available to employees pursuant to this section shall be determined by the examining physician. The guidelines in the Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities (See Appendix D, Reference #10) should be consulted.

~~((4))~~ (5) Examination by a physician and costs. All medical examinations and procedures shall be performed by or under the supervision of a licensed physician~~((:))~~, preferably one knowledgeable in occupational medicine, and shall be provided without cost to the employee, without loss of pay, and at a reasonable time and place.

~~((5))~~ (6) Information provided to the physician. The employer shall provide one copy of this standard and its appendices to the examining physician, and in addition, the following for each employee:

(a) A description of the employee's duties as they relate to the employee's exposures;

(b) The employee's exposure levels or anticipated exposure levels;

(c) A description of any personal protective equipment used or to be used;

(d) Information from previous medical examinations of the employee which is not readily available to the examining physician; and

(e) Information required in WAC 296-62-071 through 296-62-07121.

~~((6))~~ (7) Physician's written opinion.

(a) The employer shall obtain and furnish the employee with a copy of a written opinion from the examining physician containing the following:

(i) ~~((The results of the medical examination and tests if requested by the employee.~~

((ii)) 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 work in hazardous waste operations or emergency response or from respirators ~~((used as required in WAC 296-62-071 through 296-62-07121))~~ use.

~~((iii))~~ (ii) The physician's recommended limitations upon the employees assigned work.

(iii) The results of the medical examination and tests if requested by the employee.

(iv) 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.

(b) The written opinion obtained by the employer shall not reveal specific findings or diagnoses unrelated to occupational exposures.

~~((7))~~ (8) Recordkeeping.

(a) An accurate record of the medical surveillance required by this section shall be retained. This record shall be retained for the period specified and meet the criteria of Part B of ~~((this))~~ chapter 296-62 WAC.

(b) The record required in (a) of this subsection shall include at least the following information:

(i) The name and Social Security number of the employee;

(ii) Physicians' written opinions, recommended limitations, and results of examinations and tests;

(iii) Any employee medical complaints related to exposure to hazardous substances;

(iv) A copy of the information provided to the examining physician by the employer, with the exception of the standard and its appendices.

AMENDATORY SECTION (Amending Order 88-23, filed 10/6/88, effective 11/7/88)

WAC 296-62-3060 ENGINEERING CONTROLS, WORK PRACTICES, AND PERSONAL PROTECTIVE EQUIPMENT FOR EMPLOYEE PROTECTION. (1) Engineering controls, work practices, ~~((PPE))~~ personal protective equipment, or a combination of these shall be implemented in accordance with this section to protect employees from exposure to hazardous substances and health hazards.

(a) Engineering controls, work practices, and PPE for substances regulated in ~~((this))~~ chapter 296-62 WAC.

Engineering controls and work practices shall be instituted to reduce and maintain employee exposure to or below the permissible exposure limits ~~((of))~~ for substances regulated by this chapter, except to the extent that such controls and practices are not feasible.

Note: Engineering controls which may be feasible include the use of pressurized cabs or control booths on equipment, and/or the use of remotely operated material handling equipment. Work practices which may be feasible are removing all nonessential employees from potential exposure during opening of drums, wetting down dusty operations, and locating employees upwind of possible hazards.

(b) Whenever engineering controls and work practices are not feasible, PPE shall be used to reduce and maintain exposures to or below the permissible exposure limits or dose limits for substances regulated by ~~((this))~~ chapter 296-62 WAC.

(c) The employer shall not implement a schedule of employee rotation as a means of compliance with permissible exposure limits or dose limits except when there is no other feasible way of complying with the airborne or dermal dose limits for ionizing radiation.

(d) The provisions of WAC 296-62-080 through 296-62-09013, 296-62-09015 through 296-62-09055, and 296-62-100 through 296-62-130 shall be followed.

(2) Engineering controls, work practices, and personal protective equipment for substances not regulated in ~~((this))~~ chapter 296-62 WAC. An appropriate combination of engineering controls, work practices, and personal protective equipment shall be ~~((established))~~ used to reduce and maintain employee exposure to or below ~~((appropriate))~~ published exposure levels for hazardous substances and health hazards not regulated by ~~((this))~~ chapter ~~((taking into account the established exposure levels))~~ 296-62 WAC. The employer may use the published literature and MSDS as a guide in making the employer's determination as to what level of protection the employer believes is appropriate for hazardous substances and health hazards for which there is no permissible exposure limit or published exposure level.

(3) Personal protective equipment selection.

(a) Personal protective equipment (PPE) shall be selected and used which will protect employees from the hazards and potential hazards they are likely to encounter as identified during the site characterization and analysis.

(b) Personal protective equipment selection shall be based on an evaluation of the performance characteristics of the PPE relative to the requirements and limitations of the site, the task-specific conditions and duration, and the hazards and potential hazards identified at the site.

(c) Positive pressure self-contained breathing apparatus, or positive pressure air-line respirators equipped with an escape air supply shall be used ~~((in IDLH conditions))~~ when chemical exposure levels present will create a substantial possibility of immediate death, immediate serious illness or injury, or impair the ability to escape.

(d) Totally-encapsulating chemical protective suits (protection equivalent to Level A protection as ~~((specified))~~ recommended in Appendix B) shall be used in conditions where skin absorption of a hazardous substance may result in ~~((an IDLH situation))~~ a substantial possibility of immediate death, immediate serious illness or injury, or impair the ability to escape.

(e) The level of protection provided by PPE selection shall be increased when additional information or site conditions ~~((show))~~ indicate that increased protection is necessary to reduce employee exposures below ~~((established))~~ permissible exposure limits and published exposure levels for hazardous substances and health hazards. (See WAC 296-62-3170 - Appendix B for guidance on selecting PPE ensembles.)

Note: The level of employee protection provided may be decreased when additional information or site conditions show that decreased protection will not result in increased hazardous exposures to employees.

(f) Personal protective equipment shall be selected and used to meet the requirements of chapter 296-24 WAC, Part A-1, and additional requirements specified in this part.

(4) Totally-encapsulating chemical protective suits.

(a) ~~Totally-encapsulating suits ((materials used for Level A protection))~~ shall protect employees from the particular hazards which are identified during site characterization and analysis.

(b) Totally-encapsulating suits shall be capable of maintaining positive air pressure. (See WAC 296-62-3160 - Appendix A for a test method which may be used to evaluate this requirement.)

(c) Totally-encapsulating suits shall be capable of preventing inward test gas leakage of more than 0.5 percent. (See WAC 296-62-3160 - Appendix A for a test method which may be used to evaluate this requirement.)

(5) Personal protective equipment (PPE) program. A written personal protective equipment program, which is part of the employer's safety and health program required in WAC 296-62-3010 ~~((shall be established for hazardous waste operations))~~ and which shall be part of the site-specific safety and health plan shall be established. The PPE program shall address the ~~((following))~~ elements~~((:))~~ listed below. When elements, such as donning and doffing procedures, are provided by the manufacturer of a piece of equipment and are attached to the plan, they need not be rewritten into the plan as long as they adequately address the procedure or element.

(a) ~~((Site hazards;~~

~~((b)))~~ PPE selection~~((:))~~ based on site hazards,

~~((c)))~~ (b) PPE use~~((:))~~ and limitations of the equipment,

~~((d)))~~ (c) Work mission duration~~((:))~~,

~~((e)))~~ (d) PPE maintenance and storage~~((:))~~,

~~((f)))~~ (e) PPE decontamination~~((:))~~ and disposal,

~~((g)))~~ (f) PPE training and proper fitting~~((:))~~,

~~((h)))~~ (g) PPE donning and doffing procedures~~((:))~~,

~~((i)))~~ (h) PPE inspection~~((:))~~ procedures prior to, during, and after use,

~~((j)))~~ PPE in-use monitoring;

~~((k)))~~ (i) Evaluation of the effectiveness of the PPE program~~((:))~~, and

~~((l)))~~ (j) Limitations during temperature extremes, heat stress, and other appropriate medical considerations.

AMENDATORY SECTION (Amending Order 88-23, filed 10/6/88, effective 11/7/88)

WAC 296-62-3070 MONITORING. (1) General.

(a) Monitoring shall be performed in accordance with this section where there may be a question of employee exposure to concentrations of hazardous substances in order to assure proper selection of engineering controls, work practices, and personal protective equipment so that employees are not exposed to levels which exceed

~~((established))~~ permissible exposure limits or published exposure levels for hazardous substances.

~~((+))~~ (b) Air monitoring shall be used to identify and quantify airborne levels of hazardous substances and safety and health hazards in order to determine the appropriate level of employee protection needed on site.

(2) Initial entry. Upon initial entry, representative air monitoring shall be conducted to identify any IDLH condition, exposure over ~~((established))~~ permissible exposure limits or published exposure levels, exposure over a radioactive material's dose limits, or other dangerous condition, such as the presence of flammable atmospheres or oxygen-deficient environments.

(3) Periodic monitoring. Periodic monitoring shall be conducted when the possibility of an IDLH condition or flammable atmosphere has developed or when there is indication that exposures may have risen over permissible exposure limits or published exposure levels since prior monitoring. Situations where it shall be considered whether the possibility that exposures have risen are ~~((when))~~ as follows:

(a) When work begins on a different portion of the site.

(b) When contaminants other than those previously identified are being handled.

(c) When a different type of operation is initiated (e.g., drum opening as opposed to exploratory well drilling).

(d) When employees are handling leaking drums or containers or working in areas with obvious liquid contamination (e.g., a spill or lagoon).

(e) When a sufficient reasonable interval has passed so that exposures may have significantly increased.

(4) Monitoring of high-risk employees. After the actual clean-up phase of any hazardous waste ~~((cleanup operations commence;))~~ operation commences; for example, when soil, surface water, or containers are moved or disturbed; the employer shall monitor those employees likely to have the highest exposures to ~~((those))~~ hazardous substances and health hazards likely to be present above ~~((established))~~ permissible exposure limits or published exposure levels by using personal sampling frequently enough to characterize employee exposures. If the employees likely to have the highest exposure are over permissible exposure limits or published exposure levels, then monitoring shall continue to determine all employees likely to be above those limits. The employer may utilize a representative sampling approach by documenting that the employees and chemicals chosen for monitoring are based on the criteria stated in ~~((subsection (t) of))~~ this ~~((section))~~ subsection.

Note: It is not required to monitor employees engaged in site characterization operations covered by WAC 296-62-3020.

AMENDATORY SECTION (Amending Order 88-23, filed 10/6/88, effective 11/7/88)

WAC 296-62-3080 INFORMATIONAL PROGRAMS. Employers shall develop and implement a program which is part of the employer's safety and health program required in WAC 296-62-3010 ~~((+)(d)(iii))~~ to inform employees, contractors, and

subcontractors (or their representative) actually engaged in hazardous waste operations of the nature, level, and degree of exposure likely as a result of participation in such hazardous waste operations. Employees, contractors, and subcontractors working outside of the operations part of a site are not covered by this standard.

AMENDATORY SECTION (Amending Order 88-23, filed 10/6/88, effective 11/7/88)

WAC 296-62-3090 HANDLING DRUMS AND CONTAINERS. (1) General.

(a) Hazardous substances and contaminated soils, liquids, and other residues shall be handled, transported, labeled, and disposed of in accordance with this section.

~~((1))~~ **General:**

~~((a))~~ **(b)** Drums and containers used during the clean-up shall meet the appropriate DOT, OSHA, WISHA, and EPA regulations for the wastes that they contain.

~~((b))~~ **(c)** When practical, drums and containers shall be inspected and their integrity shall be assured prior to being moved. Drums or containers that cannot be inspected before being moved because of storage conditions (i.e., buried beneath the earth, stacked behind other drums, stacked several tiers high in a pile, etc.) shall be moved to an accessible location and inspected prior to further handling.

~~((c))~~ **(d)** Unlabeled drums and containers shall be considered to contain hazardous substances and handled accordingly until the contents are positively identified and labeled.

~~((d))~~ **(e)** Site operations shall be organized to minimize the amount of drum or container movement.

~~((e))~~ **(f)** Prior to movement of drums or containers, all employees exposed to the transfer operation shall be warned of the potential hazards associated with the contents of the drums or containers.

~~((f))~~ **(g)** United States Department of Transportation specified salvage drums or containers and suitable quantities of proper absorbent shall be kept available and used in areas where spills, leaks, or ruptures may occur.

~~((g))~~ **(h)** Where major spills may occur, a spill containment program, which is part of the employer's safety and health program required in WAC 296-62-3010, shall be implemented to contain and isolate the entire volume of the hazardous substance being transferred.

~~((h))~~ **(i)** Drums and containers that cannot be moved without rupture, leakage, or spillage shall be emptied into a sound container using a device classified for the material being transferred.

~~((i))~~ **(j)** A ground-penetrating system or other type of detection system or device shall be used to estimate the location and depth of buried drums or containers.

~~((j))~~ **(k)** Soil or covering material shall be removed with caution to prevent drum or container rupture.

~~((k))~~ **(l)** Fire extinguishing equipment meeting the requirements of Part G of chapter 296-24 WAC shall be on hand and ready for use to control incipient fires.

(2) Opening drums and containers. The following procedures shall be followed in areas where drums or containers are being opened:

(a) Where an airline respirator system is used, connections to the ~~((bank))~~ source of air ~~((cylinders))~~ supply shall be protected from contamination and the entire system shall be protected from physical damage.

(b) Employees not actually involved in opening drums or containers shall be kept a safe distance from the drums or containers being opened.

(c) If employees must work near or adjacent to drums or containers being opened, a suitable shield that does not interfere with the work operation shall be placed between the employee and the drums or containers being opened to protect the employee in case of accidental explosion.

(d) Controls for drum or container opening equipment, monitoring equipment, and fire suppression equipment shall be located behind the explosion-resistant barrier.

(e) When there is a reasonable possibility of flammable atmospheres being present, material handling equipment and hand tools shall be of the type to prevent sources of ignition.

(f) Drums and containers shall be opened in such a manner that excess interior pressure will be safely relieved. If pressure cannot be relieved from a remote location, appropriate shielding shall be placed between the employee and the drums or containers to reduce the risk of employee injury.

(g) Employees shall not stand upon or work from drums or containers.

(3) Material handling equipment. ~~((Electrical))~~ Material handling equipment used to transfer drums and containers shall be selected, positioned, and operated to minimize sources of ignition related to the equipment from igniting vapors released from ruptured drums or containers.

(4) Radioactive wastes. Drums and containers containing radioactive wastes shall not be handled until such time as their hazard to employees is properly assessed.

(5) Shock-sensitive wastes.

~~((Caution: Shipping of shock-sensitive wastes may be prohibited under United States Department of Transportation regulations. Employers and their shippers should refer to WAC 480-12-195.))~~

As a minimum, the following special precautions shall be taken when drums and containers containing or suspected of containing shock-sensitive wastes are handled:

(a) All nonessential employees shall be evacuated from the area of transfer.

(b) Material handling equipment shall be provided with explosive containment devices or protective shields to protect equipment operators from exploding containers.

(c) An employee alarm system capable of being perceived above surrounding light and noise conditions shall be used to signal the commencement and completion of explosive waste handling activities.

(d) Continuous communications (i.e., portable radios, hand signals, telephones, as appropriate) shall be maintained between the employee-in-charge of the immediate handling area and the site safety and health supervisor or command post until such time as the handling operation is completed. Communication equipment or methods that could cause shock-sensitive materials to explode shall not be used.

(e) Drums and containers under pressure, as evidenced by bulging or swelling, shall not be moved until such time as the cause for excess pressure is determined and appropriate containment procedures have been implemented to protect employees from explosive relief of the drum.

(f) Drums and containers containing packaged laboratory wastes shall be considered to contain shock-sensitive or explosive materials until they have been characterized.

Caution: Shipping of shock-sensitive wastes may be prohibited under United States Department of Transportation regulations. Employers and their shippers should refer to WAC 480-12-195.

(6) Laboratory waste packs. In addition to the requirements of subsection (4) of this section, the following precautions shall be taken, as a minimum, in handling laboratory waste packs (lab packs):

(a) Lab packs shall be opened only when necessary and then only by an individual knowledgeable in the inspection, classification, and segregation of the containers within the pack according to the hazards of the wastes.

(b) If crystalline material is noted on any container, the contents shall be handled as a shock-sensitive waste until the contents are identified.

(7) Sampling of drum(s) and container(s) contents. Sampling of containers and drums shall be done in accordance with a sampling procedure which is part of the site safety and health plan developed for and available to employees and others at the specific worksite.

(8) Shipping and transport.

(a) Drums and containers shall be identified and classified prior to packaging for shipment.

(b) Drum or container staging areas shall be kept to the minimum number necessary to identify and classify materials safely and prepare them for transport.

(c) Staging areas shall be provided with adequate access and egress routes.

(d) Bulking of hazardous wastes shall be permitted only after a thorough characterization of the materials has been completed.

(9) Tank and vault procedures.

(a) Tanks and vaults containing hazardous substances shall be handled in a manner similar to that for drums and containers, taking into consideration the size of the tank or vault.

(b) Appropriate tank or vault entry procedures (meeting) as described in WAC 296-62-14503 and the employer's safety and health plan shall be followed whenever employees must enter a tank or vault.

AMENDATORY SECTION (Amending Order 88-23, filed 10/6/88, effective 11/7/88)

WAC 296-62-3100 DECONTAMINATION. (1) General. Procedures for all phases of decontamination shall be developed and implemented in accordance with this section.

~~((+))~~ (2) Decontamination procedures.

(a) A decontamination procedure shall be developed, communicated to employees and implemented before any employees or equipment may enter areas on site where potential for exposure to hazardous substances exists.

~~((2))~~ (b) Standard operating procedures shall be developed to minimize employee contact with hazardous substances or with equipment that has contacted hazardous substances.

(c) All employees leaving a contaminated area shall be appropriately decontaminated; all contaminated clothing and equipment leaving a contaminated area shall be appropriately disposed of or decontaminated.

(d) Decontamination procedures shall be monitored by the site safety and health supervisor to determine their effectiveness. When such procedures are found to be ineffective, appropriate steps shall be taken to correct any deficiencies.

(3) Location. Decontamination shall be performed in geographical areas that will minimize the exposure of uncontaminated employees or equipment to contaminated employees or equipment.

~~((All employees leaving a contaminated area shall be appropriately decontaminated; all clothing and equipment leaving a contaminated area shall be appropriately disposed of or decontaminated.~~

~~((5) Decontamination procedures shall be monitored by the site safety and health supervisor to determine their effectiveness. When such procedures are found to be ineffective, appropriate steps shall be taken to correct any deficiencies.~~

~~((6))~~ Equipment and solvents. All equipment and solvents used for decontamination shall be decontaminated or disposed of properly.

~~((7))~~ (5) Personal protective clothing and equipment.

(a) Protective clothing and equipment shall be decontaminated, cleaned, laundered, maintained, or replaced as needed to maintain their effectiveness.

~~((8))~~ (b) Employees whose nonimpermeable clothing becomes wetted with hazardous substances shall immediately remove that clothing and proceed to shower. The clothing shall be disposed of or decontaminated before it is removed from the work zone.

~~((9))~~ (6) Unauthorized employees. Unauthorized employees shall not remove protective clothing or equipment from change rooms.

~~((10))~~ (7) Commercial laundries or cleaning establishments. Commercial laundries or cleaning establishments that decontaminate protective clothing or equipment shall be informed of the potentially harmful effects of exposures to hazardous substances.

~~((11))~~ (8) Showers and change rooms. Where the decontamination procedure indicates a need for regular

showers and change rooms outside of a contaminated area, they shall be provided and meet the requirements of Part B-1 of chapter 296-24 WAC. If temperature conditions prevent the effective use of water, then other effective means for cleansing shall be provided and used.

AMENDATORY SECTION (Amending Order 88-23, filed 10/6/88, effective 11/7/88)

WAC 296-62-3110 EMERGENCY RESPONSE BY EMPLOYEES AT UNCONTROLLED HAZARDOUS WASTE SITES. (~~Emergency response at hazardous waste operation incidents shall be conducted in accordance with this section.~~)

(1) (~~General~~) Emergency response plan.

(a) An emergency response plan shall be developed and implemented by all employers within the scope of this section to handle anticipated emergencies prior to the commencement of hazardous waste operations. The plan shall be in writing and available for inspection and copying by employees, their representatives, (~~and~~) WISHA personnel, and other governmental agencies with relevant responsibilities.

(b) Employers who will evacuate their employees from the workplace when an emergency occurs, and who do not permit any of their employees to assist in handling the emergency, respond to assist in handling the emergency are exempt from the requirements of this section if they provide an emergency action plan complying with WAC 296-24-567(1).

(~~(b)~~) (2) Elements of an emergency response plan. The employer shall develop an emergency response plan for emergencies which shall address as a minimum, the following:

(~~(i)~~) (a) Preemergency planning.

(~~(ii)~~) (b) Personnel roles, lines of authority, (~~training~~) and communication.

(~~(iii)~~) (c) Emergency recognition and prevention.

(~~(iv)~~) (d) Safe distances and places of refuge.

(~~(v)~~) (e) Site security and control.

(~~(vi)~~) (f) Evacuation routes and procedures.

(~~(vii)~~) (g) Decontamination procedures which are not covered by the site safety and health plan.

(~~(viii)~~) (h) Emergency medical treatment and first aid.

(~~(ix)~~) (i) Emergency alerting and response procedures.

(~~(x)~~) (j) Critique of response and follow-up.

(~~(xi)~~) (k) PPE and emergency equipment.

(~~(2)~~) Emergency response at hazardous waste clean-up sites:

(a) Training. Training for emergency response employees at clean-up operations shall be conducted in accordance with WAC 296-62-3040.

(b) Employers who can show that an employee's work experience and/or training has resulted in training equivalent to that training required in (a) of this subsection, shall not be required to provide the initial training requirements of (a) of this subsection. Equivalent training includes the training that existing employees might have already received from actual site work experience.

(~~(c)~~) (3) Procedures for handling (~~site~~) emergency incidents.

(~~(i)~~) (a) In addition to the elements for the emergency response plan required in subsection (~~(i)(b)~~) (2) of this section, the following elements shall be included for emergency response plans:

(~~(A)~~) (i) Site topography, layout, and prevailing weather conditions.

(~~(B)~~) (ii) Procedures for reporting incidents to local, state, and federal governmental agencies.

(~~(ii)~~) (b) The emergency response plan shall be a separate section of the site safety and health plan.

(~~(iii)~~) (c) The emergency response plan shall be compatible and integrated with the disaster, fire and/or emergency response plans of local, state, and federal agencies.

(~~(iv)~~) (d) The emergency response plan shall be rehearsed regularly as part of the overall training program for site operations.

(~~(v)~~) (e) The site emergency response plan shall be reviewed periodically and, as necessary, be amended to keep it current with new or changing site conditions or information.

(~~(vi)~~) (f) An employee alarm system shall be installed in accordance with WAC 296-24-631 through 296-24-63199 to notify employees of an on-site emergency situation, to stop work activities if necessary, to lower background noise in order to speed communication, and to begin emergency procedures.

(~~(vii)~~) (g) Based upon the information available at the time of the emergency, the employer shall evaluate the incident and the site response capabilities and proceed with the appropriate steps to implement the on-site emergency response plan.

(~~(3)~~) Emergency response at sites other than hazardous waste clean-up sites:

(a) Training. Employers shall provide the training specified by this section for those employees for whom there exists the reasonable possibility of responding to emergencies at sites other than hazardous waste clean-up sites:

(i) Emergency response organizations or teams. Employees on emergency response organizations or teams such as fire brigades, fire departments, plant emergency organizations, hazardous materials teams, spill response teams, and similar groups with responsibility for emergency response shall be trained to a level of competence to protect themselves and other employees in the recognition of health and safety hazards, methods to minimize the risk from safety and health hazards, safe use of control equipment, selection and use of appropriate personal protective equipment, safe operating procedures to be used at the incident scene, techniques of coordination with other employees to minimize risks, appropriate response to over exposure from health hazards or injury to themselves and other employees, and recognition of subsequent symptoms which may result from over exposures.

(A) Competency may be demonstrated by twenty-four hours of training annually in those areas with training sessions at least monthly or by demonstrations by the employee of competency in those areas at least quarterly.

~~(B) A certification shall be made of the training or competency and if certification of competency is made, the employer shall keep a record of the methodology used to demonstrate competency.~~

~~(C) An employer of employees for whom the reasonable possibility of responding to emergencies at other than hazardous waste clean-up sites exists need not train all such employees to the degree specified in (a)(i)(A) of this subsection if the employer divides the work force such that sufficient employees who have responsibility to control the emergency have the training specified in this section and other employees who may first respond to the incident have sufficient awareness training to recognize that an emergency response situation exists and are instructed in that case to summon the employees who are fully trained and not attempt control activities for which they are not trained.~~

~~(D) An employer of employees for whom the reasonable possibility exists of responding to emergencies at other than hazardous waste clean-up sites need not train such employees to the degree specified in (a)(i)(A) of this subsection if:~~

~~(i) Arrangements have been made in advance for a fully-trained emergency response team to respond in a reasonable period; and~~

~~(H) Employees who may come to the incident first have sufficient awareness training to recognize that an emergency response situation exists and are instructed to call the designated fully-trained emergency response team for assistance.~~

~~(ii) Specialist employees. Employees who, in the course of their regular job duties, work with and are trained in the hazards of specific materials covered by this standard, and who will be called upon to provide technical advice or assistance at a hazardous substance release incident, are exempt from the monthly training sessions required in (a)(i) of this subsection. They must, pursuant to (a)(i) of this subsection, however, receive at least twenty-four hours of training annually or demonstrate competency in the area of their specialization.~~

~~(iii) Skilled support personnel. Personnel, not necessarily an employer's own employees, who are needed to perform immediate emergency support work that cannot reasonably be performed in a timely fashion by an employer's own employees, and who will be or may potentially be exposed to the hazards at an emergency response scene, are not required to have the twenty-four hours of annual training or demonstrate the competency required for the employer's regular employees. However, the senior official cited in (b)(i) of this subsection shall ensure that these personnel are given an initial briefing at the site of emergency response prior to their participation in that response that shall include instruction in the wearing of appropriate personal protective equipment, what chemical hazards are involved, and what duties are to be performed. All appropriate safety and health precautions provided to the employer's own employees shall be used to assure the safety and health of these personnel.~~

~~(b) Procedures for handling off-site emergency response:~~

~~(i) The senior officer responding to an emergency at other than hazardous waste clean-up sites involving a hazardous substance or health hazard shall establish and become the individual in charge of a site-specific incident command system (ICS). All emergency responders and their communications shall be coordinated and controlled through the individual in charge of the ICS assisted by the senior official present for each employer.~~

~~Note: The "senior official" at an off-site emergency response is the most senior official on the site who has the responsibility for controlling the operations at the site. Initially it is the senior officer on the first-due piece of responding emergency apparatus to arrive on the incident scene. As more senior officers arrive (i.e., fire chief, battalion chief, site coordinator, etc.) the position is passed up the line of authority.~~

~~(ii) The individual in charge of the ICS shall identify, to the extent possible, all hazardous substances or conditions present and shall address as appropriate site analysis, use of engineering controls, maximum exposure limits, hazardous substance handling procedures, and use of any new technologies.~~

~~(iii) Based on the hazardous substances and/or conditions present, the individual in charge of the ICS shall implement appropriate emergency operations, and assure that the personal protective equipment worn is appropriate for the hazards to be encountered. However, personal protective equipment shall meet, at a minimum, the criteria contained in WAC 296-24-58505 through 296-24-58507 when worn while performing fire fighting operations beyond the incipient stage.~~

~~(iv) Employees engaged in emergency response and exposed to hazardous substances shall wear positive pressure self-contained breathing apparatus while engaged in emergency response until such time that the individual in charge of the ICS determines through the use of air monitoring that a decreased level of respiratory protection will not result in hazardous exposures to employees.~~

~~(v) The individual in charge of the ICS shall limit the number of emergency response personnel at the emergency site to those who are actively performing emergency operations. However, operations in hazardous areas shall be performed using the buddy system in groups of two or more.~~

~~(vi) Back-up personnel shall stand by with equipment ready to provide assistance or rescue. Qualified basic life support personnel, as a minimum, shall also stand by with medical equipment and transportation capability.~~

~~(vii) The individual in charge of the ICS shall designate a safety official, who is knowledgeable in the operations being implemented at the emergency response site, with specific responsibility to identify and evaluate hazards and to provide direction with respect to the safety of operations for the emergency at hand.~~

~~(viii) When activities are judged by the safety official to be an IDLH condition and/or to involve an imminent danger condition, the safety officer shall have the authority to alter, suspend, or terminate those activities. The safety officer shall immediately inform the individual in charge of the ICS of any actions taken to correct these hazards at an emergency scene.~~

(ix) After emergency operations have terminated, the individual in charge of the ICS shall implement appropriate decontamination procedures.

(x) When deemed necessary for meeting the tasks at hand, approved self-contained compressed air breathing apparatus may be used with approved cylinders from other approved self-contained compressed air breathing apparatus provided that such cylinders are of the same capacity and pressure rating. All compressed air cylinders used with self-contained breathing apparatus shall meet United States Department of Transportation and National Institute for Occupational Safety and Health criteria:

(4) Hazardous materials teams (HAZMAT):

(a) Employees who are members of the HAZMAT team shall be given training in accordance with subsection (3) of this section that includes the care and use of chemical protective clothing and procedures to be followed when working on leaking drums, containers, tanks, or bulk transport vehicles.

(b) Members of HAZMAT teams shall receive a base line physical exam and have medical surveillance meeting the requirements of WAC 296-62-3050.

(c) Chemical personal protective clothing and equipment to be used by HAZMAT team members shall meet the requirements of WAC 296-62-3060.

(5) Post-emergency response operations. Upon completion of the emergency response, if it is determined that it is necessary to remove hazardous substances, health hazards and materials contaminated with them (such as contaminated soil or other elements of the natural environment) from the site of the incident the employer conducting the clean-up shall comply with one of the following:

(a) Meet all the requirements of WAC 296-62-3010 through 296-62-3130.

(b) Where the clean-up is done on plant property using plant or workplace employees, such employees shall have completed the training requirements of the following: WAC 296-24-567, 296-24-07109(6), 296-62-05415(2), and other appropriate safety and health training made necessary by the tasks that they are expected to be performed. All equipment to be used in the performance of the clean-up work shall be in serviceable condition and shall have been inspected prior to use.)

(4) Training program.

(a) New employees. The employer shall develop and implement a training program, which is part of the employer's safety and health program, for employees involved with hazardous waste operations to enable employees to perform their assigned duties and functions in a safe and healthful manner so as not to endanger themselves or other employees. The initial training shall be for 24 hours and refresher training shall be for eight hours annually. Employees who have received the initial training required by this section shall be given a written certificate attesting that they have successfully completed the necessary training.

(b) Current employees. Employers who can show by an employee's previous work experience and/or training that the employee has had training equivalent to the initial training required by this section, shall be considered

as meeting the initial training requirements of this section as to that employee. Equivalent training includes the training that existing employees might have already received from actual site work experience. Current employees shall receive eight hours of refresher training annually.

(c) Trainers. Trainers who teach initial training shall have satisfactorily completed a training course for teaching the subjects they are expected to teach or they shall have the academic credentials and instruction experience necessary to demonstrate a good command of the subject matter of the courses and competent instructional skills.

(5) Emergency response program.

(a) Emergency response plan. An emergency response plan shall be developed and implemented by all employers. Such plans need not duplicate any of the subjects fully addressed in the employer's contingency planning required by permits, such as those issued by the United States Environmental Protection Agency, provided that the contingency plan is made part of the emergency response plan. The emergency response plan shall be a written portion of the employer's safety and health program required in this section. Employers who will evacuate their employees from the worksite location when an emergency occurs and who do not permit any of their employees to assist in handling the emergency are exempt from the requirements of WAC 296-62-3140(1) if they provide an emergency action plan complying with WAC 296-24-567.

(b) Elements of an emergency response plan. The employer shall develop an emergency response plan for emergencies which shall address, as a minimum, the following areas to the extent that they are not addressed in any specific program required in this section:

(i) Preemergency planning and coordination with outside parties.

(ii) Personnel roles, lines of authority, and communication.

(iii) Emergency recognition and prevention.

(iv) Safe distances and places of refuge.

(v) Site security and control.

(vi) Evacuation routes and procedures.

(vii) Decontamination procedures.

(viii) Emergency medical treatment and first aid.

(ix) Emergency alerting and response procedures.

(x) Critique of response and follow-up.

(xi) PPE and emergency equipment.

(c) Training.

(i) Training for emergency response employees shall be completed before they are called upon to perform in real emergencies. Such training shall include the elements of the emergency response plan, standard operating procedures the employer has established for the job, the personal protective equipment to be worn, and procedures for handling emergency incidents.

Exception #1: An employer need not train all employees to the degree specified if the employer divides the workforce in a manner such that a sufficient number of employees who have responsibility to control emergencies have the training specified, and all other employees, who

may first respond to an emergency incident, have sufficient awareness training to recognize that an emergency response situation exists and that they are instructed in that case to summon the fully trained employees and not attempt to control activities for which they are not trained.

Exception #2: An employer need not train all employees to the degree specified if arrangements have been made in advance for an outside fully trained emergency response team to respond in a reasonable period and all employees, who may come to the incident first, have sufficient awareness training to recognize that an emergency response situation exists and they have been instructed to call the designated outside fully trained emergency response team for assistance.

(ii) Employee members of TSD facility emergency response organizations shall be trained to a level of competence in the recognition of health and safety hazards to protect themselves and other employees. This would include training in the methods used to minimize the risk from safety and health hazards; in the safe use of control equipment; in the selection and use of appropriate personal protective equipment; in the safe operating procedures to be used at the incident scene; in the techniques of coordination with other employees to minimize risks; in the appropriate response to over exposure from health hazards or injury to themselves and other employees; and in the recognition of subsequent symptoms which may result from over exposures.

(iii) The employer shall certify that each covered employee has attended and successfully completed the training required in this subsection, or shall certify the employee's competency at least yearly. The method used to demonstrate competency for certification of training shall be recorded and maintained by the employer.

(d) Procedures for handling emergency incidents.

(i) In addition to the elements for the emergency response plan required in (b) of this subsection, the following elements shall be included for emergency response plans to the extent that they do not repeat any information already contained in the emergency response plan:

(A) Site topography, layout, and prevailing weather conditions.

(B) Procedures for reporting incidents to local, state, and federal governmental agencies.

(ii) The emergency response plan shall be compatible and integrated with the disaster, fire, and/or emergency response plans of local, state, and federal agencies.

(iii) The emergency response plan shall be rehearsed regularly as part of the overall training program for site operations.

(iv) The site emergency response plan shall be reviewed periodically and, as necessary, be amended to keep it current with new or changing site conditions or information.

(v) An employee alarm system shall be installed in accordance with WAC 296-24-631 to notify employees of an emergency situation; to stop work activities if necessary; to lower background noise in order to speed communication; and to begin emergency procedures.

(vi) Based upon the information available at time of the emergency, the employer shall evaluate the incident and the site response capabilities and proceed with the

appropriate steps to implement the site emergency response plan.

NEW SECTION

WAC 296-62-3112 EMERGENCY RESPONSE TO HAZARDOUS SUBSTANCE RELEASES. This section covers employers whose employees are engaged in emergency response no matter where it occurs except that it does not cover employees engaged in operations specified in WAC 296-62-300 (1)(a) through (d).

Those emergency response organizations who have developed and implemented programs equivalent to this section for handling releases of hazardous substances pursuant to Section 303 of SARA Title III shall be deemed to have met the requirements of this section.

(1) Emergency response plan. An emergency response plan shall be developed and implemented to handle anticipated emergencies prior to the commencement of emergency response operations. The plan shall be in writing and available for inspection and copying by employees, their representatives, and WISHA personnel. Employers who will evacuate their employees from the workplace when an emergency occurs, and who do not permit any of their employees to assist in handling the emergency, are exempt from the requirements of this section if they provide an emergency action plan in accordance with WAC 296-24-567(1).

(2) Elements of an emergency response plan. The employer shall develop an emergency response plan for emergencies which shall address, as a minimum, the following to the extent that they are not addressed elsewhere:

(a) Preemergency planning and coordination with outside parties.

(b) Personnel roles, lines of authority, training, and communication.

(c) Emergency recognition and prevention.

(d) Safe distances and places of refuge.

(e) Site security and control.

(f) Evacuation routes and procedures.

(g) Decontamination.

(h) Emergency medical treatment and first aid.

(i) Emergency alerting and response procedures.

(j) Critique of response and follow-up.

(k) PPE and emergency equipment.

(l) Emergency response organizations may use the local emergency response plan or the state emergency response plan or both, as part of their emergency response plan to avoid duplication. Those items of the emergency response plan that are being properly addressed by the SARA Title III plans may be substituted into their emergency plan or otherwise kept together for the employer and employee's use.

(3) Procedures for handling emergency response.

(a) The senior emergency response official responding to an emergency shall become the individual in charge of a site-specific incident command system (ICS). All emergency responders and their communications shall be coordinated and controlled through the individual in charge of the ICS assisted by the senior official present for each employer.

Note: The "senior official" at an emergency response is the most senior official on the site who has the responsibility for controlling the operations at the site. Initially it is the senior officer on the first-due piece of responding emergency apparatus to arrive on the incident scene. As more senior officers arrive (i.e., battalion chief, fire chief, state law enforcement official, site coordinator, etc.), the position is passed up the line of authority which has been previously established.

(b) The individual in charge of the ICS shall identify, to the extent possible, all hazardous substances or conditions present and shall address as appropriate site analysis, use of engineering controls, maximum exposure limits, hazardous substance handling procedures, and use of any new technologies.

(c) Based on the hazardous substances and/or conditions present, the individual in charge of the ICS shall implement appropriate emergency operations, and assure that the personal protective equipment worn is appropriate for the hazards to be encountered. However, personal protective equipment shall meet, at a minimum, the criteria contained in WAC 296-24-58513 when worn while performing fire fighting operations beyond the incipient stage for any incident or site.

(d) Employees engaged in emergency response and exposed to hazardous substances presenting an inhalation hazard or potential inhalation hazard shall wear positive pressure self-contained breathing apparatus while engaged in emergency response, until such time that the individual in charge of the ICS determines through the use of air monitoring that a decreased level of respiratory protection will not result in hazardous exposures to employees.

(e) The individual in charge of the ICS shall limit the number of emergency response personnel at the emergency site, in those areas of potential or actual exposure to incident or site hazards, to those who are actively performing emergency operations. However, operations in hazardous areas shall be performed using the buddy system in groups of two or more.

(f) Back-up personnel shall stand by with equipment ready to provide assistance or rescue. Advance first-aid support personnel, as a minimum, shall also stand by with medical equipment and transportation capability.

(g) The individual in charge of the ICS shall designate a safety official, who is knowledgeable in the operations being implemented at the emergency response site, with specific responsibility to identify and evaluate hazards and to provide direction with respect to the safety of operations for the emergency at hand.

(h) When activities are judged by the safety official to be an IDLH condition and/or to involve an imminent danger condition, the safety official shall have the authority to alter, suspend, or terminate those activities. The safety official shall immediately inform the individual in charge of the ICS of any actions needed to be taken to correct these hazards at an emergency scene.

(i) After emergency operations have terminated, the individual in charge of the ICS shall implement appropriate decontamination procedures.

(j) When deemed necessary for meeting the tasks at hand, approved self-contained compressed air breathing apparatus may be used with approved cylinders from other approved self-contained compressed air breathing

apparatus provided that such cylinders are of the same capacity and pressure rating. All compressed air cylinders used with self-contained breathing apparatus shall meet United States Department of Transportation and National Institute for Occupational Safety and Health criteria.

(4) Skilled support personnel. Personnel, not necessarily an employer's own employees, who are skilled in the operation of certain equipment, such as mechanized earth moving or digging equipment or crane and hoisting equipment, and who are needed temporarily to perform immediate emergency support work that cannot reasonably be performed in a timely fashion by an employer's own employees, and who will be or may be exposed to the hazards at an emergency response scene, are not required to meet the training required in this subsection for the employer's regular employees. However, these personnel shall be given an initial briefing at the site prior to their participation in any emergency response. The initial briefing shall include instruction in the wearing of appropriate personal protective equipment, what chemical hazards are involved, and what duties are to be performed. All other appropriate safety and health precautions provided to the employer's own employees shall be used to assure the safety and health of these personnel.

(5) Specialist employees. Employees who, in the course of their regular job duties, work with and are trained in the hazards of specific hazardous substances, and who will be called upon to provide technical advice or assistance at a hazardous substance release incident to the individual in charge, shall receive training or demonstrate competency in the area of their specialization annually.

(6) Training. Training shall be based on the duties and functions to be performed by each responder of an emergency response organization. The skill and knowledge levels required for all new responders, those hired after the effective date of this standard, shall be conveyed to them through training before they are permitted to take part in actual emergency operations on an incident.

Employees who participate, or are expected to participate, in emergency response, shall be given training in accordance with the following:

(a) First responder awareness level. First responders at the awareness level are individuals who are likely to witness or discover a hazardous substance release and who have been trained to initiate an emergency response sequence by notifying the proper authorities of the release. They would take no further action beyond notifying the authorities of the release. First responders at the awareness level shall have sufficient training or have had sufficient experience to objectively demonstrate competency in the following areas:

(i) An understanding of what hazardous materials are and the risks associated with them in an incident.

(ii) An understanding of the potential outcomes associated with an emergency created when hazardous materials are present.

(iii) The ability to recognize the presence of hazardous materials in an emergency.

(iv) The ability to identify the hazardous materials, if possible.

(v) An understanding of the role of the first responder awareness individual in the employer's emergency response plan including site security and control and the United States Department of Transportation's Emergency Response Guidebook.

(vi) The ability to realize the need for additional resources and to make appropriate notifications to the communication center.

(b) First responder operations level. First responders at the operations level are individuals who respond to releases or potential releases of hazardous substances as part of the initial response to the site for the purpose of protecting nearby persons, property, or the environment from the effects of the release. They are trained to respond in a defensive fashion without actually trying to stop the release. Their function is to contain the release from a safe distance, keep it from spreading, and protect exposures. First responders at the operational level shall have received at least eight hours of training or have had sufficient experience to objectively demonstrate competency in the following areas in addition to those listed for the awareness level and the employer shall so certify:

(i) Knowledge of the basic hazard and risk assessment techniques.

(ii) Know how to select and use proper personal protective equipment provided to the first responder operational level.

(iii) An understanding of basic hazardous materials terms.

(iv) Know how to perform basic control, containment, and/or confinement operations within the capabilities of the resources and personal protective equipment available with their unit.

(v) Know how to implement basic decontamination procedures.

(vi) An understanding of the relevant standard operating procedures and termination procedures.

(c) Hazardous materials technician. Hazardous materials technicians are individuals who respond to releases or potential releases for the purpose of stopping the release. They assume a more aggressive role than a first responder at the operations level in that they will approach the point of release in order to plug, patch, or otherwise stop the release of hazardous substance. Hazardous materials technicians shall have received at least 24 hours of training equal to the first responder operations level and in addition have competency in the following areas and the employer shall so certify:

(i) Know how to implement the employer's emergency response plan.

(ii) Know the classification, identification, and verification of known and unknown materials by using field survey instruments and equipment.

(iii) Be able to function within an assigned role in the incident command system.

(iv) Know how to select and use proper specialized chemical personal protective equipment provided to the hazardous materials technician.

(v) Understand hazard and risk assessment techniques.

(vi) Be able to perform advance control, containment, and/or confinement operations within the capabilities of the resources and personal protective equipment available with the unit.

(vii) Understand and implement decontamination procedures.

(viii) Understand termination procedures.

(ix) Understand basic chemical and toxicological terminology and behavior.

(d) Hazardous materials specialist. Hazardous materials specialists are individuals who respond with and provide support to hazardous materials technicians. Their duties parallel those of the hazardous materials technician, however, those duties require a more directed or specific knowledge of the various substances they may be called upon to contain. The hazardous materials specialist would also act as the site liaison with federal, state, local, and other government authorities in regard to site activities.

Hazardous materials specialists shall have received at least 24 hours of training equal to the technician level and in addition have competency in the following areas and the employer shall so certify:

(i) Know how to implement the local emergency response plan.

(ii) Understand classification, identification, and verification of known and unknown materials by using advanced survey instruments and equipment.

(iii) Know of the state emergency response plan.

(iv) Be able to select and use proper specialized chemical personal protective equipment provided to the hazardous materials specialist.

(v) Understand in-depth hazard and risk techniques.

(vi) Be able to perform specialized control, containment, and/or confinement operations within the capabilities of the resources and personal protective equipment available.

(vii) Be able to determine and implement decontamination procedures.

(viii) Have the ability to develop a site safety and control plan.

(ix) Understand chemical, radiological, and toxicological terminology and behavior.

(e) On scene incident commander. Incident commanders, who will assume control of the incident scene beyond the first responder awareness level, shall receive at least 24 hours of training equal to the first responder operations level and in addition have competency in the following areas and the employer shall so certify:

(i) Know and be able to implement the employer's incident command system.

(ii) Know how to implement the employer's emergency response plan.

(iii) Know and understand the hazards and risks associated with employees working in chemical protective clothing.

(iv) Know how to implement the local emergency response plan.

(v) Know of the state emergency response plan and of the Federal Regional Response Team.

(vi) Know and understand the importance of decontamination procedures.

(7) Trainers. Trainers who teach any of the above training subjects shall have satisfactorily completed a training course for teaching the subjects they are expected to teach, such as the courses offered by the United States Fire Academy, or they shall have the training and/or academic credentials and instructional experience necessary to demonstrate competent instructional skills and a good command of the subject matter of the courses they are to teach.

(8) Refresher training.

(a) Those employees who are trained in accordance with subsection (6) of this section shall receive annual refresher training of sufficient content and duration to maintain their competencies, or shall demonstrate competency in those areas at least yearly.

(b) A statement shall be made of the training or competency, and if a statement of competency is made, the employer shall keep a record of the methodology used to demonstrate competency.

(9) Medical surveillance and consultation.

(a) Members of an organized and designated HAZMAT team and hazardous materials specialists shall receive a baseline physical examination and be provided with medical surveillance as required in WAC 296-62-3050.

(b) Any emergency response employees who exhibit signs or symptoms which may have resulted from exposure to hazardous substances during the course of an emergency incident, either immediately or subsequently, shall be provided with medical consultation as required in WAC 296-62-3050 (3)(b).

(10) Chemical protective clothing. Chemical protective clothing and equipment to be used by organized and designated HAZMAT team members, or to be used by hazardous materials specialists, shall meet the requirements of WAC 296-62-3060 (3) through (5).

(11) Postemergency response operations. Upon completion of the emergency response, if it is determined that it is necessary to remove hazardous substances, health hazards, and materials contaminated with them (such as contaminated soil or other elements of the natural environment) from the site of the incident, the employer conducting the clean-up shall comply with one of the following:

(a) Meet all of the requirements of WAC 296-62-3010, 296-62-3020, 296-62-3030, 296-62-3040, 296-62-3050, 296-62-3060, 296-62-3070, 296-62-3080, 296-62-3090, 296-62-3100, 296-62-3110, 296-62-3120, 296-62-3130, and 296-62-3138; or

(b) Where the clean-up is done on plant property using plant or workplace employees, such employees shall have completed the training requirements of WAC 296-24-567(1), 296-62-071, and 296-62-054, and other appropriate safety and health training made necessary by the tasks that they are expected to be performed such as personal protective equipment and decontamination procedures. All equipment to be used in the performance of the clean-up work shall be in serviceable condition and shall have been inspected prior to use.

AMENDATORY SECTION (Amending Order 88-23, filed 10/6/88, effective 11/7/88)

WAC 296-62-3120 ILLUMINATION. Areas accessible to employees shall be lighted (~~in accordance with the requirements of this section:~~

~~Work areas shall be lighted~~) to not less than the minimum illumination intensities listed in Table 1 while any work is in progress:

TABLE 1 - 120.1 - MINIMUM ILLUMINATION Intensities in Foot-Candles

| Foot-candles | Area or operation |
|--------------|---|
| 5 | General site area. |
| 3 | Excavation and waste areas, accessways, active storage areas, loading platforms, refueling, and field maintenance areas. |
| 5 | Indoors: Warehouses, corridors, hallways, and exitways. |
| 5 | Tunnels, shafts, and general underground work areas; exception: Minimum of ten foot-candles is required at tunnel and shaft heading during drilling, mucking, and scaling. Bureau of Mines approved cap lights shall be acceptable for use in the tunnel heading. |
| 10 | General shops (e.g., mechanical and electrical equipment rooms, active storerooms, barracks or living quarters, locker or dressing rooms, dining areas, and indoor toilets and workrooms). |
| 30 | First aid stations, infirmaries, and offices. |

AMENDATORY SECTION (Amending Order 88-23, filed 10/6/88, effective 11/7/88)

WAC 296-62-3130 SANITATION AT TEMPORARY WORKPLACES. (~~Facilities for employee sanitation shall be provided in accordance with this section:~~)

(1) Potable water.

(a) An adequate supply of potable water shall be provided on the site.

(b) Portable containers used to dispense drinking water shall be capable of being tightly closed, and equipped with a tap. Water shall not be dipped from containers.

(c) Any container used to distribute drinking water shall be clearly marked as to the nature of its contents and not used for any other purpose.

(d) Where single service cups (to be used but once) are supplied, both a sanitary container for the unused cups and a receptacle for disposing of the used cups shall be provided.

(2) Nonpotable water.

(a) Outlets for nonpotable water, such as water for fire fighting purposes shall be identified to indicate

clearly that the water is unsafe and is not to be used for drinking, washing, or cooking purposes.

(b) There shall be no cross-connection, open or potential, between a system furnishing potable water and a system furnishing nonpotable water.

(3) Toilet facilities.

(a) Toilets shall be provided for employees according to Table 2.

TABLE 2 — TOILET FACILITIES

| Number of employees | Minimum number of facilities |
|----------------------------------|--|
| 20 or fewer | One. |
| More than 20, fewer than 200 . . | One toilet seat and one urinal per 40 employees. |
| More than 200 . . | One toilet seat and one urinal per 50 employees. |

(b) Under temporary field conditions, provisions shall be made to assure ~~((not less than))~~ that at least one toilet facility is available.

(c) Hazardous waste sites, not provided with a sanitary sewer shall be provided with the following toilet facilities unless prohibited by local codes:

- (i) Chemical toilets;
- (ii) Recirculating toilets;
- (iii) Combustion toilets; or
- (iv) Flush toilets.

(d) The requirements of this section for sanitation facilities shall not apply to mobile crews having transportation readily available to nearby toilet facilities.

(e) Doors entering toilet facilities shall be provided with entrance locks controlled from inside the facility.

(4) Food handling. All ~~((employees'))~~ food service facilities and operations for employees shall meet the applicable laws, ordinances, and regulations of the jurisdictions in which they are located.

(5) Temporary sleeping quarters. When temporary sleeping quarters are provided, they shall be heated, ventilated, and lighted.

(6) Washing facilities. The employer shall provide adequate washing facilities for employees engaged in operations where hazardous substances may be harmful to employees. Such facilities shall be in near proximity to the worksite, in areas where exposures are below ~~((established))~~ permissible exposure limits and published exposure levels and which are under the controls of the employer, and shall be so equipped as to enable employees to remove hazardous substances from themselves.

(7) Showers and change rooms. When hazardous waste clean-up or removal operations commence on a site and the duration of the work will require six months or greater time to complete, the employer shall provide showers and change rooms for all employees exposed to hazardous substances and health hazards involved in hazardous waste clean-up or removal operations.

(a) Showers shall be provided and shall meet the requirements of WAC 296-24-12009(3).

(b) Change rooms shall be provided and shall meet the requirements of WAC 296-24-12011. Change rooms shall consist of two separate change areas separated by the shower area required in (a) of this subsection. One change area, with an exit leading off the worksite, shall provide employees with a clean area where they can remove, store, and put on street clothing. The second area, with an exit to the worksite, shall provide employees with an area where they can put on, remove and store work clothing and personal protective equipment.

(c) Showers and change rooms shall be located in areas where exposures are below the ~~((established))~~ permissible exposure limits and published exposure levels. If this cannot be accomplished, then a ventilation system shall be provided that will supply air that is below the ~~((established))~~ permissible exposure limits and published exposure levels.

(d) Employers shall assure that employees shower at the end of their work shift and when leaving the hazardous waste site.

NEW SECTION

WAC 296-62-3138 NEW TECHNOLOGY PROGRAMS. (1) The employer shall develop and implement procedures for the introduction of effective new technologies and equipment developed for the improved protection of employees working with hazardous waste clean-up operations, and the same shall be implemented as part of the site safety and health program to assure that employee protection is being maintained.

(2) New technologies, equipment or control measures available to the industry, such as the use of foams, absorbents, adsorbents, neutralizers, or other means to suppress the level of air contaminants while excavating the site or for spill control, shall be evaluated by employers or their representatives. Such an evaluation shall be done to determine the effectiveness of the new methods, materials, or equipment before implementing their use on a large scale for enhancing employee protection. Information and data from manufacturers or suppliers may be used as part of the employer's evaluation effort. Such evaluations shall be made available to WISHA upon request.

AMENDATORY SECTION (Amending Order 88-23, filed 10/6/88, effective 11/7/88)

WAC 296-62-3140 CERTAIN OPERATIONS CONDUCTED UNDER THE RESOURCE CONSERVATION AND RECOVERY ACT OF 1976 (RCRA). Employers conducting operations at treatment, storage, and disposal (TSD) facilities specified in WAC ~~((296-62-3060 (2)(c)))~~ 296-62-300 (3)(c) not exempted by WAC 296-62-300 (2)(c) shall~~((:))~~ provide and implement the programs specified in this section.

(1) Safety and health program. The employer shall develop and implement a written safety and health program for employees involved in hazardous waste operations ~~((which))~~ that shall be available for inspection by employees, their representatives and WISHA personnel. The program shall be designed to identify, evaluate and

control safety and health hazards in their facilities for the purpose of employee protection, ~~((and))~~ to provide for emergency response meeting the requirements of WAC 296-62-3110 and ~~((it shall))~~ to address as appropriate site analysis, engineering controls, maximum exposure limits, hazardous waste handling procedures and uses of new technologies(~~(;)~~).

(2) Hazard communication program. The employer shall implement a hazard communication program ~~((as part of the employer's safety and health program))~~ meeting the requirements of WAC 296-62-054 through 296-62-05427(~~(;)~~) as part of the employer's safety and health program.

Note: The exemption for hazardous waste provided in WAC 296-62-054 is applicable to this section.

(3) Medical surveillance program. The employer shall develop and implement a medical surveillance program meeting the requirements of WAC 296-62-3050(~~(;)~~).

(4) Decontamination program. The employer shall develop and implement a decontamination procedure ~~((in accordance with))~~ meeting the requirements of WAC 296-62-3100(~~(; and)~~).

(5) ~~((Develop and implement a training program, which is part of the employer's safety and health program, for employees involved with hazardous waste operations to enable each employee to perform their assigned duties and functions in a safe and healthful manner so as not to endanger themselves or other employees. The initial training shall be for twenty-four hours and refresher training shall be for eight hours annually.~~

Employers who can show by an employee's previous work experience and/or training that the employee has had training equivalent to the initial training required by this section, shall be considered as meeting the initial training of this section as to that employee. Equivalent training includes the training that existing employees might have already received from actual site work experience. Employees who have received the initial training required by this paragraph shall be given a written certificate attesting that they have successfully completed the necessary training.

~~((6))~~ New technology programs. ~~((a))~~ The employer shall develop and implement procedures ~~((for the introduction of effective new technologies and equipment developed for the improved protection of employees working with hazardous waste clean-up operations, and the same shall be implemented as part of the site safety and health program to assure that employee protection is being maintained.~~

(b) New technologies, equipment, or control measures available to the industry, such as the use of foams or other means to suppress the level of air contaminants while excavating the site or for spill control, shall be evaluated by employers or their representatives to determine their effectiveness before implementing their use on a large scale for employee protection. Such evaluations shall be made available to WISHA upon request)) meeting the requirements of WAC 296-62-3138 for introducing new and innovative equipment into the workplace.

(6) Material handling program. Where employees will be handling drums or containers, the employer shall develop and implement procedures meeting the requirements of WAC 296-62-3090 (1)(b) through (h) and (k), as well as WAC 296-62-3090 (3) and (8), prior to starting such work.

AMENDATORY SECTION (Amending Order 88-23, filed 10/6/88, effective 11/7/88)

WAC 296-62-3152 APPENDICES TO PART P—HAZARDOUS WASTE OPERATIONS AND EMERGENCY RESPONSE.

Note: The following appendices serve as nonmandatory guidelines to assist employees and employers in complying with the appropriate requirements of this part. However, WAC ~~((296-62-3170 — Appendix B is required in certain circumstances by WAC 296-62-3020 (4)(c) and 296-62-3060 (3)(d)))~~ 296-62-3060 makes mandatory in certain circumstances the use of Level A and Level B personal protective equipment protection.

AMENDATORY SECTION (Amending Order 88-23, filed 10/6/88, effective 11/7/88)

WAC 296-62-3160 APPENDIX A—PERSONAL PROTECTIVE EQUIPMENT TEST METHODS. This appendix sets forth the nonmandatory examples of tests which may be used to evaluate compliance with WAC 296-62-3060. Other tests and other challenge agents may be used to evaluate compliance.

(1) Totally-encapsulating chemical protective suit pressure test.

(a) Scope.

(i) This practice measures the ability of a gas tight totally-encapsulating chemical protective suit material, seams, and closures to maintain a fixed positive pressure. The results of this practice allow the gas tight integrity of a total-encapsulating chemical protective suit to be evaluated.

(ii) Resistance of the suit materials to permeation, penetration, and degradation by specific hazardous substances is not determined by this test method.

(b) Description of terms.

(i) "Totally-encapsulated chemical protective suit (TECP suit)" means a full body garment which is constructed of protective clothing materials; covers the wearer's torso, head, arms, and legs; may cover the wearer's hands and feet with tightly attached gloves and boots; completely encloses the wearer and respirator by itself or in combination with the wearer's ~~((respiratory equipment;))~~ gloves(~~(;)~~) and boots.

(ii) "Protective clothing material" means any material or combination of materials used in an item of clothing for the purpose of isolating parts of the body from direct contact with a potentially hazardous liquid or gaseous chemicals.

(iii) "Gas tight" means for the purpose of this ~~((practice))~~ test method the limited flow of a gas under pressure from the inside of a TECP suit to atmosphere at a prescribed pressure and time interval.

(c) Summary of test method. The TECP suit is visually inspected and modified for the test. The test apparatus is attached to the suit to permit inflation to the pretest suit expansion pressure for removal of suit

wrinkles and creases. The pressure is lowered to the test pressure and monitored for three minutes. If the pressure drop is excessive, the TECP suit fails the test and is removed from service. The test is repeated after leak location and repair.

(d) Required supplies.

(i) Source of compressed air.

(ii) Test apparatus for suit testing including a pressure measurement device with a sensitivity of at least 1/4 inch water gauge.

(iii) Vent valve closure plugs or sealing tape.

(vi) Soapy water solution and soft brush.

(v) Stop watch or appropriate timing device.

(e) Safety precautions. Care shall be taken to provide the correct pressure safety devices required for the source of compressed air used.

(f) Test procedure. Prior to each test, the tester shall perform a visual inspection of the suit. Check the suit for seam integrity by visually examining the seams and gently pulling on the seams. Ensure that all air supply lines, fittings, visor, zippers, and valves are secure and show no signs of deterioration.

(i) Seal off the vent valves along with any other normal inlet or exhaust points (such as umbilical air line fittings or facepiece opening) with tape or other appropriate means (caps, plugs, fixture, etc.). Care should be exercised in the sealing process not to damage any of the suit components.

(ii) Close all closure assemblies.

(iii) Prepare the suit for inflation by providing an improvised connection point on the suit for connecting an airline. Attach the pressure test apparatus to the suit to permit suit inflation from a compressed air source equipped with a pressure indicating regulator. The leak tightness of the pressure test apparatus should be tested before and after each test by closing off the end of the tubing attached to the suit and assuring a pressure of three inches water gauge for three minutes can be maintained. If a component is removed for the test, that component shall be replaced and a second test conducted with another component removed to permit a complete test of the ensemble.

(iv) The pretest expansion pressure (A) and the suit test pressure (B) shall be supplied by the suit manufacturer, but in no case shall they be less than (A) = 3 inches water gauge and (B) = 2 inches water gauge. The ending suit pressure (C) shall be no less than eighty percent of the test pressure (B); i.e., the pressure drop shall not exceed twenty percent of the test pressure (B).

(v) Inflate the suit until the pressure inside is equal to pressure ((^AAⁿ)) (A), the pretest expansion suit pressure. Allow at least one minute to fill out the wrinkles in the suit. Release sufficient air to reduce the suit pressure to pressure ((^BBⁿ)) (B), the suit test pressure. Begin timing. At the end of three minutes, record the suit pressure as pressure ((^CCⁿ)) (C), the ending suit pressure. The difference between the suit test pressure and the ending suit test pressure ((^{B=C}B=Cⁿ)) (B)-(C) shall be defined as the suit pressure drop.

(vi) If the suit pressure drop is more than twenty percent of the suit test pressure ((^BBⁿ)) (B) during the

three minute test period, the suit fails the test and shall be removed from service.

(g) Retest procedure.

(i) If the suit fails the test check for leaks by inflating the suit to pressure ((^AAⁿ)) (A) and brushing or wiping the entire suit (including seams, closures, lens gaskets, glove-to-sleeve joints, etc.) with a mild soap and water solution. Observe the suit for the formation of soap bubbles, which is an indication of a leak. Repair all identified leaks.

(ii) Retest the TECP suit as outlined in (f) of this subsection.

(h) Report. Each TECP suit tested by this practice shall have the following information recorded.

(i) Unique identification number, identifying brand name, date of purchase, material of construction, and unique fit features; e.g., special breathing apparatus.

(ii) The actual values for test pressures ((^AAⁿ)) (A), ((^BBⁿ)) (B), and ((^CCⁿ)) (C) shall be recorded along with the specific observation times. If the ending pressure ((^CCⁿ)) (C) is less than eighty percent of the test pressure ((^BBⁿ)) (B), the suit shall be identified as failing the test. When possible, the specific leak location shall be identified in the test records. Retest pressure data shall be recorded as an additional test.

(iii) The source of the test apparatus used shall be identified and the sensitivity of the pressure gauge shall be recorded.

(iv) Records shall be kept for each pressure test even if repairs are being made at the test location.

Caution. Visually inspect all parts of the suit to be sure they are positioned correctly and secured tightly before putting the suit back into service. Special care should be taken to examine each exhaust valve to make sure it is not blocked. Care should also be exercised to assure that the inside and outside of the suit is completely dry before it is put into storage.

(2) Totally-encapsulating chemical protective suit qualitative leak test.

(a) Scope.

(i) This practice semiquantitatively tests gas tight totally-encapsulating chemical protective suit integrity by detecting inward leakage of ammonia vapor. Since no modifications are made to the suit to carry out this test, the results from this practice provide a realistic test for the integrity of the entire suit.

(ii) Resistance of the suit materials to permeation, penetration, and degradation is not determined by this test method. ASTM test methods are available to test suit materials for those characteristics and the tests are usually conducted by the manufacturers of the suits.

(b) Definition of terms.

(i) "Totally-encapsulated chemical protective suit (TECP suit)" means a full body garment which is constructed of protective clothing materials; covers the wearer's torso, head, arms, and legs; may cover the wearer's hands and feet with tightly attached gloves and boots; completely encloses the wearer and respirator by itself or in combination with the wearer's (respiratory equipment;) gloves(;) and boots.

(ii) "Protective clothing material" means any material or combination of materials used in an item of clothing

for the purpose of isolating parts of the body from direct contact with a potentially hazardous liquid or gaseous chemicals.

(iii) "Gas tight" means for the purpose of this test method the limited flow of a gas under pressure from the inside of a TECP suit to atmosphere at a prescribed pressure and time interval.

(iv) "Intrusion coefficient." A number expressing the level of protection provided by a gas tight totally-encapsulating chemical protective suit. The intrusion coefficient is calculated by dividing the test room challenge agent concentration by the concentration of challenge agent found inside the suit. The accuracy of the intrusion coefficient is dependent on the challenge agent monitoring methods. The larger the intrusion coefficient, the greater the protection provided by the TECP suit.

(c) Summary of recommended practice. The volume of concentrated aqueous ammonia solution (ammonia hydroxide, NH_4OH) required to generate the test atmosphere is determined using the directions outlined in WAC 296-62-3190 (2)(f)(i). The suit is donned by a person wearing the appropriate respiratory equipment (either a self-contained breathing apparatus or a supplied air respirator) and worn inside the enclosed test room. The concentrated aqueous ammonia solution is taken by the suited individual into the test room and poured into an open plastic pan. A two-minute evaporation period is observed before the test room concentration is measured using a high range ammonia length of stain detector tube. When the ammonia reaches a concentration of between 1000 and 1200 ppm, the suited individual starts a standardized exercise protocol to stress and flex the suit. After this protocol is completed the test room concentration is measured again. The suited individual exits the test room and his stand-by person measures the ammonia concentration inside the suit using a low range ammonia length of stain detector tube or other more sensitive ammonia detector. A stand-by person is required to observe the test individual during the test procedure, aid the person in donning and doffing the TECP suit and monitor the suit interior. The intrusion coefficient of the suit can be calculated by dividing the average test area concentration by the interior suit concentration. A colorimetric indicator strip of bromophenol blue is placed on the inside of the suit facepiece lens so that the suited individual is able to detect a color change and know if the suit has a significant leak. If a color change is observed the individual should leave the test room immediately.

(d) Required supplies.

(i) A supply of concentrated ammonia (fifty-eight percent ammonium hydroxide by weight).

(ii) A supply of bromophenol/blue indicating paper, sensitive to 5-10 ppm ammonia or greater over a two-minute period of exposure [pH 3.0 (yellow) to pH 4.6 (blue)].

(iii) A supply of high range (0.5-10 volume percent) and low range (5-700 ppm) detector tubes for ammonia and the corresponding sampling pump. More sensitive ammonia detectors can be substituted for the low range detector tubes to improve the sensitivity of this practice.

(iv) A shallow plastic pan (PVC) at least 12":14":1" and a half pint plastic container (PVC) with tightly closing lid.

(v) A graduated cylinder or other volumetric measuring device of at least fifty milliliters in volume with an accuracy of at least ± 1 milliliters.

(e) Safety precautions.

(i) Concentrated aqueous ammonium hydroxide, NH_4OH is a corrosive volatile liquid requiring eye, skin, and respiratory protection. The person conducting the test shall review the MSDS for aqueous ammonia.

(ii) Since the established permissible exposure limit for ammonia is 50 ppm, only persons wearing a self-contained breathing apparatus or a supplied air respirator shall be in the chamber. Normally only the person wearing the total-encapsulating suit will be inside the chamber. A stand-by person shall have a self-contained breathing apparatus, or a positive pressure supplied air respirator(;) available to enter the test area should the suited individual need assistance.

(iii) A method to monitor the suited individual must be used during this test. Visual contact is the simplest but other methods using communication devices are acceptable.

(iv) The test room shall be large enough to allow the exercise protocol to be carried out and then to be ventilated to allow for easy exhaust of the ammonia test atmosphere after the test(s) are completed.

(v) Individuals shall be medically screened for the use of respiratory protection and checked for allergies to ammonia before participating in this test procedure.

(f) Test procedure.

(i) Measure the test area to the nearest foot and calculate its volume in cubic feet. Multiply the test area volume by 0.2 milliliters of concentrated aqueous ammonia per cubic foot of test area volume to determine the approximate volume of concentrated aqueous ammonia required to generate 1000 ppm in the test area.

(A) Measure this volume from the supply of concentrated ammonia and place it into a closed plastic container.

(B) Place the container, several high range ammonia detector tubes and the pump in the clean test pan and locate it near the test area entry door so that the suited individual has easy access to these supplies.

(ii) In a noncontaminated atmosphere, open a presealed ammonia indicator strip and fasten one end of the strip to the inside of the suit face shield lens where it can be seen by the wearer. Moisten the indicator strip with distilled water. Care shall be taken not to contaminate the detector part of the indicator paper by touching it. A small piece of masking tape or equivalent should be used to attach the indicator strip to the interior of the suit face shield.

(iii) If problems are encountered with this method of attachment the indicator strip can be attached to the outside of the respirator facepiece being used during the test.

(iv) Don the respiratory protective device normally used with the suit, and then don the TECP suit to be tested. Check to be sure all openings which are intended

to be sealed (zippers, gloves, etc.) are completely sealed. DO NOT, however, plug off any venting valves.

(v) Step into the enclosed test room such as a closet, bathroom, or test booth, equipped with an exhaust fan. No air should be exhausted from the chamber during the test because this will dilute the ammonia challenge concentrations.

(vi) Open the container with the premeasured volume of concentrated aqueous ammonia within the enclosed test room, and pour the liquid into the empty plastic test pan. Wait two minutes to allow for adequate volatilization of the concentrated aqueous ammonia. A small mixing fan can be used near the evaporation pan to increase the evaporation rate of the ammonia solution.

(vii) After two minutes a determination of the ammonia concentration within the chamber should be made using the high range colorimetric detector tube. A concentration of 1000 ppm ammonia or greater shall be generated before the exercises are started.

(viii) To test the integrity of the suit the following four minute exercise protocol should be followed:

(A) Raising the arms above the head with at least fifteen raising motions completed in one minute.

(B) Walking in place for one minute with at least fifteen raising motions of each leg in a one-minute period.

(C) Touching the toes with at least ten complete motions of the arms from above the head to touching of the toes in a one-minute period.

(D) Knee bends with at least ten complete standing and squatting motions in a one-minute period.

(ix) If at any time during the test the colorimetric indicating paper should change colors the test should be stopped and (f)(x) and (xi) of this subsection initiated.

(x) After completion of the test exercise, the test area concentration should be measured again using the high range colorimetric detector tube.

(xi) Exit the test area.

(xii) The opening created by the suit zipper or other appropriate suit penetration should be used to determine the ammonia concentration in the suit with the low range length of stain detector tube or other ammonia monitor. The internal TECP suit air should be sampled far enough from the enclosed test area to prevent a false ammonia reading.

(xiii) After completion of the measurement of the suit interior ammonia concentration the test is concluded and the suit is doffed and the respirator removed.

(xiv) The ventilating fan for the test room should be turned on and allowed to run for enough time to remove the ammonia gas. The fan shall be vented to the outside of the building.

(xv) Any detectable ammonia in the suit interior (5 ppm ammonia (NH₃) or more for the length of stain detector tube) indicates the suit failed the test. When other ammonia detectors are used, a lower level of detection is possible and it should be specified as the pass/fail criteria.

(xvi) By following this test method an intrusion coefficient of approximately two hundred or more can be measured with the suit in a completely operational condition. If the intrusion coefficient is 200 or more, then the suit is suitable for emergency response and field use.

(g) Retest procedures.

(i) If the suit fails this test, check for leaks by following the pressure test in test ((~~A~~)) (A) above.

(ii) Retest the TECP suit as outlined in the test procedure in (f) of this subsection(~~(, Test procedure)~~).

(h) Report.

(i) Each gas tight totally-encapsulating chemical protective suit tested by this practice shall have the following information recorded.

(A) Unique identification number, identifying brand name, date of purchase, material of construction, and unique suit features; e.g., special breathing apparatus.

(B) General description of test room used for test.

(C) Brand name and purchase date of ammonia detector strips and color change data.

(D) Brand name, sampling range, and expiration date of the length of stain ammonia detector tubes. The brand name and model of the sampling pump should also be recorded. If another type of ammonia detector is used, it should be identified along with its minimum detection limit for ammonia.

(E) Actual test results shall list the two test area concentrations, their average, the interior suit concentration, and the calculated intrusion coefficient. Retest data shall be recorded as an additional test.

(ii) The evaluation of the data shall be specified as "suit passed" or "suit failed" and the date of the test. Any detectable ammonia (5 ppm or greater for the length of stain detector tube) in the suit interior indicates the suit fails this test. When other ammonia detectors are used, a lower level of detection is possible and it should be specified as the pass/fail criteria.

Caution. Visually inspect all parts of the suit to be sure they are positioned correctly and secured tightly before putting the suit back into service. Special care should be taken to examine each exhaust valve to make sure it is not blocked.

Care should also be exercised to assure that the inside and outside of the suit is completely dry before it is put into storage.

AMENDATORY SECTION (Amending Order 88-23, filed 10/6/88, effective 11/7/88)

WAC 296-62-3170 APPENDIX B—GENERAL DESCRIPTION AND DISCUSSION OF THE LEVELS OF PROTECTION AND PROTECTIVE GEAR. (1) This appendix sets forth information about personal protective equipment (PPE) protection levels which may be used to assist employers in complying with the PPE requirements of this section.

((~~+~~)) (2) As required by the standard, PPE must be selected which will protect employees from the specific hazards which they are likely to encounter during their work on-site.

((~~+~~)) (3) Selection of the appropriate PPE is a complex process which must take into consideration a variety of factors. Key factors involved in this process are identification of the hazards or suspected hazards, their routes of potential hazard to employees (inhalation, skin absorption, ingestion, and eye or skin contact), and the

performance of the PPE materials (and seams) in providing a barrier to these hazards. The amount of protection provided by PPE is material-hazard specific. That is, protective equipment materials will protect well against some hazardous substances and poorly, or not at all, against others. In many instances, protective equipment materials cannot be found which will provide continuous protection from the particular hazardous substance. In these cases the breakthrough time of the protective material should exceed the work durations, or the exposure after breakthrough must not pose a hazardous level.

((b)) (4) Other factors in this selection process to be considered are matching the PPE to the employee's work requirements and task-specific conditions. The durability of PPE materials, such as tear strength and seam strength, must be considered in relation to the employee's tasks. The effects of PPE in relation to heat stress and task duration are a factor in selecting and using PPE. In some cases layers of PPE may be necessary to provide sufficient protection, or to protect expensive PPE inner garments, suits or equipment.

((c)) (5) The more that is known about the hazards at the site, the easier the job of PPE selection becomes. As more information about the hazards and conditions at the site becomes available, the site supervisor can make decisions to up-grade or down-grade the level of PPE protection to match the tasks at hand.

((d)) (6) The following are guidelines which an employer can use to begin the selection of the appropriate PPE. As noted above, the site information may suggest the use of combinations of PPE selected from the different protection levels (i.e., A, B, C, or D) as being more suitable to the hazards of the work. It should be cautioned that the listing below does not fully address the performance of the specific PPE material in relation to the specific hazards at the job site, and that PPE selection, evaluation and reselection is an ongoing process until sufficient information about the hazards and PPE performance is obtained.

((e)) (7) Personal protective equipment has been divided into four categories based on the degree of protection afforded (see ((b) of this subsection)) subsection (8) of this section for further explanation of Levels A, B, C, and D hazards):

((f)) (a) Level A. To be selected when the greatest level of skin, respiratory, and eye protection is required. ((Level A equipment, used as appropriate.)) The following constitute Level A equipment; it may be used as appropriate:

((A) Pressure-demand) (i) Positive pressure, full-facepiece self-contained breathing apparatus (SCBA), or ((pressure-demand)) positive pressure supplied-air respirator with escape SCBA, approved by the National Institute for Occupational Safety and Health (NIOSH).

((B)) (ii) Totally-encapsulating chemical-protective suit.

((C)) (iii) Coveralls.*

((D)) (iv) Long underwear.*

((E)) (v) Gloves, outer, chemical-resistant.

((F)) (vi) Gloves, inner, chemical-resistant.

((G)) (vii) Boots, ((outer,)) chemical-resistant steel toe and shank.

((H)) (viii) Hard hat (under suit).*

((I)) (ix) Disposable protective suit, gloves, and boots. (Depending on suit construction, may be worn over totally-encapsulating suit.)

((J) Two-way radios (worn inside encapsulating suit).))

*Optional, as applicable.

((ii)) (b) Level B. The highest level of respiratory protection is necessary but a lesser level of skin protection is needed. The following constitute Level B equipment; it may be used as appropriate:

((A) Pressure-demand) (i) Positive pressure, full-facepiece self-contained breathing apparatus (SCBA), or ((pressure-demand)) positive pressure supplied-air respirator with escape SCBA (NIOSH approved).

((B)) (ii) Hooded chemical-resistant clothing (overalls and long-sleeved jacket, coveralls, one or two-piece chemical-splash suit, disposable chemical-resistant overalls).

((C)) (iii) Coveralls.*

((D)) (iv) Gloves, outer, chemical-resistant.

((E)) (v) Gloves, inner, chemical-resistant.

((F)) (vi) Boots, outer, chemical-resistant steel toe and shank.

((G)) (vii) Boot-covers, outer, chemical-resistant (disposable).*

((H)) (viii) Hard hat.

((I) Two-way radios (worn inside encapsulating suit).))

((J)) (ix) Face shield.*

*Optional, as applicable.

((iii)) (c) Level C. The concentration(s) and type(s) of airborne substance(s) ((is/are)) is known and the criteria for using air purifying respirators are met. The following constitute Level C equipment; it may be used as appropriate.

((A)) (i) Full-face or half-mask, air purifying((; canister equipped)) respirators (NIOSH approved).

((B)) (ii) Hooded chemical-resistant clothing (overalls; two-piece chemical-splash suit; disposable chemical-resistant overalls).

((C)) (iii) Coveralls.*

((D)) (iv) Gloves, outer, chemical-resistant.

((E)) (v) Gloves, inner, chemical-resistant.

((F)) (vi) Boots (outer), chemical-resistant steel toe and shank.*

((G)) (vii) Boot-covers, outer, chemical-resistant (disposable).*

((H)) (viii) Hard hat.

((I)) (ix) Escape mask.*

((J) Two-way radios (worn under outside protective clothing).))

((K)) (x) Face shield.*

*Optional, as applicable.

((iv)) (d) Level D. A work uniform affording minimal protection: Used for nuisance contamination only. The following constitute Level D equipment; it may be used as appropriate.

- ~~((A))~~ (i) Coveralls.
~~((B))~~ (ii) Gloves.*
~~((C))~~ (iii) Boots/shoes, chemical-resistant steel toe and shank.
~~((D))~~ (iv) Boots, outer, chemical-resistant (disposable).*
~~((E))~~ (v) Safety glasses or chemical splash goggles.*
~~((F))~~ (vi) Hard hat.
~~((G))~~ (vii) Escape mask.*
~~((H))~~ (viii) Face shield.*

*Optional, as applicable.

~~((b))~~ (8) Part B. The types of hazards for which Levels A, B, C, and D protection are appropriate are described below:

~~((i))~~ (a) Level A - Level A protection should be used when:

~~((A))~~ (i) The hazardous substance has been identified and requires the highest level of protection for skin, eyes, and the respiratory system based on either the measured (or potential for) high concentration of atmospheric vapors, gases, or particulates; or the site operations and work functions involve a high potential for splash, immersion, or exposure to unexpected vapors, gases, or particulates of materials that are harmful to skin or capable of being absorbed through the intact skin;

~~((B))~~ (ii) Substances with a high degree of hazard to the skin are known or suspected to be present, and skin contact is possible; or

~~((C))~~ (iii) Operations (~~must be~~) are being conducted in confined, poorly ventilated areas, and the absence of conditions requiring Level A have not yet been determined.

~~((ii))~~ (b) Level B protection should be used when:

~~((A))~~ (i) The type and atmospheric concentration of substances have been identified and require a high level of respiratory protection, but less skin protection;

~~((Note: This involves atmospheres with IDLH concentrations of specific substances that do not represent a severe skin hazard; or that do not meet the criteria for use of air-purifying respirators.~~

~~((B))~~ (ii) The atmosphere contains less than 19.5 percent oxygen; or

~~((C))~~ (iii) The presence of incompletely identified vapors or gases is indicated by a direct-reading organic vapor detection instrument, but vapors and gases are not suspected of containing high levels of chemicals harmful to skin or capable of being absorbed through the (~~intact~~) skin.

Note: This involves atmospheres with IDLH concentrations of specific substances that present severe inhalation hazards and that do not represent a severe skin hazard; or that do not meet the criteria for use of air-purifying respirators.

~~((iii))~~ (c) Level C protection should be used when:

~~((A))~~ (i) The atmospheric contaminants, liquid splashes, or other direct contact will not adversely affect or be absorbed through any exposed skin;

~~((B))~~ (ii) The types of air contaminants have been identified, concentrations measured, and an air-purifying respirator is available that can remove the contaminants; and

~~((C))~~ (iii) All criteria for the use of air-purifying respirators are met.

~~((iv))~~ (d) Level D protection should be used when:

~~((A))~~ (i) The atmosphere contains no known hazard; and

~~((B))~~ (ii) Work functions preclude splashes, immersion, or the potential for unexpected inhalation of or contact with hazardous levels of any chemicals.

Note: As stated before combinations of personal protective equipment other than those described for Levels A, B, C, and D protection may be more appropriate and may be used to provide the proper level of protection.

(9) As an aid in selecting suitable chemical protective clothing, it should be noted that the National Fire Protection Association is developing standards on chemical protective clothing. These standards are currently undergoing public review prior to adoption, including:

(a) NFPA 1991 - Standard on Vapor-Protective Suits for Hazardous Chemical Emergencies (EPA Level A Protective Clothing);

(b) NFPA 1991 - Standard on Liquid Splash-Protective Suits for Hazardous Chemical Emergencies (EPA Level B Protective Clothing);

(c) NFPA 1993 - Standard on Liquid Splash-Protective Suits for Nonemergency, Nonflammable Hazardous Chemical Situations (EPA Level B Protective Clothing).

(10) These standards would apply documentation and performance requirements to the manufacture of chemical protective suits. Chemical protective suits meeting these requirements would be labelled as compliant with the appropriate standard. When these standards are adopted by the National Fire Protection Association, it is recommended that chemical protective suits which meet these standards be used.

AMENDATORY SECTION (Amending Order 88-23, filed 10/6/88, effective 11/7/88)

WAC 296-62-3180 APPENDIX C—COMPLIANCE GUIDELINES. (1) Occupational safety and health program. Each hazardous waste site clean-up effort will require an occupational safety and health program headed by the site coordinator or the employer's representative. The purpose of the program will be ~~designed for~~ the protection of employees at the site and will be an extension of the employer's overall safety and health program. The ~~purpose of the~~ program will need to be developed before work begins on the site and implemented as work proceeds as stated in WAC 296-62-3010. The program is to facilitate coordination and communication of safety and health issues among personnel responsible for the various activities which will take place at the site. It will provide the overall means for planning and implementing the needed safety and health training and job orientation of employees who will be working at the site. The program will provide the means for identifying and controlling worksite hazards and the means for monitoring program effectiveness. The program will need to cover the responsibilities and authority of the site coordinator or the employer's manager on the site for the safety and health of employees at

the site, and the relationships with contractors or support services as to what each employer's safety and health responsibilities are for their employees on the site. Each contractor on the site needs to have its own safety and health program so structured that it will smoothly interface with the program of the site coordinator or principal contractor. Also those employers involved with treating, storing, or disposal of hazardous waste as covered in WAC 296-62-3140 must have implemented a safety and health plan for their employees. This program is to include the hazard communication program required in WAC 296-62-3140(1) and the training required in WAC 296-62-3140 (4) and (5) as parts of the employers comprehensive overall safety and health program. This program is to be in writing.

(a) Each site or workplace safety and health program will need to include the following:

(i) Policy statements of the line of authority and accountability for implementing the program, the objectives of the program and the role of the site safety and health officer or manager and staff;

(ii) Means or methods for the development of procedures for identifying and controlling workplace hazards at the site;

(iii) Means or methods for the development and communication to employees of the various plans, work rules, standard operating procedures and practices that pertain to individual employees and supervisors;

(iv) Means for the training of supervisors and employees to develop the needed skills and knowledge to perform their work in a safe and healthful manner;

(v) Means to anticipate and prepare for emergency situations; and

(vi) Means for obtaining information feedback to aid in evaluating the program and for improving the effectiveness of the program. The management and employees should be trying continually to improve the effectiveness of the program thereby enhancing the protection being afforded those working on the site.

(b) Accidents on the site should be investigated to provide information on how such occurrences can be avoided in the future. When injuries or illnesses occur on the site or workplace, they will need to be investigated to determine what needs to be done to prevent this incident from occurring again. Such information will need to be used as feedback on the effectiveness of the program and the information turned into positive steps to prevent any reoccurrence. Receipt of employee suggestions or complaints relating to safety and health issues involved with site or workplace activities is also a feedback mechanism that ~~((needs to))~~ can be used effectively to improve the program and may serve in part as an evaluative tool(s).

~~((2)) Training:~~

~~(a) The employer is encouraged to utilize those training programs that have been recognized by the National Institute of Environmental Health Sciences through its training grants program. These training and educational programs are being developed for the employees who work directly with hazardous substances. For further information about these programs contact: National Institute of Environmental Health Sciences, P.O. Box 12233, Research Triangle Park, NC 27709.~~

~~(b)) (c) For the development and implementation of the program to be the most effective, professional safety and health personnel should be used. Certified safety professionals, board-certified industrial hygienists, or registered professional safety engineers are good examples of professional stature for safety and health managers who will administer the employer's program.~~

(2) The training programs for employees subject to the requirements of WAC 296-62-3040 are expected to address: The safety and health hazards employees should expect to find on sites; what control measures or techniques are effective for those hazards; what monitoring procedures are effective in characterizing exposure levels; what makes an effective employer's safety and health program; what a site safety and health plan should include; hands-on training with personal protective equipment and clothing they may be expected to use; the contents of the WISHA standard relevant to the employee's duties and functions; and, employee's responsibilities under WISHA and other regulations. Supervisors will need training in their responsibilities under the safety and health program and its subject areas such as the spill containment program, the personal protective equipment program, the medical surveillance program, the emergency response plan and other areas.

~~((c) Training programs for emergency service organizations are available from the United States National Fire Academy, Emmitsburg, MD and the various state fire training schools. The International Society of Fire Service Instructors, Ashland, MA is another resource.~~

~~(d)) (a) The training programs for employees subject to the requirements of WAC 296-62-3140 should address: The employers safety and health program elements impacting employees; the hazard communication program; the medical surveillance program; the hazards and the controls for such hazards that employees need to know for their job duties and functions. All require annual refresher training.~~

(b) The training programs for employees covered by the requirements of WAC 296-62-3110(3) ~~((are expected to))~~ will address those competencies required for the various levels of response such as: The hazards associated with hazardous substances; hazard identification and awareness; notification of appropriate persons; the need for and use of personal protective equipment including respirators; the decontamination procedures to be used; preplanning activities for hazardous substance incidents including the emergency response plan; company standard operating procedures for hazardous substance emergency responses; the use of the incident command system and other subjects. Hands-on training should be stressed whenever possible. Critiques done after an incident which include any evaluation of what worked, and what did not, and how can we do better the next time, may be counted as training time.

~~((e)) (c) For hazardous materials specialists (usually members of hazardous materials teams), the training will need to address the care, use and/or testing of chemical protective clothing including totally encapsulating suits, the medical surveillance program, the standard operating procedures for the hazardous~~

materials team including the use of plugging and patching equipment and other subject areas.

~~((f))~~ (d) Officers and leaders who may be expected to be in charge at an incident will need to be fully knowledgeable of their company's incident command system. They will need to know where and how to obtain additional assistance and be familiar with the local district's emergency response plan and the state emergency response plan.

~~((g))~~ (e) Specialist employees such as technical experts ~~((or))~~, medical experts, or environmental experts that work with hazardous materials in their regular jobs, who may be sent to the incident scene by the shipper, manufacturer or governmental agency to advise and assist the person in charge of the incident ~~((need not have monthly training sessions, however, they will be required to have the twenty-four hours of))~~ will have training on an annual basis. Their training must include the care and use of personal protective equipment including respirators; knowledge of the incident command system and how they are to relate to it; and those areas needed to keep them current in their respective field as it relates to safety and health involving specific hazardous substances.

~~((h))~~ (f) Those skilled support personnel, such as employees who work for public works departments or ~~((special))~~ equipment operators who operate bulldozers, sand trucks, backhoes, etc., who may be called to the incident scene to provide emergency support assistance, will need to have at least a safety and health briefing before entering the area of potential or actual exposure. These specially skilled ~~((persons))~~ support personnel, who have not been a part of the emergency plan and do not meet the ~~((required))~~ training ~~((hours))~~ requirements, must be made aware of the hazards they face and be provided all necessary protective clothing and equipment required for their tasks. ~~((If respirators are to be worn, the specially skilled person shall be trained in accordance with WAC 296-62-071 through 296-62-07121 before proceeding into the hazardous area to do their assigned job.))~~

(3) Decontamination. Decontamination procedures ~~((should))~~ will be tailored to the specific hazards of the site and will vary in complexity, and number of steps, depending on the level of hazard and the employee's exposure to the hazard. Decontamination procedures and PPE decontamination methods will vary depending upon the specific substance, since one procedure or method will not work for all substances. Evaluation of decontamination methods and procedures should be performed, as necessary, to assure that employees are not exposed to hazards by reusing PPE. References in WAC 296-62-3190, Appendix D, may be used for guidance in establishing an effective decontamination program. In addition, the United States Coast Guard Manual, "Policy Guidance for Response to Hazardous Chemical Releases," United States Department of Transportation, Washington, D.C. (COMDTINST M16465.30), is a good reference for establishing an effective decontamination program.

(4) Emergency response plans. States, along with designated districts within the states, will be developing or

have developed emergency response plans. These ~~((district))~~ state and ~~((state))~~ district plans are to be utilized in the emergency response plans called for in this standard. Each employer needs to assure that its emergency response plan is compatible with the local plan. ~~((In addition, the chemical manufacturers' association (CMA) is another helpful resource in formulating an effective emergency response plan. Also the current Emergency Response Guidebook from the United States Department of Transportation, CMA's CHEMTREC and the Fire Service Emergency Management Handbook should be used as resources.))~~ The major reference being used to aid in developing the state and local district plans is the Hazardous Materials Emergency Planning Guide, NRT-1. The current Emergency Response Guidebook from the United States Department of Transportation, CMA's CHEMTREC and the Fire Service Emergency Management Handbook may also be used as resources.

Employers involved with treatment, storage, and disposal facilities for hazardous waste, which have the required contingency plan called for by their permit, would not need to duplicate the same planning elements. Those items of the emergency response plan that are properly addressed in the contingency plan may be substituted into the emergency response plan required in WAC 296-62-3112 or otherwise kept together for employer and employee use.

(5) Personal protective equipment programs. The purpose of personal protective clothing and equipment (PPE) is to shield or isolate individuals from the chemical, physical, and biologic hazards that may be encountered at a hazardous substance site.

(a) As discussed in Appendix B, no single combination of protective equipment and clothing is capable of protecting against all hazards. Thus PPE should be used in conjunction with other protective methods and its effectiveness evaluated periodically.

(b) The use of PPE can itself create significant worker hazards, such as heat stress, physical and psychological stress, and impaired vision, mobility, and communication. For any given situation, equipment and clothing will be selected that provide an adequate level of protection. However, over-protection, as well as under-protection, can be hazardous and should be avoided where possible.

(c) Two basic objectives of any PPE program will be to protect the wearer from safety and health hazards, and to prevent injury to the wearer from incorrect use and/or malfunction of the PPE. To accomplish these goals, a comprehensive PPE program will include hazard identification, medical monitoring, environmental surveillance, selection, use, maintenance, and decontamination of PPE and its associated training.

(d) The written PPE program will include policy statements, procedures, and guidelines. Copies will be made available to all employees and a reference copy will be made available at the worksite. Technical data on equipment, maintenance manuals, relevant regulations, and other essential information will also be collected and maintained.

(6) Incident command system (ICS). WAC 296-62-3112 (3)(b) requires the implementation of an ICS. The

ICS is an organized approach to effectively control and manage operations at an emergency incident. The individual in charge of the ICS is the senior official responding to the incident. The ICS is not much different than the "command post" approach used for many years by the fire service. During large complex fires involving several companies and many pieces of apparatus, a command post would be established. This enables one individual to be in charge of managing the incident, rather than having several officers from different companies making separate, and sometimes conflicting, decisions. The individual in charge of the command post would delegate responsibility for performing various tasks to subordinate officers. Additionally, all communications were routed through the command post to reduce the number of radio transmissions and eliminate confusion. However, strategy, tactics, and all decisions were made by one individual.

(a) The ICS is a very similar system, except it is implemented for emergency response to all incidents, both large and small, that involve hazardous substances.

(b) For a small incident, the individual in charge of the ICS may perform many tasks of the ICS. There may not be any, or little, delegation of tasks to subordinates. For example, in response to a small incident, the individual in charge of the ICS, in addition to normal command activities, may become the safety officer and may designate only one employee (with proper equipment) as a back-up to provide assistance if needed. WISHA does recommend, however, that at least two employees be designated as back-up personnel since the assistance needed may include rescue.

(c) To illustrate the operation of the ICS, the following scenario might develop during a small incident, such as an overturned tank truck with a small leak of flammable liquid.

(d) The first responding senior officer would implement and take command of the ICS. That person would size-up the incident and determine if additional personnel and apparatus were necessary; would determine what actions to take to control the leak; and, determine the proper level of personal protective equipment. If additional assistance is not needed, the individual in charge of the ICS would implement actions to stop and control the leak using the fewest number of personnel that can effectively accomplish the tasks. The individual in charge of the ICS then would designate him or herself as the safety officer and two other employees as a back-up in case rescue may become necessary. In this scenario, decontamination procedures would not be necessary.

(e) A large complex incident may require many employees and difficult, time-consuming efforts to control. In these situations, the individual in charge of the ICS will want to delegate different tasks to subordinates in order to maintain a span of control that will keep the number of subordinates, that are reporting, to a manageable level.

(f) Delegation of tasks at large incidents may be by location, where the incident scene is divided into sectors, and subordinate officers coordinate activities within the sector that they have been assigned.

(g) Delegation of tasks can also be by function. Some of the functions that the individual in charge of the ICS may want to delegate at a large incident are: Medical services; evacuation; water supply; resources (equipment, apparatus); media relations; safety; and, site control (integrate activities with police for crowd and traffic control). Also for a large incident, the individual in charge of the ICS will designate several employees as back-up personnel; and a number of safety officers to monitor conditions and recommend safety precautions.

(h) Therefore, no matter what size or complexity an incident may be, by implementing an ICS there will be one individual in charge who makes the decisions and gives directions; and, all actions and communications are coordinated through one central point of command. Such a system should reduce confusion, improve safety, organize and coordinate actions, and should facilitate effective management of the incident.

(7) Site safety and control plans.

(a) The safety and security of response personnel and others in the area of an emergency response incident site should be of primary concern to the incident commander. The use of a site safety and control plan could greatly assist those in charge of assuring the safety and health of employees on the site.

(b) A comprehensive site safety and control plan should include the following: Summary analysis of hazards on the site and a risk analysis of those hazards; site map or sketch; site work zones (clean zone, transition or decontamination zone, work or hot zone); use of the buddy system; site communications; command post or command center; standard operating procedures and safe work practices; medical assistance and triage area; hazard monitoring plan (air contaminant monitoring, etc.); decontamination procedures and area; and other relevant areas. This plan should be a part of the employer's emergency response plan or an extension of it to the specific site.

(8) Medical surveillance programs.

(a) Workers handling hazardous substances may be exposed to toxic chemicals, safety hazards, biologic hazards, and radiation. Therefore, a medical surveillance program is essential to assess and monitor workers' health and fitness for employment in hazardous waste operations and during the course of work; to provide emergency and other treatment as needed; and to keep accurate records for future reference.

(b) The Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities developed by the National Institute for Occupational Safety and Health (NIOSH), the Occupational Safety and Health Administration (OSHA), the United States Coast Guard (USCG), and the Environmental Protection Agency (EPA); October 1985 provides an excellent example of the types of medical testing that should be done as part of a medical surveillance program.

AMENDATORY SECTION (Amending Order 88-23, filed 10/6/88, effective 11/7/88)

WAC 296-62-3190 APPENDIX D-REFERENCES. The following references may be consulted for further information on the subject of this notice:

(1) (~~WISHA Guidelines for Superfund and Other Hazardous Waste Site Activities, W.R.D. 84-13 as amended, October 24, 1986~~) OSHA Instruction DFO CPL 2.70 - January 29, 1986, Special Emphasis Program: Hazardous Waste Sites.

(2) (~~WISHA Hazardous Waste Activity Form, July 1986, WISHA Form F413-016-000~~) OSHA Instruction DFO CPL 2-2.37A - January 29, 1986, Technical Assistance and Guidelines for Superfund and Other Hazardous Waste Site Activities.

(3) OSHA Instruction DTS CPL 2.74 - January 29, 1986, Hazardous Waste Activity Form, OSHA 175.

(4) Hazardous Waste Inspections Reference Manual, U.S. Department of Labor, Occupational Safety and Health Administration, 1986.

((4)) (5) Memorandum of Understanding Among the National Institute for Occupational Safety and Health, the Occupational Safety and Health Administration, the United States Coast Guard, and the United States Environmental Protection Agency; Guidance for Worker Protection During Hazardous Waste Site Investigations and Clean-up and Hazardous Substance Emergencies; December 18, 1980.

((5)) (6) National Priorities List, 1st Edition, October 1984; U.S. Environmental Protection Agency, Revised periodically.

((6)) (7) The Decontamination of Response Personnel, Field Standard Operating Procedures (F.S.O.P.) 7; U.S. Environmental Protection Agency, Office of Emergency and Remedial Response, Hazardous Response Support Division, December 1984.

((7)) (8) Preparation of a Site Safety Plan, Field Standard Operating Procedures (F.S.O.P.) 9; U.S. Environmental Protection Agency, Office of Emergency and Remedial Response, Hazardous Response Support Division, April 1985.

((8)) (9) Standard Operating Safety Guidelines; U.S. Environmental Protection Agency, Office of Emergency and Remedial Response, Hazardous Response Support Division, Environmental Response Team; November 1984.

((9)) (10) Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities, National Institute for Occupational Safety and Health (NIOSH), Occupational Safety and Health Administration (OSHA), U.S. Coast Guard (USCG), and Environmental Protection Agency (EPA); October 1985.

((10)) (11) Protecting Health and Safety at Hazardous Waste Sites: An Overview, U.S. Environmental Protection Agency, EPA/625/9-85/006; September 1985.

((11)) (12) Hazardous Waste Sites and Hazardous Substance Emergencies, NIOSH Worker Bulletin, U.S. Department of Health and Human Services, Public Health Service, Centers for Disease Control, National Institute for Occupational Safety and Health; December 1982.

((12)) (13) Personal Protective Equipment for Hazardous Materials Incidents: A Selection Guide; U.S.

Department of Health and Human Services, Public Health Service, Centers for Disease Control, National Institute for Occupational Safety and Health; October 1984.

((13)) (14) Fire Service Emergency Management Handbook, International Association of Fire Chiefs Foundation, 101 East Holly Avenue, Unit 10B, Sterling, VA 22170, January 1985.

((14)) (15) Emergency Response Guidebook, U.S. Department of Transportation, Washington, D.C., ((1983)) 1987.

((15)) (16) Report to the Congress on Hazardous Materials Training, Planning and Preparedness, Federal Emergency Management Agency, Washington, D.C., July 1986.

((16)) (17) Workbook for Fire Command, Alan V. Brunacini and J. David Beageron, National Fire Protection Association, Batterymarch Park, Quincy, MA 02269, 1985.

((17)) (18) Fire Command, Alan V. Brunacini, National Fire Protection, Batterymarch Park, Quincy, MA 02269, 1985.

((18)) (19) Incident Command System, Fire Protection Publications, Oklahoma State University, Stillwater, OK 74078, 1983.

((19)) (20) Site Emergency Response Planning, Chemical Manufacturers Association, Washington, D.C., 20037, 1986.

(21) Hazardous Materials Emergency Planning Guide, NRT-1, Environmental Protection Agency, Washington, D.C., March 1987.

(22) Community Teamwork: Working Together to Promote Hazardous Materials Transportation Safety, U.S. Department of Transportation, Washington, D.C., May 1983.

(23) Disaster Planning Guide for Business and Industry, Federal Emergency Management Agency, Publication No. FEMA 141, August 1987.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 296-62-3150 START-UP DATES.

AMENDATORY SECTION (Amending Order 85-30, filed 10/22/85)

WAC 296-65-001 PURPOSE AND SCOPE. This standard regulates asbestos removal and encapsulation, requires ~~(minimum training for asbestos workers and establishes a training certification and notification program for asbestos projects)~~ contractor certification, specifies minimum training for supervisors and workers on asbestos projects, requires notification of asbestos projects, and establishes a training course approval program. This standard applies to the removal or encapsulation of any asbestos containing material with the exception of those materials containing less than one percent asbestos by volume.

AMENDATORY SECTION (Amending Order 87-24, filed 11/30/87)

WAC 296-65-003 DEFINITIONS. Unless the context clearly requires otherwise, the definitions in this section apply throughout this ~~((chapter))~~ standard.

(1) "Approved" means approved by the department.

(2) "Asbestos" includes different forms of chrysotile, amosite, crocidolite, tremolite, anthophyllite and actinolite.

(3) "Asbestos fiber" means asbestos fiber as defined in WAC 296-62-07703.

(4) "Asbestos abatement project" means any asbestos project which is conducted primarily to remove or encapsulate asbestos-containing material (ACM). Removal of ACM which is ancillary to a maintenance task is not considered an abatement project as long as the amount of ACM removed is less than 48 square feet or 10 linear feet.

(5) "Asbestos project" includes the construction, demolition, repair, remodeling, maintenance or renovation of any public or private building or structure, mechanical piping equipment or system involving the demolition, removal, encapsulation, salvage, or disposal of material or outdoor activity releasing or likely to release asbestos fibers into the air. Removal of vinyl asbestos tile (VAT), and asphaltic roofing materials is excluded from this definition, unless these items are removed by mechanical methods such as chipping, grinding, sanding, or sawing. Also excluded is any project in which there is a disturbance of asbestos of less than one square foot of total surface area of asbestos-containing material (ACM), but this latter exclusion does not pertain to any disturbance of asbestos during a project dealing with pipe insulation. Also excluded from this definition is work on asbestos-cement water pipe provided such work is done in accordance with the latest edition of "Recommended Standard Asbestos-Cement Pipe Work Practice Procedures and Training Requirements" adopted and published by the Pacific Northwest Section of the American Water Works Association and as approved by the department.

~~((5))~~ "Auxiliary project" means a work activity which does not directly involve an asbestos project but which may disturb or expose asbestos or asbestos-containing materials:)

(6) "Certified asbestos contractor" means any partnership, firm, association, corporation or sole proprietorship, registered under chapter 18.27 RCW, that submits a bid, or contracts to remove or encapsulate asbestos for another and is certified by the department to remove or encapsulate asbestos.

(7) "Certificate" means ~~((the))~~ a certificate issued by the department.

~~((7))~~ (8) "Certified asbestos supervisor" means an individual who is certified by the department under WAC 296-65-012.

(9) "Certified asbestos worker" means an individual ((who has successfully completed an approved asbestos training course and has received the certificate.

(8) "Contractor" includes any partnership, firm, association, corporation or sole proprietorship that contracts

~~to perform the removal or encapsulation of asbestos) certified by the department under WAC 296-65-010.~~

~~((9))~~ (10) "Department" means the department of labor and industries.

~~((10))~~ (11) "Demolition" means the activity of razing a structure which includes the wrecking ((or)), removal, or dismantling of any load-supporting structural member of ((a)) any facility including any related handling operations.

~~((11))~~ (12) "Direct on-site supervision" means the supervision of no more than three workers by a certified asbestos ((worker)) supervisor who is physically present at all times at the asbestos project. It includes the authority to immediately correct any deficiencies on the project.

~~((12))~~ (13) "Director" means the director of the department of labor and industries or the director's designee.

(14) "Emergency project" means a project that was not planned but results from a sudden, unexpected event and includes operations which are necessitated by non-routine failures of equipment or systems.

(15) "Encapsulation" means the application of an encapsulant to asbestos containing materials to control the release of asbestos fibers into the air. The ((encapsulant)) encapsulation process either creates a membrane over the surface (bridging encapsulant) or penetrates the material and binds its components together (penetrating encapsulant).

~~((13))~~ (16) "HEPA filtration" means high-efficiency particulate air filtration found in respirators and vacuum systems capable of filtering 0.3 micron particles with 99.97% efficiency.

~~((14))~~ (17) "NESHAP" means the National Emission Standards for Hazardous Air Pollutants.

~~((15))~~ (18) "Owner" means the person who owns any public or private building, structure, facility, or mechanical system, or the remnants thereof, or the agent of such person, but does not include individuals who work on asbestos projects in their own single-family residences, no part of which is used for commercial purposes.

(19) "Person" means any individual, partnership, firm, association, corporation, sole proprietorship, or the state of Washington or its political subdivisions.

~~((16))~~ "Removal" includes the stripping of any asbestos-containing materials from the surface or components of a facility.

(17) "Renovation" includes altering in any way one or more facility components. Operations in which load-supporting structural members are wrecked or removed are excluded.

(18) "Repair" includes the restoration of asbestos containing insulation that has been damaged, usually located on pipes, boilers, tanks, turbines, ducts or other facility components. Repair usually consists of the application of duct tape, rewettable glass cloth, canvas, cement or other suitable material to seal exposed areas where asbestos fibers may be released. Repair of previously encapsulated asbestos containing materials may involve filling damaged areas with nonasbestos substitutes and reencapsulating. Repair of enclosures around

~~asbestos containing materials is contemplated by this term.~~

~~(19) "Structural component" includes any pipe, duct, boiler, tank, reactor, turbine or furnace at or in a facility or any structural member of a facility.~~

~~(20) "Structural member" means any load-supporting or non-load-supporting member of a facility such as beams, walls, and ceilings.~~

~~(21) "Structure" means an entire facility, building or major portion thereof, such as a building wing.)~~

(20) "Revocation" means a permanent withdrawal of a certification issued by the department.

(21) "Suspension" means a temporary withdrawal of a certification issued by the department. No suspension shall be less than six months or longer than one year.

AMENDATORY SECTION (Amending Order 87-24, filed 11/30/87)

WAC 296-65-005 ASBESTOS WORKER TRAINING COURSE CONTENT. An approved ~~((basic))~~ asbestos worker training course shall consist of at least thirty hours of training. ~~((The))~~ This initial training course shall provide, at a minimum, information on the following topics:

(1) The physical characteristics of asbestos including types, fiber size, aerodynamic characteristics and physical appearance.

(2) Examples of different types of asbestos and asbestos-containing materials. Real asbestos shall be used only for observation by trainees and shall be enclosed in sealed unbreakable containers.

(3) The health hazards of asbestos including the nature of asbestos related diseases, routes of exposure, dose-response relationships, synergism between cigarette smoking and asbestos exposure, latency period of diseases, hazards to immediate family, and the health basis for asbestos standards.

(4) Employee personal protective equipment including the classes and characteristics of respirator types, limitations of respirators, proper selection, inspection, donning, use, maintenance and storage procedure, methods for field checking of the facepiece-to-face seal (positive and negative-pressure checks), qualitative and quantitative fit testing procedures, variability between field and laboratory protection factors, factors that alter respirator fit (e.g., eye glasses and facial hair), the components of a proper respiratory protection program, respirator program administrator, requirements on oil lubricated reciprocating piston compressors for breathing air, and selection and use of personal protective clothing. Qualitative or quantitative fit testing shall be performed on at least one student for demonstration purposes and in accordance with WAC 296-62-07715 and 296-62-07739.

(5) Use, storage and handling of launderable clothing, nonslip footwear, gloves, eye protection and hard hats.

(6) Medical monitoring procedures and requirements, including the provisions of WAC 296-62-071 through 296-62-07121 and 296-62-07725, any additional recommended procedures and tests, benefits of medical monitoring and employee access to records.

(7) Air monitoring procedures and requirements specified in WAC 296-62-07709, including a description of equipment, sampling methods and strategies, reasons for air monitoring, types of samples, including area, personal and clearance samples, current standards with proposed changes if any, employee observation and notification, recordkeeping and employee access to records, interpretation of air monitoring results, and analytical methods for bulk and air samples.

(8) State-of-the-art work practices for asbestos removal and encapsulation activities including purpose, proper construction and maintenance of barriers and decontamination enclosure systems, posting of warning signs, electrical and ventilation system lock-out, proper working techniques and tools with vacuum attachments for minimizing fiber release, use of wet methods and surfactants, use of negative-pressure ventilation equipment for minimizing employee exposure to asbestos fibers and contamination prevention, scoring and breaking techniques for rigid asbestos products, glove bag techniques, use of HEPA vacuums and proper clean-up and disposal procedures. Work practice requirements for removal, encapsulation, enclosure ~~((and))~~, repair, and waste transportation shall be discussed individually. Appropriate work practices for both indoor and outdoor asbestos projects shall be included.

(9) Personal hygiene including entry and exit procedures for the work area, use of showers and prohibition of eating, drinking, smoking and chewing (gum or tobacco) in the work area.

(10) Additional safety hazards that may be encountered during asbestos removal and encapsulation activities and hazard abatement~~((;))~~, including electrical hazards, scaffold and ladder hazards, slips, trips and falls, confined spaces, noise, and heat stress.

(11) The requirements, procedures and standards established by:

(a) The Environmental Protection Agency, 40 CFR Part 61, Subparts A and M.

(b) Washington state department of ecology.

(c) Local air pollution control agencies.

(d) Washington state department of labor and industries, division of industrial safety and health, chapter 49.17 RCW (Washington Industrial Safety and Health Act), chapter ~~((49.17))~~ 49.26 RCW (Health and safety—Asbestos), and ensuing regulations.

(12) Actual worksite considerations.

(13) The instruction required by this section shall include, at a minimum, hands-on training for the following:

(a) Glove bag techniques;

(b) The opportunity to don respirators including half facepiece and full facepiece air purifying respirators, powered air purifying respirators (PAPR), and Type-C supplied-air respirators~~((Qualitative or quantitative fit testing shall be performed on each student in accordance with WAC 296-62-07715 and 296-62-07739))~~;

(c) Removal ~~((and repair))~~ of sprayed-on ~~((material))~~ or troweled-on material, and pipe lagging;

(d) Basic construction of a decontamination unit, and proper entry and exit;

(e) Suit-up in protective clothing consisting of coveralls, foot coverings and head coverings.

(14) Asbestos-containing materials shall not be used for hands-on training.

(15) In recognition that asbestos abatement is an evolving industry, the department reserves the right to require additional subjects to be taught and to specify the amount of time which shall be allotted to adequately cover required subjects. To assure adequate coverage of required material, each sponsor shall be provided and required to incorporate into the training course, a detailed outline of subject matter developed by the department.

NEW SECTION

WAC 296-65-007 ASBESTOS SUPERVISOR TRAINING COURSE CONTENT. An approved asbestos supervisor training course shall consist of at least thirty hours of training. This initial training course shall include lectures, demonstrations, at least six hours of hands-on training, course review and a written examination. Audio-visual materials, where appropriate, are recommended to complement lectures. The training course shall provide, at a minimum, information on the following topics:

(1) The physical characteristics of asbestos and asbestos-containing materials including identification of asbestos, aerodynamic characteristics, typical uses, physical appearance, hazard assessment considerations, and a summary of abatement control options.

(2) Health effects related to asbestos exposure including the nature of asbestos related diseases, routes of exposure, dose-response relationships and the lack of a safe level of exposure, synergism between asbestos exposure and cigarette smoking, latency period, hazards to the immediate family and the health basis for the standard.

(3) Employee personal protective equipment including the classes and characteristics of respirator types, limitations of respirators, proper selection, inspection, donning, use, maintenance, and storage procedures, methods for field checking of the facepiece-to-face seal (positive and negative pressure checks), variability between field and laboratory protection factors, quantitative and qualitative fit test requirements, factors that alter respirator fit (facial hair, scars, etc.), the components of a proper respirator program, requirements for oil lubricated reciprocating compressors, maintenance of Type-C systems, standards for breathing air, selection and use of personal protective clothing, use, storage, and handling of nondisposable clothing, and regulations covering personal protective equipment.

(4) State-of-the-art work practices for asbestos removal and encapsulation activities including purpose, proper construction and maintenance of barriers and decontamination enclosure systems, posting of warning signs, electrical and ventilation system lock-out, proper working techniques and tools with vacuum attachments for minimizing fiber release, use of wet methods and surfactants, use of negative-pressure ventilation equipment for minimizing employee exposure to asbestos fibers and contamination prevention, scoring and breaking

techniques for rigid asbestos products, glove bag techniques, use of HEPA vacuums and proper clean-up and disposal procedures. Work practice requirements for removal, encapsulation, and repair shall be discussed separately. Appropriate work practices for both indoor and outdoor asbestos projects shall be included.

(5) Personal hygiene including entry and exit procedures for the work area, use of showers and prohibition of eating, drinking, smoking, and chewing (gum and tobacco) in the work area. Potential exposures, such as family exposure shall also be included.

(6) Additional safety hazards that may be encountered during asbestos abatement activities and how to deal with them, including electrical hazards, heat stress, air contaminants other than asbestos, fire and explosion hazards, scaffold and ladder hazards, slips, trips, and falls, confined space entry requirements, and noise hazards.

(7) Medical monitoring procedures and requirements, including the provisions of WAC 296-62-071 through 296-62-07121 and 296-62-07725, any additional recommended procedures and tests, benefits of medical monitoring and recordkeeping requirements.

(8) Air monitoring procedures and requirements specified in WAC 296-62-07709, including a description of equipment, sampling methods and strategies, reasons for air monitoring, types of samples, including area, personal and clearance samples, a description of aggressive sampling, current standards with proposed changes if any, employee observation and notification, recordkeeping, interpretation of air monitoring results, specifically from analyses performed by polarized light, phase contrast, and electron microscopy.

(9) The requirements, procedures, and standards established by:

(a) The Environmental Protection Agency, 40 CFR Part 61, Subparts A and M.

(b) The Washington state department of ecology.

(c) Local air pollution control agencies.

(d) Washington state department of labor and industries, division of industrial safety and health, chapter 49.17 RCW (Washington Industrial Safety and Health Act), chapter 49.26 RCW (Health and safety—Asbestos), and ensuing regulations.

(10) Actual worksite considerations.

(11) Insurance and liability issues including contractor issues, industrial insurance coverage and exclusions, third party liabilities and defenses, private insurance coverage and exclusions, recordkeeping recommended for legal and insurance purposes.

(12) Supervisory techniques for asbestos abatement projects including supervisory practices to enforce and reinforce the required work practices and discourage unsafe work practices.

(13) Contract specifications including a discussion of the key elements to be included in contract specifications.

(14) Hands-on training for the following:

(a) Calibration of air-sampling equipment;

(b) Routine maintenance of air-purifying and air-supplied respirators;

(c) Setup of a decontamination unit including calculating the number of negative air machines needed as well as proper placement of the machines within the enclosure; and

(d) Quantitative and qualitative fit-testing protocols.

(15) In recognition that asbestos abatement is an evolving industry, the department reserves the right to require additional subjects to be taught and to specify the amount of time which shall be allotted to adequately cover required subjects. To assure adequate coverage of required material, each sponsor shall be provided and required to incorporate into their training course, a detailed outline of subject matter developed by the department.

AMENDATORY SECTION (Amending Order 85-30, filed 10/22/85)

WAC 296-65-010 ASBESTOS WORKER CERTIFICATION. (1) For the purposes of this section "individual" means any natural person.

(2) ~~((Individuals shall pass, in a manner approved by the department, a written examination relevant to the safe performance of asbestos related activities.~~

~~(a) Upon successful completion of an approved training course the department will issue a certificate.~~

~~(b) To be considered timely, an application for an asbestos worker certificate must be received by the department no later than 60 days after the completion date of an approved training course)) To qualify for an asbestos worker certificate, an individual must do the following:~~

~~(a) Successfully complete an approved asbestos worker training course;~~

~~(b) Achieve a score of at least seventy percent on a one hundred question multiple choice examination approved by the department but administered by the training course sponsor;~~

~~(c) Submit to the department a timely application validated by an approved training course sponsor. To be considered timely, an application must be received by the department not later than sixty days after the completion of the course. In the event that an application is not timely, the individual shall be required to pass, with a score of at least seventy percent, an examination administered by the department. A nonrefundable fifty dollar assessment shall be charged to take this examination; and~~

~~(d) Pay the fee prescribed in WAC 296-65-025.~~

(3) Individuals shall not perform any asbestos project work prior to issuance of the certificate.

~~((The)) (4) Certificates shall be issued and mailed to the individual applicants and shall be valid for ~~((two))~~ one year~~((s))~~ from the date of issuance.~~

~~((4)) (5) Certified asbestos workers shall attend a ~~((7))~~ seven-hour refresher course prior to certificate renewal.~~

(a) The course shall, at a minimum, adequately review the subjects required by WAC 296-65-005, update information on state-of-the-art procedures and equipment, and review regulatory changes and interpretations. Specific subjects may be required by the department.

(b) An application for renewal of the certificate must be ~~((accompanied by proof of attendance in an approved))~~ validated by the refresher training course instructor.

~~(c) ~~((To be considered timely, the certificate renewal application must be received by the department no later than 60 days after the certificate expiration date))~~ The refresher course must be taken prior to expiration of the certificate but may not be taken more than sixty days prior to expiration of the original or current certificate.~~

~~(d) The certificate renewal application must be received by the department no later than the expiration date of the current certificate. Applicants missing this renewal deadline shall be required to pass, with a score of seventy percent, an examination administered by the department. A nonrefundable fifty dollar fee will be charged to take this examination.~~

~~(e) Individuals whose certificates have been expired for more than six months will be required to retake the entire thirty-hour basic course.~~

~~((5)) (6) The certificate shall be available for inspection at all times during an asbestos project.~~

~~((6)) (7) The department may suspend or revoke a certificate ~~((for failure of the holder to comply with any applicable health or safety standards))~~ as provided in WAC 296-65-050 and chapter 296-350 WAC.~~

NEW SECTION

WAC 296-65-012 ASBESTOS SUPERVISOR CERTIFICATION. (1) For the purposes of this section, "individual" means any natural person.

(2) To qualify for an asbestos supervisor certificate, an individual must meet the following criteria:

(a) Have at least 1600 hours of experience in one or more of the following disciplines:

- (i) Asbestos abatement;
- (ii) Asbestos project design;
- (iii) Consultation on asbestos abatement projects;
- (iv) Operations and maintenance program supervision;
- (v) Construction project supervision;

(b) Possess a valid and current Washington state asbestos worker certificate;

(c) Successfully complete an approved asbestos supervisor training course;

(d) Achieve a score of at least seventy percent on a one hundred question multiple choice examination approved by the department but administered by the training course sponsor;

(e) Submit to the department a timely application validated by an approved training course sponsor. To be considered timely, an application must be received by the department not later than sixty days after the completion of the course. In the event that an application is not timely, the individual shall be required to pass, with a score of at least seventy percent, an examination administered by the department. A nonrefundable fifty dollar assessment shall be charged to take this examination; and

(f) Pay the fee prescribed in WAC 296-65-025.

(3) An individual shall not supervise any asbestos project prior to issuance of the certificate.

(4) Certificates shall be issued and mailed to the individual applicants and shall be valid for one year from the date of issuance.

(5) A certified asbestos supervisor shall attend a seven-hour supervisor refresher course prior to certificate renewal. It shall not be necessary to also take a worker refresher course.

(a) The course shall, at a minimum, adequately review the subjects required by WAC 296-65-007, update information on state-of-the-art procedures and equipment, and review regulatory changes and interpretations. Specific subjects may be required by the department.

(b) An application for renewal of the certificate must be validated by the refresher training course instructor.

(c) The refresher course must be taken prior to expiration of the certificate but may not be taken more than sixty days prior to expiration of the original or current certificate.

(d) The certificate renewal application must be received by the department no later than the expiration date of the current certificate. Applicants missing this renewal deadline shall be required to pass, with a score of seventy percent, an examination administered by the department. A nonrefundable fifty dollar fee will be charged to take this examination.

(e) Individuals whose certificates have been expired for more than six months will be required to retake the entire thirty-hour basic course.

(6) The certificate shall be available for inspection at all times during an asbestos project.

(7) The department may suspend or revoke a certificate as provided in WAC 296-65-050 and chapter 296-350 WAC.

(8) Individuals who have completed the "competent person" training previously recognized by the department after January 1, 1987, need not comply with the requirements set forth in subsection (2) of this section and shall be issued asbestos supervisor certificates provided the following conditions are met:

(a) Be a certified asbestos worker as prescribed in WAC 296-65-010 for at least one year;

(b) Provide documentation of successful completion of a recognized "competent person" training course;

(c) Pass, with a score of at least seventy percent, an examination administered by the department. A nonrefundable fifty dollar assessment shall be charged to take this examination; and

(d) This subsection shall expire on June 30, 1990. Thereafter any individual who has completed "competent person" training shall obtain an asbestos supervisor certificate by complying with the requirements set forth in subsection (2) of this section.

AMENDATORY SECTION (Amending Order 87-24, filed 11/30/87)

WAC 296-65-015 TRAINING COURSE ((CERTIFICATION)) APPROVAL. (1) Basic and refresher asbestos training courses may be ((provided)) sponsored

by any individual, person, ((environmental health consulting firm, union, trade association, educational institution, public health organization, individual, governmental agency,)) or other entity having department approval. Approval shall be contingent on the sponsor's compliance, as applicable, with licensing requirements established by the state board of vocational education.

((+)) (2) Prior to receiving department approval, each course shall be evaluated by the department for the breadth of knowledge and experience required to properly train asbestos workers or supervisors. Course content shall be carefully scrutinized for adequacy and accuracy. Training techniques will be evaluated by the department.

((2)) (3) Sponsors of basic and refresher training courses proposed for approval must submit:

(a) Background information about course sponsors;

(b) Course locations and fees;

(c) Copies of course handouts;

(d) A detailed description of course content and the amount of time allotted to each major topic;

(e) A description of teaching methods to be utilized and a list of all audio-visual materials; the department may, in its discretion, request that copies of the materials be provided for review. Any audio-visual materials provided to the department will be returned to the applicant;

(f) A list of all personnel involved in course preparation and presentation and a description of the background, special training and qualifications of each. The department may, in its discretion, require proposed instructors to pass an examination on subjects related to their respective topics of instruction;

(g) A description of student evaluation methods and a copy of the required written examination including the scoring methodology to be used in grading the examination;

(h) A description of course evaluation methods; and

(i) Any restrictions on attendance (language, class size, affiliation, etc.).

((+)) (4) Application for training course approval and course materials shall be submitted to the department at least ((forty-five)) sixty days prior to the requested approval date. Materials may be mailed to:

Asbestos Certification Program

Department of Labor and

Industries, HC-412

805 Plum Street S.E.

P.O. Box 207

Olympia, Washington 98504

((+)) (5) The decision to grant or renew approval of a basic or refresher asbestos training course((-)) shall be in the sole discretion of the department ((will issue the course sponsor a certificate. The certificate is valid for one year from the date of issuance. Application for renewal must follow the procedures described in subsections (2) and (3) of this section)).

Following approval of a basic or refresher asbestos training course, the department will issue the course sponsor an approval which is valid for one year from the date of issuance. Application for renewal must follow the

procedures described in subsections (3) and (4) of this section.

Following approval of a basic or refresher asbestos training course, in recognition that asbestos abatement is an evolving industry, the department reserves the right to require additional subjects to be taught and to specify the amount of time which shall be allotted to adequately cover required subjects. To assure adequate coverage of required material, each sponsor shall be provided and required to incorporate into their training course, a detailed outline of subject matter developed by the department.

~~((5))~~ (6) To be considered timely, the training course ~~(certificate)~~ approval renewal must be received by the department no later than ~~(sixty)~~ thirty days ~~(after)~~ before the certificate expiration date.

~~((6))~~ (7) Any changes to a training course must be approved by the department in advance.

~~((7))~~ (8) The course sponsor shall provide the department with a list of all persons who have completed a basic or refresher training course. The list must be provided no later than ten days after a course is completed and must include the name and address of each trainee.

~~((8))~~ (9) The course sponsor must notify the department, in writing, at least ~~((one week))~~ fourteen days before a training course is scheduled to begin. The notification must include the date, time and address where the training will be conducted.

~~((9))~~ (10) A representative of the department may, at the department's discretion, attend a training course as an observer to verify that the training course is conducted in accordance with the program approved by the department.

~~((10))~~ ~~The department may suspend or revoke the certification of a training course if its sponsor fails to maintain the course content and quality as initially approved.)~~

(11) Course sponsors conducting training outside the state of Washington shall reimburse the department for reasonable travel expenses associated with department audits of the training courses. Reasonable travel expenses are defined as current state of Washington per diem and travel allowance rates including airfare and/or surface transportation rates. Such reimbursement shall be paid within thirty days of receipt of the billing notice.

(12) The training course sponsor shall limit each class to a maximum of thirty participants.

~~((12))~~ (13) The instructor to student ratio shall not exceed one-to-ten for any of the training required by WAC 296-65-005(13).

(14) The department may terminate the training course approval, if in the department's judgment the sponsor fails to maintain the course content and quality as initially approved, or fails to make changes to a course as required by WAC 296-65-015(5).

Any "notice of termination of training course approval" issued by the department may act as an order of immediate restraint as described by RCW 49.17.130.

NEW SECTION

WAC 296-65-017 CONTRACTOR CERTIFICATION. (1) In order to obtain certification, an asbestos contractor must submit an application to the department. The application shall provide the following information:

(a) A list of asbestos projects conducted by the contractor during the previous twelve months. Such list shall include for each project:

(i) Project name;

(ii) Location;

(iii) Brief description;

(iv) Identity of any citations or enforcement actions issued for violations of asbestos regulations by any local, state, or federal jurisdiction relative to each individual project; and

(v) Name of the on-site project manager or supervisor.

(b) A list of asbestos supervisors (include certification number) working for the company.

(c) A statement certifying that the contractor has read and understands all applicable Washington state rules and regulations regarding asbestos abatement and will comply with them.

(d) A statement certifying that the applicant contractor's asbestos license or accreditation issued by any other state or jurisdiction has not been revoked, suspended, or denied by that state or jurisdiction.

(2) Upon approval, the department will issue the contractor a certificate. Denial of approval shall be in writing.

(3) Certificates shall be valid for a period of twelve months. Certificates may be extended during department review of a renewal application.

Note: In circumstances where it is necessary to coordinate an expiration date with the date of expiration of a contractor registration issued under chapter 18.27 RCW, certificates may be valid for less than one year. In such circumstances, the certificate fee prescribed in WAC 296-65-025 shall be prorated accordingly for the initial application only.

(4) The application for certificate renewal shall contain the information specified in subsection (1) of this section.

(5) Applications for renewal must be received by the department not less than sixty days before the certificate expires.

(6) The department may suspend or revoke the certificate as provided in WAC 296-65-050 and chapter 296-350 WAC.

AMENDATORY SECTION (Amending Order 87-24, filed 11/30/87)

WAC 296-65-020 NOTIFICATION REQUIREMENTS. ~~((A copy of any notice of intention to demolish or renovate a facility required to be filed with a federal, state, or local air pollution control agency shall be sent directly to the department by each person whose employees, if any, are renovating or demolishing any structure. Notices must be received within the same time~~

~~periods required by the federal, state, or local agency and may be mailed to:~~

~~Asbestos Certification Program
Department of Labor and
Industries, HC-412
805 Plum Street S.E.
P.O. Box 207
Olympia, Washington 98504.)~~

(1) Before any person or individual begins an asbestos project involving more than forty-eight square feet or ten linear feet, unless the surface area of the pipe is greater than forty-eight square feet, of asbestos containing material, written notification shall be provided to the department. Notices shall include:

- (a) Name and address of the owner and contractor.
- (b) Description of the facility including size, age, and prior use of the facility.
- (c) Amount of asbestos-containing material to be removed or encapsulated.
- (d) Location of the facility.
- (e) Exact starting and completion dates of the asbestos project, including shifts during which abatement work will be accomplished. These dates must correspond to the dates specified in the contract. Any change in these dates or work shifts shall be communicated to the department by an amended notice.

(f) Nature of the project and methods used to remove or encapsulate the material.

(2) Failure to provide such notification will result in the loss of the exemption specified in WAC 296-65-030.

(3) Notices must be received by the department no later than ten days prior to the start of the project. Notices shall be sent directly to the department of labor and industries regional office having jurisdiction on the project.

(4) The director may waive the prenotification requirement upon written request of an owner for large-scale, on-going projects. In granting such a waiver, the director shall require the owner to provide prenotification if significant changes in personnel, methodologies, equipment, work site, or work procedures occur or are likely to occur. The director shall further require annual resubmittal of such notification.

(5) The director, upon review of an owner's reports, work practices, or other data available as a result of inspections, audits, or other authorized activities, may reduce the size threshold for prenotification required by this section. Such a change shall be based on the director's determination that significant problems in personnel, methodologies, equipment, work site, or work procedures are creating the potential for violations of this chapter.

(6) Emergency projects which disturb or release asbestos into the air shall be reported to the department within three working days after commencement of the project in the manner otherwise required under this chapter. The employees, the employees' collective bargaining representative or employee representative, if any, and other persons at the project area shall be notified of the emergency as soon as possible by the person undertaking the emergency project. A notice describing the

nature of the emergency project shall be clearly posted adjacent to the work area.

(7) Incremental phasing in the conduct or design of asbestos projects or otherwise conducting or designing asbestos projects of a size less than the threshold exemption specified in subsection (1) of this section, with the intent of avoiding the notification requirements, is a violation of this chapter.

AMENDATORY SECTION (Amending Order 87-24, filed 11/30/87)

WAC 296-65-025 ((CERTIFICATE)) FEES. (1) A nonrefundable administrative fee of twenty-five dollars shall be assessed for each initial or renewal asbestos worker certificate application. The fee (check or money order) must accompany the certificate application and be made payable to the department. An application form may be obtained from any approved training course instructor or directly from the department.

(2) A nonrefundable administrative fee of ((one hundred fifty)) thirty-five dollars shall be assessed for each initial or renewal ((application for training course approval. A check or money order shall accompany any application made under the provisions of WAC 296-65-015 and be made payable to the department.)) asbestos supervisor certificate application. The fee (check or money order) must accompany the certificate application and be made payable to the department. An application form may be obtained from any approved training course instructor or directly from the department.

(3) A nonrefundable administrative fee of one thousand dollars shall be assessed for each initial or renewal contractor certificate application. The fee (check or money order) must accompany the certificate application and be made payable to the department. An application form may be obtained from the department.

Note: In circumstances where it is necessary to coordinate an expiration date with the date of expiration of a contractor registration issued under chapter 18.27 RCW, certificates may be valid for less than one year. In such circumstances, the certificate fee prescribed in WAC 296-65-025 shall be prorated accordingly for the initial application only.

(4) A nonrefundable administrative fee of one thousand dollars shall be assessed for each initial and renewal application for training course approval. A check or money order shall accompany any application made under the provisions of WAC 296-65-015.

AMENDATORY SECTION (Amending Order 87-06, filed 4/27/87)

WAC 296-65-030 METHODS OF COMPLIANCE. (1) ((No contractor, employee, or other individual is eligible to work on an asbestos project unless properly issued a certificate by the department, except in the case of an asbestos project undertaken by any partnership, firm, corporation or sole proprietorship in its own facility and by its own employees under the direct on-site supervision of a certified asbestos worker.

Note: This exception does not apply to the state of Washington or its political subdivisions.

~~(2) No person may assign any employee, contract with or permit any individual or person to remove or encapsulate asbestos in any facility unless performed by a certified asbestos worker except in the case of an asbestos project undertaken by any partnership, firm, corporation or sole proprietorship in its own facility and by its own employees under the direct on-site supervision of a certified asbestos worker.~~

~~Note:)) Before submitting a bid or working on an asbestos abatement project, any person or individual shall obtain an asbestos contractor certificate as provided in WAC 296-65-017 and shall have in its employ at least one certified asbestos supervisor responsible for supervising all asbestos projects undertaken by the contractor.~~

~~(2) A certified asbestos supervisor will not be required on projects involving less than forty-eight square feet or ten linear feet of asbestos-containing material unless the surface area of the pipe is greater than forty-eight square feet.~~

~~(3) No employee or other individual is eligible to do work or supervise an asbestos project without being issued a certificate by the department except, in the case of an asbestos project undertaken by any partnership, firm, association, corporation, or sole proprietorship, and conducted in its own facility and by its own employees under the direct, on-site supervision of a certified asbestos supervisor. This exception does not apply to the state of Washington or its political subdivisions.~~

~~((3) (a)) (4) No person may assign any employee, contract with, or permit any individual, to remove or encapsulate asbestos in any facility without the project being performed by a certified asbestos worker and under the direct, on-site supervision of a certified asbestos supervisor, except in the case of an asbestos project undertaken by any partnership, firm, association, corporation, or sole proprietorship, and conducted in its own facility and by its own employees under the direct, on-site supervision of a certified asbestos supervisor.~~

~~(5) Any partnership, firm, association, corporation, or sole proprietorship that begins any construction, renovation, remodeling, maintenance, repair, or demolition project without meeting the requirements of WAC 296-62-07707 and the notification requirements as provided in subsection (6) of this section, shall lose the exemptions provided in subsections (3) and (4) of this section.~~

~~(6) In cases excepted under subsections ((1)) (3) and ((2)) (4) of this section(, the partnership, firm, corporation or sole proprietorship shall annually submit a written description to the department which includes at least the following information):~~

~~(a) Direct, on-site supervision by a certified asbestos supervisor shall be required for asbestos projects performed at one project location by workers who are not certified.~~

~~(b) If a project is conducted using only certified workers, or if a certified worker functions as a foreman or lead person, supervision can be performed in the regular course of a supervisor's duties and need not be direct and on-site.~~

~~(c) The partnership, firm, association, corporation, or sole proprietorship shall annually submit, to the department, a written description which includes at least the following information:~~

~~(i) The kinds of asbestos projects expected to be undertaken during a period of time not to exceed one year from the date of submission;~~

~~(ii) The procedures to be used in undertaking the asbestos projects;~~

~~(iii) Methods of compliance with ((chapters 296-62, 296-65, and 296-155 WAC)) applicable department regulations;~~

~~(iv) Methods of compliance with any additional procedures required by law for the safe demolition, removal, encapsulation, salvage, and disposal of asbestos; ((and))~~

~~(v) A copy of the written inspection report or statement as required by WAC 296-62-07707; and~~

~~(vi) The name, address and certification number of the supervising certified asbestos ((worker)) supervisor.~~

~~((b)) (7) The written descriptions required ((by)) in this section shall be submitted to the department prior to ((commencement of work)) commencing any project described.~~

~~((4)) (8) A further written description must be submitted to the department prior to commencing a project, if previously unidentified or new asbestos projects are proposed during the one year period covered by the written description submitted to the department in accordance with ((WAC 296-65-030(3), previously unidentified or new asbestos projects are proposed)) subsection (6) of this section.~~

~~((5)) (9) Written descriptions, shall be mailed to:~~

Asbestos Certification Program,
Department of Labor and
Industries, HC-412
805 Plum Street S.E.
P.O. Box 207
Olympia, Washington 98504.

~~(10) In addition to losing the exemption in subsection (5) of this section, any partnership, firm, association, corporation, or sole proprietorship who fails to comply with subsections (6) through (9) of this section shall be subject to a mandatory fine of not less than two hundred fifty dollars for each violation. Each day the violation continues shall be considered a separate violation. In addition, any construction, renovation, remodeling, maintenance, repair, or demolition which was started without meeting the requirements of this section shall be halted immediately and cannot be resumed before meeting such requirements.~~

NEW SECTION

WAC 296-65-035 RECIPROCITY. (1) The department may recognize certifications issued by another state for asbestos workers or supervisors provided that:

(a) The worker is in possession of a currently valid certification from the other state; and

(b) The department evaluates the other state's qualification procedures and determines the certification to be equivalent to the minimum requirements of this chapter.

(2) When the department's evaluation of another state's qualification procedures identifies that equivalent requirements are met, the department is authorized to issue a Washington state certification upon receipt of a completed application.

(3) When the department's evaluation of another state's qualification procedures identifies deficiencies, the department may require specific supplemental training and/or examination before issuing a Washington state certification.

NEW SECTION

WAC 296-65-050 DENIAL, SUSPENSION, AND REVOCATION OF CERTIFICATES. (1) The department may deny, suspend, or revoke a certificate for failure of the holder to comply with any requirement of this chapter or any applicable health and safety standards and regulations.

(2) In addition to any civil penalty imposed under WAC 296-62-07707 and 296-65-030, the department may suspend or revoke any certificate issued under this chapter for a period of not less than six months upon the following grounds:

(a) The certificate was obtained through error or fraud; or

(b) The holder thereof is judged to be incompetent to carry out the work for which the certificate was issued.

(3) Before any certificate may be denied, suspended, or revoked, the holder thereof shall be given written notice of the department's intention to do so, mailed by registered mail, return receipt requested, to the holder's last known address. The notice shall enumerate the allegations against such holder and shall give him or her the opportunity to request a conference before the department. At such conference, the department and the holder shall have opportunity to produce witnesses and give testimony.

(4) A denial, suspension, or revocation order may be appealed to the board of industrial insurance appeals within fifteen working days after the denial, suspension, or revocation order is entered. The notice of appeal may be filed with the department or the board of industrial insurance appeals. The board of industrial insurance appeals shall hold the hearing in accordance with procedures established in RCW 49.17.140. Any party aggrieved by an order of the board of industrial insurance appeals may obtain superior court review in the manner provided in RCW 49.17.150.

AMENDATORY SECTION (Amending Order 80-20, filed 11/13/80)

WAC 296-115-030 MASTER'S EXAMINATION AND LICENSING. (1) The registered owner of passenger vessels or barges for hire (~~will be~~) is responsible to (~~require a United States Coast Guard~~) obtain an operator's license from the United States Coast Guard or the department for the master or operator of each vessel. A physical examination will be required.

(2) The department shall penalize any person who acts as a master or operator on a vessel without having

first received a United States Coast Guard or department license, or without having a valid license in his or her possession, or upon a vessel or class of vessels not specified in the license.

(3) The department may recommend suspension or revocation of a license to the United States Coast Guard for intemperance, incompetency, or a negligent, reckless, or willful disregard for duty.

AMENDATORY SECTION (Amending Order 80-20, filed 11/13/80)

WAC 296-115-120 ANNUAL FEE SCHEDULE.

~~((ANNUAL CERTIFICATE OF INSPECTION FEE~~

| | |
|--|-----------------|
| Passenger vessels up to 30 ft. long |\$ 55.00 |
| Passenger vessels 30 ft. long to 50 ft. long | ...\$ 67.50 |
| Passenger vessels 50 ft. long and over |\$ 87.50)) |

(1) The annual license fee for passenger vessels or barges is \$250.00 plus \$2.00 per ton for each vessel.

(2) The fee for an operator's license for passenger vessels or barges is \$50.00 for the first year; this covers application and test costs. The renewal fee is \$25.00 annually.

(3) Additional inspection service when required (~~with be~~) is at the rate of \$25.00 per hour, plus travel and per diem.

WSR 89-21-019
NOTICE OF PUBLIC MEETINGS
SEATTLE COMMUNITY COLLEGES
[Memorandum—October 4, 1989]

The board of trustees of Seattle Community College District has scheduled a board of trustees work session, to be held at 1:00 p.m. on Tuesday, November 14, 1989, at North Seattle Community College, 9600 College Way North, Seattle, WA 98103.

WSR 89-21-020
PERMANENT RULES
BOARD OF HEALTH
[Order 336—Filed October 10, 1989, 10:45 a.m.]

Be it resolved by the Washington State Board of Health, acting at West Coast Sea-Tac Hotel, Seattle, Washington, that it does adopt the annexed rules relating to chapter 248-54 WAC, Public water systems.

This action is taken pursuant to Notice No. WSR 89-17-130 filed with the code reviser on August 23, 1989.

These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to P.L. 99-339 Federal Safe Drinking Water Act Amendments and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 13, 1989.
By John A. Beare, M.D., M.P.H.
Secretary

AMENDATORY SECTION (Amending Order 307, filed 2/17/88)

WAC 248-54-005 PURPOSE AND SCOPE. (1) The purpose of these rules is to define basic regulatory requirements and to protect the health of consumers using public drinking water supplies ((and to provide basic regulatory requirements for)).

(2) The rules of this chapter are specifically designed to ensure:

(a) Adequate design, construction, sampling, management, and operation practices; and

(b) Provision of high quality drinking water in a reliable manner and in a quantity suitable for intended use.

~~((2))~~ (3) Purveyors shall be responsible for complying with the regulatory requirements of this chapter.

(4) These rules are intended to conform with the intent of P.L. 93-523, the Federal Safe Drinking Water Act of 1974, and the Safe Drinking Water Act Amendments of 1986, ((Public Law)) P.L. 99-339.

~~((3))~~ (5) The rules set forth are adopted ((per)) under chapter 43.20 RCW. Other statutes relating to this chapter are:

(a) Chapter 43.20A RCW, Department of social and health services;

(b) Chapter 43.XXXXX RCW (chapter 9, Laws of 1989 1st Extraordinary Session), department of health;

(c) Chapter 70.05 RCW, Local health department, boards, officers—Regulations;

~~((c))~~ (d) Chapter 70.116 RCW, Public Water System Coordination Act of 1977;

~~((d))~~ (e) Chapter 70.119 RCW, Public water supply systems—Certification and regulation of operators; and

~~((e))~~ (f) Chapter 70.119A RCW, Public water supply systems—Penalties and compliance.

NEW SECTION

WAC 248-54-006 APPLICABILITY. (1) Public water system shall mean any system, excluding a system serving only one single-family residence, providing piped water for human consumption, including any:

(a) Collection, treatment, storage, or distribution facilities under control of the purveyor and used primarily in connection with such system; and

(b) Collection or pretreatment storage facilities not under control of the purveyor primarily used in connection with such system.

(2) The rules of this chapter shall apply to all public water systems except public water systems meeting the following conditions:

(a) Consists only of distribution and/or storage facilities and does not have any source or treatment facilities;

(b) Obtains all of its water from, but is not owned by, a public water system where the rules of this chapter apply;

(c) Does not sell water directly to any person;

(d) The water distribution facilities are subject to inspection or regulation by a state or local agency other than the department. Bottled water operations fall under Federal Food and Drug Administration regulations, but must obtain water from a source approved by the department or local health jurisdiction; and

(e) Is not a passenger-conveying carrier in interstate commerce.

(3) Public water systems shall be categorized as follows:

(a) A Group A water system shall be a system:

(i) With fifteen or more service connections, regardless of the number of people; or

(ii) 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.

Group A water systems are further defined as community and noncommunity water systems.

(b) Community (residential) water system means any Group A public water system:

(i) With fifteen or more service connections used by residents for one hundred eighty or more days within a calendar year, regardless of the number of people; or

(ii) Regularly serving twenty-five or more residents for one hundred eighty or more days within the calendar year, regardless of the number of service connections.

Examples of a community (residential) water system might include a municipality, subdivision, mobile home park, apartment complex, college with dormitories, nursing home, or prison.

(c) Noncommunity water system means a Group A public water system which is not a community (residential) water system. Noncommunity water systems are further defined as:

(i) Nontransient (NTNC) (school/business/industry) water system means a noncommunity water system regularly serving twenty-five or more of the same nonresidents for one hundred eighty or more days within a calendar year.

Examples of a NTNC water system might include a school, day care center, or a business, factory, motel, or restaurant with twenty-five or more employees on-site.

(ii) Transient (TNC) (food/lodging/recreation) water system means a noncommunity water system:

(A) Having fifteen or more service connections used less than one hundred eighty days within a calendar year; or

(B) Serving twenty-five or more different nonresidents for sixty or more days within a calendar year; or

(C) 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

(D) Serving twenty-five or more residents for sixty or more days, but less than one hundred eighty days within a calendar year.

Examples of a TNC water system might include a restaurant, tavern, motel, campground, state or county

park, an RV park, vacation cottages, highway rest area, or church.

(d) A Group B water system means a public water system which is not a Group A water system. This would include a water system with less than fifteen service connections and serving:

(i) An average of less than twenty-five people for sixty or more days within a calendar year; or

(ii) Any number of people for less than sixty days within a calendar year.

(4) A public water system meeting more than one of the categories described in this section shall be classified by the department in the following order:

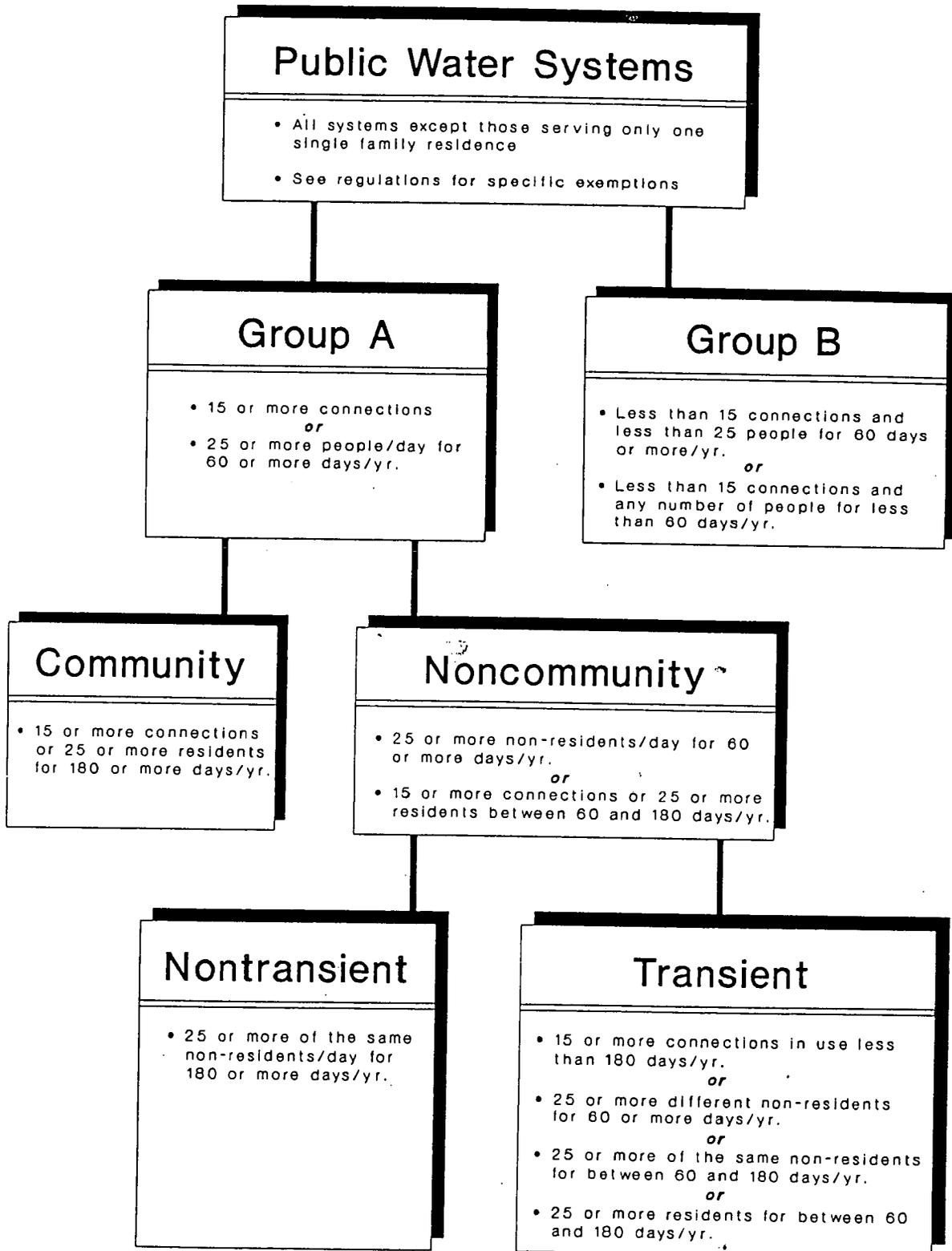
(a) Community water system;

(b) NTNC water system;

(c) TNC water system; and

(d) Group B water system.

TABLE 1



AMENDATORY SECTION (Amending Order 307, filed 2/17/88)

WAC 248-54-015 DEFINITIONS. (1)

Abbreviations:

kPa - kilo pascal (SI units of pressure),

m - meter,

MCL - maximum contaminant level,

((~~mL = milliliter,~~
~~mm = millimeter;~~))

mg/L - milligrams per liter,

MID - maximum instantaneous demand,

~~mL - milliliter,~~~~mm - millimeter,~~

MPN - most probable number of coliform bacteria per 100 mL,

NTNC - nontransient noncommunity,

NTU - nephelometric turbidity unit,

pCi/L - picocuries per liter,

psi - pounds per square inch,

TNC - transient noncommunity,

ug/L - micrograms per liter,

umhos/cm - micromhos per centimeter,

WFI - water facilities inventory and report form,

(2) ~~((Classes of public water systems:~~~~(a) "Class 1" - A public water system having 100 or more permanent services.~~~~(b) "Class 2" - A public water system having 10 through 99 permanent services.~~~~(c) "Class 3" - A public water system serving a transitory population of 25 or more on any one day.~~~~(d) "Class 4" - A public water system which is not a class 1, 2, or 3 system.~~Note: ~~If the public water system serves both permanent and transitory population, the higher classification will be used (class 1 being the highest, class 4 the lowest))~~"Acute" means posing an immediate risk to health.(3) "Contaminant" ((=)) means any substance present in drinking water which may adversely affect the health of the consumer and/or the aesthetic qualities of the water.(4) "Cross-connection" ((=)) means any physical arrangement connecting a public water system, directly or indirectly, with anything other than another potable water system, capable of contaminating the public water system ((as a result of backflow)).(5) "Department" ((=)) means the Washington state department of ((social and)) health ((services)).(6) "Disinfection" ((=)) means the use of chlorine or other agent or process, approved by the department for the purpose of killing or inactivating microbiological organisms, including pathogenic and indicator organisms.(7) "Distribution system" ((=)) means that portion of a public water supply system which stores, transmits, pumps, and distributes water to consumers.(8) "Fire flow" ((=)) means the rate of water flow needed to fight fires as defined by applicable codes.(9) "Guideline" ((=)) means a department document intended to assist the purveyor in meeting a requirement of a rule.(10) "Health officer" ((=)) means the health officer of the city, county, city-county health department or district, or an authorized representative.(11) "Hydraulic analysis" ((=)) means the study of the water system network: To evaluate water flows within the distribution system under worst case conditions; such as, maximum hourly flow plus fire flow when required or maximum instantaneous demand (MID) when fire flow is not required. Hydraulic analysis includes consideration of all factors affecting system energy losses.(12) "Maximum contaminant level (MCL)" ((=)) means the maximum permissible level of a contaminant in water delivered to any user of a public water system as measured at the locations identified in WAC 248-54-165, Table 4.(13) "Maximum contaminant level violation" means a confirmed measurement above the MCL and for a duration of time, where applicable, as outlined under WAC 248-54-175.(14) "Maximum instantaneous demand (MID)" ((=)) means the maximum rate of water use, excluding fire flow, experienced or expected within a defined service area at any instant in time.~~((14) "Permanent population" - That population served by a public water system for three or more consecutive months:))~~~~((15) ("Permanent service" - A drinking water connection which serves a permanent population)) "Potable" means suitable for drinking.~~~~((16) ("Primary contaminant" - Any contaminant present in drinking water which may adversely affect the consumer's health.~~~~(17)) "Primary standards" ((=)) means standards based on chronic or acute human health effects.~~~~((18)) (17) "Protected ground water source" ((=)) means a ground water source shown to the satisfaction of the department to be protected from any potential sources of contamination on the basis of hydrogeologic data and/or satisfactory water quality history.~~~~((19)) (18) "Public water system" ((=) Any water supply system intended or used for human consumption or other domestic uses, including source, treatment, storage, transmission, and distribution facilities where water is furnished to any community or group of individuals, or is made available to the public for human consumption or domestic use, but excluding all water supply systems serving one single family residence. It also does not include water systems meeting all of the following requirements:~~~~(a) Purchase their entire supply of water from another public water system subject to these regulations,~~~~(b) Do not treat the water (other than softening or corrosion control), and~~~~(c) Do not sell water. Businesses or systems merely storing and distributing water provided by others are exempt unless that system sells water as a separate item or bills separately for the water provided.~~Note: ~~Bottled water operations fall under Federal Food and Drug Administration regulations) (refer to WAC 248-54-006).~~

~~((20))~~ (19) "Purveyor" ~~((=))~~ means any agency or subdivision of the state or any municipal corporation, firm, company, mutual or cooperative association, institution, partnership, or person or any other entity that owns or operates a public water system. It also means the authorized agents of any such entities.

(20) "Regularly" means four hours or more per day for four days or more per week.

(21) ~~("Secondary contaminant" = Any contaminant present in drinking water which ordinarily does not adversely affect the consumer's health. Secondary contaminants include, but are not limited to, those contaminants which adversely affect only the aesthetic qualities of water))~~ "Resident" means an individual living in a dwelling unit served by a public water system.

(22) "Secondary standards" ~~((=))~~ means standards based on factors other than health effects.

(23) "Service" ~~((=))~~ means a connection to a public water system designed to serve a single family residence, dwelling unit, or equivalent use. If the facility has group home or barracks-type accommodations ~~((allowing three or more persons to occupy the same room)),~~ three persons will be considered equivalent to one service.

(24) "Standard methods" ~~((=))~~ means the most recently published edition of the book, titled Standard Methods for the Examination of Water and Waste Water, jointly published by the American Public Health Association, American Water Works Association (AWWA), and Water Pollution Control Federation. This book is available through public libraries or may be ordered from AWWA, 6666 West Quincy Avenue, Denver, Colorado 80235.

(25) ~~("Transitory population" = That population using a public water system other than the permanent population, if any.~~

(26) "Well field" = A group of closely spaced wells obtaining water from the same aquifer.

~~((27))~~ "Water facilities inventory form" (WFI) ~~((=))~~ means the department form which summarizes each public water system's characteristics.

(26) "Well field" means a group of wells owned and/or controlled by one purveyor which:

(a) Draw from the same aquifer or aquifers as determined by comparable inorganic chemical analysis; and

(b) Discharge water through a common pipe and the common pipe shall allow for collection of a single sample before the first distribution system connection.

AMENDATORY SECTION (Amending Order 307, filed 2/17/88)

WAC 248-54-025 GENERAL ADMINISTRATION. (1) The department and the health officer for each local health jurisdiction shall develop a joint plan of operation listing the roles of each agency for administering these rules. This plan shall:

(a) Specifically designate those systems for which the department and local health officer have primary responsibility~~(:);~~

(b) Provide for a minimum acceptable level of water system supervision~~(:);~~

(c) Be signed by the ~~((state health officer))~~ department and the chairperson of the local board of health~~(:);~~ and

(d) Be updated as needed ~~((and at least every five years)).~~

Wherever in these rules the term "department" is used, the term "health officer" may be substituted based on the terms of this plan of operation.

(2) The department shall, upon request, review and report on the adequacy of water supply supervision to both the state and local boards of health.

(3) The local board of health may adopt rules covering public water systems within its jurisdiction for which the health officer has assumed primary responsibility. ~~((The))~~ Adopted local board of health rules shall be ~~((consistent with)):~~

(a) No less stringent than chapter 248-54 WAC; and

(b) Revised, if necessary, within twelve months after the effective date of revised state board of health rules. During this time period, existing local ~~((needs and resources))~~ rules shall remain in effect, except provisions of the revised state board of health rules which are more stringent than the local board of health rules shall apply.

(4) The health officer may waive any or all requirements of these rules for ~~((class 4))~~ Group B water systems with two connections where the health officer has assumed primary responsibility for these systems.

(5) For those public water systems where the health officer has assumed primary responsibility, the health officer may approve project reports and construction documents in accordance with engineering criteria approved by the department.

(6) An advisory committee shall be established to provide guidance to the department on drinking water issues. The committee shall be appointed by the department and conform to department policies for advisory committees. The committee shall be composed of representatives of public water systems, public groups, agencies, and individuals having an interest in drinking water.

(7) The department may develop guidelines to clarify sections of the rules as needed and make these available for distribution.

(8) Fees may be charged by the department as authorized in chapter 43.20A RCW and by local health agencies as authorized in RCW 70.05.060 to recover all or a portion of the costs incurred in administering these rules.

(9) All state and local agencies involved in review, approval, surveillance, testing, and/or operation of public water systems, or issuance of permits for buildings or sewage systems shall be governed by these rules and any decisions of the department.

AMENDATORY SECTION (Amending Order 307, filed 2/17/88)

WAC 248-54-035 REQUIREMENTS FOR ENGINEERS. (1) All water system plans, project reports, and construction documents shall be prepared by a professional engineer licensed in the state of Washington ~~((per))~~ under chapter 18.43 RCW and shall bear the

engineer's seal and signature. Exceptions to this requirement are:

(a) Minor projects not requiring engineering expertise as determined by the department ~~((per))~~ under WAC 248-54-096(2); and

(b) ~~((Class 4))~~ Public water systems serving less than ten service connections consisting of a simple well and pressure tank ~~((system))~~ with one pressure zone and not providing special treatment or having special hydraulic considerations. These systems may be designed by a water system designer certified by the local health jurisdiction in those counties having a recognized water system designer program.

(2) 'A Construction Report For Public Water System Projects' shall be submitted to the department on a form provided by the department within ~~((60))~~ sixty days of completion and ~~((prior to))~~ before use of any project approved by the department. The form ~~((must))~~ shall:

(a) Be signed by:

(i) A professional engineer; or

(ii) In the case of projects not requiring engineering expertise as outlined in this section, the certified designer. ~~((The form shall))~~

(b) State:

(i) The project ~~((has been))~~ is constructed and is substantially completed in accordance with approved construction documents; and ~~((;))~~

(ii) In the opinion of the engineer, based on information available, the installation, testing, and disinfection of the system was carried out per department rules.

(3) It shall be the responsibility of the purveyor to assure the requirements of this section ~~((have been))~~ are fulfilled ~~((prior to))~~ before the use of any completed project. When necessary, an updated water facilities inventory shall accompany the 'Construction Report For Public Water System Projects' form.

AMENDATORY SECTION (Amending Order 307, filed 2/17/88)

WAC 248-54-045 ENFORCEMENT. When any public water system is out of compliance with these rules, the department may initiate appropriate enforcement actions, regardless of any prior approvals issued by the department. These actions may include any one or combination of the following:

(1) Issuance of letters instructing or requiring appropriate corrective measures;

(2) Issuance of a compliance schedule for specific actions necessary to achieve compliance status;

(3) Issuance of departmental orders requiring purveyors to submit project reports, construction documents, and construction report forms;

(4) Issuance of departmental orders requiring specific actions or ceasing unacceptable activities within a designated time period ~~((In emergency situations, orders may be issued in the field requiring immediate actions be taken));~~

~~((4))~~ (5) Issuance of departmental orders to stop work and/or refrain from using any public water system or improvements thereto until all written approvals required by statute or rule are obtained;

~~((5))~~ (6) Imposition of civil penalties for failure to comply with departmental orders may be issued for up to 5,000 dollars per day per violation under authority of chapter 70.119A RCW ~~((The department is authorized to levy penalties only in specific cases where either a public health emergency has been declared or in the case of chronic violators who refuse to correct a health problem after repeated requests from the department. An appeal process is identified in the law));~~ and

~~((6))~~ (7) Legal action may be taken by the attorney general or local prosecutor. The legal action may be criminal or civil.

AMENDATORY SECTION (Amending Order 307, filed 2/17/88)

WAC 248-54-055 VARIANCES, EXEMPTIONS, AND WAIVERS ~~((AND EXEMPTIONS)).~~

(1) General. The state board of health may grant variances, exemptions, and waivers of the requirements of this chapter according to the procedures outlined in this section. The procedures outlined in this section rather than the procedures outlined in WAC 248-08-596 shall govern the board's consideration of requests for variances, exemptions, and waivers of the requirements of this chapter. Consideration by the board of requests for variances, exemptions, and waivers shall not be considered adjudicative proceedings as that term is defined in chapter 34.05 RCW. Statements and written material regarding the request may be presented to the board at or before the public hearing wherein the application will be considered. Allowing cross-examination of witnesses in such matters shall be within the discretion of the board.

(2) Variations. The state board of health may grant ~~((variances, waivers, and exemptions of any portion of these rules per WAC 248-08-596. PROVIDED, That they are consistent with the intent of these rules and no public health hazard will result))~~ a variance to a public water system if the system has applied the best available technology as identified by the environmental protection agency (EPA) and still cannot meet an MCL as specified in Section 1415, P.L. 99-523 as amended by P.L. 99-339. Procedures for obtaining a variance are identified under subsection (5) of this section.

(3) Exemptions. The state board of health may grant an exemption to a public water system if the system cannot meet an MCL or provide the required treatment in a timely manner, or both, as specified under Section 1416, P.L. 93-523 as amended by P.L. 99-339. Procedures for obtaining an exemption are identified under subsection (5) of this section.

(4) Waivers. The state board of health may grant a waiver to a public water system if the system cannot meet the requirements of these regulations pertaining to any subject not covered by EPA regulations. Procedures for obtaining a waiver are identified under subsection (5) of this section.

(5) Procedures.

(a) The state board of health may grant a variance or exemption to a public water system after the purveyor completes the following actions:

(i) The purveyor applies to the department. The application may be in the form of a letter. It must state clearly the reason for the request and what actions the purveyor took to meet the requirement;

(ii) The purveyor provides notice to customers of the purveyor's application for a variance or exemption and provides proof of such notice to the department;

(iii) The department prepares a schedule of compliance and recommendations for the state board of health to condition the granting of a variance or exemption. The schedule must address:

(A) Actions the system must undertake within the time frame specified; and

(B) Implementation of such control measures the department may require in the interim until the purveyor completes the actions required in subsection (5)(a)(ii)(A) of this section.

(iv) The state board of health provides notice for and conducts a public hearing on the purveyor's request and the department's recommendation.

(b) The state board of health may grant a waiver to a public water system after completing the following actions:

(i) The purveyor applies to the department. The application may be in the form of a letter. It must clearly state the reason for the request;

(ii) The purveyor provides notice to customers of the purveyor's application for a waiver and provides proof of such notice to the department;

(iii) The department prepares a recommendation to the state board of health for the granting or denial of the waiver request; and

(iv) The state board of health provides notice for and conducts a public hearing on the purveyor's request.

(c) The state board of health shall not grant a variance, exemption, or waiver unless the state board of health finds:

(i) Due to compelling factors, the public water system is unable to comply with the requirement;

(ii) The schedule of compliance for a variance or exemption will result in the public water system completing the required actions within the stated time frame; and

(iii) The granting of the variance, exemption, or waiver will not result in an unreasonable risk to the health of consumers served by the public water system.

(d) The EPA shall review any variance or exemption granted by the state board of health for concurrence, revocation, or revision provided under sections 1415 and 1416 of P.L. 93-523.

AMENDATORY SECTION (Amending Order 307, filed 2/17/88)

WAC 248-54-086 PROJECT REPORT. (1) The purpose of this section is to assure the following factors are taken into account for specific projects prior to construction:

- (a) Engineering concepts((:));
- (b) Design criteria((:));
- (c) Planning((:));
- (d) Source protection((:));

(e) Water quality((:));

(f) Local requirements such as fire flow((:)); and

(g) Other necessary department-determined considerations ((as determined by the department)).

((This)) The project report shall document the reasons for carrying out the project and WAC 248-54-096 shall identify how the project will be constructed.

(2) The purveyor shall submit project reports ((shall be submitted)) to the department for written approval prior to installation of any new water system, water system extension, or improvement with the following exceptions:

(a) Installation of valves, fittings, and meters;

(b) Installation of hydrants ((per)) under WAC 248-54-135(3);

(c) Repair of a system component or replacement with a similar component;

(d) Maintenance or painting of surfaces not contacting potable water; and

(e) Distribution mains if approved standard construction specifications are documented in the water system plan approved by the department.

(3) Project reports shall be consistent with the standards identified ((in)) under WAC 248-54-105 and shall include, at a minimum, the following (information contained in a current approved water system plan or current project report need not be duplicated in the new project report. Any planning information in a project report shall be project specific.):

(a) Project description. Identify what the project is intended to achieve, design considerations, approach, etc.;

(b) Planning. If the system has an approved water system plan, show the project's relationship to the plan. If a water system plan is not required, include:

(i) General project background with population and water demand forecasts((:));

(ii) Relationship between the project and other system components((:));

(iii) Project schedule((:));

(iv) ((Operations)) Management program((:)); and

(v) How the project will impact neighboring water systems.

(c) Alternatives. Describe options, their impacts, and justify the selected alternative;

(d) Legal considerations. Identify legal aspects such as ownership, right-of-way, sanitary control area, and restrictive covenants. Include discussion of the project's relationship with the boundary review board and the utility and transportation commission;

(e) Engineering calculations. Describe how the project complies with the design considerations. Include the hydraulic analysis, sizing justification, and other relevant technical considerations necessary to support the project;

(f) Management. If the system has an approved ((operations)) management program, refer to that document. If not, describe:

(i) System ownership and management responsibilities((:));

(ii) Long-term management considerations((:));

(iii) How the project will be operated((:)); and

(iv) How the project will be maintained over time.

(g) Implementation. Identify the schedule for completion of the project and implementation strategies, if any. Project phasing should also be discussed;

(h) State Environmental Policy Act (SEPA). Include an environmental impact statement, determination of nonsignificance, or justify why SEPA does not apply to the project. Refer to chapter 248-06 WAC and the "DSHS Drinking Water SEPA Guide";

(i) Source development information. If the project involves source, refer to requirements per WAC 248-54-097; and

(j) Type of treatment. If the project involves treatment, refer to WAC 248-54-155.

(k) The information required in this subsection shall be included in a letter addendum to ~~((a class 4))~~ the workbook for ~~((class 4))~~ Group B water systems.

(4) Approval of project documents shall be in ~~((m))~~ effect for two years unless the department determines a need to withdraw the approval. An extension of the approval may be obtained by submitting a status report and a written schedule for completion. Extensions may be subject to additional terms and conditions imposed by the department.

AMENDATORY SECTION (Amending Order 307, filed 2/17/88)

WAC 248-54-097 SOURCE APPROVAL. ~~((Information regarding))~~ (1) No new, previously unapproved sources, or modification of existing sources ~~((of supply))~~ shall be ~~((provided as follows:~~

~~((1) Prior to source development, an on-site inspection and approval made by the department or a local health department representative is required. A copy of the site approval and a map of the site and vicinity shall be included with the construction documents. (2)))~~ used as a public water supply without department approval. A party seeking approval shall provide the department the following:

(a) A copy of the water right permit, if required, obtained from the department of ecology for the source, quantity, type, and place of use(:

~~((3) A copy of the water well report. (4)))~~

(b) A hydrogeologic assessment of the proposed source along with a general description of the watershed, spring, and/or aquifer recharge area affecting the quantity or quality of flow ((within the watershed or recharge area)). Seasonal variation shall also be included;

~~((5))~~ (c) For unfiltered surface water, the watershed control program identified ((m)) under WAC 248-54-225((-6));

(d) Upstream water uses affecting either water quality or quantity((-7));

(e) A map showing the project location and vicinity;

(f) A map depicting topography, distances to the surface water intake, well or spring from existing property lines, buildings, potential sources of contamination, ditches, drainage patterns, and any other natural or man-made features affecting the quality or quantity of water((-8));

(g) The dimensions and location of sanitary control area as set forth ((m)) under WAC 248-54-125((-9));

(h) Copies of the recorded legal documents for the sanitary control area necessary to protect the source of supply(:

~~((10) A hydrogeologic assessment of the proposed source with respect to the probable long-term capacity of the source to meet system needs. Source development data for spring and surface sources shall include seasonal variation. (11)))~~

(i) A copy of the on-site inspection approval made by the department or local health department representative;

(j) A copy of the water well report;

(k) Necessary construction documents;

(l) Well source development data to establish the capacity of the source shall include static water level, yield, the amount of drawdown, recovery rate, and duration of pumping. Interference between existing sources and the source being tested must also be shown. To determine whether the well and aquifer are capable of supplying water at the rate desired and to provide information necessary to determine the proper pump settings in the well, the source shall be pump tested at no less than the maximum design rate. A department guideline on pump testing is available to assist purveyors;

(m) The results of an initial analysis of the raw water quality, including as a minimum a bacteriological and complete inorganic chemical and physical analysis from each source. When source water quality is subject to variation, additional monitoring may be required by the department to define the range of variation. If the source being approved is for a ((class 1 or 2 public water)) community system, a radionuclide analysis shall also be required(:

~~((12) Well source development data to establish the capacity of the source shall include static water level, yield, the amount of drawdown, recovery rate, and duration of pumping. Interference between existing sources and the source being tested must also be shown. To determine whether the well and aquifer are capable of supplying water at the rate desired and to provide information necessary to determine the proper pump settings in the well, the source shall be pump tested at no less than the maximum design rate. A department guideline on pump testing is available to assist purveyors. (13)))~~

(n) Detailed information regarding all aspects of water quality addressed ((m)) under WAC 248-54-175. If treatment is planned, refer to WAC 248-54-155(2)((14));

(o) Other information as may be required by the department. ((Prior to)) Before initiating source development or modification, the purveyor should contact the department in order to identify any such additional information.

(2) The department shall issue a written approval when:

(a) Necessary information is submitted; and

(b) The developed source provides water complying with chapter 248-54 WAC.

NEW SECTION

WAC 248-54-098 EXISTING SYSTEM APPROVAL. (1) When applying for approval, purveyors of

existing public water systems without approved construction documents shall provide department-determined information.

(2) Information provided shall be consistent with chapter 248-54 WAC.

(3) Purveyors shall contact the department to obtain a list of specific requirements.

(4) After receipt of the required data, the department shall review the information and either:

(a) Approve the as-built construction documents; or

(b) Indicate what additional actions the purveyor needs to complete before approval is granted.

AMENDATORY SECTION (Amending Order 307, filed 2/17/88)

WAC 248-54-165 MONITORING REQUIREMENTS. (1) General.

(a) The purveyor shall be responsible for satisfying all requirements of this section. The monitoring requirements in this section are minimums. Additional monitoring may be required by the department:

(i) When system water quality exceeds an MCL; or

(ii) When source contamination is suspected; or

(iii) Under other circumstances as identified in a departmental order.

(b) Samples required ((im)) under this section shall be collected, transported, and analyzed according to methods approved by the department. The analyses shall be done by the state public health laboratory or by any other laboratory certified by the ((state)) department for the analyses to be performed, except turbidity as required ((by)) under WAC 248-54-165(4) may be tested by water utility or health department personnel.

(c) When one public water system receives water from another public water system, the receiving system is only required to take ((only the)) bacteriological samples ((as noted in Table 1 or Table 2)) per WAC 248-54-165(2) and trihalomethane samples as appropriate per WAC 248-54-165(5).

Subject to revision as appropriate, the department may reduce the monitoring requirement of the receiving system provided the receiving system:

(i) Has had a good water quality history~~((:));~~

(ii) Is operated in a satisfactory manner consistent with these regulations~~((:));~~

(iii) Is included in the supplying system's regular monitoring schedule~~((:));~~ and

(iv) Is included in the service and population totals for the supplying system.

Periodic reviews of the system's sampling record may be made to determine if continued reduction is appropriate.

(d) Special purpose samples, such as check samples or samples taken to determine if disinfection following pipe

repair has been sufficient, shall not count toward fulfillment of these monitoring requirements.

(e) All monitoring requirements in subsections (2) through ~~((++))~~ (8) of this section apply equally to systems serving ~~((permanent))~~ resident or ~~((transitory))~~ nonresident populations unless otherwise stated.

(2) Bacteriological.

(a) Drinking water samples shall be collected for bacteriological analysis from representative points in the distribution system at regular time intervals.

(b) The frequency for monitoring drinking water shall be determined according to the following:

(i) For community systems ~~((whose class is determined by the number of permanent connections served))~~, the minimum number of routine samples to be analyzed is shown ~~((om))~~ in Table ~~((+))~~ 2;

(ii) For ~~((class-3))~~ NTNC and TNC systems, the minimum number of routine samples to be analyzed is shown in Table ~~((2))~~ 3. In the case where an activity lasts for one week or less, sampling frequency shall be as directed by the department~~((:));~~

(iii) For Group A water systems ~~((having))~~ servicing both ~~((permanent connections))~~ a resident and ~~((transitory))~~ a nonresident population, the minimum number of routine samples to be analyzed may vary from month to month. The number of samples required each month will be the higher number of samples from ~~((Table 1 and))~~ Table 2 and Table 3; and

(iv) For Group B water systems, the minimum number of routine samples is one every twelve months.

(c) When disinfection is practiced, the purveyor shall collect untreated (raw) water samples from each source for bacteriological analysis of total coliform in addition to the number of treated samples required. The frequency of monitoring untreated water shall be determined according to the following:

(i) For protected ground water sources, one sample every three months shall be analyzed~~((:));~~

(ii) For unprotected ground water sources, the number of samples analyzed shall be twenty percent of the distribution samples required each month, and in no case less than one every three months~~((:));~~

(iii) For surface sources with treatment including coagulation, filtration, and disinfection or other treatment process, the number of samples analyzed shall be ten percent of the distribution samples required each month, and in no case less than one every three months~~((:));~~ and

(iv) For surface sources without coagulation and filtration treatment, the number of samples analyzed shall be twenty percent of the distribution samples required each month, and in no case less than one every three months.

TABLE ((+)) 2

MINIMUM ((NUMBER OF)) ROUTINE BACTERIOLOGICAL ((SAMPLES TO BE TAKEN FROM THE DISTRIBUTION SYSTEM FOR SYSTEMS WHOSE)) SAMPLING REQUIREMENTS ((ARE)) FOR COMMUNITY SYSTEMS BASED ON ((PERMANENT SERVICES)) THE NUMBER OF RESIDENTS

| ((Number of Permanent Services)) | ((Permanent Population*)) ((Permanent Population*)) Number of Residents* Served | Minimum No. of Samples Per Month | ((Permanent Population)) ((Permanent Population)) Number of Residents Served | Minimum No. of Samples Per Month |
|---|---|----------------------------------|--|----------------------------------|
| ((2-9)) | ((=)) | ((1 every 12 months)) | 37,001 - 41,000 | 45 |
| ((10-99)) | ((=)) | 1** | 41,001 - 46,000 | 50 |
| ((100 or more)) | Less than 251 Less than 1,001 | 1 | 46,001 - 50,000 | 55 |
| | 251 - 1,000 | 2 | 50,001 - 54,000 | 60 |
| | 1,001 - 2,500 | 3 | 54,001 - 59,000 | 65 |
| | 2,501 - 3,300 | 4 | 59,001 - 64,000 | 70 |
| | 3,301 - 4,100 | 5 | 64,001 - 70,000 | 75 |
| | 4,101 - 4,900 | 6 | 70,001 - 76,000 | 80 |
| | 4,901 - 5,800 | 7 | 76,001 - 83,000 | 85 |
| | 5,801 - 6,700 | 8 | 83,001 - 90,000 | 90 |
| | 6,701 - 7,600 | 9 | 90,001 - 96,000 | 95 |
| | 7,601 - 8,500 | 10 | 96,001 - 111,000 | 100 |
| | 8,501 - 9,400 | 11 | 111,001 - 130,000 | 110 |
| | 9,401 - 10,300 | 12 | 130,001 - 160,000 | 120 |
| | 10,301 - 11,100 | 13 | 160,001 - 190,000 | 130 |
| | 11,101 - 12,000 | 14 | 190,001 - 220,000 | 140 |
| | 12,001 - 12,900 | 15 | 220,001 - 250,000 | 150 |
| | 12,901 - 13,700 | 16 | 250,001 - 290,000 | 160 |
| | 13,701 - 14,600 | 17 | 290,001 - 320,000 | 170 |
| | 14,601 - 15,500 | 18 | 320,001 - 360,000 | 180 |
| | 15,501 - 16,300 | 19 | 360,001 - 410,000 | 190 |
| | 16,301 - 17,200 | 20 | 410,001 - 450,000 | 200 |
| | 17,201 - 18,100 | 21 | 450,001 - 500,000 | 210 |
| | 18,101 - 18,900 | 22 | 500,001 - 550,000 | 220 |
| | 18,901 - 19,800 | 23 | 550,001 - 600,000 | 230 |
| | 19,801 - 20,700 | 24 | 600,001 - 660,000 | 240 |
| | 20,701 - 21,500 | 25 | 660,001 - 720,000 | 250 |
| | 21,501 - 22,300 | 26 | 720,001 - 780,000 | 260 |
| | 22,301 - 23,200 | 27 | 780,001 - 840,000 | 270 |
| | 23,201 - 24,000 | 28 | 840,001 - 910,000 | 280 |
| | 24,001 - 24,900 | 29 | 910,001 - 970,000 | 290 |
| | 24,901 - 25,000 | 30 | 970,001 - 1,050,000 | 300 |
| | 25,001 - 28,000 | 35 | 1,050,001 - 1,140,000 | 310 |
| | 28,001 - 33,000 | 40 | ((More than 1,140,001)) *** | |
| | 33,001 - 37,000 | | | |

*Does not include population of utilities wholesaled to, except as provided ((in)) under WAC 248-54-165 (1)(c)

**May be reduced by the department to no less than one every three months for systems with protected ground water sources.

***See Federal Regulation 12-24-75, EPA, National Interim Primary Drinking Water Regulations, Section 141.21.)

TABLE ((2)) 3

MINIMUM ((NUMBER OF)) ROUTINE BACTERIOLOGICAL ((SAMPLES TO BE TAKEN FROM THE DISTRIBUTION SYSTEM FOR WATER SYSTEMS WHOSE)) SAMPLING REQUIREMENTS ((ARE DETERMINED)) FOR NTNC AND TNC

SYSTEMS BASED ON ((TRANSITORY)) NONRESIDENT POPULATIONS

| Maximum Day Population Served in Any One Month | Minimum Number Samples That Month |
|--|-----------------------------------|
| Less than 25 | 1 every 12 months |
| 25 - 299 | 1 every 3 months |
| 300 - 999 | 1* |
| 1,000 - 2,499 | 2 |

| Maximum Day Population Served in Any One Month | Minimum Number Samples That Month |
|--|-----------------------------------|
| 2,500 - 3,499 | 3 |
| 3,500 - 4,999 | 4 |
| 5,000 - 9,999 | 6 |
| 10,000 - 14,999 | 8 |
| 15,000 - 19,999 | 10 |
| 20,000 - 29,999 | 12 |
| 30,000 - 39,999 | 14 |
| 40,000 - 49,999 | 16 |
| 50,000 - 74,999 | 20 |
| 75,000 - 99,999 | 25 |
| 100,000 or more | 30 |

*May be reduced by the department to one every three months for systems with protected ground water sources.

(3) Inorganic chemical and physical.

(a) The complete inorganic chemical and physical analysis consists of the primary and secondary chemical and physical standards.

(i) Primary chemical and physical standards - Arsenic, barium, cadmium, chromium, fluoride, lead, mercury, nitrate (as N), selenium, silver, sodium, and turbidity.

(ii) Secondary chemical and physical standards - Chloride, color, copper, hardness, iron, manganese, specific conductivity, sulfate*, total dissolved solids*, and zinc.

*Required only when specific conductivity exceeds seven hundred micromhos/centimeter.

(b) Samples taken for inorganic chemical analyses shall be collected at the source prior to any treatment.

(c) The frequency for monitoring shall be according to the following:

(i) ~~((Class 1 and 2))~~ Community systems shall have one complete analysis from each surface water source every twelve months.

(ii) ~~((Class 1 and 2))~~ Community systems shall have one complete analysis from each ground water source or well field every thirty-six months.

(iii) ~~((Class 3 and 4))~~ NTNC, TNC, and Group B systems shall have one initial complete analysis from each source or well field. The minimum requirement for the initial complete analysis may be waived or reduced by the department if available information shows to the satisfaction of the department that the aquifer provides water of satisfactory inorganic chemical quality.

(iv) After the initial complete analysis, ~~((class 3 and 4))~~ NTNC, TNC, and Group B systems shall have one nitrate sample analyzed from each source or well field every thirty-six months.

(d) When treatment is provided for one or more inorganic chemical or physical contaminants, samples shall be taken for the specific contaminant or contaminants before and after treatment. The frequency shall be determined by the department.

(4) Turbidity.

(a) ~~((Class 1, 2, and 3))~~ Group A water systems with surface water sources shall monitor turbidity at least once a day.

(b) Turbidity shall be monitored at or before the entry point to the distribution system and where needed for treatment process control.

(c) The monitoring requirements for ~~((class 4))~~ Group B water systems shall be determined by the department.

(d) Turbidimeters shall be designed to meet the criteria listed under standard methods and shall be properly operated, maintained, and calibrated at all times, based on the manufacturer's recommendations.

(5) Trihalomethanes.

(a) ~~((Class 1 ground water))~~ Community systems serving a population of 10,000 or more and ~~((using))~~ providing water treated with chlorine or other ~~((oxidants in the treatment process))~~ halogenated disinfectant shall monitor ((for maximum total trihalomethane potential (MTTP). These)) as follows:

(i) Ground water ((systems)) sources. The purveyor shall collect one sample from each treated spring, well, or well field every ((±)) twelve months. This sample ~~((should))~~ shall be taken at the source ~~((prior to))~~ before treatment((. If this is not possible, the sample should be taken)) or at the extreme end of the distribution system. ~~((This))~~ The sample shall be analyzed for maximum total trihalomethane potential (MTTP); or

(ii) Surface water sources. The purveyor shall collect four samples per treated source every three months. The samples shall be taken within a twenty-four-hour period. One of the samples collected shall be taken from the extreme end of the distribution system and three samples collected shall be taken from representative locations in the distribution system. The samples shall be analyzed for total trihalomethanes (TTHM), the sum of trichloromethane, bromodichloromethane, dibromochloromethane, and tribromomethane. After one year of monitoring, the department may reduce the monitoring frequency to one sample every three months per treatment plant if the TTHM levels are less than 0.10 mg/L. The sample shall be taken at the extreme end of the distribution system; or

(iii) Purchased surface water sources. The purveyor shall collect one water sample per each purchased surface source every three months. The sample shall be taken at the extreme end of the distribution system and analyzed for TTHM.

(b) ~~((Class 1 surface water))~~ Community systems serving a population ~~((of 10,000 or more))~~ less than ten thousand and ((using)) providing surface water treated with chlorine or other ~~((oxidants in the treatment process,))~~ halogenated disinfectant shall monitor for ((total trihalomethanes (TTHM)) according to the following schedule:

(i) ~~Four samples shall be collected for each treatment plant every three months. The samples shall be taken within a twenty-four hour period. Twenty-five percent of the samples shall be taken from the extreme end of the distribution system and seventy-five percent from locations representing the population distribution. The samples shall be analyzed for total trihalomethanes (TTHM).~~

(ii) The monitoring requirement may be reduced after one year if the TTHM levels are less than 0.10 mg/L. The reduced frequency will be a minimum of one sample

~~every three months for each treatment plant, taken at a point representative of the extreme end of the distribution system)). The purveyor shall collect one water sample per treated source every three months for one year. The sample shall be taken at the extreme end of the distribution system and analyzed for TTHM. After the first year, surface water sources shall be monitored every thirty-six months.~~

~~(c) Community systems serving less than ten thousand people that purchase surface water treated with chlorine or other halogenated disinfectant or add a halogenated disinfectant after purchasing, shall monitor for TTHM. The purveyor shall collect one water sample every three months at the extreme end of the distribution system or at a location acceptable to the department. The sample shall be analyzed for TTHM. After the first year, monitoring shall be every thirty-six months.~~

~~(6) ((Corrosivity:~~

~~(a) Class 1 and 2 systems shall monitor for corrosion characteristics as follows:~~

~~(i) Systems with surface water sources shall take two sets of three samples during a consecutive twelve-month period. One set shall be taken during the winter and one during the summer. One of the samples in each set shall be taken from the source (prior to treatment) and two samples shall be collected from free-flowing outlets at different locations within the distribution system representing worst case locations for corrosion. Additional samples may be required from larger systems using several pipe materials.~~

~~(ii) Systems with ground water sources shall take one set of samples during a twelve-month period in the same manner as required for surface water sources.~~

~~(b) The analysis shall be for the corrosion byproducts including cadmium, copper, iron, lead, and zinc. In addition, alkalinity, pH, hardness, temperature, total dissolved solids (TDS), and the Langelier index value shall be determined for the source samples.~~

~~(c) Monitoring of corrosion characteristics after the initial sampling has been completed shall be as required by the department.~~

~~(7)) Pesticides.~~

~~((Class 1 and 2)) Community systems with surface water sources shall monitor for pesticides for which MCLs are established every thirty-six months ((or as directed by the department)). The water sample shall be collected during the time of year designated by the department as the time when pesticide contamination is most likely to occur.~~

~~((8)) (7) Radionuclides.~~

(a) Monitoring requirements for gross alpha particle activity, radium-226 and radium-228 are:

(i) ~~((Class 1 and 2)) Community systems shall monitor once every forty-eight months ((or as directed by the department)). Compliance shall be based on the analysis of an annual composite of four consecutive quarterly samples or the average of the analyses of four samples obtained at quarterly intervals.~~

(ii) Analysis for radium-226 and radium-228 may be omitted if the gross alpha particle activity is less than five pCi/L.

(iii) If the results of the initial analysis are less than half of the established MCL, the department may allow compliance with the monitoring requirements to be based on analysis of a single sample collected every forty-eight months.

(b) Monitoring requirements for man-made radioactivity:

(i) ~~((Class 1)) Community systems using surface water sources and serving more than one hundred thousand persons and other water systems designated by the department shall monitor for man-made radioactivity (beta particle and photon) every forty-eight months ((or as required by the department)). Compliance shall be based on the analysis of a composite of four consecutive quarterly samples or the analysis of four quarterly samples.~~

(ii) Any water system, as directed by the department, downstream from a nuclear facility shall monitor once every three months for gross beta and iodine-131, and monitor once every twelve months for strontium-90 and tritium. The department may allow the substitution of environmental surveillance data taken in conjunction with a nuclear facility for direct monitoring of man-made radioactivity after a determination that such data is applicable to a particular public water system.

~~((9) Other organic compounds with established MCLs shall be monitored as directed by the department.~~

~~((10) Organic compounds with no established MCL shall be monitored as directed by the department.~~

~~((11)) (8) Other substances.~~

On the basis of public health concerns, monitoring of additional substances may be required by the department.

((TABLE 3

MINIMUM MONITORING REQUIREMENTS

| System Class | Sample Type | Number of Samples Required* |
|--------------|---|---|
| 1 and 2 | Bacteriological | Refer to Table 1 |
| | Inorganic Chemical and Physical (Primary and Secondary) | Surface water sources = one complete analysis per source every 12 months Ground water sources = one complete analysis per source or well field every 36 months |

| System Class | Sample Type | Number of Samples Required* |
|--------------|--|--|
| | Turbidity | Surface water sources = daily |
| | Trihalomethanes | Systems with 10,000 or more population and using chlorine: Surface water sources = 4 per treated source every 3 months. After one year may be reduced to 1 per source every 3 months Ground water sources = 1 per treated source every 12 months |
| | Corrosivity | Surface water sources = 2 sets per source during a 12-month period Ground water sources = 1 set per source or well field during a 12-month period |
| | Pesticides | Once every 36 months for surface water sources |
| | Radionuclides | Once every 48 months |
| | Other Organics | As directed by the department |
| 3 | Bacteriological | Refer to Table 2 |
| | Inorganic Chemical and Physical (Primary and Secondary) | An initial complete analysis per source or well field unless waived by the department per WAC 248-54-165 (3)(c)(iii). After initial sample, one nitrate per source every 36 months |
| | Turbidity | Surface water sources = daily |
| | Trihalomethanes, Corrosivity, Pesticides, Radionuclides, and Other Organics | As required by the department |
| 4 | Bacteriological | One every 12 months |
| | Inorganic Chemical and Physical (Primary and Secondary) | An initial complete analysis per source or well field unless waived by the department per WAC 248-54-165 (3)(c)(iii). After initial sample, one nitrate per source every 36 months |
| | Turbidity, Trihalomethanes, Corrosivity, Pesticides, Radionuclides, and Other Organics | As required by the department |

*These are the minimum requirements. Additional monitoring may be required by the department.))

TABLE 4
MONITORING LOCATION

| Sample Type | Sample Location |
|---|--|
| Bacteriological | From representative points in distribution system. |
| Complete Inorganic Chemical and Physical | From a sample point as close to the source as possible. |
| Nitrate | From a sample point as close to the source as possible. |
| Turbidity - Surface Water | From a location at or before the entry point to the distribution system (and where needed for treatment process control). |
| Trihalomethanes - Surface Water | From representative points in the distribution system. |
| - Ground Water | From the source prior to treatment. |
| ((Corrosivity | From the source and at locations in the distribution system:)) |
| Pesticides - Surface Water | From the source. |
| Radionuclides | From the source. |
| Other ((Organics)) <u>Substances</u> | As directed by the department. |

AMENDATORY SECTION (Amending Order 307, filed 2/17/88)

WAC 248-54-175 MAXIMUM CONTAMINANT LEVELS (MCLS). (1) The purveyor shall be responsible for complying with the standards of water quality identified in this section.

If any substance exceeds its maximum contaminant level (MCL), the purveyor shall take follow-up action as outlined ~~((in))~~ under WAC 248-54-185.

(2) In enforcing the standards set out in this section, the department shall seek to enforce compliance with the primary standards as its first priority. ~~((Secondary standards shall be enforced based on department discretion as the public interest warrants:))~~

(3) Bacteriological.

(a) Standards ~~((set forth in this))~~ under subsection (3) of this section shall be considered primary standards.

(b) If any coliform bacteria are present in any sample, follow-up action as described ~~((in))~~ under WAC 248-54-185(2) shall be taken.

(c) The MCL for coliform bacteria is as follows:

(i) When the membrane filter test is used, the number of coliform bacteria shall not be greater than:

(A) One per one hundred milliliters as the average of all samples tested each month; or

(B) Four per one hundred milliliters in two or more samples when less than twenty samples are tested each month; or

(C) Four per one hundred milliliters in more than five percent of the samples when twenty or more samples are tested each month.

(ii) When the five-tube MPN method is used, coliform bacteria shall not be present in:

(A) More than ten percent of the tubes tested each month; or

(B) Three or more tubes in two or more samples when less than twenty samples are tested each month; or

(C) Three or more tubes in more than five percent of the samples when twenty or more samples are tested each month.

(iii) The department may allow systems required to take less than four samples each month to base compliance with this section on the samples taken during the three-month period consisting of the month in question and the previous two months.

(iv) Special purpose samples, such as those taken to determine if disinfection following pipe repair or replacement has been sufficient, or check samples shall not be used to determine compliance with the MCL.

(v) Samples with unsuitable test results, i.e., confluent growth, TNTC (too numerous to count), excess debris, etc., will not qualify as routine samples and will not count toward fulfillment of the monitoring requirement.

(4) Inorganic chemical and physical.

The primary and secondary MCLs are as listed in Table 5 and 6:

TABLE 5

INORGANIC CHEMICAL CHARACTERISTICS

| Substance | Primary ((Maximum Contaminant Level)) <u>MCLs</u> (mg/L) |
|----------------|---|
| Arsenic (As) | 0.05 |
| Barium (Ba) | 1.0 |
| Cadmium (Cd) | 0.01 |
| Chromium (Cr) | 0.05 |
| Fluoride (F) | 4.0 |
| Lead (Pb) | 0.05 |
| Mercury (Hg) | 0.002 |
| Nitrate (as N) | 10.0 |
| Selenium (Se) | 0.01 |
| Silver (Ag) | 0.05 |
| Sodium (Na) | ((None established))* |

| Substance | Secondary ((Maximum Contaminant Level)) <u>MCLs</u> (mg/L) |
|----------------------------|---|
| Chloride (Cl) | 250.0 |
| Copper (Cu) | 1.0 |
| Fluoride (F) | 2.0 |
| Iron (Fe) | 0.3 |
| Manganese (Mn) | 0.05 |
| Sulfate (SO ₄) | 250.0 |
| Zinc (Zn) | 5.0 |

Note: Although there has not been an MCL established for sodium, there is enough public health significance connected with sodium levels to require inclusion in inorganic chemical and physical monitoring.

TABLE 6

PHYSICAL CHARACTERISTICS

| Substance | Primary ((Maximum Contaminant Level (mg/L))) <u>MCL</u> |
|------------------------------|---|
| Turbidity | 1 ((Turbidity Unit)) <u>NTU</u> |
| Substance | Secondary ((Maximum Contaminant Level (mg/L))) <u>MCLs</u> |
| Color | 15 Color Units |
| Hardness | None established |
| Specific Conductivity | 700 ((umhos)) <u>umhos/cm</u> |
| Total Dissolved Solids (TDS) | 500 mg/L |

~~((Note. Although there has not been an MCL established for sodium, there is enough public health significance connected with sodium levels to require inclusion in inorganic chemical and physical monitoring.))~~

(5) Turbidity.

(a) Standards under subsection (5) of this section shall be considered primary standards.

(b) The MCLs for turbidity are as follows:

~~((a)) (i) One ((nephelometric turbidity unit (NTU))), based on a monthly average of the maximum daily turbidity, where the maximum daily turbidity is defined as:~~

~~((i)) (A) The average of the highest two hourly readings over a twenty-four hour period when continuous monitoring is used; or~~

~~((ii)) (B) The average of ((two)) the daily grab samples taken within one hour when daily monitoring is used.~~

The limit may be increased to five NTUs if the purveyor can show the source is within a controlled watershed and meets all the requirements ~~((of))~~ under WAC 248-54-125 and 248-54-225.

~~((b)) (ii) Five NTUs based on an average of the maximum daily turbidity for two consecutive days.~~

(6) Trihalomethanes.

(a) Standards ~~((set forth in this))~~ under subsection (6) of this section shall be considered primary standards.

(b) The MCL for total trihalomethanes (TTHM) is 0.10 mg/L. The concentrations of each of the trihalomethane compounds ~~((f))~~(trichloromethane ~~((chloroform))~~), dibromo~~((=))~~chloromethane, bromodichloromethane, and tribromomethane ~~((bromoform))~~~~((f))~~ are added together to determine the TTHM level.

(c) There is no MCL for maximum total trihalomethane potential (MTTP). If the MTTP value exceeds 0.10 mg/L, the purveyor shall follow up ~~((per))~~ as outlined under WAC 248-54-185(5).

(7) ~~((Corrosivity:~~

~~Follow-up action as outlined in WAC 248-54-185 shall be taken if any corrosion byproduct exceeds the MCL or the increase in levels between source and distribution sampling points is significant.~~

~~The corrosivity characteristics as generalized by the Langelier index are as follows: Highly aggressive is less than -2, moderately aggressive is -2 to 0, nonaggressive is greater than 0.~~

~~((8)) Pesticides.~~

(a) Standards ~~((set forth in this))~~ under subsection (7) of this section shall be considered primary standards.

(b) The MCLs for pesticides are as follows:

(i) Chlorinated hydrocarbons:

| | |
|--------------|-------------|
| Endrin | 0.0002 mg/L |
| Lindane | 0.004 mg/L |
| Methoxychlor | 0.1 mg/L |
| Toxaphene | 0.005 mg/L |

(ii) Chlorophenoxys:

| | |
|-------------------|-----------|
| 2, 4-D | 0.1 mg/L |
| 2, 4, 5-TP Silvex | 0.01 mg/L |

~~((9)) (8) Radionuclides.~~

(a) Standards ~~((set forth in this))~~ under subsection (8) of this section shall be considered primary standards.

(b) The MCLs for radium-226, radium-228, and gross alpha particle radioactivity are as follows:

| | |
|---|----------|
| Radium-226 | 3 pCi/L |
| Combined Radium-226 and Radium-228 | 5 pCi/L |
| Gross alpha particle activity (excluding uranium) | 15 pCi/L |

(c) The MCL for beta particle and photon radioactivity from man-made radionuclides is that the average annual concentration shall not produce an annual dose equivalent to the total body or any internal organ greater than four millirem/year.

Compliance with the four millirem/year dose limitation may be assumed if the average annual concentration for gross beta activity, tritium, and strontium-90 are less than 50 pCi/L, 20,000 pCi/L, and 8 pCi/L respectively, provided that if both radionuclides are present, the sum of their annual dose equivalents to bone marrow shall not exceed four millirem/year.

~~((10)) (9) The maximum levels allowable for any additional substances monitored shall be determined by the ((department)) state board of health.~~

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 Order 307, filed 2/17/88)

WAC 248-54-185 FOLLOW-UP ACTION. (1) General.

(a) If water quality exceeds any MCLs listed in WAC 248-54-175, the purveyor shall notify the department and take follow-up action as described in this section ((shall be taken)).

(b) When a primary MCL ~~((has been exceeded))~~ violation occurs, the purveyor shall:

(i) Notify the department within forty-eight hours;

(ii) Notify the public according to the procedures outlined ((m)) under WAC ((248-54-255)) 248-54-187;

(iii) Determine the cause of the contamination; and

(iv) Take corrective action as required by the department.

~~((When a primary MCL violation has been confirmed, the purveyor shall determine the cause of the contamination and take corrective action as required by the department. The purveyor shall also notify the department within forty-eight hours.~~

~~((d))~~ When a secondary MCL violation ~~((has been confirmed))~~ occurs, the purveyor shall notify the department and take corrective action as directed by the department.

(2) Bacteriological.

(a) When ~~((any))~~ coliform bacteria ~~((is))~~ are present in any sample analyzed by the membrane filter method, the purveyor shall take action as follows:

(i) When the sample result is one through four per one hundred milliliters, the sample is unsatisfactory and an additional drinking water sample shall be taken to confirm the presence of ~~((contamination:))~~ coliform bacteria; or

(ii) When the sample result is greater than four per one hundred milliliters, the sample is unsatisfactory and nonconforming. The purveyor shall take action to determine and correct the cause of the contamination. Daily check samples shall continue to be collected until at least two consecutive daily check samples show less than one coliform per one hundred milliliters ~~((coliform bacteria))~~.

(b) When ~~((any))~~ coliform bacteria ~~((is))~~ are present in any sample analyzed by the five-tube MPN method, the purveyor shall take action as follows:

(i) When the sample result is one or two tubes positive, the sample is unsatisfactory and an additional drinking water sample shall be taken to confirm the presence of contamination~~((:))~~; or

(ii) When the sample result is three or more tubes positive, the sample is unsatisfactory and nonconforming. The purveyor shall take action to determine and correct the cause of the contamination. Daily check samples shall continue to be collected until at least two consecutive daily check samples show no coliform bacteria ~~((is))~~ are present.

(c) All additional samples required by this section shall be collected from the same location where the unsatisfactory or unsuitable sample was taken, except as specified by the department.

(d) All additional samples shall be submitted for analyses as soon as possible after the unsatisfactory or unsuitable results are known.

(e) When the presence of coliform bacteria in water has been confirmed by check samples, the purveyor shall notify the department within forty-eight hours.

(f) When the sample result is marked unsuitable, an additional drinking water sample shall then be submitted for analysis for each unsuitable result immediately upon notification of the unsuitable result. The additional sample shall be analyzed by the MPN testing method.

(g) The location where the daily check samples were taken to fulfill the requirements of this section shall not be eliminated from future sampling without the department's approval.

(3) Inorganic chemical and physical. ~~((a) Confirming an MCL violation:~~

~~((i) The method for confirming an MCL violation for all inorganic chemical and physical substances except nitrate is as follows:))~~ When an initial analysis of any substance exceeds the MCL, the purveyor shall take ~~((three additional samples for analysis of that substance within one month of the initial sample and from the same sampling point.~~

~~If the average of the initial analysis and the three additional analyses exceeds the MCL, a violation has been confirmed. The purveyor shall report the confirmed violation to the department.~~

~~((ii) The method for confirming an MCL violation for nitrate is as follows: When an initial analysis for nitrate exceeds the MCL, the purveyor shall immediately~~

~~take one additional sample from the same sampling point. If the average of the two samples exceeds the MCL, a violation has been confirmed.))~~ the following action:

(a) For nitrate, immediately take one additional sample from the same sampling point. If the average of the two samples exceeds the MCL, a violation is confirmed; or

~~((Since an MCL for sodium has not yet been established, the purveyor shall make analytical results available to the public on request. (This will allow physicians and persons on sodium-restricted diets to obtain results as needed.))~~ For all other inorganic chemical and physical substances, within thirty days take three additional samples from the same sample point. If the average of all four samples exceeds the MCL, a violation is confirmed.

(4) Turbidity. ~~((a))~~ When the turbidity exceeds the maximum allowable limit identified ~~((in))~~ under WAC 248-54-175 for longer than one hour monitored continuously, the purveyor shall report to the department within forty-eight hours. When the results of a manual turbidity analysis exceeds the maximum allowable limit, another sample shall be collected within one hour. When the repeat sample confirms the maximum allowable limit has been exceeded, the purveyor shall notify the department~~((:~~

~~((b) When the MCL is exceeded, the purveyor shall notify the department within forty-eight hours))~~.

(5) Trihalomethanes. When the average of all samples taken during any twelve-month period exceeds the MCL for total trihalomethanes, the violation is confirmed and the purveyor shall take ~~((correction))~~ corrective action as required by the department. If the maximum trihalomethane potential result is equal to or greater than 0.10 mg/L and the result is confirmed by a check sample, the system shall monitor according to WAC 248-54-165 (5)~~((b)(i))~~ for ~~((at least))~~ one year or more.

~~((6) ((Corrosivity. When a comparison of the byproduct level shows a substantial increase from source to distribution system, the purveyor shall take action as directed by the department.~~

~~((7))~~ Follow-up action shall be determined by the department when the MCL for any additional substance is exceeded.

NEW SECTION

WAC 248-54-187 PUBLIC NOTIFICATION. (1) Responsibility. The purveyor of a Group A water system shall notify the water system users and the department when the following violations occur within the Group A system:

(a) A primary MCL violation under WAC 248-54-175;

(b) Failure to comply with a:

(i) Prescribed treatment technique;

(ii) Monitoring requirement under WAC 248-54-165; and

(iii) Testing procedure.

(c) Operating under a variance or exemption; and

(d) Failure to meet a variance or exemption schedule.

The department may also require the purveyor of a Group B water system to notify users when violations occur within the Group B system.

(2) Content. Notices shall provide:

(a) A clear, concise, and simple explanation of the violation;

(b) Discussion of any potential adverse health effects and what population is at risk;

(c) Mandatory health effects information where required;

(d) A list of steps the purveyor took or is planning to take to correct the violation;

(e) A list of steps the consumer should take until the violation is corrected, including advice on seeking an alternative water supply if necessary; and

(f) The purveyor's name and phone number.

Additional information may be provided by the purveyor to further explain the violation.

(3) Distribution.

(a) Community systems in violation of a primary MCL, treatment technique or variance or exemption schedule shall provide:

(i) Newspaper notice within fourteen days of violation;

(ii) Direct mail notice or hand delivery to all permanent residences served by the system within forty-five days of the violation. The department may waive mail or hand delivery if the violation is corrected within forty-five days;

(iii) Notice to radio and television stations serving the area within seventy-two hours of violation of a nitrate MCL or other acute violation as determined by the department; and

(iv) Repeat mail or hand delivery every three months until violation is corrected.

(b) Community systems in violation of a monitoring requirement, testing procedure, or operating under a variance or exemption schedule shall provide newspaper notice within three months of the violation or granting of a variance or exemption. The systems shall also provide repeat notice by mail or hand delivery every three months until the violation is corrected or for as long as the variance or exemption remains in effect.

(c) NTNC and TNC systems in violation of a primary MCL, treatment technique, variance, or exemption schedule shall post a notice within fourteen days of the violation. The notice shall remain posted while the violation exists. If the violation is acute, posting shall be required within seventy-two hours.

(d) NTNC and TNC systems in violation of a monitoring requirement, testing procedure, or operating under a variance or exemption schedule shall post a notice within three months of the violation or granting of a variance or exemption.

(e) Where there is mention of a newspaper notice in this section, posting may be substituted in the absence of a newspaper of general circulation.

(f) Posted notices shall be placed in conspicuous locations and presented in a manner making the posted notices easy to read. Notices shall remain posted until the violation is corrected or for as long as the variance or

exemption remains in effect. When appropriate, notices shall be multi-lingual.

(g) Notice to new billing units. The purveyor of a community water system shall give a copy of the most recent public notice for an outstanding violation to all new billing units or new hookups before or at the time water service begins.

(4) Fluoride.

(a) When a secondary MCL violation occurs, the purveyor of a community water system shall send notice to:

(i) The department annually;

(ii) Consumers served by the system annually; and

(iii) New billing units added while the violation exists.

(b) The notice shall include specific mandatory language available in a department guideline titled Health Effects Language For Drinking Water Public Notification.

(5) When circumstances dictate a broader and/or more immediate notice be given to protect public health, the department may require notification by whatever means necessary.

(6) When a substance does not exceed an MCL, but is measured at a department-determined level of health significance, the department may require the purveyor to notify the water system users.

(7) When a public water system is granted a waiver by the state board of health, the purveyor shall notify customers and new billing units or new hookups before water service begins. Notice shall be provided annually with a copy going to the department.

(8) The department may give notice to the water system users required by this section on behalf of the water purveyor. However, the purveyor remains responsible for ensuring the requirements are met.

AMENDATORY SECTION (Amending Order 307, filed 2/17/88)

WAC 248-54-196 SMALL WATER SYSTEM MANAGEMENT PROGRAM. (1) The purpose of a small water system management program is to assure the water system:

(a) Is properly and reliably managed and operated, and

(b) Continues to exist as a functional and viable entity.

(2) A small water system management program shall be developed and implemented for all systems not required to complete a water system plan as described ~~((im))~~ under WAC 248-54-065.

(3) The department shall have the authority to require submission of this program for review and comment when:

(a) A new water system is proposed;

(b) A new project is proposed for an existing system;

(c) An existing system has problems associated with inadequate or improper management or operations;

(d) Requested by the department for an existing system not having approved engineering documents, such as, or similar to, those described ~~((im))~~ under WAC 248-54-086 and 248-54-096; ~~((and))~~ or

(e) There is a change in ownership of the system.

(4) A department guideline titled Planning Handbook is available to assist the purveyor in establishing the level of detail and content of the management program. Content and detail shall be consistent with the size, complexity, past performance, and use of the public water system. General content topics shall include, but not be limited to, the following elements:

- (a) Ownership and decision-making issues(~~(:)~~);
- (b) (~~(Financing,)~~) Financial capability; and
- (c) Operations.

(5) The department may require changes be made to a small water system management program if necessary to effectively accomplish the program's purpose.

AMENDATORY SECTION (Amending Order 307, filed 2/17/88)

WAC 248-54-201 RELIABILITY. (1) Any (~~(proposed)~~) public water system (~~(facility)~~) or expansion or modification of an existing system shall provide an adequate quantity and quality of water in a reliable manner at all times.

(a) In determining whether a proposed public water system or an expansion or modification of an existing system is capable of providing an adequate quantity of water, the department shall consider the immediate as well as the reasonably anticipated future needs of the system's consumers.

(b) In determining whether an existing public water system is providing an adequate quantity of water, the department shall consider the needs of the system's existing consumers exclusively, unless, in the department's discretion, consideration of the needs of potential consumers is in the public interest.

(2) The purveyor shall ensure the system (~~(shall be)~~) is constructed, operated, and maintained to protect against failures of the power supply, treatment process, equipment, or structure with appropriate back-up facilities. Security measures shall be employed to assure the water source, water treatment processes, water storage facilities, and the distribution system are under the strict control of the purveyor.

(3) Where fire flow is required, a positive pressure at the water meter or property line shall be maintained throughout the system under fire flow conditions.

(4) Water pressure at the customer's service meter or property line if a meter is not used shall be maintained at the approved design pressure under MID conditions. In no case shall the pressure be less than twenty psi under MID conditions.

(5) Water use restrictions as a designed operation practice shall not be allowed. However, water use restrictions may be allowed in times of drought.

(6) No intake or other connection shall be maintained between a public water system and a source of water not approved by the department.

(7) (~~(Every)~~) A purveyor shall maintain twenty-four-hour phone availability and shall respond to customer concerns and service complaints in a timely manner.

AMENDATORY SECTION (Amending Order 307, filed 2/17/88)

WAC 248-54-265 ANALYSES AND RECORDS, REPORTING. (1) The purveyor shall keep the following records of operation and water quality analyses:

(a) Records of bacteriological and turbidity analyses shall be kept for five years. Records of chemical analyses shall be kept for as long as the system is in operation. Other records of operation and analyses required by the department shall be kept for three years. All records shall bear the signature of the operator in responsible charge of the water system or his or her representative. (~~(Class 1 and 2)~~) Group A systems shall keep these records available for inspection by the department and shall send the records to the department if requested. Actual laboratory reports may be kept or data may be transferred to tabular summaries, provided the following information is included:

- (i) The date, place, and time of sampling, and the name of the person collecting the sample;
- (ii) Identification of the sample as to whether it was a routine distribution system sample, check sample, raw or drinking water sample, or other special purpose sample;
- (iii) Date of analysis;
- (iv) Laboratory and person responsible for performing analysis;
- (v) The analytical technique/method used; and
- (vi) The results of the analysis.

(b) Records of action taken by the system to correct violations of primary drinking water regulations and copies of public notifications shall be kept for three years after the last action taken with respect to the particular violation involved.

(c) Copies of any written reports, summaries, or communications, relating to sanitary surveys of the system conducted by system personnel, by a consultant or by any local, state, or federal agency, shall be kept for ten years after completion of the sanitary survey involved.

(d) Where applicable, daily records of operation and analyses shall include the following:

- (i) Chlorine residual;
 - (ii) Fluoride level;
 - (iii) Water treatment plant performance including, but not limited to:
 - (A) Type of chemicals used and quantity,
 - (B) Amount of water treated, and
 - (C) Results of analyses.
 - (iv) Turbidity; and
 - (v) Other information as specified by the department.
- (2) Reporting.

(a) Except where a shorter reporting period is specified, the purveyor shall report monthly to the department. Reports shall be submitted prior to the tenth of the following month and include all tests, measurements, or analyses.

(b) Water facilities inventory and report form (WFI).

(i) (~~(Every class 1 and 2)~~) Purveyors of community systems shall submit an annual WFI update to the department.

(ii) Purveyors of ~~((class 3 and 4 water))~~ NTNC, TNC, and Group B systems shall submit an updated WFI to the department as requested.

(iii) The purveyor shall also submit an updated WFI to the department within thirty days of any change in name, ~~((class))~~ category, ownership, or responsibility for management of the water system.

AMENDATORY SECTION (Amending Order 307, filed 2/17/88)

WAC 248-54-285 CROSS-CONNECTION CONTROL. (1) General.

(a) Purveyors have the responsibility to protect public water systems from contamination due to cross-connections. Cross-connections which can be eliminated shall be eliminated. The purveyor shall work cooperatively with local authorities to eliminate or control potential cross-connections.

(b) The purveyor shall develop and implement a cross-connection control program acceptable to the department. The scope and complexity of the program shall be directly related to the size of the system and the potential public health risk. A department guideline titled Planning Handbook is available to assist the utility in developing this program. ~~((The cross-connection control program shall be included in the water system's plan per WAC 248-54-065 or small water system management program as outlined in WAC 248-54-196, whichever is appropriate.))~~ The most recently published edition of the manual titled Accepted Procedure and Practice in Cross Connection Control - Pacific Northwest Section - American Waterworks Association shall be used as a resource to establish:

(i) Minimum cross-connection control operating policies;

(ii) Backflow prevention assembly installation practices;

(iii) Backflow prevention assembly testing procedures; and

(iv) Enforcement authority.

Purveyors and local authorities shall have the option of establishing more stringent requirements.

(c) The purpose of a cross-connection control program is to protect the health of water consumers and the potability of the public water system by assuring:

(i) The inspection and regulation of plumbing in existing and proposed piping networks; and

(ii) The proper installation and surveillance of backflow prevention assemblies when actual or potential cross-connections exist and cannot be eliminated.

(d) ~~((The purveyor shall develop and document enforcement authority and operating policies in a manner acceptable to the department. The most recently published edition of the manual titled Accepted Procedure and Practice in Cross Connection Control - Pacific Northwest Section - American Waterworks Association, shall be used as a resource to establish:~~

~~(i) Minimum cross-connection control operating policies;~~

~~(ii) Backflow prevention assembly installation practices; and~~

~~(iii) Backflow prevention assembly testing procedures.~~

~~Purveyors and local authorities shall have the option of establishing more stringent requirements))~~ The cross-connection control program shall be included in the water system's plan under WAC 248-54-065 or small water system management program as outlined under WAC 248-54-196, whichever is appropriate.

(e) When an existing cross-connection poses a potential health or system hazard, the purveyor shall shut off water service to the premises until the cross-connection has been eliminated or controlled by the installation of a proper backflow prevention assembly. The cross-connection control program manager for the department shall be notified when a service has been shut off.

(2) Backflow prevention assembly installation and testing.

(a) If a cross-connection cannot be eliminated, then:

(i) An air-gap separation, reduced pressure principle backflow prevention assembly (RPBA) or a reduced pressure principle detector backflow prevention assembly (RPDA) shall be installed if the cross-connection creates an actual or potential health or system hazard.

(ii) An air-gap separation, RPBA, RPDA, double-check valve backflow prevention assembly (DCVA), or double-check detector backflow prevention assembly (DCDA) shall be installed if the cross-connection is objectionable, but does not ~~((hazardous))~~ pose an unreasonable risk to health.

(iii) A pressure vacuum breaker assembly (PVBA) or an atmospheric vacuum breaker may be installed where the substance which could backflow is objectionable but does not pose an unreasonable risk to health and where there is no possibility of backpressure in the downstream piping.

(iv) ~~((Air gaps or appropriate))~~ Backflow prevention assemblies, appropriate for the degree of hazard or air gaps and in some cases both, shall be installed at the service connection or within the following facilities, unless in the judgment of the water purveyor and the department, no hazard exists: Hospitals, mortuaries, clinics, laboratories, piers and docks, sewage treatment plants, food and beverage processing plants, chemical plants using water process, metal plating industries, petroleum processing or storage plants, radioactive material processing plants or nuclear reactors, car washes, facilities having a nonpotable auxiliary water supply, and others specified by the department.

(b) All installed RPBA's, RPDA's, DCVA's, DCDA's, and PVBA's shall be ~~((f))~~ models ~~((t))~~ included on the current list of backflow assemblies, approved for installation in Washington state, and maintained and published by the department. ~~((The department shall publish and maintain a list of approved assemblies))~~ Backflow prevention assemblies in service, but not listed, shall remain in service provided the backflow prevention assemblies:

(i) Are listed on the current Washington state-approved cross-connection control assembly list at the time of installation;

(ii) Are properly maintained;

(iii) Are of a type appropriate for the degree of hazard; and

(iv) Are tested and successfully pass the test annually.

When unlisted assemblies are moved or require more than minimum maintenance, the unlisted assemblies shall be replaced by an assembly listed on the current approved model list.

(c) All air gaps and backflow prevention assemblies shall be ((α)) installed in accordance with the cross-connection control manual referenced ((m)) under WAC ((248-54-285-(1)(d))) 248-54-285 (1)(b) of this section.

(d) The purveyor may permit the substitution of a properly installed air gap in lieu of an approved backflow prevention assembly. All such air gap substitutions shall be inspected annually by a Washington state certified backflow assembly tester.

(e) A Washington state certified backflow assembly tester shall inspect and test all:

- (i) RPBA's,
- (ii) RPDA's,
- (iii) DCVA's,
- (iv) DCDA's,
- (v) New PVBA installations, and
- (vi) Existing PVBA's ((as they are)) discovered through routine inspections.

(f) Tests and/or inspections shall be conducted:

- (i) At the time of initial installation(;;);
- (ii) Annually after initial installation, or more frequently if tests indicate repeated failures(;;); and
- (iii) After the assembly is repaired.

(g) The assemblies shall be repaired, overhauled, or replaced whenever found to be defective. The purveyor shall require that improperly installed or altered air gaps be replumbed or replaced by an approved RPBA at their discretion. Inspections, tests, and repairs shall be made under the purveyor's supervision and records thereof kept as required by the purveyor.

(h) The purveyor shall deny or discontinue water service to any customer failing to cooperate in the installation, maintenance, testing, or inspection of backflow prevention assemblies required by ((these)) the regulations of this chapter.

(3) Washington state certified backflow assembly testers.

(a) A backflow assembly tester shall become certified and maintain ((their)) certification per department backflow assembly tester certification program guidelines.

(b) The department shall maintain a list of persons certified to test backflow prevention assemblies.

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

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 248-54-255 PUBLIC NOTIFICATION.

WSR 89-21-021

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 89-124—Filed October 10, 1989, 1:22 p.m.]

Date of Adoption: October 10, 1989.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:
Repealing WAC 220-32-05100W.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to 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: Harvestable numbers of salmon are immediately available in the Priest Rapids Reservoir. This regulation is consistent with the Yakima Indian Nation fishery regulation.

Effective Date of Rule: Immediately.

October 10, 1989

Joseph R. Blum

Director

NEW SECTION

WAC 220-32-05100X COLUMBIA RIVER SALMON SEASONS ABOVE BONNEVILLE Notwithstanding the provisions of WAC 220-32-051, 220-32-052, 20-32-053, 220-32-056, 220-32-057 and 220-32-058, effective immediately until 6 PM October 20, 1989, it is unlawful to fish for or possess salmon, shad, or sturgeon taken for commercial purposes from the Columbia River, upstream from a line at Bonneville Dam except for those individuals possessing treaty fishing rights under the Yakima Tribal Nation may fish or possess salmon and shad under the following provisions:

(1) Open: For salmon and shad, Wanapum Dam downstream to Priest Rapids Dam.

(2) Time 6 AM October 9 to 6 PM October 13
6 AM October 16 to 6 PM October 20

(3) Area Closures: Safety Zone and Boat Registration Zones as marked by buoy lines or markers and waters within a 400 foot radius of the fish ladder exit at Priest Rapids are closed to fishing.

(4) Gear: Gill nets no longer than 400 with an 8 inch minimum mesh. A maximum of five nets per crew. Nets must be marked with the name and enrollment number of the head fisherman. Nets must be placed at least 400 feet apart.

(5) All fish must be sold in accordance with Yakima Tribal Fishery Regulations. The sale of sturgeon is prohibited.

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

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-32-05100W COLUMBIA RIVER SALMON SEASONS ABOVE BONNEVILLE. (89-121)

WSR 89-21-022 EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 89-125—Filed October 10, 1989, 1:24 p.m.]

Date of Adoption: October 10, 1989.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-57-14000L.

Statutory Authority for Adoption: RCW 75.07.070 [75.08.080].

Pursuant to 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: Immediate implementation of this opening is necessary to regulate the Chehalis River recreational fishery in accordance with the 1989 Grays Harbor management plan.

Effective Date of Rule: Immediately.

October 10, 1989
Judith Merchant
Deputy Director
for Joseph R. Blum
Director

Title of Rule: Amending WAC 275-16-030 Schedule of charges.

Purpose: To revise the schedule of charges for state hospitals. Charges increase as hospital costs increase. Increased charges result in additional revenue to the state.

Statutory Authority for Adoption: RCW 74.02.412 [71.02.412].

Statute Being Implemented: RCW 71.02.412.

Summary: Schedule of rate changes for Western State Hospital, Eastern State Hospital and Child Study and Treatment Center is revised based on the previous year's costs at these hospitals as required by RCW 43.20B.325.

Reasons Supporting Proposal: This rule is necessary to reflect costs of operating the state hospitals as required by RCW 43.20B.325.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Jan Wells, Mental Health Division, 753-2743.

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: Same as above.

Proposal Changes the Following Existing Rules: Same as above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Date of Intended Adoption: November 1, 1989.

October 10, 1989
Leslie F. James, Director
Administrative Services

NEW SECTION

WAC 220-57-14000M CHEHALIS RIVER Notwithstanding the provisions of WAC 220-57-140, it is unlawful to fish for or possess salmon taken for personal use from the waters of the Chehalis River except as provided for in this section:

Effective immediately through January 31, 1990 - Bag Limit A - Waters downstream of the Fuller Bridge to the Union Pacific Railroad Bridge.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-57-14000L CHEHALIS RIVER. (89-120)

WSR 89-21-023

PROPOSED RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Institutions)

[Filed October 10, 1989, 3:54 p.m.]

Continuance of WSR 89-17-025.

WSR 89-21-024

PROPOSED RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Public Assistance)

[Filed October 10, 1989, 3:55 p.m.]

Original Notice.

Title of Rule: Chapter 388-98 WAC, Nursing home licensure program administration.

Purpose: To comply with new state requirements effective July 1, 1989, and federal law (OBRA 1987); P.L. 100-203 effective October 1, 1989, regarding sanctions to be imposed against nursing homes for failure to meet state and federal Medicaid requirements.

Statutory Authority for Adoption: Section 8, chapter 372, Laws of 1989.

Statute Being Implemented: Section 8, chapter 372, Laws of 1989.

Summary: Sets forth a range of remedies, and standards for imposing them, when nursing homes fail to comply with applicable state and federal requirements.

Remedies or "sanctions" include civil fines, stop placement, stop payment for new Medicaid admissions, license suspension and revocation, temporary management, receivership, emergency transfer of residents, and emergency closure.

Reasons Supporting Proposal: To implement state and federal statutory requirements regarding remedies for nursing homes noncompliant with applicable state and federal requirements. The federal statutory deadline for implementation of the rule is October 1, 1989.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Peggy Brown, Aging and Adult Services, 753-3286.

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

Rule is necessary because of federal law, Public Law 100-203.

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See Above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, on December 5, 1989, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by December 5, 1989.

Date of Intended Adoption: December 15, 1989.

October 10, 1989

Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2546, filed 10/9/87)

WAC 388-98-001 DEFINITIONS. (1) For purposes of this section, the following words or phrases shall have the following meanings unless the context clearly indicates otherwise:

(2) "Applicant" means an individual, partnership, corporation, or other legal entity seeking a license to operate a nursing home.

(3) "Decertification" means a department decision to:

(a) Terminate a nursing home's Medicaid certification and contract;

or
(b) Recommend the federal Health Care Financing Administration terminate the nursing home's Medicaid and/or Medicare certification and contracts.

(4) "Deficiency" means ((any practice, action, procedure, or condition in a nursing home violating)) a finding by the department of a violation of professional standards of practice, ((relevant statutes, or regulations and which the department documents in writing indicating the part or parts of chapters 18.51 or 74.42 RCW or rules and regulations established under them, including but not limited to chapter 248-14 WAC, not being met)) the requirements of chapters 18.51 or 74.42 RCW, or the standards, rules, and regulations established under them or in the case of a Medicaid contractor, violation of Medicaid requirements of Title XIX of the Social Security Act, as amended, and regulations promulgated thereunder.

((+)) (5) "Denial of payment" means a department decision not to pay for new Medicaid admissions to a nursing home.

(6) "Department" means the nursing home licensing agency of the state department of social and health services.

((+)) (7) "Director" means an individual elected or appointed as director of a corporation.

((+)) (8) "Emergency closure" means a department order to immediately close a nursing home.

(9) "Emergency transfer" means a department order to immediately transfer specified residents or all residents from a nursing home to safe settings.

(10) "Highest practicable physical, mental, or psychosocial well being" means the highest level of functioning and well being possible to be achieved for a resident limited by the resident's presenting functional status and potential for improvement or reduced rate of degeneration. Highest practicable is not a diagnostic, prospective, delineating determination made without aggressive, competent efforts to halt degenerative processes and to achieve or restore independent free choice functioning. It is achieved through functional assessment and aggressive, competent addressing of the individual's physical, mental, and psychosocial needs.

((+)) (11) "Licensed nursing home" means a nursing home licensed ((pursuant to)) under chapter 18.51 RCW.

((+)) (12) "Licensee" means an individual, partnership, corporation, or other legal entity ((to whom a license)) licensed to operate a nursing home ((has been granted)) or a person subject to ((such)) licensure as determined by the department ((but)). This does not include ((any)) an employee of ((such)) a licensee or person unless that employee is an owner of five percent or more of the licensed entity assets ((of the licensed entity)).

((+)) (13) "Licensee's agent" means the designated nursing home administrator, or an individual ((allowed)) designated to perform managerial functions in ((his or her)) the administrator's absence.

((+)) (14) "Officer" means an individual appointed as an officer of a corporation.

((+)) (15) "Owner of five percent or more of the assets of a nursing home" means:

(a) In the case of a sole proprietorship, the owner, or if owned as community property, the owner and ((his or her)) owner's spouse; ((or))

(b) In the case of a corporation, the owner of at least five percent of the capital stock of ((said)) a corporation; or

(c) In the case of ((any)) other types of business ((entity)) entities, the owner of a beneficial interest in at least five percent of the capital assets of ((such)) an entity.

((+)) (16) "Partner" means an individual in a partnership owning or operating a nursing home.

((+)) (17) "Plan of correction" means a written statement specifying:

(a) How ((cited deficiencies)) the nursing home will ((be corrected-)) correct the cited deficiencies;

(b) The date by which the correction will be made((:)); and

(c) Who ((will be)) is responsible for assuring the correction.

((+)) (18) "Reasonable time" means a period of time determined by the department and noted in the plan of correction. In determining the length of ((the period of)) time for correction of each deficiency, the department ((will consider)) considers:

(a) The gravity of the deficiency, including the severity and immediacy of the actual or potential harm to ((any)) residents;

(b) The required financial and personnel resources necessary to correct the deficiency; and

(c) The minimum amount of time practicably required to correct the deficiency.

((+)) (19) "Receivership" means a court action resulting in the removal of a nursing home's current operator and the appointment of a substitute operator to temporarily manage and operate the nursing home.

(20) "Retaliate":

(a) Retaliate against a resident means ((any)) an act including, but not limited to:

(i) Verbal or physical harassment or abuse;

(ii) Nonmedically indicated social, dietary, or mobility restriction;

(iii) Lessening of the level of care not medically appropriate;

(iv) A nonvoluntary relocation within a nursing home without appropriate medical, psychosocial, or nursing justification;

(v) Neglect or negligent treatment;

(vi) Withholding of privileges; or

(vii) ((Any)) Infringement ((upon)) on a resident's rights as described in WAC 248-14-247, occurring as a result of resident actions described in WAC 388-98-800 (2)(i).

(b) Retaliate against an employee means ((any)) an act including, but not limited to, harassment, firing, demotion, disciplinary action, or nonvoluntary reassignment or rescheduling occurring as a result of employee actions described in WAC 388-98-800 (2)(i).

(c) A rebuttable presumption is raised that retaliation has occurred if a condition described in subsection 388-98-001 (14)(a) of this section definition occurs within one year of the resident's actions described in WAC 388-98-800 (2)(i).

~~((+5))~~ (21) "Severity" means the seriousness of a deficiency as determined by the:

(a) Actual or potential negative impact on a resident as measured by negative outcomes or rights violations; or

(b) Extent to which the resident's highest practicable physical, mental, or psychosocial well being is compromised.

(22) "Scope" means the frequency, incidence, or extent of the occurrence of a deficiency.

(23) "Stop placement" means action instituted by the department prohibiting nursing home admissions, readmissions, and transfers of ~~((individual))~~ patients.

(24) "Temporary management" means the department temporarily appoints a substitute manager or operator with authority to:

(a) Hire, terminate, or reassign staff, obligate facility funds, alter procedures as appropriate; or otherwise

(b) Manage the facility as necessary to correct deficiencies or close the facility in a safe and orderly manner.

NEW SECTION

WAC 388-98-003 REMEDIES. (1) When:

(a) The department finds a licensee or partner, officer, director or owner of five percent or more of the assets of the nursing home or managing employee fails or refuses to comply with the requirements of chapters 18.51 or 74.42 RCW; or

(b) A Medicaid contractor fails or refuses to comply with the Medicaid requirements of Title XIX of the Social Security Act, as amended, the department may impose any or all of the following remedies:

(i) Suspend, revoke, or refuse to renew a license;

(ii) Order stop placement;

(iii) Assess monetary penalties of a civil nature;

(iv) Deny payment to a nursing home for Medicaid residents admitted after notice to deny payment. Residents who are Medicaid recipients shall not be responsible for payment when the department takes action under this subsection;

(v) Appoint temporary management as provided in section 300 of this chapter; and

(vi) Petition the court to establish receivership.

(2) The department may suspend, revoke, or refuse to renew a license, assess monetary penalties of a civil nature, or both, when the department finds the licensee or partner, officer, director, owner of five percent or more of the assets of the nursing home, or managing employee:

(a) Operates or operated a nursing home without a license or under a revoked or suspended license;

(b) Knowingly or with reason to know makes a false statement of a material fact in the application for license, in attached data, or in matters under investigation by the department;

(c) Refuses to allow representatives or agents of the department to inspect required books, records, and files or portions of the nursing home premises;

(d) Willfully prevents, interferes with, or attempts to impede the work of authorized department representative and the lawful enforcement of provisions of this chapter or of chapter 74.42 RCW;

(e) Willfully prevents or interferes with department representatives in the preservation of evidence of violations of provisions in this chapter or of chapter 74.42 RCW;

(f) Fails to report patient abuse or neglect in violation of chapter 70.124 RCW; or

(g) Fails to pay a civil monetary penalty assessed by the department under this chapter within ten days after assessment becomes final.

(3) Section 8, chapter 372, Laws of 1989 directs the department to develop criteria to govern the imposition of remedies. The criteria for imposing remedies under subsection (1) of this section are set forth under this subsection. The criteria do not substitute for standards set forth in that statute for the mandatory imposition of stop placement and denial of payment.

CRITERIA

(a) Deficiency

Required Remedies

No harm or injury has occurred, but threat of limited harm is present for one or small number of residents.

Plan of Correction

(b) Deficiency

Minimal harm or injury has occurred or threat of moderate harm is present for one or a small number of residents.

(c) Deficiency

(i) Minimal to moderate harm or injury has occurred or threatens to occur and is moderate to systemic in scope.

(ii) Repeated or uncorrected Level (c) deficiency

(d) Deficiency

(i) Severe harm or injury has occurred or threatens to occur and is low to moderate in scope. An immediate and serious threat to resident health and safety may be present.

Additional/Optional Remedies

A civil fine of up to five hundred dollars for each violation, based on severity and scope.

Required Remedies

Plan of Correction

Additional/Optional Remedies

A five hundred to one thousand dollar civil fine for each violation, based on severity and scope.

Required Remedies

Decertification

Stop Placement

Additional/Optional Remedies

A one thousand to two thousand five hundred dollar civil fine for each violation, based on severity and scope.

Denial of payment for new admissions

License Revocation

Plan of Correction

Department on-site monitoring

Required Remedies

Decertification

Stop Placement

Select more severe optional remedies including fines at the higher range.

Required Remedies

Decertification

Stop Placement

License revocation

Additional/Optional Remedies

Plan of Correction

Denial of payment for new admissions

A two thousand five hundred to three thousand dollar civil fine for each violation, based on severity and scope.

Emergency transfer of individual patients

Temporary management or receivership

License suspension

Department on-site monitoring

(ii) Repeated or uncorrected Level (d) deficiency

Required Remedies
 Decertification
 Stop Placement
 License Revocation
 Select more severe optional remedies including fines at the higher range.

(e) Deficiency
 Serious harm has occurred or risk of serious harm or injury is high and systemic. Immediate and serious threat to resident health and safety exists.

Required Remedies
 Decertification
 Stop Placement
 License Revocation

Additional/Optional Remedies
 Emergency closure and/or patient transfer
 License suspension
 Temporary management or receivership
 A two thousand to three thousand dollar civil fine for each violation (daily if deemed appropriate), based on severity and scope.
 Denial of payment on new admissions
 Department on-site monitoring
 Plan of Correction.

(f) Emergency Crisis
 Health and safety of large percentage of population is imminently threatened due to events, such as:
 Structural damage
 Staff walkout
 Natural disaster

Required Remedies
 Emergency closure or emergency resident transfer

Additional/Optional Remedies
 A three thousand dollar civil fine for each violation (daily if deemed appropriate), based on high severity and scope.
 Decertification
 License revocation or suspension

(4) Each day a deficiency remains uncorrected shall constitute a separate deficiency, subject to the assessment of a separate civil monetary penalty. Civil monetary penalties shall become due twenty days after the licensee is served with a notice of the penalty, unless a hearing is requested. If a hearing is requested, the penalty shall become due ten days after a final agency decision in the department's favor is issued. Interest shall accrue beginning thirty days after the licensee is served with notice of the penalty.

AMENDATORY SECTION (Amending Order 2603, filed 3/2/88)

WAC 388-98-010 LIST OF QUALIFIED RECEIVERS. (1) The department may recruit individuals, partnerships, and corporations interested in serving as a receiver of a nursing home. Recruitment may be ~~((in the form of))~~ by personal letters, telephone, radio or television announcements, or advertisements in publications determined suitable by the department.

(2) ~~((Any))~~ Individuals, partnerships, or corporations ~~((desiring to be))~~ interested in being appointed as a receiver shall complete ~~((the sections))~~ designated ~~((by the department))~~ sections of ~~((an))~~ a nursing home license application ~~((for a nursing home license)).~~

(3) ~~((Any))~~ Individuals, partnerships, or corporations with experience in providing long-term health care and a history of satisfactory nursing home operation ~~((of a nursing home))~~ may submit ~~((an))~~ a receiver application to the department at any time ~~((to serve as a receiver)).~~ Applicants shall be subject to the criteria established for licensees found in WAC 248-14-080, except the department may waive ~~((on a case-by-case basis))~~ the requirement for having ~~((60))~~ sixty days to review the application.

(4) The department shall maintain a list of qualified potential receivers. The department shall add names of qualified applicants to the list upon receipt of ~~((an))~~ applications properly completed by ~~((the))~~ applicants and approved by the department. ~~((The department shall update the list by July 1 of each year. Updating shall verify:~~

- (a) Information on the application is still current; and
- (b) ~~The individual, partnership, or corporation remains interested in serving as a receiver.))~~

(5) Individuals, partnerships, or corporations failing to update their application as ~~((requested))~~ required by the department shall not be considered ~~((as))~~ potential receivers unless they submit a new application ~~((is submitted))~~ to the department.

(6) The department shall not consider as a receiver any person, partnership, or corporation which:

- (a) Is the licensee, administrator, or partner, officer, director, managing employee, or owner of five percent or more of the assets of the nursing home subject to receivership; ~~((or))~~
- (b) Is affiliated with the nursing home subject to receivership; ~~((or))~~
- (c) Has a financial interest in the nursing home before the time of appointment;
- (d) Has owned or operated a nursing home ~~((that has been))~~ ordered into receivership in any state; or
- ~~((d))~~ (e) Has owned or operated a nursing home against which decertification action or licensure suspension or revocation proceedings have been initiated or have been in effect within two years preceding the filing of the receivership petition.

(7) The department may recommend a receiver to the court ~~((a receiver from the list)).~~ In making the recommendation, ~~((any))~~ one or more of the following factors may be considered:

- (a) ~~((The))~~ Potential receiver's willingness to serve as a receiver for the nursing home in question;
- (b) ~~((The))~~ Amount and quality of the potential receiver's experience in long term care;
- (c) ~~((The))~~ Quality of care, as determined by prior survey reports, provided under the potential receiver's supervision or management;
- (d) ~~((The))~~ Potential receiver's prior performance as a receiver;
- (e) How soon ~~((the))~~ potential receiver ~~((would be))~~ is available to act as a receiver;
- (f) ~~((The))~~ Potential receiver's familiarity and past compliance with ~~((Washington))~~ state and federal regulations applicable to nursing homes;
- (g) ~~((The))~~ Potential receiver's economic potential and interest in operating the nursing home on a permanent basis; and
- (h) Preference may be given to potential receivers expressing an interest in the permanent operation of the nursing home.

AMENDATORY SECTION (Amending Order 2603, filed 3/2/88)

WAC 388-98-015 DUTIES AND POWERS OF RECEIVER.

(1) The receiver shall protect the health, security, and welfare of the residents for the duration of the receivership. The receiver shall perform all acts reasonably necessary to ensure residents' needs are met. Such acts may include, but are not limited to:

- (a) Correcting deficiencies cited by the department;
- (b) Hiring, directing, managing, and discharging all consultants and employees for just cause, discharging the administrator of the nursing home, recognizing collective bargaining agreements, and settling labor disputes;
- (c) Receiving and expending in a prudent and businesslike manner all revenues and financial resources of the home, provided that priority shall be given to debts and expenditures directly related to providing care and meeting residents' needs;
- (d) Making necessary purchases, repairs, and replacements, provided that expenditures for purchases, repairs, or replacements in excess of five thousand dollars are approved by the court;
- (e) Entering into contracts necessary for the operation of the nursing home; PROVIDED That, ~~((any))~~ contracts extending beyond the period of receivership shall be approved by the court;
- (f) Preparing all reports required by the department;

(g) Planning with residents and their guardians, family, or significant others, ~~(any)~~ required relocation;

(h) Meeting regularly with staff, residents, and residents' families to inform them of;

(i) Plans for correcting the deficiencies~~(;);~~;

(ii) Progress achieved in correction~~(;);~~;

(iii) Plans for facility closure and relocation~~(;);~~ or

(iv) Plans for continued operation of the nursing home including the identity of the permanent operator.

(2) The receiver shall consult the court in cases of extraordinary or questionable debts incurred prior to the receiver's appointment and shall not have the power to close the home or sell any of the nursing home's assets ~~(of the home)~~ without prior court approval.

(3) The receiver shall comply with ~~(all)~~ applicable state and federal laws and regulations. If the nursing home is certified and is providing care to medical assistance clients, the receiver shall become the Medicaid contractor for the duration of the receivership period.

~~((a) A receiver for a skilled or intermediate care nursing home shall be responsible for complying with the provisions of chapter 74.46 RCW and chapter 388-96 WAC.~~

~~(b) A receiver for an intermediate care facility for the mentally retarded (ICF/MR) shall be responsible for complying with the provisions of chapter 74.09 RCW and chapter 275-38 WAC.~~

~~(4) The receiver shall be responsible and liable only for the receiver's own gross negligence, intentional wrongdoing, or breach of fiduciary duty to either the residents of the nursing home or the current or former licensee or owner of the nursing home.)~~

AMENDATORY SECTION (Amending Order 2603, filed 3/2/88)

WAC 388-98-020 TERMINATION OF RECEIVERSHIP. (1) ~~(The department shall recommend to the court the receivership be terminated:~~

~~(a) After the end of the appointed term unless good cause is shown to continue the receivership. Good cause for continuing the receivership exists when:~~

~~(i) Returning the nursing home to its former operator would subject the residents to a threat to their health, safety, or welfare; and~~

~~(ii) A credible replacement operator has entered into an enforceable agreement to purchase or operate the nursing home by a date acceptable to the department, but has not yet taken possession or control; or~~

~~(b) When all residents have been transferred and the nursing home is closed; or~~

~~(c) When all deficiencies which threaten the health, safety, or welfare of the residents have been eliminated and the former operator or owner has agreed to conditions specified by the department regarding the continued operation of the facility; or~~

~~(d) When a new licensed operator or owner is available to assume control of the nursing home.~~

~~(2)) The department shall recommend to the court that all residents be relocated and the nursing home closed when:~~

~~(a) Problems exist in the physical condition of the premises which cannot be corrected in an economically prudent manner; or~~

~~(b) The department determines the former operator or owner:~~

~~(i) Is unwilling or unable to manage the nursing home in a manner ~~(which ensures)~~ ensuring residents' health, safety, and welfare; and~~

~~(ii) Has not entered into an enforceable agreement to sell the nursing home within three months of the court's decision to grant receivership.~~

~~((3)) (2) The department may recommend to the court an alternate receiver be appointed:~~

~~(a) When the receiver is no longer willing to serve as a receiver; or~~

~~(b) If a receiver is not making acceptable progress in correcting the deficiencies in the nursing home.~~

NEW SECTION

WAC 388-98-300 TEMPORARY MANAGEMENT. (1) When the department appoints a temporary manager, the:

(a) Department shall order the licensee to cease operating the nursing home;

(b) Department shall order the licensee to turn over to the temporary manager possession and control of the nursing home including, but not limited to, all patient care records, financial records, and other records necessary for continued operation of the nursing home while temporary management is in effect; and

(c) Temporary manager shall have authority to temporarily relocate some or all residents if the:

(i) Temporary manager determines a resident's health, security, or welfare is jeopardized; and

(ii) Department concurs with the temporary manager's determination a relocation is necessary.

(2) The department's authority to order temporary management is discretionary in all cases.

NEW SECTION

WAC 388-98-320 TEMPORARY MANAGERS—APPLICATION. (1) The department may recruit individuals, partnerships, and corporations interested in serving as a temporary nursing home manager.

(2) Individuals, partnerships, or corporations interested in being appointed as a temporary manager shall complete the designated sections of a nursing home license application.

(3) Individuals, partnerships, or corporations with experience in providing long-term health care and a history of satisfactory nursing home operation may submit an application to the department at any time. Applicants shall be subject to the criteria established for licensees found in WAC 248-14-080, except the department may waive the requirement for having sixty days to review the application.

(4) The department shall not consider as a temporary manager a person, partnership, or corporation which:

(a) Is the licensee, administrator, or partner, officer, director, managing employee, or owner of five percent or more of the assets of the nursing home subject to temporary management;

(b) Is affiliated with the nursing home subject to temporary management;

(c) Has owned or operated a nursing home ordered into temporary management in any state; or

(d) Has owned or operated a nursing home against which decertification action or licensure suspension or revocation proceedings have been initiated or have been in effect within two years preceding the appointment of a temporary manager.

(5) The department, in appointing a temporary manager, may consider one or more of the following factors:

(a) Potential temporary manager's willingness to serve as a temporary manager for the nursing home in question;

(b) Amount and quality of the potential temporary manager's experience in long-term care;

(c) Quality of care, as determined by prior survey reports, provided under the potential temporary manager's supervision or management;

(d) Potential temporary manager's prior performance as a temporary manager or receiver;

(e) How soon the potential temporary manager is available to act as a temporary manager;

(f) Potential temporary manager's familiarity and past compliance with state and federal regulations applicable to nursing homes;

(g) Potential temporary manager's economic potential and interest in operating the nursing home on a permanent basis;

(h) Preference may be given to potential temporary managers expressing an interest in the permanent operation of the nursing home.

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.

NEW SECTION

WAC 388-98-330 DUTIES AND POWERS OF TEMPORARY MANAGER. (1) The temporary manager shall protect the health, security, and welfare of the residents for the duration of the temporary management. The temporary manager shall perform all acts reasonably necessary to ensure residents' needs are met. Such acts may include, but are not limited to:

(a) Correcting department-cited deficiencies;

(b) Hiring, directing, managing, and discharging all consultants and employees for just cause, discharging the administrator of the nursing home, recognizing collective bargaining agreements, and settling labor disputes;

(c) Receiving and expending in a prudent and business-like manner all revenues and financial resources of the home provided priority shall be given to debts and expenditures directly related to providing care and meeting residents' needs;

(d) Making necessary purchases, repairs, and replacements provided expenditures for purchases, repairs, or replacements in excess of five thousand dollars;

- (e) Entering into contracts necessary for the operation of the nursing home;
- (f) Preparing all department-required reports;
- (g) Planning required relocation with residents and residents' guardians, family, or significant others;
- (h) Meeting regularly with and informing staff, residents, and residents' families of:
 - (i) Plans for correcting the deficiencies;
 - (ii) Progress achieved in correction;
 - (iii) Plans for facility closure and relocation; or
 - (iv) Plans for continued operation of the nursing home including the identity of the permanent operator.

(2) The temporary manager shall make a detailed monthly accounting of all expenditures and liabilities to the department and to the owner of the nursing home.

(3) The temporary manager shall comply with all applicable state and federal laws and regulations. If the nursing home is certified and is providing care to medical assistance clients, the temporary manager shall become the Medicaid contractor for the duration of the temporary management period.

(4) The temporary manager shall be responsible and liable only for the temporary manager's gross negligence, intentional wrongdoing, or breach of fiduciary duty to either the nursing home residents or the current or former licensee or nursing home owner.

NEW SECTION

WAC 388-98-340 TERMINATION OF TEMPORARY MANAGEMENT. (1) The department shall terminate temporary management:

(a) After three months unless good cause is shown to continue the temporary management. Good cause for continuing the temporary management exists when returning the nursing home to its former operator would subject residents to a threat to health, safety, or welfare;

(b) When all residents are transferred and the nursing home is closed;

(c) When deficiencies threatening residents' health, safety, or welfare are eliminated and the former operator or owner agrees to department-specified conditions regarding the continued facility operation; or

(d) When a new, licensed operator assumes control of the nursing home.

(2) The department may appoint an alternate temporary manager:

(a) When the temporary manager is no longer willing to serve as a temporary manager;

(b) If a temporary manager is not making acceptable progress in correcting the nursing home deficiencies or in closing the nursing home; or

(c) If the department determines the temporary manager is not operating the nursing home in a financially responsible manner.

AMENDATORY SECTION (Amending Order 2546, filed 10/9/87)

WAC 388-98-700 STOP PLACEMENT—INFORMAL REVIEW. ~~((1) The department shall institute a stop placement on a nursing home, effective on a date specified by the department, when the department determines:~~

~~(a) The nursing home no longer substantially meets the requirements of:~~

~~(i) 42 U.S.C. § 1395 x(j), or~~

~~(ii) 42 U.S.C. § 1396 d(c), or~~

~~(iii) Chapter 18.51 RCW, or~~

~~(iv) Chapter 74.42 RCW, or~~

~~(v) Any federal or state regulation or regulations adopted under authority of the above-referenced statutes.~~

~~(b) The deficiency or deficiencies in the nursing home:~~

~~(i) Jeopardize the health and safety of the residents, or~~

~~(ii) Seriously limit the nursing home's capacity to provide adequate care.~~

~~(2) When the department has initiated a stop placement, the department may approve a readmission to the nursing home from the hospital when the department determines the readmission would be in the best interest of the individual resident seeking readmission:~~

~~(3) The department shall terminate the stop placement when:~~

~~(a) The provider states in writing that the deficiencies necessitating the stop placement action have been corrected; and~~

~~(b) Department staff confirms in a timely fashion not to exceed fifteen working days:~~

~~(i) The deficiencies necessitating the stop placement action have been corrected; and~~

~~(ii) The provider exhibits the capacity to continue to deliver adequate care and service.~~

~~(4)) A nursing home ((provider)) licensee shall have the right to an informal review to present written evidence ((to refute)) refuting the deficiencies cited as the basis for ((the)) a stop placement. If an informal review is desired, the nursing home shall request the informal review, in writing, within ten days of the effective date of the stop placement. The request shall be made to the director, ((residential rates and licensure)) nursing home services, aging and adult services administration. The right to an informal review is in addition to the licensee's right to a hearing, as provided in section 750.~~

~~((5)(a) The nursing home has the right to a contested case hearing to appeal a stop placement. If a hearing is requested, the nursing home shall request the hearing in writing and shall:~~

~~(i) Deliver the request by personal service or certified mail to the office of hearings, P.O. Box 2465, Olympia, WA 98504.~~

~~(A) If no informal review was requested, the nursing home shall deliver the request within ten days of the effective date of the stop placement;~~

~~(B) If an informal review was requested, the nursing home shall deliver the request within ten days of the date the informal review determination was mailed; or~~

~~(C) If an informal review was requested and the determination was personally served or orally communicated, the nursing home shall deliver the request within ten days of the date the determination was served or communicated.~~

~~(ii) Include in or with the request:~~

~~(A) A specific statement of the issue or issues and law or laws involved;~~

~~(B) The grounds for contending the stop placement is erroneous;~~

~~(C) A copy of the stop placement notice; and~~

~~(D) Either the informal review determination or a statement where an informal review has not been, and will not be, requested.~~

~~(b) The hearing shall be governed by chapters 10-08 and 388-08 WAC. If any provision of this section conflicts with chapter 388-08 WAC, the provision in this section applies. The decision making procedure shall be the initial decision, petition for review, and review decision procedure. The administrative law and review judges shall act on stop placement cases expeditiously.~~

~~(6)(a) The department shall not delay or suspend a stop placement because the nursing home requests a contested hearing or an informal review.~~

~~(b) The stop placement shall remain in effect until:~~

~~(i) The department terminates the stop placement;~~

~~(ii) Fourteen days after a initial decision terminating the stop placement is mailed and the department does not file a petition for administrative review; or~~

~~(iii) A review decision terminating the stop placement is mailed.))~~

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

NEW SECTION

WAC 388-98-750 NOTICE AND HEARING RIGHTS. (1) This subsection shall apply to the department's imposition of the following remedies:

(a) License suspension, revocation, or nonrenewal;

(b) Stop placement;

(c) Civil monetary penalty;

(d) Denial of payment; and

(e) Appointment of a temporary manager.

(2) The department's notice of a remedy is governed by RCW 18.51.065 and 43.20A.XXX and section 96, chapter 175, laws of 1989. The licensee's or agent's right to an adjudicative proceeding is in the same law.

(a) A person contesting any decision described in subsection (1) of this section shall within twenty-eight days of receipt of the decision:

(i) File a written application for an adjudicative proceeding by showing proof of receipt with the Office of Appeals, P.O. Box 2465, Olympia, WA 98504; and

(ii) Include in or with the application:

(A) A specific statement of the issue and law involved;

(B) The grounds for contesting the department decision; and

(C) A copy of the contested department decision.

(b) The proceeding shall be governed by the Administrative Procedure Act (chapter 34.05 RCW); RCW 18.51.065 and 43.20A.XXX; and section 96, chapter 175, Laws of 1989; this section; and chapter 388-08 WAC. If any provision in this section conflicts with chapter 388-08 WAC, the provision in this section governs.

(3) When a licensee fails to pay a fine when due under this chapter, the department may:

(a) Withhold an amount equal to the fine plus interest, if any, from the licensee's Medicaid payment;

(b) Suspend the licensee's nursing home license. Such license suspension shall continue until the fine is paid; or

(c) Impose an additional civil monetary penalty, under WAC 388-98-003 (2)(g).

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-98-005 RECEIVERSHIP.
WAC 388-98-800 APPLICABILITY OF CIVIL FINES.
WAC 388-98-850 IMPOSITION AND PAYMENT OF FINES.

WSR 89-21-025
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 2878—Filed October 10, 1989, 3:56 p.m.]

Date of Adoption: October 10, 1989.

Purpose: To comply with new state requirements effective July 1, 1989, and federal law (OBRA 1987); P.L. 100-203 effective October 1, 1989, regarding sanctions to be imposed against nursing homes for failure to meet state and federal Medicaid requirements.

Citation of Existing Rules Affected by this Order: Amending chapter 388-98 WAC, Nursing home licensure program administration.

Statutory Authority for Adoption: Section 8, chapter 372, Laws of 1989.

Pursuant to 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: To implement state and federal statutory requirements regarding remedies for nursing homes noncompliant [noncompliant] with applicable state and federal requirements. The federal statutory deadline for implementation of the rule is October 1, 1989.

Effective Date of Rule: October 11, 1989, 12:01 a.m.

October 10, 1989

Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2546, filed 10/9/87)

WAC 388-98-001 **DEFINITIONS.** (1) For purposes of this section, the following words or phrases shall

have the following meanings unless the context clearly indicates otherwise:

(2) "Applicant" means an individual, partnership, corporation, or other legal entity seeking a license to operate a nursing home.

(3) "Decertification" means a department decision to:

(a) Terminate a nursing home's Medicaid certification and contract; or

(b) Recommend the federal Health Care Financing Administration terminate the nursing home's Medicaid and/or Medicare certification and contracts.

(4) "Deficiency" means ((any practice, action, procedure, or condition in a nursing home violating)) a finding by the department of a violation of professional standards of practice, ((relevant statutes, or regulations and which the department documents in writing indicating the part or parts of chapters 18.51 or 74.42 RCW or rules and regulations established under them, including but not limited to chapter 248-14 WAC, not being met)) the requirements of chapters 18.51 or 74.42 RCW, or the standards, rules, and regulations established under them or in the case of a Medicaid contractor, violation of Medicaid requirements of Title XIX of the Social Security Act, as amended, and regulations promulgated thereunder.

~~((4))~~ (5) "Denial of payment" means a department decision not to pay for new Medicaid admissions to a nursing home.

(6) "Department" means the nursing home licensing agency of the state department of social and health services.

~~((5))~~ (7) "Director" means an individual elected or appointed as director of a corporation.

~~((6))~~ (8) "Emergency closure" means a department order to immediately close a nursing home.

(9) "Emergency transfer" means a department order to immediately transfer specified residents or all residents from a nursing home to safe settings.

(10) "Highest practicable physical, mental, or psychosocial well being" means the highest level of functioning and well being possible to be achieved for a resident limited by the resident's presenting functional status and potential for improvement or reduced rate of degeneration. Highest practicable is not a diagnostic, prospective, delineating determination made without aggressive, competent efforts to halt degenerative processes and to achieve or restore independent free choice functioning. It is achieved through functional assessment and aggressive, competent addressing of the individual's physical, mental, and psychosocial needs.

(11) "Licensed nursing home" means a nursing home licensed ((pursuant to)) under chapter 18.51 RCW.

~~((7))~~ (12) "Licensee" means an individual, partnership, corporation, or other legal entity ((to whom a license)) licensed to operate a nursing home ((has been granted)) or a person subject to ((such)) licensure as determined by the department ~~((but)).~~ This does not include ~~((any))~~ an employee of ~~((such))~~ a licensee or person unless that employee is an owner of five percent or more of the licensed entity assets ((of the licensed entity)).

~~((10))~~ (13) "Licensee's agent" means the designated nursing home administrator, or an individual ~~((allowed))~~ designated to perform managerial functions in ((his or her)) the administrator's absence.

~~((9))~~ (14) "Officer" means an individual appointed as an officer of a corporation.

~~((10))~~ (15) "Owner of five percent or more of the assets of a nursing home" means:

(a) In the case of a sole proprietorship, the owner, or if owned as community property, the owner and ~~((his or her))~~ owner's spouse; ((or))

(b) In the case of a corporation, the owner of at least five percent of the capital stock of ~~((said))~~ a corporation; or

(c) In the case of ~~((any))~~ other types of business ((entity)) entities, the owner of a beneficial interest in at least five percent of the capital assets of ~~((such))~~ an entity.

~~((11))~~ (16) "Partner" means an individual in a partnership owning or operating a nursing home.

~~((12))~~ (17) "Plan of correction" means a written statement specifying:

(a) How ~~((cited deficiencies))~~ the nursing home will ((be corrected;)) correct the cited deficiencies;

(b) The date by which the correction will be made~~((;))~~; and

(c) Who ~~((will be))~~ is responsible for assuring the correction.

~~((13))~~ (18) "Reasonable time" means a period of time determined by the department and noted in the plan of correction. In determining the length of ~~((the period of))~~ time for correction of each deficiency, the department ((will consider)) considers:

(a) The gravity of the deficiency, including the severity and immediacy of the actual or potential harm to ~~((any))~~ residents;

(b) The required financial and personnel resources necessary to correct the deficiency; and

(c) The minimum amount of time practicably required to correct the deficiency.

~~((14))~~ (19) "Receivership" means a court action resulting in the removal of a nursing home's current operator and the appointment of a substitute operator to temporarily manage and operate the nursing home.

(20) "Retaliate":

(a) Retaliate against a resident means ~~((any))~~ an act including, but not limited to:

(i) Verbal or physical harassment or abuse;

(ii) Nonmedically indicated social, dietary, or mobility restriction;

(iii) Lessening of the level of care not medically appropriate;

(iv) A nonvoluntary relocation within a nursing home without appropriate medical, psychosocial, or nursing justification;

(v) Neglect or negligent treatment;

(vi) Withholding of privileges; or

(vii) ~~((Any))~~ Infringement ((upon)) on a resident's rights as described in WAC 248-14-247, occurring as a result of resident actions described in WAC 388-98-800 (2)(i).

(b) Retaliate against an employee means ~~((any))~~ an act including, but not limited to, harassment, firing, demotion, disciplinary action, or nonvoluntary reassignment or rescheduling occurring as a result of employee actions described in WAC 388-98-800 (2)(i).

(c) A rebuttable presumption is raised that retaliation has occurred if a condition described in subsection 388-98-001 (14)(a) of this section definition occurs within one year of the resident's actions described in WAC 388-98-800 (2)(i).

~~((15))~~ (21) "Severity" means the seriousness of a deficiency as determined by the:

(a) Actual or potential negative impact on a resident as measured by negative outcomes or rights violations; or

(b) Extent to which the resident's highest practicable physical, mental, or psychosocial well being is compromised.

(22) "Scope" means the frequency, incidence, or extent of the occurrence of a deficiency.

(23) "Stop placement" means action instituted by the department prohibiting nursing home admissions, readmissions, and transfers of ((individual)) patients.

(24) "Temporary management" means the department temporarily appoints a substitute manager or operator with authority to:

(a) Hire, terminate, or reassign staff, obligate facility funds, alter procedures as appropriate, or otherwise

(b) Manage the facility as necessary to correct deficiencies or close the facility in a safe and orderly manner.

NEW SECTION

WAC 388-98-003 REMEDIES. (1) When:

(a) The department finds a licensee or partner, officer, director or owner of five percent or more of the assets of the nursing home or managing employee fails or refuses to comply with the requirements of chapters 18.51 or 74.42 RCW; or

(b) A Medicaid contractor fails or refuses to comply with the Medicaid requirements of Title XIX of the Social Security Act, as amended, the department may impose any or all of the following remedies:

(i) Suspend, revoke, or refuse to renew a license;

(ii) Order stop placement;

(iii) Assess monetary penalties of a civil nature;

(iv) Deny payment to a nursing home for Medicaid residents admitted after notice to deny payment. Residents who are Medicaid recipients shall not be responsible for payment when the department takes action under this subsection;

(v) Appoint temporary management as provided in section 300 of this chapter; and

(vi) Petition the court to establish receivership.

(2) The department may suspend, revoke, or refuse to renew a license, assess monetary penalties of a civil nature, or both, when the department finds the licensee or partner, officer, director, owner of five percent or more of the assets of the nursing home, or managing employee:

(a) Operates or operated a nursing home without a license or under a revoked or suspended license;

(b) Knowingly or with reason to know makes a false statement of a material fact in the application for license, in attached data, or in matters under investigation by the department;

(c) Refuses to allow representatives or agents of the department to inspect required books, records, and files or portions of the nursing home premises;

(d) Willfully prevents, interferes with, or attempts to impede the work of authorized department representative and the lawful enforcement of provisions of this chapter or of chapter 74.42 RCW;

(e) Willfully prevents or interferes with department representatives in the preservation of evidence of violations of provisions in this chapter or of chapter 74.42 RCW;

(f) Fails to report patient abuse or neglect in violation of chapter 70.124 RCW; or

(g) Fails to pay a civil monetary penalty assessed by the department under this chapter within ten days after assessment becomes final.

(3) Section 8, chapter 372, Laws of 1989 directs the department to develop criteria to govern the imposition of remedies. The criteria for imposing remedies under subsection (1) of this section are set forth under this subsection. The criteria do not substitute for standards set forth in that statute for the mandatory imposition of stop placement and denial of payment.

CRITERIA

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| <p>(a) <u>Deficiency</u></p> <p>No harm or injury has occurred, but threat of limited harm is present for one or small number of residents.</p> | <p><u>Required Remedies</u></p> <p>Plan of Correction</p> <p><u>Additional/Optional Remedies</u></p> <p>A civil fine of up to five hundred dollars for each violation, based on severity and scope.</p> |
| <p>(b) <u>Deficiency</u></p> <p>Minimal harm or injury has occurred or threat of moderate harm is present for one or a small number of residents.</p> | <p><u>Required Remedies</u></p> <p>Plan of Correction</p> <p><u>Additional/Optional Remedies</u></p> <p>A five hundred to one thousand dollar civil fine for each violation, based on severity and scope.</p> |
| <p>(c) <u>Deficiency</u></p> <p>(i) Minimal to moderate harm or injury has occurred or threatens to occur and is moderate to systemic in scope.</p> | <p><u>Required Remedies</u></p> <p>Decertification</p> <p>Stop Placement</p> <p><u>Additional/Optional Remedies</u></p> <p>A one thousand to two thousand five hundred dollar civil fine for each violation, based on severity and scope.</p> <p>Denial of payment for new admissions</p> |

(ii) Repeated or uncorrected Level (c) deficiency

(d) Deficiency

(i) Severe harm or injury has occurred or threatens to occur and is low to moderate in scope. An immediate and serious threat to resident health and safety may be present.

(ii) Repeated or uncorrected Level (d) deficiency

(e) Deficiency

Serious harm has occurred or risk of serious harm or injury is high and systemic. Immediate and serious threat to resident health and safety exists.

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| <p>License Revocation</p> <p>Plan of Correction</p> <p>Department on-site monitoring</p> <p><u>Required Remedies</u></p> <p>Decertification</p> <p>Stop Placement</p> <p>Select more severe optional remedies including fines at the higher range.</p> <p><u>Required Remedies</u></p> <p>Decertification</p> <p>Stop Placement</p> <p>License revocation</p> <p><u>Additional/Optional Remedies</u></p> <p>Plan of Correction</p> <p>Denial of payment for new admissions</p> <p>A two thousand five hundred to three thousand dollar civil fine for each violation, based on severity and scope.</p> <p>Emergency transfer of individual patients</p> <p>Temporary management or receivership</p> <p>License suspension</p> <p>Department on-site monitoring</p> <p><u>Required Remedies</u></p> <p>Decertification</p> <p>Stop Placement</p> <p>License Revocation</p> <p>Select more severe optional remedies including fines at the higher range.</p> <p><u>Required Remedies</u></p> <p>Decertification</p> <p>Stop Placement</p> <p>License Revocation</p> <p><u>Additional/Optional Remedies</u></p> <p>Emergency closure and/or patient transfer</p> <p>License suspension</p> <p>Temporary management or receivership</p> <p>A two thousand to three thousand dollar civil fine for each violation (daily if deemed appropriate), based on severity and scope.</p> |
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Denial of payment on new admissions

Department on-site monitoring

Plan of Correction.

(f) Emergency Crisis

Health and safety of large percentage of population is imminently threatened due to events, such as:

- Structural damage
- Staff walkout
- Natural disaster

Required Remedies

Emergency closure or emergency resident transfer

Additional/Optional Remedies

A three thousand dollar civil fine for each violation (daily if deemed appropriate), based on high severity and scope.

Decertification

License revocation or suspension

(4) Each day a deficiency remains uncorrected shall constitute a separate deficiency, subject to the assessment of a separate civil monetary penalty. Civil monetary penalties shall become due twenty days after the licensee is served with a notice of the penalty, unless a hearing is requested. If a hearing is requested, the penalty shall become due ten days after a final agency decision in the department's favor is issued. Interest shall accrue beginning thirty days after the licensee is served with notice of the penalty.

AMENDATORY SECTION (Amending Order 2603, filed 3/2/88)

WAC 388-98-010 LIST OF QUALIFIED RECEIVERS. (1) The department may recruit individuals, partnerships, and corporations interested in serving as a receiver of a nursing home. Recruitment may be ~~((in the form of))~~ by personal letters, telephone, radio or television announcements, or advertisements in publications determined suitable by the department.

(2) ~~((Any))~~ Individuals, partnerships, or corporations ~~((desiring to be))~~ interested in being appointed as a receiver shall complete ~~((the sections))~~ designated ~~((by the department))~~ sections of ~~((an))~~ a nursing home license application ~~((for a nursing home license))~~.

(3) ~~((Any))~~ Individuals, partnerships, or corporations with experience in providing long-term health care and a history of satisfactory nursing home operation ~~((of a nursing home))~~ may submit ~~((an))~~ a receiver application to the department at any time ~~((to serve as a receiver))~~. Applicants shall be subject to the criteria established for licensees found in WAC 248-14-080, except the department may waive ~~((on a case-by-case basis))~~ the requirement for having ~~((60))~~ sixty days to review the application.

(4) The department shall maintain a list of qualified, potential receivers. The department shall add names of qualified applicants to the list upon receipt of ~~((an))~~ applications properly completed by ~~((the))~~ applicants and approved by the department. ~~((The department shall update the list by July 1 of each year. Updating shall verify:~~

~~((a)) Information on the application is still current, and~~
~~((b)) The individual, partnership, or corporation remains interested in serving as a receiver.))~~

(5) Individuals, partnerships, or corporations failing to update their application as ~~((requested))~~ required by the department shall not be considered ~~((as))~~ potential receivers unless they submit a new application ~~((is submitted))~~ to the department.

(6) The department shall not consider as a receiver any person, partnership, or corporation which:

(a) Is the licensee, administrator, or partner, officer, director, managing employee, or owner of five percent or more of the assets of the nursing home subject to receivership; ~~((or))~~

(b) Is affiliated with the nursing home subject to receivership; ~~((or))~~

(c) Has a financial interest in the nursing home before the time of appointment;

~~((d)) Has owned or operated a nursing home ((that has been)) ordered into receivership in any state; or~~

~~((d))~~ (e) Has owned or operated a nursing home against which decertification action or licensure suspension or revocation proceedings have been initiated or have been in effect within two years preceding the filing of the receivership petition.

(7) The department may recommend a receiver to the court ~~((a receiver from the list))~~. In making the recommendation, ~~((any))~~ one or more of the following factors may be considered:

(a) ~~((The))~~ Potential receiver's willingness to serve as a receiver for the nursing home in question;

(b) ~~((The))~~ Amount and quality of the potential receiver's experience in long term care;

(c) ~~((The))~~ Quality of care, as determined by prior survey reports, provided under the potential receiver's supervision or management;

(d) ~~((The))~~ Potential receiver's prior performance as a receiver;

(e) How soon ~~((the))~~ potential receiver ~~((would be))~~ is available to act as a receiver;

(f) ~~((The))~~ Potential receiver's familiarity and past compliance with ~~((Washington))~~ state and federal regulations applicable to nursing homes;

(g) ~~((The))~~ Potential receiver's economic potential and interest in operating the nursing home on a permanent basis; and

(h) Preference may be given to potential receivers expressing an interest in the permanent operation of the nursing home.

AMENDATORY SECTION (Amending Order 2603, filed 3/2/88)

WAC 388-98-015 DUTIES AND POWERS OF RECEIVER. (1) The receiver shall protect the health, security, and welfare of the residents for the duration of the receivership. The receiver shall perform all acts reasonably necessary to ensure residents' needs are met. Such acts may include, but are not limited to:

(a) Correcting deficiencies cited by the department;

(b) Hiring, directing, managing, and discharging all consultants and employees for just cause, discharging

the administrator of the nursing home, recognizing collective bargaining agreements, and settling labor disputes;

(c) Receiving and expending in a prudent and businesslike manner all revenues and financial resources of the home, provided that priority shall be given to debts and expenditures directly related to providing care and meeting residents' needs;

(d) Making necessary purchases, repairs, and replacements, provided that expenditures for purchases, repairs, or replacements in excess of five thousand dollars are approved by the court;

(e) Entering into contracts necessary for the operation of the nursing home; PROVIDED That, ((any)) contracts extending beyond the period of receivership shall be approved by the court;

(f) Preparing all reports required by the department;

(g) Planning with residents and their guardians, family, or significant others, ((any)) required relocation;

(h) Meeting regularly with staff, residents, and residents' families to inform them of:

(i) Plans for correcting the deficiencies((:));

(ii) Progress achieved in correction((:));

(iii) Plans for facility closure and relocation((:)); or

(iv) Plans for continued operation of the nursing home including the identity of the permanent operator.

(2) The receiver shall consult the court in cases of extraordinary or questionable debts incurred prior to the receiver's appointment and shall not have the power to close the home or sell any of the nursing home's assets ((of the home)) without prior court approval.

(3) The receiver shall comply with ((all)) applicable state and federal laws and regulations. If the nursing home is certified and is providing care to medical assistance clients, the receiver shall become the Medicaid contractor for the duration of the receivership period.

~~((a) A receiver for a skilled or intermediate care nursing home shall be responsible for complying with the provisions of chapter 74.46 RCW and chapter 388-96 WAC.~~

~~(b) A receiver for an intermediate care facility for the mentally retarded (ICF/MR) shall be responsible for complying with the provisions of chapter 74.09 RCW and chapter 275-38 WAC.~~

~~(4) The receiver shall be responsible and liable only for the receiver's own gross negligence, intentional wrongdoing, or breach of fiduciary duty to either the residents of the nursing home or the current or former licensee or owner of the nursing home.))~~

AMENDATORY SECTION (Amending Order 2603, filed 3/2/88)

WAC 388-98-020 TERMINATION OF RECEIVERSHIP. (1) ~~((The department shall recommend to the court the receivership be terminated:~~

~~(a) After the end of the appointed term unless good cause is shown to continue the receivership. Good cause for continuing the receivership exists when:~~

~~(i) Returning the nursing home to its former operator would subject the residents to a threat to their health, safety, or welfare, and~~

~~(ii) A credible replacement operator has entered into an enforceable agreement to purchase or operate the nursing home by a date acceptable to the department, but has not yet taken possession or control, or~~

~~(b) When all residents have been transferred and the nursing home is closed, or~~

~~(c) When all deficiencies which threaten the health, safety, or welfare of the residents have been eliminated and the former operator or owner has agreed to conditions specified by the department regarding the continued operation of the facility, or~~

~~(d) When a new licensed operator or owner is available to assume control of the nursing home.~~

~~((2)) The department shall recommend to the court that all residents be relocated and the nursing home closed when:~~

~~(a) Problems exist in the physical condition of the premises which cannot be corrected in an economically prudent manner, or~~

~~(b) The department determines the former operator or owner:~~

~~(i) Is unwilling or unable to manage the nursing home in a manner ((which ensures)) ensuring residents' health, safety, and welfare, and~~

~~(ii) Has not entered into an enforceable agreement to sell the nursing home within three months of the court's decision to grant receivership.~~

~~((3)) ((2) The department may recommend to the court an alternate receiver be appointed:~~

~~(a) When the receiver is no longer willing to serve as a receiver, or~~

~~(b) If a receiver is not making acceptable progress in correcting the deficiencies in the nursing home.~~

NEW SECTION

WAC 388-98-300 TEMPORARY MANAGEMENT. (1) When the department appoints a temporary manager, the:

(a) Department shall order the licensee to cease operating the nursing home:

(b) Department shall order the licensee to turn over to the temporary manager possession and control of the nursing home including, but not limited to, all patient care records, financial records, and other records necessary for continued operation of the nursing home while temporary management is in effect, and

(c) Temporary manager shall have authority to temporarily relocate some or all residents if the:

(i) Temporary manager determines a resident's health, security, or welfare is jeopardized; and

(ii) Department concurs with the temporary manager's determination a relocation is necessary.

(2) The department's authority to order temporary management is discretionary in all cases.

NEW SECTION

WAC 388-98-320 TEMPORARY MANAGERS—APPLICATION. (1) The department may recruit individuals, partnerships, and corporations interested in serving as a temporary nursing home manager.

(2) Individuals, partnerships, or corporations interested in being appointed as a temporary manager shall complete the designated sections of a nursing home license application.

(3) Individuals, partnerships, or corporations with experience in providing long-term health care and a history of satisfactory nursing home operation may submit an application to the department at any time. Applicants shall be subject to the criteria established for licensees found in WAC 248-14-080, except the department may waive the requirement for having sixty days to review the application.

(4) The department shall not consider as a temporary manager a person, partnership, or corporation which:

(a) Is the licensee, administrator, or partner, officer, director, managing employee, or owner of five percent or more of the assets of the nursing home subject to temporary management;

(b) Is affiliated with the nursing home subject to temporary management;

(c) Has owned or operated a nursing home ordered into temporary management in any state; or

(d) Has owned or operated a nursing home against which decertification action or licensure suspension or revocation proceedings have been initiated or have been in effect within two years preceding the appointment of a temporary manager.

(5) The department, in appointing a temporary manager, may consider one or more of the following factors:

(a) Potential temporary manager's willingness to serve as a temporary manager for the nursing home in question;

(b) Amount and quality of the potential temporary manager's experience in long-term care;

(c) Quality of care, as determined by prior survey reports, provided under the potential temporary manager's supervision or management;

(d) Potential temporary manager's prior performance as a temporary manager or receiver;

(e) How soon the potential temporary manager is available to act as a temporary manager;

(f) Potential temporary manager's familiarity and past compliance with state and federal regulations applicable to nursing homes;

(g) Potential temporary manager's economic potential and interest in operating the nursing home on a permanent basis;

(h) Preference may be given to potential temporary managers expressing an interest in the permanent operation of the nursing home.

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.

NEW SECTION

WAC 388-98-330 DUTIES AND POWERS OF TEMPORARY MANAGER. (1) The temporary manager shall protect the health, security, and welfare of the residents for the duration of the temporary management. The temporary manager shall perform all acts reasonably necessary to ensure residents' needs are met. Such acts may include, but are not limited to:

(a) Correcting department-cited deficiencies;

(b) Hiring, directing, managing, and discharging all consultants and employees for just cause, discharging the administrator of the nursing home, recognizing collective bargaining agreements, and settling labor disputes;

(c) Receiving and expending in a prudent and business-like manner all revenues and financial resources of the home provided priority shall be given to debts and expenditures directly related to providing care and meeting residents' needs;

(d) Making necessary purchases, repairs, and replacements provided expenditures for purchases, repairs, or replacements in excess of five thousand dollars;

(e) Entering into contracts necessary for the operation of the nursing home;

(f) Preparing all department-required reports;

(g) Planning required relocation with residents and residents' guardians, family, or significant others;

(h) Meeting regularly with and informing staff, residents, and residents' families of:

(i) Plans for correcting the deficiencies;

(ii) Progress achieved in correction;

(iii) Plans for facility closure and relocation; or

(iv) Plans for continued operation of the nursing home including the identity of the permanent operator.

(2) The temporary manager shall make a detailed monthly accounting of all expenditures and liabilities to the department and to the owner of the nursing home.

(3) The temporary manager shall comply with all applicable state and federal laws and regulations. If the nursing home is certified and is providing care to medical assistance clients, the temporary manager shall become the Medicaid contractor for the duration of the temporary management period.

(4) The temporary manager shall be responsible and liable only for the temporary manager's gross negligence, intentional wrongdoing, or breach of fiduciary duty to either the nursing home residents or the current or former licensee or nursing home owner.

NEW SECTION

WAC 388-98-340 TERMINATION OF TEMPORARY MANAGEMENT. (1) The department shall terminate temporary management:

(a) After three months unless good cause is shown to continue the temporary management. Good cause for continuing the temporary management exists when returning the nursing home to its former operator would subject residents to a threat to health, safety, or welfare;

(b) When all residents are transferred and the nursing home is closed;

(c) When deficiencies threatening residents' health, safety, or welfare are eliminated and the former operator or owner agrees to department-specified conditions regarding the continued facility operation; or

(d) When a new, licensed operator assumes control of the nursing home.

(2) The department may appoint an alternate temporary manager:

(a) When the temporary manager is no longer willing to serve as a temporary manager;

(b) If a temporary manager is not making acceptable progress in correcting the nursing home deficiencies or in closing the nursing home, or

(c) If the department determines the temporary manager is not operating the nursing home in a financially responsible manner.

AMENDATORY SECTION (Amending Order 2546, filed 10/9/87)

WAC 388-98-700 STOP PLACEMENT—IN-FORMAL REVIEW. ~~((1) The department shall institute a stop placement on a nursing home, effective on a date specified by the department, when the department determines:~~

~~(a) The nursing home no longer substantially meets the requirements of:~~

~~(i) 42 U.S.C. § 1395 x(j), or~~

~~(ii) 42 U.S.C. § 1396 d(c), or~~

~~(iii) Chapter 18.51 RCW, or~~

~~(iv) Chapter 74.42 RCW, or~~

~~(v) Any federal or state regulation or regulations adopted under authority of the above referenced statutes.~~

~~(b) The deficiency or deficiencies in the nursing home:~~

~~(i) Jeopardize the health and safety of the residents; or~~

~~(ii) Seriously limit the nursing home's capacity to provide adequate care.~~

~~(2) When the department has initiated a stop placement, the department may approve a readmission to the nursing home from the hospital when the department determines the readmission would be in the best interest of the individual resident seeking readmission.~~

~~(3) The department shall terminate the stop placement when:~~

~~(a) The provider states in writing that the deficiencies necessitating the stop placement action have been corrected, and~~

~~(b) Department staff confirms in a timely fashion not to exceed fifteen working days:~~

~~(i) The deficiencies necessitating the stop placement action have been corrected, and~~

~~(ii) The provider exhibits the capacity to continue to deliver adequate care and service.~~

~~(4)) A nursing home ((provider)) licensee shall have the right to an informal review to present written evidence ((to refute)) refuting the deficiencies cited as the basis for ((the)) a stop placement. If an informal review is desired, the nursing home shall request the informal review, in writing, within ten days of the effective date of the stop placement. The request shall be made to the director, ((residential rates and licensure)) nursing home services, aging and adult services administration. The right to an informal review is in addition to the licensee's right to a hearing, as provided in section 750.~~

~~((5)(a) The nursing home has the right to a contested case hearing to appeal a stop placement. If a hearing is requested, the nursing home shall request the hearing in writing and shall:~~

~~(i) Deliver the request by personal service or certified mail to the office of hearings, P.O. Box 2465, Olympia, WA 98504.~~

~~(A) If no informal review was requested, the nursing home shall deliver the request within ten days of the effective date of the stop placement;~~

~~(B) If an informal review was requested, the nursing home shall deliver the request within ten days of the date the informal review determination was mailed; or~~

~~(C) If an informal review was requested and the determination was personally served or orally communicated, the nursing home shall deliver the request within ten days of the date the determination was served or communicated.~~

~~(ii) Include in or with the request:~~

~~(A) A specific statement of the issue or issues and law or laws involved;~~

~~(B) The grounds for contending the stop placement is erroneous;~~

~~(C) A copy of the stop placement notice, and~~

~~(D) Either the informal review determination or a statement where an informal review has not been, and will not be, requested.~~

~~(b) The hearing shall be governed by chapters 10-08 and 388-08 WAC. If any provision of this section conflicts with chapter 388-08 WAC, the provision in this section applies. The decision making procedure shall be the initial decision, petition for review, and review decision procedure. The administrative law and review judges shall act on stop placement cases expeditiously.~~

~~(6)(a) The department shall not delay or suspend a stop placement because the nursing home requests a contested hearing or an informal review.~~

~~(b) The stop placement shall remain in effect until:~~

~~(i) The department terminates the stop placement;~~

~~(ii) Fourteen days after a initial decision terminating the stop placement is mailed and the department does not file a petition for administrative review; or~~

~~(iii) A review decision terminating the stop placement is mailed.))~~

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

NEW SECTION

WAC 388-98-750 NOTICE AND HEARING RIGHTS. (1) This subsection shall apply to the department's imposition of the following remedies:

(a) License suspension, revocation, or nonrenewal;

(b) Stop placement;

(c) Civil monetary penalty;

(d) Denial of payment; and

(e) Appointment of a temporary manager.

(2) The department's notice of a remedy is governed by RCW 18.51.065 and 43.20A.XXX and section 96, chapter 175, laws of 1989. The licensee's or agent's right to an adjudicative proceeding is in the same law.

(a) A person contesting any decision described in subsection (1) of this section shall within twenty-eight days of receipt of the decision:

(i) File a written application for an adjudicative proceeding by showing proof of receipt with the Office of Appeals, P.O. Box 2465, Olympia, WA 98504; and

(ii) Include in or with the application:

(A) A specific statement of the issue and law involved;

(B) The grounds for contesting the department decision; and

(C) A copy of the contested department decision.

(b) The proceeding shall be governed by the Administrative Procedure Act (chapter 34.05 RCW); RCW 18.51.065 and 43.20A.XXX; and section 96, chapter 175, Laws of 1989; this section; and chapter 388-08 WAC. If any provision in this section conflicts with chapter 388-08 WAC, the provision in this section governs.

(3) When a licensee fails to pay a fine when due under this chapter, the department may:

(a) Withhold an amount equal to the fine plus interest, if any, from the licensee's Medicaid payment;

(b) Suspend the licensee's nursing home license. Such license suspension shall continue until the fine is paid; or

(c) Impose an additional civil monetary penalty, under WAC 388-98-003 (2)(g).

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-98-005 RECEIVERSHIP.

WAC 388-98-800 APPLICABILITY OF CIVIL FINES.

WAC 388-98-850 IMPOSITION AND PAYMENT OF FINES.

**WSR 89-21-026
PERMANENT RULES
BOARD OF HEALTH**

[Order 332—Filed October 10, 1989, 4:09 p.m.]

Date of Adoption: September 22, 1989.

Purpose: To clarify the standards for the replacement and repair of existing (failing) on-site sewage systems adjacent to marine waters.

Citation of Existing Rules Affected by this Order: Amending chapter 248-96 WAC, On-site sewer systems.

Statutory Authority for Adoption: Chapter 349, Laws of 1989.

Pursuant to notice filed as WSR 89-17-055 on August 14, 1989.

Effective Date of Rule: Thirty days after filing.

September 22, 1989

John A. Beare, M.D., M.P.H.
Secretary

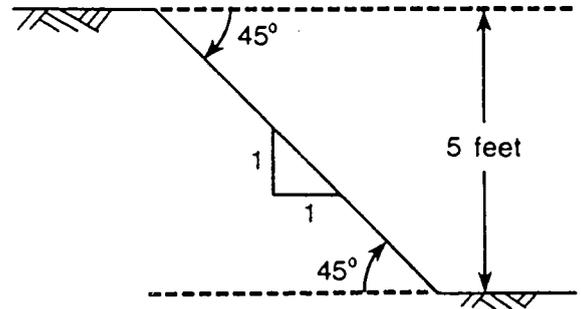
AMENDATORY SECTION (Amending Order 259, filed 6/3/83)

WAC 248-96-020 DEFINITIONS. (1) "Alternative system" ((=)) means any on-site sewage system consisting of treatment and/or disposal components other than a septic tank and a subsurface soil absorption system (SSAS).

(2) "Approved" ((=the term "approved" shall mean)) means acceptable by the health officer or department as stated in writing.

(3) "Cover" ((=~~shall mean~~)) means soil material that is used to cover a subsurface disposal area.

(4) "Cuts and/or banks" ((=)) means any naturally occurring or man-formed slope which is greater than one hundred percent (forty-five degrees) and extends vertically at least five feet from the toe of the slope to the top of the slope as follows:



(5) "Department" ((=)) means the Washington state department of ((social and)) health ((services)) or health officer if the approval authority for larger on-site sewage systems under WAC 248-96-075 has been delegated by agreement.

(6) "Experimental system" ((=)) means any alternative on-site system excluding a larger system ((which has not yet had)) with no guidelines established by the technical review committee as per WAC 248-96-046.

(7) "Gross land area" ((=)) means a lot area which is bounded by the centerline of adjoining road or street right-of-ways within the boundaries of the proposed development.

(8) "Ground water" ((=)) means a subsurface water occupying the zone of saturation, permanently ((or)) seasonally, or as the result of the tides, (the top surface of which is commonly referred to as the water table) ((the indication of)) which may be demonstrated by one or all of the following methods:

(a) Water seeping into or standing in an open excavation from the soil surrounding the excavation.

(b) Spots or blotches of different color or shades of color interspersed with a dominant color in soil, commonly referred to as mottling. This is caused by intermittent periods of saturation and drying, and may be indicative of poor aeration and impeded drainage.

(9) "Health officer" ((=)) means the health officer of the city, county, or city-county health department or district or a representative authorized by and under the direct supervision of the health officer.

(10) "Larger on-site sewage system" ((=)) means any on-site sewage system with design flows, at any common point, between 3,500 and 14,500 gallons/day. On-site sewage systems receiving state or federal grants, or systems using mechanical treatment or lagoons with ultimate design flows above 3,500 gallons/day are excluded from this definition. Excluded systems are governed by chapter 173-240 WAC which is administered by the Washington state department of ecology.

(11) "Local board of health" ((=)) means the city, town, county, city-county, or district board of health as defined in chapters 70.05, 70.08, and 70.46 RCW.

(12) "Marine expansion" means any change to a structure or in the use of a structure that may cause a marine shoreline on-site sewage system to exceed its capacity. Changes that may constitute expansion include, but are not limited to:

(a) An increase in the structure's volume of generated wastewater;

(b) Higher strength of generated sewage; or

(c) Any other change adversely impacting the treatment or disposal of sewage in the existing on-site sewage system or in the replacement area.

(13) "Marine failure" means a marine shoreline on-site sewage system threatening the public health by failing to adequately treat the sewage and/or by creating a potential for the public coming in direct contact with sewage. Examples include, but are not limited to:

(a) Sewage contaminating surface or ground water;

(b) Sewage on the surface of the ground;

(c) Sewage leaking from a wastewater container;

(d) Sewage backing up into a structure or in the on-site sewage system caused by slow absorption of sewage in the SSAS; or

(e) Cesspools or seepage pits in areas of groundwater or surface water quality concerns.

(14) "Marine shoreline" means property adjacent to marine water.

(15) "Nonconforming repair" means the permitted repair or replacement of a marine shoreline on-site sewage system not meeting the definition of a standard marine system.

(16) "On-site sewage system" ((=)) means any system of piping, treatment devices, or other facilities that convey, store, treat, or dispose of sewage on the property where it originates or on adjacent or nearby property under the control of the user where the system is not connected to a public sewer system.

((+3)) (17) "Ordinary high-water mark" ((=)) means the mark on all lakes, streams, and tidal waters, which will be found by examining the beds and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation, as that condition exists on the effective date of this chapter, or as it may naturally change thereafter: PROVIDED, That in any area where the ordinary high-water mark cannot be found, the ordinary high-water mark adjoining saltwater shall be the line of mean higher high tide and the ordinary high-water mark adjoining freshwater shall be the line of mean high water.

((+4)) (18) "Percolation test" ((=)) means a soil test performed at the depth of the bottom of a proposed subsurface soil absorption system ((to estimate)) estimating the water absorption capability of the soil. The results are normally expressed as the rate in minutes at which one inch of water is absorbed.

((+5)) (19) "Person" ((=)) means any individual, corporation, company, association, society, firm, partnership, joint stock company((-)) or any branch of state or local government.

((+6)) (20) "Proprietary device or method" ((=)) means any device or method classified as an alternative system or a component thereof that is held under a patent, trademark or copyright.

((+7)) (21) "Public sewer system" ((=)) means a sewerage system ((which is)) owned or operated by a city, town, municipal corporation, county, political subdivision of the state, or other approved ownership consisting of a collection system and necessary trunks, pumping facilities and a means of final treatment and disposal and approved or under permit from the department of ecology.

((+8)) (22) "Restrictive layer" ((=)) means a layer ((that impedes)) impeding the movement of water, air, and growth of plant roots. Examples of such layers or conditions are groundwater tables, hardpans, claypans, fragipans, compacted soil, bedrock and clayey soil.

((+9)) (23) "Septic tank" ((=)) means a watertight pretreatment receptacle ((which receives)) receiving the discharge of sewage from a building sewer or sewers, and ((is)) designed and constructed ((so as)) to permit separation of settleable and floating solids from the liquid, detention and digestion of the organic matter, prior to discharge of the liquid portion.

((+10)) (24) "Sewage" ((=)) means the water-carried human or domestic waste from residences, buildings, industrial establishments or other facilities, together with ((such)) ground water infiltration, that may be present.

((+11)) (25) "Soil log" ((=)) means an excavation in soil of sufficient size and depth ((made to allow)) allowing adequate determinations of the soil's characteristics together with the detailed description of the soil's texture, structure, color, bulk density or compaction, water absorption capabilities or permeability, and/or ((any)) other characteristics providing information ((as to)) on the soil's capacity to act as an acceptable treatment and disposal medium for sewage.

((+12)) (26) "Standard marine system" means a marine shoreline on-site sewage system meeting all the WAC 248-96-100 and 248-96-110 requirements, except the following:

(a) The vertical separation shall:

(i) Be three feet when the SSAS is gravity fed;

(ii) Be two feet when the SSAS has pressure distribution per technical review committee guidelines; or

(iii) Meet the technical review committee alternative system guidelines.

(b) A minimum horizontal separation of fifty feet shall exist between the SSAS or other soil absorption component and the ordinary high-water mark.

(27) "Subdivision" ((=)) means a division of land, as defined in chapter 58.17 RCW, now or as hereafter amended, including both long and short subdivisions.

((+13)) (28) "((SSAS))" Subsurface soil absorption system((-)) ((SSAS))" means a system consisting of trenches (three feet or less in width) or beds (more than three feet in width), together with the piping and gravel,

designed and installed in original undisturbed soil for the purpose of receiving effluent from a septic tank or other pretreatment device and transmitting it into the soil.

~~((24))~~ (29) "Surface water" ~~((=))~~ means any body of water, whether fresh or marine, ~~((which either flows))~~ flowing or ~~((is))~~ contained in natural or artificial depressions for significant periods of the year. Such bodies include, but are not limited to, natural and artificial lakes, ponds, rivers, streams, swamps, marshes, and tidal waters.

~~((25))~~ (30) "Treatment standard 1" means a thirty-day average of less than 10 mg/l of BOD5 and 10 mg/l of total suspended solids and a thirty-day geometric mean of less than 200 fecal coliform/100 ml.

(31) "Treatment standard 2" means a thirty-day average of less than 10 mg/l of BOD5 and 10 mg/l of total suspended solids and a thirty-day geometric mean of less than 800 fecal coliform/100 ml.

(32) "Type 1 soil" ~~((=))~~ means soil with a texture as noted in WAC 248-96-094 (Determination of site characteristics) or other soils where conditions are such that the treatment potential is ineffective in retaining and/or removing substances of public health significance to underground sources of drinking water.

~~((26))~~ (33) "Vertical separation" ~~((=))~~ means the depth of unsaturated, original, undisturbed soil of types 2-6 that exists between the bottom of a SSAS and a restrictive layer or water table.

(34) "Wave barrier" means a bulkhead of adequate height and construction preventing backwash of on-site sewage system components from wave action resulting from inclement weather and/or watercraft during extreme high tides.

AMENDATORY SECTION (Amending Order 259, filed 6/3/83)

WAC 248-96-040 APPLICABILITY. These regulations shall apply to all on-site sewage systems except the following:

(1) New construction for which a permit was issued prior to July 1, 1984, or adoption of local regulations and is still valid. The regulations in effect at the time the permit was issued shall apply, except where portions of the new regulations are less stringent~~((:))~~;

(2) An extension, alteration, or replacement necessitated by the failure of an existing on-site sewage system and is not on a marine shoreline. These regulations shall be applied to the maximum extent permitted by the site. A permit shall be required as per WAC 248-96-080 (Permit)~~((:))~~;

(3) Permit applications for systems located in subdivisions having received preliminary approval or having been filed for record between July 1, 1979, and June 30, 1984 (chapter 58.17 RCW). The regulations in effect at the time preliminary or final approval was given shall apply, unless the local board of health finds a change in conditions creates a serious threat to the public health~~((:))~~; and

(4) Facilities constructed or operated in accordance with a permit or approval issued by the Washington state department of ecology. Where these regulations

may be in conflict with chapters 90.48 or 70.95B RCW, said RCW shall govern.

AMENDATORY SECTION (Amending Order 259, filed 6/3/83)

WAC 248-96-046 ALTERNATIVE SYSTEMS. (1) The health officer may issue permits for alternative systems only after the requirements of subsections (2) and (3) of this section ~~((have been))~~ are completed.

(2) The department shall establish and maintain a technical review committee. The committee shall be composed of a maximum of seven members and consist of qualified representatives. Representatives may be selected from local health departments; consumer organizations; engineering firms; the department of ecology; a public sewer utility; land sales, subdivision and building industries; and other interested organizations. The functions of the committee are to review and evaluate alternative systems and establish guidelines for use. Such guidelines may include national standards including, but not limited to, guidelines of the national sanitation foundation.

(3) Once guidelines for an alternative system have been established by the technical review committee, that system can be permitted for use. However, before a proprietary device or method can be permitted, certification in a manner prescribed by the department must be provided to the department that all criteria in the appropriate guidelines have been satisfied.

(4) The health officer shall require monitoring of the performance of any alternative system installed for which guidelines have been developed. The frequency and duration of monitoring shall be in accordance with guidelines developed by the technical review committee. Costs for monitoring and/or reporting may be included as an addition to the permit fee. Procedures for monitoring and reporting shall be developed by the technical review committee. Copies of any records of such performance evaluation shall be submitted to the department.

(5) The technical review committee shall recommend to the department for approval:

(a) Which alternative systems or combinations of alternative systems meet treatment standard 1 and/or treatment standard 2; and

(b) The operation, maintenance, monitoring, and reporting protocol for each system meeting treatment standard 1 and/or treatment standard 2.

(6) The department shall maintain a list of alternative systems meeting treatment standard 1 and/or treatment standard 2.

AMENDATORY SECTION (Amending Order 259, filed 6/3/83)

WAC 248-96-060 CONNECTION TO PUBLIC SEWER SYSTEM. (1) Connection of any existing dwelling unit or other premises with a failing on-site sewage system shall be made to a public sewer system where there is an adequate public sewer within two hundred feet of the dwelling or other facility to be served as

measured along the usual or most feasible route of access, and ~~((such))~~ connection is permitted by the sewer utility. This requirement may be waived if the health officer determines that adequate site conditions exist which allow the installation of a replacement on-site sewage system.

(2) Any existing dwelling or other premises served by a nonconforming repair shall be connected to the public sewer system when:

(a) An adequate public sewer becomes available within a distance of two hundred feet of the dwelling or other facility. The distance shall be measured along the usual or most feasible route of access; and

(b) The sewer connection is permitted by the sewer utility.

(3) Local regulations may provide requirements for connections of new construction to public sewer systems.

AMENDATORY SECTION (Amending Order 259, filed 6/3/83)

WAC 248-96-110 DESIGN. (1) The detailed design and construction of all on-site sewage systems shall conform to the "Design Manual: On-site Wastewater Treatment and Disposal Systems," United States Environmental Protection Agency, EPA-625/1-80-012, October, 1980, except where modified by, or in conflict with these regulations.

(2) The design for an on-site sewage system shall be performed by or under the supervision of a professional engineer, registered sanitarian or certified designer. A resident owner, at the discretion of the health officer, may design ~~((his or her))~~ the resident owner's own system, if a minimum vertical separation of three feet can be maintained.

(3) The system shall be designed to receive all sanitary sewage and domestic waste from the building served unless otherwise approved by the health officer. For individual residences, flows of one hundred twenty gallons/bedroom/day shall be used for design purposes. For other establishments, the typical values noted in the design manual referred to in WAC 248-96-110(1) shall be used. Any deviations shall be supported by appropriate water usage information and/or the use of low water use fixtures. Drainage from footing or roof drains or any other type of drain shall neither enter the sewage system nor be directed over the area where the on-site sewage system is located.

(4) All septic tanks shall be designed in accordance with subsection (1) of this section, with the following exceptions:

(a) All tanks must have a minimum of two compartments with the first compartment consisting of one-half to two-thirds of the required total volume.

(b) Intercompartmental apparatus shall be sanitary tees, slots or baffles assuring that effluent only from the clarified zone passes into the next compartment.

(c) Septic tanks ~~((to serve))~~ servicing single family residences shall have a minimum liquid capacity based on the number of bedrooms in the residence, as follows:

| Number of Bedrooms in House | Required Minimum Liquid Volume |
|-----------------------------|--------------------------------|
| 2 or less | 750 |
| 3 | 900 |
| 4 | 1000 |

For each additional bedroom add 250 gallons.

A septic tank designed to service a facility other than one single family residence shall have a minimum liquid capacity equal to one and one-half times the projected daily sewage volume, with a minimum of 1000 gallons.

(d) Concrete tanks shall be approved by the health officer. Tanks made of materials other than concrete shall be approved by the health officer and the department.

(e) All septic tanks and pump chambers to be located in high water table areas shall be adequately treated to preclude ground water intrusion.

(5) Effluent shall be disposed of by means of a SSAS except when approval for other disposal systems is granted by the health officer and/or the department.

(a) The size of the SSAS shall be determined from the results of the site review and soil logs per the design manual.

(b) The health officer shall not permit installation and use of cesspools and seepage pits for the disposal of sewage ~~((is not permitted))~~.

(c) The bottom of a SSAS shall not be deeper than three feet below the finished grade, except under special conditions approved by the health officer. The depth of such a system shall not exceed ten feet from finished grade.

(d) Subsurface absorption beds (see definition of SSAS) may be considered for use only when authorized by the health officer and/or the department and when the soils are type 1, 2, or 3.

(e) Piping materials shall be approved by the health officer and the department.

(6) Cover can be used over a SSAS provided ~~((that))~~ no portion of the SSAS sidewall ~~((above))~~ below the invert of the distribution pipe is installed in this material.

(7) When sewage holding tank systems are ~~((to be))~~ used, a management program assuring ongoing operation and maintenance, which shall be approved by the health officer, shall be in effect. Sewage holding tanks shall not be permitted for either new construction or expansion of residential dwellings, whether seasonal or year-round. The health officer may approve sewage holding tanks ~~((shall only be used))~~ for the following situations:

(a) Permanent use. Controlled, part-time, ~~((nonresidential))~~ commercial usage situations, including, but not limited to, recreational vehicle parks, trailer dump stations, and certain limited hour businesses~~((:));~~

(b) ~~((On an))~~ Interim use ~~((basis)).~~ To handle emergency situations ~~((or to correct existing problem systems)); and~~

(c) Repairs. As permitted under WAC 248-96-120 (1)(e)(i).

NEW SECTION

WAC 248-96-120 REPAIR OF FAILURES ALONG MARINE SHORELINES. (1) When an on-site sewage system failure occurs, the health officer shall require one of the following:

(a) Repair of the on-site sewage system using the requirements of this section. The repair system may be located either on the:

- (i) Property served; or
- (ii) Nearby or adjacent property if easements are obtained.

(b) Connection to a publicly owned larger on-site sewage system;

- (c) Connection to public sewer; or
- (d) Connection to a privately owned larger system where it is deemed economically feasible.

(e) If subsections (1)(a), (b), (c), or (d) of this section are not feasible, the health officer shall require one of the following:

- (i) Usage of a holding tank;
- (ii) Obtainment of a National Pollutant Discharge Elimination System or state discharge permit, issued to a public entity or jointly to a public entity and the system owner, from the Washington state department of ecology. This shall be considered only if an on-site sewage system is not feasible and the only realistic method of final disposal is to discharge to the surface of the land or into surface water; or
- (iii) Abandonment of the property.

(2) When the soil absorption component fails, the requirements under WAC 248-96-095(2) and (3) shall be met before a repair permit is issued.

(3) A detailed design shall be submitted for each repair system. The repair shall be sized to accommodate all the sewage.

(4) When repair of an on-site sewage system is required to correct a failure, the health officer shall permit:

- (a) A standard marine system; or
- (b) A nonconforming repair. A nonconforming repair shall only be permitted when a:
 - (i) Standard marine system cannot be installed; and
 - (ii) Connection to either a public sewer or an approved larger on-site sewage system is not feasible.

(5) Table IV notes the minimum repair requirements based upon vertical separation and horizontal separation. The horizontal separation indicated is the distance between the SSAS or other disposal component and the ordinary high-water mark. Treatment standards shall be met before discharge to unsaturated, subsurface soil:

TABLE IV REQUIREMENTS FOR NONCONFORMING REPAIRS

| Vertical Separation in Feet | Horizontal Separation In Feet | | |
|-----------------------------|-------------------------------|----------------------|-----------------------------------|
| | < 25 | 25-50 | > 50 |
| <1 ¹ | Treatment Standard 1 | Treatment Standard 1 | Treatment Standard 2 ² |
| 1-2 | Treatment Standard 1 | Treatment Standard 2 | Pressure Distribution |

TABLE IV REQUIREMENTS FOR NONCONFORMING REPAIRS

| Vertical Separation in Feet | Horizontal Separation In Feet | | |
|-----------------------------|-----------------------------------|-----------------------|------|
| | < 25 | 25-50 | > 50 |
| >2 | Treatment Standard 2 ² | Pressure Distribution | — |

¹ The health officer may permit ASTM C-33 sand to be used as fill to create unsaturated, subsurface soil, but fill cannot be used to achieve the vertical separation requirements.

² Not including mound systems.

(6) When a nonconforming repair is permitted:

(a) Priority shall be given to protection of drinking water sources. The site of the repair shall be selected to maximize the:

- (i) Vertical separation;
- (ii) Distance from a well or suction line; and
- (iii) Distance to surface water.

(b) The permit shall identify the system as a nonconforming repair. The permit shall state the manner and the extent the system is nonconforming. A copy of the permit and any accompanying easements or restrictive covenants shall be recorded with the county auditor. The requirement does not apply to a repaired system when a waiver from new construction standards is obtained per WAC 248-96-160;

(c) Operation, maintenance, monitoring, and reporting to the health officer shall comply with the protocol in the technical review committee guidelines. The minimum frequency shall be:

- (i) Quarterly when treatment standard 1 is required; and
 - (ii) Annually when treatment standard 2 is required.
- (d) Low-flow plumbing fixtures should be used.
- (7) The health officer shall require wave barrier protection as deemed necessary.

(8) Actions taken under this section shall comply with other local and state requirements.

NEW SECTION

WAC 248-96-125 MARINE EXPANSIONS. The health officer shall require the following for a marine expansion:

- (1) A standard marine system shall be installed; and
- (2) A system replacement area shall be maintained as required by WAC 248-96-100(4).

WSR 89-21-027

**NOTICE OF PUBLIC MEETINGS
LOTTERY COMMISSION**
[Memorandum—October 10, 1989]

1990 COMMISSION MEETING SCHEDULE

| Type of Meeting | Month/Day | Location |
|-----------------|-----------|--------------------|
| Regular | January 5 | Seattle |
| Regular | March 2 | Olympia |
| Regular | May 4 | Western Washington |
| Regular | July 6 | Seattle |

Regular September 7 Spokane
 Regular November 2 Seattle

Adopted at October 6, 1989, commission meeting.

WSR 89-21-028
PERMANENT RULES
LOTTERY COMMISSION
 [Filed October 10, 1989, 4:26 p.m.]

Date of Adoption: October 6, 1989.

Purpose: To establish the game play rules and criteria for determining winners of Instant Game Numbers 47, 48 and 49.

Statutory Authority for Adoption: RCW 67.70.040.

Pursuant to notice filed as WSR 89-17-092 on August 22, 1989.

Effective Date of Rule: Thirty-one days after filing,
 October 9, 1989
 Evelyn Y. Sun
 Director

NEW SECTION

WAC 315-11-470 DEFINITIONS FOR INSTANT GAME NUMBER 47 ("FABULOUS FIFTIES"). (1) Play symbols: The following are the "play symbols": \$1.00; \$2.00; \$5.00; \$10.00; \$24.00; \$50.00; \$1,000. One of these symbols appears in each of the six blocks under the scratch-off material covering the game play data.

(2) Validation number: The unique nine-digit number on the front of the ticket. The number is covered by latex covering.

(3) Pack-ticket number: The ten-digit number of the form 4700001-000 printed on the front of the ticket. The first seven digits of the pack-ticket number for Instant Game Number 47 constitute the "pack number" which starts at 4700001; the last three digits constitute the "ticket number" which starts at 000 and continues through 399 within each pack of tickets.

(4) Captions: The small printed characters appearing below each play symbol which verifies and corresponds with that play symbol. The caption is a spelling out, in full or abbreviated form of the play symbol. One and only one of these captions appears under each play symbol. For Instant Game Number 47, the captions which correspond with and verify the play symbols are:

| <u>PLAY SYMBOL</u> | <u>CAPTION</u> |
|--------------------|----------------|
| \$ 1.00 | ONE |
| \$ 2.00 | TWO |
| \$ 5.00 | FIV |
| \$10.00 | TEN |
| \$24.00 | TWTY FOR |
| \$50.00 | FIFTY |
| \$1,000 | ONE THOU |

(5) Retailer verification codes: Codes consisting of small letters found under the removable covering on the front of the ticket which the lottery retailer uses to verify instant winners of \$25 or less. For Instant Game

Number 47, the retailer verification code is a three-letter code, with each letter appearing in a varying three of six locations beneath the removable covering and among the play symbols on the front of the ticket. The retailer verification codes are:

| <u>VERIFICATION CODE</u> | <u>PRIZE</u> |
|--------------------------|--------------|
| ONE | \$ 1.00 |
| TWO | \$ 2.00 |
| FIV | \$ 5.00 |
| TEN | \$10.00 |
| TFO | \$24.00 |

(6) Pack: A set of four hundred fanfolded instant game tickets separated by perforations and packaged in plastic shrinkwrapping.

NEW SECTION

WAC 315-11-471 CRITERIA FOR INSTANT GAME NUMBER 47. (1) The price of each instant game ticket shall be \$1.00.

(2) Determination of prize winning tickets: An instant prize winner is determined in the following manner:

(a) The bearer of a ticket having the following play symbol in any three of the six spots beneath the removable covering on the front of the ticket shall win the following prize:

| | |
|-----------------------------|----------------|
| Three \$ 2.00 play symbols | - Win \$ 2.00 |
| Three \$ 5.00 play symbols | - Win \$ 5.00 |
| Three \$ 10.00 play symbols | - Win \$ 10.00 |
| Three \$ 24.00 play symbols | - Win \$ 24.00 |
| Three \$ 50.00 play symbols | - Win \$ 50.00 |
| Three \$ 1,000 play symbols | - Win \$ 1,000 |

(b) In any event, only the highest instant prize amount meeting the standards of (a) of this subsection will be paid on a given ticket.

(3) No portion of the display printing nor any extraneous matter whatever shall be usable or playable as a part of the instant game.

(4) The determination of prize winners shall be subject to the general ticket validation requirements of the lottery as set forth in WAC 315-10-070, to the particular ticket validation requirements for Instant Game Number 47 set forth in WAC 315-11-472, to the confidential validation requirements established by the director, and to the requirements stated on the back of each ticket.

(5) Notwithstanding any other provisions of these rules, the director may:

- (a) Vary the length of Instant Game Number 47; and/or
- (b) Vary the number of tickets sold in Instant Game Number 47 in a manner that will maintain the estimated average odds of purchasing a winning ticket.

NEW SECTION

WAC 315-11-472 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 47. (1) In addition to meeting all other requirements in these rules and regulations, to be a valid instant game ticket for Instant Game Number 47 all of the following validation requirements apply:

(a) Exactly one play symbol must appear under each of the six rub-off spots on the front of the ticket.

(b) Each of the six play symbols must have a caption below and each must agree with its caption.

(c) The display printing and the printed numbers, letters, and symbols on the ticket must be regular in every respect and correspond precisely with the specifications

on file with the director. The numbers, letters, and symbols shall be printed as follows:

| | |
|--------------------------|------------------|
| Play Symbols | Play Symbol Font |
| Captions | Caption Font |
| Pack-Ticket Number | Validation Font |
| Validation Number | Validation Font |
| Retail Verification Code | Validation Font |

(d) Each of the play symbols and their captions, the validation number, pack-ticket number and retailer verification code must be printed in black ink.

(e) Each of the play symbols must be exactly one of those described in WAC 315-11-470(1) and each of the captions must be exactly one of those described in WAC 315-11-470(4).

(2) Any ticket not passing all the validation requirements in WAC 315-10-070 and subsection (1) of this section is invalid and ineligible for any prize.

NEW SECTION

WAC 315-11-480 DEFINITIONS FOR INSTANT GAME NUMBER 48 ("BLACK JACK"). (1) Play symbols: The following are the "play symbols": "11"; "12"; "13"; "15"; "16"; "17"; "19"; "20"; "21". One of these symbols appears under each of the three rub-off spots in the "your hand" column and under each of the three rub-off spots in the "dealer's hand" column in the play field on the front of the ticket.

(2) Captions: The small printed characters appearing below each play symbol which correspond with and verify that play symbol. The caption is a spelling out in full or in abbreviated form of the play symbol. One and only one caption appears under each play symbol. The number 1, 2 or 3 precedes the play symbols to indicate the location of the play symbol in Game 1, Game 2 or Game 3. For Instant Game Number 48, the captions which correspond with and verify the play symbols are:

| <u>PLAY SYMBOL</u> | <u>CAPTION</u> |
|--------------------|----------------|
| 11 | ELEVN |
| 12 | TWLVE |
| 13 | THRTN |
| 15 | FIFTN |
| 16 | SIXTN |
| 17 | SVNTN |
| 19 | NINTN |
| 20 | TWNTY |
| 21 | TTYON |

(3) Prize symbols: The following are the "prize symbols": "\$1.00"; "\$2.00"; "\$4.00"; "\$10.00"; "\$50.00"; "\$500". One of these prize symbols appears for each game (row) in the prize column on the front of the ticket.

(4) Captions: The small printed characters appearing below the prize symbol which verify and correspond with that prize symbol. The caption is a spelling out, in full or abbreviated form, of the prize symbol. Only one caption appears under the prize symbol. The number 1, 2 or 3 precedes the prize symbols to indicate the location of the prize symbol in Game 1, Game 2 or Game 3. For Instant Game Number 48, the prize symbol captions which correspond with and verify the prize symbols are:

| <u>PRIZE SYMBOL</u> | <u>CAPTION</u> |
|---------------------|----------------|
| \$ 1.00 | ONE |
| \$ 2.00 | TWO |
| \$ 4.00 | FOUR |
| \$ 10.00 | TEN |
| \$ 50.00 | FIFTY |
| \$ 500 | FIV HUN |

(5) Validation number: The unique nine-digit random number on the front of the ticket. The number is covered by latex.

(6) Pack-ticket number: The ten-digit number of the form 4800001-000 printed on the front of the ticket. The first two digits are the game identifier. The first seven digits of the pack-ticket number for Instant Game Number 48 constitute the "pack number" which starts at 4800001; the last two digits constitute the "ticket number" which starts at 000 and continues through 399 within each pack of tickets.

(7) Retailer verification codes: Codes consisting of small letters found under the removable latex covering on the front of the ticket which the lottery retailer uses to verify instant winners of \$25 and less. For Instant Game Number 48, the retailer verification codes are three-letter codes, with each letter appearing in a varying three of six locations among the play symbols and prize symbols on the front of the ticket. The retailer verification codes are:

| <u>VERIFICATION CODE</u> | <u>PRIZE</u> |
|--------------------------|--|
| ONE | \$1.00 |
| TWO | \$2.00 (\$1 and \$1) |
| FOR | \$4.00 (\$1 and \$1 and \$2; \$2 and \$2; \$4) |
| TEN | \$10.00 (\$4 and \$4 and \$2; \$10) |
| TWY | \$20.00 (\$10 and \$10) |

(8) Pack: A set of four hundred fanfolded instant game tickets separated by perforations and packaged in a plastic bag or plastic shrinkwrapping.

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

NEW SECTION

WAC 315-11-481 CRITERIA FOR INSTANT GAME NUMBER 48. (1) The price of each instant game ticket shall be \$1.00.

(2) Determination of prize winning tickets: An instant prize winner is determined in the following manner: The bearer of a ticket having a play symbol in the "your hand" column that is a larger number than the play symbol in the "dealer's hand" column in the same game (row) shall win the prize shown in the prize column for that game (row). The bearer of a ticket having winning play symbols in Game 1, Game 2 or Game 3 shall win the total amount of all game prizes. Play symbols in different games (rows) may not be combined to win a prize.

(3) No portion of the display printing nor any extraneous matter whatever shall be usable or payable as a part of the instant game.

(4) The determination of prize winners shall be subject to the general ticket validation requirements of the lottery as set forth in WAC 315-10-070, to the particular ticket validation requirements for Instant Game Number 48 set forth in WAC 315-11-482, to the confidential validation requirements established by the director, and to the requirements stated on the back of each ticket.

(5) Notwithstanding any other provisions of these rules, the director may:

(a) Vary the length of Instant Game Number 48; and/or

(b) Vary the number of tickets sold in Instant Game Number 48 in a manner that will maintain the estimated average odds of purchasing a winning ticket.

NEW SECTION

WAC 315-11-482 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 48. (1) In addition to meeting all other requirements in these rules and regulations, to be a valid instant game ticket for Instant Game Number 48 all of the following validation requirements apply.

(a) Exactly one play symbol must appear under each of the three rub-off spots in the "your hand" column and under each of the three rub-off spots in the "dealer's hand" column on the front of the ticket.

(b) Each of the six play symbols must have a caption below and each must agree with its caption.

(c) Exactly one prize symbol for each of the three games (rows) must appear under the rub-off material covering the prize column on the front of the ticket.

(d) Each of the three prize symbols must have a caption below and each must agree with its caption.

(e) The display printing and the printed numbers, letters, and symbols on the ticket must be regular in every respect and correspond precisely with the specifications on file with the director. The numbers, letters, and symbols shall be printed as follows:

| | |
|----------------------------|-------------------|
| Play Symbols | Play Symbol Font |
| Captions | Caption Font |
| Prize Symbols | Prize Symbol Font |
| Prize Symbol Captions | Caption Font |
| Pack-Ticket Number | Validation Font |
| Validation Number | Validation Font |
| Retailer Verification Code | Validation Font |

(f) Each of the play symbols and their captions, prize symbol and its caption, the validation number, pack-ticket number, and the retailer verification code must be printed in black ink.

(g) Each of the play symbols must be exactly one of those described in WAC 315-11-480(1); each of the captions must be exactly one of those described in WAC 315-11-480(2), the prize symbol must be exactly one of those described in WAC 315-11-480(3); and the prize symbol caption must be exactly one of those described in WAC 315-11-480(4).

(2) Any ticket not passing all the validation requirements in WAC 315-10-070 and subsection (1) of this section is invalid and ineligible for any prize.

NEW SECTION

WAC 315-11-490 DEFINITIONS FOR INSTANT GAME NUMBER 49 ("PLAY IT AGAIN").

(1) Play symbols: The following are the "play symbols":

- \$ 1.00
- \$ 2.00
- \$ 7.00
- \$10.00
- \$24.00
- \$70.00
- \$ 700

One of these play symbols appears in each of the seven blocks under the scratch-off material covering the game play data.

(2) Captions: The small printed characters appearing below each play symbol which verifies and corresponds with that play symbol. The caption is a spelling out, in full or abbreviated form of the play symbol. One and only one of these captions appears under each play symbol. For Instant Game Number 49, the captions which correspond with and verify the play symbols are:

| <u>PLAY NUMBER</u> | <u>CAPTION</u> |
|--------------------|----------------|
| \$ 1.00 | ONE |
| \$ 2.00 | TWO |
| \$ 7.00 | SEVEN |
| \$ 10.00 | TEN |
| \$ 24.00 | TWTY FOR |
| \$ 70.00 | SEVENTY |
| \$ 700 | SVN HUND |

(3) Validation number: The unique nine-digit number on the front of the ticket. The number is covered by latex covering.

(4) Pack-ticket number: The ten-digit number of the form 4900001-000 printed on the front of the ticket. The first seven digits of the pack-ticket number for Instant Game Number 49 constitute the "pack number" which starts at 4900001; the last three digits constitute the "ticket number" which starts at 000 and continues through 399 within each pack of tickets.

(5) Retailer verification codes: Codes consisting of small letters found under the removable latex covering on the front of the ticket which the lottery retailer uses to verify instant winners of \$25 or less. For Instant Game Number 49, the retailer verification codes are three-letter codes, with each letter appearing in a varying three of six locations among the play symbols on the front of the ticket. The retailer verification codes are:

| <u>VERIFICATION CODE</u> | <u>PRIZE</u> |
|--------------------------|--------------|
| ONE | \$ 1.00 |
| TWO | \$ 2.00 |
| SVN | \$ 7.00 |
| TEN | \$ 10.00 |
| TFO | \$ 24.00 |

(6) Pack: A set of four hundred fanfolded instant game tickets separated by perforations and packaged in plastic shrinkwrapping.

NEW SECTION

WAC 315-11-491 CRITERIA FOR INSTANT GAME NUMBER 49. (1) The price of each instant game ticket shall be \$1.00.

(2) Determination of prize winning tickets: An instant prize winner is determined in the following manner:

(a) The bearer of a ticket having the following play symbols in any three of the seven spots beneath the removable covering on the front of the ticket shall win the following prize:

| | | | | | |
|-------|----------|----------------------|----------------|-----|----------|
| Three | \$ 1.00 | play symbols | - | Win | \$ 1.00 |
| Two | \$ 1.00 | play symbols and one | \$ 1.00 Bonus | Win | \$ 1.00 |
| Three | \$ 2.00 | play symbols | - | Win | \$ 2.00 |
| Two | \$ 2.00 | play symbols and one | \$ 2.00 Bonus | Win | \$ 2.00 |
| Three | \$ 7.00 | play symbols | - | Win | \$ 7.00 |
| Two | \$ 7.00 | play symbols and one | \$ 7.00 Bonus | Win | \$ 7.00 |
| Three | \$ 10.00 | play symbols | - | Win | \$ 10.00 |
| Two | \$ 10.00 | play symbols and one | \$ 10.00 Bonus | Win | \$ 10.00 |
| Three | \$ 24.00 | play symbols | - | Win | \$ 24.00 |
| Two | \$ 24.00 | play symbols and one | \$ 24.00 Bonus | Win | \$ 24.00 |
| Three | \$ 70.00 | play symbols | - | Win | \$ 70.00 |
| Two | \$ 70.00 | play symbols and one | \$ 70.00 Bonus | Win | \$ 70.00 |
| Three | \$ 700 | play symbols | - | Win | \$700.00 |
| Two | \$ 700 | play symbols and one | \$ 700 Bonus | Win | \$700.00 |

(b) In any event, only the highest instant prize amount meeting the standards of (a) of this subsection will be paid on a given ticket.

(3) No portion of the display printing nor any extraneous matter whatever shall be usable or playable as a part of the instant game.

(4) The determination of prize winners shall be subject to the general ticket validation requirements of the lottery as set forth in WAC 315-10-070, to the particular ticket validation requirements for Instant Game Number 49 set forth in WAC 315-11-492, to the confidential validation requirements established by the director, and to the requirements stated on the back of each ticket.

(5) Notwithstanding any other provisions of these rules, the director may:

(a) Vary the length of Instant Game Number 49; and/or

(b) Vary the number of tickets sold in Instant Game Number 49 in a manner that will maintain the estimated average odds of purchasing a winning ticket.

NEW SECTION

WAC 315-11-492 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 49. (1) In addition to meeting all other requirements in these rules and regulations, to be a valid instant game ticket for Instant Game Number 49 all of the following validation requirements apply:

(a) Exactly one play symbol must appear under each of the seven rub-off spots on the ticket.

(b) Each of the seven play symbols must have a caption underneath, and each must agree with its caption.

(c) The display printing and the printed numbers, letters, and symbols on the ticket must be regular in every respect and correspond precisely with the specifications on file with the director. The numbers, letters, and symbols shall be printed as follows:

| | |
|--------------------------|------------------|
| Play Symbols | Play Symbol Font |
| Captions | Caption Font |
| Pack-Ticket Number | Validation Font |
| Validation Number | Validation Font |
| Retail Verification Code | Validation Font |

(d) Each of the play symbols and their captions, the validation number, pack-ticket number and retailer verification code must be printed in black ink.

(e) Each of the play symbols must be exactly one of those described in WAC 315-11-490(1) and each of the captions must be exactly one of those described in WAC 315-11-490(2).

(2) Any ticket not passing all the validation requirements in WAC 315-10-070 and subsection (1) of this section is invalid and ineligible for any prize.

WSR 89-21-029
PERMANENT RULES
LOTTERY COMMISSION
 [Filed October 10, 1989, 4:30 p.m.]

Date of Adoption: October 6, 1989.

Purpose: WAC 315-02-220 and 315-10-020, to clarify that instant tickets which are distributed in media promotions and incentive programs are included in the definition of ticket; and WAC 315-10-030, to delete previously bracketed material from rule.

Statutory Authority for Adoption: RCW 67.70.040.

Pursuant to notice filed as WSR 89-17-108 on August 22, 1989.

Effective Date of Rule: Thirty-one days after filing.
 October 9, 1989
 Evelyn Y. Sun
 Director

AMENDATORY SECTION (Amending Order 3, filed 10/15/82)

WAC 315-02-220 TICKET DEFINED. "Ticket" means a lottery ticket or share issued by the director for sale to the general public or for use in authorized media promotions and authorized retailer incentive programs.

AMENDATORY SECTION (Amending Order 83, filed 12/16/85)

WAC 315-10-020 DEFINITIONS. (1) Ticket. The ticket purchased for participation in an instant game and any ticket used in authorized media promotions and authorized retailer incentive programs for an instant game.

(2) Instant game. A game in which a ticket is purchased and upon removal of a latex covering on the front of the ticket, the ticket bearer determines his or her winnings, if any.

(3) Ticket bearer. The person who has signed the ticket or has possession of the unsigned ticket.

(4) Play symbols. The numbers or symbols appearing in the designated areas under the removable covering on the front of the ticket. Play symbols were formerly called play numbers. Both terms shall have the same meaning.

(5) Validation number. The multi-digit number found on the ticket and on any ticket stub. There must be a validation number on the ticket or any stub.

AMENDATORY SECTION (Amending Order 111, filed 8/11/88)

WAC 315-10-030 INSTANT GAMES CRITERIA. (1) The price of an instant game ticket shall not be less than \$1.00 and not more than \$5.00, except for those tickets used in authorized media promotions and authorized retailer incentive programs.

(2) Winners of an instant game are determined by the matching or specified alignment of the play numbers on the tickets. The ticket bearer must notify the lottery of the win and submit the winning ticket to the lottery as specified by the director. The winning ticket must be validated by the lottery through use of the validation number and/or any other means as specified by the director.

(3) The total of all prizes available to be won in an instant game shall not be less than forty-five percent of the instant game's projected revenue.

(4) The instant game shall pay out both lower tier prizes and higher tier prizes. Lower tier prizes are of \$25.00 or less. Higher tier prizes are of more than \$25.00. The director shall determine the number of lower and higher tier prizes.

(5) The start date and closing date of the instant game shall be publicly announced. Lottery retailers shall not sell any tickets prior to the start date of a game unless expressly authorized by the director. ~~((Lottery retailers shall not sell any tickets prior to the start date of a game unless expressly authorized by the director.))~~ Lottery retailers may continue to sell tickets for each instant game for up to 14 days after the official end of game as authorized by WAC 315-10-060.

(6) There is no required frequency of drawing or method of selection of a winner in an instant game.

(7) At the director's discretion, an instant game may include a grand prize drawing(s). The criteria for the grand prize drawing shall be as follows:

(a) Finalists for a grand prize drawing shall be selected in an elimination drawing(s) from redeemed tickets meeting the criteria stated in specific game rules as determined by the director. Participation in the elimination drawing(s) shall be limited to such tickets which are actually received and validated by the director on or before a date to be announced by the director. The director may reserve the right to place any semi-finalist whose entry was not entered in the elimination drawing(s) and who is subsequently determined to have been entitled to such entry into an elimination drawing of a subsequent instant game, and the determination of the director shall be final.

(b) The number of prizes and the amount of each prize in the grand prize drawing(s) shall be determined

by the director to correspond with the size and ~~((the))~~ length of the instant game and to comply with ~~((sub-section))~~ ~~(3)~~ ~~[of this section]~~ ~~[above])~~ subsection (3) of this section.

(c) The dates and times as well as the procedures for conducting the elimination drawing and grand prize drawing shall be determined by the director.

(8) Procedures for claiming instant ~~((game))~~ game prizes are as follows:

(a) To claim an instant game prize of \$25.00 or less, the claimant shall present the apparent winning ticket to the lottery retailer from whom the ticket was purchased. The lottery retailer shall verify the claim and, if acceptable, make payment of the amount due the claimant. In the event the lottery retailer cannot verify the claim, the claimant shall fill out a claim form, as provided in WAC 315-06-120, which shall be obtained from the lottery retailer and present the completed form, together with the disputed ticket to the director. If the claim is validated by the director, a check shall be forwarded to the claimant in payment of the amount due. In the event that the claim is not validated by the director, the claim shall be denied and the claimant shall be promptly notified.

(b) To claim an instant game prize of more than \$25.00 through \$600.00 the claimant either may present the apparent winning ticket to a lottery retailer included in the computer validation system, regardless where the ticket was purchased, or may complete a claim form, as provided in WAC 315-06-120, which is obtained from a lottery retailer or the director and mail the completed form together with the apparent winning ticket to the director. When the retailer is presented with a claim under this section, the retailer shall verify the claim and, if acceptable, make payment of the amount due the claimant. The prizes shall be paid during all normal business hours of that retailer provided that claims can be validated on the computer validation system. The retailer shall not charge the claimant any fee for payment of the prize or for cashing a business check drawn on the retailer's account. In the event the retailer cannot verify the claim, the claimant shall present a claim to the director. If the claim is validated by the director, a check shall be forwarded to the claimant in payment of the amount due. In the event that the claim is not validated by the director, the claim shall be denied and the claimant shall be promptly notified.

(c) To claim an instant prize of ~~((for more))~~ more than \$600.00, the claimant shall complete a claim form, as provided in WAC 315-06-120, which is obtained from the lottery retailer or the director and mail the completed form together with the ~~((apparent))~~ apparent winning ticket to the director. Upon validation by the director, a check shall be forwarded to the claimant in payment of the amount due, less any applicable federal income tax withholding. In the event that the claim is not validated by the director, the claim shall be denied and the claimant shall be promptly notified.

(d) To claim an instant prize pursuant to WAC 315-10-070(2), the claimant shall notify the lottery of the claim and request reconstruction of the ticket not later than one hundred eighty days after the official end of

that instant game. If the director authorizes reconstruction, the ticket shall not be validated nor the prize paid prior to the one hundred eighty-first day following the official end of that instant game. A ticket(s) validated pursuant to WAC 315-10-070(2) shall not entitle the claimant entry into the grand prize drawing, if any, for that or any subsequent instant game.

(e) Any ticket not passing all the validation checks specified by the director is invalid and ineligible for any prize and shall not be paid. However, the director may, solely at his or her option, replace an invalid ticket with an unplayed ticket (or tickets of equivalent sales price from any other current game). In the event a defective ticket is purchased, the only responsibility or liability of the director shall be the replacement of the defective ticket with another unplayed ticket (or tickets of equivalent sale price from any other current game).

WSR 89-21-030

ATTORNEY GENERAL OPINION

Cite as: AGO 1989 No. 18

[October 6, 1989]

DIKING, DRAINAGE, AND FLOOD CONTROL—DISTRICTS—COUNTIES—SPECIAL ASSESSMENTS

- Chapter 85.38 RCW authorizes "special assessments" which may be imposed only on property specially benefitted in accordance with article 7, section 9, of the Washington Constitution as interpreted in case law; this chapter does not authorize the imposition of "rates and charges" based on some standard other than special benefit.
- Assessments made under chapter 85.38 must be based on the special benefit conferred by a public work or activity on particular property, and may not lawfully be based on the extent of use of public services or other criteria.

Requested by:

Honorable Seth Dawson
Prosecuting Attorney
Snohomish County
Mission Building
3000 Rockefeller Avenue
Everett, Washington 98201

WSR 89-21-031

PERMANENT RULES

DEPARTMENT OF LICENSING

(Securities Division)

[Order SDO-160-89—Filed October 11, 1989, 11:20 a.m.]

I, Mary Faulk, director of the Department of Licensing, do promulgate and adopt at the Department of Licensing, Olympia, Washington, Highways-Licenses Building, the annexed rules relating to government bonds payable from industrial or commercial enterprises, WAC 460-42A-020. The director finds that these rules

are necessary or appropriate in the public interest or for the protection of investors and consistent with the purposes fairly intended by the policy and provisions of chapter 21.20 RCW.

This action is taken pursuant to Notice No. WSR 89-17-075 filed with the code reviser on August 17, 1989. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 21.20.310(1) and is intended to administratively implement that statute.

This rule is promulgated pursuant to RCW 21.20.450 which directs that the director of the Department of Licensing has authority to implement the provisions of chapter 21.20 RCW.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.
APPROVED AND ADOPTED October 10, 1989.

By Mary Faulk
Director

AMENDATORY SECTION (Amending Order SDO-15-81, filed 2/3/81)

~~WAC 460-42A-020 ((HEALTH CARE FACILITIES AUTHORITY BONDS)) GOVERNMENT BONDS PAYABLE FROM INDUSTRIAL OR COMMERCIAL ENTERPRISES.~~ The term "industrial or commercial enterprise" as employed in RCW 21.20.310(1) includes ~~((nonprofit hospitals and other health care facilities, but shall not include a nonprofit hospital the issuance of securities of which is subject to supervision by the Washington health care facilities authority or a similar state health care facilities authority, and is subject to supervision and control, as to operating and capital budgets, by the Washington state hospital commission or a similar state hospital commission)), but is not limited to, a private profit or nonprofit hospital, health care facility, college, university or educational institution, single or multifamily mortgage loan program, port authority concessionaire, or manufacturing or service business.~~

WSR 89-21-032

PERMANENT RULES

DEPARTMENT OF LICENSING

(Securities Division)

[Order SDO-161-89—Filed October 11, 1989, 11:34 a.m.]

I, Mary Faulk, director of the Department of Licensing, do promulgate and adopt at the Department of Licensing, Olympia, Washington, the annexed rules relating to:

| | | |
|-----|-----------------|--|
| Amd | WAC 460-10A-160 | Recognized securities manual. |
| Amd | WAC 460-42A-081 | Exchange and national market system exemption. |

The director finds that these rules are necessary or appropriate in the public interest or for the protection of investors and consistent with the purposes fairly intended by the policy and provisions of chapter 21.20 RCW.

This action is taken pursuant to Notice No. WSR 89-17-074 filed with the code reviser on August 17, 1989. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 21.20.310(8) for WAC 460-42A-081 and RCW 21.20.320(2) for WAC 460-10A-160 and is intended to administratively implement that statute.

This rule is promulgated pursuant to RCW 21.20.450 which directs that the director of the Department of Licensing has authority to implement the provisions of chapter 21.20 RCW.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED October 10, 1989.

By Mary Faulk
Director

AMENDATORY SECTION (Amending Order SDO-89-86, filed 7/14/86)

WAC 460-10A-160 RECOGNIZED SECURITIES MANUAL. For the purpose of RCW 21.20.320(2) "Recognized securities manual" shall mean: Fitch Investors Service, Moodys Investors Service (except for Moody's International Manual), and Standard and Poor's Corporation Records; provided ((Moody's OTC Industrial Manual is a "recognized securities manual" for the purposes of RCW 21.20.320(2) only with respect to)) that the outstanding securities of issuers ((meeting)) meet the following requirements:

(1) An entry describing the issuer and meeting the informational requirements of RCW 21.20.320(2) was published in Moody's Investors Service OTC-Industrial Manual and such an entry has appeared continuously in that manual since August 9, 1986 and the issuer has not subsequently reorganized, merged, consolidated, or had a stock split; or

(2) An entry describing the issuer and meeting the informational requirements of RCW 21.20.320(2) was published in Fitch Investors Service, Standard and Poor's Corporation Records or Moody's Investor Services (other than the OTC-Industrial Manual and Moody's International Manual) and such an entry has appeared continuously in that manual since September 30, 1989, and the issuer has not subsequently reorganized, merged, consolidated, or had a stock split; or

(3) Securities of the issuer have been registered with the Securities and Exchange Commission pursuant to section 12 of the Securities and Exchange Act of 1934, and the issuer has been subject to the reporting requirements of section 13 of that act, and has promptly filed all reports required by section 13 for the three reporting periods immediately preceding the claim of the RCW 21.20.320(2) transactional exemption; or

(4) The issuer is a unit investment trust registered under section 8 of the Investment Company Act of 1940 and securities involved were initially registered under RCW 21.20.140; or

(5)(a) The security is of a class which has been outstanding in the hands of the public for at least ninety days; (b) the issuer of the security is a going concern actually engaged in business and not in the developmental stage or in bankruptcy or receivership; and (c) the issuer of the security, including any predecessors, has been in continuous operation for at least five years.

AMENDATORY SECTION (Amending Order SDO-100-82, filed 8/27/82)

WAC 460-42A-081 EXCHANGE AND NATIONAL MARKET SYSTEM EXEMPTION. ((Any security that meets all of the following conditions is exempt under RCW 21.20.310(8):

(1) Any security listed or approved for listing upon notice of issuance on an "approved national securities" exchange and any warrant or right to purchase or subscribe to any such security;

(2) An "approved national securities exchange" is one that requires all of the following be met:

(a) That the issuer of securities traded on the exchange be required to maintain a minimum of two outside directors on its board of directors;

(b) The exchange must have established reasonable procedures for trading oversight and surveillance over all exchange listed securities to ensure timely disclosure of material corporate developments to the interested public.

(c) The exchange must, in acting on applications for listing of common stock, have established procedures to ensure careful review of the issuer's financial integrity and risk and substantially apply each of the minimum qualifications set forth in (i) below, and in considering suspension or removal from listing, substantially apply each of the criteria set forth in (ii) below:

(i) Listing qualifications:

(A) Net tangible assets of at least four million dollars and net income of at least four hundred thousand dollars after all charges including federal income taxes in the fiscal year immediately preceding the filing of a listing application; or, in the alternative, net tangible assets of a least ten million dollars provided the issuer has had a minimum of three years of operations and the aggregate market value of the issuer's publicly held shares is ten million dollars;

(B) Minimum public distribution of 400,000 shares excluding the holdings of officers, directors, controlling shareholders and other concentrated or family holdings;

(C) Minimum price of stock or shares of three dollars per share for a reasonable period of time prior to the filing of a listing application, and/or an aggregate market value of publicly held shares of at least three million dollars;

(ii) Criteria for consideration of suspension or removal from listing:

(A) If a company which (A) has net tangible assets of less than two million dollars has sustained net losses in each of its two most recent fiscal years, or (B) has net tangible assets of less than four million dollars and has

~~sustained net losses in three of its four most recent fiscal years.~~

~~(B) If the number of shares publicly held (excluding the holdings of officers, directors, controlling shareholders and other concentrated or family holdings) is less than 200,000.~~

~~(C) If the aggregate market value of shares publicly held in the aggregate remains less than one million dollars for a significant period of time.~~

~~(3)) (1) Any securities listed or designated, or approved for listing or designation upon notice of issuance on the New York stock exchange, the American stock exchange, or the NASDAQ/NMS interdealer quotation system, 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), provided that the issuer must meet the minimum published criteria for listing or designation as adopted by the exchange or interdealer quotation system. 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 on the NASDAQ/NMS interdealer quotation system, the New York stock exchange, the American stock exchange, the Midwest stock exchange, the Spokane 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).

WSR 89-21-033

NOTICE OF PUBLIC MEETINGS BOARD FOR VOCATIONAL EDUCATION [Memorandum—October 10, 1989]

BUSINESS ADVISORY COUNCIL ROOM
RESOURCE CENTER FOR THE HANDICAPPED
20150 45TH AVENUE N.E.
SEATTLE, WA

Work study session, 1:30 p.m., Monday, November 13, 1989, members of the Washington State Board for Vocational Education will meet in a work study session to discuss the following items: Results of the study on WIAT (Washington Institute of Applied Technology), the assessment of JTPA 8% projects for PY 88, agency budget, and the interagency agreement with the office of the Superintendent of Public Instruction and the State Board for Community College Education.

Regular meeting, 9:00 a.m., Tuesday, November 14, 1989, the regular business meeting of the state board will convene at 9:00 a.m. Primary agenda items include:

Adoption of the modifications to the federal state plan, budget update, presentation of the assessment of JTPA 8% projects for PY 88, presentation of the WIAT study results, and consideration of the job skills program grant applications.

People needing special accommodations, please call Patsi Justice at (206) 753-5660 or 234-5660 scan.

WSR 89-21-034 PROPOSED RULES DEPARTMENT OF SOCIAL AND HEALTH SERVICES (Public Assistance)

[Filed October 11, 1989, 4:20 p.m.]

Original Notice.

Title of Rule: Chapter 388-92 WAC, Medical care—Title XVI of Social Security Act.

Purpose: To expand subsection (13) of WAC 388-92-045 to specify certain federal statutes. To separate SSI-related income exclusions and exemptions from financial responsibility of relatives into a new WAC 388-92-036.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: Includes the interest on the burial set aside. Payments to the wartime relocation and internment of civilians are excluded. Adds impairment related work expenses as included income. Payments to a SSI-related client for medical or social services are not considered income or resources for one month following the month of receipt.

Reasons Supporting Proposal: This rule amendment is necessary to keep our state rules in compliance with the federal law.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bobbe Andersen, Division of Medical Assistance, 753-0529.

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

Rule is Necessary Because of Federal Law: Omnibus Budget Reconciliation Act of 1987; and State Court Decision: Public Law 100-203.

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: Same as above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, on November 21, 1989, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by November 21, 1989.

Date of Intended Adoption: December 1, 1989.

October 11, 1989

Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2132, filed 8/3/84)

WAC 388-92-025 (~~COMPUTATION~~) ~~FINANCIAL RESPONSIBILITY OF (AVAILABLE INCOME AND RESOURCES) RELATIVES.~~ (1) ~~((Total income of a beneficiary of supplemental security income is not considered available))~~ In determining SSI-related eligibility(:

(2) ~~Financial responsibility of spouses and parents:~~

(a)) ~~the department shall consider income and resources ((are considered)) jointly for:~~

(a) ~~Spouses who ((live together)) reside in ((a common)) the same household; and~~

(b) ~~The blind or disabled child or children who ((live)) reside with their ((parent(s)) parent or parents.~~

(2) ~~When computing available income for a family of three or more, the department shall apply the relative responsibility requirement of the appropriate cash assistance program. The department shall limit relative responsibility to one spouse for the other spouse and the parent or parents for the minor child or children.~~

(3) ~~The department shall consider the financial responsibility of spouses as follows:~~

(a) ~~When the spouse of an SSI-related applicant is ineligible or does not apply, the department shall apply the exclusions under WAC 388-92-035 (1) and (3) to the spouse's income in determining the amount to be deemed to the applicant. If the remaining income of the ineligible spouse exceeds the monthly state supplement benefit standard, the department shall deem the remaining income to the applicant; and~~

(b) ~~If both spouses apply or are eligible as aged, blind, or disabled and cease to ((live together their)) reside in the same household, the department shall consider the spouses' income and resources ((are considered)) available to each other for the time periods specified ((below)). After the appropriate time period, the department shall consider available only the income and resources ((that are actually contributed by)) one spouse contributes to the other ((are considered available)) spouse.~~

(i) ~~If spouses cease to ((live together)) reside in the same household because of ((the)) institutionalization of one spouse(==), the department shall consider ((their)):~~

(A) ~~The institutionalized spouse's income and resources under chapter 388-95 WAC; and~~

(B) ~~The community spouse's:~~

(1) ~~Income as available to each other through the month in which they cease to ((live together)) reside in the same household. ((Mutual consideration of)) The department shall consider the income ((ceases with)) of each spouse as separate beginning the first of the month after the ((month in which separation occurs)) spouse is institutionalized;~~

((B)) (1) ~~((Consider their)) Resources as available to each other for the month ((during which they)) the spouses cease to ((live together)) reside in the same household and ((the)) for six months following that month.~~

(ii) ~~If spouses cease to ((live together)) reside in the same household for any reason other than institutionalization of one spouse, the department shall consider ((their)) the spouses' income and resources ((as)) available to each other for the month ((during which they)) the spouses cease to ((live together)) reside in the same household and ((the)) for six months following that month. If the mutual consideration of both spouses' income and resources causes the ((individuals)) spouses to lose eligibility as a couple, the ((agency with)) department shall determine if ((an individual)) either spouse is eligible in accordance with subsection (3)(c) of this section.~~

(c) ~~If the spouses cease to reside in the same household, and only one spouse in a couple applies or is eligible, or both spouses apply and are not eligible as a couple, ((and they cease to live together)) the department shall consider only the income and resources ((of)) the ineligible spouse ((that are actually contributed)) contributes to the eligible spouse beginning ((with)) the month after the ((month in which they cease to live together)) spouses separate;~~

(d) ~~When both spouses are eligible and institutionalized(:~~

(i)) ~~the department shall consider income and resources ((are considered jointly)) separately even if ((they)) the spouses share the same room(:~~

(ii) ~~Income and resources are considered separately if they don't share the same room.); and~~

(e) ~~When only one spouse is eligible and both are institutionalized, the department shall consider only the income and resources ((of)) the ineligible spouse ((that are actually contributed)) contributes to the eligible spouse, even if they share the same room.~~

((3) ~~When computing available income for a family of three or more the relative responsibility requirement of the appropriate cash assistance program shall be applied, except that relative responsibility shall be limited to spouse for spouse and parent for child.))~~

(4) ~~The department shall consider the financial responsibility of the parent or parents as follows:~~

(a) ~~For SSI-related individuals, ((age)) eighteen to twenty-one years of age, the department shall not consider the parent or parents' income ((is not deemed)) available(:(:)) unless contributed; and~~

((5)) (b) ~~For SSI-related individuals seventeen years of age and under ((age eighteen)), the department shall consider the parent or parents' income ((is deemed)) available when ((living)) the individual resides in the same household.~~

((6)) (5) ~~((When the spouse of an SSI related applicant is ineligible or does not apply, the exclusions in subsections (7) and (9) of this section, shall be applied to his/her income in determining the amount to be deemed to the applicant. If the remaining income of the ineligible spouse exceeds the monthly state supplement benefit standard all the remaining income shall be deemed to the applicant.~~

(7) ~~Exclusions from income. The following shall be excluded sequentially from income:~~

(a) ~~Any amount received from any public agency as a return or refund of taxes paid on real property or on food purchased by such individual or spouse;~~

(b) ~~State public assistance based on financial need;~~

(c) ~~Any portion of any grant, scholarship, or fellowship received for use in paying the cost of tuition and fees at any educational institution;~~

(d) ~~Income that is not reasonably anticipated, or received infrequently or irregularly, if such income does not exceed twenty dollars per month if unearned, or ten dollars per month if earned;~~

(e) ~~Any amounts received for the foster care of a child, who is not an eligible individual, but who is living in the same house as such individual and was placed in such home by a public or nonprofit private child-placement or child-care agency;~~

(f) ~~One-third of any payment for child support received from an absent parent will be excluded;~~

(g) ~~The first twenty dollars per month of earned or unearned income, not otherwise excluded in subsection (7)(a) through (f) of this section, for a person at home. The exclusion is considered only once for a husband and wife. There is no exclusion on income which is paid on the basis of need of the eligible individual, such as VA pension and cash from private charitable organizations;~~

(h) ~~Tax exempt payments received by Alaska natives under the Alaska Native Claims Settlement Act;~~

(i) ~~Tax rebates or special payments excluded by other statutes. When necessary these exclusions will be publicized by numbered memoranda from the state office;~~

(j) ~~Compensation provided to volunteers in ACTION programs established by Public Law 93-113, the Domestic Volunteer Service Act of 1973;~~

(k) ~~When an ineligible minor is in the household of an SSI applicant, an amount will be excluded for such child's needs. The exclusions will be the difference between the SSI couple cash benefit and the SSI individual cash benefit;~~

(l) ~~Veteran's benefits, only the portion of the payment which is attributable to the veteran is counted as income in determining eligibility for Medicaid:~~

(i) ~~The veteran's aid and attendance/housebound allowance is to meet the cost of unusual medical care and is excluded in determining eligibility for Medicaid.~~

For institutionalized individuals, the amount subsequently is considered in the cost of institutional care.

(ii) ~~The portion attributable to the dependent is counted as income to the dependent.~~

(m) ~~Current recipients who become ineligible for SSI benefits and/or state supplementary payments after April 1, 1977, solely because of OASDI cost of living benefit increases shall remain categorically eligible for medical assistance (MA). Any subsequent OASDI cost of living benefit increase shall be disregarded for eligibility. For institutionalized recipients, the amount subsequently is considered in the cost of institutional care. This disregard does not apply to:~~

(i) ~~New applicants (i.e., who were not receiving SSI/SSP prior to increase);~~

(ii) ~~Persons who are not actually receiving SSI/SSP payments for some other reason;~~

(iii) ~~Persons who would have received SSI/SSP if they had applied.~~

(iv) ~~Persons who would have received SSI/SSP if they were not living in a medical or intermediate care facility.~~

(n) ~~A fee charged by a guardian to reimburse himself or herself for services provided is not considered available to the individual and is not treated as income.~~

(o) ~~Income received by an ineligible or nonapplying spouse from a governmental agency for services provided to an eligible recipient (e.g. chore services).~~

(8) ~~An ineligible or nonapplying individual under the age of twenty-one who is a student regularly attending a school, college or university or pursuing a course of vocational or technical training designed to prepare him for gainful employment will have all earned income excluded unless that income is actually contributed to the applicant.~~

(9) ~~Earned income exclusions for SSI-related individuals shall be the first sixty-five dollars per month of earned income not excluded according to subsection (7) of this section, plus one-half of the remainder.~~

(10) ~~In mixed households, where more than one assistance unit exists, determine income for the AFDC-related assistance unit according to AFDC grant regulations.) The department shall determine income for FIP or AFDC-related assistance unit according to FIP or AFDC grant regulations, where more than one assistance unit exists, limiting relative responsibility to subsection (2) of this section.~~

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

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

NEW SECTION

WAC 388-92-036 SSI-RELATED INCOME EXCLUSIONS/EXEMPTIONS. (1) The department shall exclude the following from income in the order listed:

(a) Any amount a client receives from any public agency as a return or refund of taxes paid on real property or on food purchased by such client or spouse;

(b) State public assistance and supplemental security income (SSI) based on financial need;

(c) Any portion of any grant, scholarship, or fellowship received by a client for use in paying the cost of tuition and fees at any educational institution;

(d) Income that a client does not reasonably anticipate, or may receive infrequently or irregularly, and such income does not exceed twenty dollars per month if unearned, or ten dollars per month if earned;

(e) Any amounts a client receives for the foster care of a child who lives in the same household, if the child is not eligible and was placed in such home by a public or nonprofit private child-placement or child-care agency;

(f) One-third of any payment for child support an individual receives from an absent parent;

(g) The first twenty dollars per month of earned or unearned income, not otherwise excluded in subsection (1)(a) through (f) of this section, for a client at home. The department shall consider the exclusion only once for a husband and wife. The department shall apply no exclusion on income paid on the basis of an eligible individual needs, such as VA pension and cash from private charitable organizations;

(h) Tax exempt payments Alaska natives receive under the Alaska Native Claims Settlement Act;

(i) Tax rebates or special payments excluded by other statutes. When necessary, the department shall publicize these exclusions;

(j) Compensation provided to volunteers in ACTION programs established by Public Law 93-113, the Domestic Volunteer Service Act of 1973;

(k) An amount to meet the needs of an ineligible minor child residing in the household of an SSI applicant. The exclusion is the difference between the SSI couple cash benefit and the SSI individual cash benefit;

(l) The following portions of veteran's benefits:

(i) The veteran's aid and attendance/housebound allowance. For institutionalized clients, the department shall consider the amount subsequently in the cost of the client's institutional care; and

(ii) The portion attributable to the veteran's dependent.

(m) Title II Social Security Administration benefits:

(i) The department shall determine current client eligibility for categorically needy medical assistance under WAC 388-82-115(4), including all Title II cost of living adjustment (COLA) benefit increases received:

(A) By the client since termination from SSI/SSP; or

(B) By the client's spouse and/or other financially responsible family member living in the same household during the time period under subsection (m)(i) of this section; and

(ii) The department shall consider the total of the COLA benefit increases and the Title II Social Security Administration benefits in the cost of the institutionalized client's care.

(n) A reimbursable fee a guardian charges for services provided;

(o) Income an ineligible or nonapplying spouse receives from a governmental agency for services provided to an eligible client (e.g. chore services);

(p) Certain cash payments a client receives from a governmental or nongovernmental medical or social service agency to pay for medical or social services;

(q) Restitution payment to a civilian of Japanese or Aleut ancestry under P.L. 100-383;

(r) The amount of the expenses directly related to a client's impairment that allows the permanently and totally disabled client to continue to work;

(s) The amount of the blindness-related work expenses of a blind client; and

(t) Interest earned on excluded burial funds and any appreciation in the value of an excluded burial arrangement which are left to accumulate and become part of the separately identified burial funds set aside on or after November 1, 1982.

(2) Unless income is contributed to the applicant, the department shall exclude all earned income of an ineligible or nonapplying individual twenty years of age and under who is a student regularly attending a school, college or university, or pursuing a vocational or technical training designed to prepare the student for gainful employment.

(3) For the SSI-related individual, the department shall exclude the first sixty-five dollars per month of earned income not excluded according to subsection (1) of this section, plus one-half of the remainder.

AMENDATORY SECTION (Amending Order 2604, filed 3/2/88)

WAC 388-92-045 EXCLUDED RESOURCES. ~~((Applicants or recipients may transfer or exchange exempt resources. Exclude cash received from the sale of an exempt resource to the extent that it is used to replace or reinvest in another exempt resource within three months. Consider any remaining portion a nonexempt resource. In determining the value of resources))~~ The department shall exclude the following resources:

(1) A home((:));

(a) A home ((is)) means any shelter;

(i) In which the ((client(s))) client or clients has ownership interest; and

(ii) ((Which is)) Used by the ((client(s))) client or clients as the principal place of residence. The department shall consider only one home ((may be)) the principal place of residence.

(b) ((Absences)) Client or clients absence from the home shall not affect the home exclusion. ((It continues to be)) The home remains the principal place of residence as long as:

(i) The ((individual)) client or clients intends to return home. The department shall accept the client's statement of intent without challenge; or

(ii) ((The home is used by)) A spouse or dependent relative uses the home during the ((individual)) client's absence. ((Dependency may be)) The department shall consider an individual a dependent relative when such individual is either ((financial)) financially or ((medical)) medically dependent on the client. The department shall accept the client's or dependent relative's written allegation of dependency or relationship ((shall be accepted)) unless ((there is)) the department has reason to question it.

(c) The department shall exclude the client's proceeds from the sale of the excluded home ((shall be excluded to the extent they)) providing the proceeds are used to purchase another home within three months of the receipt of the proceeds. Proceeds shall include real estate contracts, or any similar home financing arrangements, and the income ((stream)) produced ((by them)).

(d) The department shall evaluate transfers of the home by an institutional client under WAC 388-95-395.

(2) Household goods and personal effects.

(3) ~~(Automobile(s):)~~ Automobile or automobiles.

(a) ~~(Totally)~~ The department shall exclude one automobile regardless of its value if it is:

- (i) Necessary for employment; or
- (ii) Necessary for the individual's medical treatment; or
- (iii) Modified for operation by, or transportation of, a handicapped ~~(person)~~ client; or
- (iv) Necessary ~~(because of)~~ due to climate, terrain, distance, or similar factors to provide ~~(necessary)~~ the client transportation to perform essential daily activities.

(b) The department shall:

(i) Exclude one automobile to the extent its current market value does not exceed four thousand five hundred dollars~~(:);~~;

(ii) Count any excess ~~(to be counted)~~ against the resource limit~~(:); and~~

(iii) Exclude an automobile ~~(may be excluded)~~ under this subdivision only if no automobile is excluded under subsection (3)(a) of this ~~(subsection:)~~ section.

(c) The department shall treat the client's ownership of other automobiles ~~(shall be treated)~~ as nonexempt resources and ~~(counted towards)~~ count the client's automobile equity value toward the resource limit ~~(to the extent of their equity value).~~

(4) Trade or business property.

(a) The department shall exclude:

(i) Property of a trade or business which is essential to ~~(the means of)~~ self-support; ~~(however, it shall not include)~~ and

(ii) Liquid resources as defined ~~(in)~~ under WAC 388-92-005 even though such liquid resource may ~~(be producing)~~ produce income.

(b) This property means items commonly referred to as tangible business assets such as land and buildings, equipment and supplies, inventory, cash on hand, accounts receivable, etc.; and

(c) The current market value shall not exceed six thousand dollars with a minimum annual rate of return of six percent.

(5) Nonbusiness property ~~(which is)~~. The department shall exclude nonbusiness property essential to the ~~(means of)~~ client's self-support. This exclusion shall include:

(a) Nonliquid (see WAC 388-92-005), nonbusiness property if ~~(it is relied upon by)~~ the individual:

(i) Relies on the nonbusiness property as a significant factor in producing income on which ~~(he)~~ the client can live~~(:);~~ or ~~(is used)~~

(ii) Uses the nonbusiness property to produce goods, or provide services essential to the individual's support. The current market value shall not exceed six thousand dollars with a minimum annual rate of return of six percent.

(b) Property used exclusively to produce items for home consumption provided the items are significant factors for support and maintenance of the individual~~(:);~~

(c) Tools, equipment, uniforms and similar items required by the individual's employer~~(:); and~~

(d) The exclusion may ~~(also)~~ include an additional automobile or other motor vehicle (truck, tractor, trailer, etc.) if the vehicle excluded under subsection (3) of this section ~~(cannot also fulfill the)~~ is not used for self support functions.

(6) Resources of a blind or disabled individual ~~(which are)~~. The department shall exclude resources necessary to fulfill an approved plan for ~~(achieving)~~ a client to achieve self-support ~~(for so)~~ as long as such plan remains in effect.

(7) Alaska Native Claims Settlement Act stock. The department shall exclude shares of stock held in a regional or village corporation during the period of twenty years ending January 1, 1992, in which such stock is inalienable ~~(pursuant to)~~ under the Alaska Native Claims Settlement Act.

(8) Life insurance~~(:);~~

(a) The department shall exclude the total cash surrender value if the total face value of the policy or policies held by each individual is one thousand five hundred dollars or less ~~(the total cash surrender value shall be excluded).~~

(b) The cash surrender value applies to the resource limit if the face value of ~~(policy(ies))~~ policy or policies held by each individual is over one thousand five hundred dollars ~~(there shall be no exclusion, cash surrender value must be applied to resource limitations).~~

(c) When determining total face value in subdivision (a) of this subsection, the department shall exclude term or burial insurance with no cash surrender value ~~(shall be excluded in determining total face value in (a) of this subsection).~~

(9) Restricted ~~(ownership:)~~ allotted land. The department shall exclude restricted allotted land owned by an enrolled tribal member

and spouse, if ~~(any, of an Indian tribe)~~ married, if such land cannot be sold, transferred, or otherwise disposed of without permission of other individuals, ~~(his)~~ the tribe or an agency of the federal government.

(10) Insurance settlements~~(:);~~. The department shall exclude cash ~~(received)~~ the client receives from an insurance company for purposes of repairing or replacing an excluded resource that is lost, damaged, or stolen, etc., ~~(shall be excluded as a resource provided)~~ providing the client uses the total amount of the cash ~~(is used)~~ to repair or replace such excluded resource within nine months ~~(that)~~. The department may extend the nine-month period ~~(may be extended)~~ based on circumstances beyond the control of the applicant to a maximum of nine additional months. The department shall consider any ~~(such)~~ cash not ~~(so)~~ used within ~~(such)~~ the time period~~(s shall be considered)~~ as an available resource.

(11) Burial spaces. ~~(†)~~ The department shall exclude the value of burial spaces for the ~~(individual)~~ client, the ~~(individual)~~ client's spouse, or any member of the ~~(individual)~~ client's immediate family.

~~(††)~~ (a) Burial spaces shall include conventional gravesites, crypts, mausoleums, urns, and other repositories ~~(which are)~~ customarily and traditionally used for the remains of deceased persons.

~~(†††)~~ (b) For purposes of this subsection immediate family means ~~(an individual)~~ a client's minor and adult children, including adopted children and step-children; ~~(an individual)~~ a client's brothers, sisters, parents, adoptive parents, and the spouses of those individuals. The department shall consider neither dependency nor living-in-the-same-household ~~(will be a)~~ as factors in determining whether a person is an immediate family member.

(12) Burial funds~~(:);~~

(a) ~~(Of the)~~ Funds specifically set aside for the burial arrangements of ~~(an individual)~~ a client or the ~~(individual)~~ client's spouse ~~(exclude only an amount which may)~~ not to exceed one thousand five hundred dollars for each spouse. The department shall count burial funds in excess of this limit ~~(shall be counted)~~ toward~~(s)~~ the resource limit in WAC 388-92-050.

(b) ~~(This exclusion shall apply if the inclusion of any portion of such amount would cause the resources of the individual (or spouse, if any) to exceed the limits specified in WAC 388-92-050.~~

~~(†)~~ The department shall require funds set aside for burial expenses ~~(must)~~ be separately ~~(identifiable)~~ identified and designated as set aside for burial. ~~(Designation)~~ The department may ~~(be used to)~~ exclude designated burial funds retroactively back to the first day of the month in which the individual intended the funds to be set aside for burial or to November 1, 1982, whichever is later.

~~(††)~~ (c) Funds set aside for burial ~~(includes)~~ include revocable burial contracts, burial trusts, ~~(or)~~ other burial arrangements, or any other separately identifiable ~~(fund which is)~~ resources the individual clearly ~~(designated)~~ designates as set aside for the individual's (or spouse's, if any) burial expenses.

~~(†††)~~ (d) The department shall reduce the one thousand five hundred dollars exclusion ~~(shall be reduced)~~ by:

(i) The face value of the client's insurance policies on the life of an individual owned by the individual or spouse if the policies have been excluded as provided in subsection (8) of this section; and

(ii) Amounts in an irrevocable trust.

~~(††††)~~ (e) The department shall exclude interest earned on excluded burial funds and appreciation on the value of excluded burial arrangements ~~(are excluded from resources)~~ if the excluded interest and appreciation are left to accumulate and become ~~(a)~~ part of the separately ~~(identifiable)~~ identified burial fund.

~~(†††††)~~ (f) ~~(††)~~ When used for other purposes, the department shall consider any excluded burial funds, interest, or appreciated values set aside for burial expenses ~~(are used for a purpose other than the burial arrangements of the individual or the individual's spouse for whom the funds were set aside, future medical assistance benefits of the individual (or the individual and individual's spouse) shall be reduced by an amount equal to the amount of burial funds, interest or appreciated value used for other purpose)~~ as an available resource if, when added to other nonexempt resources, the total exceeds the resource limit.

(13) Other resources excluded by federal statute.

(14) Retroactive payments~~(:);~~. The department shall exclude retroactive SSI or OASDI payments from resources:

(a) For six months following the month of receipt~~(:);~~ this exclusion applies to:

~~(†††)~~ (i) Payments the client received ~~(on or after)~~ from October 1, 1984~~(:);~~ through September 30, 1987;

~~((b))~~ (ii) Payments received by the ~~((individual))~~ client, spouse, and/or any other person whose income ~~((is considered))~~ the department considers available to meet the applicant's or recipient's needs~~((:));~~

~~((c))~~ (iii) SSI payments made to the client for benefits due for a month prior to the month of payment~~((:));~~

~~((d))~~ (iv) OASDI payments made to the client for benefits due for a month that is two or more months prior to the month of payment~~((:));~~ and

~~((e))~~ (v) Payments that remain in the form of cash, checking or saving accounts; this exclusion shall not apply once the retroactive payment has been converted to any other form.

(b) For nine months following the month of receipt if:

(i) Subsection (1)(a)(ii), (iii), (iv), and (v) of this section is met; and

(ii) The payment is received during the period beginning October 1, 1987, and ending September 30, 1989.

(15) Payments for medical or social services. The department shall exclude, from resources for the one-calendar month following the month of receipt, certain cash payments an SSI individual receives from a governmental or nongovernmental medical or social service agency to pay for medical or social services.

(16) Restitution to civilians relocated and interned during war time. The department shall exclude payments to persons of Japanese or Aleut ancestry under P.L. 100-383.

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

WSR 89-21-035
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 2880—Filed October 11, 1989, 4:24 p.m.]

Date of Adoption: October 10, 1989.

Purpose: To expand subsection (13) of WAC 388-92-045 to specify certain federal statutes. To separate SSI-related income exclusions and exemptions from financial responsibility of relatives into a new WAC 388-92-036.

Citation of Existing Rules Affected by this Order: Amending chapter 388-92 WAC, Medical care—Title XVI of Social Security Act.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to 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 amendment is necessary to keep our state rules in compliance with the federal law.

Effective Date of Rule: October 12, 1989, 12:01 a.m.

October 11, 1989
Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2132, filed 8/3/84)

WAC 388-92-025 ~~((COMPUTATION))~~ FINANCIAL RESPONSIBILITY OF ((AVAILABLE INCOME AND RESOURCES)) RELATIVES. (1) ((Total income of a beneficiary of supplemental security income is not considered available)) In determining SSI-related eligibility~~((:~~

~~((2))~~ Financial responsibility of spouses and parents.

~~((a))~~, the department shall consider income and resources ~~((are considered))~~ jointly for:

(a) Spouses who ~~((live together))~~ reside in ~~((a common))~~ the same household; and

(b) The blind or disabled child or children who ~~((live))~~ reside with their ~~((parent(s)))~~ parent or parents.

(2) When computing available income for a family of three or more, the department shall apply the relative responsibility requirement of the appropriate cash assistance program. The department shall limit relative responsibility to one spouse for the other spouse and the parent or parents for the minor child or children.

(3) The department shall consider the financial responsibility of spouses as follows:

(a) When the spouse of an SSI-related applicant is ineligible or does not apply, the department shall apply the exclusions under WAC 388-92-035 (1) and (3) to the spouse's income in determining the amount to be deemed to the applicant. If the remaining income of the ineligible spouse exceeds the monthly state supplement benefit standard, the department shall deem the remaining income to the applicant; and

(b) If both spouses apply or are eligible as aged, blind, or disabled and cease to ~~((live together their))~~ reside in the same household, the department shall consider the spouses' income and resources ~~((are considered))~~ available to each other for the time periods specified ~~((below))~~. After the appropriate time period, the department shall consider available only the income and resources ~~((that are actually contributed by))~~ one spouse contributes to the other ~~((are considered available))~~ spouse.

(i) If spouses cease to ~~((live together))~~ reside in the same household because of ~~((the))~~ institutionalization of one spouse~~((=))~~, the department shall consider ~~((their))~~:

(A) The institutionalized spouse's income and resources under chapter 388-95 WAC; and

(B) The community spouse's:

(I) Income as available to each other through the month in which they cease to ~~((live together))~~ reside in the same household. ~~((Mutual consideration of))~~ The department shall consider the income ~~((ceases with))~~ of each spouse as separate beginning the first of the month after the ~~((month in which separation occurs.))~~ spouse is institutionalized;

~~((B))~~ (II) ~~((Consider their))~~ Resources as available to each other for the month ~~((during which they))~~ the spouses cease to ~~((live together))~~ reside in the same household and ~~((the))~~ for six months following that month.

~~(ii) If spouses cease to ((five together)) reside in the same household for any reason other than institutionalization of one spouse, the department shall consider ((their)) the spouses' income and resources ((as)) available to each other for the month ((during which they)) the spouses cease to ((five together)) reside in the same household and ((the)) for six months following that month. If the mutual consideration of both spouses' income and resources causes the ((individuals)) spouses to lose eligibility as a couple, the ((agency will)) department shall determine if ((an individual)) either spouse is eligible in accordance with subsection (3)(c) of this section.~~

~~(c) If the spouses cease to reside in the same household, and only one spouse in a couple applies or is eligible, or both spouses apply and are not eligible as a couple, ((and they cease to live together)) the department shall consider only the income and resources ((of)) the ineligible spouse ((that are actually contributed)) contributes to the eligible spouse beginning ((with)) the month after the ((month in which they cease to live together)) spouses separate;~~

~~(d) When both spouses are eligible and institutionalized(:~~

~~(i)), the department shall consider income and resources ((are considered jointly)) separately even if ((they)) the spouses share the same room(:~~

~~(ii) Income and resources are considered separately if they don't share the same room.); and~~

~~(e) When only one spouse is eligible and both are institutionalized, the department shall consider only the income and resources ((of)) the ineligible spouse ((that are actually contributed)) contributes to the eligible spouse, even if they share the same room.~~

~~((3) When computing available income for a family of three or more the relative responsibility requirement of the appropriate cash assistance program shall be applied, except that relative responsibility shall be limited to spouse for spouse and parent for child:))~~

~~(4) The department shall consider the financial responsibility of the parent or parents as follows:~~

~~(a) For SSI-related individuals, ((age)) eighteen to twenty-one years of age, the department shall not consider the parent or parents' income ((is not deemed)) available(;) unless contributed; and~~

~~((5)) (b) For SSI-related individuals seventeen years of age and under ((age eighteen)), the department shall consider the parent or parents' income ((is deemed)) available when ((living)) the individual resides in the same household.~~

~~((6)) (5) ((When the spouse of an SSI related applicant is ineligible or does not apply, the exclusions in subsections (7) and (9) of this section, shall be applied to his/her income in determining the amount to be deemed to the applicant. If the remaining income of the ineligible spouse exceeds the monthly state supplement benefit standard all the remaining income shall be deemed to the applicant.~~

~~(7) Exclusions from income. The following shall be excluded sequentially from income:~~

~~(a) Any amount received from any public agency as a return or refund of taxes paid on real property or on food purchased by such individual or spouse;~~

~~(b) State public assistance based on financial need;~~

~~(c) Any portion of any grant, scholarship, or fellowship received for use in paying the cost of tuition and fees at any educational institution;~~

~~(d) Income that is not reasonably anticipated, or received infrequently or irregularly, if such income does not exceed twenty dollars per month if unearned, or ten dollars per month if earned;~~

~~(e) Any amounts received for the foster care of a child, who is not an eligible individual, but who is living in the same house as such individual and was placed in such home by a public or nonprofit private child-placement or child-care agency;~~

~~(f) One-third of any payment for child support received from an absent parent will be excluded;~~

~~(g) The first twenty dollars per month of earned or unearned income, not otherwise excluded in subsection (7)(a) through (f) of this section, for a person at home. The exclusion is considered only once for a husband and wife. There is no exclusion on income which is paid on the basis of need of the eligible individual, such as VA pension and cash from private charitable organizations;~~

~~(h) Tax exempt payments received by Alaska natives under the Alaska Native Claims Settlement Act;~~

~~(i) Tax rebates or special payments excluded by other statutes. When necessary these exclusions will be publicized by numbered memoranda from the state office;~~

~~(j) Compensation provided to volunteers in ACTION programs established by Public Law 93-113, the Domestic Volunteer Service Act of 1973;~~

~~(k) When an ineligible minor is in the household of an SSI applicant, an amount will be excluded for such child's needs. The exclusions will be the difference between the SSI couple cash benefit and the SSI individual cash benefit;~~

~~(l) Veteran's benefits, only the portion of the payment which is attributable to the veteran is counted as income in determining eligibility for Medicaid.~~

~~(i) The veteran's aid and attendance/housebound allowance is to meet the cost of unusual medical care and is excluded in determining eligibility for Medicaid.~~

~~For institutionalized individuals, the amount subsequently is considered in the cost of institutional care.~~

~~(ii) The portion attributable to the dependent is counted as income to the dependent.~~

~~(m) Current recipients who become ineligible for SSI benefits and/or state supplementary payments after April 1, 1977, solely because of OASDI cost of living benefit increases shall remain categorically eligible for medical assistance (MA). Any subsequent OASDI cost of living benefit increase shall be disregarded for eligibility. For institutionalized recipients, the amount subsequently is considered in the cost of institutional care. This disregard does not apply to:~~

~~(i) New applicants (i.e., who were not receiving SSI/SSP prior to increase);~~

~~(ii) Persons who are not actually receiving SSI/SSP payments for some other reason.~~

~~(iii) Persons who would have received SSI/SSP if they had applied;~~

~~(iv) Persons who would have received SSI/SSP if they were not living in a medical or intermediate care facility;~~

~~(n) A fee charged by a guardian to reimburse himself or herself for services provided is not considered available to the individual and is not treated as income;~~

~~(o) Income received by an ineligible or nonapplying spouse from a governmental agency for services provided to an eligible recipient (e.g. chore services);~~

~~(8) An ineligible or nonapplying individual under the age of twenty-one who is a student regularly attending a school, college or university or pursuing a course of vocational or technical training designed to prepare him for gainful employment will have all earned income excluded unless that income is actually contributed to the applicant;~~

~~(9) Earned income exclusions for SSI related individuals shall be the first sixty-five dollars per month of earned income not excluded according to subsection (7) of this section, plus one-half of the remainder;~~

~~(10) In mixed households, where more than one assistance unit exists, determine income for the AFDC related assistance unit according to AFDC grant regulations)) The department shall determine income for FIP or AFDC-related assistance unit according to FIP or AFDC grant regulations, where more than one assistance unit exists, limiting relative responsibility to subsection (2) of this section.~~

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

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

NEW SECTION

WAC 388-92-036 SSI-RELATED INCOME EXCLUSIONS/EXEMPTIONS. (1) The department shall exclude the following from income in the order listed:

(a) Any amount a client receives from any public agency as a return or refund of taxes paid on real property or on food purchased by such client or spouse;

(b) State public assistance and supplemental security income (SSI) based on financial need;

(c) Any portion of any grant, scholarship, or fellowship received by a client for use in paying the cost of tuition and fees at any educational institution;

(d) Income that a client does not reasonably anticipate, or may receive infrequently or irregularly, and such income does not exceed twenty dollars per month if unearned, or ten dollars per month if earned;

(e) Any amounts a client receives for the foster care of a child who lives in the same household, if the child is not eligible and was placed in such home by a public or nonprofit private child-placement or child-care agency;

(f) One-third of any payment for child support an individual receives from an absent parent;

(g) The first twenty dollars per month of earned or unearned income, not otherwise excluded in subsection (1)(a) through (f) of this section, for a client at home.

The department shall consider the exclusion only once for a husband and wife. The department shall apply no exclusion on income paid on the basis of an eligible individual needs, such as VA pension and cash from private charitable organizations;

(h) Tax exempt payments Alaska natives receive under the Alaska Native Claims Settlement Act;

(i) Tax rebates or special payments excluded by other statutes. When necessary, the department shall publicize these exclusions;

(j) Compensation provided to volunteers in ACTION programs established by Public Law 93-113, the Domestic Volunteer Service Act of 1973;

(k) An amount to meet the needs of an ineligible minor child residing in the household of an SSI applicant. The exclusion is the difference between the SSI couple cash benefit and the SSI individual cash benefit;

(l) The following portions of veteran's benefits:

(i) The veteran's aid and attendance/housebound allowance. For institutionalized clients, the department shall consider the amount subsequently in the cost of the client's institutional care; and

(ii) The portion attributable to the veteran's dependent.

(m) Title II Social Security Administration benefits:

(i) The department shall determine current client eligibility for categorically needy medical assistance under WAC 388-82-115(4), including all Title II cost of living adjustment (COLA) benefit increases received:

(A) By the client since termination from SSI/SSP; or

(B) By the client's spouse and/or other financially responsible family member living in the same household during the time period under subsection (m)(i) of this section; and

(ii) The department shall consider the total of the COLA benefit increases and the Title II Social Security Administration benefits in the cost of the institutionalized client's care.

(n) A reimbursable fee a guardian charges for services provided;

(o) Income an ineligible or nonapplying spouse receives from a governmental agency for services provided to an eligible client (e.g. chore services);

(p) Certain cash payments a client receives from a governmental or nongovernmental medical or social service agency to pay for medical or social services;

(q) Restitution payment to a civilian of Japanese or Aleut ancestry under P.L. 100-383;

(r) The amount of the expenses directly related to a client's impairment that allows the permanently and totally disabled client to continue to work;

(s) The amount of the blindness-related work expenses of a blind client; and

(t) Interest earned on excluded burial funds and any appreciation in the value of an excluded burial arrangement which are left to accumulate and become part of the separately identified burial funds set aside on or after November 1, 1982.

(2) Unless income is contributed to the applicant, the department shall exclude all earned income of an ineligible or nonapplying individual twenty years of age and

under who is a student regularly attending a school, college or university, or pursuing a vocational or technical training designed to prepare the student for gainful employment.

(3) For the SSI-related individual, the department shall exclude the first sixty-five dollars per month of earned income not excluded according to subsection (1) of this section, plus one-half of the remainder.

AMENDATORY SECTION (Amending Order 2604, filed 3/2/88)

WAC 388-92-045 EXCLUDED RESOURCES. ~~((Applicants or recipients may transfer or exchange exempt resources. Exclude cash received from the sale of an exempt resource to the extent that it is used to replace or reinvest in another exempt resource within three months. Consider any remaining portion a nonexempt resource. In determining the value of resources))~~ The department shall exclude the following resources:

- (1) A home(-);
 - (a) A home ((is)) means any shelter:
 - (i) In which the ~~((client(s)))~~ client or clients has ownership interest; and
 - (ii) ~~((Which is))~~ Used by the ~~((client(s)))~~ client or clients as the principal place of residence. The department shall consider only one home ~~((may be))~~ the principal place of residence.
 - (b) ~~((Absences))~~ Client or clients absence from the home shall not affect the home exclusion. ~~((It continues to be))~~ The home remains the principal place of residence as long as:
 - (i) The ~~((individual))~~ client or clients intends to return home. The department shall accept the client's statement of intent without challenge; or
 - (ii) ~~((The home is used by))~~ A spouse or dependent relative uses the home during the ~~((individual))~~ client's absence. ~~((Dependency may be))~~ The department shall consider an individual a dependent relative when such individual is either ~~((financial))~~ financially or ~~((medical))~~ medically dependent on the client. The department shall accept the client's or dependent relative's written allegation of dependency or relationship ~~((shall be accepted))~~ unless ~~((there is))~~ the department has reason to question it.
 - (c) The department shall exclude the client's proceeds from the sale of the excluded home ~~((shall be excluded to the extent they))~~ providing the proceeds are used to purchase another home within three months of the receipt of the proceeds. Proceeds shall include real estate contracts, or any similar home financing arrangements, and the income ~~((stream))~~ produced ~~((by them)).~~
 - (d) The department shall evaluate transfers of the home by an institutional client under WAC 388-95-395.
 - (2) Household goods and personal effects.
 - (3) ~~((Automobile(s)))~~ Automobile or automobiles.
 - (a) ~~((Totally))~~ The department shall exclude one automobile regardless of its value if it is:
 - (i) Necessary for employment; or
 - (ii) Necessary for the individual's medical treatment; or
 - (iii) Modified for operation by, or transportation of, a handicapped ~~((person))~~ client; or

(iv) Necessary ~~((because of))~~ due to climate, terrain, distance, or similar factors to provide ~~((necessary))~~ the client transportation to perform essential daily activities.

(b) The department shall:

(i) Exclude one automobile to the extent its current market value does not exceed four thousand five hundred dollars(-);

(ii) Count any excess ~~((to be counted))~~ against the resource limit(-); and

(iii) Exclude an automobile ~~((may be excluded))~~ under this subdivision only if no automobile is excluded under subsection (3)(a) of this ~~((subsection;))~~ section.

(c) The department shall treat the client's ownership of other automobiles ~~((shall be treated))~~ as nonexempt resources and ~~((counted towards))~~ count the client's automobile equity value toward the resource limit ~~((to the extent of their equity value)).~~

(4) Trade or business property.

(a) The department shall exclude:

(i) Property of a trade or business which is essential to ~~((the means of))~~ self-support; ~~((however, it shall not include))~~ and

(ii) Liquid resources as defined ~~((m))~~ under WAC 388-92-005 even though such liquid resource may ~~((be producing))~~ produce income.

(b) This property means items commonly referred to as tangible business assets such as land and buildings, equipment and supplies, inventory, cash on hand, accounts receivable, etc.; and

(c) The current market value shall not exceed six thousand dollars with a minimum annual rate of return of six percent.

(5) Nonbusiness property ~~((which is))~~. The department shall exclude nonbusiness property essential to the ~~((means of))~~ client's self-support. This exclusion shall include:

(a) Nonliquid (see WAC 388-92-005), nonbusiness property if ~~((it is relied upon by))~~ the individual:

(i) Relies on the nonbusiness property as a significant factor in producing income on which ~~((he))~~ the client can live(-); or ~~((is used))~~

(ii) Uses the nonbusiness property to produce goods, or provide services essential to the individual's support. The current market value shall not exceed six thousand dollars with a minimum annual rate of return of six percent.

(b) Property used exclusively to produce items for home consumption provided the items are significant factors for support and maintenance of the individual(-);

(c) Tools, equipment, uniforms and similar items required by the individual's employer(-); and

(d) The exclusion may ~~((also))~~ include an additional automobile or other motor vehicle (truck, tractor, trailer, etc.) if the vehicle excluded under subsection (3) of this section ~~((cannot also fulfill the))~~ is not used for self support functions.

(6) Resources of a blind or disabled individual ~~((which are))~~. The department shall exclude resources necessary to fulfill an approved plan for ~~((achieving))~~ a client to achieve self-support ~~((for so))~~ as long as such plan remains in effect.

(7) Alaska Native Claims Settlement Act stock. The department shall exclude shares of stock held in a regional or village corporation during the period of twenty years ending January 1, 1992, in which such stock is inalienable ~~((pursuant to))~~ under the Alaska Native Claims Settlement Act.

(8) Life insurance(:-).

(a) The department shall exclude the total cash surrender value if the total face value of the policy or policies held by each individual is one thousand five hundred dollars or less ~~((the total cash surrender value shall be excluded))~~.

(b) The cash surrender value applies to the resource limit if the face value of ((policy(ies))) policy or policies held by each individual is over one thousand five hundred dollars ~~((there shall be no exclusion, cash surrender value must be applied to resource limitations))~~.

(c) When determining total face value in subdivision (a) of this subsection, the department shall exclude term or burial insurance with no cash surrender value ~~((shall be excluded in determining total face value in (a) of this subsection))~~.

(9) Restricted ((ownership:)) allotted land. The department shall exclude restricted allotted land owned by an enrolled tribal member and spouse, if ~~((any, of an Indian tribe))~~ married, if such land cannot be sold, transferred, or otherwise disposed of without permission of other individuals, ~~((his))~~ the tribe or an agency of the federal government.

(10) Insurance settlements(:-). The department shall exclude cash ~~((received))~~ the client receives from an insurance company for purposes of repairing or replacing an excluded resource that is lost, damaged, or stolen, etc., ~~((shall be excluded as a resource provided))~~ providing the client uses the total amount of the cash ~~((is used))~~ to repair or replace such excluded resource within nine months ~~((that))~~. The department may extend the nine-month period ~~((may be extended))~~ based on circumstances beyond the control of the applicant to a maximum of nine additional months. The department shall consider any ((such)) cash not ((so)) used within ((such)) the time period((s shall be considered)) as an available resource.

(11) Burial spaces. ~~((a))~~ The department shall exclude the value of burial spaces for the ~~((individual))~~ client, the ~~((individual))~~ client's spouse, or any member of the ~~((individual))~~ client's immediate family.

~~((b))~~ (a) Burial spaces shall include conventional gravesites, crypts, mausoleums, urns, and other repositories ~~((which are))~~ customarily and traditionally used for the remains of deceased persons.

~~((c))~~ (b) For purposes of this subsection immediate family means ((an individual)) a client's minor and adult children, including adopted children and stepchildren; ((an individual)) a client's brothers, sisters, parents, adoptive parents, and the spouses of those individuals. The department shall consider neither dependency nor living-in-the-same-household ((will be a)) as factors in determining whether a person is an immediate family member.

(12) Burial funds(:-).

(a) ~~((Of the))~~ Funds specifically set aside for the burial arrangements of ((an individual)) a client or the ((individual)) client's spouse ~~((exclude only an amount which may))~~ not to exceed one thousand five hundred dollars for each spouse. The department shall count burial funds in excess of this limit ~~((shall be counted))~~ toward(s) the resource limit in WAC 388-92-050.

(b) ~~((This exclusion shall apply if the inclusion of any portion of such amount would cause the resources of the individual (or spouse, if any) to exceed the limits specified in WAC 388-92-050.~~

~~((c))~~ The department shall require funds set aside for burial expenses ~~((must))~~ be separately ~~((identifiable))~~ identified and designated as set aside for burial. ~~((Designation))~~ The department may ~~((be used to))~~ exclude designated burial funds retroactively back to the first day of the month in which the individual intended the funds to be set aside for burial or to November 1, 1982, whichever is later.

~~((d))~~ (c) Funds set aside for burial ~~((includes))~~ include revocable burial contracts, burial trusts, ~~((or))~~ other burial arrangements, or any other separately identifiable ~~((fund which is))~~ resources the individual clearly ~~((designated))~~ designates as set aside for the individual's (or spouse's, if any) burial expenses.

~~((e))~~ (d) The department shall reduce the one thousand five hundred dollars exclusion ~~((shall be reduced))~~ by:

(i) The face value of the client's insurance policies on the life of an individual owned by the individual or spouse if the policies have been excluded as provided in subsection (8) of this section; and

(ii) Amounts in an irrevocable trust.

~~((f))~~ (e) The department shall exclude interest earned on excluded burial funds and appreciation on the value of excluded burial arrangements ~~((are excluded from resources))~~ if the excluded interest and appreciation are left to accumulate and become ~~((a))~~ part of the separately ~~((identifiable))~~ identified burial fund.

~~((g))~~ (f) ~~((H))~~ When used for other purposes, the department shall consider any excluded burial funds, interest, or appreciated values set aside for burial expenses ~~((are used for a purpose other than the burial arrangements of the individual or the individual's spouse for whom the funds were set aside, future medical assistance benefits of the individual (or the individual and individual's spouse) shall be reduced by an amount equal to the amount of burial funds, interest or appreciated value used for other purpose))~~ as an available resource if, when added to other nonexempt resources, the total exceeds the resource limit.

(13) Other resources excluded by federal statute.

(14) Retroactive payments(:-). The department shall exclude retroactive SSI or OASDI payments from resources:

(a) For six months following the month of receipt(:-) this exclusion applies to:

~~((a))~~ (i) Payments the client received ~~((on or after))~~ from October 1, 1984(:-) through September 30, 1987;

~~((b))~~ (ii) Payments received by the ~~((individual))~~ client, spouse, and/or any other person whose income

~~((is considered))~~ the department considers available to meet the applicant's or recipient's needs(-);

~~((+))~~ (iii) SSI payments made to the client for benefits due for a month prior to the month of payment(-);

~~((+))~~ (iv) OASDI payments made to the client for benefits due for a month that is two or more months prior to the month of payment(-); and

~~((+))~~ (v) Payments that remain in the form of cash, checking or saving accounts; this exclusion shall not apply once the retroactive payment has been converted to any other form.

(b) For nine months following the month of receipt if:

(i) Subsection (1)(a)(ii), (iii), (iv), and (v) of this section is met; and

(ii) The payment is received during the period beginning October 1, 1987, and ending September 30, 1989.

(15) Payments for medical or social services. The department shall exclude, from resources for the one-calendar month following the month of receipt, certain cash payments an SSI individual receives from a governmental or nongovernmental medical or social service agency to pay for medical or social services.

(16) Restitution to civilians relocated and interned during war time. The department shall exclude payments to persons of Japanese or Aleut ancestry under P.L. 100-383.

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

WSR 89-21-036

PERMANENT RULES

UTILITIES AND TRANSPORTATION COMMISSION

[Order R-310, Docket No. U-89-2966-R—Filed October 12, 1989, 1:55 p.m.]

In the matter of adopting chapter 480-09 WAC relating to procedures before the commission; and repealing chapter 480-08 WAC.

This action is taken pursuant to Notice Nos. WSR 89-13-090 and 89-16-048 filed with the code reviser on June 21, 1989, and July 26, 1989, respectively, and noticed pursuant to Notice No. WSR 89-17-049 filed August 14, 1989. The rule change hereinafter adopted shall take effect pursuant to RCW 34.04.040(2).

This rule-making proceeding is brought on pursuant to RCW 80.01.040 and is intended administratively to implement Titles 80 and 81 RCW.

This rule-making proceeding is in compliance with the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), the State Register Act (chapter 34.08 RCW), the State Environmental Policy Act of 1971 (chapter 43.21C RCW), and the Regulatory Fairness Act (chapter 19.85 RCW).

Pursuant to Notice No. WSR 89-17-049 the above matter was scheduled for consideration at 9:00 a.m., Wednesday, September 27, 1989, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA,

before Chairman Sharon L. Nelson and Commissioners Richard D. Casad and A.J. Pardini.

Under the terms of the notice filed August 14, 1989, interested persons were afforded the opportunity to submit data, views, or arguments to the commission in writing prior to September 18, 1989, and orally at 9:00 a.m., Wednesday, September 27, 1989, in the Commission's Hearing Room above noted. The commission had considered written and oral comments at the open public meeting scheduled under the prior notices. In response to those written and oral presentations, the rules were revised, adopted and placed into effect on an emergency basis under General Order R-306, dated August 11, 1989, and filed with the office of the code reviser under Notice No. WSR 89-17-050. Concurrent notice of intention to adopt the emergency rules as permanent rules of the commission was filed and duly noticed for consideration on September 27, 1989. In response to that notice, written comments were submitted by Pacific Power and Light Company and GTE Northwest Incorporated. At the meeting of September 27, 1989, no oral comments were presented. The rules shown below reflect some further technical and nonsubstantive amendments suggested on the written comments.

The rule change affects no economic values.

In reviewing the entire record herein, it has been determined that chapter 480-09 WAC should be adopted and chapter 480-08 WAC should be repealed as set forth in Appendix A shown below and by this reference made a part hereof. Chapter 480-09 WAC as adopted will establish rules governing practice and procedure before the agency.

ORDER

WHEREFORE, IT IS ORDERED That chapter 480-09 WAC as set forth in Appendix A, be adopted as a permanent rules of the Washington Utilities and Transportation Commission to take effect pursuant to RCW 34.04.040(2) and that chapter 480-08 WAC be repealed.

IT IS FURTHER ORDERED That the order and the annexed rules, after first being recorded in the order register of the Washington Utilities and Transportation Commission, shall be forwarded to the code reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

DATED at Olympia, Washington, this 12th day of October, 1989.

Washington Utilities and Transportation Commission
Richard D. Casad, Commissioner
A. J. Pardini, Commissioner

APPENDIX "A"

**Chapter 480-09 WAC
PROCEDURE**

| | |
|------------|---|
| WAC | |
| 480-09-010 | General application—Special rules— Exceptions. |
| 480-09-015 | Submission of "confidential" information. |

480-09-100 Commission address—Receipt of documents.

480-09-110 Office hours.

480-09-120 Filing and service.

480-09-130 Computation of time.

480-09-135 Variation from time limits.

480-09-140 Ex parte communications.

480-09-150 Informal complaints.

480-09-200 Interpretive and policy statements.

480-09-210 Rule making—Notice of proposed rule—Rules coordinator.

480-09-220 Petitions for rule making, amendment, or repeal.

480-09-230 Declaratory orders.

480-09-300 Filing requirements—Statement of policy.

480-09-310 Filing requirements—Definition.

480-09-320 Filing requirements—Intervenor list.

480-09-330 Filing requirements—General rate increases.

480-09-340 Objections to closures of highway-railroad grade crossings.

480-09-400 Applications for adjudicative proceedings.

480-09-410 Parties.

480-09-420 Pleadings—Applications for authority—Protests.

480-09-425 Pleadings—Verification, responsive pleadings, amendments.

480-09-430 Intervention.

480-09-440 Continuances—Extensions of time.

480-09-450 Interpreters.

480-09-460 Prehearing conferences.

480-09-465 Settlement.

480-09-470 Stipulation as to facts.

480-09-475 Subpoenas.

480-09-500 Brief adjudicative proceedings.

480-09-510 Emergency adjudicative proceedings.

480-09-600 Conversion of proceedings.

480-09-610 Consolidation of proceedings.

480-09-620 Joint hearings.

480-09-700 Hearings—Notice and failure to appear.

480-09-705 Notice to limited-English-speaking parties.

480-09-710 Appearance and practice before commission.

480-09-720 Appearances—Party status.

480-09-730 Conduct at hearings.

480-09-735 Order of procedure.

480-09-736 Hearing guidelines.

480-09-740 Evidence.

480-09-745 Exhibits and documentary evidence.

480-09-750 Rules of evidence.

480-09-760 Interlocutory orders.

480-09-770 Briefs.

480-09-780 Entry of initial and final orders—Administrative review.

480-09-800 Stay.

480-09-810 Reconsideration.

480-09-815 Amendment or rescission.

480-09-820 Rehearing or reopening.

480-09-830 Compliance with orders.

NEW SECTION

WAC 480-09-010 GENERAL APPLICATION—SPECIAL RULES—EXCEPTIONS. (1) General rules. These rules of practice and procedure are for general application to proceedings before the commission.

(2) Special rules. When rules apply to certain classes of public service companies or to particular proceedings, those special rules shall govern in the event of conflict with the general rules.

(3) Modifications and exceptions. These rules are subject to such exceptions as may be just and reasonable in individual cases as determined by the commission.

NEW SECTION

WAC 480-09-015 SUBMISSION OF "CONFIDENTIAL" INFORMATION. (1) General.

The commission will provide special handling and limited access to confidential information properly submitted pursuant to this section. Nothing in this rule shall foreclose the entry and enforcement of protective orders in specific cases.

(2) Designated official.

The secretary of the commission is responsible for the implementation of this rule.

(3) Definitions.

"Confidential information." As used in this rule, confidential information consists of and is limited to information filed with or provided to the commission or its staff which is protected from inspection or copying under chapter 42.17 RCW or RCW 80.04.095. In the absence of a challenge, information designated as confidential under this rule will be presumed to meet this definition. In the event of a challenge, the burden of proving that the statutory definition applies is on the party asserting confidentiality.

"Provider." Any person who submits information to the commission or commission staff under a claim of confidentiality pursuant to this rule.

"Requester." Any person who submits a data request (in a contested case) or a request for public documents under the State Public Disclosure Law.

(4) How to seek protection under this rule.

A provider may claim the protection of this rule only by strict compliance with the following requirements:

(a) The claim of confidentiality must be submitted in writing on a form provided by the secretary or in a letter providing equivalent supporting information. The provider must identify any person (other than the provider itself) which might be directly affected by disclosure of the confidential information.

(b) The confidential information must be clearly marked "confidential." Marking must include the first page of a multi-page document and each specific page which contains allegedly confidential information.

(c) The confidential information must be sealed in an envelope or similar wrapping which is clearly marked "confidential."

(d) If the confidential information is submitted under the provisions of a protective order, said order must be

cited in the form or letter claiming confidentiality. The "confidential" mark should indicate "Confidential per Protective Order in WUTC Docket No. _____."

(5) Requests for "confidential information."

Information designated confidential will be released upon a request properly filed under the following requirements.

(a) The requester shall submit a written request to the secretary on a form provided by the commission or in a letter containing equivalent supporting information. The request must, at a minimum, identify the requester by name, address, any organization represented, and whether the information sought is to be used for a commercial purpose.

(b) The request must be sufficiently specific to allow the secretary to readily identify the documents or other material which contains the information requested. Upon receipt of a request for confidential information, the secretary will notify the requester of any deficiency which has been identified in the request. It will be the responsibility of the requester to correct the request and re-submit same pursuant to this rule. No action will be taken pending resubmission.

(c) The requester shall commit to prepayment of copying fees designated by the secretary.

(6) Informal resolution.

When the secretary finds that the request may be satisfied without disclosing confidential information, the secretary will attempt to facilitate an informal resolution.

(7) Release of information.

Any information alleged to be exempt from inspection and copying pursuant to RCW 80.04.095, shall be released only upon notice to the provider and any person identified by the provider as one who might be directly affected by release of the information so as to allow invocation of the statutory procedures for securing a court order protecting the records as confidential. Such notice shall be given not more than two days following location of the materials requested, and determination that they contain information claimed to be confidential. Notice will be given in writing, either by first class mail or by transmission of a copy of the request by electronic facsimile. Notice by mail shall be deemed complete in accordance with WAC 480-09-120(2), and facsimile shall be deemed complete when transmission is complete. A copy of the notice will be forwarded concurrently to the requester.

If the provider consents to the release of the information, in writing or facsimile, or does not restrain disclosure by way of court order within ten days following notice, the information shall thereupon be deemed public, shall be so designated in the files of the commission, and shall promptly be released to the requester. The foregoing shall not apply if the request is withdrawn or modified so as to exclude confidential material, or if the requester agrees in writing to the satisfaction of the provider to be bound by a pre-existing and effective protective order.

(8) Judicial intervention.

The commission need not assist any person in seeking or resisting judicial intervention, but reserves the right to

participate in any such proceeding as its interest may appear.

NEW SECTION

WAC 480-09-100 COMMISSION ADDRESS—RECEIPT OF DOCUMENTS. (1) Address; receipt of documents. Except as provided in chapter 480-04 WAC, all written communications and documents should be addressed to: The Office of the Secretary, Washington Utilities and Transportation Commission, 1300 South Evergreen Park Drive S.W., Olympia, Washington 98504, and not to individual members of the commission staff. Except as provided in chapter 480-04 WAC, all communications and documents are deemed to be officially received only when delivered at the office of the secretary.

(2) Identification; one subject in a letter. Letters to the Washington utilities and transportation commission (referred to in these rules as the "commission") should include only one subject.

(a) Each item of pleading or correspondence which relates to a proceeding before the commission shall set forth at the top of the first page the docket number and name of the proceeding, if known to the writer, the title of the pleading, and the identity of the person who submits it.

(b) Communications to the commission from the holder of any permit, license, or certificate shall identify the exact name and the number under which the authority is held and the name and title of the writer.

(3) After business hours, communications with the commission may be made by calling toll-free 1-800-562-6150 and leaving a recorded message.

NEW SECTION

WAC 480-09-110 OFFICE HOURS. Commission offices are open between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday, except on state holidays.

NEW SECTION

WAC 480-09-120 FILING AND SERVICE. (1) Filing. Filing of any document shall be deemed complete only upon receipt by the secretary or, when authorized by the presiding officer of a proceeding before the commission, upon receipt by the presiding officer.

(a) Except as provided in WAC 480-80-070 for tariff filings, receipt in the commission's telefax machine, or similar device, does not constitute filing.

(b) Unless in a particular case the commission specifies a different number of copies, every pleading submitted to the commission shall be filed with three copies for transportation matters and nineteen copies for all other matters.

(c) Filing a document with the commission does not constitute service upon the office of the attorney general or any other party. Likewise, service on the office of the attorney general does not constitute a filing with the commission.

(2) Service.

(a) Except as otherwise provided, when any party has appeared by attorney or other authorized representative

in a proceeding, service upon such attorney or representative will be deemed valid service upon the party of all future pleadings in the proceeding before the commission.

(b) Service by parties. Service by parties shall be made by delivering one copy to each party in person; by mailing, properly addressed with postage prepaid; by commercial parcel delivery company properly tendered with fees prepaid, or by telefacsimile transmission, where originals are mailed simultaneously. Service by mail shall be complete when a true copy of the document is properly addressed and stamped and deposited in the United States mail. Service by commercial parcel delivery company shall be complete when accepted for delivery by the company.

(c) Service by commission. All notices, complaints, petitions, findings of fact, opinions, and orders required to be served by the commission may be served in person, by mail, by commercial parcel delivery company, properly tendered with fees prepaid, or by telefacsimile transmission, when originals are mailed simultaneously. Service thereof shall be complete when a true copy of the document, properly addressed and stamped, is deposited in the United States mail with first class postage affixed, or accepted for delivery by the parcel delivery company.

(d) Certificate of service. There shall appear on the original of every pleading when filed with the commission in accordance with this subsection (2) of this section, either an acknowledgment of service, or the following certificate:

"I hereby certify that I have this day served the foregoing document upon all parties of record in this proceeding, by (authorized method of service pursuant to WAC 480-09-120 (2)(a))

Dated at this day of
(signature)

NEW SECTION

WAC 480-09-130 COMPUTATION OF TIME. The time for doing an act governed by this chapter shall be computed by excluding the first day and including the last, unless the last day is a holiday, Saturday, or Sunday, and then it is excluded from the computation.

NEW SECTION

WAC 480-09-135 VARIATION FROM TIME LIMITS. The time stated in chapter 34.05 RCW for action may be lengthened or shortened by the commission in its discretion in individual instances pursuant to RCW 34.05.080. The time stated in these rules for action may be lengthened or shortened by the commission in its discretion.

NEW SECTION

WAC 480-09-140 EX PARTE COMMUNICATIONS. (1) General. After the commencement of an adjudicative proceeding and prior to a final determination therein, no party to the proceeding, or its counsel or

other person on behalf of a party, shall discuss the merits of the proceeding with the commissioners, the presiding officer or the commissioners' staff assistants assigned to advise the commissioners in the decisional process in that proceeding, unless reasonable notice is given to all parties who have appeared therein, to enable them to be present at the conference. When a party initiates correspondence with a presiding or reviewing officer regarding the merits of any pending proceeding, the party shall serve a copy of the correspondence upon all parties of record and furnish proof of such service to the commission.

(2) Communications necessary to procedural aspects of maintaining an orderly process, such as scheduling, are not ex parte communications prohibited by RCW 34.05.455 or by this rule.

(3) The commission may prescribe appropriate sanctions, including default, for any violation of this section.

NEW SECTION

WAC 480-09-150 INFORMAL COMPLAINTS.

(1) Informal complaints may be made by letter or other communication. Informal complaints may be taken up by the commission with the affected persons, by correspondence or otherwise, to bring about a resolution of the complaint without formal hearing or order. The commission encourages the informal settlement of disputes whenever possible. (See WAC 480-09-465.)

(2) Contents. An informal complaint should contain all facts essential to a disposition of the complaint, including the dates of acts or omissions complained against. Relevant statutes or rules should be cited if known to the writer.

(3) No mandatory or prohibitory order may result from an informal complaint. Matters instituted by informal complaint shall be without prejudice to the right of any party or the commission to file and prosecute a formal complaint.

NEW SECTION

WAC 480-09-200 INTERPRETIVE AND POLICY STATEMENTS.

(1) General. Upon the petition of any interested person subject to its jurisdiction, or upon its own motion, the commission may, when it appears to be in the public interest, make and issue interpretive and policy statements when necessary to terminate a controversy or to remove a substantial uncertainty as to the application of statutes or rules of the commission.

(2) The commission shall maintain a roster of interested persons, consisting of persons who have requested in writing to be notified of all interpretive and policy statements issued by the commission. The roster shall be updated once each year. Whenever the commission issues an interpretive or policy statement, it shall send a copy of the statement to each person listed on the roster.

(3) The commission shall maintain a file and an index of all currently effective interpretive and policy statements. The statements shall be available for inspection and copying at the records center in the commission's Olympia headquarters office.

NEW SECTION**WAC 480-09-210 RULE MAKING—NOTICE OF PROPOSED RULE—RULES COORDINATOR.**

(1) In any proposed rule making, the commission may solicit comments from the public on the subject of possible rule making under active consideration within the agency by causing notice to be published in the state register of the subject matter and indicating where, when, and how persons may comment.

(2) At least twenty days before the rule-making hearing at which the agency receives public comment regarding adoption of a rule, the agency shall cause notice of the hearing to be published in the State Register. The publication shall contain information as provided in RCW 34.05.320 and shall constitute the proposal of a rule.

(3) Within a reasonable time after the publication of the notice of a proposed rule in the State Register, any person may request a copy of the notice by writing to the secretary of the commission.

(4) Petitions for adoption, amendment, or repeal of a rule shall be made pursuant to WAC 480-09-220.

(5) Upon filing notice of a proposed rule with the code reviser, the commission shall have copies of the statement on file and available for public inspection.

(6) Inquiries regarding rules being proposed or being prepared within the commission for proposal may be made to Office of the Secretary, Rules Coordinator, Washington Utilities and Transportation Commission, 1300 South Evergreen Park Drive S.W., Olympia, Washington 98504.

(7) Persons may receive notice of proposed rule makings for all commission rules, or for those affecting specific industries, by sending a request in writing to the rules coordinator.

NEW SECTION

WAC 480-09-220 PETITIONS FOR RULE MAKING, AMENDMENT, OR REPEAL. (1) Any interested person may petition the commission requesting the promulgation, amendment, or repeal of any rule.

(2) When the petition requests the promulgation of a rule, the requested or proposed rule must be set out in full. The petition must also include all the reasons for the requested rule. When the petition requests the amendment or repeal of a rule presently in effect, the rule or portion of the rule in question must be set out as well as a suggested amended form, if any. The petition must include all reasons for the requested amendment or repeal of the rule. Any petition for promulgation, amendment, or repeal of a rule shall be accompanied by briefs of any applicable law, and shall contain an assessment of economic values affected by the proposed promulgation, amendment, or repeal.

(3) All petitions shall be considered by the commission which may, in its discretion, order a hearing for the further consideration and discussion of the requested promulgation, amendment, repeal, or modification of any rule.

(4) Within sixty days after submission of a petition, the commission shall:

(a) Deny the petition in writing, stating its reasons for the denial, and serve a copy of the denial upon the petitioner; or

(b) Initiate rule-making proceedings in accordance with chapter 34.05 RCW.

(5) In rule-making proceedings initiated by interested persons on petition, as well as by the commission on its own motion, the commission will include in its order determining the proceedings its assessment of economic values affected by the rule making involved. In addition, the notice of intention to effect any rule making will contain a solicitation of data, views, and arguments from interested persons on the economic values which may be affected by such rule making.

(6) The commission shall submit a small business economic impact statement when required by chapter 19.85 RCW, the Regulatory Fairness Act.

NEW SECTION**WAC 480-09-230 DECLARATORY ORDERS.**

As prescribed by RCW 34.05.240, any interested person may petition the commission for a declaratory order. The commission shall consider the petition and within fifteen days after its receipt give notice of the petition to all persons to whom notice is required by law and to any other person it deems desirable. Within thirty days of receipt of a petition for declaratory order, the commission shall:

(1) Enter a declaratory order; or

(2) Notify the petitioner that no declaratory order is to be entered and state reasons for the action; or

(3) Set a reasonable time and place for a hearing to be held no more than ninety days after receipt of the petition, or such later date as may be established upon a finding of good cause, or call for the submission of a statement of fact upon the matter, and, if a hearing is granted, give not less than seven days' notification to the petitioner, all persons to whom notice is required by law and any other person it deems desirable of the time and place for such hearing and of the issues involved.

(4) If a hearing is held or statements of fact are submitted, as provided in subsection (3) of this section, the commission shall within a reasonable time:

(a) Enter a declaratory order; or

(b) Notify the petitioner that no declaratory order is to be entered and state the reasons for the action.

The commission shall serve its order upon all persons to whom notice is required by subsection (3) of this section.

NEW SECTION**WAC 480-09-300 FILING REQUIREMENTS—**

STATEMENT OF POLICY. Statement of policy. The commission establishes the requirements of WAC 480-09-300 through 480-09-330 for filings relating to general rate increases by electric, natural gas, and telecommunications companies subject to its jurisdiction. Requirements as to the form and content of filings will standardize presentations, clarify issues, and speed and simplify the processing of rate filings.

NEW SECTION

WAC 480-09-310 FILING REQUIREMENTS—DEFINITION. (1) For the purposes of WAC 480-09-300 through 480-09-330 only, a general rate increase filing is the request by any company regulated by the commission under Title 80 RCW for an increase in rates which meets one or more of the following criteria:

(a) The amount requested would increase gross annual revenue of the company from activities regulated by the commission by three percent or more.

(b) Tariffs are restructured such that the gross revenue provided by any customer class would increase by three percent or more.

(c) The company requests a change in its authorized rate of return on common equity or capital structure.

(2) The following proceedings shall not be considered general rate increases even though the revenue requested may exceed three percent of the company's gross annual revenue from Washington regulated operations: Energy cost adjustment proceedings; natural gas tracking increases; emergency or other short-notice increases caused by disaster or weather-related conditions unexpectedly increasing a public service expense; rate increases designed to recover governmentally-imposed increases in costs of doing business such as changes in tax laws or ordinances; or other increases designed to recover increased expenses arising on short notice and beyond the public service company's control.

NEW SECTION

WAC 480-09-320 FILING REQUIREMENTS—INTERVENOR LIST. (1) The commission will maintain an intervenor list for each of the utilities under its jurisdiction. The list will contain the name and address of each person who intervened in the utility's latest general rate proceeding.

(2) Public counsel designated by the attorney general shall be placed on the intervenor list maintained by the commission for each utility company.

NEW SECTION

WAC 480-09-330 FILING REQUIREMENTS—GENERAL RATE INCREASES. General rate increase filings for utility companies shall include, at a minimum, the following information:

(1) All testimony and exhibits which the company intends to present as its direct case if the filing is suspended and a hearing held. The filing shall also include supporting work papers.

(2) To the extent it is not included in the testimony or exhibits, the following information shall be included in the work papers:

(a) A detailed portrayal of the development of the company's requested rate of return.

(b) A detailed portrayal of restating actual and pro forma adjustments which the company proposes.

(i) Restating actual adjustments are defined as those adjustments which adjust the booked operating results for any defects or infirmities which may exist in actual recorded results which can distort test period earnings. Restating actual adjustments are also used to adjust

from an as-recorded basis to a basis which is acceptable for rate making. Examples of restating actual adjustments are adjustments to remove prior period amounts, to eliminate below-the-line items which were recorded as operating expenses in error, to adjust from book estimates to actual amounts, and to eliminate or to normalize extraordinary items which have been recorded during the test period.

(ii) Pro forma adjustments are defined as those adjustments which give effect for the test period to all known and measured changes which are not offset by other factors. The filing shall identify dollar values and underlying reasons for each of the proposed adjustments.

(c) A detailed portrayal of revenue sources during the test year and a parallel portrayal, by source, of the changes in revenue produced by the filing, including an explanation of the derivation of the changes.

(d) If the public service company has not achieved its authorized rate of return, an explanation as a policy statement of why it has not and what the company is doing to improve its earnings in addition to its request for increased rates.

(e) A representation of the actual rate base and results of operation of the company during the test period, calculated in the manner used by the commission to calculate the company's revenue requirement in the commission's most recent order granting the company a general rate increase.

(3) The filing shall also include a summary document which briefly states the following information, as applicable:

(a) The date and amount of the latest prior general rate increase authorized by the commission.

(b) Total revenues at present rates and at requested rates.

(c) Requested revenue increase in percentage, in total and by major customer class.

(d) Requested revenue increase in dollars, in total and by major customer class.

(e) Requested rate increase in dollars, per average customer by customer class, or other representation, if necessary to depict representative effect. Filings shall also state the effect of the proposed rate increase in dollars per month on typical residential customers by usage categories.

(f) Most current customer count, by major customer class.

(g) Current authorized overall rate of return and authorized rate of return on common equity.

(h) Requested overall rate of return and requested rate of return on common equity, and the method or methods used to calculate rate of return on common equity.

(i) Requested capital structure.

(j) Requested net operating income.

(k) Requested rate base and method of calculation, or equivalent, which it contains.

(l) Requested revenue effect of attrition allowance, if any is requested.

(4) The summary document required in subsection (3) of this section shall also be mailed to all persons on the commission's intervenor list for the utility, with a cover

letter stating that the prefiled testimony and exhibits are available upon request.

(5) The most recent annual report to shareholders, if any.

(6) Any cost studies relied upon by the company in support of its filing. In addition, the company shall identify all cost studies conducted in the last five years for any of the company's services, together with a description of the methodology used in such studies.

NEW SECTION

WAC 480-09-340 OBJECTIONS TO CLOSURES OF HIGHWAY-RAILROAD GRADE CROSSINGS. (1) Filing. Objections to closures of highway-railroad grade crossings under RCW 81.53.060 shall be filed in writing within twenty days of publication of notice of the proposed closure, setting forth the full names and mailing addresses of persons objecting to the closure, the particular crossing which is the subject of the objection, the commission cause number, if known, and a statement of the objection. Communications which do not meet these requirements, other than the requirement of stating the commission cause number, will not be treated as objections for the purpose of requiring a hearing upon the proposed closure to be held as provided by RCW 81.53.060.

(2) Party status - appearances - service of final order. No person who fails to enter an appearance as prescribed by WAC 480-09-720, will be entitled to party status to a proceeding under RCW 81.53.060 after the close of the period for the taking of appearances if a hearing is held, even though such person may have filed an objection to a proposed crossing closure under the provisions of subsection (1) of this section, and no such person will be entitled to service of the final order of the commission in the matter unless party status is reestablished through intervention under the provisions of WAC 480-09-430, although such person may be sent a courtesy copy of the proposed or final order.

(3) Interested persons who lack party status, as defined herein, shall be provided an opportunity to be heard and offer evidence as required by RCW 81.53.060. They may not call witnesses, cross-examine witnesses or otherwise participate as a party. Interested persons who lack party status lack standing to file petitions for administrative review of initial orders or to file petitions for reconsideration of final orders.

NEW SECTION

WAC 480-09-400 APPLICATIONS FOR ADJUDICATIVE PROCEEDINGS. (1) Persons involved in an actual case or controversy within the jurisdiction of the commission to resolve may apply to the commission for an adjudicative proceeding to secure an order resolving matters at issue. Each application should specify every issue to be adjudicated in the proceeding.

(2) Petitions, formal complaints, protests, and requests for review of the denial of unopposed authority, when properly and timely filed, constitute applications for adjudicative proceedings.

(3) The commission may, in its discretion, treat unopposed applications for authority as applications for adjudicative proceedings.

(4) Within thirty days after receipt of an application for an adjudicative proceeding, the commission shall notify the applicant of any obvious errors or omissions, request any additional information it requires and is permitted by law to require regarding the application for adjudicative proceeding, and notify the applicant of the name, mailing address, and telephone number that may be contacted regarding the application.

(5) Within ninety days after receipt of the application or receipt of the response to a timely request made under subsection (2) of this section, the commission shall:

(a) Approve or deny the petition or protest on the basis of brief or emergency adjudicative proceedings;

(b) Commence an adjudicative proceeding by serving the parties with a notice of hearing pursuant to RCW 34.05.434 and WAC 480-09-700; or

(c) Decide not to conduct an adjudicative proceeding and furnish the applicant with a copy of its decision in writing, with a brief statement of its reasons for doing so and of any administrative review available.

NEW SECTION

WAC 480-09-410 PARTIES. (1) General. "Person" when used in this chapter means any individual, corporation, partnership, association, or any body politic, agency, or municipal corporation. A "party" is any person which has complied with all requirements for establishing and maintaining party status in any proceeding before the commission.

(2) Classification of parties. Parties to proceedings before the commission shall be styled applicants, complainants, petitioners, respondents, intervenors, or protestants, according to the nature of the proceeding and the relationship of the parties thereto. When an appearance has been entered for the commission and/or for the public counsel division of the attorney general's office, they shall respectively be considered parties to the proceeding for all purposes.

(3) Applicants.

(a) Persons applying for any right or authority which the commission has jurisdiction to grant shall be styled "applicants."

(b) Applicants for adjudicative proceedings under chapter 34.05 RCW shall be styled according to their roles as defined in this section.

(4) Complainants. Persons who complain to the commission of any act or omission by any other person shall be styled "complainants." In any proceeding which the commission brings on its own motion, it shall be styled "complainant."

(5) Petitioners. Persons petitioning for relief shall be styled "petitioners."

(6) Respondents. Persons against whom any complaint is filed shall be styled "respondents."

(7) Intervenors. Persons permitted to intervene pursuant to this chapter shall be styled "intervenors."

(8) Protestants. Persons opposing applications who have complied with the requirements for the filing of protests shall be styled "protestants."

NEW SECTION

WAC 480-09-420 PLEADINGS—APPLICATIONS FOR AUTHORITY—PROTESTS. Pleadings. Pleadings before the commission include formal complaints, petitions, answers, replies, and motions.

(1) Legibility; service. All pleadings shall be legible and, unless otherwise required for a specific pleading, a copy shall be served upon each party to the proceeding.

(2) Errors in pleadings. When it finds a pleading to be defective or insufficient, the commission may return the pleading to the party filing it for correction. Typographical errors or errors in captions or spelling of names of parties may be corrected by the commission.

(3) Form. Every pleading before the commission shall generally conform with the following form.

At the top of the page shall appear the phrase, "Before the Washington Utilities and Transportation Commission." On the left side of the page, next below, the caption of the proceeding shall be set out or, if no caption exists, the following: "In the Matter of the (Petition, Motion, Answer, etc.) of (name of the pleading party) for (identify relief sought)." Opposite the foregoing caption shall appear the word (Petition, Motion, Reply, etc., of [role of party: e.g., petitioner, respondent, protestant, etc., and name the party if more than one party has the same role in the proceeding]).

The body of the pleading shall be set out in numbered paragraphs. The first paragraph shall state the name and address of the pleading party. The second paragraph shall state all rules or statutes that may be brought into issue by the pleading. Succeeding paragraphs shall set out the statement of facts relied upon in form similar to that applicable to complaints in civil actions before the superior courts of this state. The concluding paragraphs shall contain the prayer of the pleading party.

(4) Number of copies; size. Unless, in a particular case, the commission specifies a different number of copies, the original and three legible copies in transportation matters, twenty copies in all other matters, shall be filed with the commission. Copies shall be on three-hole punched white paper, 8-1/2" x 11" in size.

(5) Complaints.

(a) Defined. Formal complaints are those complaints filed in accordance with RCW 80.04.110 and 81.04.110, complaints filed pursuant to RCW 80.54.030, or complaints in proceedings designated by the commission as formal proceedings. Commission final orders on complaints filed pursuant to RCW 80.54.030 shall be entered within three hundred sixty days after the filing of such complaints.

(b) Contents. Formal complaints must be in writing setting forth clearly and concisely the ground of complaint and the relief requested. Facts constituting the basis of the complaint, including relevant dates, should be stated, together with citations of the statutes or rules of the commission involved. The name and address of the person complained against must be stated in full. The name and address of the complainant and the name and address of complainant's attorney, if any, must appear upon the complaint.

In a proceeding under RCW 80.04.110 or 81.04.110, the provisions of the respective statute shall also apply.

(6) Protests. A person whose interests would be adversely affected by the granting of an application or by a rate change may file a protest. Protests to applications must conform to the requirements of any special rules relative to the type of the application being protested. A protestant must serve a copy of the protest upon the applicant or person requesting a rate change. Protestants are not entitled, as a matter of right, to a hearing upon the matter being protested, but a protest may contain a request for a hearing. The commission may, whether or not a protest contains such a request, set the matter in question for hearing.

(7) Petitions.

(a) Defined. All pleadings seeking relief (other than complaints or answers) shall be styled "petitions."

(b) Petitions – contents. A petition shall set forth all facts upon which the request for relief is based, with the dates of all relevant occurrences and a citation of the statutes, rules, and regulations of the commission upon which the petition is based.

(8) Motions. The practice respecting motions shall conform insofar as possible with the practice in the superior court of Washington.

Motions shall be filed separately from any other filing.

(9) Responsive pleadings.

(a) Answer. Except as otherwise provided in WAC 480-09-425, any party who desires to respond to a complaint, motion, or petition shall file with the commission and serve upon all other parties an answer. If an answer is not filed, the complaint or petition shall be deemed to be denied by the respondent. Answers shall fully and completely disclose the nature of the defense and shall admit or deny specifically and in detail all material allegations of the complaint or petition. Matters alleged by way of affirmative defense shall be separately stated and numbered.

(b) Reply. The response to an answer is styled a reply. Unless otherwise specified, replies may not be filed without authorization by the commission upon a showing of cause.

NEW SECTION

WAC 480-09-425 PLEADINGS—VERIFICATION, RESPONSIVE PLEADINGS, AMENDMENTS. (1) Verification. All pleadings, except motions and complaints brought upon the commission's own motion, shall be dated and signed by at least one attorney or representative of record in his or her individual name, stating his or her address, or by the party if the party is not represented.

Pleadings of a party who is not represented by an attorney shall contain a statement that the pleading is true and correct to the best of the signer's belief.

(2) Time for motion. Any motion directed toward a pleading must be submitted in writing and, unless good cause is shown for a delay, filed no later than the time the responsive pleading is due. If no responsive pleading is provided for, the motion must be filed within ten days after service of the pleading. Motions shall be filed separately from any other filing.

(3) Time for answer. An answer, if made, must be filed within twenty days, after the service of the pleading against which it is directed: PROVIDED, This section shall not apply to proceedings brought on the commission's own motion for violation of the laws, rules, or regulations governing public service companies. Whenever the commission believes that the public interest so requires, it may alter the time allowed for any answer.

(4) Liberal construction. All pleadings shall be liberally construed with a view to effect justice among the parties. The commission will, at every stage of any proceeding, disregard errors or defects in the pleadings or proceeding which do not affect the substantial rights of the parties.

(5) Amendments. The commission may allow amendments to the pleadings or other relevant documents at any time upon such terms as may be lawful and just.

NEW SECTION

WAC 480-09-430 INTERVENTION. (1) General intervention. Any person, other than the original parties to any proceeding before the commission, who desires to appear and participate, and who does not desire to broaden the issues of the proceeding, may:

(a) Petition in writing for leave to intervene prior to, or at the time, it is initially called for hearing or prehearing conference, whichever occurs first; or

(b) Petition orally for leave to intervene at the time of the initial hearing or prehearing conference, whichever occurs first. No such petition shall be filed or made after the proceeding is underway, except for good cause shown. The petition to intervene must disclose the name and address of the person intervening; the name and address of his or her attorney, if any; his or her interest in the proceeding; and his or her position in regard to the matter in controversy.

A form petition for intervention is available on request from the secretary of the commission. Use of the form is encouraged to ensure receipt of adequate information.

(2) Special intervention. Any person other than the parties of record to any proceeding before the commission, who desires to appear and participate in the proceeding and who desires to broaden the issues in the proceeding, may petition for leave to intervene in the proceeding. The petition must be in writing and filed with the commission, and copies served upon the parties of record to the proceeding, at least ten days prior to the date of the prehearing conference or, if there is no conference, at least ten days prior to the date of the hearing. The commission may, for good cause shown, shorten the ten-day filing period. When there is no prejudice to other parties, the commission may grant an oral petition without the ten-day requirement. The petition must disclose the name and address of the party intervening; the name and address of his or her attorney, if any; his or her interest in the proceeding; and his or her position in regard to the matter in controversy. An affidavit setting forth clearly and concisely the facts supporting the relief sought shall be attached to the petition.

(3) Disposition of petitions to intervene. Petitions to intervene may be considered at hearings and prehearing

conferences, or may be set for prior hearing. An opportunity shall be afforded the parties to be heard upon the petition. Intervention may be granted in the absence of appearance by petitioner. A late-filed petition to intervene may be ruled upon without a hearing if all parties have been granted an opportunity to respond. If the petition discloses a substantial interest in the subject matter of the hearing, or if the participation of the petitioner is in the public interest, the commission may grant the petition orally, at the hearing or prehearing conference or in writing. Limitations may be imposed upon interventions in accordance with RCW 34.05.443(2). The petitioner then becomes a party to the proceeding and becomes known as an "intervenor." Whenever it appears, during the course of a proceeding, that an intervenor has no substantial interest in the proceeding, and that the public interest will not be served by the intervention therein, the commission may dismiss the intervenor from the proceeding: PROVIDED, HOWEVER, That a party whose intervention has been allowed shall not be dismissed from a proceeding except upon notice and a reasonable opportunity to be heard. A decision by an administrative law judge regarding a petition to intervene is subject to commission review pursuant to WAC 480-09-760.

(4) Limitation of intervention under certain circumstances. Notwithstanding the provisions of subsections (1) and (2) of this section, if the commission determines that the orderly and prompt conduct of any proceeding so requires, the making or filing of petitions for leave to intervene may be limited to the time of a prehearing conference, for general intervention, or ten days prior to such prehearing conference, for special intervention, where the commission has given not less than twenty days' written notice of the prehearing conference to all parties and caused the same to be published in a newspaper or newspapers of general circulation in the area affected by the proceeding.

NEW SECTION

WAC 480-09-440 CONTINUANCES—EXTENSIONS OF TIME. (1) General. Postponements, continuances and extensions of time, called "continuances" in this section, may be requested by any party, upon notice to all other parties, and may be granted upon a showing of good and sufficient cause. Continuances may be directed by the commission or the presiding officer without the request of any party when doing so is in the public interest or furthers administrative needs of the commission. The date which is sought to be continued is called the "deadline" in this section.

(2) Procedure. Requests for continuances may be made orally on the record during a hearing. Whenever possible, requests shall be made by letter. Requests may be decided orally in hearing, or by letter, by the presiding officer or the commission. Requests may be granted; granted, with modification; or denied.

(3) Timing. Oral requests must be made at least five days prior to the deadline sought to be continued. Written requests must be filed with the commission, and served upon other parties so as to be received, no less than five days prior to the deadline which is sought to be

continued. Responses must be filed no less than four days after service of the request, or two days prior to the deadline which is sought to be continued; whichever is earlier. Response shall be made orally when a related hearing is held prior to the stated response deadline. Requests which are made prior to the deadline, but which are not made within the time specified in this subsection, must specify the nature of the circumstances which prevented making a timely request.

(4) Content. A request for continuance must contain the following information:

(a) The name of the requesting party and its role in the proceeding (e.g., applicant, respondent, intervenor, etc.);

(b) Whether the requestor or any other party has previously requested a continuance in the proceeding and whether any continuance has been granted;

(c) Whether the requestor has discussed the request with other parties and whether, upon discussion, all other parties agree;

(d) The proposed new deadline;

(e) The reason for the request and for requesting the proposed new deadline;

(f) What efforts have been made to avoid a continuance and to minimize the length of the delay sought;

(g) If the continuance is to allow time to acquire a transcript, the date the transcript was ordered, when delivery is expected, and the length of the transcript or the length of the hearing;

(h) If the request relates to an application for transportation operating authority, whether the applicant is presently providing all or part of the requested service, and whether an application for temporary authority has been filed and the status of the application; and

(i) Any other factor which may bear upon whether allowing the continuance is consistent with the public interest.

(5) Agreed requests. A request for continuance as to which all parties agree is an "agreed request." Agreed requests for continuances other than hearings may be made orally until the deadline, provided a confirming letter is served and sent for filing on the same day. A first agreed request, timely made, will be granted unless it is inconsistent with the public interest or commission administrative needs.

NEW SECTION

WAC 480-09-450 INTERPRETERS. It is commission policy that limited-English-speaking and hearing-impaired persons have equal access to the administrative process and that they have the opportunity for full and equal participation in adjudicative proceedings. In keeping with this policy, the commission incorporates by reference in its rules WAC 10-08-150 of the office of administrative hearings model rules of procedure governing interpreters.

NEW SECTION

WAC 480-09-460 PREHEARING CONFERENCES. (1) General. When issues are joined in any

formal proceeding the commission may, by written notice, request all interested persons to attend a prehearing or other conference for the purpose of determining the feasibility of settlement, or of formulating the issues in the proceeding and determining other matters to aid in its disposition. A commissioner, an administrative law judge, or an employee of the commission designated by the commission, shall preside at such conference, to consider:

(a) Simplification of the issues;

(b) The necessity or desirability of amendments to the pleadings;

(c) The possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof;

(d) Limitations on the number and consolidation of the examination of witnesses;

(e) The procedure at the hearing;

(f) The distribution of written testimony and exhibits to the parties prior to the hearing;

(g) Such other matters as may aid in the disposition of the proceeding, or settlement thereof.

The disposition of petitions for leave to intervene in the proceeding filed pursuant to WAC 480-09-430 may be ruled upon at a prehearing conference.

(2) A statement describing the action taken at the conference and the agreements made by the parties concerning all of the matters considered shall be made orally on the record or in writing, and served upon the parties, for approval. If no objection to the oral statement is made on the record, or no objection to the written statement is filed within ten days after the date the statement is served, it shall be deemed to be approved, subject to commission review. The result of the prehearing conference will control the subsequent course of the proceeding unless rejected by the commission or modified to prevent manifest injustice.

(3) Recessing hearing for conference. In any proceeding the presiding officer may, in his or her discretion, call the parties together for a conference prior to the taking of testimony, or may recess the hearing for such a conference, with a view to carrying out the purpose of this section. The presiding officer shall state on the record the results of such conference.

NEW SECTION

WAC 480-09-465 SETTLEMENT. Before or after a hearing, parties to a proceeding may enter into discussions leading to a voluntary settlement of the subject matter of the proceeding. In furtherance of a voluntary settlement, the commission may, in its discretion, invite the parties to confer among themselves or with a designated person. These conferences shall be informal and without prejudice to the rights of the parties, and no statement, admission, or offer of settlement made at an informal conference shall be admissible in evidence in any formal hearing before the commission. Any resulting settlement or stipulation shall be stated on the record or submitted in writing and is subject to approval by the commission.

NEW SECTION

WAC 480-09-470 STIPULATION AS TO FACTS. General. Stipulations of fact are encouraged. The parties to any proceeding or investigation before the commission may, by stipulation in writing filed with the commission or entered into the record, agree upon the facts or any portion thereof involved in the controversy. This stipulation, if accepted by the commission, shall be binding upon the parties thereto and may be used by the commission as evidence at the hearing. The commission may reject the stipulation or require proof of the stipulated facts, despite the stipulation.

NEW SECTION

WAC 480-09-475 SUBPOENAS. General. Subpoenas may be issued by a commissioner, an administrative law judge, or the attorney of any party to the proceeding. Witnesses are required to comply with subpoenas in the manner prescribed in Title 80 or 81 RCW and chapter 34.05 RCW. Witnesses shall be paid in the same manner as provided in RCW 34.05.446(7). Each subpoena shall bear the name of the party requesting or issuing the subpoena and the party responsible for paying the witness fees.

NEW SECTION

WAC 480-09-500 BRIEF ADJUDICATIVE PROCEEDINGS. (1) Pursuant to RCW 34.05.482, the commission will use brief adjudicative proceedings where not violative of law and where protection of the public interest does not require the commission to give notice and an opportunity to participate to persons other than the parties. Those circumstances may include:

- (a) Review of denials or partial denials of applications that are not protested;
- (b) Contested applications for temporary authority; and
- (c) Proceedings which could lead to suspension, cancellation, or revision of authority for failure to maintain tariffs, pay fees, or file required documents.

(2) Application may be made for a brief adjudicative proceeding by filing a letter of request and certificate of service with the secretary of the commission or by the filing of a protest in the case of temporary applications. The commission shall designate either a review judge, the director of its transportation division, or the director of its utilities division as a presiding officer in specified brief adjudicative proceedings. Each applicant for a brief adjudicative proceeding shall submit a written explanation of its view of the matter along with its application. Other parties may file a written response within ten days after service of the application for a brief adjudicative proceeding. In the discretion of the presiding officer, oral comments offered by parties may be considered.

(a) If a party to a brief adjudicative proceeding desires an opportunity to make an oral statement, the request should be made in the application or in the response to the application.

(b) A request to make an oral statement may be granted if the presiding officer believes such a statement would benefit him or her in reaching a decision. The

presiding officer shall notify the parties within a reasonable time of the decision to grant or deny the request to hear oral comments, and, if the request is granted, shall notify the parties of the time and place for hearing comments.

(3) If the party is present at the time any unfavorable action is taken, the presiding officer shall make a brief statement of the reasons for the decision. The action on the application shall be expressed in a written order which shall be served upon all parties within ten days after entry of the order or the decision.

(4) The brief written statement is an initial order. If no review is taken of the initial order, it shall be the final order.

(5) Service of the initial order shall be made pursuant to WAC 480-09-120.

(6) The commission shall conduct a review of an initial order resulting from a brief adjudicative proceeding upon the written or oral request of a party if the commission receives the request within twenty-one days after service of the initial order. If no request is timely filed, the commission may adopt, modify, or reject the initial order.

(7) A request for review of an initial order shall contain an explanation of the party's view of the matter, with a statement of reasons why the initial order is incorrect, and a certificate of service. Responses to a request for review of an initial order shall be filed with the commission and served upon the other parties within ten days after service of the request for review.

(8) The order on review must be in writing, must include a brief statement of the reasons for the decision, and must be entered within thirty days after the date of the initial order or of the request for review, whichever is later. The order shall include a description of any further available administrative review or, if none is available, a notice that judicial review may be available.

(9) A request for administrative review is deemed to have been denied if the agency does not make a disposition of the matter within thirty days after the request is filed.

(10) The record in a brief adjudicative proceeding shall consist of any documents regarding the matter that were considered or prepared by the presiding officer for the brief adjudicative proceeding or by the reviewing officer for any review.

NEW SECTION

WAC 480-09-510 EMERGENCY ADJUDICATIVE PROCEEDINGS. (1) Pursuant to RCW 34.05.482, the commission shall use emergency adjudicative proceedings for the suspension or cancellation of authority in situations involving an immediate danger to the public health, safety, or welfare requiring immediate action by the commission. Such situations shall include:

- (a) Failure to possess insurance;
- (b) Safety violations when the violation involves an immediate danger to the public health, safety, or welfare; and
- (c) Inadequate service by a gas, water, or electric company when the inadequacy involves an immediate danger to the public health, safety, or welfare.

(2) The commission may designate a review judge, the director of the commission's utilities division, or the director of the commission's transportation division as presiding officer in specified emergency adjudicative proceedings.

(3) The commission's decision shall be based upon the written submissions of the parties and upon oral comments by the parties if the presiding officer has allowed oral comments. The order shall include a brief statement of findings of fact, conclusions of law, and justification for the determination of an immediate danger to the public health, safety, or welfare. The order shall be effective when entered. Service of the order shall be made pursuant to WAC 480-09-120.

NEW SECTION

WAC 480-09-600 CONVERSION OF PROCEEDINGS. (1) Upon application by any person or upon its own motion, the commission shall consider whether the conversion of a proceeding pursuant to RCW 34.05.070 should be made.

(2) Commencement of the new proceeding shall be determined to be the time of commencement of the original proceeding, provided that all statutory and regulatory requirements for the new proceeding shall be met.

NEW SECTION

WAC 480-09-610 CONSOLIDATION OF PROCEEDINGS. Two or more proceedings in which the facts or principles of law are related may be consolidated for hearing or disposition.

NEW SECTION

WAC 480-09-620 JOINT HEARINGS. General. In any proceeding in which the commission participates jointly with the Interstate Commerce Commission or other federal regulatory agency, the rules of practice and procedure of the federal agency shall govern. In any proceeding in which the commission participates jointly with the administrative body of another state or states, the rules of the state in which the hearing is held shall govern the proceeding, unless otherwise agreed upon by the participating agencies: **PROVIDED,** That any person entitled to appear in a representative capacity before any of the agencies involved in a joint hearing may appear in the joint hearing.

NEW SECTION

WAC 480-09-700 HEARINGS—NOTICE AND FAILURE TO APPEAR. (1) Notice.

(a) Initial hearing notice. The time and place of hearings will be set by the commission and notice thereof served upon all parties at least twenty days in advance of the initial hearing date, unless the commission finds that good cause exists for the hearing to be held upon shorter notice. An effort will be made to set all hearings sufficiently in advance so that all parties will have a reasonable time to prepare their cases, and so that need for continuances will be minimized.

(b) Continued hearing sessions. The time and place of continued hearing sessions may also be set:

- (i) Upon the record without further written notice to the parties; or
- (ii) By letter from the secretary of the commission; or
- (iii) By letter from the presiding officer.

In such instances, twenty days' prior notice is not required.

(2) The initial notice of hearing shall state that, if a limited English-speaking or hearing-impaired party needs an interpreter, a qualified interpreter will be appointed at no cost to the party or witness. The notice shall include a form for a party to indicate whether he or she needs an interpreter and to identify the primary language or hearing impaired status of the party.

(3) Failure to appear – default – dismissal.

(a) At the time and place set for hearing, if a party fails to appear, the presiding officer may recess the hearing for a brief period to enable the party to attend the hearing, but if at the time set for the resumption of the hearing the party is not present or represented, the commission may dismiss the party or find the party in default.

(b) Default shall be implemented by a default order or by a default provision in the order disposing of the issues in the proceeding, pursuant to RCW 34.05.440. Default may be appropriate in instances where the party is the initiator of the proceeding, such as an applicant, a petitioner, or a complainant.

(c) Dismissal shall be implemented by a dismissal provision in the order disposing of the issues in the proceeding. Dismissal may be contested by the filing of a petition for reopening until the close of the time for filing a petition for administrative review of an initial order or, if no initial order is entered, until the close of the period for filing a petition for reconsideration. The person who is dismissed may support the petition for reopening by showing good cause for failure to appear, for failure to seek a continuance, and for failure to earlier seek an excuse for failure to appear.

(4) Sanctions for failure to appear. Except when a hearing is otherwise required by law, an applicant for operating authority or for transfer or acquisition of control, or a protestant to an application, shall appear at any scheduled hearing pursuant to this chapter unless:

- (a) The application or protest is withdrawn at least five days prior to the date set; or
- (b) Appearance is otherwise excused by the commission or presiding officer in writing.

Failure to comply with this subsection may result in assessment of civil penalties.

NEW SECTION

WAC 480-09-705 NOTICE TO LIMITED-ENGLISH-SPEAKING PARTIES. When the commission has knowledge that a limited-English-speaking person is a party in an adjudicative proceeding, all notices concerning the hearing, including notices of hearing, continuances, and dismissals, shall either be in the primary language of the party or shall include a notice in the primary language of the party that describes the

significance of the notice and how the party may receive assistance in understanding and responding to the notice.

NEW SECTION

WAC 480-09-710 APPEARANCE AND PRACTICE BEFORE COMMISSION. (1) General. In all proceedings in which pleadings are filed and a hearing is held involving the taking of testimony on a record subject to review by the courts, the following persons may appear in a representative capacity:

(a) Attorneys at law duly qualified and entitled to practice before the supreme court of the state of Washington;

(b) Attorneys at law duly qualified and entitled to practice before the highest court of any other state;

(c) Persons not attorneys at law who have been duly authorized to practice before the Interstate Commerce Commission;

(d) Upon permission of the presiding officer at such hearing, an officer or employee of a party or person seeking party status;

(e) Legal interns admitted to limited practice under Rule 9 of the Supreme Court's Admission to Practice Rules. However, no legal intern may appear without the presence of a supervising lawyer unless the legal intern has attended at least ten commission hearing sessions with the presence of a supervising lawyer.

The presiding officer may expel a person who does not have the requisite degree of legal training, experience, or skill to appear in a representative capacity.

(2) Notices of appearance and withdrawal of attorneys. Attorneys or other authorized representatives appearing on behalf of a party or withdrawing from a proceeding shall immediately so notify the commission and all parties to the proceeding.

(3) Unethical conduct. All persons appearing in proceedings before the commission in a representative capacity shall conform to the standards of ethical conduct required of attorneys before the courts of Washington. If any representative fails to conform to these standards, the commission may decline to permit the person to appear in a representative capacity in any proceeding before the commission.

(4) Former employees. Former employees of the commission, office of administrative hearings, and office of the attorney general are subject to the provisions of chapter 42.18 RCW.

NEW SECTION

WAC 480-09-720 APPEARANCES—PARTY STATUS. (1) General. Parties shall enter their appearances at the beginning of the hearing or prehearing conference by giving their names and addresses in writing to the court reporter who will include the same in the record of the hearing or prehearing conference. The presiding officer conducting the hearing or prehearing conference may, in addition, require appearances to be stated orally, so that the identity and interest of all parties present will be known to those in attendance. Appearance may be made on behalf of any party by his or her

attorney or other authorized representative, as defined in WAC 480-09-710(1).

(2) Party status may not be accorded as a matter of right after the initial session without a showing of good cause for failing to timely appear.

NEW SECTION

WAC 480-09-730 CONDUCT AT HEARINGS.

(1) No smoking. Smoking shall not be permitted at hearings of the commission.

(2) Testimony under oath. Before a witness takes the stand in an adjudicative proceeding held under chapter 34.05 RCW, an oath or affirmation shall be administered as follows: The person who swears or affirms holds up his or her hand, while the person administering the oath or affirmation thus addresses him or her: "Do you solemnly swear or affirm that the evidence you shall give in the matter now pending before the commission shall be the truth, the whole truth and nothing but the truth, so help you God?"

NEW SECTION

WAC 480-09-735 ORDER OF PROCEDURE.

(1) General. Evidence will ordinarily be received in the following order:

(a) Upon investigation on motion of the commission:

(i) Commission's staff;

(ii) Respondent; and

(iii) Rebuttal by commission's staff.

(b) In investigation and suspension proceedings:

(i) Respondent;

(ii) Commission's staff;

(iii) Protestants against suspended schedules; and

(iv) Rebuttal by respondent.

(c) Upon applications and petitions:

(i) Applicants or petitioners;

(ii) Commission's staff;

(iii) Protestants; and

(iv) Rebuttal by applicant or petitioner.

(d) Upon formal complaints:

(i) Complainant;

(ii) Respondent;

(iii) Commission's staff; and

(iv) Rebuttal by complainant.

(e) Upon order to show cause:

(i) Commission's staff;

(ii) Respondent; and

(iii) Rebuttal by commission's staff.

(f) In docket hearings: At the discretion of presiding officer or examiner.

(2) Modification of procedure. The order of presentation prescribed above for hearings shall be followed, except when the presiding officer directs otherwise. When hearing several proceedings upon a consolidated record, the presiding officer shall designate who shall open and close. Intervenor shall follow the party in whose behalf the intervention is made. If the intervention is not in support of any original party, the presiding officer shall designate at what stage the intervenor shall be heard. When two causes are set for hearing at the same time and place, the cause having the lowest number shall be

heard first, if all parties are ready: PROVIDED, That the presiding officer may direct a different order to suit the convenience of the parties.

NEW SECTION

WAC 480-09-736 HEARING GUIDELINES. These guidelines are of a general nature and are provided to assist the presiding officer in regulating the course of the proceeding. The presiding officer has discretion to suspend or modify the guidelines or to use measures not specified herein when appropriate in the circumstances of the case.

(1) Starting times will be strictly observed. The proceeding will go forward in the absence of counsel who are late.

(2) Motions will be stated and argued at the start of the day, unless they arise from matters emerging during the hearing that are not reasonably foreseeable. This rule does not apply to motions with respect to the admissibility of evidence which may require foundation. In such cases, the presiding officer should be notified that a motion will be presented during the hearing.

(3) All counsel are expected to address comments, objections, and statements to the presiding officer rather than to other counsel. Questions will be addressed to the witnesses rather than to counsel.

(4) There will be no off-the-record discussions at the request of counsel unless counsel asks leave to go off the record and states the purpose for the request.

(5) Extended colloquies regarding procedural issues may be conducted off the record. Each attorney will be given the opportunity to state for the record a summary of his or her view on behalf of his or her client when the record resumes.

(6) When predistribution of evidence is required, one copy should be addressed specifically to the presiding administrative law judge. One copy should be addressed to the commission's accounting adviser, in care of the secretary of the commission. Each party is responsible for having two revised, corrected copies of its exhibits ready for marking and inclusion in the official case file at the hearing itself. One set of copies should also be brought to the hearing for the court reporter. To advise the parties of corrections, an errata sheet may be used to indicate the corrections to copies that have been predistributed. Corrections and revisions should be made to all copies distributed at hearing before the copies are distributed. The presiding officer will advise the parties regarding the number of extra copies to be filed with the commission.

(7) Prefiled testimony may be accompanied by exhibits. Parties should not preassign numbers to their own prefiled testimony and exhibits. Instead the following system should be used, including the witness's initials, and marked serially. For John Q. Witness's prefiled testimony and accompanying exhibits:

Ex (JQW-Testimony) Ex (JQW-2)
Ex (JQW-1) Ex (JQW-3)

Counsel unfamiliar with this method of identification should contact the presiding officer for further guidance.

The official numbers for the case will be assigned by the administrative law judge at the hearing session.

(8) Each witness should present a short summary of his or her remarks on the opening page or two of prepared testimony. Counsel will be expected to ask as a foundation question the subjects that will be covered by the witness. This foundation question should request only a statement of the subjects to be covered by the witness, e.g., rate of return, and not a summary of the witness's positions on those subjects. Twenty copies of the summary shall be filed with the secretary of the commission unless the presiding officer advises that a different number is required.

(9) All prepared testimony, exhibits, and pleadings shall be 8-1/2 by 11 inches in size or folded to that size and punched for insertion into three-ring binders. Line numbers shall be set out on all prepared testimony to facilitate transcript or exhibit references. Large charts may be used at the hearing so long as a letter-size reduction is provided or so long as the chart is foldable to 8-1/2" by 11" for inclusion in the official record.

(10) Any revised pages for predistributed or previously admitted testimony or exhibits shall be prominently labeled "REVISED" and bear the date of the revision. The revised portions should be indicated for cross-reference to the original submissions. This practice should be followed even as to minor changes that involve only one page of an exhibit.

(11) Cross-examination will be limited to two rounds except upon a showing that good cause exists. Witnesses should not be asked to perform calculations or extract detailed data on the stand. Such questions should be provided to the witness in advance or asked "subject to check." When a witness answers "subject to check," the witness must perform the "check" as soon as possible. A response given "subject to check" will be deemed accurate unless disputed by the witness within ten days of distribution of the transcript or prior to the closing of the record, whichever occurs first.

(12) At the beginning of a hearing session for the purpose of taking testimony from members of the public, public counsel may inform the public of the major contested issues.

(13) All case-related correspondence should be addressed to the secretary of the commission, under existing commission rules. The parties are cautioned that correspondence addressed directly to an individual may not be logged in, may not be inserted in the case file, and may not constitute a part of the official record for appeal or for other purposes. In addition, one copy should be addressed to the presiding administrative law judge at the Office of Administrative Hearings, 1212 Jefferson Street, Suite 200, Mailstop PG-21, Olympia, Washington 98504.

(14) Petitions or motions intended for argument or resolution at previously-scheduled hearing sessions should be received by the commission and all parties at least three business days prior to argument. Oral response will be allowed on the record. (This guideline does not require personal service. Petitions or motions, if mailed, should be served so as to effect actual receipt three business days before argument.)

(15) When the commission is requested to take some action prior to the next hearing session, the petitioner or movant shall effect service upon all other parties. Responses are due in the office of the secretary of the commission no later than the close of the fifth business day following service, except as provided in WAC 480-09-425(3).

(16) The presiding officer will determine whether oral argument, briefs, or both will be required, taking into consideration the desires of the parties. If briefs are required, they shall comply with WAC 480-09-770(1).

(17) Each party will bear its own costs for transcripts including charges for expedited service when requested.

(18) For planning purposes, counsel should be prepared to provide time estimates for cross-examination of witnesses.

(19) Documents provided by or on behalf of members of the public at a public hearing will ordinarily be placed with the hearing file or may be offered as an illustrative exhibit. Letters received by the secretary of the commission and by public counsel from members of the public may be offered into evidence as illustrative of the opinions of the correspondents. Documents which are exceptional in their detail or their probative nature may be offered into evidence separately, provided that a sponsoring witness is available for cross-examination. Only exhibits and testimony offered and received are part of the record and subject to consideration by the commission in its decision.

NEW SECTION

WAC 480-09-740 EVIDENCE. The presiding officer may receive evidence as provided by RCW 34.05-.452. WAC 480-09-745 and 480-09-750 provide guidelines for receipt of evidence in proceedings before the commission.

NEW SECTION

WAC 480-09-745 EXHIBITS AND DOCUMENTARY EVIDENCE. (1) Designation of part of document as evidence. When a relevant and material matter offered in evidence by any party is contained in a book, paper, or document which also contains other matter not material or relevant, the party offering the evidence must also designate the portion which is offered. If irrelevant matter would unnecessarily encumber the record, such book, paper, or document will not be received in evidence, but may be marked for identification, and, if properly authenticated, the relevant or material matter may be read into the record, or, if the presiding officer so directs, a true copy may be received as an exhibit. If only a portion is offered or received, other parties shall be afforded an opportunity to examine the book, paper or document, and to offer other portions in evidence in like manner.

(2) Official records. An official rule, report, order, record or other document, prepared and issued by any governmental authority, when admissible for any purpose, may be evidenced by a certified copy. When such official records, otherwise admissible, are contained in

official publications or publications by nationally recognized reporting services which are in general circulation and readily accessible to all parties, they may be introduced by reference: PROVIDED, HOWEVER, That proper and definite reference to the record in question is made by the party offering the same. The party offering the evidence may be required to provide a copy to the record and to all parties.

(3) Commission's files.

(a) Papers and documents on file with the commission, if otherwise admissible, and whether or not the commission has authority to take official notice of them under WAC 480-09-750(2), may be introduced by reference to number, date, or by any other method of identification satisfactory to the presiding officer. If only a portion of such a paper or document is offered in evidence, the part offered shall be clearly designated. The party offering the evidence may be required to provide a copy to the record and to all parties.

(b) Intra-office commission memoranda and reports, to the extent permitted by RCW 42.17.310, are not public records subject to inspection, nor shall such documents be introduced into evidence.

(4) Records in other proceedings. In case any portion of the record in any other proceeding is admissible for any purpose and is offered in evidence, a true copy of such portion shall be presented for the record in the form of an exhibit unless:

(a) The party offering the same agrees to supply such copies later at his or her own expense, if and when required by the commission; and

(b) The portion is specified with particularity in such manner as to be readily identified; and

(c) The parties represented at the hearing stipulate upon the record that such portion may be incorporated by reference, and that any portion offered by any other party may be incorporated by like reference; and

(d) The presiding officer directs such incorporation.

(5) Objections. Any evidence offered, whether in the form of exhibit, introduced by reference or offered in the form of testimony, shall be subject to appropriate and timely objection.

(6) Copies of exhibits to opposing counsel. When documentary exhibits are offered in evidence, copies must be furnished to opposing counsel, the presiding officers and the reporter, unless the presiding officer otherwise directs. Whenever practicable, the parties should exchange copies of exhibits before, or at the commencement of, the hearing.

NEW SECTION

WAC 480-09-750 RULES OF EVIDENCE. (1) General. Subject to the other provisions of this section, all relevant evidence is admissible which, in the opinion of the presiding officer, is the best evidence reasonably obtainable, having due regard to its necessity, availability, and trustworthiness. In ruling upon the admissibility of evidence, the presiding officer shall give consideration to, but shall not be bound to follow, the rules of evidence governing general civil proceedings, in matters not involving trial by jury, in the courts of the state of Washington.

The presiding officer may, in his or her discretion, either with or without objection, exclude inadmissible evidence or order cumulative evidence discontinued. Parties objecting to the introduction of evidence shall state the grounds of such objection at the time such evidence is offered. The party offering rejected evidence may be permitted to describe briefly for the record its nature and purpose.

(2) Official notice.

(a) Official notice may be taken of:

(i) Any judicially cognizable fact. Examples of judicially cognizable facts are:

(A) Rules, regulations, administrative rulings and orders, exclusive of findings of fact, of the commission and other governmental agencies;

(B) Contents of certificates, permits, and licenses issued by the commission; and

(C) Tariffs, classifications, and schedules regularly established by or filed with the commission as required or authorized by law.

(ii) Technical or scientific facts within the commission's specialized knowledge; and

(iii) Codes or standards that have been adopted by an agency of the United States, or this state or of another state, or by a nationally recognized organization or association.

(b) In addition, the commission may, in its discretion, upon the request of all parties to a proceeding, take official notice of the results of its own inspection of the physical conditions at issue.

(c) Parties shall be notified either before or during the hearing, or by reference in preliminary reports or otherwise, of the material so noticed and the sources thereof, including any staff memoranda and data, and they shall be afforded an opportunity to contest the facts and material so noticed. A party proposing that official notice be taken may be required to provide copies of officially noted matter to the record and to all other parties.

(3) Resolutions. Properly authenticated resolutions of the governing bodies of cities, towns, counties, and other municipal corporations and of chambers of commerce, boards of trade, commercial, mercantile, agricultural, or manufacturing societies and other civic organizations may be received in evidence. Recitals of facts contained in resolutions shall not be deemed proof of those facts.

NEW SECTION

WAC 480-09-760 INTERLOCUTORY ORDERS. The commission has discretion to accept or decline review of interim or interlocutory orders entered by an administrative law judge. Except where otherwise provided, the commission may review such orders when it finds that:

(1) A party's participation is terminated by the ruling and the party's inability to participate thereafter could cause it substantial and irreparable harm; or

(2) A review is necessary to prevent substantial prejudice to a party that would not be remediable by post-hearing reviewing; or

(3) A review could save the commission and the parties substantial effort or expense, or some other factor is

present that outweighs the costs in time and delay of exercising review.

NEW SECTION

WAC 480-09-770 BRIEFS. The commission may require the parties to present their arguments and authority orally at the close of the hearing, by written brief, or both. The argument should set out the leading facts and conclusions which the evidence tends to prove, point out the particular evidence relied upon to support the conclusions urged, and cite legal authority. Briefs may be printed, or typewritten (size 8-1/2 inches by 11 inches on three-hole punched paper). All copies shall be clearly legible. Unless a different number is specified by the commission, an original and three copies of each brief for transportation matters and nineteen copies for all other matters shall be filed with the secretary of the commission and one copy shall be served on each party before the due date set for filing. Proof of service shall be furnished to the commission as provided in WAC 480-09-120(2).

NEW SECTION

WAC 480-09-780 ENTRY OF INITIAL AND FINAL ORDERS—ADMINISTRATIVE REVIEW.

(1) General. Whenever the presiding officer enters an order in accordance with the provisions of RCW 34.05-.461, each party of record and the party's attorney, or other authorized representative shall be served with a copy of the order pursuant to the provisions of WAC 480-09-120(2).

(2) Petitions for administrative review – time for filing. Unless a different number is directed by the commission, an original and three copies of petitions for administrative review of an initial order in transportation matters and nineteen copies in all other matters must be filed with the secretary of the commission and one copy served upon each other party and the party's attorney within twenty days after the service of the initial order. The commission may designate a different time for filing petitions for administrative review of initial orders. Proof of service must be made in accordance with WAC 480-09-120(2).

(3) Petitions for administrative review – who may file. Any party to an adjudicative proceeding may file a petition for administrative review of an initial order.

(4) Petitions for administrative review – contents. Petitions must clearly identify the nature of the challenge to the initial order, the evidence relied upon to support the challenge, and the nature of the remedy urged by the petition. Petitions for review of initial orders shall be specific and separate contentions must be separately stated and numbered. Petitions for review of findings of fact must be supported by a reference to the pertinent page or part of the record or by a statement of the evidence relied upon to support the petition, and should be accompanied by a recommended finding of fact. Petitions for review of conclusions of law should be supported by reference to the appropriate statute, rule, or case involved and should be accompanied by a recommended

conclusion of law. When a petition challenges the summary portion of an initial order, the petition shall include a statement showing the legal or factual justification for the challenge, together with a statement of how the alleged defect in the summary affects the findings of fact, the conclusions of law, or the ultimate decision.

(5) Answers.

(a) Answers to a petition for administrative review may be filed by any party.

(b) Unless a different number is required, three copies of answers to petitions for review in transportation matters and twenty copies in all other matters must be filed with the secretary of the commission, and a copy served upon each other party to the proceeding within ten days after the service of the petition. The commission may designate a different time for filing answers to petitions.

(c) A party who did not file a petition for administrative review of an initial order may challenge the order or portions thereof in its answer to the petition of another party.

(6) Oral argument. The commission may in its discretion hear oral argument upon a petition for review at a time and place to be designated by it upon notice to all parties to the proceeding. A party who desires to present oral argument may move for argument, stating why the oral argument will assist the commission in making its decision and why written presentations will be insufficient.

(7) Final order. After reviewing the initial order and any petitions for review, answers, replies, briefs, and oral arguments, and the record or such portions thereof as may be cited by the parties, the commission may by final order adopt, modify, or reject an initial order. The statutory time for judicial review proceedings shall not commence until the date of the commission's final order or, if a petition for reconsideration has been filed, the date the petition is deemed denied or is otherwise disposed of.

NEW SECTION

WAC 480-09-800 STAY. A party may file with the commission a petition for stay of effectiveness of a final order within ten days after its service unless otherwise provided by statute or stated in the final order.

NEW SECTION

WAC 480-09-810 RECONSIDERATION. (1) General. Any party to an adjudicative proceeding may file a petition for reconsideration of a final order of the commission within ten days after the date the order is served.

(2) Number of copies – filing – service. Unless a different number has been ordered by the commission, an original and three copies of the petition in transportation matters and twenty copies in all other matters shall be filed with the commission and a copy of the petition shall be served by petitioner upon each party of record.

(3) Contents. The petition shall state with particularity each portion or portions of the challenged order contended to be erroneous or incomplete, and shall cite those portions of the record and the laws or rules of the

commission relied upon to support the petition, together with brief argument.

(4) Answers. No party shall file an answer unless requested by the commission: PROVIDED, That if the commission determines that reconsideration may be appropriate, involving more than the correction of obvious error and involving a possible change in a significant term of the order, it shall request answers from the other affected parties.

(5) Except upon specific direction of the commission, no oral argument shall be permitted on petitions for reconsideration.

(6) Disposition. The petition is deemed denied if, within twenty days from the date the petition is filed, the commission does not either:

(a) Dispose of the petition; or

(b) Serve the parties with a written notice specifying the date by which it will act on the petition.

If the petition is granted, the commission may modify its prior order or take such other action as it may deem appropriate. No petition for reconsideration of an order on reconsideration will be accepted by the commission. No petition for reconsideration may stay the effectiveness of an order.

NEW SECTION

WAC 480-09-815 AMENDMENT OR RESCISON. Pursuant to RCW 80.04.210 and 81.04.210, the commission may amend or rescind any order or rule which it has made, entered, issued or promulgated, upon notice to the public service company or companies affected, and after allowing an opportunity for hearing as in the case of complaints.

NEW SECTION

WAC 480-09-820 REHEARING OR REOPENING. (1) Rehearing. A petition for rehearing may be filed with the commission by any person affected by any order of the commission, pursuant to RCW 80.04.200 and 81.04.200. The commission will grant the petition:

(a) If there are changed circumstances injurious to the petitioner since the entry of the final order which were not considered by the commission; or

(b) To correct defects in the order; or

(c) For any good and sufficient cause which, for any reason, was not considered and determined in the original order.

The commission may, in its discretion, permit the filing of a petition for rehearing at any time.

(2) Reopening. A petition for reopening may be filed with the commission by any party to a proceeding at any time after the close of the record and before entry of the final order.

(a) In uncontested proceedings, a petition may be granted to correct failure to allow receipt of written evidence when otherwise permissible.

(b) In contested proceedings, a petition may be granted to permit receipt of evidence which is essential to a decision and which was unavailable and not reasonably discoverable at the time of the hearing with due diligence, or for any other good and sufficient cause.

NEW SECTION

WAC 480-09-830 COMPLIANCE WITH ORDERS. Any party who is required by commission order to do or refrain from doing any act shall notify the commission, on or before the date upon which compliance is required, whether or not the party has complied. If the order requires a change in rates, the notification shall be accomplished by filing the proper tariffs. The tariffs being filed shall specify the commission's corresponding order number.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 480-08-010 COMMUNICATIONS.
- WAC 480-08-015 SUBMISSION OF "CONFIDENTIAL" INFORMATION.
- WAC 480-08-020 OFFICE HOURS.
- WAC 480-08-030 PARTIES.
- WAC 480-08-040 INFORMAL PROCEDURE—APPLICATIONS AND PROTESTS.
- WAC 480-08-050 PLEADINGS.
- WAC 480-08-055 OBJECTIONS TO CLOSURES OF HIGHWAY-RAILROAD GRADE CROSSINGS.
- WAC 480-08-060 FILING AND SERVICE.
- WAC 480-08-070 INTERVENTION.
- WAC 480-08-080 APPEARANCES.
- WAC 480-08-090 APPEARANCE AND PRACTICE BEFORE COMMISSION.
- WAC 480-08-100 PREHEARING CONFERENCES.
- WAC 480-08-110 VOLUNTARY SETTLEMENT.
- WAC 480-08-120 SUBPOENAS.
- WAC 480-08-130 DEPOSITIONS.
- WAC 480-08-140 HEARINGS.
- WAC 480-08-150 CONTINUANCES.
- WAC 480-08-160 STIPULATION AS TO FACTS.
- WAC 480-08-170 CONDUCT AT HEARINGS.
- WAC 480-08-180 ORDER OF PROCEDURE.
- WAC 480-08-190 RULES OF EVIDENCE.
- WAC 480-08-200 EXHIBITS AND DOCUMENTARY EVIDENCE.
- WAC 480-08-210 MODIFIED PROCEDURE.
- WAC 480-08-220 BRIEFS.
- WAC 480-08-230 COMMISSION PROPOSED ORDERS.
- WAC 480-08-240 PROPOSED ORDERS BY EXAMINERS.
- WAC 480-08-250 REHEARING OR RECONSIDERATION.
- WAC 480-08-260 NO DISCUSSION OF PROCEEDING UNTIL DECISION.
- WAC 480-08-270 JOINT HEARINGS.
- WAC 480-08-280 ADMINISTRATIVE RULINGS.
- WAC 480-08-290 SEGREGATION OF FUNCTIONS IN FORMAL PROCEEDINGS.

WAC 480-08-300 COMPLIANCE WITH ORDERS.

- WAC 480-08-310 COMPUTATION OF TIME.
- WAC 480-08-320 SUSPENSION OF TARIFFS.
- WAC 480-08-330 GENERAL APPLICATION—SPECIAL RULES—EXCEPTIONS—CANCELLATION OF FORMER RULES.

**WSR 89-21-037
NOTICE OF PUBLIC MEETINGS
OLYMPIC COLLEGE
[Memorandum—October 6, 1989]**

Regular meetings: One regular meeting of the board of trustees shall be held each month. This meeting shall be held on the fourth Tuesday of each month and begin at 7:30 p.m. in the Board Room, College Service Center, Olympic College, 16th and Chester, Bremerton, Washington, or at such other time and place as the board may direct from time to time and as published in the state register. The location of each meeting is available in the Office of the President, Olympic College, 16th and Chester, Bremerton, Washington. The chairman of the board, with the concurrence of a majority of the members of the board, may cancel any regular meeting. All such regular meetings will be conducted in conformance with the laws of the state of Washington governing such meetings.

The regular meeting date schedule for 1990, which needs to be published in the State Register for Olympic College, is as follows:

| | |
|-------------|--------------|
| January 23 | July 24 |
| February 27 | August 28 |
| March 27 | September 25 |
| April 24 | October 23 |
| May 22 | November 27 |
| June 26 | December 25 |

**WSR 89-21-038
PERMANENT RULES
DEPARTMENT OF HEALTH
[Order 3—Filed October 12, 1989, 3:56 p.m.]**

Date of Adoption: October 10, 1989.

Purpose: To establish the requirements for the education and training of health care facility employees on the prevention, transmission and treatment of HIV/AIDS.

Statutory Authority for Adoption: RCW 70.24.310.

Pursuant to notice filed as WSR 89-17-007 on August 4, 1989.

Effective Date of Rule: Thirty days after filing.

October 10, 1989
Pam Campbell Mead
Deputy
for Kristine Gebbie
Secretary

NEW SECTION

WAC 248-16-048 HIV/AIDS EDUCATION AND TRAINING. Boarding homes shall:

(1) Verify or arrange for appropriate education and training of personnel on the prevention, transmission, and treatment of human immunodeficiency virus (HIV) and acquired immunodeficiency syndrome (AIDS) consistent with RCW 70.24.310; and

(2) Use infection control standards and educational material consistent with the approved curriculum manual Know – HIV/AIDS Prevention Education for Health Care Facility Employees, May 31, 1989, published by the office on HIV/AIDS.

NEW SECTION

WAC 248-140-215 HIV/AIDS EDUCATION AND TRAINING. Abortion facilities shall:

(1) Verify or arrange for appropriate education and training of personnel on the prevention, transmission, and treatment of human immunodeficiency virus (HIV) and acquired immunodeficiency syndrome (AIDS) consistent with RCW 70.24.310; and

(2) Use infection control standards and educational material consistent with the approved curriculum manual Know – HIV/AIDS Prevention Education for Health Care Facility Employees, May 31, 1989, published by the office on HIV/AIDS.

NEW SECTION

WAC 248-33-090 HIV/AIDS EDUCATION AND TRAINING. Eye banks shall:

(1) Verify or arrange for appropriate education and training of personnel on the prevention, transmission, and treatment of human immunodeficiency virus (HIV) and acquired immunodeficiency syndrome (AIDS) consistent with RCW 70.24.310; and

(2) Use infection control standards and educational material consistent with the approved curriculum manual Know – HIV/AIDS Prevention Education for Health Care Facility Employees, May 31, 1989, published by the office on HIV/AIDS.

NEW SECTION

WAC 248-29-045 HIV/AIDS EDUCATION AND TRAINING. Childbirth centers shall:

(1) Verify or arrange for appropriate education and training of personnel on the prevention, transmission, and treatment of human immunodeficiency virus (HIV) and acquired immunodeficiency syndrome (AIDS) consistent with RCW 70.24.310; and

(2) Use infection control standards and educational material consistent with the approved curriculum manual Know – HIV/AIDS Prevention Education for Health Care Facility Employees, May 31, 1989, published by the office on HIV/AIDS.

NEW SECTION

WAC 248-26-035 HIV/AIDS EDUCATION AND TRAINING. Alcoholism treatment facilities shall:

(1) Verify or arrange for appropriate education and training of personnel on the prevention, transmission, and treatment of human immunodeficiency virus (HIV) and acquired immunodeficiency syndrome (AIDS) consistent with RCW 70.24.310; and

(2) Use infection control standards and educational material consistent with the approved curriculum manual Know – HIV/AIDS Prevention Education for Health Care Facility Employees, May 31, 1989, published by the office on HIV/AIDS.

NEW SECTION

WAC 248-25-025 HIV/AIDS EDUCATION AND TRAINING. Adult residential rehabilitation centers and private adult treatment homes shall:

(1) Verify or arrange for appropriate education and training of personnel on the prevention, transmission, and treatment of human immunodeficiency virus (HIV) and acquired immunodeficiency syndrome (AIDS) consistent with RCW 70.24.310; and

(2) Use infection control standards and educational material consistent with the approved curriculum manual Know – HIV/AIDS Prevention Education for Health Care Facility Employees, May 31, 1989, published by the office on HIV/AIDS.

NEW SECTION

WAC 248-23-025 HIV/AIDS EDUCATION AND TRAINING. Residential treatment facilities for psychiatrically impaired children and youth shall:

(1) Verify or arrange for appropriate education and training of personnel on the prevention, transmission, and treatment of human immunodeficiency virus (HIV) and acquired immunodeficiency syndrome (AIDS) consistent with RCW 70.24.310; and

(2) Use infection control standards and educational material consistent with the approved curriculum manual Know – HIV/AIDS Prevention Education for Health Care Facility Employees, May 31, 1989, published by the office on HIV/AIDS.

NEW SECTION

WAC 248-22-017 HIV/AIDS EDUCATION AND TRAINING. Private psychiatric and alcoholism hospitals shall:

(1) Verify or arrange for appropriate education and training of personnel on the prevention, transmission, and treatment of human immunodeficiency virus (HIV) and acquired immunodeficiency syndrome (AIDS) consistent with RCW 70.24.310; and

(2) Use infection control standards and educational material consistent with the approved curriculum manual Know – HIV/AIDS Prevention Education for Health Care Facility Employees, May 31, 1989, published by the office on HIV/AIDS.

NEW SECTION

WAC 248-21-017 HIV/AIDS EDUCATION AND TRAINING. Hospice care centers shall:

(1) Verify or arrange for appropriate education and training of personnel on the prevention, transmission, and treatment of human immunodeficiency virus (HIV) and acquired immunodeficiency syndrome (AIDS) consistent with RCW 70.24.310; and

(2) Use infection control standards and educational material consistent with the approved curriculum manual Know - HIV/AIDS Prevention Education for Health Care Facility Employees, May 31, 1989, published by the office on HIV/AIDS.

WSR 89-21-039
PERMANENT RULES
DEPARTMENT OF HEALTH
[Order 4—Filed October 12, 1989, 4:02 p.m.]

Date of Adoption: October 10, 1989.

Purpose: To establish in WAC the requirement and standards for HIV/AIDS education and training of employees working in hospitals.

Statutory Authority for Adoption: RCW 70.41.030.

Other Authority: RCW 43.20.050.

Pursuant to notice filed as WSR 89-17-006 on August 4, 1989.

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

October 10, 1989
Pam Campbell Mead
Deputy
for Kristine Gebbie
Secretary

AMENDATORY SECTION (Amending Order 119, filed 5/23/75)

WAC 248-18-035 **INFECTION CONTROL PROGRAM.** The hospital shall have a continuing infection control program. The responsibility for the infection control program shall be vested in an infection control committee which shall include the hospital administrator or his designee and representatives of the medical staff and the nursing department.

(1) The infection control committee shall establish and maintain:

(a) A current system for discovering, reporting, investigating and reviewing infections among patients and personnel and maintaining records on such infections;

(b) A current system for surveillance of food handling practices, care and handling of medical supplies and equipment, laundry, housekeeping and maintenance in relation to potential for transmission of infection;

(c) Current written policies and procedures designed to ensure adherence to recognized standards of medical asepsis in all patient care services;

(d) Current written policies and procedures designed to ensure observance of recognized standards of isolation ((~~technic~~ {~~technique~~}) technique in the care of any patient with a known or suspected communicable disease (including infected lesions or wounds); and

(e) A current system for reporting communicable diseases in accordance with regulations of the state board of health, chapter 248-100 WAC.

(2) The infection control committee shall meet on a regular basis not less than quarterly and shall hold special meetings when necessary to meet their responsibilities in dealing with infection control problems.

Written minutes of all meetings of the infection control committee shall be kept on file.

(3) Hospitals shall:

(a) Verify or arrange for appropriate education and training of personnel on the prevention, transmission, and treatment of human immunodeficiency virus (HIV) and acquired immunodeficiency syndrome (AIDS) consistent with RCW 70.24.310; and

(b) Use infection control standards and educational material consistent with the approved curriculum manual Know - HIV/AIDS Prevention Education for Health Care Facility Employees, May 31, 1989, published by the office on HIV/AIDS.

WSR 89-21-040
PERMANENT RULES
DEPARTMENT OF HEALTH
[Order 5—Filed October 12, 1989, 4:05 p.m.]

Date of Adoption: October 10, 1989.

Purpose: To establish a fee schedule covering costs of licensing activities and inspections of new licensure categories or combinations under chapter 70.127 RCW.

Statutory Authority for Adoption: RCW 43.20B.110.

Pursuant to notice filed as WSR 89-17-026 on August 8, 1989.

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

October 10, 1989
Kristine Gebbie
Secretary

NEW SECTION

WAC 440-44-042 **HOSPICE AND HOME HEALTH AND HOME CARE AGENCIES.** (1) Hospice agencies licensed under chapter 70.127 RCW shall submit an annual license fee of five hundred dollars to the department.

(2) Home health agencies licensed under chapter 70.127 RCW shall submit an annual license fee of six hundred dollars to the department.

(3) Home care agencies licensed under chapter 70.127 RCW shall submit an annual license fee of six hundred twenty-five dollars to the department.

(4) The department shall assess annual fees for combinations of initial licenses or renewal of combination of licenses under RCW 70.127.110 as follows:

| Categories of Agencies | Fee When All Agencies at One Address | Fee When Agencies At Separate Addresses Within One County |
|-----------------------------|--------------------------------------|---|
| Home Health and Hospice | \$ 800 | \$ 900 |
| Home Health and Home Care | 1,000 | 1,100 |
| Hospice and Home Care | 700 | 800 |
| Home Health and Home Health | 1,000 | 1,100 |
| Hospice and Hospice | 800 | 900 |
| Home Care and Home Care | 1,000 | 1,100 |

| Categories of Agencies | Fee When All Agencies at One Address | Fee When Agencies At Separate Addresses Within One County |
|--|--------------------------------------|---|
| Any combination of three of the same or different categories | 1,200 | 1,300 |
| Any combination of four of the same or different categories | 1,600 | 1,700 |
| Any combination of five of the same or different categories | 2,000 | 2,100 |

WSR 89-21-041
EMERGENCY RULES
DEPARTMENT OF HEALTH
 [Order 6—Filed October 12, 1989, 4:09 p.m.]

Date of Adoption: October 10, 1989.

Purpose: To add a \$15.00 surcharge to dentist license renewal fees, to finance a contract entered into under subsection (1) of SSB 5614, an act relating to implementation of voluntary substance abuse monitoring programs for dentists.

Citation of Existing Rules Affected by this Order: Amending WAC 308-40-125.

Statutory Authority for Adoption: RCW 43.24.086.

Pursuant to 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: SSB 5614 was passed in the legislature and states that it is necessary for the immediate preservation of the public peace, health or safety, or support of the state government and its existing public institutions, and shall take effect immediately. Therefore, it is necessary to begin collecting the \$15.00 surcharge immediately. This money will be placed in the health care account to be used solely for the implementation of the impaired dentist program.

Effective Date of Rule: Immediately.

October 10, 1989
 Pam Campbell Mead
 Deputy Secretary
 for Kristine Gebbie
 Secretary

AMENDATORY SECTION (Amending Order PM 667, filed 8/27/87)

WAC 308-40-125 **DENTIST FEES.** The following fees shall be charged by the professional licensing division of the department of health:

| Title of Fee | Fee |
|---|----------|
| Application (examination and reexamination) | \$400.00 |
| Partial retake | 120.00 |
| Renewal | 165.00 |

| Title of Fee | Fee |
|----------------------------|--------|
| Late renewal penalty | 200.00 |
| Reciprocity application | 400.00 |
| Duplicate license | 15.00 |
| Certification | 25.00 |
| Investigation fee | 25.00 |
| Impaired dentist surcharge | 15.00 |

WSR 89-21-042
PERMANENT RULES
DEPARTMENT OF HEALTH
 [Order 2—Filed October 13, 1989, 9:02 a.m.]

Date of Adoption: October 13, 1989.

Purpose: To bring certificate of need fee schedule in line with enacted changes in the types of health care facilities and service projects subject to review.

Statutory Authority for Adoption: RCW 43.21A.055 [43.20A.055].

Pursuant to notice filed as WSR 89-17-051 on August 14, 1989.

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

October 13, 1989
 Pam Campbell Mead
 Deputy
 for Kristine Gebbie
 Secretary

AMENDATORY SECTION (Amending Order 2519, filed 8/5/87)

WAC 440-44-030 **CERTIFICATE OF NEED REVIEW FEES.** (1) An application for a certificate of need under chapter 248-19 WAC shall include payment of a fee consisting of the following:

(a) An application processing fee in the amount of seven hundred fifty dollars which shall not be refundable((-));

(b) A review fee based on the project description and the total capital expenditure (~~except as provided until October 5, 1987, in subsection (1)(d))~~).

| Project Description | Capital Expenditure Range | Review Fee |
|--|---|-----------------------------|
| Additional (end-stage renal dialysis facility) kidney disease treatment center stations | \$ 0 - \$ 100,000 100,001 - 250,000 250,001 or more | \$ 3,600 4,800 6,400 |
| ((Additional major medical equipment | Exp. min. - 1,500,000 1,500,001 or more | 5,600 8,100) |
| Administrative or emergency review | 0 - 250,000 250,001 or more | 4,500 6,800 |
| Amendment to a certificate of need | 0 - 250,000 250,001 - 2,000,000 2,000,001 or more | 4,500 6,800 11,200 |
| Bed addition of less than 10 beds | 0 - 100,000 100,001 - 5,000,000 5,000,001 or more | 3,600 4,800 6,400 |
| Bed addition of 10 beds or more | 0 - 500,000 500,001 - 5,000,000 5,000,001 or more | 6,800 10,000 13,200 |

| Project Description | Capital Expenditure Range | Review Fee | Proposed Capital Expenditure | Review Fee |
|---|---------------------------|------------|-------------------------------------|-------------------|
| Bed redistribution or bed relocation | 0- 100,000 | 5,900 | 130,000 to 159,999 | 2,525 |
| | 100,001 - 2,000,000 | 8,900 | 160,000 to 204,999 | 2,875 |
| | 2,000,001 or more | 11,100 | 205,000 to 249,999 | 3,255 |
| Capital expenditure over the minimum expenditure | Exp. min. - 5,000,000 | 6,400 | 250,000 to 399,999 | 3,680 |
| | 5,000,001 - 10,000,000 | 8,100 | 400,000 to 549,999 | 4,145 |
| | 10,000,001 or more | 11,400 | 550,000 to 699,999 | 4,655 |
| Establishment of a new hospital, ((rehabilitation facility, or) nursing home, or continuing care retirement community | 0- 2,000,000 | 8,900 | 700,000 to 849,999 | 5,210 |
| | 2,000,001 or more | 13,200 | 850,000 to 999,999 | 5,830 |
| | | | 1,000,000 to 1,299,999 | 6,515 |
| | | | 1,300,000 to 1,599,999 | 7,260 |
| | | | 1,600,000 to 1,999,999 | 8,085 |
| Establishment of a new home health agency, hospice, ambulatory surgery facility, or ((end-stage renal dialysis facility)) kidney disease treatment center | 0 | 3,100 | 2,000,000 to 2,499,999 | 8,990 |
| | 1- 100,000 | 4,800 | 2,500,000 to 2,999,999 | 9,975 |
| | 100,001 or more | 6,400 | 3,000,000 to 3,999,999 | 11,060 |
| | | | 4,000,000 to 4,999,999 | 12,255 |
| | | | 5,000,000 to 7,499,999 | 13,570 |
| Extension of the certificate of need validity period (projects involving plans review by construction review unit) | | 100 | 7,500,000 to 9,999,999 | 15,015 |
| | | | 10,000,000 to 14,999,999 | 16,650 |
| | | | 15,000,000 to 19,999,999 | 19,260 |
| | | | 20,000,000 to 29,999,999 | 20,545 |
| | | | 30,000,000 to 39,999,999 | 22,865 |
| Extension of the certificate of need validity period (other projects) | | 750 | 40,000,000 to 49,999,999 | 25,285 |
| | | | 50,000,000 to 64,999,999 | 28,015 |
| | | | 65,000,000 to 79,999,999 | 31,060 |
| | | | 80,000,000 to 99,999,999 | 34,485 |
| | | | 100,000,000 and over | 38,285 |
| Replacement of major medical equipment | Exp. min. - 1,500,000 | 4,500 | | |
| | 1,500,001 or more | 6,800 | | |
| Replacement of an existing health care facility | 1- 2,000,000 | 4,500 | | |
| | 2,000,001 - 5,000,000 | 6,800 | | |
| | 5,000,001 or more | 8,100 | | |
| Sale, purchase, or lease of part or all of an existing hospital | 1- 5,000,000 | 6,400 | | |
| | 5,000,001 or more | 9,700 | | |
| Substantial change in services, or offering a new tertiary health service | 0- 100,000 | 6,800 | | |
| | 100,001 - 2,000,000 | 8,900 | | |
| | 2,000,001 or more | 13,200 | | |
| Transfer of a certificate of need | | 2,300 | | |

(c) A nonrefundable two thousand dollar actuarial review fee surcharge for an application sponsored by an existing or proposed continuing care retirement community (CCRC) as defined in WAC 248-19-328 (3)(b).

((d) Until October 5, 1987, instead of a review fee as provided in subsection (1)(b) of this section, a review fee as provided in subsection (1)(d)(i) of this section for those undertakings as listed in subsection (1)(d)(ii) of this section:

(i) The following review fees shall be applied until October 5, 1987, for those undertakings listed in subsection (1)(d)(ii) of this section:

| Proposed Capital Expenditure | Review Fee |
|------------------------------|------------|
| \$ 0 to \$ 69,999 | \$ 1,000 |
| 70,000 to 84,999 | 1,670 |
| 85,000 to 99,999 | 1,930 |
| 100,000 to 129,999 | 2,215 |

(ii) The review fees provided in subsection (1)(d)(i) of this section shall apply until October 5, 1987, to the total capital expenditures associated with the following undertakings:

- (A) New nursing homes;
- (B) Nursing home bed additions;
- (C) Redistribution of beds from any of the following facility and service categories to skilled nursing care beds:
 - (I) Acute care;
 - (H) Boarding home care, or
 - (HH) Intermediate care for the mentally retarded;
- (D) Redistribution of beds from any of the following facility and service categories to intermediate care facility beds:
 - (I) Acute care, or
 - (H) Boarding home care;
- (E) Relocation of nursing home beds from one nursing home planning area to another nursing home planning area.

(iii) After October 4, 1987, the review fees provided under subsection (1)(b) of this section shall apply to all undertakings subject to certificate of need review:))

(2) For purposes of subsection((s)) (1)(b) ((and (1)(d))) of this section, "total capital expenditure" means the total project costs to be capitalized according to generally accepted accounting principles consistently applied, and includes, but is not limited to, the following:

- (a) Legal fees;
- (b) Feasibility studies;
- (c) Site development;
- (d) Soil survey and investigation;

- (e) Consulting fees;
- (f) Interest expenses during construction;
- (g) Temporary relocation;
- (h) Architect and engineering fees;
- (i) Construction, renovation, or alteration;
- (j) Total costs of leases of capital assets;
- (k) Labor;
- (l) Materials;
- (m) Equipment;
- (n) Sales taxes;
- (o) Equipment delivery; and
- (p) Equipment installation.

(3) ~~((The total capital expenditure for the acquisition of a unit of major medical equipment shall be determined as follows:~~

~~(a) If the equipment is not presently owned or leased by the applicant, the total capital expenditure shall include all the costs involved in the acquisition, installation, and trial preparation for patient usage; and~~

~~(b) If the equipment is presently owned or leased by the applicant, the total capital expenditure shall include the fair market value of the unit of major medical equipment at the time of application submittal, and all nonequipment costs listed under subsection (2) of this section that are required to prepare the equipment to serve inpatients.~~

~~(4)) Where more than one project description under subsection (1)(b) of this section applies to an application, the applicant shall use the project description and capital expenditure range with the highest review fee in calculating the payment to accompany the application submittal.~~

~~((5)) (4) The applicant shall accompany the submittal of an amendment to a certificate of need application with a fee consisting of the following:~~

~~(a) A nonrefundable processing fee of five hundred dollars;~~

~~(b) When the amendment increases the capital expenditure, or results in a project description with a larger review fee, an additional review fee based on the difference between the review fee previously paid when the application was submitted and the review fee applicable to the greater capital expenditure or new project description; and~~

~~(c) When the amendment decreases the capital expenditure, or results in a project description with a smaller review fee, the department shall refund to the applicant the difference between the review fee previously paid when the application was submitted and the review fee applicable to the smaller capital expenditure or new project description.~~

~~((6)) (5) When an application for a certificate of need is returned by the department in accordance with the provisions of WAC 248-19-280 (2)(b) or (e), the department shall refund all review fees paid.~~

~~((7)) (6) When an applicant submits a written request to withdraw an application ~~((prior to)) before the beginning of review, the department shall refund any review fees paid by the applicant.~~~~

~~((8)) (7) When an applicant submits a written request to withdraw an application after the beginning of review, but ~~((prior to)) before the ~~((close)) beginning of~~~~~~

the ~~((advisory review)) ex parte period as determined by the department consistent with WAC 248-19-326, the department shall refund one-half of all review fees paid.~~

~~((9)) (8) When an applicant submits a written request to withdraw an application after the ~~((close)) beginning of the ~~((advisory review)) ex parte period as determined by the department consistent with WAC 248-19-326, the department shall not refund any of the review fees paid.~~~~~~

~~((10)) (9) Other certificate of need program fees are:~~

~~(a) ~~((A nonrefundable two hundred fifty dollar processing fee for each notice of intent to acquire major medical equipment submitted to the department under the provisions of WAC 248-19-403;~~~~

~~(b)) A nonrefundable two hundred fifty dollar processing fee for each request for an exemption from certificate of need review submitted under the provisions of WAC 248-19-405(;); and~~

~~((c)) (b) A nonrefundable two hundred fifty dollar processing fee for each request for an exemption from certificate of need review submitted under the provisions of RCW 70.38.105 (4)(d).~~

WSR 89-21-043

PROPOSED RULES

WASHINGTON STATE PATROL

(Commission on Equipment)

[Filed October 13, 1989, 11:10 a.m.]

Original Notice.

Title of Rule: Standards for motor vehicle sunscreening devices.

Purpose: Repealing current, obsolete, chapter 204-82 WAC.

Statutory Authority for Adoption: RCW 46.37.005.

Statute Being Implemented: RCW 46.37.005.

Summary: Repeals current rule that is being replaced by WSR 89-21-006.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Lt. L. E. Klewin, 6604 Martin Way, Olympia, (206) 438-7219.

Name of Proponent: Washington State Patrol, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Repeals current at the same time the replacement, chapter 204-82A WAC, is adopted.

Proposal Changes the Following Existing Rules: Repeals them.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: State Patrol-Supply Conference Room, 4242 Martin Way, Olympia, WA 98504, on November 21, 1989, at 9:00 a.m.

Submit Written Comments to: Lt. L. E. Klewin, 6604 Martin Way, PQ-11, Olympia, WA 98504, by November 20, 1989.

Date of Intended Adoption: November 29, 1989.
 October 13, 1989
 George B. Tellevik
 Chief

Effective Date of Rule: Thirty-one days after filing.
 October 13, 1989
 George B. Tellevik
 Chief

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 204-82-010 AUTHORITY.
 WAC 204-82-020 PURPOSE.
 WAC 204-82-030 SCOPE.
 WAC 204-82-040 DEFINITIONS.
 WAC 204-82-050 GLAZING LOCATIONS AND RESTRICTIONS.
 WAC 204-82-060 CERTIFICATION BY MANUFACTURERS.

WSR 89-21-044
PERMANENT RULES
WASHINGTON STATE PATROL
(Commission on Equipment)
 [Filed October 13, 1989, 11:15 a.m.]

Date of Adoption: October 13, 1989.

Purpose: Establishes equipment requirements for all tow trucks, as well as business and operating rules for tow businesses that respond to State Patrol calls.

Citation of Existing Rules Affected by this Order: Amending chapter 204-91A WAC.

Statutory Authority for Adoption: RCW 46.61.567.

Pursuant to notice filed as WSR 89-18-080 on September 6, 1989.

Changes Other than Editing from Proposed to Adopted Version: WAC 204-91A-140(5) has been changed to clarify the conditions under which private tow rate fees must be assessed for State Patrol calls.

Proposed WAC 204-91A-140(5)

If an operator has a policy of discounting rates for private tow/storage services, that policy shall also be applied to services performed as the result of patrol calls. For example, if an operator has a policy of charging private customers one-half the hourly rate for the first one-half hour, (instead of charging full hour) the operator shall apply that policy to patrol-originated customers as well.

Changed to Read WAC 204-91A-140(5)

Any tow operator who charges the general public (i.e. private citizens) rates lower than those identified in the contractual agreement for services listed below shall charge the same lower rate for similar services performed as a result of state patrol originated calls.

(a) Roadside mechanical service, including fuel transfer, tire and belt changes, etc;

(b) Disabled vehicle tow/transportation;

(c) Storage;

(d) After hours release fees.

Any such price requirement shall not be imposed for unoccupied vehicle situations in which the owner/operator has had no prior contact with either the state patrol or the tow operator.

AMENDATORY SECTION (Amending Order 89-04-ESR, filed 6/23/89)

WAC 204-91A-030 DEFINITIONS. The following definitions shall apply throughout this chapter:

(1) "Patrol" means the Washington state patrol as defined in RCW 43.43.010.

(2) "Chief" means the chief of the Washington state patrol.

(3) "Department" means the Washington state department of licensing.

(4) "Director" means the director of the department of licensing.

(5) "Tow truck permit" means the permit issued annually by the department that has the classification of service the tow truck may provide stamped upon it.

(6) "Registered tow truck operator" or "operator" means any person who engages in the impounding, transporting, or storage of unauthorized vehicles, or in the disposal of abandoned vehicles.

(7) "Tow truck" means a motor vehicle that is equipped for and used in the business of towing or otherwise transporting other vehicles with specific equipment approved by the state patrol.

(8) "Tow truck number" means the number issued by the department to tow trucks used by a registered tow truck operator in the state of Washington.

(9) "Tow truck service" means the towing, moving, transporting, or impounding of vehicles, together with personal effects and cargo, by a registered tow truck operator utilizing equipment approved by the equipment and standards review section (ESR) of the patrol.

(10) "Highway" means the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

(11) "Place of business" means a building which the registered tow truck operator occupies, either continuously or at regular times, where tow business books and records are kept and tow business is transacted in each assigned tow zone.

(12) "Vehicle storage area" means the approved yard/buildings (primary and secondary) where stored vehicles are kept. The storage areas and fencing will comply with the requirements as established by the department and all local zoning rules and regulations. Both primary and secondary storage areas must be physically located within tow zone assigned to the operator.

(13) "Special event" means any event which causes an unusually large number of impounded vehicles and/or tow calls in a short period of time and is so declared by the district commander or designee.

(14) "Special event storage area" means an area used for temporarily storing vehicles impounded/towed from special events. Approval for such areas shall be obtained from the department, the patrol, and appropriate city and county jurisdictions.

(15) "District commander" means the commanding officer of an area established by the Washington state patrol.

(16) "Inspector" means a commissioned officer of the Washington state patrol who has been designated as a tow truck inspector by the patrol.

(17) "Tow zone" means that specific geographical area designated by the district commander for the removal of vehicles as defined in Title 46 RCW and this chapter.

(18) "ESR" means the equipment and standards review section of the Washington state patrol.

(19) "Letter of appointment" means a letter issued by the ESR that authorizes a registered tow truck operator to tow and store vehicles on a rotational or contractual basis, in a specific area, for the Washington state patrol. Effective October 15, 1989, the letter of appointment must have an attached valid contractual agreement listing the maximum tow rates that will be charged by the operator for services provided as a result of state patrol originated calls.

(20) "Initial tow" means services provided as a result of an original call, on a particular vehicle, that the tow operator receives from the patrol as a result of contract or rotational call list.

(21) "Secondary tow" means towing services from an operator's storage facility or place of business, to another location designated by the owner/agent of a vehicle that was initially towed as a result of call from the patrol.

(22) "Letter of contractual agreement" means the document, attached to the letter of appointment, that specifies the maximum tow rates that may be charged for services provided as a result of state patrol originated calls.

AMENDATORY SECTION (Amending Order 89-04-ESR, filed 6/23/89)

WAC 204-91A-060 APPLICATION FOR LETTER OF APPOINTMENT. (1) An application for a letter of appointment will not be considered or approved until the applicant is qualified as a licensed and registered tow truck operator with at least one approved "A" or "B" class tow truck. Additional trucks are optional.

Note: An exception may be made if an operator desires a letter of appointment for class "C" tows only. In such situations, only a class "C" truck is required.

Upon request, the ESR shall advise the applicant of the contents of the department's regulations and of the standards established for the issuance of a letter of appointment.

(2) An application for a letter of appointment to provide towing service for the patrol shall be filed by the applicant with the local state patrol district office on a form prescribed by the patrol. In the case of a partnership, each partner shall apply on the form prescribed. In the case of a corporation, the patrol may require that each of the present and any subsequent officers, managers, and stockholders holding ten percent or more of the total issued and outstanding stock of the applicant corporation complete an application form. A signed "letter

of contractual agreement" listing the maximum tow rates to be charged for services resulting from state patrol originated calls will be attached to the application.

(3) The district commander or designee shall complete tow zone portion of the form. He/she will enter "approved" or "disapproved" and will sign the form next to the zone designation. The application and "letter of contractual agreement" will be forwarded to the ESR section.

(4) The application form will be assigned a docket number, by the ESR, which shall be its permanent identification number for all matters relating to appointments, granted or denied, and any other correspondence with the ESR thereafter.

(5) The filing of an application for a letter of appointment does not in itself authorize the operator to provide towing services pursuant to this chapter until a letter of appointment has been issued by the ESR. However, nothing herein shall prohibit the patrol from calling the towing business upon the specific request of a person responsible for a vehicle or his agent.

AMENDATORY SECTION (Amending Order 89-04-ESR, filed 6/23/89)

WAC 204-91A-070 ISSUANCE OF A LETTER OF APPOINTMENT. (1) No towing operator shall be called to perform a towing service at the request of the patrol unless such operator has a letter of appointment as described in this chapter. No such letter of appointment will be issued unless all qualifications set out in this chapter have either been met by the applicant, or a waiver of those qualifications not met has been granted by the ESR.

(2) The ESR commander shall have the authority to issue letters of appointment upon request after receiving certification from the inspector and notice from the department that the requestor has been licensed as a registered tow truck operator.

If the ((patrol)) ESR shall find the requestor does not or will not meet all requirements and is not qualified for a waiver of the requirements, then such request shall be denied. The ((patrol)) ESR shall notify the requestor of its decision in writing, stating the reasons. If the request is approved, the ESR commander will issue the letter of appointment and forward it to the tow operator. The tow company will be admitted to the patrol's call list for the appropriate tow zone on the effective date of the letter.

If the district commander recommends denial of a request for a letter of appointment, the ESR commander shall notify the applicant and provide an opportunity for applicant to have a hearing as provided in chapter 34.05 RCW.

(3) A letter of appointment will be valid for one business, in a single tow zone, assigned by the district commander. Requests for additional letters of appointment in the same or another zone must be based on a complete and separate place of business capable of independent operation within the appropriate zone.

(4) A tow operator (or a district commander) may petition the ESR in writing for a waiver of one or more requirements. The ESR may grant a waiver if it finds that:

- (a) The towing service available to the patrol without the waiver is inadequate to meet the needs of the public;
- (b) The request is otherwise reasonable; and
- (c) The request has the district commander's approval.

In the event a qualified tow operator meeting all requirements and qualifications receives a letter of appointment in the same zone as a tow operator that had earlier been granted a waiver, the tow operator with a waiver will have the letter of appointment rescinded by the ESR and after notification will not be called for patrol-initiated tows.

(5) Every letter of appointment shall be issued in the name of the applicant and the holder thereof shall not allow any other person or business to use the letter of appointment.

(6) The letter of appointment will only be valid for the place of business named on the application and will not apply to any other place of business.

(7) A letter of appointment shall be valid until suspended, superseded, or revoked by the ESR.

(8) The holder of each letter of appointment must maintain at least one tow truck meeting the minimum class "A," "B," or "C" standards as listed in WAC 204-91A-170.

(9) All storage areas, primary and secondary, for each place of business must be in the tow zone assigned to that place of business.

AMENDATORY SECTION (Amending Order 89-04-ESR, filed 6/23/89)

WAC 204-91A-120 BUSINESS OFFICE HOURS AND RECORDS. Business hours for purposes of inspection of records, place of business, and towing equipment shall be 8 a.m. to 5 p.m., excluding weekends and holidays.

(1) When an operator is not open for business and does not have personnel present at the place of business, the operator shall post a clearly visible telephone number at the business location for the purpose of advising the public how to make contact for the release of vehicles or personal property.

(2) The operator shall maintain personnel who can be contacted twenty-four hours a day to release impounded vehicles within a thirty-minute period of time.

(3) All billing invoices shall be consecutively numbered and shall contain the following information:

- (a) Date of service and tow truck operator's name.
- (b) Time of departure in response to the call.
- (c) Time service completed.
- (d) Class of tow truck.
- (e) If the towing call is for a Washington state patrol request, another police agency, a private impound, or the result of a private citizen request.
- (f) All fees for service shall be itemized.
- (g) The date and time the vehicle was released.

Note: Yard cards containing the above information may be used for internal control of vehicles by the operator until the vehicle is released, sold, or otherwise disposed of. Yard cards shall be supplemental to, and shall not replace the invoice required above.

A copy of the invoice shall be filed by invoice number at the business location and a copy of any voided invoice shall be retained in this same file. Another copy of the invoice shall be included with the transaction file items identified in RCW 46.55.150.

AMENDATORY SECTION (Amending Order 89-04-ESR, filed 6/23/89)

WAC 204-91A-140 FEES. (1) All towing fees shall be based on a flat, hourly rate only and shall apply without regard for the hour of day, day of the week or whether the service was performed on a Saturday, Sunday, or holiday. The hourly rate for each class of truck shall be the only charge for services performed for initial tows and secondary tows performed during business hours. Charges for secondary tows performed during nonbusiness hours, on weekends or holidays, if different from the hourly rate, shall be negotiated and agreed upon with the vehicle owner/agent before the tow is made.

(2) The chief of the state patrol shall, prior to October 15 of each year, establish maximum hourly towing rates for each class of tow truck and maximum daily storage rates that tow operators may charge for services performed as a result of state patrol calls. The maximum rates shall be determined after consulting with members of the towing industry, review of current private towing rates, and such other economic factors as the chief may deem appropriate.

When signed by the chief (or his/her designee) and the tow operator, a contractual agreement to charge no more than the maximum rates shall become part of the operator's letter of appointment. The tow operator may, however, adopt a rate schedule charging less than the maximum rates established by the chief.

The hourly rate shall:

(a) Be ((consistent with rates charged to the general public for similar noncontractual or nonrotational)) the only basis used to compute total charges for towing services.

(b) Apply ((whether the call is occasioned by an)) when the call is made by the state patrol, for whatever reason, including but not limited to accidents, incidents, disableds, ((or)) and impound requests.

(c) ((Shall)) Include all ancillary activities such as, but not limited to, removal of glass and debris from the roadway and any other area referred to as the "scene or incident," necessary winching, dolly service, drive line removal, installing chains on the tow truck, installation of portable lights, vehicle hookup for towing or transporting, tire replacement (on vehicle to be towed) and standby time.

(d) ((Shall)) Be considered to include one person (the driver) per truck. Any charges for additional labor and/or ancillary vehicles (trailers, pickups, etc.), for removing debris, cargo, etc., must have prior authorization from the legal or registered owner/agent, or a member of the patrol at the scene.

(e) Be ((charged, when all services are performed within the operator's assigned tow zone,)) computed from the actual time the truck departs in response to a call until ((the towed-transported vehicle is dropped or

~~the service work is completed;))~~ it returns to the starting location or it begins responding to another call minus any down time.* The hourly rate shall be applied to the resulting net time and, after the first hour, shall be rounded to the nearest fifteen minutes. The operator may charge the hourly rate for the first hour or any portion thereof. After the first hour, no more than one-quarter of the hourly rate may be charged for each fifteen minutes of tow or service work performed.

* Down time includes coffee or meal breaks, personal errands by the operator, and/or any mechanical failure on the truck or equipment.

~~((In situations where the vehicle is towed at the direction of the owner, agent, or other responsible person, to a location outside of the operator's assigned zone, the operator may also charge at the base rate for the time necessary to return to his/her assigned zone via the most direct route.~~

~~(2))~~ (3) The basic storage fee ~~((shall))~~:

(a) Shall be calculated on a twenty-four-hour basis and shall be charged to the nearest half day from the time the vehicle arrived at the secure storage area; and

(b) Shall be the same for all three and four-wheel vehicles less than twenty-five feet in length; and

(c) ~~((Charges))~~ For ~~((storage of))~~ vehicles or combinations exceeding twenty-five feet shall be computed by multiplying each twenty-five feet of vehicle length, or any portion thereof, by the basic storage fee;

(d) ~~((Storage fees))~~ For two-wheel motorcycles shall be one-half the basic storage fee for three and four-wheel vehicles.

~~((3))~~ (4) After hours release fee. If an operator or employee is already present, for other reasons, at the storage facility after business hours when a customer arrives, the vehicle and/or property shall be released as if it were during business hours. No "after hours fee" may be assessed. If the operator or employee is called to the place of business specifically for the purpose of releasing the vehicle and/or property, an "after hours fee," equivalent to ~~((one and))~~ one-half ~~((days basic storage))~~ of the maximum Class "A" hourly rate, may be assessed.

(5) Any tow operator who charges the general public (i.e., private citizens) rates lower than those identified in the contractual agreement for services listed below shall charge the same lower rate for similar services performed as a result of state patrol originated calls.

(a) Roadside mechanical service, including fuel transfer, tire and belt changes, etc.;

(b) Disabled vehicle tow/transportation;

(c) Storage;

(d) After hours release fees.

Any such price requirement shall not be imposed for unoccupied vehicle situations in which the owner/operator has had no prior contact with either the state patrol or the tow operator.

AMENDATORY SECTION (Amending Order 89-04-ESR, filed 6/23/89)

WAC 204-91A-180 VEHICLE TOWING/OPERATOR QUALIFICATIONS, RESTRICTIONS,

AND REQUIREMENTS. In addition to the requirements contained in WAC 204-91A-170, tow truck operators appointed pursuant to this chapter shall conform to all laws and administrative rules pertaining to the tow industry and shall observe the following practices and procedures:

(1) When called by the patrol, the tow truck operator will dispatch a tow truck, from within the assigned zone, within five minutes during normal business hours.

(2) Tow trucks dispatched at the request of the patrol after normal business hours will be on the move within the assigned zone within fifteen minutes after receiving the call.

(3) The tow truck that is dispatched will arrive at the stated location within a reasonable time considering distance, traffic, and weather conditions.

(4) If for any reason a tow operator is unable to dispatch a tow truck within the stated time or if the dispatched truck will be delayed for any reason, the operator shall so advise the patrol stating the reason and estimated time of arrival. In the event the tow truck fails to arrive at the scene within a reasonable time, the patrol will contact another tow operator to respond to the scene and will cancel the original tow.

(5) A tow operator on rotation who is unable to dispatch or arrive within the times stated in subsections (1), (2), (3), and (4) of this section will forfeit his turn and be placed at the bottom of the rotation list as if he had responded.

(6) Consistent refusal or failure of the appointee to respond to calls from the patrol for towing services and/or to provide the requested services may result in the suspension or revocation of the tow operator's letter of appointment.

(7) The tow operator shall advise the appropriate patrol office when the tow company is temporarily unavailable to respond to rotational calls with a class "A," "B," or "C" tow truck. Unavailability may occur due to conditions such as, but not limited to, other tow truck commitments, tow truck disabled and/or under repair, unforeseen driver shortage due to illness, etc. The period of unavailability may last less than an hour or much longer. The tow operator will give the reason for unavailability and approximately when the company will be available to respond to calls.

The tow company will be removed from the rotational list and will not be called until the operator advises the patrol that the company is once again able to respond to calls with an "A," "B," or "C" class truck. In all such cases, the tow company will resume its normal position on the rotational list without regard to any missed calls or its position prior to being unavailable.

(8) The tow operator will advise the patrol whenever a private call is received for a tow with circumstances that indicate that the tow is for a vehicle which has been involved in an accident, incident, or equipment breakdown on the public roadway. The tow operator also will advise the patrol of all private calls to motor vehicle accidents on private property resulting in bodily injury or death.

(9) The tow operator will notify the patrol before moving any vehicle involved in an accident on a public highway under the jurisdiction of the patrol as defined in

the motor vehicle code, Title 46 RCW, or where it appears that the driver of the vehicle to be moved is under the influence of intoxicants or drugs, or is otherwise incapacitated.

(10) When the patrol is in charge of an accident scene or other such incident, a tow operator shall not respond to such scene unless his services have been specifically requested by the patrol, the driver/owner, or his agent.

(11) The tow operator shall be available, or will ensure that specific employees are available, twenty-four hours a day for the purpose of receiving calls or arranging for the release of vehicles. Business hours will be posted conspicuously at the operator's place of business so they can be seen during business hours and nonbusiness hours. A copy will also be sent to the ESR and patrol district commander of the district in which the tow operator does business. Changes of business hours will be sent to the department, the ESR, and the patrol district commander ten days before their effective date.

(12) The tow operator will notify the appropriate patrol office of the release of stored vehicles within five working days after the release of such vehicle. Notification to the patrol will be made in such a manner as prescribed by the ESR commander.

(13) The operator shall post a current copy of tow and storage rates, on a form approved by the department and the patrol, in the following locations:

(a) At the entrance to the place of business, in a conspicuous location, plainly visible and readable by members of the public, whether the business is open or closed. If, in order to meet this requirement, the rate sheets must be placed in a location, exposed to the elements, they shall be protected so as to remain legible.

(b) Inside the business location, where business is commonly transacted. The rate sheets shall be posted in such manner as to be clear and plainly visible and readable at all times by customers of the business.

(c) A copy of the current rates will be sent to the department, the ESR, and the patrol district commander of the district in which the tow operator has applied for a letter of appointment. Notice of any change(s) in service rates will be forwarded to the department, the ESR, and the district commander of the area ten days before the effective date of the changes. Charges made for towing services arising from calls initiated by the patrol shall be consistent with current posted towing rates and shall be based only upon services listed on the prescribed form.

(d) In the event that an operator has only a class "B" truck and utilizes it for class "A" and "B" type tows, the operator shall file a rate sheet that specifies the rates charged for the different types of tows.

Whenever any operator utilizes a larger truck than the towed vehicle warrants, the operator shall charge fees based on the size of the towed vehicle not the size of the truck used.

EXAMPLE: A class "C" truck is used, at the operator's discretion, to tow a class "B" size vehicle. The fees charged shall be those for a class "B" truck NOT a class "C."

(14) Charges made for towing services arising from calls initiated by the patrol shall ~~((be consistent with~~

~~charges made for similar services performed at the request of the general public)) not exceed the maximum rates established by the chief.~~

(15) Unless other arrangements are made with commissioned patrol personnel at the scene, all impounded vehicles shall be taken to the tow operators nearest approved storage location.

(16) The tow operator will maintain, for three years, records on towed and released vehicles which were towed at the request of the patrol. This record will include, but not be limited to:

(a) An itemized receipt of all charges for the services provided.

(b) An inventory sheet or copy thereof made out by the trooper at the scene of the tow and signed by the operator.

(c) All other records required by the department.

Such records will be available for inspection by the patrol during normal business hours at the operator's place of business.

(17) The tow operator will sign an inventory sheet made out by the patrol officer at the scene.

(18) Tow operators will obtain and maintain current registration as a licensed tow truck operator pursuant to RCW 46.55.020.

(19) Tow operators shall perform towing tasks competently. The standard of competence shall be that quality of work which is accepted as efficient and effective within the towing industry.

(20) No tow operator, employee, or agent shall misappropriate, wrongfully convert to his/her own use, or abuse property belonging to another and entrusted to his/her care or storage.

(21) Tow truck operators will use emergency lights to warn other motorists only when at the scene of accidents, disabled vehicles, and/or recoveries. Such lighting shall not be used when traveling to or from the scene.

(22) Tow truck operators shall be responsible for cleaning accident/incident scenes of all vehicle glass and debris.

(23) Specific operating restrictions and/or requirements, by truck class, are as follows:

(a) The standard air brake release tools (caging stud assemblies) required to be carried in the class "B" and "C" trucks shall be used, whenever necessary, to preserve potential evidence involving brake equipment or adjustment settings. When an operator is attempting to move a vehicle equipped with locked spring parking brakes that cannot be released by external air supply, the caging assemblies shall be used to release the brake tension. Under no circumstances shall the towed vehicle's brake assemblies or adjustments be moved or disturbed in any way that will prevent later determination of the preaccident or incident settings.

(b) Class "B" trucks in excess of twenty-three thousand pounds gross vehicle weight rating need not carry dollies when towing or recovering heavy vehicles.

(c) Class "D," "E," and "S" trucks shall not be used to respond to initial calls unless specifically authorized by patrol personnel at the scene or by local written policy approved by the district commander.

(d) Class "E" trucks shall:

(i) Have, when used for multiple vehicle towing/recovery (one on bed, one in tow) from the same location, all invoice charges (~~shall be~~) evenly divided between the vehicles so transported;

(ii) Not be operated in excess of either gross vehicle weight rating or purchased tonnage weight limits;

(iii) Be required to carry its portable lights only when used in a towing mode.

(24) Whenever a "special event or overflow" storage lot is approved by the department, the patrol and appropriate city/county jurisdictions, the operator shall maintain personnel at the lot twenty-four hours per day for security and vehicle and/or personal property release. If necessary, reimbursement for such labor shall be part of the contract for the "special event" if appropriate or by amended storage rates with a waiver of the ten-day rate change notice requirement approved by the department and the patrol.

At the conclusion of a "special event or overflow" situation, all vehicles not reclaimed by the owner shall be towed to the operator's regular storage facility and processed in the normal fashion. No additional fee shall be charged for towing the vehicle from the overflow lot to the regular facility.

(25) All work performed by the operator and/or employee shall be in the most professional and expeditious manner. All invoices and other required forms shall be completed accurately and promptly.

(26) Tow operators shall, when required by the patrol or the department, cause to be displayed on each approved truck, decals indicating truck class, patrol district, and/or assigned tow zone.

WSR 89-21-045

PROPOSED RULES

DEPARTMENT OF GENERAL ADMINISTRATION

(Division of Banking)

[Filed October 13, 1989, 11:37 a.m.]

Original Notice.

Title of Rule: Small Business Administration 7(a) loan guaranty program nondepository lenders—Licensing and regulation.

Purpose: To provide guidelines for application for a license to operate a nondepository small business lending venture under the auspices of the United States Government Small Business Administration guaranty program known as the SBA 7(a) program, and for the ongoing regulation of these lenders as required by statute.

Statutory Authority for Adoption: Section 3(1), chapter 212, Laws of 1989.

Statute Being Implemented: Section 3(1), chapter 212, Laws of 1989.

Summary: The rule has seven sections dealing with the rule's purpose, application procedures, application format, continuing operations of licensees, recordkeeping and reports, and fees. It is being issued as a specific requirement of the above statute to allow nondepository lenders to make certain guaranteed loans under the referenced SBA program.

Reasons Supporting Proposal: Additional lenders offering SBA guaranteed loans will be beneficial to the area economy by stimulating small business growth and general employment. By providing regulatory oversight of these lenders, they become eligible to apply for SBA participation approval.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Thomas H. Oldfield, Olympia, (206) 753-6520.

Name of Proponent: Supervisor of the Division of Banking, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: Funds in the amount of \$25,000 were appropriated in the statute for costs to the division of banking for development and implementation of the rules.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule will provide guidelines for application for a license to operate as a nondepository small business lending venture under the auspices of the United States Government Small Business Administration guaranty program known as the SBA 7(a) program, and for the ongoing regulation of these lenders as required by statute. The rule is being issued as a specific requirement of the statute to allow nondepository lenders to make certain guaranteed loans under the referenced SBA program. SBA regulations require that such lenders be regulated by an appropriate state authority prior to their receiving SBA approval to participate in the program. The SBA has reviewed the proposed rules and has determined them to be consistent with the 7(a) loan program. Additional lenders offering SBA guaranteed loans will be beneficial to the area economy by stimulating small business growth and general employment. By establishing the capability to provide regulatory oversight of these new lenders, they become eligible to apply for SBA participation approval, and as approved will add new sources of capital to the economy.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Office of the Division of Banking, 219 General Administration Building, Olympia, WA 98504, on November 21, 1989, at 9:00 a.m.

Submit Written Comments to: Thomas H. Oldfield, Supervisor or John L. Bley, Deputy Supervisor, Room 219, General Administration Building, Olympia, WA 98504-0622, by November 21, 1989.

Date of Intended Adoption: November 21, 1989.

October 13, 1989

Thomas H. Oldfield
Supervisor of Banking

Chapter 50-56 WAC
SMALL BUSINESS ADMINISTRATION 7(A) LOAN GUARANTY PROGRAM NONDEPOSITORY LENDERS—LICENSING AND REGULATION

WAC

50-56-010

Purpose.

| | |
|-----------|-------------------------|
| 50-56-020 | Application procedures. |
| 50-56-030 | Application format. |
| 50-56-040 | Continuing operations. |
| 50-56-050 | Records. |
| 50-56-060 | Reports. |
| 50-56-070 | Examinations. |
| 50-56-080 | Fees. |

NEW SECTION

WAC 50-56-010 **PURPOSE.** The purpose of this chapter shall be to provide guidelines for application for a license to operate a nondepository small business lending venture under the auspices of the federal Small Business Administration (SBA) guaranty program known as the 7(a) loan guaranty program. Specifics of the program are set forth in section 7(a) of the federal "Small Business Investment Act of 1958," 15 U.S.C., part 636(a). These rules also establish other regulatory oversight guidelines and provide for fees. These rules are promulgated under the general rule-making authority of the state supervisor of banking, and are required under legislation passed by the legislature (section 3(1), chapter 212, Laws of 1989.)

NEW SECTION

WAC 50-56-020 **APPLICATION PROCEDURES.** An application for state license to operate a nondepository small business lending venture to qualify for participation in the SBA 7(a) program shall be filed with the supervisor at the division of banking and shall include such fees as established elsewhere in these rules. As a matter of general procedure, it is recommended that interested parties visit the office of the supervisor prior to submitting their application to review statutory and other requirements for this action.

NEW SECTION

WAC 50-56-030 **APPLICATION FORMAT.** Applicants may use the same documentation as required by the SBA for their approval of the lender to the extent that such documentation meets the requirements of statute and these rules unless waived by the supervisor. The application must contain the following:

- (1) Applicant's name, address, and telephone number.
- (2) A statement that the applicant is incorporated under the Washington Business Corporation Act or the Washington Nonprofit Corporation Act and a copy of applicant's Articles of Incorporation and Bylaws, properly certified.
- (3) A list of officers, directors, associates, and all holders of ten or more percent of any class of the applicant's capital stock.
- (4) A statement of personal history of all those listed in subsection (3) of this section. SBA Form 1081 or its equivalent may be used.
- (5) A copy of the most recent audited financial statement of any entity other than a natural person holding ten or more percent of any class of stock of the applicant.
- (6) An organizational chart showing the relationship of the applicant to its affiliates, as well as the applicant's internal organizational structure.
- (7) Copies of the last three audited financial statements of the applicant, and supporting tax returns.
- (8) Applicant's business plan which should include at a minimum:
 - (a) A detailed pro forma financial projection for at least three years of operations.
 - (b) A market study of the intended geographical area of operations.
 - (c) An explanation of applicant's method of funding loans, including the unguaranteed portion.
 - (d) An outline of loan servicing procedures proposed.
- (e) Copies of written policies and procedures to be used, which must include policies requiring disclosure of conflicts of interest of affiliates, directors, officers, and employees; prohibiting false statements or representations to the supervisor; and preventing fraud or undue influence by the licensee.
- (9) Certified copy of a resolution by the applicant's board of directors designating the person(s) authorized to act on behalf of applicant.
- (10) An opinion of independent counsel that the applicant is in compliance with applicable state and federal laws in the formation and organization of the company, with applicable securities laws, and is chartered to conduct its business in the proposed operating area.
- (11) Such marketing materials as may have been prepared that portray the nature of applicant's operations.

(12) Copies of all bonds in effect for directors, officers, and employees.

(13) Other such information as the supervisor may require.

NEW SECTION

WAC 50-56-040 **CONTINUING OPERATIONS.** Licensees shall maintain an adequate financial condition.

(1) Minimum capital (unimpaired paid-in capital, surplus, and undivided profits) shall be in the amount of five hundred thousand dollars or five and one-half percent of total assets, whichever is greater, or such greater amount should the supervisor determine that applicant's business plan or economic conditions require such greater amount to conduct the business of a 7(a) lender. The supervisor may consider and include the net worth of any corporate shareholder of the applicant if the shareholder agrees to unconditionally guarantee the liabilities of the applicant and that shareholder agrees to the reporting requirements set forth in WAC 50-56-060.

(2) Capital below the required amount precludes the presentation of additional loans to the SBA for guaranty without the written consent of the supervisor.

(3) Licensees shall maintain a reserve for anticipated loan losses appropriate to its needs, based on the following factors:

(a) The volume and mix of the existing loan portfolio, including the volume and severity of nonperforming loans and adversely classified credits, as well as an analysis of net charge-offs experienced on previously classified loans.

(b) The extent to which loan renewals and extensions are used to maintain loans on a current basis and the degree of risk associated with such loans.

(c) The trend in loan growth, including any rapid increase in loan volume within a relatively short time period.

(d) General and local economic conditions affecting the collectibility of the licensee's loans.

(e) Previous loan loss experience by loan type, including net charge-offs as a percent of average loans over the past several years.

(f) The relationship and trend over the past several years of recoveries as a percent of previous year's charge-offs.

(g) Available outside information of a comparable nature regarding the loan portfolios of other such lenders.

NEW SECTION

WAC 50-56-050 **RECORDS.** Licensees shall maintain records in a fashion consistent with a financial institution and shall have them at all times readily accessible to the supervisor. Records shall be preserved under the following schedule:

- (1) Preserve permanently:
 - (a) All general and subsidiary ledgers reflecting asset, liability, capital stock and surplus and income and expense accounts.
 - (b) All general and special journals or other records forming the basis for entries in such ledgers.
 - (c) Articles of incorporation, bylaws, stock registers, licenses, and minutes of board of directors meetings.
- (2) Preserve for at least six years following final disposition of the related loan:
 - (a) All applications for financing.
 - (b) Financing instruments.
 - (c) Lending participation agreements.
 - (d) Escrow agreements.
 - (e) All other documents and supporting material relating to such loans, including correspondence.

Records and other documents in subsections (1) and (2) of this section may be preserved by reproduction. Provided, however, that the licensee shall prepare a duplicate reproduction which shall be stored separately from the original for the time required. If such reproductions are used, the licensee shall maintain at all times facilities for the projection and reproduction of such records.

NEW SECTION

WAC 50-56-060 **REPORTS.** Licensees shall submit the following reports to the supervisor:

- (1) Annual audits prepared in accordance with general accepted accounting principles which shall be certified unless the supervisor makes other provision in writing in advance.

(2) Quarterly financial reports which shall include a balance sheet and income and expense statement for both the period and year to date.

(3) A notification of any suit or proceeding involving fraud or dishonesty where the licensee or an employee may be a party, or where an adverse judgment could contribute materially to the impairment of the licensee's capital. Such notification must be forwarded with copies of the complaint within thirty days of the filing of such action.

NEW SECTION

WAC 50-56-070 EXAMINATIONS. The supervisor will conduct examinations of licensees as provided by statute and will forward a report of examination to the licensee's board of directors for information and action as appropriate. These examination reports and all subsequent and related correspondence are the property of the supervisor and will be subject to the same confidentiality requirements as established for financial institutions regulated by the division of banking.

NEW SECTION

WAC 50-56-080 FEES. The cost of regulation of nondepository lenders licensed under Title 31 RCW, shall be borne by the licensees under the following schedule:

(1) Application fee. A fee of two thousand dollars must accompany an application for this license to cover the cost of investigation.

(2) Acquisition of control approval fee. A fee of two thousand dollars must accompany any request for acquisition of control of a licensee to cover the cost of investigation which will be conducted to the same degree as an initial application approval.

(3) Business combination fee. Other business combinations must be approved by the supervisor. Costs of investigation will be borne by the licensee and will be based on actual staff costs of the division of banking, which are fifty dollars per hour per examiner assigned.

(4) Examination and supervision fees. Examination and supervision fees shall be billed based on rates charged commercial banks for examination costs and semiannual asset charges in chapter 50-44 WAC.

WSR 89-21-046
PERMANENT RULES
DEPARTMENT OF
SERVICES FOR THE BLIND

[Filed October 13, 1989, 1:50 p.m.]

Date of Adoption: October 13, 1989.

Purpose: Housekeeping changes.

Citation of Existing Rules Affected by this Order: Amending WAC 67-35-020, 67-35-090, 67-35-120, 67-35-310, 67-35-430 and 67-35-910.

Statutory Authority for Adoption: Chapter 74.18 RCW.

Pursuant to notice filed as WSR 89-18-013 on August 25, 1989.

Changes Other than Editing from Proposed to Adopted Version: Remove the word "terminate" from WAC 67-35-430; add "on the job" to WAC 67-35-430; and specify that the vendors committee consist of seven vendors elected by vendors representing three regions of the state, WAC 67-35-120.

Effective Date of Rule: Thirty days after filing.

October 13, 1989
Bonnie Jean Jindra
Assistant Director
Administration

AMENDATORY SECTION (Amending Order 84-06, filed 4/16/84)

WAC 67-35-020 APPLICATION—HOW TO APPLY. The public may obtain additional information about the program, including how to apply for services by contacting the ~~((vending facility program staff (the vending facility program administrator and vending facility program assistant)))~~ business enterprise program staff at the Department of Services for the Blind, ((921 Lakeridge Drive)) 521 East Legion Way, ((#202)) Mailstop FD-11, Olympia, WA ((98504-0088)) 98504-1422, phone (206) ((754-1224)) 586-0277, toll-free 1-800-552-7103(, or by contacting department of services for the blind offices located in several large cities of the state)). An application for service under the ~~((vending facility))~~ business enterprise program ((may)) must be made to a vocational rehabilitation counselor located in any office of the department of services for the blind.

AMENDATORY SECTION (Amending Order 83-09, filed 12/15/83)

WAC 67-35-090 ASSIGNMENT TO A VENDING FACILITY—AGREEMENT. To execute the assignment of a licensee or vendor to a vending facility, the licensee or vendor shall enter into an agreement with the department which states the terms and conditions of the assignment to the specific vending facility. The department will provide each vendor with a copy of these rules which include the description of the arrangements for providing services. The department will take adequate steps to assure that each vendor understands the provisions of any permit, contract or agreement under which he/she operates as evidenced by the vendor's signed statement. No vendor will operate a vending facility unless he/she signs a vendor agreement. An existing agreement between the department and a vendor is automatically terminated when the vendor signs a new agreement with the department.

AMENDATORY SECTION (Amending Order 83-09, filed 12/15/83)

WAC 67-35-120 STATE COMMITTEE OF BLIND VENDORS—ELECTION—REPRESENTATION—MEETINGS. The committee of blind vendors consists of seven vendors elected by vendors ~~((divided into))~~ representing three geographical areas of the state, Eastern Washington, Northwest Washington, and Southwest Washington. ((One committee vendor is elected by vendors in eastern Washington (east of the Cascade Mountains). Three committee vendors are elected by vendors in northwest Washington including Pierce County through Whatcom County. Two committee vendors are elected by vendors in southwest Washington including Thurston County through Clark County.)) A minimum of one vendor will be elected from each geographical area and one committee vendor is elected at large by all vendors on a state-wide basis.

(1) Members of the committee are elected for a two-year term and are elected during the month of January ~~((of each even-numbered year))~~. Four of the committee members are elected during odd-numbered years and

three committee members are elected during even-numbered years. Any vendor serving as a representative who chooses to transfer ((or)), ceases to be a vendor, or who promotes to a vending facility outside the area that ((individual)) he/she represents, thereby relinquishes membership in the vendors committee. The vendors in an area having lost such vendor committee representation shall elect a replacement vendor committee person for the remainder of that term. All vendors are entitled to vote in the election. The committee elects its own ((chairperson)) chair and vice-chair.

((Note: The vendors are urged to constitute the blind vendors committee so that it is representative of the various types of vending facilities including those established on federal and nonfederal property and those that are cafeterias, snack bars, dry stands, lunch counters and vending machine facilities.))

(2) There ((are two scheduled)) will be a minimum of four blind vendor committee meetings per year. Additional meetings can be called by the ((supervisor)) manager of the ((vending facility)) business enterprise program or by the ((chairperson)) chair of the ((blind)) vendors committee.

(3) The department will conduct all elections and pay for all expenses in connection therewith and publish the results.

AMENDATORY SECTION (Amending Order 85-12, filed 8/30/85)

WAC 67-35-310 PUBLIC LIABILITY INSURANCE. The vendor shall obtain and maintain continuously public liability insurance with limits of liability not less than:

- ~~((\$500,000.00))~~ \$1,000,000.00 each person personal injury,
- ~~((\$500,000.00))~~ \$1,000,000.00 each occurrence personal injury, and
- ~~((\$500,000.00))~~ \$1,000,000.00 each occurrence property damage; or insurance coverage specified in the permit or contract, whichever is greater. A vendor operating a vending facility is required by the department to have this insurance and is required to provide proof of insurance to the department on an annual basis. Failure to have this insurance will result in suspension.

AMENDATORY SECTION (Amending Order 83-09, filed 12/15/83)

WAC 67-35-430 REASONS FOR SUSPENSION OF LICENSE ((SUSPENSION)) PRIOR TO EVIDENTIARY HEARING. If the department determines that its right, title to and interest in a vending facility is in eminent jeopardy due to the action, or lack of action of the vendor or licensee, the department may suspend ((or terminate)) the license of the vendor or licensee and remove the vendor or licensee from the vending facility, pending an informal resolution of the problem, a full evidentiary hearing, or the decision of an ad hoc arbitration panel. ((For purposes of this section, the department's interest in a vending facility includes the safety

and well-being of the patrons of such facility.)) The department may suspend a vendor or licensee for the following reasons:

(1) Failure to provide the department with vendor financial reports, and to provide them within the established time frame.

(2) Failure to purchase vendor liability insurance for his/her vending facility as required in WAC 67-35-310 and/or failure to provide the department with proof of said insurance.

(3) The vendor ceases to meet any of the requirements to qualify as a licensee or vendor as required in chapter 67-35 WAC.

(4) The vendor or licensee abandons the vending facility. The vending facility shall be considered abandoned when no services are provided for three or more consecutive working days and/or when there is no designated employee in charge of the operation.

(5) When the department decides that the vending facility is not being operated in accordance with the law, applicable regulations, terms and conditions of the permit, and/or contract or the vendor agreement governing such vending facilities.

(6) Any willful or malicious destruction of, theft of, or any failure to exercise necessary care for the equipment furnished by the department or agency named in the permit and/or contract.

(7) When the conduct of the vendor seriously interferes with any aspect of the operation of the vending facility. Such conduct includes, but is not limited to, the following:

- (a) Fraud.
- (b) Consumption of controlled substances and/or alcohol on the job.
- (c) Inexcusable neglect of duties as a vendor.
- (d) Embezzlement.
- (e) Falsifying reports.
- (f) Failure to submit to a medical eye examination when requested by the department.
- (g) Any other actions or behavior which would seriously jeopardize the vending facility.
- (h) Failure to pay taxes, fees, and/or debts arising from the operation of the vending facility.

AMENDATORY SECTION (Amending Order 83-09, filed 12/15/83)

WAC 67-35-910 VENDOR AGREEMENT.

This VENDOR AGREEMENT entered in this day of, 19.. by and between the Department of Services for the Blind, hereinafter referred to as the department, and, hereinafter referred to as the vendor.

Name and Address of Facility
City:, Washington

IT IS HEREBY AGREED:

- 1. The provisions of the permit and/or contract between the department and the property management as now exists ((or as may be renegotiated in the future;)) and chapter

67-35 WAC (the ~~((vending facility))~~ business enterprise program rules), which described the rights and responsibilities of the department and the rights and responsibilities of the vendor, as presently exist ~~((or as may be amended in the future;))~~ are both by reference incorporated into and made part of this agreement.

- 2. The vendor is entitled to all profits of the vending facility, and vending machine revenue from site, except as provided for in WAC 67-35-140.
- 3. The vendor is responsible to submit reports to the department as required.
- 4. The vendor must maintain the business hours agreed upon or as stated in the permit and/or contract.
- 5. The vendor shall receive a copy of the permit and/or contract and all applicable department rules.
- 6. The vendor shall obtain and maintain continuously public liability insurance with limits of liability not less than:
~~(((\$500,000.00))~~ \$1,000,000.00 each person personal injury,
~~(((\$500,000.00))~~ \$1,000,000.00 each occurrence personal injury, and
~~(((\$500,000.00))~~ \$1,000,000.00 each occurrence property damage or insurance coverage specified in the permit and/or contract, whichever is greater.
- 7. Vendors are accountable to the department for equipment assigned to their location. The vendor is responsible for maintaining the equipment in a clean and sanitary condition.
- 8. The vendor shall not discriminate in the employment of persons on the grounds of race, color, sex, national origin, creed or religion, physical or mental impairment, age, marital status or political affiliation.
- 9. The vendor or the vendor's employees shall not subject customers to discrimination or deny them participation in, or the benefits of the vending facility on the grounds of race, color, sex, national origin, creed or religion, physical or mental impairment, age, marital status or political affiliation.
- 10. The department staff shall provide management services as defined in WAC 67-35-030 on a systematic basis. Consultation shall occur ~~((at))~~ at least ((bi-monthly)) on a semi-annual basis.
- 11. The department may upon thirty days notice terminate the license and/or terminate the agreement with the vendor for failure to operate the facility in accordance with the

permit and/or contract or the vending facility rules and shall provide an opportunity for a full evidentiary hearing as provided for in WAC 67-35-420, except in those instances where aggravated emergency conditions require immediate termination of license and/or termination of agreement and removal of the vendor due to gross neglect or misconduct, as provided for in WAC 67-35-430.

- 12. The vendor may terminate this agreement upon giving thirty days written notice to the department.
- 13. This agreement is automatically terminated when the permit or contract with the contracting agency is terminated.
- 14. The vendor will sign a facility equipment and stock agreement.

I HEREBY CERTIFY THAT I FULLY UNDERSTAND THE ARTICLES AND TERMS SET FORTH IN THE ABOVE AGREEMENT AND HAVE RECEIVED ~~((ALL NECESSARY EXPLANATIONS))~~ COPIES OF THE FACILITIES OPERATING PERMIT AND/OR CONTRACT AND THE ((VENDING FACILITY)) BUSINESS ENTERPRISE PROGRAM RULES ((AND HAVE RECEIVED WRITTEN COPIES THEREOF)).

Signed: Date:, 19..
(Vendor)

Name of vendor:
(please type)

Signed: Date:, 19..
(Department of Services for the Blind)

Name of staff:
Title:

WSR 89-21-047
PROPOSED RULES
LOTTERY COMMISSION
[Filed October 13, 1989, 2:03 p.m.]

Original Notice.

Title of Rule: WAC 315-11-500 Definitions; 315-11-501 Criteria; 315-11-502 Ticket validation requirements; 315-11-510 Definitions; 315-11-511 Criteria; 315-11-512 Ticket validation requirements; 315-11-520 Definitions; 315-11-521 Criteria; and 315-11-522 Ticket validation requirements.

Purpose: To establish the game play rules and criteria for determining winners of Instant Game Numbers 50, 51 and 52.

Statutory Authority for Adoption: RCW 67.70.040.

Statute Being Implemented: RCW 67.70.040.

Summary: See above.

Reasons Supporting Proposal: To establish instant game rules.

Name of Agency Personnel Responsible for Drafting: Judith Giniger, Licensing/Contracts Manager, Olympia, (206) 586-1088; Implementation and Enforcement: Evelyn Y. Sun, Director, Olympia, (206) 753-3330.

Name of Proponent: Washington State Lottery Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: For each instant game certain terms must be defined in order to provide consistency in the game play rules. The play criteria will explain how the game functions to licensed retailers and players. Rigid validation requirements are set forth which will prevent the lottery from paying out prize money on invalid tickets.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

The lottery has considered whether this rule is subject to the Regulatory Fairness Act chapter 19.85 RCW, and has determined that it is not for the following reasons: The rule has no economic impact on businesses' cost of equipment, supplies, labor or administrative costs. The rule is designed to establish rules and procedures for the playing of instant lottery games; and the rules will have a negligible impact on business because they are interpretive. They have been promulgated for the purpose of stating policy, procedure and practice and do not include requirements for forms, fees, appearances or other actions by businesses.

Hearing Location: Washington State Lottery, Region 3 Office, 5963 Corson Avenue South, Suite 106, Seattle, WA 98108, on December 1, 1989, at 10:00 a.m.

Submit Written Comments to: Judith Giniger, Washington State Lottery, P.O. Box 9770, Olympia, Washington 98504-9770, by November 30, 1989.

Date of Intended Adoption: December 1, 1989.

October 12, 1989
 Evelyn Y. Sun
 Director

NEW SECTION

WAC 315-11-500 DEFINITIONS FOR INSTANT GAME NUMBER 50 ("WALL STREET"). (1) Play symbols: The following are the "play symbols": "\$1.00"; "\$2.00"; "\$4.00"; "\$5.00"; "\$6.00"; "\$7.00"; "\$9.00"; "\$10.00"; "\$20.00"; "\$50.00"; "\$60.00"; "\$70.00"; "\$100"; "\$200"; "\$500"; "\$700"; "\$1,000"; "\$1,500"; "\$10,000"; "\$20,000"; "\$30,000"; and "\$40,000". One of these symbols appears under each of the three rub-off spots in the "buy" column and under each of the three rub-off spots in the "sell" column in the play field on the front of the ticket.

(2) Play symbol captions: The small printed characters appearing below each play symbol which correspond with and verify that play symbol. The caption is a spelling out, in full or in abbreviated form of the play symbol. One and only one caption appears under each play symbol. For Instant Game Number 50, the captions which correspond with and verify the play symbols are:

| PLAY SYMBOLS | CAPTION |
|--------------|---------|
| \$ 1.00 | ONE |
| \$ 2.00 | TWO |
| \$ 4.00 | FOR |
| \$ 5.00 | FIV |
| \$ 6.00 | SIX |
| \$ 7.00 | SVN |
| \$ 9.00 | NIN |
| \$ 10.00 | TEN |
| \$ 20.00 | TWTY |
| \$ 50.00 | FIFTY |
| \$ 60.00 | SIXTY |
| \$ 70.00 | SVNTY |

| PLAY SYMBOLS | CAPTION |
|--------------|---------|
| \$ 100 | ONEHUN |
| \$ 200 | TWOHUN |
| \$ 500 | FIVHUN |
| \$ 700 | SVNHUN |
| \$ 1,000 | ONETHO |
| \$ 1,500 | FTNHUN |
| \$ 10,000 | TENTHO |
| \$ 20,000 | TWYTHO |
| \$ 30,000 | THYTHO |
| \$ 40,000 | FORTHO |

(3) Prize symbols: The following are the "prize symbols": "\$1.00", "2.00", "\$4.00", "\$10.00", "\$50.00", "\$500", "\$10,000". One of these prize symbols appears for each game (row) in the "profit" column on the front of the ticket.

(4) Prize symbol captions: The small printed characters appearing below the prize symbols which correspond with and verify that prize symbol. The caption is a spelling out, in full or abbreviated form, of the prize symbol. Only one caption appears under the prize symbol. For Instant Game Number 50, the prize symbol captions which correspond with and verify the prize symbols are:

| PLAY SYMBOLS | CAPTION |
|--------------|---------|
| \$ 1.00 | ONE |
| \$ 2.00 | TWO |
| \$ 4.00 | FOR |
| \$ 10.00 | TEN |
| \$ 50.00 | FIFTY |
| \$ 500 | FIVHUN |
| \$ 10,000 | TENTHO |

(5) Validation number: The unique nine-digit random number on the front of the ticket. The number is covered by latex.

(6) Pack-ticket number: The ten-digit number of the form 5000001-000 printed on the front of the ticket. The first two digits are the game identifier. The first seven digits of the pack-ticket number for Instant Game Number 50 constitute the "pack number" which starts at 5000001; the last three digits constitute the "ticket number" which starts at 000 and continues through 399 within each pack of tickets.

(7) Retailer verification codes: Codes consisting of small letters found under the removable latex covering on the front of the ticket which the lottery retailer uses to verify instant winners of \$25 and less. For Instant Game Number 50, the retailer verification codes are three-letter codes, with each letter appearing in a varying three of six locations among the play symbols and prize symbols on the front of the ticket. The retailer verification codes are:

| VERIFICATION CODE | PRIZE |
|-------------------|--|
| ONE | \$1.00 |
| TWO | \$2.00 (\$1 and \$1) |
| FOR | \$4.00 (\$1 and \$1 and \$2; \$2 and \$2; \$4) |
| TEN | \$10.00 (\$4 and \$4 and \$2; \$10) |
| TWY | \$20.00 (\$10 and \$10) |

(8) Pack: A set of four hundred fanfolded instant game tickets separated by perforations and packaged in a plastic bag or plastic shrinkwrapping.

NEW SECTION

WAC 315-11-501 CRITERIA FOR INSTANT GAME NUMBER 50. (1) The price of each instant game ticket shall be \$1.00.

(2) Determination of prize winning tickets: An instant prize winner is determined in the following manner: The bearer of a ticket having a play symbol in the "buy" column that is a lesser amount than the play symbol in the "sell" column in the same game (row) shall win the prize shown in the "profit" column for that game (row). The bearer of a ticket having winning play symbols in more than one game (row) shall win the total amount of prizes in the games (rows) in which there are winning symbols. Play symbols in different games (rows) may not be combined to win a prize.

(3) No portion of the display printing nor any extraneous matter whatever shall be usable or payable as a part of the instant game.

(4) The determination of prize winners shall be subject to the general ticket validation requirements of the lottery as set forth in WAC

315-10-070, to the particular ticket validation requirements for Instant Game Number 50 set forth in WAC 315-11-502, to the confidential validation requirements established by the director, and to the requirements stated on the back of each ticket.

(5) Notwithstanding any other provisions of these rules, the director may:

- (a) Vary the length of Instant Game Number 50; and/or
- (b) Vary the number of tickets sold in Instant Game Number 50 in a manner that will maintain the estimated average odds of purchasing a winning ticket.

NEW SECTION

WAC 315-11-502 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 50. (1) In addition to meeting all other requirements in these rules and regulations, to be a valid instant game ticket for Instant Game Number 50 all of the following validation requirements apply.

- (a) Exactly one play symbol must appear under each of the three rub-off spots in the "buy" column and under each of the three rub-off spots in the "sell" column on the front of the ticket.
- (b) Each of the six play symbols must have a caption below and each must agree with its caption.
- (c) Exactly one prize symbol for each of the three games (rows) must appear under the rub-off material covering the profit column on the front of the ticket.
- (d) Each of the three prize symbols must have a caption below and each must agree with its caption.
- (e) The display printing and the printed numbers, letters, and symbols on the ticket must be regular in every respect and correspond precisely with the specifications on file with the director. The numbers, letters, and symbols shall be printed as follows:

| | |
|--------------------------|-------------------|
| Play Symbols | Play Symbol Font |
| Play Symbol Captions | Caption Font |
| Prize Symbols | Prize Symbol Font |
| Prize Symbol Captions | Caption Font |
| Pack-Ticket Number | Validation Font |
| Validation Number | Validation Font |
| Retail Verification Code | Validation Font |

(f) Each of the play symbols and its caption, prize symbol and its caption, the validation number, pack-ticket number and the retailer verification code must be printed in black ink.

(g) Each of the play symbols must be exactly one of those described in WAC 315-11-500(1); each of the captions must be exactly one of those described in WAC 315-11-500(2), the prize symbol must be exactly one of those described in WAC 315-11-500(3); and the prize symbol caption must be exactly one of those described in WAC 315-11-500(4).

(2) Any ticket not passing all the validation requirements in WAC 315-10-070 and subsection (1) of this section is invalid and ineligible for any prize.

NEW SECTION

WAC 315-11-510 DEFINITIONS FOR INSTANT GAME NUMBER 51 ("DOUBLE DOUGH"). (1) Play symbols: The following are the "play symbols": "\$1.00"; "4.00"; "24.00"; "50.00"; "2,500"; and "\$\$". One of these play symbols appears in each of the six blocks under the scratch-off material covering the game play data.

(2) Play symbol captions: The small printed characters appearing below each play symbol which verify and correspond with that play symbol. The caption is a spelling out, in full or in abbreviated form of the play symbol. One and only one caption appears under each play symbol. For Instant Game Number 51, the captions which correspond with and verify the play symbols are:

| PLAY SYMBOL | CAPTION |
|-------------|-----------|
| \$ 1.00 | ONE DOL |
| \$ 4.00 | FOR DOL |
| \$ 24.00 | TWY FOR |
| \$ 50.00 | \$FIFTY\$ |
| \$ 2,500 | TWF HUN |
| \$\$ | DOUBLE |

(3) Validation number: The unique nine-digit number on the front of the ticket. The number is covered by latex covering.

(4) Pack-ticket number: The eleven-digit number of the form 05100001-000 printed on the front of the ticket. The first three digits

are the game identifier. The first eight digits of the pack-ticket number for Instant Game Number 51 constitute the "pack number" which starts at 05100001; the last three digits constitute the "ticket number" which starts at 000 and continues through 399 within each pack of tickets.

(5) Retailer verification codes: Codes consisting of small letters found under the removable latex covering on the front of the ticket which the lottery retailer uses to verify instant winners of \$25 or less. For Instant Game Number 51, the retailer verification codes are three-letter codes, with each letter appearing in a varying three of six locations among the play symbols on the front of the ticket. The retailer verification codes are:

| VERIFICATION CODE | PRIZE |
|-------------------|---------|
| ONE | \$ 1.00 |
| TWO | \$ 2.00 |
| FOR | \$ 4.00 |
| EGT | \$ 8.00 |
| TTF | \$24.00 |

(6) Pack: A set of four hundred fanfolded instant game tickets separated by perforations and packaged in plastic shrinkwrapping.

NEW SECTION

WAC 315-11-511 CRITERIA FOR INSTANT GAME NUMBER 51. (1) The price of each instant game ticket shall be \$1.00.

(2) Determination of prize winning tickets: An instant prize winner is determined in the following manner:

(a) The bearer of a ticket having the following play symbols in any three of the six spots beneath the removable covering on the front of the ticket shall win the following prize:

| | | | | |
|-------|---------------------------------|-------|------------|------------|
| Three | \$ 1.00 play symbols | - Win | \$ 1.00 | |
| Two | \$ 1.00 play symbols and one | \$\$ | - Win | \$ 1.00 |
| Three | \$ 4.00 play symbols | - Win | \$ 4.00 | |
| Two | \$ 4.00 play symbols and one | \$\$ | - Win | \$ 8.00 |
| Three | \$ 24.00 play symbols | - Win | \$ 24.00 | |
| Three | \$ 50.00 play symbols | - Win | \$ 50.00 | |
| Two | \$ 50.00 play symbols and one | \$\$ | - Win | \$ 100.00 |
| Three | \$ 2500.00 play symbols | - Win | \$ 2500.00 | |
| Two | \$ 2500.00 play symbols and one | \$\$ | - Win | \$ 5000.00 |

(b) In any event, only the highest instant prize amount meeting the standards of (a) of this subsection will be paid on a given ticket.

(3) No portion of the display printing nor any extraneous matter whatever shall be usable or payable as a part of the instant game.

(4) The determination of prize winners shall be subject to the general ticket validation requirements of the lottery as set forth in WAC 315-10-070, to the particular ticket validation requirements for Instant Game Number 51 set forth in WAC 315-11-512, to the confidential validation requirements established by the director, and to the requirements stated on the back of each ticket.

(5) Notwithstanding any other provisions of these rules, the director may:

- (a) Vary the length of Instant Game Number 51; and/or
- (b) Vary the number of tickets sold in Instant Game Number 51 in a manner that will maintain the estimated average odds of purchasing a winning ticket.

NEW SECTION

WAC 315-11-512 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 51. (1) In addition to meeting all other requirements in these rules and regulations, to be a valid instant game ticket for Instant Game Number 51 all of the following validation requirements apply.

(a) Exactly one play symbol must appear under each of the six rub-off spots on the main portion of the ticket.

(b) Each of the six play symbols must have a caption underneath, and each must agree with its caption.

(c) The display printing and the printed numbers, letters, and symbols on the ticket must be regular in every respect and correspond precisely with the artwork on file with the director. The numbers, letters, and symbols shall be printed as follows:

| | |
|--------------------------|------------------|
| Play Symbols | Play Symbol Font |
| Captions | Caption Font |
| Pack-Ticket Number | Validation Font |
| Validation Number | Validation Font |
| Retail Verification Code | Validation Font |

(d) Each of the play symbols and its caption, the validation number, pack-ticket number and retailer verification code must be printed in black ink.

(e) Each of the play symbols must be exactly one of those described in WAC 315-11-510(1) and each of the captions must be exactly one of those described in WAC 315-11-510(2).

(2) Any ticket not passing all the validation requirements in WAC 315-10-070 and subsection (1) of this section is invalid and ineligible for any prize.

NEW SECTION

WAC 315-11-520 DEFINITIONS FOR INSTANT GAME NUMBER 52 ("GRAND SLAM"). (1) Play symbols: The following are the "play symbols": "WALK"; "STEAL"; "SINGLE"; "DOUBLE"; "TRIPLE"; "HOMERUN"; "GRAND SLAM"; "STRIKE OUT"; "DOUBLE PLAY"; "FOULED OUT"; "POP FLY"; "THROWN OUT"; "TAGGED OUT"; AND "FORCED OUT". One of these symbols appears in each of the four play areas (games) under the rub-off area on the front of the ticket.

(2) Validation number: The unique nine-digit random number on the front of the ticket. The number is covered by latex.

(3) Pack-ticket number: The eleven-digit number of the form 05200001-000 printed on the front of the ticket. The first three digits are the game identifier. The first eight digits of the pack-ticket number for Instant Game Number 52 constitute the "pack number" which starts at 05200001; the last three digits constitute the "ticket number" which starts at 000 and continues through 399 within each pack of tickets.

(4) Retailer verification codes: Codes consisting of small letters found under the removable latex covering on the front of the ticket which the lottery retailer uses to verify instant winners of \$25 and less. For Instant Game Number 52, the retailer verification codes are three-letter codes, with each letter appearing in a varying three of six locations among the play symbols and prize symbols on the front of the ticket. The retailer verification codes are:

| VERIFICATION CODE | PRIZE |
|-------------------|----------------------|
| ONE | \$1.00 |
| TWO | \$2.00 (\$1 and \$1) |
| FOR | \$4.00 |
| EGT | \$8.00 (\$4 and \$4) |

(5) Pack: A set of four hundred fanfolded instant game tickets separated by perforations and packaged in a plastic bag or plastic shrinkwrapping.

NEW SECTION

WAC 315-11-521 CRITERIA FOR INSTANT GAME NUMBER 52. (1) The price of each instant game ticket shall be \$1.00.

(2) Determination of prize winning tickets: An instant prize winner is determined in the following manner: A ticket having the following play symbols in any of the four games shall win the following prizes:

| PLAY SYMBOL | PRIZE |
|-------------|-----------|
| WALK | \$ 1.00 |
| STEAL | \$ 2.00 |
| SINGLE | \$ 5.00 |
| DOUBLE | \$ 10.00 |
| TRIPLE | \$ 50.00 |
| HOMERUN | \$ 500 |
| GRAND SLAM | \$ 10,000 |

The bearer of a ticket having winning play symbols in more than one game shall win the total amount of the prizes won in each game. The ticket shall bear a legend which lists the winning play symbols and their corresponding prizes.

(3) No portion of the display printing nor any extraneous matter whatever shall be usable or payable as a part of the instant game.

(4) The determination of prize winners shall be subject to the general ticket validation requirements of the lottery as set forth in WAC 315-10-070, to the particular ticket validation requirements for Instant Game Number 52 set forth in WAC 315-11-522, to the confidential validation requirements established by the director, and to the requirements stated on the back of each ticket.

(5) Notwithstanding any other provisions of these rules, the director may:

- (a) Vary the length of Instant Game Number 52; and/or

(b) Vary the number of tickets sold in Instant Game Number 52 in a manner that will maintain the estimated average odds of purchasing a winning ticket.

NEW SECTION

WAC 315-11-522 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 52. (1) In addition to meeting all other requirements in these rules and regulations, to be a valid instant game ticket for Instant Game Number 52 all of the following validation requirements apply.

(a) Exactly one play symbol must appear in each of the games under the rub-off area on the front of the ticket.

(b) The display printing and the printed numbers, letters, and symbols on the ticket must be regular in every respect and correspond precisely with the specifications on file with the director. The numbers, letters, and symbols shall be printed as follows:

| | |
|--------------------------|------------------|
| Play Symbols | Play Symbol Font |
| Pack-Ticket Number | Validation Font |
| Validation Number | Validation Font |
| Retail Verification Code | Validation Font |

(c) Each of the play symbols, the validation number, pack-ticket number, and the retailer verification code must be printed in black ink.

(d) Each of the play symbols must be exactly one of those described in WAC 315-11-520(1).

(2) Any ticket not passing all the validation requirements in WAC 315-10-070 and subsection (1) of this section is invalid and ineligible for any prize.

WSR 89-21-048
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 2879—Filed October 13, 1989, 2:30 p.m.]

Date of Adoption: October 13, 1989.

Purpose: To clarify the treatment of child support pass-through payment for food assistance under the family independence program (FIP) and to clarify that earned income reporting, instead of mandatory monthly reporting, applies for FIP food assistance.

Citation of Existing Rules Affected by this Order: Amending WAC 388-77-820 Food assistance.

Statutory Authority for Adoption: Chapter 74.21 RCW.

Pursuant to notice filed as WSR 89-17-127 on August 23, 1989.

Effective Date of Rule: Thirty days after filing.

October 13, 1989
 Leslie F. James, Director
 Administrative Services

AMENDATORY SECTION (Amending Order 2757, filed 1/13/89)

WAC 388-77-820 FOOD ASSISTANCE. (1) The department shall:

(a) Determine eligibility and benefit amounts for food cash assistance according to the food stamp program in chapter 388-49 WAC; except:

(b) For enrollees, disregard the following additional types of income in determining the food stamp benefit amount:

- (i) The FIP incentive and the value of child care provided under FIP;

- (ii) Higher education benefits;
- (iii) Earned income tax credit;
- (iv) Retroactive FIP benefits;
- (v) ~~((The first))~~ Any fifty dollar~~((s of any))~~ child support pass-through payment~~((s))~~ received in the month;

(vi) Earnings of a child ~~((under eighteen))~~ seventeen years of age and under; and

(vii) Self-employment income used for capital expenditures ~~((which are))~~ included as part of a self-sufficiency plan.

(2) For enrollees, the department shall pay the food stamp cash equivalent as a grant;

(3) For enrollees, the department shall verify eligibility factors as in WAC 388-77-045;

(4) The department shall consider households with all FIP members as categorically eligible for food stamp cash assistance;

(5) The department shall follow earned income reporting rules in WAC 388-77-555 instead of mandatory monthly reporting;

(6) The department shall determine eligibility and benefit amount for nonassistance households with a FIP member or members according to chapter 388-49 WAC, except:

(a) FIP members shall receive a prorated amount of benefits as food cash assistance; and

(b) Non-FIP members shall receive a prorated amount of benefits in food stamps; and

(c) The provisions of WAC 388-77-820 (1), (2), and (3) shall apply to the FIP members of the mixed household.

WSR 89-21-049
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Health)

[Order 2881—Filed October 13, 1989, 2:35 p.m.]

Date of Adoption: October 13, 1989.

Purpose: To provide directions concerning units for patients with Alzheimer's type disability.

Citation of Existing Rules Affected by this Order: Amending WAC 248-14-001 Definitions; and new section WAC 248-14-211 Residential care unit.

Statutory Authority for Adoption: RCW 74.42.620 and 18.51.070.

Pursuant to notice filed as WSR 89-17-129 on August 23, 1989.

Changes Other than Editing from Proposed to Adopted Version: WAC 248-14-211 [(1)](d)(i), in construction, corridors a minimum of ten feet wide are required; except, those portions of the corridor providing a continuous ambulation route allowing the resident to return to his/her starting point without reversing direction may be a minimum of eight feet wide, i.e., a "circular" route instead of a "back and forth" route. The principal reasons for adopting the changes are a circular corridor will

provide the increased ambulation area required as well as a 10' wide straight corridor.

Effective Date of Rule: Thirty days after filing.

October 13, 1989
 Leslie F. James, Director
 Administrative Services

AMENDATORY SECTION (Amending Order 2785, filed 3/31/89)

WAC 248-14-001 DEFINITIONS. (1) All adjectives and adverbs such as adequate, approved, immediately, qualified, reasonable, reputable, satisfactory, sufficient, or suitable, used in these nursing home regulations to qualify a requirement shall be as determined by the department with the advice and guidance of the nursing home advisory council and the state board of health.

(2) "Activity director" means an employee responsible for the development, implementation, and maintenance of a program for residents intended to provide activities to meet the residents' needs and interests.

(3) "Alterations" means physical, mechanical, or electrical changes made to existing facilities except for painting or repair.

(4) "Ambulatory person" means a person, who, unaided by another person, is physically and mentally capable of walking a normal path to safety, including the ascent and descent of stairs.

(5) "Attending physician" means the doctor responsible for a particular person's total medical care.

(6) "Authorized practitioner" means:

(a) A certified registered nurse under chapter 18.88 RCW when authorized by the board of nursing~~((:));~~

(b) An osteopathic physician's assistant under chapter 18.57A RCW when authorized by the committee of osteopathic examiners~~((:));~~ or

(c) A physician's assistant under chapter 18.71A RCW when authorized by the board of medical examiners.

(7) "Bathing facility" means a bathtub or shower.

(8) "Berm" means a bank of earth piled against a wall.

(9) "Change of ownership" means a change in the individual or legal organization responsible for the daily operation of a nursing home.

(a) Events which change ownership include, but are not limited to, the following:

(i) The form of legal organization of the licensee is changed (e.g., a sole proprietor forms a partnership or corporation);

(ii) Title to the nursing home business enterprise is transferred by the licensee to another party;

(iii) Where the licensee is a partnership, any event occurs which dissolves the partnership;

(iv) Where the licensee is a corporation, the corporation is dissolved, merges with another corporation which is the survivor, or consolidates with one or more other corporations to form a new corporation; or

(v) Any other event occurs which results in a change of operating entity.

(b) Ownership does not change when the following, without more, occur:

(i) A party contracts with the licensee to manage the enterprise as the licensee's agent, i.e., subject to the licensee's general approval of daily operating decisions;

(ii) If the licensee is a corporation, some or all of its stock is transferred; or

(iii) The real property or personal property assets associated with the nursing home change ownership or are leased, or a lease of them is terminated, without a change of operating entity.

(10) "Cognitively impaired" means a diminished perception, reasoning, intuition or memory, and absence or reduction of intellectual faculties as in dementia, including Alzheimer's disease or a related disorder.

(11) "Citation" means the finding written by a surveyor on an official state and/or federal statement of deficiencies form following a full survey, post survey, or complaint investigation.

((11)) (12) "Contact with animals" means close proximity to animals to allow for close observation, interaction, handling, or petting achieved by either animals:

(a) Being brought into the nursing home on a regular basis; or ((animals being))

(b) Allowed to live on the nursing home premises.

((12)) (13) "Department" means the state department of social and health services.

((13)) (14) "Dialysis" means the process of separating crystalloids and colloids in solution by means of the crystalloids and colloids unequal diffusion through a natural or artificial, semipermeable membrane.

(a) "Acute dialysis" means hemodialysis or peritoneal dialysis in the treatment of a person with renal failure for a period of time during which it is medically determined whether renal function may be restored or the failure is irreversible.

(b) "Dialysis helper" means a health care assistant trained by a kidney center under RCW 18.135.060.

((14)) (15) "Dialysis room" means a room where a patient undergoes dialysis.

((15)) (16) "Dietetic service supervisor" means a person who:

(a) Is a dietitian; or

(b) Has completed or is enrolled with a set date of completion in a dietetic technician or dietetic assistant training program, correspondence or classroom, approved by the American Dietetic Association; or

(c) Has completed or is enrolled with a set date of completion in a state-approved training program providing ninety or more hours of classroom instruction in food service supervision, and has experience in a health care institution.

((16)) (17) "Dietitian" means a person who is eligible for registration by the commission on dietetic registration of the American Dietetic Association based on the 1982 criteria for registration. A person not meeting this definition but employed in that capacity by a nursing home or homes on or before the effective date of this regulation will be deemed to meet the requirement of WAC 248-14-230(5). This grandfather clause is only effective ((so)) as long as the:

(a) Person continues employment with the same nursing home or homes; and

(b) Nursing home has no serious deficiencies in dietary services.

((17)) (18) "Drug" means:

(a) Substances recognized as drugs in the official United States Pharmacopoeia, Official Homeopathic Pharmacopoeia of the United States, or any supplement to any of the listed publications((-));

(b) Substances intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man((-);

(c) "Drug administration" means the direct application of a drug by injection, inhalation, ingestion, or any other means to the body of a resident((-);

(d) "Drug dispensing" means an act entailing the interpretation of an order for a drug or biological and, pursuant to the order, the proper selection, measuring, labeling, packaging, and issuance of the drug or biological to a residential care unit((-); and

(e) "Legend drug" means a drug bearing the legend, "caution, federal law prohibits dispensing without a prescription."

((18)) (19) "Drug facility" means a room or area designed and equipped for drug storage and the preparation of drugs for administration.

((19)) (20) "End stage renal disease (ESRD)" means the stage of renal impairment, virtually always irreversible and permanent, requiring dialysis or kidney transplantation to ameliorate uremic symptoms and maintain life.

((20)) (21) "Facilities" means a room or area and/or equipment to serve one or more specific functions.

((21)) (22) "Grade" means the level of ground adjacent to the building floor level measured at required windows. The ground must be level or slope downward for a distance of at least ten feet from the wall of the building. From there the ground may slope upward not greater than an average of one foot vertical to two feet horizontal within a distance of eighteen feet from the building.

((22)) (23) "Immediate supervision" means on-site supervision of one or more persons.

((23)) (24) "Kidney center" means a hospital-based or independent dialysis facility, as defined and certified by the federal government, to provide dialysis and related services and provide services as specified in WAC 248-30-090.

((24)) (25) "Lavatory" means a handwashing sink.

((25)) (26) "Licensed nurse" means either a registered nurse or a licensed practical nurse.

(a) "Licensed practical nurse" means a person duly licensed under the provisions of the Licensed Practical Nurse Act of the state of Washington, chapter 18.78 RCW.

(b) "Registered nurse" means a person duly licensed under the provisions of the law regulating the practice of registered nursing in the state of Washington, chapter 18.88 RCW.

((26)) (27) "New construction" means the following, when the preliminary plans have not been reviewed and accepted at the time of adoption of these regulations:

- (a) New buildings to be used as a nursing home;
- (b) Additions to buildings used as a nursing home;
- (c) Conversions of existing buildings including previously licensed nursing homes; and

(d) Alterations.

~~((27))~~ (28) "Nursing care" means services designed to maintain or promote achievement of optimal independent function and health status planned, supervised, and evaluated by a registered nurse in the context of an overall individual plan of care.

~~((28))~~ (29) "Nursing home" means any home(~~(;~~ place~~;)~~) or institution operating or maintaining facilities providing convalescent or chronic care, or both, for a period in excess of twenty-four consecutive hours.

(a) A nursing home cares for three or more residents not related by blood or marriage to the operator, who, by reason of illness or infirmity, are unable to properly care for themselves.

(b) Convalescent and chronic care may include, but not be limited to, any or all procedures commonly employed in waiting on the sick, such as:

(i) Administration of medicines(~~(;)~~);

(ii) Preparation of special diets(~~(;)~~);

(iii) Giving of bedside nursing care(~~(;)~~);

(iv) Application of dressings and bandages(~~(;)~~); and

(v) Carrying out of treatment prescribed by a duly licensed practitioner of the healing arts.

(c) Nothing in ~~((this))~~ the nursing home definition shall be construed to include facilities precluded by RCW 18.51.010 and 18.51.170(~~(;)~~); and

(d) Licensed nursing home beds shall not be licensed for any other purpose or use specifically regulated under state law; except, beds dually licensed for five years or more may continue to be dually licensed if the licensing does not adversely affect the quality of care provided.

~~((29))~~ (30) "Nursing services" means an organized department under the direction of a registered nurse, the members of which provide nursing care.

~~((30))~~ (31) "Outpatient service" means any service provided to a nonresident of the nursing home.

~~((31))~~ (32) "Patient" means a person receiving preventive, diagnostic, therapeutic, habilitative, rehabilitative, maintenance, or palliative health-related services under professional direction.

(a) "Inpatient" means a resident receiving services with board and room in a nursing home on a continuous twenty-four-hour-a-day basis.

(b) "Outpatient" means a nonresident of the nursing home receiving services at a nursing home not providing ~~((him or her these))~~ the nonresident the services with room and board on a continuous twenty-four-hour-a-day basis.

(c) "Residents requiring skilled nursing care" means residents whose conditions, needs, and/or services are of such complexity and sophistication (~~((so as))~~) to require the frequent or continuous observation and intervention of a registered nurse, and the supervision of a licensed physician. ~~((These))~~ Residents require ongoing assessments of physiological and/or psychological needs, and the development and implementation of a comprehensive plan of care involving interdisciplinary planning input

and coordination. Resident needs include ongoing evaluations, care plan revisions, and the teaching necessary to provide for residents whose condition is unstable and/or complex.

(d) "Residents requiring intermediate nursing care" means residents whose physiological and psychological functioning is stable, but require individually planned treatment and services under the daily direction of a registered nurse or a licensed nurse with registered nurse consultation as provided by exemption and the supervision of a licensed physician. The program is directed toward maintenance of maximum independence and return to the community whenever possible. The program includes an established treatment regimen involving more than supervision, assistance with personal care, and protection.

(e) "Residents requiring care for mental retardation or related conditions" means residents found eligible by the division of developmental disabilities and requiring health care services under subsection ~~((31))~~(32)(c) or (d) of this section, and are in need of a comprehensive habilitative and/or developmental program incorporated into a twenty-four-hour overall program plan.

~~((32))~~ (33) "Peninsular (or island) bathtub" means a bathtub having sufficient clearances around both sides and one end to accommodate residents, equipment, and attendants.

~~((33))~~ (34) "Pharmacist" means a person duly licensed by the Washington state board of pharmacy under the provisions of chapter 18.64 RCW.

~~((34))~~ (35) "Pharmacy" means a place where the practice of pharmacy is conducted, properly licensed under the provisions of chapter 18.64 RCW.

~~((35))~~ (36) "Physician's assistant" means a person acting as an extender for a designated physician and under a plan of utilization approved by the board of medical examiners or the board of osteopathic medicine and surgery and is registered under the provisions of the law regulating the practice of physician's assistant in the state of Washington, chapters 18.57A or 18.71A RCW.

~~((36))~~ (37) "Practitioner" means a physician under chapter 18.71 RCW; an osteopathic physician or an osteopathic physician and surgeon under chapter 18.57 RCW; a dentist under chapter 18.32 RCW; a podiatrist under chapter 18.22 RCW; a certified registered nurse under chapter 18.88 RCW as authorized by the board of nursing; an osteopathic physician's assistant under chapter 18.57A RCW when authorized by the committee of osteopathic examiners; a physician's assistant under chapter 18.71A RCW when authorized by the board of medical examiners; or a pharmacist under chapter 18.64 RCW.

~~((37))~~ (38) "Protective unit" means a separate physical and functional section of a nursing home for the cognitively impaired and offers the cognitively-impaired residents increased space for ambulation and a reduction in anxiety-provoking stimuli.

(39) "Resident" means an inpatient.

~~((38))~~ (40) "Residential care unit" means a separate, physical, and functional unit including resident rooms, toilets, bathing facilities, and basic service facilities as identified in WAC 248-14-120 (2)(a).

~~((39))~~ (41) "Respiratory isolation" means a procedure for the prevention of transmission of pathogenic organisms by means of droplets and droplet nuclei coughed, sneezed, or breathed into the environment.

~~((40))~~ "Respite care" means services provided to an inpatient admitted to a nursing home for a period not to exceed fourteen consecutive days, for the purposes of providing temporary relief for families or others providing care for disabled persons.

~~((41))~~ (42) "Responsible party" means a legally responsible person to whom the rights of a client have legally devolved.

~~((42))~~ (43) "Supervision" means the process of overseeing performance while having the responsibility and authority to guide or direct and critically evaluate.

~~((43))~~ (44) "Toilet fixture" means a bowl-shaped plumbing fixture fitted with a seat and a device for flushing the bowl with water.

~~((44))~~ (45) "Toilet room" means a room containing at least one toilet fixture.

~~((45))~~ (46) "Unit-dose" means the ordered amount of a drug in a dosage form ready for administration to a particular person.

~~((46))~~ (47) "Unit-dose drug distribution system" means a system of drug dispensing and control characterized by the dispensing of the majority of drugs in unit doses and for most drugs, not more than a forty-eight-hour supply of doses is available at the residential care unit at any time.

~~((47))~~ (48) "Usable floor space" excludes areas taken up by passage door swings, closets, wardrobes, portable lockers, and toilet rooms.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

NEW SECTION

WAC 248-14-211 PROTECTIVE UNIT FOR COGNITIVELY IMPAIRED RESIDENTS. (1) In addition to meeting all other requirements under this chapter, except as provided herein, a protected unit for the cognitively impaired resident shall have the following:

(a) A dining area which may also serve as a day room for the unit;

(b) Secured outdoor space and walkways including:

(i) Walls or fences at least seventy-two inches high;

(ii) Ambulation area. Walking surfaces shall be firm, stable, and free from abrupt changes. Areas subject to wet conditions shall have slip-resistant surfaces;

(iii) Exits from the building which release automatically with activation of the fire alarm signal;

(iv) Outdoor furniture; and

(v) Nontoxic plants.

(c) Staff toilet room with lavatory;

(d) Corridors:

(i) In new construction, corridors a minimum of ten feet wide are required; except, those portions of the corridor providing a continuous ambulation route allowing the resident to return to the resident's starting point without reversing direction may be a minimum of eight

feet wide, that is, a circular route instead of a back and forth route; and

(ii) When remodelling an existing nursing home, eight feet wide corridors are permitted.

(e) Floors, walls, and ceiling surfaces that display contrasting color for identification. Surfaces may have a disguise design to obscure or conceal areas the residents should not enter;

(f) Door thresholds that are one-half inch high or less; and

(g) An electrical signaling system at each bedside designed for staff use in emergent situations which registers by:

(i) A light at the resident's room corridor door; and

(ii) A light and an audible tone at the nurse's station.

(2) Entrance and exit doors shall not be closed with keyed locks nor shall a door with a keyed lock be placed between a resident and the exit. Exits shall be secured by alarms and/or doors which require cognitive ability to open or other methods providing they automatically release with the activation of the fire alarm system. Releasing devices requiring directions for use shall be labeled with directions, accessible to residents, and approved for use by the state fire marshal.

(3) The public address system in a protective unit shall only be used for emergencies.

WSR 89-21-050

EMERGENCY RULES

DEPARTMENT OF HEALTH

(Examining Board of Psychology)

[Filed October 13, 1989, 2:40 p.m.]

Date of Adoption: October 11, 1989.

Purpose: To repeal WAC 308-122-500, 308-122-503, 308-122-550, 308-122-555, 308-122-560, 308-122-565, 308-122-570, 308-122-575 and 308-122-580.

Citation of Existing Rules Affected by this Order: Repealing WAC 308-122-500, 308-122-503, 308-122-550, 308-122-555, 308-122-560, 308-122-565, 308-122-570, 308-122-575 and 308-122-580.

Statutory Authority for Adoption: RCW 18.83.090.

Pursuant to 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: WAC 308-122-500, 308-122-503, 308-122-550, 308-122-555, 308-122-560, 308-122-565, 308-122-570, 308-122-575 and 308-122-580.

Effective Date of Rule: Immediately.

October 10, 1989

Kathleen Worsley Ph.D
Chair

REPEALER

The following sections of the Washington Administrative Code are hereby repealed:

308-122-500 CONTINUING EDUCATION—
PURPOSE AND SCOPE.

308-122-503 STAGGERED EFFECTIVE PERIODS FOR NEW CONTINUING EDUCATION RULES.

308-122-550 CONTINUING EDUCATION REQUIREMENTS.

308-122-555 DEFINITION OF CREDITABLE CPE.

308-122-560 DEFINITION OF ACCEPTABLE DOCUMENTATION AND PROOF OF CPE.

308-122-565 CONTINUING EDUCATION—SPECIAL CONSIDERATIONS.

308-122-570 CONTINUING EDUCATION—ENFORCEMENT.

308-122-575 CONTINUING EDUCATION—EXEMPTIONS.

308-122-580 CONTINUING EDUCATION—PROGRAM OR COURSE APPROVAL.

WSR 89-21-051
PROPOSED RULES
DEPARTMENT OF HEALTH
(Examining Board of Psychology)
 [Filed October 13, 1989, 2:45 p.m.]

Original Notice.

Title of Rule: Repealer.

Purpose: To repeal WAC 308-122-500, 308-122-503, 308-122-550, 308-122-555, 308-122-560, 308-122-565, 308-122-570, 308-122-575 and 308-122-580.

Statutory Authority for Adoption: RCW 18.83.090.

Statute Being Implemented: N/A.

Summary: See above Purpose.

Reasons Supporting Proposal: To repeal rules promulgated in error.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Ann Silvernale, Assistant Attorney General, Seattle, (206) 464-6259.

Name of Proponent: Examining Board of Psychology, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: To repeal WAC sections promulgated in error.

Proposal Changes the Following Existing Rules: Repeals rules concerning continuing psychological education which were promulgated in error.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Ramada Inn, 18118 Pacific Highway South, Salon D, Seattle, WA 98188, on December 8, 1989, at 9:00 a.m.

Submit Written Comments to: Yvonne Braeme, Department of Health, P.O. Box 1099, Olympia, Washington 98504-1099, by December 1, 1989.

Date of Intended Adoption: December 8, 1989.

October 10, 1989
 Kathleen Worsley Ph.D
 Chair

REPEALER

The following sections of the Washington Administrative Code are hereby repealed:

308-122-500 CONTINUING EDUCATION—PURPOSE AND SCOPE.

308-122-503 STAGGERED EFFECTIVE PERIODS FOR NEW CONTINUING EDUCATION RULES.

308-122-550 CONTINUING EDUCATION REQUIREMENTS.

308-122-555 DEFINITION OF CREDITABLE CPE.

308-122-560 DEFINITION OF ACCEPTABLE DOCUMENTATION AND PROOF OF CPE.

308-122-565 CONTINUING EDUCATION—SPECIAL CONSIDERATIONS.

308-122-570 CONTINUING EDUCATION—ENFORCEMENT.

308-122-575 CONTINUING EDUCATION—EXEMPTIONS.

308-122-580 CONTINUING EDUCATION—PROGRAM OR COURSE APPROVAL.

WSR 89-21-052
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 89-126—Filed October 13, 1989, 4:45 p.m.]

Date of Adoption: October 13, 1989.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-47-518.

Statutory Authority for Adoption: RCW 75.08.080.

Pursuant to 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 opening in Area 6D provides opportunity to harvest the non-Indian allocation of Strait origin coho, and is necessary to prevent wastage. Restrictions in Area 6D are necessary to ensure an orderly fishery. The opening in Area 7B provides opportunity to harvest non-Indian allocation of Nooksack-Samish origin coho, per permanent regulations. Openings in Area 8A and 8D provide opportunity to harvest the non-Indian allocation of Stillaguamish-Snohomish origin coho. Openings in Areas 10 and 11 provide opportunity to harvest the non-Indian allocation of South Sound origin chum stocks. The restriction in Area 10 is necessary to reduce harvest impacts on local chum stocks. Openings in Areas 12 and 12B provide opportunity to harvest the non-Indian allocation of Hood Canal origin coho. The restriction in Area 12B is necessary to reduce interactions between commercial and sport fisheries, and prevent overharvest of local 12B/12C coho stocks. All other Puget Sound areas are closed to prevent overharvest of local salmon stocks.

Effective Date of Rule: 12:01 a.m, October 15, 1989.

October 13, 1989
 Joseph R. Blum
 Director

NEW SECTION

WAC 220-47-519 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY. Notwithstanding the provisions of Chapter 220-47 WAC, effective 12:01 AM Sunday October 15th, until further notice, it is unlawful to take, fish for, or possess salmon or Atlantic salmon for commercial purposes taken from the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following open periods and restrictions:

- * Area 6D – Gillnets using 5-inch minimum mesh and fishing with no more than 900 feet of net, and purse seines using the 5-inch strip, may fish from 12:00 noon Sunday October 15th through 6:00 PM Friday October 20th.
- * Area 7B – Gillnets using 5-inch minimum mesh may fish continuously through 4:00 PM Friday October 27 and purse seines may fish continuously through 4:00 PM Friday October 27.
- * Areas 8A and 8D – Gill nets using 5-inch minimum mesh may fish from 5:00 PM Monday October 16th to 9:00 AM Tuesday October 17th, and purse seines using the 5-inch strip may fish from 5:00 AM to 9:00 PM Tuesday October 17th.
- * Areas 10 and 11 – Gill nets using 6-inch minimum mesh may fish from 5:00 PM Monday October 16th to 9:00 AM Tuesday October 17th, and purse seines using the 5-inch strip may fish from 5:00 AM to 9:00 PM Tuesday October 17th. This opening excludes those waters of Area 10 in Port Madison west of a line projected 178 degrees from the light at the end of the Indianola Dock to the landfall on the south shore of Port Madison.
- * Areas 12 and 12B – Gill nets using 5-inch minimum mesh may fish from 5:00 PM Monday October 16th to 9:00 AM Tuesday October 17th, and purse seines using the 5-inch strip may fish from 5:00 AM to 9:00 PM Tuesday, October 17th. This opening excludes those waters of Area 12B south and west of a line projected from Hood Point to Quatsap Point.
- * Areas 4B, 5, 6, 6A, 6B, 6C, 7, 7A, 7C, 7D, 7E, 8, 9, 9A, 10A, 10C, 10D, 10E, 10F, 10G, 11A, 12A, 12C, 12D, 13, 13A, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, and 13K and all freshwater areas – Closed.

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 AM Sunday October 15th:

WAC 220-47-518 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY (89-123)

WSR 89-21-053
NOTICE OF PUBLIC MEETINGS
GOVERNOR'S TASK FORCE
ON COMMUNITY PROTECTION

[Memorandum—October 11, 1989]

The Governor's Task Force on Community Protection will hold a second round of public hearings in your area soon. As you know, the task force was created to recommend legislative and policy changes to assure the public receives adequate protection from dangerous, predatory sex offenders. At the second round of hearings, the public is invited to comment on the task force's draft recommendations being prepared for inclusion in its final report to the Governor. These recommendations are based, in part, on comments received from the public during the first round of hearings.

A few days before the public hearings begin, we will send copies of our draft proposal to all public libraries and persons on our mailing list. Copies will also be available at the public hearings. We urge you to review the proposal and attend a hearing to give us your comments.

Yakima, Monday, October 30, 1989, 7:00 – 9:00 p.m., Yakima Convention Center, Yakima Avenue and 8th Street, from I-82 take Exit #33, follow Yakima Avenue to 8th Street.

Spokane, Wednesday, November 1, 1989, 7:00 – 9:00 p.m., Cavanaugh's Inn at the Park, West 303 North River Drive, from I-90 take Exit #282, go north on Division 1 1/2 miles, then west on North River Drive.

Tacoma, Thursday, November 2, 1989, 7:00 – 9:00 p.m., Days Inn, Clover Park, 6802 South Sprague, from I-5 take Exit #129, the Days Inn is on the frontage road (Sprague) on the west side of the freeway.

Bellingham, Friday, November 3, 1989, 7:00 – 9:00 p.m., Leopold Hotel, 1224 Cornwall, from I-5 take Exit #253 (Lakeway Drive), go west on Lakeway to Holly, turn right on Holly to Cornwall and turn left one block to the Leopold Hotel.

Seattle, Wednesday, November 8, 1989, 7:00 – 9:00 p.m., Nendel's University Plaza Hotel, 400 Northeast 45th Street, from I-5 take Exit #169 (45th Street), Nendel's is 1/4 mile west of I-5 on 45th Street.

Vancouver, Thursday, November 9, 1989, 7:00 – 9:00 p.m., Red Lion Inn at the Quay, 100 Columbia Street, from I-5 take the Mill Plain Exit, the Inn at the Quay is 1/2 mile south on the dock at the foot of Columbia Street.

WSR 89-21-054
NOTICE OF PUBLIC MEETINGS
WASHINGTON STATE LIBRARY
(Library Commission)
 [Memorandum—October 12, 1989]

Wednesday, December 13, 1989, 7:00 p.m., the Washington State Library Commission will meet for a staff briefing at Jazz Alley, Sixth and Lenora, Seattle, Washington.

Thursday, December 14, 1989, 10:00 a.m., the Washington State Library Commission will hold its regular business meeting in the Library for the Blind and Physically Handicapped, 821 Lenora, Seattle, WA.

WSR 89-21-055
PERMANENT RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)
 [Order 332—Filed October 16, 1989, 10:40 a.m.]

Be it resolved by the State Personnel Board, acting at the Department of Personnel, 521 Capitol Way South, Olympia, WA, that it does adopt the annexed rules relating to miscellaneous leave, amending WAC 356-18-120.

This action is taken pursuant to Notice No. WSR 89-19-060 filed with the code reviser on September 20, 1989. These rules shall take effect at a later date, such date being December 1, 1989.

This rule is promulgated pursuant to RCW 41.06.150 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED October 12, 1989.

By Dee W. Henderson
 Secretary

AMENDATORY SECTION (Amending Order 297, filed 3/11/88, effective 5/1/88)

WAC 356-18-120 MISCELLANEOUS LEAVE.

(1) Leave with pay may be allowed to permit an employee to take an examination for a state position, receive assessment from the employee advisory service, serve as a member of a jury, or perform other civil duties.

(2) ~~Employees ((who receive compensation for performing civil duties during working hours shall retain the amount compensated and any travel reimbursement and per diem. The salary or wages of an employee receiving compensation for civil duties shall be reduced by an amount equal to the civil duty pay excluding that amount designated as travel reimbursement or per diem. Employees receiving such compensation shall provide their agency with documentation showing the amount of~~

~~civil duty pay)) on miscellaneous leave shall receive their basic salary and, in addition, shall be allowed to retain any compensation paid to them by their civil duty employer.~~

WSR 89-21-056
PERMANENT RULES
DEPARTMENT OF COMMUNITY DEVELOPMENT
 [Order 89-04—Filed October 16, 1989, 11:04 a.m.]

I, Chuck Clarke, director of the Department of Community Development, do promulgate and adopt at the Ninth and Columbia Building, Mailstop GH-51, Olympia, Washington, the annexed rules relating to the conditions and procedures under which state funds will be made available to head start programs.

This action is taken pursuant to Notice No. WSR 89-13-078 filed with the code reviser on June 21, 1989. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Department of Community Development as authorized in chapter 43.63A RCW.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED October 10, 1989.

By Chuck Clarke
 Director

AMENDATORY SECTION (Amending Order 87-20, filed 12/16/87)

WAC 365-40-020 DEFINITIONS. (1) "Applicant" means a ~~((unit(s) of local government, a qualified private organization, or a combination thereof, which applies for state))~~ public or private nonsectarian organization which receives federal Head Start funds.

(2) "Contractor" means an applicant which has been allocated state Head Start funds ~~((and which has entered into a contract to carry out a))~~ under the state Head Start match program.

(3) "Department" means the department of community development.

(4) "Director" means the director of the department of community development ~~((hereafter, the agency))~~.

~~((4))~~ (5) "Head Start program" means an operation undertaken in accordance with the program performance standards set forth in the OCD-HS HEAD START POLICY MANUAL (OCD Notice N-30-364-4) "Head Start program performance standards," published by the United States Department of Health, Education, and Welfare July(;) 1975.

AMENDATORY SECTION (Amending Order 86-02, filed 8/27/86)

WAC 365-40-041 FINANCIAL SUPPORT APPLICATION PROCESS. (1) Each potential applicant

will be notified by the ~~((agency)) department~~ that application for state Head Start financial assistance is to be made to the ~~((agency)) department~~.

(2) An applicant must make formal application in the form and manner specified by the ~~((agency. Such application shall be for the period July 1 - June 30 of each fiscal year)) department~~. Failure of an applicant to make application in the specified time will result in no state Head Start funds being allocated.

(3) Applications for state Head Start ~~((funds)) financial assistance~~ shall contain ~~((the following information, in detail:~~

~~((a))) a description of the services to ((be provided or activities proposed to be undertaken by the applicant consistent with the provisions of WAC 365-40-051 and 365-40-061.~~

~~((b) A budget specifying intended uses of)) be provided with state Head Start funds.~~

(4) The ~~((agency)) department~~ shall provide a contract for signature to the applicant or a request for additional information.

AMENDATORY SECTION (Amending Order 87-20, filed 12/16/87)

WAC 365-40-051 ELIGIBILITY CRITERIA. In order to receive state Head Start funds, a contractor must ~~((provide services to families and individuals eligible according to federal Head Start guidelines who are in need of skills, knowledge, opportunities and motivation to become economically self-sufficient. Each Head Start program must be designed to improve the health and general well-being of the children involved, develop their mental processes, and enhance their conceptual and verbal skills))~~ currently be receiving federal funds to operate a Head Start program. State Head Start funds may be used only for activities which result in direct and measurable services to Head Start program children. ((State Head Start funds are allocated to programs based on the federal enrollment levels. An additional set-aside of 3% of the pass-through funds are allocated for programs with 60 or less children.)) The department shall determine the formula for distribution of state funds based on current federal enrollment levels at the time of funding.

AMENDATORY SECTION (Amending Order 87-20, filed 12/16/87)

WAC 365-40-071 METHOD OF PAYMENT AND REPORTING REQUIREMENTS. (1) State Head Start funds will be paid in accordance with the provisions of the applicable contract and these regulations.

(2) ~~((All contracts will specify procedures for expenditure reimbursement, with vouchers submitted within a specified time as required by the agency:~~

~~((a) If vouchers are not submitted in a timely manner, the agency may recapture unclaimed funds.~~

~~((b) If a contractor fails to file a claim for expense reimbursement within any six-month period, the agency may elect to terminate the contract.~~

~~((c) Funds allocated for a program may be reduced by the amount unclaimed in the program year immediately preceding the new funding year.~~

~~((3) If an intended use is not allowable under these rules or the approved contract, the contractor will not be reimbursed for the cost of the item.~~

~~((4) The agency will notify the contractor within ten days of its discovery of any deficiency and of the need to take corrective action.~~

~~((5) In the event corrective action is not taken within thirty days, the contract will be terminated. Funds allocated to the contractor may be subject to redistribution upon termination of any contract.~~

~~((6) By agreement between the agency and the contractor, the provisions of the contract may be amended.~~

~~((7))) Reports to the ((agency)) department to assure that funds are being expended for purposes authorized in the approved contract are required in a format approved by the ((agency)) department.~~

~~((8))) (3) The contractor at time of application, and annually thereafter, shall submit ((an annual)) a current audit of funds by an independent auditor or office of state auditor and resolution of findings provided under this rule ((by an independent auditor using)). Standard accepted auditing techniques shall be used. Such audit may be that conducted for and provided to other funding sources. This audit report must include a breakdown of state funds by contract number.~~

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 365-40-061 ALLOWABLE AND UNALLOWABLE COSTS.

WSR 89-21-057

EMERGENCY RULES

MARINE EMPLOYEES' COMMISSION

[Filed October 16, 1989, 3:46 p.m.]

Date of Adoption: September 27, 1989.

Purpose: Chapter 316-65 WAC is adopted to set forth complete procedures for the processing of grievance arbitration cases before the commission.

Citation of Existing Rules Affected by this Order: Repealing WAC 316-65-090, 316-65-110, 316-65-130 and 316-65-500; and amending WAC 316-65-001, 316-65-010, 316-65-030, 316-65-050, 316-65-150, 316-65-510, 316-65-515, 316-65-525, 316-65-530, 316-65-535, 316-65-540, 316-65-545, 316-65-550, 316-65-555 and 316-65-560.

Statutory Authority for Adoption: RCW 47.64.280 and 34.05.220.

Pursuant to 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: Rules adopted pursuant to chapter 34.05 RCW to harmonize with (where possible) or supplant (where necessary) chapter 10-08 WAC as amended, effective June 15, 1989. Emergency adoption is necessary to enable immediate processing and adjudication of grievance arbitration cases.

Effective Date of Rule: Immediately.

October 16, 1989
Louis O. Stewart
Rules Coordinator

AMENDATORY SECTION (Amending Resolution No. 84-01, filed 3/20/84)

WAC 316-65-001 SCOPE—CONTENTS—OTHER RULES. This chapter governs proceedings before the marine employees' commission relating to arbitration of grievance disputes arising out of the interpretation or application of a collective bargaining agreement. The provisions of this chapter should be read in conjunction with the provisions of:

(1) Chapter 10-08 WAC, which contains rules promulgated by the chief administrative law judge governing the conduct of adjudicative proceedings under chapter 316-45 WAC, except:

(a) WAC 10-08-035, which is supplanted by detailed requirements in WAC 316-65-050;

(b) WAC 10-08-211, which is supplanted by WAC 316-65-550 and 316-65-555; and

(c) WAC 10-08-230, which is supplanted by WAC 316-65-515.

(2) Chapter 316-02 WAC, which contains rules of practice and procedure applicable to all types of proceedings before the marine employees' commission.

((f2)) (3) Chapter 316-25 WAC, which contains rules relating to proceedings on petitions for investigation of questions concerning representation of ferry system employees.

((f3)) (4) Chapter 316-35 WAC, which contains rules relating to proceedings on petitions for clarification of an existing ferry system employees' bargaining unit.

((f4)) (5) Chapter 316-45 WAC, which contains rules relating to proceedings on complaints charging unfair labor practices in the Washington state ferry system.

((f5)) (6) Chapter 316-55 WAC, which contains rules relating to the resolution of impasses occurring in ferry system collective bargaining.

((f6)) (7) Chapter 316-75 WAC, which contains rules relating to determination of union security disputes arising between ferry system employees and employee organizations certified or recognized as their bargaining representative.

(8) Chapter 316-85 WAC, which contains rules relating to surveys of compensation, benefits, and conditions of employment required by chapter 47.64 RCW.

NEW SECTION

WAC 316-65-005 GRIEVANCE DEFINED. "Grievance" means a formal statement alleging injury, injustice, or violation of rights granted by rule, statute, or collective bargaining agreement: PROVIDED, That

any alleged violations enumerated in RCW 47.64.130 shall be termed "unfair labor practices" and shall be processed under chapter 316-45 WAC.

AMENDATORY SECTION (Amending Resolution No. 84-01, filed 3/20/84)

WAC 316-65-010 GRIEVANCE (~~ARBITRATION~~)—WHO MAY FILE. (~~Where there is an agreement to arbitrate, a request for appointment of an arbitrator to hear and determine issues arising out of the interpretation or application of a collective bargaining agreement~~) A statement of grievance may be filed by the department of transportation, an exclusive representative of employees or their agents, an employee, or by the parties jointly (~~PROVIDED, That invoking arbitration shall be only with the approval of the employee organization~~), in accordance with chapter 47.64 RCW.

NEW SECTION

WAC 316-65-020 GRIEVANCES—ARBITRATION REQUEST—LIMITATIONS. Unless another purpose is stated by the party filing a statement of grievance, it shall be construed as a request for grievance arbitration by the commission in accordance with RCW 47.64.150. The commission shall consider such a request for arbitration valid only after any applicable dispute remedies in the pertinent collective bargaining agreement have been exhausted, and within the time limits specified in such agreement. If the collective bargaining agreement does not contain a remedial procedure for disputes, or upon showing good cause for not exhausting prearbitration remedies, a party may file the original request for arbitration directly with the commission. Unless otherwise specified in the agreement, a request for grievance arbitration must be filed not more than ninety days after the party filing such grievance knew or should have known of the alleged injury, injustice, or violation.

AMENDATORY SECTION (Amending Resolution No. 84-01, filed 3/20/84)

WAC 316-65-030 GRIEVANCE ARBITRATION—FILING—SERVICE. Each grievance arbitration request (~~for appointment of a grievance arbitrator~~) shall be on a form furnished by the commission or shall be prepared by the party or parties filing the request in conformance with WAC 316-65-050. The original request shall be filed with the commission at its Olympia office. If the request is not filed jointly, the party filing the request shall serve a copy on the other party (respondent) to the collective bargaining agreement under which the dispute arises in accordance with WAC 316-02-150.

AMENDATORY SECTION (Amending Resolution No. 84-01, filed 3/20/84)

WAC 316-65-050 GRIEVANCE ARBITRATION—CONTENTS OF REQUEST. Each grievance arbitration request (~~for appointment of a grievance arbitrator~~) shall contain:

(1) The name, address and telephone number of the department and the name, address and telephone number of the department's principal representative for the purposes of collective bargaining.

(2) The name, address and telephone number of the exclusive employee representative and the name, address and telephone number of its principal representative.

(3) Identification of the request as: (a) A request for appointment of an arbitrator; (b) a request for arbitration of a grievance dispute arising under chapter 47.64 RCW; or (c) a request for the submission of a list of names from the dispute resolution panel created by WAC 316-55-110.

(4) A ~~((description of the grievances or issues to be submitted to arbitration))~~ clear and concise statement of the facts constituting the alleged injury, injustice or violation, including names, dates, places and participants in the occurrence(s), and the number of employees affected thereby.

(5) A statement that the remedial processes of the pertinent collective bargaining agreement have been utilized and exhausted, or a statement of cause as to the reason(s) why such processes were not utilized.

(6) The agreement of the requesting party, or the parties jointly, that the arbitrator's decision on the grievance shall not change or amend the terms, conditions, or applications of the collective bargaining agreement.

~~((6))~~ (7) The agreement of the requesting party, or the parties jointly, that the arbitration award shall be final and binding upon the parties.

~~((7))~~ (8) The signature(s) and, if any, title(s) of the representative(s) of the requesting party (parties).

NEW SECTION

WAC 316-65-060 AMENDMENT OF GRIEVANCE. A grievance may be amended by the grievant(s) at any time prior to or during any prehearing conference.

NEW SECTION

WAC 316-65-070 GRIEVANCE ARBITRATION—DESIGNATION OF ARBITRATOR. Upon the filing of an arbitration request, the commission shall acknowledge receipt of such request, with a copy to respondent(s), notifying him or her of the case number assigned to the grievance and the designation of the arbitrator, who may be the commission or one of the commissioners.

NEW SECTION

WAC 316-65-080 GRIEVANCE ARBITRATION—NOTICE OF HEARING. Not later than thirty days after receipt of an arbitration request and not less than seven days before the hearing, the arbitrator shall serve written notice of hearing to the grievant with a copy to the respondent(s) and to the representative(s) and/or counsel of each. The notice of hearing shall contain:

(1) The name(s) and address(es) of the person(s) who filed the grievance, and his/her/their representative(s)

or counsel and their title(s), if known, addresses and telephone numbers;

(2) The name(s) and address(es), of the respondent(s) named in the grievance, and his/her/their representative(s) or counsel and their title(s), if known, and their address(es) and telephone number(s);

(3) The name(s) and address(es) of any other person(s) to whom notice is being given and, if known, the names and addresses of their representatives;

(4) The official commission case number for the proceeding;

(5) The name, title, mailing address, and telephone number of the arbitrator who shall be the presiding officer;

(6) A statement of the time, place, and nature of the hearing;

(7) A statement of the legal authority and jurisdiction under which the hearing is to be held;

(8) A reference to the particular sections of the statutes and rules involved;

(9) A short and plain statement of the matter asserted by the commission;

(10) A statement that the arbitrator will take official notice of the collective bargaining agreement, if any, in effect at the time of the alleged injury, injustice, or violation;

(11) Notice of other specific evidence known by the arbitrator to be required, and which party will be required to submit such evidence; and

(12) A statement that a party who fails to attend or participate in the hearing or other stage of the arbitration may be held in default.

AMENDATORY SECTION (Amending Resolution No. 84-01, filed 3/20/84)

WAC 316-65-150 GRIEVANCE ARBITRATION—EXPENSES. Each party shall pay the expenses of presenting its own case and the expenses and fees of its member, if any, of an arbitration panel. The expenses of witnesses shall be paid by the party producing them. The fees and traveling expenses of an arbitrator selected by the parties from a panel designated by the commission and any costs for recording and/or transcription of proceedings to be used by the parties shall be paid by the parties under the terms of their collective bargaining agreement or such other arrangements as they may agree upon. The commission shall pay the salary and traveling expenses of a commissioner ~~((or other designee))~~ assigned as a grievance arbitrator ~~((, but shall pay no other expenses of the proceedings))~~.

AMENDATORY SECTION (Amending Resolution No. 84-01, filed 3/20/84)

WAC 316-65-510 INTERVENTION AND CONSOLIDATION OF ~~((PROCEEDINGS))~~ GRIEVANCES. (1) Motion for intervention: Any person, not a party, who desires to appear and participate in any proceeding before the commission ~~((under this subchapter))~~ may make a written motion for intervention prior to the hearing or make an oral motion for intervention at the outset of the hearing. No such motion shall be filed or

made after the hearing of evidence has commenced, except for good cause shown. The motion for intervention must state the name and address of the moving party; the name, address and telephone number of its principal representative, if any; the party's interest in the proceedings; and the party's position in regard to the labor dispute.

(2) Disposition of motion for intervention: Motions for intervention shall be considered first at all hearings, or may be set for prior hearing. An opportunity shall be afforded the original parties to be heard thereon. If it appears that the motion discloses an interest in the labor dispute or that participation by the moving party is in the public interest, the commission shall grant the motion. Thereafter, the moving party shall be a party to the proceedings with the same right to produce and cross-examine witnesses as the other parties. If it appears during the course of proceedings that an intervenor has no substantial interest therein, the commission may dismiss such intervenor.

(3) On its own motion or at the motion of any party, the commission may consolidate proceedings on two or more notices where the facts or principles of law are related.

AMENDATORY SECTION (Amending Resolution No. 84-01, filed 3/20/84)

WAC 316-65-515 CONDUCT OF GRIEVANCE ARBITRATION PROCEEDINGS. Prehearing conferences and hearings may be conducted by the commission(;) or by a member of the commission(, or by any other person designated by the commission as examiner) assigned as arbitrator. At any time, an ((examiner)) arbitrator may be substituted for the ((examiner)) arbitrator previously presiding. An ((examiner)) arbitrator shall have authority:

- (1) To administer oaths and affirmations;
- (2) To issue subpoenas in the name of the commission;
- (3) To rule on objections to evidence and offers of proof, receive relevant evidence and exclude irrelevant, immaterial or unduly repetitious evidence;
- (4) To question witnesses;
- (5) To regulate the time, place and course of the hearing;
- (6) To dispose of procedural requests or other similar matters;
- (7) To hold conferences for the settlement, simplification or adjustment of issues in accordance with WAC 316-02-210 and 316-02-220;
- (8) To make and issue an arbitration award on the matters in dispute, subject to the right of any party to petition for review of such award by the commission; and
- (9) To take any other action authorized by these rules.

Any party who proceeds with arbitration after knowledge that any provision or requirement of these rules has not been complied with and who fails to state its objection thereto in writing, shall be deemed to have waived its right to object.

AMENDATORY SECTION (Amending Resolution No. 84-01, filed 3/20/84)

WAC 316-65-525 GRIEVANCE HEARING WAIVER. ~~((The commission or its designated examiner shall establish a date, time and place for a hearing and shall provide reasonable notice thereof to the parties. Where it appears to the commission or examiner that an emergency exists warranting consideration of interim relief, a hearing may be scheduled for that purpose on less notice than that provided by WAC 316-02-170. For good cause shown, the commission or examiner may adjourn the hearing upon the request of a party or upon its own initiative.))~~ The parties may waive oral hearing by written agreement.

AMENDATORY SECTION (Amending Resolution No. 84-01, filed 3/20/84)

WAC 316-65-530 ORDER OF PROCEEDINGS AND EVIDENCE. The order of presentation at the hearing shall be as agreed by the parties or as determined by the ~~((agency))~~ arbitrator. All evidence shall be taken in the presence of all parties, unless a party is absent in default or has waived its right to be present. The ~~((commission or examiner))~~ arbitrator may make, and take official notice of the results of, its own inspection of the conditions involved. Each documentary exhibit shall be filed with the ~~((commission))~~ arbitrator and copies shall be provided to the other parties.

AMENDATORY SECTION (Amending Resolution No. 84-01, filed 3/20/84)

WAC 316-65-535 ARBITRATION IN THE ABSENCE OF A PARTY. The ~~((commission or examiner))~~ arbitrator may proceed in the absence of any party who, after due notice, fails to be present or fails to obtain an adjournment. Except for good cause shown, the failure of a party to appear shall constitute grounds for dismissal of its claim or granting of relief against it, as may be appropriate.

NEW SECTION

WAC 316-65-538 WITHDRAWAL OF GRIEVANCE. A grievance may be withdrawn by the grievant(s) at any time prior to the close of hearing under WAC 316-65-540 under such conditions as the commission or assigned commissioner may impose.

AMENDATORY SECTION (Amending Resolution No. 84-01, filed 3/20/84)

WAC 316-65-540 CLOSING OF HEARING. The hearing shall be deemed closed after the parties have completed presenting their testimony and/or exhibits and have filed briefs within agreed time limits. The ~~((commission or examiner))~~ arbitrator may direct the filing of briefs when it deems such filing warranted by the nature of the proceedings or of particular issues therein.

AMENDATORY SECTION (Amending Resolution No. 84-01, filed 3/20/84)

WAC 316-65-545 ((EXAMINER)) GRIEVANCE ARBITRATION DECISION. After the close of the hearing and the filing of all briefs, the ((examiner)) arbitrator shall issue an arbitration award on the matters in dispute((- The examiner shall file the original decision with the commission)) and shall cause a copy thereof to be served on each of the parties. If the arbitrator is a single commissioner, he/she may issue a proposed award, subject to commission review under WAC 316-65-550, or he/she may transfer the entire record to the commission for a final decision under WAC 316-65-555.

AMENDATORY SECTION (Amending Resolution No. 84-01, filed 3/20/84)

WAC 316-65-550 PETITION FOR REVIEW OF ((EXAMINER)) COMMISSIONER DECISION. The ((examiner's)) commissioner's proposed award shall be subject to review by the commission on its own motion, or ((at the request)) on the petition of any party, made within twenty days following the date of the proposed award issued by the ((examiner)) commissioner. The ((original and three copies of the)) petition for review shall be filed with the commission at its Olympia office and the party filing the petition shall serve a copy on each of the other parties to the proceeding. Such petition for review shall contain, in separate numbered paragraphs, statements of the specific orders or rulings on which the party filing the petition seeks review by the commission. A petition for review shall have attached to it any appeal brief or written argument which the party filing the petition for review desires to have considered by the commission. Other parties to the proceeding shall have ((fourteen)) ten days following the date on which they are served with a copy of such petition for review and accompanying brief or written argument to file a responsive brief or written argument. The commission may, for good cause, grant any party an extension of the time for filing of its brief or written argument. In the event no timely petition for review is filed, and no action is taken by the commission on its own motion within thirty days following the ((examiner's final)) commissioner's proposed order, the arbitration award of the ((examiner)) arbitrator shall automatically become final and binding.

AMENDATORY SECTION (Amending Resolution No. 84-01, filed 3/20/84)

WAC 316-65-555 COMMISSION ACTION. On its own motion, or on the filing of a petition for review, the entire record in the proceeding shall be transferred to the commission, and thereafter all motions and arguments shall be directed to the commission. The commission may request the parties to appear before it to make oral arguments as to certain of the issues or all of the issues in the matter. The commission shall, on the basis of the entire record and any briefs or arguments submitted to it on review, issue the final and binding arbitration award on the matter.

AMENDATORY SECTION (Amending Resolution No. 84-01, filed 3/20/84)

WAC 316-65-560 GRIEVANCE ARBITRATION REMEDIES. If ((a violation of a collective bargaining agreement is found to have been committed, the commission or its examiner shall issue a remedial order)) upon the preponderance of evidence the arbitrator or commission shall conclude that any person named in the complaint has committed acts or is committing acts which have resulted in injury, injustice, or violation of rights granted by rule, statute or collective bargaining agreement, then the arbitrator or commission shall state its findings of fact and conclusions of law and cause to be served on such person a remedial order requiring him or her to cease and desist from such acts and to take such affirmative and corrective action as necessary to restore grievant's rights and to effectuate the policies of RCW 47.64.005 and 47.64.006, including but not limited to reinstatement of employees with or without back pay. In calculating back pay orders, the following shall apply:

(1) Employee(s) reinstated to employment with back pay shall have deducted from any amount due an amount equal to any earnings such employee(s) may have received during the period of the violation in substitution for the terminated employment, calculated on a quarterly basis.

(2) Employee(s) reinstated to employment with back pay shall have deducted from any amount due an amount equal to any unemployment compensation benefits such employee(s) may have received during the period of the violation, and the department shall provide evidence to the commission that such amount has been repaid to the Washington state department of employment security as a credit to the benefit record of the employee.

(3) Money amounts due shall be subject to interest at the rate which would accrue on a civil judgment of the Washington state courts, from the date of the violation to the date of payment.

NEW SECTION

WAC 316-65-600 OTHER LAW. Nothing in chapter 316-65 WAC is intended to diminish the constitutional rights of any person or to limit or modify additional requirements imposed by statute, including the Administrative Procedure Act.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 316-65-090 GRIEVANCE ARBITRATION—DESIGNATION OF PANEL OF ARBITRATORS.

WAC 316-65-110 GRIEVANCE ARBITRATION—CONDUCT OF PROCEEDINGS.

WAC 316-65-130 GRIEVANCE ARBITRATION—AWARD.

WAC 316-65-500 GRIEVANCE ARBITRATION—EXCLUSIVE PROCEDURES.

WSR 89-21-058
PERMANENT RULES
CHIROPRACTIC EXAMINING BOARD
 [Filed October 16, 1989, 4:05 p.m.]

Date of Adoption: October 12, 1989.

Purpose: To provide time frames for completion of the chiropractic examination process and to provide for remedial education for applicants who repeatedly fail the examination.

Citation of Existing Rules Affected by this Order: Amending WAC 114-12-132.

Statutory Authority for Adoption: RCW 18.25.017.

Pursuant to notice filed as WSR 89-18-082 on September 6, 1989.

Effective Date of Rule: Thirty days after filing.

October 12, 1989
 Steven R. Bartusch, D.C.
 Chairman

AMENDATORY SECTION (Amending Order PM 692, filed 12/1/87)

WAC 114-12-132 CHIROPRACTIC EXAMINATION SCORES. (1) Applicants who pass at least three of the following examination sections may carry their scores in those sections forward only to the next examination administered by the board. The sections are:

- (a) Written technique;
- (b) Written x-ray;
- (c) Principles and practice;
- (d) Practical x-ray;
- (e) Practical technique.

(2) Applicants who fail one or two sections and who do not take the next examination offered by the board may not carry any scores forward and must retake the entire examination.

(3) Applicants who do not pass the entire examination in two consecutive sittings must retake the entire examination and may be required to demonstrate evidence of completion of a board-approved remedial program or refresher chiropractic course in the subject(s) failed. An applicant must pass all five sections within six sittings. After six failures the applicant must petition the board for permission to take any further examination. The board shall have complete discretion regarding such petition and the conditions under which further examination permission may be granted.

WSR 89-21-059
PREPROPOSAL COMMENTS
DEPARTMENT OF ECOLOGY
 [Filed October 17, 1989, 1:30 p.m.]

Subject of Possible Rule Making: Amending section in chapter 173-201 WAC pertaining to the establishment of mixing zones in discharge permits. Proposed amendment will provide criteria to be met for the use of mixing zones.

Persons may comment on this subject by phone or writing and public comment at workshops and hearings to be held at four key locations around the state. Department of Ecology, Water Quality Program, Mailstop PV-11, Olympia, Washington 98504-8711, Attn: Mark Hicks, or (206) 438-7087, or at four public workshops and four public hearings held around the state. Written and phone comments will be accepted until the second week of May. Workshops will be held during the second week of November and public hearings will be held April 10-16, 1990. Specific dates and locations will be determined and advertised as soon as they are known.

October 17, 1989
 Fred Olson
 Deputy Director

WSR 89-21-060
NOTICE OF PUBLIC MEETINGS
WASHINGTON STATE UNIVERSITY
 [Memorandum—October 10, 1989]

The November 17, 1989, meeting of the board will be held at the Washington Mutual Savings Bank Building, 1201 Third Avenue, Seattle. The meeting will begin at 8:30 a.m.

WSR 89-21-061
NOTICE OF PUBLIC MEETINGS
EDMONDS COMMUNITY COLLEGE
 [Memorandum—October 17, 1989]

Thursday, October 19, 1989
 Lynnwood Hall, Room 424
 3:30 - 6:55

The facilities for this meeting are free of mobility barriers and interpreters for deaf individuals and brailled or taped information for blind individuals will be provided upon request when adequate notice is given.

WSR 89-21-062
PROPOSED RULES
DEPARTMENT OF REVENUE
 [Filed October 17, 1989, 2:20 p.m.]

Original Notice.

Title of Rule: Amending WAC 458-40-540 Property tax, forest land—Forest land values, 1990.

Purpose: To establish the forest land values for each grade of bare forest land on the basis of its use only for growing and harvesting timber.

Statutory Authority for Adoption: RCW 84.33.120.

Statute Being Implemented: RCW 84.33.120.

Summary: The rule sets out the procedure for determining the per acre value of forest land annually.

Reasons Supporting Proposal: RCW 84.33.120 directs the Department of Revenue, prior to January 1 of each

year, to determine forest land values and to certify such values to the county assessors.

Name of Agency Personnel Responsible for Drafting: Bill Derkland, 6004 South Capitol Boulevard, Tumwater, (206) 753-1359; Implementation and Enforcement: John B. Conklin, 6004 South Capitol Boulevard, Tumwater, (206) 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: This rule establishes the value of forest land for property tax purposes on the basis of its use only for growing and harvesting timber. It gives consideration to land quality (land quality grades 1 through 8 and operability classes 1 through 4 for land qualities 1 through 7) and provides county assessors with a uniform valuation system throughout the state.

Proposal Changes the Following Existing Rules: Changes in values only. Values included are for the 1990 assessment year.

Small Business Economic Impact Statement: The Department of Revenue has reviewed administrative provisions contained in WAC 458-40-540 in order to determine the economic impact on small businesses. The new provisions incorporated in this rule do not change the timing or frequency of tax payments; require new forms; or alter longstanding and generally accepted record-keeping requirements. This rule will have no economic impact on industry. The economic impact of actual tax liability is beyond the scope of the small business economic impact statement and is therefore not addressed.

Hearing Location: Conference Room, 6004 Capitol Way Building, Tumwater, WA 98504, on November 21, 1989, at 9:00 a.m.

Submit Written Comments to: John B. Conklin, Department of Revenue, Forest Tax Division, 415 General Administration Building, Olympia, WA 98504, by November 21, 1989.

Date of Intended Adoption: November 21, 1989.

October 17, 1989
John B. Conklin
Assistant Director
Forest Tax

AMENDATORY SECTION (Amending Order FT-88-3, filed 11/15/88)

WAC 458-40-540 PROPERTY TAX, FOREST LAND—FOREST LAND VALUES—((+1989)) 1990. The true and fair values, per acre, for each grade of forest land for the ((+1989)) 1990 assessment year are determined to be as follows:

| ((+1989)) 1990 WASHINGTON FOREST LAND VALUES | | |
|---|-------------------|----------------|
| LAND GRADE | OPERABILITY CLASS | VALUE PER ACRE |
| 1 | 1 | \$((+26)) 135 |
| | 2 | ((+2+)) 130 |
| | 3 | ((+7+)) 125 |
| | 4 | ((85)) 91 |

| ((+1989)) 1990 WASHINGTON FOREST LAND VALUES | | |
|---|-------------------|----------------|
| LAND GRADE | OPERABILITY CLASS | VALUE PER ACRE |
| 2 | 1 | ((+06)) 113 |
| | 2 | ((+02)) 109 |
| | 3 | ((98)) 105 |
| | 4 | ((7+)) 76 |
| 3 | 1 | ((83)) 89 |
| | 2 | ((80)) 86 |
| | 3 | ((78)) 84 |
| | 4 | ((60)) 64 |
| 4 | 1 | ((63)) 67 |
| | 2 | ((6+)) 65 |
| | 3 | ((60)) 64 |
| | 4 | ((47)) 50 |
| 5 | 1 | ((46)) 49 |
| | 2 | ((42)) 45 |
| | 3 | ((4+)) 44 |
| | 4 | ((27)) 29 |
| 6 | 1 | ((23)) 25 |
| | 2 | ((22)) 24 |
| | 3 | ((22)) 24 |
| | 4 | ((2+)) 22 |
| 7 | 1 | ((+1)) 12 |
| | 2 | ((+1)) 12 |
| | 3 | ((+0)) 11 |
| | 4 | ((+0)) 11 |
| 8 | | 1 |

WSR 89-21-063
WITHDRAWAL OF PROPOSED RULES
DEPARTMENT OF AGRICULTURE
[Filed October 17, 1989, 2:43 p.m.]

The Washington State Department of Agriculture has decided to withdraw WAC 16-228-190 from notice WSR 89-20-067 filed on October 4, 1989.

Art G. Losey
Assistant Director

WSR 89-21-064
PROPOSED RULES
DEPARTMENT OF AGRICULTURE
[Filed October 17, 1989, 3:15 p.m.]

Original Notice.

Title of Rule: Rules relating to yellow nutsedge quarantine in chapter 16-752 WAC.

Purpose: To detect, identify, eradicate and control noxious weeds which pose a serious threat to Washington agricultural industry, the public and the environment.

Statutory Authority for Adoption: Chapter 17.10 RCW.

Summary: The purpose of the quarantine is to prevent the spread of yellow nutsedge (*Cyperus esculentus* L), a class B noxious weed, infesting to dredge spoil sites at

the Port of Kalama until necessary control measures can be implemented.

Reasons Supporting Proposal: The spread of yellow nutsedge can cause serious economic damage to agriculture. The properties quarantined were determined to be so seriously infested that needed control measures could not be undertaken without a quarantine.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: William E. Brookreson, 2639A Parkmont, Olympia, WA, 586-5306.

Name of Proponent: Department of Agriculture, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule quarantines two badly infested dredge spoil sites by restricting movement of contaminated soils from the site; restricting access by off-road vehicles; requiring that equipment used for ground disturbing [disturbing] operation be decontaminated; involving the Cowlitz County Noxious Weed Control Board in control decisions; and making control efforts a priority. The purpose and anticipated effect is to prevent further infestations in Cowlitz County by movement of yellow nutsedge nutlets and seeds.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Longview P.U.D., 960 Commerce, Longview, WA 98632, on November 22, 1989, at 6:00 p.m.

Submit Written Comments to: William E. Brookreson, by November 22, 1989.

Date of Intended Adoption: December 6, 1989.

November [October] 17, 1989

William E. Brookreson
Assistant Director

NEW SECTION

WAC 16-752-300 ESTABLISHING QUARANTINE. Yellow nutsedge (*Cyperus esculentus* L.) is a herbaceous perennial that is one of the most serious noxious weeds of agronomic crops. It propagates by seed, rhizomes, bulbs, and nutlets. Soil containing nutlets is the primary mode of spread in cultivated land. It is highly invasive and its unchecked spread would entail great economic loss to the agricultural industries of the state. It is a class B noxious weed designated for control in Cowlitz County (WAC 16-750-011(27)). Yellow nutsedge has infested two dredging spoil sites at the Port of Kalama in Kalama, Washington. Movement of material from these sites has initiated additional infestations. RCW 17.10.210 provides that either the director or the county noxious weed control board or a weed district may issue an order for quarantine and restriction or denial of access to land determined to be so seriously infested that control measures cannot be undertaken without quarantine of the land. The director has determined:

- (1) That the identified sites are so seriously infested as to require quarantine; and
- (2) That the movement of contaminated materials from these sites presents an immediate threat of infestation to the rest of the county agricultural and nonagricultural areas; and
- (3) That the restriction of such spread is critical to control efforts.

NEW SECTION

WAC 16-752-305 QUARANTINE AREA. The quarantine area shall encompass two dredge spoil sites at and owned by the Port of Kalama in Kalama, Washington designated as "KS-1" and "KS-2," Sec. 21, T6N, R1W WM.

NEW SECTION

WAC 16-752-310 ARTICLES WHOSE MOVEMENT IS RESTRICTED. The movement of all plants and parts of plants of yellow nutsedge and soil contaminated with propagules (nutlets or seeds) of the plant, is covered by this quarantine.

NEW SECTION

WAC 16-752-315 REGULATIONS. Use of the properties identified in WAC 16-752-305 is restricted as follows:

(1) All removal of sand or soil from the quarantine locations is prohibited without a permit from the Cowlitz County noxious weed control board that details the end use and exact geographic destination.

(2) All land disturbing operations including excavation, utilities work, and similar activities requires a one time, no fee permit from the weed board that obligates the operator to thoroughly hose down all equipment before leaving the quarantine area and record the next two areas where the equipment is used after leaving the quarantine area.

(3) All off-road vehicles are banned in the quarantine area without the written permission of the Cowlitz County noxious weed control board.

(4) All weed control measures in the quarantine area are to be undertaken in consultation with the Cowlitz County noxious weed control board.

(5) Yellow nutsedge control shall take precedence over all other land uses in the quarantine area.

NEW SECTION

WAC 16-752-320 COSTS OF QUARANTINE. The costs of serving the notice required by RCW 17.10.210(2) shall be borne by the department. The costs of control work shall be borne by the landowner unless otherwise determined by the Cowlitz County noxious weed control board or the director in consultation with the Washington state noxious weed control board.

NEW SECTION

WAC 16-752-325 DURATION. This quarantine shall be effective until October 15, 1990, and shall expire unless renewed by the director.

NEW SECTION

WAC 16-752-330 VIOLATION AND PENALTY. Any person who violates this quarantine shall have committed a civil infraction and shall be subject to the provisions of RCW 17.10.350 and WAC 16-750-900(3) which provides a monetary penalty of up to one thousand dollars per infraction.

WSR 89-21-065

PERMANENT RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Public Assistance)

[Order 2882—Filed October 17, 1989, 3:30 p.m.]

Date of Adoption: October 17, 1989.

Purpose: Increase the need standards for basic requirements.

Citation of Existing Rules Affected by this Order: Amending WAC 388-29-100.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to notice filed as WSR 89-16-061 on July 31, 1989.

Effective Date of Rule: Thirty days after filing.

October 17, 1989

Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2677, filed 9/1/88)

WAC 388-29-100 STANDARDS OF ASSISTANCE—BASIC REQUIREMENTS. (1) The statewide monthly need standards for basic requirements shall be:

(a) Households with an obligation to pay shelter costs effective (~~October 1, 1988~~) August 1, 1989.

Treat households residing in a lower income housing project, assisted under the United States Housing Act of 1937 or Section 236 of the National Housing Act, as renters if (~~they~~) the household member makes any utility payment in lieu of a rental payment.

| Recipients in Household | Need Standard |
|-------------------------|-----------------|
| 1 | \$ ((557)) 579 |
| 2 | ((705)) 733 |
| 3 | ((872)) 907 |
| 4 | ((1,026)) 1,068 |
| 5 | ((1,182)) 1,230 |
| 6 | ((1,341)) 1,395 |
| 7 | ((1,549)) 1,612 |
| 8 | ((1,715)) 1,784 |
| 9 | ((1,883)) 1,959 |
| 10 or more | ((2,046)) 2,129 |

(b) Households without shelter costs effective (~~October 1, 1988~~) August 1, 1989.

The monthly standard for clients without shelter costs includes requirements for food, clothing, personal maintenance and necessary incidentals, household maintenance, and transportation.

| Recipients in Household | Need Standard |
|-------------------------|-----------------|
| 1 | \$ ((328)) 341 |
| 2 | ((416)) 432 |
| 3 | ((514)) 535 |
| 4 | ((605)) 630 |
| 5 | ((697)) 725 |
| 6 | ((791)) 823 |
| 7 | ((914)) 951 |
| 8 | ((1,011)) 1,052 |
| 9 | ((1,111)) 1,155 |
| 10 or more | ((1,207)) 1,256 |

(2) One hundred eighty-five percent of the state-wide monthly need standard for basic requirements is:

(a) Households with shelter costs effective (~~October 1, 1988~~) August 1, 1989.

| Recipients in Household | 185% of Need Standard |
|-------------------------|-----------------------|
| 1 | \$ ((1,030)) 1,071 |
| 2 | ((1,304)) 1,356 |
| 3 | ((1,613)) 1,677 |
| 4 | ((1,898)) 1,975 |
| 5 | ((2,186)) 2,275 |
| 6 | ((2,480)) 2,580 |
| 7 | ((2,865)) 2,982 |

| Recipients in Household | 185% of Need Standard |
|-------------------------|-----------------------|
| 8 | ((3,172)) 3,300 |
| 9 | ((3,483)) 3,624 |
| 10 or more | ((3,785)) 3,938 |

(b) Households without shelter costs effective (~~October 1, 1988~~) August 1, 1989.

| Recipients in Household | 185% of Need Standard |
|-------------------------|-----------------------|
| 1 | \$ ((606)) 630 |
| 2 | ((769)) 799 |
| 3 | ((950)) 989 |
| 4 | ((1,119)) 1,165 |
| 5 | ((1,289)) 1,341 |
| 6 | ((1,463)) 1,522 |
| 7 | ((1,690)) 1,759 |
| 8 | ((1,870)) 1,946 |
| 9 | ((2,055)) 2,136 |
| 10 or more | ((2,232)) 2,323 |

(3) The state-wide monthly payment standard shall be:

(a) Effective (~~October 1, 1988~~) August 1, 1989, payment standards for households with shelter costs reflecting a ratable reduction of ((43.7)) 45.9 percent of need standards.

Treat households residing in a lower income housing project, assisted under the United States Housing Act of 1937 or Section 236 of the National Housing Act, as renters if (~~they~~) the household member makes any utility payment in lieu of a rental payment.

| Recipients in Household | Payment Standard |
|-------------------------|------------------|
| 1 | \$ 314 |
| 2 | 397 |
| 3 | 492 |
| 4 | 578 |
| 5 | 666 |
| 6 | 756 |
| 7 | 873 |
| 8 | 966 |
| 9 | 1,061 |
| 10 or more | 1,153 |

(b) Effective (~~October 1, 1988~~) August 1, 1989, payment standards for households without shelter costs reflecting a ratable reduction of ((43.7)) 45.8 percent of the need standard.

The monthly payment standard for clients without shelter costs shall include requirements for food, clothing, personal maintenance and necessary incidentals, transportation, and household maintenance.

| Recipients in Household | Payment Standard |
|-------------------------|------------------|
| 1 | \$ 186 |
| 2 | 235 |
| 3 | 290 |

| Recipients in Household | Payment Standard |
|----------------------------|---------------------|
| 4 | 342 |
| 5 | 393 |
| 6 | 446 |
| 7 | 515 |
| 8 | 570 |
| 9 | 626 |
| 10 or more | 680 |

WSR 89-21-066

PROPOSED RULES

DEPARTMENT OF LABOR AND INDUSTRIES

(Board of Boiler Rules)

[Filed October 17, 1989, 3:55 p.m.]

Original Notice.

Title of Rule: WAC 296-104-200 Standards for new construction; and 296-104-195 Pressure vessel clearance.

Purpose: To comply with actions taken by the Board of Boiler Rules.

Statutory Authority for Adoption: RCW 70.79.040.

Statute Being Implemented: Rules and regulations—Scope.

Summary: WAC 296-104-200 will allow adoption of specific editions of codes; and WAC 296-104-195 will allow specific direction for clearances around pressure vessels.

Reasons Supporting Proposal: To comply with actions taken by the Board of Boiler Rules.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: George E. Black, Chief Boiler Inspector, 805 Plum Street, (206) 586-0217.

Name of Proponent: Board of Boiler Rules, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 296-104-200, existing rule automatically adopts new editions of codes as they are published. Change adopts specific editions; and WAC 296-104-195, provides minimum clearance requirements for new pressure vessel installations.

Proposal Changes the Following Existing Rules: WAC 296-104-200, adopts specific code editions.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Pioneer Room, 805 Plum Street S.E., Olympia, WA, on November 21, 1989, at 10:00 a.m.

Submit Written Comments to: George Black, by November 21, 1989.

Date of Intended Adoption: December 21, 1989.

October 6, 1989
Robert Reid
Chairman

NEW SECTION

WAC 296-104-195 PRESSURE VESSEL CLEARANCES. When pressure vessels are replaced or new vessels are installed in either existing or new buildings, a minimum height of eighteen inches shall be provided between the top of the pressure vessel proper and the ceiling and adjacent walls or other structures. All pressure vessels having manholes shall have five feet clearance from manhole openings and any wall, ceiling, or piping that will prevent a person from entering the vessel. Lesser clearances may be acceptable at the discretion of the inspector.

AMENDATORY SECTION (Amending Order 85-26, filed 12/19/85)

WAC 296-104-200 STANDARDS FOR NEW CONSTRUCTION. The standards for new construction are the 1989 edition of ASME Boiler and Pressure Vessel Code, the 1987 edition of ASME/ANSI PVHO-1 (Standard for Pressure Vessels for Human Occupancy), the ((+1980)) 1987 edition of ANSI B31.3 (Chemical Plant & Petroleum Refinery Piping) for oil and chemical plants, and the ((+1983)) 1989 edition of ASME/ANSI B31.1 (Power Piping) for other nonnuclear construction((;)) with all addenda as ((effectively)) issued and made part of the above referenced ASME/ANSI sections of the codes. ((The last preceding code)) These codes and standards may be used on ((and)) or after the date of issue and become((s)) mandatory twelve months after adoption by the board as ((defined)) specified in RCW 70.79.050(2). 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. Also, in circumstances such as nuclear systems, the time period for addenda becoming mandatory is defined in the Code of Federal Regulations.

WSR 89-21-067

PROPOSED RULES

GAMBLING COMMISSION

[Filed October 17, 1989, 4:05 p.m.]

Original Notice.

Title of Rule: WAC 230-02-010 Washington State Gambling Commission—Purpose and organization; 230-04-020 Certification procedure; 230-04-190 Issuance of license; 230-04-270 Bad checks; 230-20-325 Manner of conducting a raffle; 230-60-010 Definitions; and 230-60-025 Public records.

Purpose: Comply with statutory requirements of APA and codify agency policies pursuant to the APA.

Statutory Authority for Adoption: Chapter 34.05 RCW.

Statute Being Implemented: Chapter 9.46 RCW.

Summary: To formalize, clarify and relocate policies, procedures and/or definitions to comply with APA statutory requirement.

Reasons Supporting Proposal: To comply with APA general requirement for agency description; formalize policies and procedures regarding the licensing process, specifically closing applications and mandatory training; formalize procedures for reinstating a license; formalize policy regarding payment of a license fee with a check which is dishonored by the drawee bank; formalize policy regarding the granting of approval for alternative raffle drawings; definitions were out of place in chapter 230-60 WAC moved to WAC 230-02-010; and clarify previous policy regarding records available for public disclosure.

Name of Agency Personnel Responsible for Drafting: Frank L. Miller, Lacey, Washington, 438-7640; Implementation: Ben Bishop, Lacey, Washington, 438-7665; and Enforcement: Richard Nicks, Lacey, Washington, 438-7690.

Name of Proponent: Washington State Gambling Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Formalize, clarify and relocate policies, procedures and/or definitions to comply with APA statutory requirements and codify agency policies pursuant to chapter 34.05 RCW.

Proposal does not change existing rules.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

The amendments will codify existing policies and procedures. This agency has determined there is no economic impact to any of the licensees administered by the agency if the amendments are adopted as proposed in these rules.

Hearing Location: Execulodge Governor House, 621 Capitol Way South, Olympia, WA 98501, on January 12, 1990, at 10:00.

Submit Written Comments to: Washington State Gambling Commission, 4511 Woodview Drive S.E., Lacey, WA 98503, by January 12, 1990.

Date of Intended Adoption: January 12, 1990.

October 17, 1989
Frank L. Miller
Deputy Director

AMENDATORY SECTION (Amending Order 90, filed 6/14/79)

WAC 230-02-010 WASHINGTON STATE GAMBLING COMMISSION- PURPOSE AND ORGANIZATION. (1) Purpose - The Washington state gambling commission, hereinafter called "the commission," is ~~((the commission appointed by the governor))~~ created pursuant to RCW 9.46.040 as the licensing and regulatory agency charged with the authority and duty to control statutorily authorized nonprofessional gambling ~~((activities))~~. Where appropriate, the term "commission" also refers to the staff and employees of the commission. In order to carry out the assigned duties and responsibilities, the legislature designated the commission as a law enforcement agency with the powers to investigate all gambling and associated activities and enforce the provisions of RCW 9.46.

(2) Organization - The commission is comprised of five part-time members, four ex officio members, and a full time staff.

(a) Commission Members - Five (5) citizens, all appointed by the governor with the consent of the state senate for six-year staggered terms. One member is annually elected as chairperson. commissioners serve part-time as necessary and otherwise as directed by the chairperson.

(b) Ex Officio Members - Two members each from the senate and the house of representatives, one each from the majority and minority political parties. Members are appointed for two year terms by the president of the senate and speaker of the house of representatives, respectively. Ex officio members do not vote on matters before the commission for review.

(c) Staff - The commission staff is organized under a director, a deputy director, and two assistant directors pursuant to RCW 9.46-.080. The director, the deputy director, both assistant directors, and all staff required to perform undercover duties are exempt from the provisions of chapter 41.06 RCW. Staff duties and responsibilities are as follows:

(i) Director - The director is appointed by the commission as its administrator for carrying out its powers and duties. The director ensures that staff and other resources are available to carry out the purposes and provisions of RCW 9.46. the director is directly responsible

for matters pertaining to public relations, research, contracts, agreements, and legal problems.

(ii) Deputy Director - The deputy director is appointed by the director with responsibilities of making decisions and carrying out duties delegated by the director: Provided, that those duties specifically enumerated in WAC 230-12-900 may not be delegated to the deputy director.

(iii) Assistant Directors - Assistant directors are appointed by the director with the responsibilities for the day-to-day management of the various operational sections of the commission and advising the director regarding matters necessary to carry out the provisions of RCW 9.46.

AMENDATORY SECTION (Amending Order 190, filed 4/18/89, effective 7/1/89)

WAC 230-04-020 CERTIFICATION PROCEDURE—GENERAL REQUIREMENTS—MANDATORY TRAINING REQUIRED. Applicants for license from the commission shall submit all applications, ~~((with))~~ including the proper fee, as established by WAC 230-04-201, to the administrative office of the commission in ~~((Olympia))~~ Lacey. The application process is as follows:

(1) The application shall be made using a form provided by the commission. The application form must be completed in every respect, containing all the information and attachments requested ~~((on the appropriate application form is required to be submitted by each applicant for a license:))~~;

~~((+))~~ (2) The application shall be signed under oath by an individual attesting that the information set forth in the application and any accompanying materials is true, accurate and complete and that they assume full responsibility for the fair and lawful operation of all licensed activities that the applicant conducts. The following person(s) shall sign the application:

(a) ~~((t))~~ The highest ranking officer/official of a charitable, nonprofit or profit seeking corporation ~~((, such as the president of a firm or club or the head pastor or minister of a church))~~; ~~((or by t))~~

(b) The principal owner of a ~~((profit seeking business. Other persons, including but not limited to, the chairman of a board of directors or trustees, the person in charge of the financial records, or persons having a substantial interest in the applicant business and/or charitable nonprofit organization, may at the commission director's discretion be required to sign the application. When the application is being submitted by or on behalf of an incorporated city or town in the state of Washington, the application must be signed by t))~~ sole proprietorship;

(c) All partners of a partnership or general partner of a limited partnership; and

(d) The mayor or the mayor's designated representative if the application is being submitted by or on behalf of an incorporated city or town.

(e) The director may also require the following persons to sign the application:

(i) The chairman of the board of directors or trustees;

(ii) The person in charge of financial records; and/or

(iii) Persons with a substantial interest in the applicant business or charitable/nonprofit organization.

~~((2))~~ Each such person shall acknowledge that he assumes full responsibility for the fair and lawful operation of all licensed activities that the applicant conducts:))

(3) The commission will consider only those applica~~((nts submitting the form and fully completing))~~tions submitted on the proper form and which all the applicable portions of the form are fully completed. ~~((Each applicant shall certify under oath that the information set forth in the application and any accompanying materials is true, accurate and complete:))~~ Failure to respond to written notification of an incomplete application, including submission of proper fees, within twenty (20) days of such notice, shall be cause for administrative closure of the application.

(4) The ~~((application form and))~~ commission may disclose to the public or discuss at a public meeting all information set forth ~~((therein))~~ in the application and all supplemental information submitted, ~~((at the commission's request:))~~ except statements ~~((as to))~~ regarding arrests or convictions of any person ~~((, shall constitute public records and the entire contents thereof may, at the discretion of the commission, be disclosed to the public or discussed at the public meetings of the commission)).~~

(5) The commission shall ~~not issue ((the)) a license ((applied for only after)) until it is satisfied that the applicant is completely qualified to operate the activity for which ((the)) a license is ((being)) requested. ((The commission will refrain from issuing the license until the person that signed the application form and the designated person responsible for the gambling activity has completed a training course as established and provided by the commission and until the completion of such review and investigation as the commission deems necessary. Provided, Mandatory training shall not be required for licensing of manufacturers; manufacturers representatives; recertification of existing licenses, unless there has been a change in the highest ranking officer since the issuance of the license; and for licensees with special circumstances as approved by the director.)) Prior to issuing a license, the commission will:~~

(a) Conduct a review and investigation of all information available, whether submitted as a part of the application or otherwise obtained, to the degree deemed necessary to attest to the qualification of the applicant and the gambling premises;

(b) Require all persons who sign the application, as set out in subsection (2) above, plus the manager or other designated person(s) responsible for conducting the gambling activity or completing records, to complete a training course as established and provided by the commission: Provided, that mandatory training shall not be required for manufacturers; manufacturers representatives; or applicants or licensees with special circumstances as approved by the director. Mandatory training shall be completed within the following time lines:

(i) New applicants – Within 60 days of application and prior to being granted a license: Provided, that cardroom employees and bingo managers must attend training no later than 30 days after the first day of work.

(ii) Annual recertification – No later than 60 days after the effective date of the license: Provided, that only those person(s), as set out in subsection (2) above, which are newly designated to sign the application since the last license application shall be required to attend training if they have not attended within the previous three (3) years; and

(iii) Changes to managers or other designated persons responsible for conducting gambling activities or completing records – No later than 60 days after the first day of work.

AMENDATORY SECTION (Amending Order 190, filed 4/18/89)

WAC 230-04-190 ISSUANCE OF LICENSE. (1) Charitable and nonprofit organizations and agricultural fairs. The commission may issue a license to qualified bona fide charitable or nonprofit organizations or to qualified agricultural fairs to operate each of the following activities upon a specified location:

- (a) Bingo;
- (b) Raffles;
- (c) Amusement games;
- (d) Punchboards and pull tabs;
- (e) Social cards; and
- (f) Electronic cranes.

(2) Fund raising event as defined in RCW 9.46.0233. The commission may issue a license to a bona fide charitable or bona fide nonprofit organization defined in RCW 9.46.0209, other than any agricultural fair defined therein, to conduct fund raising events.

(3) Special amusement game license. The commission may issue a license to any person, association or organization other than a bona fide charitable or bona fide nonprofit organization to conduct amusement games only at one or more of the locations set out by the commission in WAC 230-20-380.

(4) Commercial stimulant card games. The commission may issue a license to persons operating a business primarily engaged in the selling of items of food or drink for consumption on the premises ~~((operating under the authority of a license or permit for the business issued by the state, district or local health officer, and/or a license issued by the Washington state liquor control board;))~~ to allow a specified portion of a specified premises to be used by persons to play authorized card games.

(5) Public card room employee. The commission may issue a license to a person to perform duties in a public card room.

(6) Commercial stimulant punchboards and pull tabs. The commission may issue a license to a person operating a business primarily engaged in the selling of items of food or drink for consumption on the premises ~~((operating under the authority of a license or permit for the business issued by the state, district or local health officer, and/or a license issued by the Washington state liquor control board;))~~ to operate punchboards and pull tabs upon specified premises.

~~(7) ((Punchboard and pull tab manufacturer and distributor. The commission may issue a separate license to:~~

- ~~(a) Punchboard and pull tab manufacturers;~~
- ~~(b) Distributors to sell and distribute punchboards and pull tabs and related equipment within the state of Washington;~~
- ~~(c) Manufacturer's representatives to sell and distribute punchboards and pull tabs and related equipment on behalf of the manufacturer in the state of Washington; and~~
- ~~(d) Distributor's representatives to sell and distribute punchboards and pull tabs and related equipment on behalf of the distributor in the state of Washington.)) Commercial electronic cranes.~~

~~(a) Electronic crane operator – The commission may issue a license to any person, association or organization other than a bona fide charitable or nonprofit organization to operate electronic cranes at a single or multiple locations as defined in WAC 230-20-670(1): Provided, that if electronic cranes are operated at more than one location, each separate location shall be licensed per subparagraph (b) below.~~

~~(b) Electronic crane separate premises – The commission may issue a license to any person operating a business, as defined in WAC 230-20-670 (1)(a), (b), or (c), to allow an electronic crane operator to locate and operate electronic cranes upon their premises.~~

~~(8) Manufacturers and distributors of gambling equipment, paraphernalia and electronic cranes. The commission may issue a separate or combination license to the following:~~

~~(a) Manufacturers of punchboards, pull tabs, devices for the dispensing of pull tabs and electronic cranes; and~~

~~(b) Distributor's of punchboards, pull tabs, devices for the dispensing of pull tabs, any gambling equipment or paraphernalia for use in connection with licensed fund raising events and electronic cranes;~~

~~(9) Representatives of manufacturers or distributors. The commission may issue a separate license to a representative of a manufacturer or distributor to engage in the sale and distribution of gambling equipment, paraphernalia and electronic cranes.~~

~~(10) License expiration. Each such license shall be valid for one year from the date that it is issued: Provided, That:~~

~~(a) All annual licenses for punchboard and pull tab and Class D and above bingo shall be issued with an expiration date adjusted to expire on March 31, June 30, September 30, or December 31. Punchboard and pull tab licenses shall expire on the above date that is closest to the license issuance date and does not exceed one year. Class D and above bingo licenses shall expire on the above date that is closest to licensee's fiscal year end plus at least six months. All other applicants or licensees may request specific license expiration dates to correspond with the above dates. Whenever license expiration dates are adjusted under this provision, the required fee shall be prorated by the commission. The prorated fees shall be computed on a monthly basis (i.e., one-twelfth of the annual payment per month) and subtracted from the regular annual fee. A prorated fee will be based on the number of whole months remaining upon approval of a license. For the purposes of this proration, any part of a month in which the activity is licensed shall be deemed to be a whole month when computing an annual fee. Any difference between the required fee which exceeds twenty dollars, shall be refunded to the applicant.~~

~~(b) Licenses issued to conduct any authorized activity in connection with and upon the site of a qualified agricultural fair, qualified community-wide civic festival, qualified world's fair, or qualified civic center shall be valid only for the duration of the fair or festival, or, in the case of an activity at a civic center, for the seasons during which the civic center is operating and open to the public. In no event shall such license exceed one calendar year.~~

~~(c) Notwithstanding the provisions of subsection (a), a license issued to conduct a raffle in connection with a qualified agricultural fair, qualified community-wide civic festival or qualified world's fair shall be in effect from the date the license was issued through the conclusion of the fair or festival.~~

~~(d) A license issued to conduct a card ~~((tournaments-f))~~tournament~~((f))~~ shall be valid only for the duration of the tournament, but in no event shall exceed ten consecutive days.~~

~~(e) A license issued to conduct a fund raising ~~((events-f))~~event~~((f))~~ shall be valid for one year from the date issued but the event (or events) permitted under the license shall be held only at the place and time set forth in the application or otherwise approved by the commission. The number of events permitted under the license in any calendar year is subject to the limitations set out in RCW 9.46.0233 defining a fund raising event.~~

~~(f) A license issued to an individual shall be valid for a period of one year from the date of employment or issuance, whichever occurs first:~~

Provided, a bingo game manager license shall expire as set out in WAC 230-04-145.

(g) If any licensee fails to renew a license prior to its expiration date, the license shall expire. A new application must then be submitted.

(h) Licenses approved under the six month payment plan shall be issued with an expiration date of six months from the license approval date or the original license expiration date, whichever is applicable. Upon receipt and validation of the second half payment, a licensee may be granted a second license for an additional six month period. Second half payments must be received by the commission on or before the due date. If the licensee fails to submit the second half of the fee payment(s) as established by WAC 230-04-201 prior to the expiration date, the license shall expire.

~~((9))~~ (11) Conditions of license issuance. All activities so licensed are licensed subject to compliance with all of the applicable provisions of chapter 9.46 RCW, including any amendments thereto, all applicable rules and regulations passed by the commission, all other applicable laws of the United States, the state of Washington and all political subdivisions of the state of Washington which include but are not limited to the following:

- (a) Business licenses or permits;
- (b) Health certificates;
- (c) Fire inspections;
- (d) Use and occupancy permit; and
- (e) Liquor license or permit.

AMENDATORY SECTION (Amending Order 5, filed 12/19/73)

WAC 230-04-270 BAD CHECKS SUBMITTED AS PAYMENT OF FEES. The ~~((submission in))~~ payment of a license fee ~~((of))~~ by a check, which for any reason is not promptly paid by the drawee bank, shall be grounds for immediate ~~((denial of an application for the license, or for the suspension or revocation of a license issued for which the fee is due. The commission shall add fifteen dollars to each license fee when payment of a check originally submitted is denied by the drawee bank, or when the check is required to be resubmitted for payment for any reason.))~~ administrative closure of a new application, voiding of a temporary license, or revocation of a continuing license. If an application or license is administratively closed, voided or revoked under this section, a new application must be submitted with fees payable only by certified check, money order, or cash. Upon notification that a check is not negotiable or when a check must be resubmitted for payment for any reason, the commission shall:

- (1) Add a processing fee of fifteen (15) dollars to the required license fee; and
- (2) Notify the applicant by phone or in writing that payment in full, by certified check, money order, or cash, must be remitted within five (5) days of the notification date. If the proper fee is not received within five (5) days, the commission will proceed with appropriate administrative action.

AMENDATORY SECTION (Amending Order 186, filed 2/13/89)

WAC 230-20-325 MANNER OF CONDUCTING A RAFFLE. All raffles shall be conducted by selling individual prenumbered tickets for not more than five dollars and awarding prizes by selecting winners by a random drawing from among all tickets sold. The following operating procedures apply:

(1) All tickets for use in any raffle shall be consecutively numbered and each ticket shall be accounted for separately in accordance with WAC 230-08-070. Raffle tickets sold to the general public shall have a stub or other detachable section bearing a duplicate number corresponding to the number on the ticket: Provided, That with prior written director approval, tickets may include any consecutively numbered or lettered object if a stub imprinted with an identical number or letter and all other information required by WAC 230-20-325, is provided to each entrant at the time of purchase.

(2) All prizes available, whether cash or merchandise, and all rules by which such prizes may be won, including all costs to a participant, shall be disclosed to each participant. This information shall be printed upon each ticket sold, or shall be otherwise provided in writing to each purchaser at the time of sale and shall also include, but not be limited to, date and time of drawing, location of drawing, and name of organization conducting raffle.

(3) No person shall be required to pay, directly or indirectly, more than \$5.00 in order to enter any raffle. After April 15, 1990, each raffle ticket must be sold for the same price as every other raffle ticket

being used for that particular raffle. No free tickets, or any opportunity to participate in the drawing of any raffle, shall be awarded or given to a person as a prize or reward for selling raffle tickets or for purchasing a certain number of raffle tickets. No person shall be required to obtain more than one ticket or to pay for anything other than the ticket, in order to enter the raffle: Provided, That licensed raffles conducted among members of the organization only, may be conducted using alternative sales methods if specifically authorized by the commission. This authority will be issued on an individual basis and will require a detailed written request.

(4) From October 15, 1988, through April 15, 1990, each raffle ticket must be sold for the same price as every other raffle ticket being used for that particular raffle. However, the sponsor may provide to a purchaser of a raffle ticket an opportunity to obtain by random method a discount on such a ticket, including the opportunity to obtain that ticket free, but only if the sponsor maintains records for each book of raffle tickets so that income from the sale of tickets in each book can be audited.

(5) If an entrant is required to be present at a raffle drawing in order to be eligible for the prize drawing, then a statement setting forth this condition shall be set forth conspicuously on each raffle ticket and on all promotional material concerning the raffle. When the participant is not required to be present at the drawing the ticket stub or other detachable section(s) of the ticket shall contain the purchaser's name, complete address, and telephone number, and shall be maintained for a period of not less than three years from the end of the fiscal year in which the raffle was completed.

(6) In conducting a drawing in connection with any raffle, each ticket seller shall return to the licensee the stubs or other detachable section of all tickets sold. The licensee shall then place each stub or other detachable section of each ticket sold into a receptacle out of which the winning tickets are to be drawn. Such receptacle shall be designed so that each ticket placed therein has an equal opportunity with every other ticket to be the one withdrawn. Provided, an alternative drawing format to determine the winning ticket may be utilized if such format is approved by the director in writing prior to the sale of any ticket. The following requirements must be met prior to utilizing any such alternative drawing format:

- (a) The organization must have a current raffles license;
- (b) The alternate format must meet the definition of a drawing as defined by WAC 230-02-500;
- ~~((b))~~ (c) Any alternate format utilized to determine the winners must be closely controlled by the licensee;
- ~~((c))~~ (d) The request to utilize an alternative drawing format shall contain, at a minimum, the following information:
 - (i) The time, date and location of the drawing;
 - (ii) The type of random selection process to be used and complete details of its operation;
 - (iii) The name and telephone number of the raffles manager; and
 - (iv) The signature of the organization's chief executive officer.
- (7) The raffle license issued by the commission or a photostatic copy of the license shall be conspicuously posted and displayed at the location at all times during the occasion when a drawing is being conducted.

AMENDATORY SECTION (Amending Order 104, filed 12/15/80)

WAC 230-60-010 DEFINITIONS. (1) The following definitions and all definitions set forth in RCW 42.17.020 shall apply to this chapter~~((:))~~:

~~((2))~~ The "Washington state gambling commission" is the agency created pursuant to chapter 9.46 RCW, which shall hereinafter be referred to as the commission. Where appropriate, the term commission also refers to the staff and employees of the Washington state gambling commission:

- (3) "Director" means the director of the commission as appointed by the commission pursuant to RCW 9.46.080;
- (4) "Deputy director" means the chief administrator appointed by the director to assist him in performing his duties for the commission~~((:))~~

~~((5))~~ (2) "Raw data" means facts, symbols, or observations which have all of the following characteristics:

- (a) They have not been processed, edited or interpreted.
- (b) They are unevaluated and unorganized.
- (c) The fact, symbol, or observation does not, of itself, impart meaning to a potential user or fulfill a recognized need.
- (d) To be useable the fact, symbol, or observation must go through some transformation process.

~~((6))~~ (3) "Information" means raw data that are organized, evaluative and interpreted to impart meaning to potential users and fulfill a recognized need.

~~((7))~~ (4) "Listing (list)" means a series of items of any kind including names, words or numbers no matter what the arrangement or purpose. When applied to the release of commission record information it means the names of two or more individuals contained in:

- Data processing magnetic tapes
- Data processing print-outs 1, 2, 3, or 4 part utility paper or copies of such print-outs
- Data processing print-outs in the form of labels
- Any form of writing.

~~((8))~~ (5) "Tabulation" means the systematic arrangement of facts, statistics, and similar information, except the names of individuals, in column or table format.

~~((9))~~ (6) "Individual" means a natural person.

~~((10))~~ (7) "Commercial purpose" means the using of information obtained, or intending to use the information obtained, to contact or in some way personally affect an individual identified on the list when the purpose of the contact would be to facilitate that person's (the requestor's) profit expecting business activity.

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 Order 75, filed 9/16/77)

WAC 230-60-025 PUBLIC RECORDS AVAILABLE- LO-CATION - TIME AVAILABLE. All public records of the commission are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by chapter 42.17 RCW, and WAC 230-60-050. The records available, their location, and the times they are available for inspection as follows:

(1) Public records - The following are deemed public records:

(a) The license application form and all supplemental information submitted at the commission's request: Provided, that statements regarding arrest or conviction records of persons are not public records and will not be disclosed;

(b) All activity reports and attachments required to be submitted to the commission on a periodic basis;

(c) All completed administrative proceedings; and

(d) All opinions and interpretive statements;

(e) All policies and procedures: Provided, that investigative procedures that, when disclosed, would hinder the commission's ability to conduct inspections, audits, or other investigative procedures will not be disclosed.

(2) Location of public records - All public records of the commission are located at the administrative office in Lacey.

(3) Times public records are available - All public records are available during normal office hours as set out in WAC 230-02-030: Provided, that public records may not be available during the period 12:00 noon to 1:00 p.m. unless a prior written request is made.

WSR 89-21-068

EMERGENCY RULES

GAMBLING COMMISSION

[Order 197—Filed October 17, 1989, 4:11 p.m.]

Date of Adoption: October 13, 1989.

Purpose: To comply with statutory requirements for adjudicated proceedings and rule-making procedures implemented by the new APA.

Citation of Existing Rules Affected by this Order: Amending WAC 230-50-010, 230-50-012, 230-50-020, 230-50-030, 230-50-060, 230-50-150, 230-50-160, 230-50-190, 230-50-200, 230-50-210, 230-50-230, 230-50-300, 230-50-330, 230-50-390, 230-50-550, 230-50-610, 230-50-630, 230-50-800 and 230-50-850; and new sections WAC 230-50-225, 230-50-560, 230-50-570 and 230-50-580.

Statutory Authority for Adoption: Chapter 34.05 RCW.

Pursuant to 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: Regulatory program cannot be maintained in conjunction with APA requirements without amendment to chapter 230-50 WAC. Agency has not been able to initiate adjudicated proceedings since July 1, 1989.

Effective Date of Rule: Immediately.

October 17, 1989

Frank L. Miller

Deputy Director

AMENDATORY SECTION (Amending Order 98, filed 2/25/80)

WAC 230-50-010 ADJUDICATED PROCEEDINGS - HEARINGS. (1) Adjudicated proceedings shall be commenced for any and all matters wherein the commission is causing administrative charges to be brought against any applicant, licensee or permittee within the limitations to RCW 34.05 as applicable.

(2) The commission (~~with~~) shall afford an applicant for a license an opportunity for a (~~hearing~~)n adjudicated proceeding prior to (~~final commission action~~) denying such application, and shall afford a licensee the opportunity for a (~~hearing~~)n adjudicated proceeding prior to (~~taking final action~~) suspending(;) (~~terminating~~) or revoking a license(~~-PROVIDED, That the commission or the director may summarily temporarily suspend licenses in those cases where such action is deemed appropriate by the commission or the director. In cases where a license is suspended prior to hearing, an opportunity for a hearing shall be provided promptly~~).

~~((2))~~ (3) The commission will afford a person applying to the commission to exceed the limit on gross receipts in bingo games under WAC 230-20-251 an opportunity for a (~~hearing~~)n adjudicated proceeding prior to (~~taking any final action~~) denying that application.

~~((3))~~ (4) The commission will afford a person applying to the commission for approval of a pull tab dispensing device under WAC 230-30-095 an opportunity for a (~~hearing~~)n adjudicated proceeding prior to (~~final commission action~~) denying approval of such device.

~~((4))~~ (5) No hearing will be (~~held~~) conducted with respect to (~~such agency action~~) any adjudicated proceeding unless (~~it~~) a application for an adjudicated proceeding and request for hearing is timely (~~demand~~) filed by the applicant or licensee (~~in writing by the applicant or licensee~~) with the commission in compliance with WAC 230-50-210. (~~A demand for hearing~~) The application must be made upon a form to be obtained from the commission, or facsimile thereof, and must be received (~~in the offices of the commission~~) within (~~15~~) 20 days following service upon the party

affected by the commission or the director of a ~~((summary))~~ notice of ~~((the))~~ administrative charges ~~((or complaints against the party being made or considered together with a statement of any action which may be taken in the event no hearing is demanded))~~ and opportunity for an adjudicated proceeding. Said document shall contain the maximum penalty that may be assessed should an application not be filed by the party affected. An application for an adjudicated proceeding and request for hearing shall accompany all notices of administrative charges.

~~((6))~~ If ~~((demand for hearing))~~ an application for an adjudicated proceeding is not timely filed, then the party affected shall have waived the right to a hearing on the allegations set forth in the notice of administrative charges. The ~~((director))~~ party shall be deemed to be in default pursuant to RCW 34.05.440 and the commission and director may take ~~((the))~~ action ~~((set out in the statement previously served, or some action of lesser degree))~~ against the party not to exceed the maximum penalty as stated in the notice of administrative charges and opportunity for an adjudicated proceeding, which action shall be final.

AMENDATORY SECTION (Amending Order 29, filed 1/23/75)

~~WAC 230-50-012 ((DIRECTOR MAY TEMPORARILY SUSPEND LICENSE PENDING A HEARING))~~ EMERGENCY ADJUDICATED PROCEEDINGS - SUMMARY SUSPENSIONS. (1) The director may temporarily suspend a license or permit issued pursuant to these rules pending a hearing upon suspension or revocation of the license, or issuance of a renewal thereof, for a period not to exceed 90 days when in the opinion of the commission or the director:

~~((1))~~ (a) The licensee or permittee has obtained the license or permit by fraud, trick, misrepresentation, concealment, or through inadvertence or mistake, or

~~((2))~~ (b) The licensee or permittee has engaged in any act, practice or course of operation as would operate as a fraud or deceit on any person, or has employed any device, scheme or artifice to defraud any person; or

~~((3))~~ (c) The licensee or permittee has again violated, failed, or refused to comply with any of the provisions, requirements, limitations, or duties imposed by chapter 9.46 RCW and any amendments thereto, or any rules adopted by the commission pursuant thereto, after having been previously notified by the commission, its authorized representatives, or by local law enforcement personnel, that a violation or violations of the same or similar provisions had been, or were being, committed by the licensee or permittee; or

~~((4))~~ (d) Immediate cessation of the licensed or permitted activities by the licensee or permittee is necessary for the protection or preservation of the welfare of the community within which these activities are being conducted.

(2) When a license or permit has been temporarily suspended by the director, ~~((prior to a hearing))~~ an emergency adjudicated proceeding shall be commenced and ~~((pursuant hereto,))~~ the licensee or permittee shall

be afforded an opportunity for a hearing before an Administrative Law Judge or the commission, ~~((or a hearing officer,))~~ upon the question of the suspension or revocation of the license or permit, or upon the renewal of the license or permit ~~((if it would))~~ should it expire ~~((within))~~ during the period of temporary suspension. If a ~~((hearing is demanded))~~ n application for an adjudicated proceeding and request for hearing is timely filed by the licensee or permittee, ~~((it))~~ then a hearing shall be held within 90 days ~~((from))~~ of the effective date of the temporary suspension ordered by the director.

AMENDATORY SECTION (Amending Order 9, filed 12/19/73)

~~WAC 230-50-020 ((HEARING EXAMINERS))~~ ADJUDICATED PROCEEDINGS-APPOINTMENT OF ADMINISTRATIVE LAW JUDGE. (1) The commission ~~((may appoint a hearing officer to conduct hearings with respect to the denial of licenses and the suspension, termination or revocation of licenses in cases where it deems it appropriate. The hearings shall be conducted in compliance with these rules.~~

After a hearing is concluded by a hearing officer, the hearing officer shall prepare and distribute to the parties findings of fact, conclusions of law and a decision of the matter. Each party shall have twenty days from the date of service upon that party to file written exceptions to these findings, conclusions and decision of the hearing officer with the commission. If such exceptions, together with any written argument in support thereof, are not timely filed with the commission, then the findings, conclusions and decision of the hearing officer shall be adopted by the commission and shall be final.

If written exceptions and any written argument are timely filed with the commission, then a majority of the commissioners shall consider the exceptions and any written argument, and the record of the hearing, or such part of the record as is cited as material by the parties. The commission, in its discretion, may allow the parties to present oral arguments.) hereby appoints the office of Administrative Hearings and the Administrative Law Judges to preside at all hearings which result from the commencement of adjudicated proceedings unless the commission, by its own order declares its intent to preside at a specific proceeding or the proceeding is an appeal of an initial order issued by an administrative law judge. The administrative law judge may hereinafter be referred to as the "presiding officer."

(2) All hearings shall be conducted in compliance with these rules, RCW 34.05 AND WAC 10-08 as applicable.

AMENDATORY SECTION (Amending Order 45, filed 12/30/75)

~~WAC 230-50-030 ((HEARINGS-METHODS))~~ ADJUDICATED PROCEEDINGS-HEARINGS - INTERPRETER - TIMING. Hearings conducted as part of adjudicated proceedings provided for in WAC 230-50-010 shall be initiated ~~((called and conducted in the following manner))~~ as follows:

(1) ~~The chair((man)) person of the commission, ((or)) some member of the commission acting in ((his)) the absence of the chairperson or the director, shall give written approval ((to the holding of any hearing)) to initiate a notice of administrative charges and opportunity for an adjudicated proceeding. ((When it has been determined that a hearing shall be held,)) After such approval is granted, the entire commission file and/or record ((of the premises and licensee(s) involved)) on the licensee shall be ((given to)) forwarded to the assistant attorney general assigned to prosecute at the ((commission, who will hereinafter be referred to as the attorney.~~

(2) ~~The attorney shall prepare a written complaint which shall fully advise the licensee(s) of all charges which will be considered at the hearing. The complaint shall be signed by the chairman of the commission or some member of the commission acting in his absence or the director, after which the attorney shall deliver the original and such copies as may be necessary to any hearing officer appointed by the commission pursuant to WAC 230-50-020.~~

(3) ~~The commission, a commissioner, or a hearing officer designated by the commission shall conduct the hearing, which shall be held as soon as feasible. Each licensee charged shall be served with a copy of the complaint together with written notice of the time and place of the hearing and the issues involved. Such notice and complaint shall be served not less than 20 days prior to the hearing unless the licensee consents to shorter notice.~~

(4) ~~Subpoenas may be issued by the officer, the director, or a commissioner, who shall issue them when requested by the attorney, a licensee or a licensee's attorney, and he may issue them on his own motion. Subpoenas may be issued by the attorney general and any of his assistants, and may also be issued by any attorney of record of a party.~~

(5) ~~Nothing herein contained shall prevent the director of the commission, as authorized by the commission, to temporarily suspend licenses, subject to final action by the commission, as authorized by RCW 9.46.070(1).) hearing. The notice shall be served upon the licensee or applicant in accordance with WAC 230-50-010. An application for adjudicated proceeding and request for hearing must be filed with the commission pursuant to WAC 230-50-010.~~

(2) ~~Upon receipt of an application for adjudicated proceeding and request for hearing form, the director shall issue a notice of hearing. The notice of hearing shall contain all charges upon which the hearing will be conducted, and shall be served on the licensee, applicant, permittee or attorney representing the party at least 7 days prior to the date of the hearing. A copy of the notice of hearing shall be served upon the presiding officer assigned to the proceeding.~~

(3)(a) ~~All notices of hearing shall be accompanied by a standard statement in at least five (5) common foreign languages, such languages to be those known by the commission staff to be languages used by some licensees, along with forms to request an interpreter to include assistance for hearing impaired persons at the hearing.~~

(b) Nothing herein contained shall prevent the commission or the director, as authorized by the commission, to temporarily suspend licenses, subject to final action of the commission, as authorized by RCW 9.46.070(1) and WAC 230-50-012.

(4) The presiding officer shall conduct the hearing within 90 days from the date upon which the commission received the application for adjudicated proceeding and request for hearing from the licensee, applicant or permittee, unless all parties agree to an extension of time beyond the 90 days by mutual consent. Any deviation for the 90 day requirement shall be in writing and made a part of the permanent record of the proceeding.

AMENDATORY SECTION (Amending Order 9, filed 12/19/73)

WAC 230-50-060 ADJUDICATED PROCEEDINGS - APPEARANCE AND PRACTICE BEFORE THE COMMISSION—WHO MAY APPEAR. No person may appear in a representative capacity before the Washington state gambling commission, hereinafter referred to as the commission, or its designated ((hearing officer)) Administrative Law Judge other than the following:

(1) Attorneys at law duly qualified and entitled to practice before the supreme court of the state of Washington.

(2) Attorneys at law duly qualified and entitled to practice before the highest court of record of any other state, if the attorneys at law of the state of Washington are permitted to appear in a representative capacity before administrative agencies of such other state, and if not otherwise prohibited by our state law.

(3) A bona fide officer, authorized manager, partner, or full time employee of an individual firm, association, partnership, or corporation who appears for such individual firm, association, partnership or corporation.

(4) An individual representing himself, pro se.

(5) Such interpreters for persons with a limited understanding of the English language or hearing impaired persons as provided for in WAC 10-08-150.

(6) Such other persons as may be permitted by the commission upon a showing by a party to the hearing of such a necessity or such a hardship as would make it unduly burdensome upon him to have a representative as set forth under subsections (1), (2) and (3) above.

AMENDATORY SECTION (Amending Order 9, filed 12/19/73)

WAC 230-50-150 ADJUDICATIVE PROCEEDINGS - NOTICE ((AND OPPORTUNITY FOR HEARING IN CONTESTED CASES)) OF HEARING-REQUIREMENTS. ((In any contested case, a)) All parties that have filed a timely application for adjudicated proceeding shall be served with a notice of hearing at least ((twenty)) seven days before the date set for the hearing unless all parties consent to a shorter period. The notice shall state the time, place and issues involved, as required by RCW 34.04.090(1).

AMENDATORY SECTION (Amending Order 9, filed 12/19/73)

WAC 230-50-160 ADJUDICATIVE PROCEEDINGS - SERVICE OF PROCESS—BY WHOM SERVED. The commission shall cause to be served all orders, notices and other ((papers)) documents issued by it, together with any other ((papers)) documents which it is required by law to serve. Every other ((paper)) document shall be served by the party filing it.

AMENDATORY SECTION (Amending Order 9, filed 12/19/73)

WAC 230-50-190 ADJUDICATED PROCEEDINGS - SERVICE OF PROCESS—METHOD OF SERVICE. Service of ((papers)) all orders, notice and other documents shall be made personally or ((-unless otherwise provided by law, by)) first class, registered(;) or certified mail(;-or-by), telegraph, or by commercial parcel service company.

AMENDATORY SECTION (Amending Order 9, filed 12/19/73)

WAC 230-50-200 ADJUDICATED PROCEEDINGS - SERVICE OF PROCESS—WHEN SERVICE COMPLETE. Service ((upon parties)) of notices and other documents shall be regarded as complete as follows: ((By mail, the third day following deposit in the United States mail properly stamped and addressed, by telegraph, when deposited with a telegraph company properly addressed and with charges prepaid.)) (1) By personal service, upon delivery to the person, attorney representing the party, designated agent of the party, any person over the age of 18 residing at the residence of the party or corporate officer.

(2) By mail, upon deposit in the United States mail properly stamped and addressed, service is complete on the third day after mailing, excluding the date of mailing.

(3) By telegraph, upon deposit with a telegraph company, properly addressed and with all charges paid.

(4) By electronic telefacsimile device of confirmation of the transmission and the same day deposit in the United States mail according to section 2 above.

(5) By commercial parcel delivery service, upon delivery to the parcel delivery company, properly addressed and with all charges paid.

AMENDATORY SECTION (Amending Order 9, filed 12/19/73)

WAC 230-50-210 ADJUDICATED PROCEEDINGS - SERVICE OF PROCESS—FILING WITH AGENCY. ((Papers)) Documents required to be filed with the commission shall be deemed filed upon actual receipt ((by the commission at the place specified in its rules accompanied by proof of service upon parties required to be served.)) of the documents in the headquarters office of the commission accompanied by proof of service upon parties required to be served, or by delivery to any office of the commission during normal business hours and at such time as a member of the staff

of the commission is occupying such office so as to personally receive the papers. Delivery of documents to any office of the commission other than the headquarters office when said office is not occupied by a commission staff member who can personally accept the documents shall NOT constitute a lawful service of papers for any matter under the jurisdiction of the Gambling Commission.

NEW SECTION

WAC 230-50-225 ADJUDICATED PROCEEDINGS - DISCOVERY. The presiding officer of an Adjudicated Proceeding may issue subpoenas and protective orders as a part of an Adjudicated Proceeding. The agency may issue subpoenas as may the attorney representing the licensee, applicant or permittee, or the licensee, applicant or permittee may issue subpoenas if they represent themselves. All such subpoenas must be filed with the presiding officer assigned to conduct the hearing, together with proof of proper service, at least 7 days prior to the date of the hearing which they are issued for.

AMENDATORY SECTION (Amending Order 9, filed 12/19/73)

WAC 230-50-230 ADJUDICATED PROCEEDINGS - SUBPOENAS(=ISSUANCE TO PARTIES), ISSUANCE, SERVICE, FEES, QUASHING AND ENFORCEMENT. ((Upon application of counsel or other representative appearing before the commission pursuant to WAC 230-08-101 (3) and (4) of these rules, for any party to a contested case, there shall be issued to such party subpoenas requiring the attendance and testimony of witnesses or the production of evidence in such proceeding. The commission may issue subpoenas to parties not so represented upon request or upon a showing of general relevance and reasonable scope of the testimony or evidence sought.)) (1) Every subpoena shall state the name of the commission, the title of the proceeding and shall command the person to whom it is directed to attend and give testimony, produce books, records, documents or things under his or her control at a specified time and place.

(2) Subpoenas shall be issued and enforced, and witness fees paid as provided for in RCW 34.05.446.

(a) Subpoenas may be served by any suitable person 18 years of age or older, by exhibiting and reading the subpoena to the witness, or by giving him or her a copy thereof, or by leaving such copy at the place of his or her abode. When service is made by any other person than an officer authorized to serve process, proof of service shall be made by affidavit.

(b) The presiding officer, upon motion made promptly and in any event at or before the time specified in the subpoena for compliance therewith, may:

(i) Quash or modify the subpoena if it is unreasonable and oppressive, or

(ii) Condition denial of the motion upon the advancement by the person in whose behalf the subpoena is issued of the reasonable cost of producing the books, papers, documents, or tangible things.

(c) Upon application, and for good cause shown, the commission will seek judicial enforcement of subpoenas issued to parties and which have not been quashed.

(d) The attendance of witnesses and such production of evidence may be required from any place within the state of Washington to any location where a hearing is being conducted.

AMENDATORY SECTION (Amending Order 9, filed 12/19/73)

WAC 230-50-300 ADJUDICATED PROCEEDINGS - DEPOSITIONS AND INTERROGATORIES ((IN CONTESTED CASES))—RIGHT TO TAKE. ((Except as may be otherwise provided, any party may take the testimony of any person, including a party, by deposition upon oral examination or written interrogatories for use as evidence in the proceeding. The attendance of witnesses may be compelled by the use of a subpoena. Depositions shall be taken only in accordance with this rule and the rule on subpoenas.)) Unless otherwise provided, any party may take the testimony of any person, including a party, by deposition upon oral examination or written interrogatories for use as evidence in the proceeding. The deposition of a commissioner, the Director, Deputy Director, or an Assistant Director may only be taken upon application to the presiding officer, for good cause shown and only in those circumstances where the statements or depositions of other staff members would not reveal the information, evidence or details needed by the party for the case. The attendance of witnesses to a deposition may be compelled by use of a subpoena. Depositions shall be taken only in accordance with this rule and the rules on subpoenas.

AMENDATORY SECTION (Amending Order 9, filed 12/19/73)

WAC 230-50-330 ADJUDICATED PROCEEDINGS - DEPOSITIONS AND INTERROGATORIES ((IN CONTESTED CASES))—((AUTHORIZATION)) NOTICE. A party desiring to take the deposition of any person upon oral examination shall give reasonable notice of not less than ((three)) seven days in writing to the commission and all parties. The notice shall state the time and place for taking the deposition, the name and address of each person to be examined, if known, and if the name is not known, a general description sufficient to identify him or the particular class or group to which he belongs. On motion of a party upon whom the notice is served, the commission or its hearing officer may for cause shown, enlarge or shorten the time. If the parties so stipulate in writing, depositions may be taken before any person, at any time or place, upon any notice, and in any manner and when so taken may be used as other depositions.

AMENDATORY SECTION (Amending Order 9, filed 12/19/73)

WAC 230-50-390 ADJUDICATED PROCEEDINGS - DEPOSITIONS AND INTERROGATORIES

((IN CONTESTED CASES))—FEES OF DEponents—COSTS OF DEPOSITION. Deponents whose depositions are taken shall be entitled to the same fees as are allowed by WAC 230-50-2((50))30: Provided, That all costs incidental thereto shall be paid by the party desiring such deposition.

AMENDATORY SECTION (Amending Order 9, filed 12/19/73)

WAC 230-50-550 ((FORM AND CONTENT OF DECISIONS IN CONTESTED CASES AND PROPOSED ORDERS)) ADJUDICATED PROCEEDINGS - INITIAL OR FINAL ORDER. Every decision and order, whether ((proposed,)) it be an initial(;) or final, shall:

(1) Be correctly captioned as to the name of the agency and name of proceeding;

(2) Designate all parties and counsel to the proceeding;

(3) Include a concise statement of the nature and the background of the proceeding;

(4) Be accompanied by appropriate numbered findings of fact and conclusions of law and a statement from the presiding officer of the credibility of the witnesses, if the decision rendered is based upon that, all or in part;

(5) Whenever practical, include the reason or reasons for the particular order or remedy afforded. Findings shall be accompanied by a concise and explicit statement of the underlying evidence of record to support the findings;

(6) Whenever practical, be referenced to specific laws or rules and provisions ((of the law and/or regulations)) thereof which are appropriate thereto;

(7) ((Whenever the commission considers that any matter or proceeding will be best handled by the issuance of a proposed order by the commission or by the examiner conducting the hearing, such an order shall be issued and the parties so notified. Upon receipt of such notice and proposed order, any party may file exceptions to the same within twenty days after the date of the service of the proposed order, unless a greater or lesser time for filing exceptions is designated by the commission at the time of issuance of the proposed order. Exceptions shall be filed in triplicate and a copy thereof shall be served upon all other parties who have appeared in the cause, or their attorneys of record together with proof of such service in accordance with the rules governing service of process. Any party may answer the exceptions so filed and served within ten days after service of said exceptions upon him. Briefs may accompany the exceptions or answers thereto and shall be filed and served in the same manner. After a full consideration of the proposed order, the exceptions and the answers to exceptions so filed and briefs, the commission may affirm its proposed order by service of an order of affirmance upon the parties, or, if it deems the exception well taken, may revise the proposed order and issue a final order differing from the proposed order.))

NEW SECTION

WAC 230-50-560 ADJUDICATED PROCEEDINGS - REVIEW OF INITIAL ORDER - REPLIES - RECONSIDERATION. Any party to an adjudicative proceeding may file a petition for review of an initial order.

(1) The petition for review shall be filed with the commission within twenty days of the date of service of the initial order unless a different place and time limit for filing the petition are specified in the initial order in its statement describing available procedures for administrative relief. Copies of the petition shall be served upon all other parties or their representatives at the time the petition is filed.

(2) The petition for review shall specify the portions of the initial order to which exception is taken and shall refer to the evidence of record which is relied upon to support the petition.

(3) Any party may file a reply to a petition for review. The reply shall be filed with the office where the petition for review was filed within ten days of the date of service of the petition and copies of the reply shall be served upon all other parties or their representatives at the time the reply is filed.

(4) At least a majority of the commission members shall review the petition within 120 days after the petition was filed and render a final order in accordance with WAC 10-08-210.

(5) A petition for reconsideration of a final order under RCW 34.05.470 shall be filed with the commission in accordance with WAC 230-50-210 within ten days of the service of the final order. Such petition shall be administered in accordance with RCW 34.05.470.

NEW SECTION

WAC 230-50-570 ADJUDICATED PROCEEDING - STAY. A party may petition the commission or its designee for a stay of a final order in accordance with RCW 34.05.467. For purposes of this rule, the commission hereby delegates to the director, the authority to issue a temporary stay until such time as a reviewing court can rule on a permanent stay. The decision of the director denying a stay is not subject to judicial review.

NEW SECTION

WAC 230-50-580 ADJUDICATED PROCEEDINGS - HEARINGS - FORMS. The following formats shall be utilized in all adjudicated proceedings:

(1) STATE OF WASHINGTON GAMBLING COMMISSION
In the Matter of the ((Suspension/Revocation/Denial) of the (License/Application) to Conduct Gambling Activities of _____)
Licensee. _____) NO. _____
NOTICE OF ADMINISTRATIVE CHARGES AND OPPORTUNITY FOR AN ADJUDICATED PROCEEDING

RONALD O. BAILEY alleges as follows:

I

He is the Director of the Washington State Gambling Commission and makes these charges in his official capacity.

II

Jurisdiction of this proceeding is based on Chapter 9.46 RCW, Gambling, Chapter 34.05 RCW, the Administrative Procedure Act, and Title 230 WAC.

III

_____ has been issued the following license(s) by the Washington State Gambling Commission, which license(s) (was/were) issued subject to compliance by the licensee with state laws and rules of the Commission.

- A. License Number _____ Authorizing _____ Activity _____
B. License Number _____ Authorizing _____ Activity _____
C. License Number _____ Authorizing _____ Activity _____

IV

(Attach Recital Of Charges)

[]

The charges specified in paragraphs ___ through ___ above constitute grounds for the ___ day suspension, or revocation of the license(s) held by _____ to conduct authorized gambling activity under authority of RCW 9.46.075 and WAC 230-04-400.

[]

The ((licensee/applicant) shall be afforded the opportunity to have an Adjudicated Proceeding, which includes a hearing on the alleged violations. In order to commence an Adjudicative Proceeding, the enclosed APPLICATION FOR ADJUDICATED PROCEEDING AND REQUEST FOR HEARING MUST BE COMPLETED IN FULL by the LICENSEE OR REPRESENTATIVE and returned to the Gambling Commission within 20 days from the date of receipt of this notice. FAILURE TO RETURN THIS DOCUMENT WILL RESULT IN THE ENTRY OF A DEFAULT ORDER PURSUANT TO RCW 34.05.440 AND WAC 230-50-010, THE IMPOSITION OF THE PENALTY SET OUT ABOVE OR ONE OF LESSER DEGREE AND SHALL CONSTITUTE A WAIVER OF ANY FURTHER RIGHTS TO A HEARING OR REVIEW IN THIS MATTER.

STATE OF WASHINGTON }
COUNTY OF THURSTON } ss.

Ronald O. Bailey, being first duly sworn on oath, deposes and says: That he has read the foregoing Notice of Administrative Charges and Opportunity for Adjudicated Proceeding, knows the contents thereof, and believes the same to be true, and that he is the Director of the Washington State Gambling Commission and in that capacity has executed said Statement of Charges.

Ronald O. Bailey

SUBSCRIBED AND SWORN TO before me this day of _____, 1989.

NOTARY PUBLIC in and for the State of Washington residing at _____

(2) STATE OF WASHINGTON GAMBLING COMMISSION

In the Matter of the (Suspension/Revocation/Denial) of the (License/Application) to Conduct Authorized Gambling Activities of _____) NO. _____
(Licensee/Applicant.)) APPLICATION FOR ADJUDICATED PROCEEDING AND REQUEST FOR HEARING

THIS IS AN IMPORTANT NOTICE WHICH DETERMINES WHETHER OR NOT YOU WILL HAVE THE RIGHT TO A HEARING IN THIS MATTER. PLEASE READ THIS NOTICE CAREFULLY. IF YOU HAVE ANY QUESTIONS REGARDING YOUR LEGAL RIGHTS IN THIS MATTER YOU SHOULD CONTACT AN ATTORNEY.

In order to request and preserve your right to a hearing you MUST complete and sign this form, then return it by mail within 20 days to:

The Washington State Gambling Commission
4511 Woodview Drive SE Mail Stop QB-11
Lacey, Washington 98504-8121

FAILURE TO COMPLETE AND RETURN THIS FORM AS INSTRUCTED WILL RESULT IN THE ENTRY OF A DEFAULT ORDER AGAINST YOU PURSUANT TO RCW 34.05.400, and WAIVER of your rights to appeal in this matter.

YOU HAVE 20 DAYS FROM THE DATE OF RECEIPT OF THIS FORM TO COMPLETE AND RETURN IT TO THE ADDRESS ABOVE.

NO EXTENSIONS BEYOND THE 20 DAYS WILL BE GRANTED.

BRIEF EXPLANATION OF RIGHTS AND PROCEEDINGS:

You have the right to apply for an ADJUDICATIVE PROCEEDING, which includes a hearing on the allegations set forth in the notice of administrative charges. The hearing will be conducted by a state Administrative Law Judge pursuant to state law and administrative codes. You have the right to be represented by an attorney of your choice and at YOUR OWN EXPENSE.

You have the right to produce witnesses, and evidence relevant to the violations alleged. See WAC 230-50 for additional rights.

You have the right to have an interpreter for the proceedings if you or any witness which you will call is a limited English speaking person OR a hearing impaired person.

In order to request an interpreter, you MUST complete the attached REQUEST FOR INTERPRETER FORM and RETURN IT along with this form to the Gambling Commission. THIS SERVICE IS FREE OF CHARGE.

INSTRUCTIONS - Place a check mark and your signature next to the statement which describes your request(s) in this matter.

- Check Mark Signature
1) I want to have a hearing in this Adjudicated Proceeding
2) I will be represented by an attorney in this matter, his/her name, address and phone number are as follows:
Name
Address
Phone Number
3) I will NOT be represented by an attorney in this matter.
4) I DO NOT want a HEARING AND WAIVE MY RIGHTS TO A HEARING IN THIS MATTER.

Please indicate those changes, if any, which you admit occurred.

Blank lines for indicating changes.

You may attach a letter or a statement of your position in this matter if you choose to do so. Please indicate whether or not you attached either.

I attached a letter of statement
I did NOT attach a letter of statement

A HEARING, if requested, shall be conducted by a state Administrative Law Judge in a location near your place of business or residence, but not necessarily in the city or county in which you do business or reside. You will be notified at least seven (7) days in advance of the proceeding.

If you do not understand any portion of these documents, you are strongly encouraged to contact an attorney.

You MUST complete, sign, date and then mail this document together with the REQUEST FOR INTERPRETER form, to the Washington State Gambling Commission at the address as stated on this form

WITHIN 20 days of receipt of these documents. FAILURE TO DO SO WILL RESULT IN A WAIVER OF YOUR RIGHTS TO A HEARING IN THIS MATTER AND ENTRY OF A DEFAULT ORDER PURSUANT TO RCW 34.05.400 AND WAC 230-50-010.

Dated this ___ day of ___, 1989

SIGN HERE

LICENSEE OR REPRESENTATIVE

(3)

STATE OF WASHINGTON GAMBLING COMMISSION

In the Matter of the (Suspension/Revocation/Denial) of the (License/Application) to Conduct Authorized Gambling Activities of

NO. _____

(Licensee/Applicant)

APPLICATION FOR AN ADJUDICATED PROCEEDING AND REQUEST FOR HEARING WITH OFFER OF SETTLEMENT

THIS IS AN IMPORTANT NOTICE WHICH DETERMINES WHETHER OR NOT YOU WILL HAVE THE RIGHT TO A HEARING IN THIS MATTER. PLEASE READ THIS NOTICE CAREFULLY. IF YOU HAVE ANY QUESTIONS REGARDING YOUR LEGAL RIGHTS IN THIS MATTER YOU SHOULD CONTACT AN ATTORNEY.

In order to request and preserve your right to a hearing you MUST complete and sign this form, then return it by mail within 20 days to:

The Washington State Gambling Commission
4511 Woodview Drive SE Mail Stop QB-11
Lacey, Washington 98504-8121

FAILURE TO COMPLETE AND RETURN THIS FORM AS INSTRUCTED WILL RESULT IN THE ENTRY OF A DEFAULT ORDER AGAINST YOU PURSUANT TO RCW 34.05.400, and WAIVER of your rights to appeal in this matter.

YOU HAVE 20 DAYS FROM THE DATE OF RECEIPT OF THIS FORM TO COMPLETE AND RETURN IT TO THE ADDRESS ABOVE.

NO EXTENSIONS BEYOND THE 20 DAYS WILL BE GRANTED.

BRIEF EXPLANATION OF RIGHTS AND PROCEEDINGS:

You have the right to request apply for a ADJUDICATIVE PROCEEDING which includes a hearing on the allegations set forth in the notice of administrative charges. The hearing will be conducted by a state Administrative Law Judge pursuant to state law and administrative codes. You have the right to be represented by an attorney of your choice and at YOUR OWN EXPENSE.

You have the right to produce witnesses, and evidence relevant to the violations alleged. See WAC 230-50 for additional rights.

You have the right to have an interpreter for the proceedings if you or any witness which you will call is a limited English speaking person OR a hearing impaired person.

In order to request an interpreter, you MUST complete the attached REQUEST FOR INTERPRETER FORM and RETURN IT along with this form to the Gambling Commission. THIS SERVICE IS FREE OF CHARGE.

INSTRUCTIONS - Place a check mark and your signature next to the statement which describes your request(s) in this matter.

- Check Mark Signature
1) I want to have a hearing in this ADJUDICATED PROCEEDING
2) I will be represented by an attorney in this matter, his/her name, address and phone number are as follows:
Name
Address
Phone Number

- 3) _____ I will NOT be represented by an attorney in _____
this matter.
- 4) _____ I DO NOT want an ADJUDICATED PRO-
CEEDING AND WAIVE MY RIGHTS TO _____
A HEARING IN THIS MATTER
- 5) _____ I will agree to a stipulated settlement _____
as stated on Page 4.

Please indicate those charges, if any, which you admit occurred. _____

You may attach a letter or a statement of your position in this matter if you choose to do so. Please indicate whether or not you attached either.

I attached a letter of statement _____
I did NOT attach a letter of statement _____

A hearing, if requested, shall be conducted by a state Administrative Law Judge in a location near your place of business or residence, but not necessarily in the city or county in which you do business or reside. You will be notified at least seven (7) days in advance of the proceeding.

If you do not understand any portion of these documents, you are strongly encouraged to contact an attorney.

You MUST complete, sign, date and then mail this document together with the REQUEST FOR INTERPRETER form, to the Washington State Gambling Commission at the address as stated on this form WITHIN 20 days of receipt of these documents. FAILURE TO DO SO WILL RESULT IN A WAIVER OF YOUR RIGHTS TO A HEARING IN THIS ADJUDICATIVE PROCEEDING AND ENTRY OF A DEFAULT ORDER PURSUANT TO RCW 34.05.400 AND WAC 230-50-010.

Dated this _____ day of _____, 1989

****SIGN HERE****

LICENSEE OR
REPRESENTATIVE

I will agree to a stipulated settlement in this matter and the entry of an order on the following terms:

- _____ A suspension of _____ days for my _____
gambling license(s).
- _____ A fine of _____ in lieu of the _____ day suspension
of my _____ gambling license(s).

This order will find that the violation(s) were in fact committed.
The staff of the Commission will contact me regarding the dates for the suspension and/or payment of the fine.
The dates of the suspension will be no more than 90 calendar days from the date of return of this form to the Commission and the fine will be due PRIOR to the dates of the suspension.

By signing as indicated I agree to this settlement.

****SIGN HERE****

LICENSEE OR
REPRESENTATIVE

DATE _____

(4)

STATE OF WASHINGTON
GAMBLING COMMISSION

An Adjudicated Proceeding in the
Matter of the (Suspension/Revo-
cation/Denial) of the (License/
Application) to Conduct Autho-
rized Gambling Activities of

(Licensee/Applicant).

NO. _____

NOTICE OF HEARING

I

(ATTACH RECITAL OF CHARGES)

II

That the licensee(s) (was/were) previously notified of the administrative charges pending and (has/have) made a timely application for adjudicated proceeding and request for hearing. Based upon that request, a hearing will be conducted by _____, Administrative Law Judge of _____, phone number _____, on all charges as stated pursuant to WAC 230-50-010.

III

That the agency will be represented at the hearing by _____, Assistant Attorney General of _____, phone number _____. The licensee will be represented by _____ of _____, phone number _____.

IV

That the hearing is set for _____ at the hour of _____, in the city of _____ at _____. The hearing is being conducted under the authority of chapter 9.46 RCW and amendments thereto, and will be conducted pursuant to chapter 34.05 RCW and 230-50 WAC. Should the licensee and representatives fail to appear at the hearing as scheduled a default order pursuant to RCW 9.34.05.440 will be entered.

The proceeding will determine whether a suspension/revocation/or denial should be imposed.

Ronald O. Bailey

(5)

STATE OF WASHINGTON
GAMBLING COMMISSION

An Adjudicated Proceeding In the
Matter of the (Suspension/Revo-
cation/Denial) of the (License/
Application to Conduct Gambling
Activities of:

Licensee

No. _____

REQUEST FOR INTERPRETER
AND/OR TRANSLATION OF
DOCUMENTS

I, _____, being a party in this proceeding hereby state that I am a limited English speaking person or hearing impaired person or that I will be calling a witness who is a limited English speaking or hearing impaired person and that (I/they) require an interpreter as indicated below:

(Check all items that apply and fill in the blank spaces.)

- _____ I will require an interpreter for the _____
language.
- _____ I will require an interpreter for a hearing impairment.
- _____ I will be calling a limited English speaking witness who will
require an interpreter in the _____ language.
- _____ I will be calling a hearing impaired person who will require an
interpreter.
- _____ I request all documents in this proceeding be translated into
the _____ language.

Signed: _____
Dated: _____

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

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 Order 9, filed 12/19/73)

WAC 230-50-610 (~~PREHEARING~~) ADJUDICATED PROCEEDINGS SETTLEMENT CONFERENCES (~~RULE-AUTHORIZED~~) AND PRE-HEARING CONFERENCES. In any proceeding the commission or its designated (~~hearing officer~~) presiding officer upon its or his own motion, or upon the motion of one of the parties or their qualified representatives, may in its or his discretion direct the parties or their qualified representatives to appear at a specified time and place for a conference to consider:

- (1) The simplification of the issues;
- (2) The necessity of amendments to the pleadings;
- (3) The possibility of obtaining stipulations, admissions of facts and of documents;
- (4) The limitation of the number of expert witnesses;
- (5) Such other matters as may aid in the disposition of the proceeding.
- (6) Discussion of a settlement of the matter and/or agreement on a penalty. If a settlement or a stipulation is reached, it must be in a written order to be signed by all parties and the presiding officer. This settlement conference may be conducted between a member of the commission staff and the licensee, applicant or permittee by phone or in person without the attendance of the Administrative Law Judge or Assistant Attorney General, or by the Assistant Attorney General representing the commission without the attendance of a commission staff member and the Administrative Law Judge, as long as any agreed settlement is formalized as stated above.
- (7) If a settlement conference is held, the results of the conference must be in writing to indicate the action taken at the conference.

AMENDATORY SECTION (Amending Order 9, filed 12/19/73)

WAC 230-50-630 SUBMISSION OF DOCUMENTARY EVIDENCE IN ADVANCE. (~~Where practicable~~) When requested for cause the commission or its designated hearing officer may require:

- (1) That all documentary evidence which is to be offered during the taking of evidence be submitted to the hearing officer and to the other parties to the proceeding sufficiently in advance of such taking of evidence to permit study and preparation of cross-examination and rebuttal evidence;
- (2) That documentary evidence not submitted in advance, as may be required by subsection (1), be not received in evidence in the absence of a clear showing that the offering party had good cause for his failure to produce the evidence sooner;
- (3) That the authenticity of all documents submitted in advance in a proceeding in which such submission is required, be deemed admitted unless written objection thereto is filed prior to the hearing, except that a party will be permitted to challenge such authenticity at a later time upon a clear showing of good cause for failure to have filed such written objection.

AMENDATORY SECTION (Amending Order 9, filed 12/19/73)

WAC 230-50-800 PETITIONS FOR RULE MAKING, AMENDMENTS OR REPEAL (~~WHOMAY PETITION~~). (1) Any (~~interested~~) person may petition the commission requesting the (~~promulgation~~) adoption, amendment, or repeal of any rule.

(2) Where the petition requests the adoption of a rule, the requested or proposed rule must be set out in full. The petition must also include all the reasons for the requested rule together with briefs of any applicable law. Where the petition requests the amendment or repeal of a rule presently in effect, the rule or portion of the rule in question must be set out as well as a suggested amended form, if any. The petition must include all reasons for the requested amendment or repeal of the rule.

(3) The petition must include a small business economic impact statement in accordance with RCW 19.85.040

(4) All petitions shall be considered by the commission and the commission may, in its discretion, order a hearing for the further consideration and discussion of the requested adoption, amendment, or repeal, of any rule.

(5) The commission shall notify the petitioning party within sixty (60) days by (a) denying the petition in writing and stating the reason for denial, or (b) initiate rule making procedures in accordance with 34.05 RCW.

(6) Any person petitioning the commission requesting the adoption, amendment or repeal of any rules shall generally adhere to the following form for such purpose:

(a) At the top of the page shall appear the wording "before the Washington state gambling commission." On the left side of the page below the foregoing the following caption shall be set out: "In the matter of the petition of (name of petitioning party) for (state whether adoption, amendment or repeal) of rule (or rules)." Opposite the foregoing caption shall appear the word "petition."

(b) The body of the petition shall be set out in numbered paragraphs. The first paragraph shall state the name and address of the petitioning party and whether petitioner seeks the adoption of new rule or rules, or amendment or repeal of existing rule or rules. The second paragraph, in case of a proposed new rule or amendment of an existing rule, shall set forth the desired rule in its entirety. Where the petition is for amendment, the new matter shall be underscored and the matter proposed to be deleted shall appear in double parentheses. Where the petition is for repeal of an existing rule, such shall be stated and the rule proposed to be repealed shall either be set forth in full or shall be referred to by commission rule number. The third paragraph shall set forth concisely the reasons for the proposal of the petitioner and shall contain a statement as to the interest of the petitioner in the subject matter of the rule. Additional numbered paragraphs may be used to give full explanation of petitioner's reason for the action sought.

(c) Petitions shall be dated and signed by the person or entity named in the first paragraph or by his attorney. The original and two legible copies of the petition shall

be filed with the commission. Petitions shall be on white paper, either 8-1/2" X 11" or 8-1/2" X 13" in size.

AMENDATORY SECTION (Amending Order 9, filed 12/19/73)

WAC 230-50-850 DECLARATORY ((~~RULINGS~~)) ORDER. (1) ((~~As prescribed by RCW 34.04.080, any interested~~)) Any person may petition the commission for a declaratory ((~~ruling~~). The commission shall consider the petition and within a reasonable time shall:

(a) Issue a nonbinding declaratory ruling, or
(b) Notify the person that no declaratory ruling is to be issued, or
(c) Set a reasonable time and place for hearing argument upon the matter, and give reasonable notification to the person of the time and place for such hearing and of the issues involved.

(2) If a hearing as provided in subsection (1)(c) is conducted, the commission shall within a reasonable time:

(a) Issue a binding declaratory rule, or
(b) Issue a nonbinding declaratory ruling, or
(c) Notify the person that no declaratory ruling is to be issued:)) order with respect to the applicability to specified circumstances of a rule, order, or statute enforceable by the agency. The petition shall set forth facts and reasons on which the petitioner relies to show:

(a) That uncertainty necessitating resolution exists;
(b) That there is actual controversy arising from the uncertainty such that a declaratory order will not be merely an advisory option;
(c) That the uncertainty adversely affects the petitioner,
(d) That the adverse effect of uncertainty on the petitioner outweighs any adverse effects on others or on the general public that may likely arise from the order requested.

(2) Within fifteen days after receipt of a petition for a declaratory order, the commission shall give notice of the petition to all persons to whom notice is required by law, and may give notice to any other person it deems desirable.

(3) Within thirty days after receipt of a petition for a declaratory order the commission, in writing, shall do one of the following:

(a) Enter an order declaring the applicability of the statute, rule, or order in question to the specified circumstances;
(b) Set the matter for specified proceedings to be held no more than ninety days after receipt of the petition and give reasonable notification to the person(s) of the time and place for such hearing and of the issues involved;
(c) Set a specified time no more than ninety days after receipt of the petition by which it will enter a declaratory order, or
(d) Decline to enter a declaratory order, stating the reasons for its action.

(4) The time limits of subsection (3)(b) and (c) of this section may be extended by the commission for good cause.

(5) The commission may not enter a declaratory order that would substantially prejudice the rights of a person who would be a necessary party and who does not consent in writing to the determination of the matter by a declaratory order proceeding.

(6) A declaratory order has the same status as any other order entered by the commission in an adjudicative proceeding. Each declaratory order shall contain the names of all parties to the proceeding on which it is based, the particular facts on which it is based, and the reasons for its conclusions.

(7) Any person petitioning the commission for a declaratory order pursuant to RCW 34.05.240, shall generally adhere to the following form for such purpose.

(a) At the top of the page shall appear the wording "before the Washington state gambling commission." On the left side of the page below the foregoing the following caption shall be set out: "In the matter of the petition of (name of petitioning party) for a declaratory order." Opposite the foregoing caption shall appear the word "petition."

(b) The body of the petition shall be set out in numbered paragraphs. The first paragraph shall state the name and address of the petitioning party. The second paragraph shall state all rules or statutes that may be brought into issue by the petition. Succeeding paragraphs shall set out the state of facts relied upon in form similar to that applicable to complaints in civil actions before the superior courts of this state. The concluding paragraphs shall contain the prayer of the petitioner. The petition shall be subscribed and verified in the manner prescribed for verification of complaints in the superior courts of this state.

(c) The original and two legible copies shall be filed with the commission. Petitions shall be on white paper, either 8-1/2" X 11" or 8-1/2" X 13" in size.

WSR 89-21-069

PERMANENT RULES

GAMBLING COMMISSION

[Order 198—Filed October 17, 1989, 4:15 p.m.]

Date of Adoption: October 13, 1989.

Purpose: Provides an option for the assessment of special fee for invoicing errors. Deter invoicing errors; and housekeeping rule to require use of entry label/invoicing procedure.

Citation of Existing Rules Affected by this Order: Amending WAC 230-30-030 and 230-30-072.

Statutory Authority for Adoption: RCW 9.46.070(6).

Pursuant to notice filed as WSR 89-17-081 on August 18, 1989.

Effective Date of Rule: Thirty days after filing.

October 17, 1989

Frank L. Miller
Deputy Director

AMENDATORY SECTION (Amending Order 145, filed 12/18/84)

WAC 230-30-030 PUNCHBOARD AND PULL TAB QUALITY CONTROL-SPECIAL INSPECTIONS AND TRANSFER INVOICES - SPECIAL FEES TO RECOVER COSTS. (1) ~~((In addition to any other authority of the commission or its agents to conduct inspections, t))~~ Special Inspections - The commission ~~((or its agents,))~~ shall have the authority to select any punchboard or pull tab series, whether held by an operator, distributor, or manufacturer and to examine the quality and/or integrity of the punchboard or pull tab series in any manner, including punching out or pulling all chances remaining thereon: Provided, That if the punchboard or pull tab series so inspected is thereby altered in any manner and no defect, alteration, deceptive condition, or other violation is discovered, then the owner shall be reimbursed by the commission for his cost for the punchboard or pull tab series, and the device shall become the property of the commission. Provided further, That for each such punchboard or pull tab series inspected which is found to be defective in any area related to a quality control deficiency, by the manufacturer, a fee not to exceed \$100.00 per each such punchboard or pull tab series inspected may be assessed by the commission against the manufacturer of the punchboard or pull tab series to compensate the commission for the inspection.

(2) ~~((Fees to cover the cost of punchboard and pull tab special inspection services shall be combined with identification stamp fees and collected as prescribed in WAC 230-30-015.))~~ Transfer Invoices - Any manufacturer, distributor, or licensed representative of either, that fails to accurately complete any invoice for the sale or return of a punchboard, pull tab series, dispensing device, or related merchandise as required by WAC 230-30-018 may be assessed a fee of up to \$50.00 per invoice. The fee shall be used to defray extra costs incurred by the commission in tracking transfers or other monitoring procedures as a result of errors or omissions.

AMENDATORY SECTION (Amending Order 179, filed 6/14/88)

WAC 230-30-072 PUNCHBOARD AND PULL TAB INVENTORY AND RETENTION REQUIREMENTS. Each punchboard and pull tab series purchased or otherwise obtained by an operator shall be controlled and accounted for in the following manner:

(1) Each operator shall closely monitor punchboard and pull tab series purchased to assure that all identification and inspection service stamp numbers are correctly entered in all records and each device purchased is recorded. The following control procedures apply:

(a) After the close of business on September 30, 1988, and before operating punchboards and pull tabs after that date, each operator shall take a physical inventory of all punchboards and pull tabs in-play and awaiting

play and record the following information separately for punchboards and pull tabs:

(i) Name of game; and

(ii) I.D. stamp number;

(b) At the time punchboards and pull tabs are delivered, each operator will assure that all purchase invoice data is correct by comparing the actual I.D. stamp numbers on each punchboard/pull tab series to the numbers entered on the purchase invoices;

(c) ~~((After December 31, 1988, a))~~ All purchases of punchboards or pull tabs shall be recorded on a standard distributor's invoice, which includes space for the operator to either attach a records entry label or enter the identification and inspection stamp number and the date the device was placed out for play. For all punchboards or pull tab series purchased, ~~((after December 31, 1988;))~~ the operator shall enter the date and the identification and inspection service stamp number in the space on the invoice, adjacent to the distributors entry, by ~~((either))~~ attaching a records entry label, or by written entry if record entry labels are not attached to the punchboard or pull tab series;

(d) ~~((After December 31, 1988, i))~~ If a device is returned to a distributor for any reason, including commission required recall, the operator shall record the date, invoice or credit memo number, and "returned" on the original purchase invoice: Provided, that licensees may use a commission approved inventory log to comply with subsections (c) and (d) of this section;

(2) Each punchboard or pull tab series which is removed from operation, together with the prize flare, all unplayed tabs, and all winning punches or tabs, shall be retained by the operator for at least four months following the last day of the month in which it was removed from play. The board, unplayed tabs, flare, and all winning punches or tabs shall remain available for inspection, on the licensed premises, by commission agents and/or local law enforcement and taxing agencies: Provided, that devices may be stored off premise if they are produced for inspection upon demand;

(3) Each punchboard or pull tab series which is not placed out for public play or returned to the distributor or manufacturer from whom it was originally purchased, must be retained on the licensed premises and made available for inspection by commission agents and/or local law enforcement and taxing agencies: Provided, that devices may be stored off premise if they are produced for inspection upon demand;

(4) Each punchboard or pull tab series which is deemed by the operator to be defective or unplayable, for any reason, shall not be returned to the distributor or manufacturer without approval from the commission. If it is found to be defective after it has been placed out for play, all other rules apply and it must be recorded as required by WAC 230-08-010: Provided, that the retention time required by subsection (2) above may be shortened by the commission upon inspection and written release by a commission agent.

WSR 89-21-070
PERMANENT RULES
GAMBLING COMMISSION
 [Order 199—Filed October 17, 1989, 4:20 p.m.]

Citation of Existing Rules Affected by this Order:
 Amending WAC 230-04-201.
 Statutory Authority for Adoption: RCW 9.46.070(5).
 Pursuant to notice filed as WSR 89-17-081 on August 18, 1989.
 Effective Date of Rule: January 1, 1990.

Date of Adoption: October 13, 1989.
 Purpose: Create a more equitable fee schedule. The proposal is revenue neutral, but allows a one time variance for all licensees.

October 17, 1989
 Frank L. Miller
 Deputy Director

AMENDATORY SECTION (Amending Order 192, filed 5/16/89)

WAC 230-04-201 FEES. Tables 1 and 2 contain the fees that shall be paid to the commission for gambling licenses, permits, miscellaneous changes, and special investigative and inspection services.

Table 1. (For bona fide nonprofit/charitable organizations)

| LICENSE TYPE | | DEFINITION | FEE |
|--------------|---------------------------|--|--------------|
| 1. | AMUSEMENT GAMES | (Fee based on annual net receipts) | |
| | Class A | \$500 or less | \$ 35 |
| | Class B | \$501 - 1,000 | 50 |
| | Class C | \$1,001 - 5,000 | 75 |
| | Class D | \$5,001 - 15,000 | 250 |
| | Class E | over \$15,000 | 350 |
| 2. | BINGO GROUP | (Fee based on annual gross gambling receipts) | |
| | I | Class A Up to \$15,000 | \$ 50 |
| | | Class B \$ 15,001 to 50,000 | 150 |
| | | Class C \$ 50,001 to 100,000 | 300 |
| | | Class D \$ 100,001 to 300,000 | 800 |
| | | Class E \$ 300,001 to 500,000 | 1,350 |
| | | Class F \$ 500,001 to 1,000,000 | 2,700 |
| | II | Class G \$ 1,000,001 to 1,500,000 | 3,900 |
| | | Class H \$ 1,500,001 to 2,000,000 | 5,200 |
| | | Class I \$ 2,000,001 to 2,500,000 | 6,500 |
| | | Class J \$ 2,500,001 to 3,000,000 | 7,800 |
| | III | Class K \$ 3,000,001 to 3,500,000 | 8,750 |
| | | Class L \$ 3,500,001 to 4,000,000 | 10,000 |
| | | Class M Over \$4,000,000 | 11,250 |
| 3. | BINGO GAME MANAGER | Original Renewal | \$ 150 75 |
| 4. | CARD GAMES | | |
| | Class A | General (fee to play charged) | \$ 500 |
| | Class B | Limited card games - to hearts, rummy, mah-jongg, pitch, pinochle, ((coon -can)) and/or cribbage - (fee to play charged) | 150 |
| | Class C | Tournament only - no more than ten consec. days per tournament | 50 |
| | Class D | General (no fee to play charged) | 50 |
| | Class R | Primarily for recreation (WAC 230-04-199) | 25 |
| 5. | CHANGES NAME LOCATION FRE | (See WAC 230-04-310) (See WAC 230-04-320) (Reno Nite date(s)/time(s)) | \$ 25 25 |

| <u>LICENSE TYPE</u> | <u>DEFINITION</u> | <u>FEE</u> |
|----------------------------------|---|-------------------------------------|
| LICENSE CLASS | (See WAC 230-04-325) (See WAC 230-04-260) New class fee, less previous fee paid, plus | 25 |
| DUPLICATE LICENSE REPLACEMENT | (See WAC 230-04-290) | 25 |
| IDENTIFICATION STAMPS | (See WAC 230-30-016) | 25 |
| <hr/> | | |
| 6. FUND RAISING EVENT | | |
| Class A | One event not more than 24 consec. hrs. | \$ 300 |
| Class B | One event not more than 72 consec. hrs. | 500 |
| Class C | Additional participant in joint event (not lead organization) | 150 |
| <hr/> | | |
| 7. PERMITS | Agricultural fair/special property bingo | |
| Class A | One location and event only (see WAC 230-04-191) | \$ 25 |
| <hr/> | | |
| 8. PUNCHBOARDS/ PULL TABS | (Fee based on annual gross <u>gambling receipts</u>) | |
| | | <u>(One Time Variance)</u> |
| Class A | Up to \$ ((10,000)) 50,000 | \$ 5,000 \$ ((300)) 475 |
| Class B | Up to \$ ((50,000)) 100,000 | \$ 5,000 ((475)) 850 |
| Class C | Up to \$ ((100,000)) 200,000 | \$10,000 ((960)) 1,600 |
| Class D | Up to \$ ((200,000)) 300,000 | \$10,000 ((1,560)) 2,325 |
| Class E | Up to \$ ((300,000)) 400,000 | \$10,000 ((2,360)) 3,000 |
| Class F | Up to \$ ((400,000)) 500,000 | \$10,000 ((3,150)) 3,625 |
| Class G | Up to \$ ((500,000)) 600,000 | \$10,000 ((3,775)) 4,200 |
| Class H | Up to \$ ((600,000)) 700,000 | \$10,000 ((4,350)) 4,725 |
| Class I | Up to \$ ((700,000)) 800,000 | \$10,000 ((4,825)) 5,200 |
| Class J | Up to \$ ((800,000)) 1,000,000 | \$20,000 ((5,225)) 5,900 |
| Class K | ((Over \$800,000)) Up to \$1,250,000 | \$25,000 ((5,900)) 6,550 |
| Class L | Up to \$1,500,000 | \$25,000 7,150 |
| Class M | Up to \$1,750,000 | \$25,000 7,650 |
| Class N | Up to \$2,000,000 | \$25,000 8,100 |
| Class O | Over \$2,000,000 | Non-applicable 8,900 |
| | <u>A licensee will be allowed a one-time variance for each license class without having to upgrade or pay the penalties set forth in WAC 230-04-260; Provided, a licensee utilizing the variance shall be required to upgrade upon recertification.</u> | |
| <hr/> | | |
| 9. RAFFLES | (Fee based on annual gross <u>gambling receipts</u>) | |
| Class A | Up to \$ 5,000 | \$ 50 |
| Class B | Up to \$ 10,000 | 150 |
| Class C | Up to \$ 25,000 | 300 |
| Class D | Up to \$ 50,000 | 500 |
| Class E | Up to \$ 75,000 | 800 |
| Class F | Over \$ 75,000 | 1,200 |
| <hr/> | | |
| 10. SEPARATE PREMISES BINGO | Occasion (see WAC 230-04-300) | \$ 25 |

| <u>LICENSE TYPE</u> | <u>DEFINITION</u> | <u>FEE</u> |
|-------------------------------------|--|-------------|
| 11. SPECIAL FEES | | |
| INVESTIGATION | (See WAC 230-04-240) | As required |
| IDENTIFICATION AND INSPECTION STAMP | (See WAC 230-30-015 and 230-30-030) | As required |
| EXCEEDING LICENSE CLASS | (See WAC 230-04-260) In addition to all normal license fees, a licensee may be assessed an exceeding class fee for a present or previous license year, not to exceed 50% of the difference between the present class fee and the new license class or \$1,000, whichever is less. | As required |
| 12. SIX-MONTH PAYMENT PLAN | The Commission may allow an applicant renewing an annual license or an applicant applying for an additional license with a fee of \$800 or above, to pay a license fee in two payments. SIX-MONTH PAYMENT PLAN PROCEDURE: The administrative processing fee, plus the first half of the annual license fee must be submitted at the time of application/renewal. The second half payment must be submitted and received in the Commission's Olympia headquarters office, prior to the expiration date of the first six-month period: Provided, That participants electing the six-month payment plan will be limited to 50% of the authorized class limitation for annual gross receipts during the first six month period. Licensees exceeding 50% of the authorized level shall be required to upgrade to the appropriate license class as required by WAC 230-04-260 and pay the full upgrade fee, plus \$25.00. | \$ 25 |

Table 2. (For commercial stimulant/profit seeking organizations)

| <u>LICENSE TYPE</u> | <u>DEFINITION</u> | <u>FEE</u> |
|-------------------------|--|------------|
| 1. CARD GAMES | | |
| Class B | (Fee to play charged) limited card games – to hearts, rummy, pitch, pinochle, mah-jongg, ((coon =can)) and/or cribbage | \$ 150 |
| Class C | Tournament only, no more than ten consec. days per tournament | 150 |
| Class D | General (no fee to play charged) | 50 |
| Class E | General (fee to play charged) | |
| E-1 | One table only | 350 |
| E-2 | Up to two tables | 600 |
| E-3 | Up to three tables | 1,000 |
| E-4 | Up to four tables | 2,000 |
| E-5 | Up to five tables | 3,000 |
| 2. CHANGES | | |
| NAME | (See WAC 230-04-310) | \$ 25 |
| LOCATION | (See WAC 230-04-320) | 25 |
| BUSINESS CLASSIFICATION | (Same owners – see WAC 230-04-340(3)) | 50 |
| LICENSE CLASS | (See WAC 230-04-260) New class fee, less previous fee paid, plus | 25 |

| <u>LICENSE TYPE</u> | <u>DEFINITION</u> | <u>FEE</u> |
|----------------------------------|---|---|
| DUPLICATE LICENSE | (See WAC 230-04-290) | 25 |
| OWNERSHIP OF STOCK REPLACEMENT | (See WAC 230-04-340(1)) | 50 |
| IDENTIFICATION STAMPS | (See WAC 230-30-016) | 25 |
| LICENSE TRANSFERS | (See WAC 230-04-125, 230-04-340 and 230-04-350) | 50 |
| <hr/> | | |
| 3. DISTRIBUTOR | (Fee based on annual gross <u>((receipts)) sales of gambling related supplies and equipment</u>) | <u>((Original-Renewal))</u> |
| Class A | <u>((up to \$600,000))</u> Non-Punchboard/Pull Tab Only | <u>\$((2,750—\$1,250))</u> 500 |
| Class B | <u>((over \$600,000))</u> Up to \$250,000 | <u>\$((2,750—\$1,700))</u> 1,000 |
| Class C | \$250,001 to \$500,000 | \$1,500 |
| Class D | \$500,001 to \$1,000,000 | \$2,000 |
| Class E | \$1,000,001 to \$2,500,000 | \$2,600 |
| Class F | Over \$2,500,000 | \$3,200 |
| | <u>In addition to the annual fee, the Commission will assess all applicants the actual costs incurred in conducting the initial investigation and inspection necessary for certification.</u> | |
| <hr/> | | |
| 4. DISTRIBUTOR'S REPRESENTATIVE | Original Renewal | \$ <u>((220))200</u> <u>((+10))125</u> |
| <hr/> | | |
| 5. MANUFACTURER | <u>((Original-Renewal</u> <u>(Fee based on annual gross sales of gambling related supplies and equipment)</u> | <u>\$3,300</u> <u>+650))</u> |
| Class A | Machines Only | \$ 500 |
| Class B | Up to \$250,000 | \$1,000 |
| Class C | \$250,001 to \$500,000 | \$1,500 |
| Class D | \$500,001 to \$1,000,000 | \$2,000 |
| Class E | \$1,000,001 to \$2,500,000 | \$2,600 |
| Class F | Over \$2,500,000 | \$3,200 |
| | <u>In addition to the annual fee, the Commission will assess all applicants the actual costs incurred in conducting the initial investigation and inspection necessary for certification.</u> | |
| <hr/> | | |
| 6. MANUFACTURER'S REPRESENTATIVE | Original Renewal | \$ <u>((220))200</u> <u>((+10))125</u> |
| <hr/> | | |
| 7. PERMITS | Agricultural fair/special property bingo | |
| Class A | One location and event only (see WAC 230-04-191) | \$ 25 |
| Class B | Annual permit for specified different events and locations (see WAC 230-04-193) | 150 |

| LICENSE TYPE | DEFINITION | FEE |
|------------------------------|---|--------------------------|
| 8. PUBLIC | Original | \$ 150 |
| CARD ROOM | | |
| EMPLOYEE | Renewal | 75 |
| 9. PUNCHBOARDS/ PULL TABS | (Fee based on annual gross gambling receipts) | |
| | | (One Time Variance) |
| Class A | Up to \$ ((10,000)) 50,000 | \$ 5,000 \$ ((300)) 475 |
| Class B | Up to \$ ((50,000)) 100,000 | \$ 5,000 ((475)) 850 |
| Class C | Up to \$ ((100,000)) 200,000 | \$10,000 ((960)) 1,600 |
| Class D | Up to \$ ((200,000)) 300,000 | \$10,000 ((1,560)) 2,325 |
| Class E | Up to \$ ((300,000)) 400,000 | \$10,000 ((2,360)) 3,000 |
| Class F | Up to \$ ((400,000)) 500,000 | \$10,000 ((3,150)) 3,625 |
| Class G | Up to \$ ((500,000)) 600,000 | \$10,000 ((3,775)) 4,200 |
| Class H | Up to \$ ((600,000)) 700,000 | \$10,000 ((4,350)) 4,725 |
| Class I | Up to \$ ((700,000)) 800,000 | \$10,000 ((4,825)) 5,200 |
| Class J | Up to \$ ((800,000)) 1,000,000 | \$20,000 ((5,225)) 5,900 |
| Class K | ((Over \$800,000)) Up to \$1,250,000 | \$25,000 ((5,900)) 6,550 |
| Class L | Up to \$1,500,000 | \$25,000 7,150 |
| Class M | Up to \$1,750,000 | \$25,000 7,650 |
| Class N | Up to \$2,000,000 | \$25,000 8,100 |
| Class O | Over \$2,000,000 | Non-applicable 8,900 |

A licensee will be allowed a one-time variance for each license class without having to upgrade or pay the penalties set forth in WAC 230-04-260; Provided, a licensee utilizing the variance shall be required to upgrade upon recertification.

| | | |
|-------------------------------------|--|-------------|
| 10. SPECIAL FEES | | |
| INVESTIGATION | (See WAC 230-04-240) | As Required |
| IDENTIFICATION AND INSPECTION STAMP | (See WAC 230-30-015 and 230-30-030) | As Required |
| EXCEEDING LICENSE CLASS | (See WAC 230-04-260) In addition to all normal license fees, a licensee may be assessed an exceeding class fee for a present or previous license year, not to exceed 50% of the difference between the present class fee and the new license class or \$1,000, whichever is less. | As Required |

| | | |
|----------------------|---|--------|
| 11. SPECIAL LOCATION | (Fee based on annual net receipts) | |
| AMUSEMENT GAMES | | |
| Class A | One event per year lasting no longer than 12 consecutive days | \$ 500 |
| Class B | \$25,000 or less | 500 |
| Class C | \$25,001 - 100,000 | 1,500 |
| Class D | \$100,001 - 500,000 | 3,000 |
| Class E | Over \$500,000 | 5,000 |

| | | |
|----------------------------|---|-------|
| 12. SIX-MONTH PAYMENT PLAN | The Commission may allow an applicant renewing an annual license or an applicant applying for an additional license with a fee of \$800 or above, to pay a license fee in two payments. SIX-MONTH PAYMENT PLAN PROCEDURE: The administrative processing fee, plus the first half of the annual license fee must be submitted at the time of application/renewal. The second half payment must | \$ 25 |
|----------------------------|---|-------|

| LICENSE TYPE | DEFINITION | FEE |
|--------------|--|-----|
| | <p>be submitted and received in the Commission's Olympia headquarters office, prior to the expiration date of the first six-month period: Provided, That participants electing the six-month payment plan will be limited to 50% of the authorized class limitation for annual gross receipts during the first six month period. Licensees exceeding 50% of the authorized level shall be required to upgrade to the appropriate license class as required by WAC 230-04-260 and pay the full upgrade fee, plus \$25.00.</p> | |

WSR 89-21-071**PERMANENT RULES****DEPARTMENT OF ECOLOGY**

[Order 89-25—Filed October 17, 1989, 4:25 p.m.]

Date of Adoption: October 17, 1989.

Purpose: To set forth the procedures for citizen/proponent negotiations between affected local communities and facility proponents and the eligibility criteria for financial assistance to local communities to support the negotiations process.

Citation of Existing Rules Affected by this Order: Amending chapter 173-303 WAC.

Statutory Authority for Adoption: RCW 70.105.260, the Model Toxics Control Act.

Pursuant to notice filed as WSR 89-15-047 on July 19, 1989.

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

October 17, 1989

Fred Olson

Deputy Director

to the effective date of this section. This section also applies to existing facilities with interim or final status for which the department receives an application for expansion. This section only applies to the expanded portion of the existing facility.

(b) A modified citizen/proponent negotiations (CPN) process shall apply to lead local governments who are also proponents of the facility.

(c) This section does not apply to owners/operators of facilities or portions of facilities applying for research, development and demonstration permits, pursuant to section 3005(g) of the Resource Conservation and Recovery Act, codified in 40 CFR Part 270.65. In addition, this section does not apply to mobile facilities for on-site cleanup at treatment, storage, or disposal facilities undergoing closure, facilities operating under an emergency permit pursuant to WAC 173-303-804, or facilities for on-site cleanup of sites under the Comprehensive Environmental Response, Compensation, and Liability Act, or chapters 70.105, 90.48 RCW, and The Model Toxics Control Act.

(3) Relationship to other legislation and administrative rules.

(a) The lead local government receiving a grant under this section, shall comply fully with all applicable federal, state, and local laws, orders, regulations, and permits.

(b) Nothing in this section shall influence, affect, or modify department programs, regulations, or enforcement of applicable laws relating to dangerous waste management and disposal.

(c) All grants under this section shall be subject to all existing accounting and auditing requirements of state laws and regulations applicable to the issuance of grant funds.

(4) Definitions. As used in this section:

(a) "Citizen/proponent negotiations (CPN)" means a communication process, as specified in these regulations and associated guidelines, between the proponent of a dangerous waste management facility and potentially affected citizens, to reach an agreement when there are shared and opposing interests.

(b) "Designated zone facility" means any facility that requires an interim or final status permit, located in a land use zone designated for handling hazardous substances and hazardous waste, and is not a preempted facility as defined in this section.

NEW SECTION

WAC 173-303-902 CITIZEN/PROPONENT NEGOTIATIONS. (1) Intent and purpose. Successful siting of dangerous waste management facilities depends on public confidence, which requires affected communities to have opportunities to meet with owners/operators of proposed dangerous waste management facilities to resolve concerns about such facilities. RCW 70.105.260 authorizes the department to specify a procedure for conflict resolution activities for dangerous waste management facility proponents, host communities, citizens and citizen groups, and to expend funds to support such activities. The purpose of this section is to set forth a procedure for negotiations between affected communities and the proponent of a facility, and the eligibility criteria for financial assistance.

(2) Applicability.

(a) This section applies to local governments and citizens potentially affected by the siting and permitting of a dangerous waste management facility, owners and operators of proposed facilities, and owners and operators of facilities for which interim or final status permit applications have been submitted to the department prior

(c) "Environmental impact statement (EIS)" means an environmental document prepared according to the State Environmental Policy Act (SEPA), that provides decision makers and the public with an impartial discussion of probable significant environmental impacts, reasonable alternatives, and mitigation measures that would avoid impacts, minimize adverse impacts, or enhance environmental quality.

(d) "Existing facility," as defined by WAC 173-303-281, means a facility for which an interim or final status permit has been issued by the department pursuant to WAC 173-303-805 or 173-303-806.

(e) "Expansion," as defined by WAC 173-303-281, means the enlargement of the land surface area of an existing facility from that described in an interim status permit, the addition of a new dangerous waste management process, or an increase in the overall design capacity of existing dangerous waste management processes at a facility. However, a process or equipment change within the existing handling code (not to include "other") as defined under WAC 173-303-380 (2)(d) will not be considered a new dangerous waste management process.

(f) "Facilitator" means one who assists at a meeting or group discussion.

(g) "Grant applicant" means the lead local government requesting a citizen/proponent negotiations grant.

(h) "Lead local government" means the city or county in which all or a majority of the proposed dangerous waste management facility would be located, unless the lead local government is a proponent of the project.

(i) "Local negotiating committee" means a committee, appointed by the lead local government, whose membership consists of broad representation from city and county government, citizen groups, academia, business, industry, Indian tribes, and environmental groups potentially affected by the siting of a dangerous waste management facility.

(j) "Mediator" means a neutral person who is accepted voluntarily by opposing parties in a dispute to assist in reaching a settlement.

(k) "Notice of intent," as specified in WAC 173-303-281, means the notice provided by the owner/operator of a facility to the department, local communities, and the public stating that the siting of a dangerous waste management facility, or the expansion of an existing facility, is being considered.

(l) "Neutral convener" means a nonpartisan person hired by the lead local government to convene and preside over the official public meeting.

(m) "Preempted facility" means any facility that includes as a significant part of its activities any of the following operations: (i) Landfill, (ii) incineration, (iii) land treatment, (iv) surface impoundment to be closed as a landfill, or (v) waste pile to be closed as a landfill.

Local jurisdictions who fail to establish designated land use zones for handling hazardous substances and hazardous waste within eighteen months after the enactment of siting criteria in accordance with RCW 70.105-.210 shall be subject to preemptive provisions until such time as zone designations are completed and approved by the department.

(n) "Potentially affected area" means the area within a twenty-mile radius of a proposed dangerous waste management facility or a proposed expansion to an existing facility or, any area of impact larger or smaller than the twenty-mile radius as determined by the department.

(o) "Proponent" means any person applying to the department for a dangerous waste management facility permit or for the expansion of an existing permit under WAC 173-303-805 or 173-303-806.

(p) "Proposed facility" means a facility that does not have interim or final status on the effective date of this section, and for which the owner/operator applies for an interim or final status permit under WAC 173-303-805 or 173-303-806 after the effective date of this section.

(q) "SEPA" means the State Environmental Policy Act, chapter 43.21C RCW, and SEPA rules, chapter 197-11 WAC.

(5) Citizen/proponent negotiations procedures.

(a) Notice of intent. A proponent for a dangerous waste management facility must apply to the department for a dangerous waste management facility permit or for the expansion of an existing permit. In compliance with WAC 173-303-281, the proponent shall submit a notice of intent to the department no less than one hundred fifty days prior to filing an application for a permit or permit revision.

(b) Notice letter.

(i) Within fourteen days of receipt of the notice of intent, the department shall send, by registered mail, a copy of the notice of intent, a copy of the CPN regulation, associated guidelines, and a CPN grant application to the elected officials of the lead local government and all local governments within the potentially affected area.

(ii) The notice letter will alert all communities within the potentially affected area that a notice of intent to file was submitted to the department, the availability of a CPN grant, the procedures for applying for a CPN grant, and the procedures for conducting the CPN process.

(iii) Within thirty days of the effective date of this section, the department shall send, by registered mail, a notice letter to all local governments potentially affected by facilities for which the department has already received a permit application. The notice letter shall contain a copy of the CPN regulation, associated guidelines, and a CPN grant application.

(iv) If the lead local government is also a proponent of the facility, responsibility for CPN shall be deferred to a committee comprised of representatives from all incorporated cities and towns, and all the counties in the potentially affected area. This committee shall decide, among the government entities represented, who will be the lead local government for the purposes of applying for and administering the CPN grant and selecting members to the negotiating committee as set forth in subsection (6) of this section.

(c) Selection of the neutral convener. Within sixty days of the notice letter, the lead local government and the facility proponent shall jointly select a neutral convener, facilitator, or mediator to organize and preside

over an official public meeting, assist in selecting the local negotiating committee, and mediate citizen/proponent negotiations.

(d) The public meeting. The purpose of the public meeting shall be:

(i) To advise local citizens within the potentially affected area of the CPN procedures, the State Environmental Policy Act (SEPA) requirements, and the dangerous waste management permit process;

(ii) To allow the proponent to present elements of the proposal;

(iii) To take public testimony on whether to agree to participate in the CPN process.

(e) Expenditures by the lead local government for the initial costs of the neutral convener and the official public meeting shall be reimbursed by the department through an interagency agreement with the lead local government.

(f) Decision notice. Within forty-five days of the public meeting the lead local government shall decide whether to proceed with the negotiations process. The lead local government shall forward notice of that decision to the department and the proponent of the facility. Notice to the department of an affirmative decision may include a completed grant application for financial assistance. If the lead local government decides to participate in the negotiations process for preempted facilities, then the proponent shall be required to participate. Citizen/proponent negotiations at designated zone facilities will be voluntary for both parties.

(g) Appointment of local negotiating committee. Within thirty days of the decision notice to proceed with CPN, the lead local government and local governments within the potentially affected area shall appoint members to a local negotiating committee, as set forth in subsection (6) of this section, and mail notice of those appointments to the department and to the facility proponent.

(h) Organizational meeting. Within twenty-one days of the committee appointments, the committee shall hold an organizational meeting to establish the committee goals, set schedules, identify tasks, discuss funding, and identify issues to research.

(i) Negotiations process. The negotiations process may occur in two stages.

(i) Stage 1. Within thirty days of the organizational meeting, the local negotiating committee, with the assistance of the neutral convener, shall initiate negotiations and public information and education activities. The local negotiating committee shall have one hundred twenty days, or until completion of the SEPA process, to conduct public information and education activities on dangerous waste management and dangerous waste management facilities and to negotiate emerging issues and concerns.

(ii) Stage 2. Upon completion of the SEPA process, with the assistance of the neutral convener, the local negotiating committee may continue formal negotiations. If no environmental impact statement is required as part of the SEPA process, the local negotiating committee may negotiate for up to one hundred twenty days. If an environmental impact statement is required as part of

the SEPA process, negotiations may take place until one hundred twenty days after the issuance of the final environmental impact statement. Upon completion of formal negotiations, all agreements should be submitted to the department for review for applicability to the operating permit.

(iii) Negotiations should focus on the mitigation of impacts identified by persons in the affected area and those impacts identified during the SEPA process, which may include but are not limited to:

(A) Technical aspects of the facility proposal;

(B) Emergency response;

(C) Economic impacts;

(D) Management of the facility;

(E) Site characteristics;

(F) Transportation;

(G) Compliance assurance.

(iv) During each stage of the negotiations process, the committee shall, at a minimum:

(A) Arrange public forums at key points in the negotiations to solicit input from the local community and provide public education regarding the issues and elements of the proposed facility or facility expansion.

(B) Arrange smaller community gatherings with the whole committee or subgroups of the committee to supplement the larger meetings and to provide more opportunities for discussion with community members.

(C) Meet with key community leaders to solicit information and opinion.

(D) Prepare a draft of the completed local negotiating committee report and agreements. The draft shall be submitted for review and comment to the proponent and local county, city, and town officials who made the committee appointments.

(E) Prepare the final local negotiating committee report and agreements. Final copies shall be submitted to the department and distributed to the proponent and local county, city, and town officials who made the committee appointments.

(v) Negotiations may be reopened upon agreement by both parties as long as a draft permit has not been issued.

(j) Agreements. Any specific agreement reached between the local negotiating committee and the proponent, deemed valid and applicable by the department, may be incorporated in the operating permit issued by the department. Any agreements not applicable to the operating permit may be implemented by the proponent and local communities through a contract or other legal means.

(6) Local negotiating committee.

(a) Appointments to the local negotiating committee shall be made as follows:

(i) Four members shall be appointed by the lead local government.

If the lead local government is the county, committee appointments will be made by the county executive in charter counties or the board of county commissioners. If the lead local government is an incorporated town or city, committee appointments will be made by the mayor.

(ii) The mayor of each incorporated city or town in the potentially affected area, that is not a lead local government, shall appoint one member to the committee.

(iii) The county executive or the board of county commissioners of each county in the potentially affected area, that is not a lead local government, shall appoint one member to the committee.

(iv) Each federally-recognized Indian tribe located in the potentially affected area shall appoint one member to the committee.

(v) If all or the majority of a facility is located wholly within city limits, the board of county commissioners or county executive of the potentially affected county shall appoint two members to the citizen negotiating committee. If the facility is located wholly within the county, these appointments will not be made.

(b) Local negotiating committees shall have broad representation including but not limited to representation from academia, business and industry, citizen organizations, environmental groups, agricultural groups, health professionals, emergency response organizations, and fire districts.

(c) After the initial committee appointments are made, the neutral convener shall assess the group representation and determine which interest groups are not represented. The committee, with the aid of the neutral convener, will then select up to four additional members to serve on the local negotiating committee. These selections shall be made from interest groups not already represented on the negotiating committee.

(d) Elected officials will not be members of the local negotiating committee.

(7) Modified CPN procedures. Modified CPN procedures shall apply to lead local governments who are also proponents of a dangerous waste management facility.

(a) Notice letter. Within fourteen days of the notice of intent or thirty days of the effective date of this section, the department shall notify all local governments in the potentially affected area of applications for proposed facilities or expansions of existing facilities and of the opportunity for formal negotiations under CPN and the availability of a CPN grant.

(b) Decision notice. The local governments shall have forty-five days to form a committee to:

(i) Determine whether they wish to participate in CPN;

(ii) Determine who will be the lead local government;

(iii) Select a neutral convener, facilitator, or mediator;

(iv) Notify the department and the proponent of those decisions; and

(v) Complete a grant application for financial assistance if a decision is made to proceed with CPN.

(c) Once the lead local government is determined, modified CPN procedures shall follow CPN procedures set forth in subsections (5)(d) through (6)(d) of this section.

(8) Grant eligibility and eligible activities.

(a) Grant applicant eligibility and eligible activities shall be the same for CPN and modified CPN.

(b) Grant applicant eligibility. Grants up to fifty thousand dollars shall be awarded to the lead local government and may be renewed once during the permitting process.

(c) Eligible costs. Eligible costs include direct costs of the activities of the negotiating process. These costs include:

(i) The local committee's expenses such as travel, office space or lodging, supplies, postage, report production costs, and meeting room costs;

(ii) Neutral convener's, facilitator's, or mediator's fees and expenses;

(iii) Technical assistance for the committee; and

(iv) Other costs determined necessary by the department.

(d) Ineligible costs. Grant funds may not be used by the grant applicant to support legal actions against the department, or facility owners/operators.

(9) Grant administration and funding.

(a) A grant application package will be sent to the lead local government with the notice letter. Grant application packages include grant application deadlines, grant guidelines, and application forms.

(b) Completed grant applications will be reviewed by the department. To receive a grant offer, successful applications must include all required elements as outlined in the guidelines.

(c) The obligation of the department to make grant awards and payments is contingent upon the availability of funds through legislative appropriation and allotment, and such other conditions not reasonably foreseeable by the department rendering performance impossible. When the grant crosses over bienniums, the obligation of the department is contingent upon the appropriation of funds during the next biennium.

(d) The department shall fund up to fifty percent of the total grant amount or up to fifty thousand dollars for citizen/proponent negotiations and the proponent of a dangerous waste management facility shall fund up to fifty percent of the total grant amount or up to fifty thousand dollars.

(e) Disbursement of funds. The department shall be responsible for reimbursement of all eligible CPN costs incurred. The proponent shall enter into a contract with the department for the proponent's share of the CPN grant. The department will be responsible for all eligible CPN costs incurred before the decision notice and its share of any eligible CPN costs incurred after the decision notice, up to fifty thousand dollars. The proponent shall be responsible for its share of all remaining eligible CPN costs incurred after the decision notice and after an executed grant award is made to the lead local government, up to fifty thousand dollars.

(f) The department, on at least a biennial basis, will determine the amount of funding available for citizen/proponent negotiation grants.

(g) All grantees shall be held responsible for payment of salaries, consultant's fees, and other overhead costs contracted under a grant awarded to the lead local government.

(h) To the extent that the Constitution and laws of the state of Washington permit, the grantee shall indemnify and hold the department harmless from and against, any liability for any or all injuries to persons or property arising from the negligent act or omission of the grantee arising out of a grant contract, except for such damage, claim, or liability resulting from the negligent act or omission of the department.

(i) All grants under this chapter shall be consistent with the provisions of "Financial Guidelines for Grant Management" WDOE 80-6, May 1980, Reprinted March 1982, or subsequent guidelines adopted thereafter.

WSR 89-21-072

PERMANENT RULES

DEPARTMENT OF ECOLOGY

[Order 89-26—Filed October 17, 1989, 4:28 p.m.]

Date of Adoption: October 17, 1989.

Purpose: To provide grants up to \$50,000 to persons potentially adversely affected by a release or threatened release of a hazardous substance or to not-for-profit public interest organizations. The money is to be used for investigation and/or remediation of such releases or threatened releases or to implement the state solid and hazardous waste management priorities.

Statutory Authority for Adoption: The Model Toxics Control Act.

Pursuant to notice filed as WSR 89-15-046 on July 19, 1989.

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

October 17, 1989

Fred Olson

Deputy Director

Chapter 173-321 WAC

PUBLIC PARTICIPATION GRANTS

WAC

| | |
|-------------|---|
| 173-321-010 | Purpose and authority. |
| 173-321-020 | Definitions. |
| 173-321-030 | Relationship to other legislation and administrative rules. |
| 173-321-040 | Applicant eligibility. |
| 173-321-050 | Application evaluation criteria. |
| 173-321-060 | Eligible project costs. |
| 173-321-070 | Grant funding. |
| 173-321-080 | Grant administration. |

NEW SECTION

WAC 173-321-010 PURPOSE AND AUTHORITY. (1) The department is directed by the Model Toxics Control Act to provide grants up to fifty thousand dollars to persons who may be adversely affected by a release or threatened release of a hazardous substance and to not-for-profit public interest groups. These grants shall be used to facilitate public participation in the investigation and remediation of a release or threatened release of a hazardous substance and to facilitate public

participation in the implementation of the state's solid and hazardous waste management priorities.

(2) The purpose of this chapter is to set forth eligibility criteria and funding requirements for grant projects.

NEW SECTION

WAC 173-321-020 DEFINITIONS. As used in this chapter:

(1) "Department" means the department of ecology.

(2) "Director" means the director of the department of ecology or such person authorized to act for the director.

(3) "Expendable personal property" means all tangible personal property other than nonexpendable personal property.

(4) "Facility" means:

(a) Any building, structure, installation, equipment, pipe or pipeline (including any pipe into a sewer or publicly owned treatment works), well, pit, waste pile, pond, lagoon, impoundment, ditch, landfill, tank, storage container, motor vehicle, rolling stock, vessel, or aircraft; or

(b) Any site or area where a hazardous substance, other than a consumer product in consumer use, has been deposited, stored, disposed of, or placed, or otherwise come to be located.

(5) "Grant applicant" means any person requesting a public participation grant.

(6) "Hazardous substance" means:

(a) Any dangerous or extremely hazardous waste as defined in RCW 70.105.010 (5) and (6) or any dangerous or extremely hazardous waste designated by rule pursuant to chapter 70.105 RCW;

(b) Any hazardous substance as defined in RCW 70.105.010(14) or any hazardous substance as defined by rule pursuant to chapter 70.105 RCW;

(c) Any substance that, on March 1, 1989, is a hazardous substance under 101 (14) of the Federal Cleanup Law, 42 U.S.C. Sec. 960 (14);

(d) Petroleum or petroleum products; and

(e) Any substance or category of substances including solid waste decomposition products, determined by the director by rule to present a threat to human health or the environment if released into the environment. Except that:

The term hazardous substance does not include any of the following when contained in an underground storage tank from which there is not a release: Crude oil or any fraction thereof or petroleum, if the tank is in compliance with all applicable federal, state, and local laws.

(7) "Hazardous waste management priorities" as defined in RCW 70.105.150 are the priorities in the management of hazardous waste which should be followed in descending order as applicable:

(a) Waste reduction;

(b) Waste recycling;

(c) Physical, chemical, and biological treatment;

(d) Incineration;

(e) Solidification/stabilization treatment;

(f) Landfill.

(8) "Nonexpendable personal property" means tangible personal property having a useful life of more than

one year and an acquisition cost of three hundred dollars or more per unit.

(9) "Not-for-profit public interest organization" means any corporation, trust, association, cooperative, or other organization which:

(a) Is operated primarily for scientific, educational, service, charitable, or similar purposes in the public interest;

(b) Is not organized primarily for profit; and

(c) Uses its net proceeds to maintain, improve, and/or expand its operations.

(10) "Owner/operator" means:

(a) Any person with any ownership interest in the facility or who exercises any control over the facility; or

(b) In the case of an abandoned facility, any person who had owned, operated, or exercised control over the facility any time before its abandonment;

The term does not include:

(i) An agency of the state or unit of local government which acquired ownership or control involuntarily through bankruptcy, tax delinquency, abandonment, or other circumstances in which the government involuntarily acquires title, unless that agency of the state or unit of local government has caused or contributed to the release or threatened release of hazardous substances from the facility; or

(ii) A person who, without participation in the management of a facility, holds identification of ownership primarily to protect the person's security interest in the facility.

(11) "Person" means an individual, firm, corporation, association, partnership, consortium, joint venture, commercial entity, state government agency, unit of local government, federal government agency, or Indian tribe.

(12) "Personal property" means property of any kind except real property. It may be tangible (having physical existence) or intangible (having no physical existence), such as patents, inventions, and copyrights.

(13) "Potentially liable person" means any person whom the department finds, based on credible evidence, to be liable under section 4 of the Model Toxics Control Act. The department shall give notice to any such person and allow an opportunity for comment before making the finding, unless an emergency requires otherwise.

(14) "Real property" means land, land improvements, structures, and appurtenances thereto, excluding moveable machinery and equipment.

(15) "Release" means any intentional or unintentional entry of any hazardous substance into the environment, including but not limited to the abandonment or disposal of containers of hazardous substances.

(16) "Remedy, remediation, or remedial action" means any action or expenditure consistent with the purposes of this chapter to identify, eliminate, or minimize any threat or potential threat posed by hazardous substances to human health or the environment including any investigative and monitoring activities with respect to any release or threatened release of a hazardous substance and any health assessments or health effects studies conducted in order to determine the risk or potential risk to human health.

(17) "Solid waste management priorities" as defined in chapter 70.95 RCW are the priorities in the management of solid waste which should be followed in order of descending priority as applicable:

(a) Waste reduction;

(b) Recycling with source separation of recyclable materials as the preferred method;

(c) Energy recovery, incineration, or landfill of separated waste;

(d) Energy recovery, incineration, or landfill of mixed waste.

NEW SECTION

WAC 173-321-030 RELATIONSHIP TO OTHER LEGISLATION AND ADMINISTRATIVE RULES. (1) The organization receiving a grant shall comply fully with all applicable federal, state, and local laws, orders, regulations, and permits.

(2) Nothing in this chapter shall influence, affect, or modify existing department programs, regulations, or enforcement of applicable laws relating to solid and hazardous waste management and cleanup.

(3) All grants shall be subject to the existing, applicable accounting and auditing requirements of state laws and regulations.

(4) The department will prepare a guidance manual to facilitate compliance with these regulations.

NEW SECTION

WAC 173-321-040 APPLICANT ELIGIBILITY. (1) Hazardous substance release grants may only be awarded to groups of three or more unrelated persons or to not-for-profit public interest organizations involved in scientific, environmental, and public interest activities.

(2) All applicants must demonstrate the group's ability to appropriately administer grant funds.

(3) Applications for a hazardous substance release grant must include information on:

(a) The nature of the release or threatened release of the hazardous substance;

(b) The location of the release or threatened release of the hazardous substance;

(c) How the applicant group may be adversely affected by the release or threatened release of the hazardous substance;

(d) How the applicant group represents the environmental, health, and economic interests of individuals affected by the release or threatened release of the hazardous substance;

(e) How the applicant group will promote public participation in the investigation or remediation of the release or threatened release of the hazardous substance;

(f) A complete project description;

(g) The applicant group's history and experience, if any, in conducting activities similar to those described in the grant application;

(h) Any other information specified by the department as needed to award a grant.

(4) Applications for a waste management priority grant must include information on:

(a) How the applicant group will promote or implement the state solid or hazardous waste management priorities;

(b) How the applicant group represents the environmental, health, and economic interests of the individual group members;

(c) How the applicant group will promote public participation in the grant project described in the application;

(d) A complete project description;

(e) The applicant group's history and experience, if any, in conducting activities similar to those described in the grant application.

(5) Any person potentially liable, under section 4 of the Model Toxics Control Act, shall be ineligible for grant funding.

(6) Grant applications failing to qualify may be resubmitted.

NEW SECTION

WAC 173-321-050 APPLICATION EVALUATION CRITERIA. (1) All grant applications received will be reviewed and evaluated by the department. Applications will be ranked according to how each application meets the criteria set forth below. Grants will be awarded, within the limits of available funds, to the highest ranking applications. The department may fund all or portions of eligible grant applications.

(a) Hazardous substance release grants.

(i) The degree to which the applicant group may be adversely or potentially adversely impacted by the release or threatened release of the hazardous substance, including but not limited to adverse or potential adverse impact to surface and drinking waters, soils, flora or fauna, species diversity, air quality, property values, marketability of agricultural crops, and recreational areas;

(ii) The degree to which the proposed project will promote public participation in the investigation or remediation of the release or threatened release of the hazardous substance;

(iii) The degree to which the applicant group represents the environmental, health, and economic interests of individuals affected by the identified release or threatened release of the hazardous substance;

(iv) Consideration will be given to groups with limited resources to secure other funds for project costs;

(v) The type and extent of the applicant group's past history and experience conducting activities similar to those described in the grant application;

(vi) If more than one group is interested in the same project, priority consideration for funding will be given to groups who consolidate.

(b) Waste management priorities grants.

(i) The degree to which the proposed public participation activities are consistent with or improve upon existing solid or hazardous waste management plans and programs;

(ii) The degree to which the proposed public participation activities promote solid or hazardous waste management priorities;

(iii) The degree to which the proposed project will facilitate public participation in implementing the state's solid or hazardous waste management priorities;

(iv) Consideration will be given to groups with limited resources to secure other funds for project costs;

(v) The type and extent of the applicant group's past history and experience conducting activities similar to those described in the grant application;

(vi) If more than one group is interested in the same project, priority consideration will be given to groups who consolidate.

(2) Priority consideration for grant funding will be given to hazardous substance release grant applicants.

NEW SECTION

WAC 173-321-060 ELIGIBLE PROJECT COSTS. (1) Eligible project costs for substance release grants shall include but not be limited to:

(a) Hiring technical assistants to review and interpret documents;

(b) Public involvement and public education activities;

(c) Reviewing specific plans for environmental testing and analysis, reviewing reports summarizing the results of such plans and making recommendations for modifications to such plans.

(d) Expendable personal property;

(e) Other public participation activities as determined by the department on a case-by-case basis.

(2) Eligible project costs for waste management priority grants shall include but not be limited to:

(a) Assisting in developing and implementing programs that promote or improve state or local solid or hazardous waste management plans;

(b) Assisting in developing programs or activities that promote and are consistent with the state solid or hazardous waste management priorities;

(c) Expendable personal property;

(d) Other public participation activities as determined by the department on a case-by-case basis.

(3) Ineligible projects and grant costs shall include but not be limited to:

(a) Independently collecting or analyzing samples at facility sites;

(b) Hiring attorneys for legal actions against potentially liable persons, facility owners, or the department;

(c) Legislative lobbying activities;

(d) Real property;

(e) Nonexpendable personal property.

NEW SECTION

WAC 173-321-070 GRANT FUNDING. (1) The department may fund up to one hundred percent of eligible project costs.

(2) The maximum grant allowance shall be fifty thousand dollars.

(3) Public participation grants may be renewed annually. A new grant application must be submitted each year to be evaluated and ranked for additional funding.

(4) The department reserves the right to refuse funding to any and all applications failing to meet the grant

eligibility criteria and may reopen the application period for additional applications.

NEW SECTION

WAC 173-321-080 GRANT ADMINISTRATION. (1) The department shall establish grant application funding cycles each year.

(2) Public notice of application funding cycles shall be published state-wide.

(3) A grant application package will be sent to all persons interested in applying for public participation grants. Grant application packages will include notice of grant application deadlines, grant guidelines, and application forms.

(4) Grant applications will be evaluated by the department. To be funded, applications must include all required elements as outlined in the guidelines.

(5) The obligation of the department to make grant payments is contingent upon the availability of funds through legislative appropriation, and such other conditions not reasonably foreseeable which may preclude awarding such grants.

(6) The department, on at least a biennial basis, will determine the amount of funding available for public participation grants and establish an application and funding cycle. The minimum amount of money available for public participation grants established by The Model Toxics Control Act shall be one percent of the moneys deposited into the state and the local toxics control accounts.

(7) The department shall not be held responsible for payment of salaries, consultant fees, or other costs related to a contract of the grantee.

(8) To the extent that the Constitution and laws of the state of Washington permit, the grantee shall indemnify and hold the department harmless, from and against, any liability for any or all injuries to persons or property arising from the negligent act or omission of the grantee arising out of a grant contract.

(9) All grants under this chapter shall be consistent with the provisions of "Financial Guidelines for Grant Management" WDOE 80-6, May 1980, Reprinted March 1982, or such subsequent guidelines.

WSR 89-21-073

PERMANENT RULES

THE EVERGREEN STATE COLLEGE

[Filed October 17, 1989, 4:33 p.m.]

Date of Adoption: October 11, 1989.

Purpose: Implements chapter 34.05 RCW (amendment to existing policy).

Citation of Existing Rules Affected by this Order: Repealing WAC 174-120-020 (renumber and adopt as WAC 174-121-010); and amending WAC 174-120-010 through 174-120-080.

Statutory Authority for Adoption: Chapter 34.05 RCW.

Pursuant to notice filed as WSR 89-18-089 on September 6, 1989.

Changes Other than Editing from Proposed to Adopted Version: WAC 174-120-080(1) allowing hearing to be open as provided by statute.

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

October 17, 1989

Rita Brackenbush
Rules Coordinator

NEW SECTION

WAC 174-121-010 THE SOCIAL CONTRACT—COLLEGE PHILOSOPHY. (1) **GENERAL:** Evergreen is an institution and a community that continues to organize itself so that it can clear away obstacles to learning. In order that both creative and routine work can be focused on education, and so that the mutual and reciprocal roles of campus community members can best reflect the goals and purposes of the college, a system of governance and decision-making consonant with those goals and purposes is required.

(2) **PURPOSE:**

(a) Evergreen can thrive only if members respect the rights of others while enjoying their own rights. Students, faculty, administrators, and staff members may differ widely in their specific interests, in the degree and kinds of experiences they bring to Evergreen, and in the functions which they have agreed to perform. All must share alike in prizing academic and interpersonal honesty, in responsibly obtaining and in providing full and accurate information, and in resolving their differences through due process and with a strong will to collaboration.

(b) The Evergreen community should support experimentation with new and better ways to achieve Evergreen's goals. Specifically, it must attempt to emphasize the sense of community and require members of the campus community to play multiple, reciprocal, and reinforcing roles in both the teaching/learning process and in the governance process.

(3) **FREEDOM AND CIVILITY:** The individual members of the Evergreen community are responsible for protecting each other and visitors on campus from physical harm, from personal threats, and from uncivil abuse. Civility is not just a word; it must be present in all our interactions. Similarly, the institution is obligated, both by principle and by the general law, to protect its property from damage and unauthorized use and its operating processes from interruption. Members of the community must exercise the rights accorded them to voice their opinions with respect to basic matters of policy and other issues. The Evergreen community will support the right of its members, individually or in groups, to express ideas, judgments, and opinions in speech or writing. The members of the community, however, are obligated to make statements in their own names and not as expressions on behalf of the college. The board of trustees or the president speaks on behalf of the college and may at times share or delegate the responsibility to others within the college. Among the basic rights of individuals are freedom of speech, freedom of peaceful assembly and association, freedom of belief, and freedom from intimidation, violence, and abuse.

(4) **INDIVIDUAL AND INSTITUTIONAL RIGHTS:** Each member of the community must protect:

(a) The fundamental rights of others in the community as citizens;

(b) The right of each member in the community to pursue different learning objectives within the limits defined by Evergreen's curriculum or resources of people, materials, equipment and money;

(c) The rights and obligations of Evergreen as an institution established by the state of Washington; and

(d) Individual rights to fair and equitable procedures when the institution acts to protect the safety of its members.

(5) **SOCIETY AND THE COLLEGE:**

(a) Members of the Evergreen community recognize that the college is part of the larger society as represented by the state of Washington, which funds it, and by the community of greater Olympia, in which it is located. Because the Evergreen community is part of the larger society, the campus is not a sanctuary from the general law or invulnerable to general public opinion.

(b) All members of the Evergreen community should strive to prevent the financial, political, or other exploitation of the campus by any individual or group.

(c) Evergreen has the right to prohibit individuals and groups from using its name, its financial or other resources, and its facilities for commercial, or political activities.

(6) **PROHIBITION AGAINST DISCRIMINATION:** There may be no discrimination at Evergreen with respect to race, sex, age, handicap, sexual orientation, religious or political belief, or national origin in considering individuals' admission, employment, or promotion. To this end the college has adopted an affirmative action policy approved by the state human rights commission and the higher education personnel board. Affirmative action complaints shall be handled in accordance with state law, as amended (e.g., chapter 49.74 RCW; RCW 28B-16.100; chapter 251-23 WAC).

(7) **RIGHT TO PRIVACY:**

(a) All members of the college community have the right to organize their personal lives and conduct according to their own values and preferences, with an appropriate respect for the rights of others to organize their lives differently.

(b) All members of the Evergreen community are entitled to privacy in the college's offices, facilities devoted to educational programs, and housing. The same right of privacy extends to personal papers, confidential records, and personal effects, whether maintained by the individual or by the institution.

(c) Evergreen does not stand in loco parentis for its members.

(8) **INTELLECTUAL FREEDOM AND HONESTY:**

(a) Evergreen's members live under a special set of rights and responsibilities, foremost among which is that of enjoying the freedom to explore ideas and to discuss their explorations in both speech and print. Both institutional and individual censorship are at variance with this basic freedom. Research or other intellectual efforts, the results of which must be kept secret or may be used only

for the benefit of a special interest group, violate the principle of free inquiry.

(b) An essential condition for learning is the freedom and right on the part of an individual or group to express minority, unpopular, or controversial points of view. Only if minority and unpopular points of view are listened to, and are given opportunity for expression will Evergreen provide bona fide opportunities for significant learning.

(c) Honesty is an essential condition of learning, teaching or working. It includes the presentation of one's own work in one's own name, the necessity to claim only those honors earned, and the recognition of one's own biases and prejudices.

(9) **OPEN FORUM AND ACCESS TO INFORMATION:**

(a) All members of the Evergreen community enjoy the right to hold and to participate in public meetings, to post notices on the campus, and to engage in peaceful demonstrations. Reasonable and impartially applied rules may be set with respect to time, place and use of Evergreen facilities in these activities.

(b) As an institution, Evergreen has the obligation to provide open forum for the members of its community to present and to debate public issues, to consider the problems of the college, and to serve as a mechanism of widespread involvement in the life of the larger community.

(c) The governance system must rest on open and ready access to information by all members of the community as well as on the effective keeping of necessary records.

(d) In the Evergreen community, individuals should not feel intimidated or be subject to reprisal for voicing their concerns or for participating in governance or policy making.

(e) Decision making processes must provide equal opportunity to initiate and participate in policy making, and Evergreen policies apply equally regardless of job description, status or role in the community. However, college policies and rules shall not conflict with state law or statutory, regulatory and/or contractual commitments to college employees.

(10) **POLITICAL ACTIVITIES:** The college is obligated not to take a position, as an institution, in electoral politics or on public issues except for those matters which directly affect its integrity, the freedom of the members of its community, its financial support, and its educational programs. At the same time, Evergreen has the obligation to recognize and support its community's members' rights to engage, as citizens of the larger society, in political affairs, in any way that they may elect within the provision of the general law.

AMENDATORY SECTION (Amending Order 88-1, Motion No. 88-25, filed 8/18/88)

WAC 174-120-010 DEFINITIONS. (1) ~~((COLLEGE COMMUNITY: Current students and employees while present on college property or at a college sponsored event.~~

~~(2) COLLEGE FACILITIES/PREMISES: Property owned, leased, operated, controlled, or supervised by the college.~~

~~((3))~~ HEARING BOARD: ~~((Three))~~ Five community members appointed by and from the different sectors of the college community (i.e. 1 faculty; 1 classified or exempt staff; ~~((+))~~ 3 students). The vice-president shall be responsible for ensuring hearing board members and their alternates are appointed. ~~The ((hearing board members will select a chairperson who, with the assistance of the vice-president's office, is responsible for providing notice to the parties. The college legal counsel or, in cases of conflict,))~~ vice-president will appoint the chair of the hearing board who with the technical and clerical assistance of the vice-president's office will write and issue the board's finding. The attorney general, an administrative law judge or any other qualified community member ~~((shall))~~ may serve as a nonvoting advisor to the hearing board on the hearing process.

~~((4))~~ (2) GRIEVANCE OFFICER: A faculty or staff person((s)) who shall be appointed by and accountable to the vice-president. The grievance officer is responsible for determining if violations of this policy have occurred, for investigating and initiating formal disciplinary action on behalf of the college and for keeping all records specified in these hearings procedures. In cases involving violations of the ((social)) housing contract ((in housing,)) the director of housing or designee shall act as the grievance officer.

~~((5))~~ (3) CAMPUS MEDIATOR: Designated intervenor in potential conflicts between two members or groups of the community which do not involve alleged violations of the student conduct code, issues about employee performance, or matters covered by other grievance procedures. The mediator will assist the two parties to reach informal resolution. If successful, the parties will sign an agreement that resolution has been reached. If unsuccessful, both parties may agree to arbitration wherein the finding of the mediator will be binding.

This individual is appointed by the vice-president and typically has been the dean of student development or his/her designee.

(4) PREPONDERANCE OF THE EVIDENCE: The greater weight of evidence or evidence more convincing to the mind than not.

~~((6))~~ (5) SPONSORED EVENT OR ACTIVITY: Activities scheduled by the college and supervised and controlled by college employees.

(6) COLLEGE FACILITIES/PREMISES: Property owned, leased, operated, controlled, or supervised by the college.

(7) TRIER OF FACT: The hearing board, administrative law judge, or any other individual(s) (e.g. campus mediator; affirmative action officer) designated by the vice-president and responsible for determining the facts relevant to decide a controversy.

(8) REVIEWING OFFICER: An individual designated by the president to provide a review of the trier of fact's finding.

(9) EXCEPTION TO TRIER OF FACT'S FINDINGS: An exception is a written request by either the grievance officer or the student requesting a review of the findings by the reviewing officer.

(10) VICE-PRESIDENT: The vice-president for student affairs or his/her designee. The vice-president or his/her designee shall advise students on matters of jurisdiction

related to this policy and to other college grievance and conflict resolution mechanisms.

AMENDATORY SECTION (Amending Order 88-1, Motion No. 88-25, filed 8/18/88)

WAC 174-120-030 STUDENT CONDUCT CODE—SPECIFIC EXAMPLES OF SOCIAL CONTRACT VIOLATIONS. In addition to the social contract, students must abide by the rules below in order to maintain community membership. Specific violations are set forth in writing in order to provide notice to students. They are not designed to define violations in exhaustive terms. Students may be accountable to both civil/criminal authorities and the college for acts which constitute violations of law occurring on or off campus.

(1) DESTROYING OR DAMAGING PROPERTY: Intentionally and/or recklessly destroying or damaging college property or the property of others on college premises or at college-sponsored events.

(2) DISRUPTING COLLEGE FUNCTIONS: Intentionally and/or recklessly interfering with normal college or college sponsored activities, including, but not limited to, studying, teaching, research, college administration, fire, police, campus security or emergency services.

(3) DRUGS: Use, possession or distribution of any controlled substance or illegal drug on college premises or at college sponsored activities (as defined in the Uniform Controlled Substances Act chapter 69.50 RCW, as amended).

(4) FALSE ALARMS: Intentionally causing a false police or fire alarm that involves college property or a college sponsored event.

(5) FALSE INFORMATION: Intentionally providing false information to the college for the purpose of gaining admission or employment or to avoid determination of facts in accordance with any college investigation or hearing.

(6) HARASSMENT/PHYSICAL HARM: Threatening, intimidating or harassing another with intent to substantially harm the person ((threatened or any other person)) with respect to his or her physical safety or mental health ((or safety)). This includes causing physical harm to any person or property on college premises or at any college sponsored activity, or causing reasonable apprehension of such harm to another person.

(7) HOUSING CONTRACT VIOLATIONS: Violation of residence hall contracts.

(8) LIQUOR: Use, possession or distribution of liquor on college property. This is not intended to apply to use by students of legal age in a residence or at a college sponsored event provided the event has an approved alcoholic beverage banquet permit (chapter 174-157 WAC, as amended). However, public appearance on campus or at any college-sponsored event while intoxicated, as defined by state law, will be considered a violation.

(9) SMOKING: Smoking in a prohibited area on college property as defined by college rules (WAC 174-136-160 to 174-136-170, as amended).

(10) THEFT OR CONVERSION: Deprivation of another's property, including college property or services, without that individual's or the college's authorization.

(11) ~~((TRESPASS: Unauthorized presence in or use of college premises, facilities, services or property:))~~ REFUSAL TO DESIST FROM PROHIBITED CONDUCT: Refusal of students on college property to desist from conduct prohibited by these rules.

(12) WEAPONS, FIREARMS, EXPLOSIVES AND DANGEROUS CHEMICALS: Unauthorized use, possession or storage (other than storage with the campus security office) of any weapon, explosives, dangerous chemicals, substances or instruments or other weapons, as defined by state law, which may be used to inflict bodily harm on another individual or damage upon college premises or college-sponsored event.

AMENDATORY SECTION (Amending Order 88-1, Motion No. 88-25, filed 8/18/88)

WAC 174-120-040 STUDENT CONDUCT CODE—CORRECTIVE ACTION. The primary purpose for imposing corrective measures is to protect the college community. Notification of corrective action shall be in writing, indicating the terms of any suspension or termination and any special conditions which must be met before readmission. Violations of WAC 174-120-030 (1) through (5), (6), (8), (10) through (12), inclusive, may result in expulsion ~~((or))~~, suspension, or summary suspension unless specific and significant mitigating factors are present. Factors to be considered in mitigation shall be the present demeanor and past disciplinary record of the student, as well as the nature of the offense and the severity of any damage, injury, or harm resulting from it. Repeated or aggravated violations of any rule may also result in expulsion or suspension or in the imposition of such lesser corrective measures as may be appropriate. A student's off-campus criminal conduct may also be considered in determining what discipline is warranted for similar on-campus conduct.

(1) EXPULSION: Permanent separation from the college and termination of community membership. The student may also be barred from college premises and/or college sponsored events.

(2) REPRIMAND: Warning(s) that further misconduct may result in more severe sanctions.

(3) RESTITUTION: An alternative to other sanctions which the student may elect wherein payment may be made to the college or to other persons, groups, or organizations for damages incurred as a result of prohibited conduct.

(4) EJECTION FROM THE PREMISES: Students on college property who willfully refuse to obey an order of the president, the president's designees, or law enforcement officers to desist from conduct prohibited by the college's rules and regulations may be ejected from the premises. Refusal to obey such an order will subject the student to arrest under the provisions of the Criminal Trespass Act, in addition to such other sanctions as may be applicable. Students who repeatedly engage in any conduct prohibited above may be subject to other disciplinary action.

(5) SUMMARY SUSPENSION: Students presenting imminent danger to themselves, others, college property and/or the educational process may be immediately suspended from the college by the president, vice president,

or their designee(s) for a period of time not to exceed ten days. At the time of the suspension, the student shall be notified in writing, if possible, otherwise orally of the circumstances constituting prohibited conduct and of their right to petition for a formal hearing. If oral notification is given at the time of the summary suspension, written notification shall be personally delivered or sent to the student's last known address within 24 hours.

~~((5))~~ (6) SUSPENSION: Temporary dismissal from the college and temporary termination of community membership for a stated period of time, but no longer than one year. The student shall not participate in any college-sponsored activity and may be barred from college premises. Suspension implies that the student may eventually return if evidence or other assurances are presented that prohibited conduct will not be repeated.

~~((6))~~ (7) OTHER SANCTIONS: Other sanctions may be imposed if related to the violation. For example, extracurricular activities may be limited; registration of motor vehicles may be restricted; and/or community service may be assigned. Students may also be removed from college housing for ~~((social))~~ housing contract violations.

AMENDATORY SECTION (Amending Order 88-1, Motion No. 88-25, filed 8/18/88)

WAC 174-120-050 STUDENT CONDUCT CODE—INFORMAL CONFLICT RESOLUTION.

(1) VOLUNTARY MEDIATION/ARBITRATION: Community members who come into conflict with one another should make a determined effort to resolve problems peacefully and constructively between themselves. To facilitate this objective, the college encourages voluntary mediation and/or arbitration through the campus mediator or any mutually agreed upon third party. A student may bypass mediation/arbitration and file a complaint directly with the grievance officer if the student believes the student conduct code has been violated. The grievance officer will determine if a violation of the social contract-student conduct code has occurred.

(2) SETTLEMENT: If the grievance officer decides to pursue a case in the name of the college, the student may accept or deny responsibility for the violation. If the student accepts responsibility, in writing, she or he may propose a sanction to resolve the case. The grievance officer may also propose a sanction. If agreement on responsibility and sanction are reached, the agreement shall be made in writing and signed by the student and grievance officer. The agreement may be withdrawn in writing, within one working day. If the agreement is not withdrawn within one working day, the student waives her or his right to a formal hearing.

(3) SETTLEMENT AGREEMENT: An agreement on responsibility and sanctions, if appropriate, shall be written and contain:

(a) A description of the violation for which responsibility is accepted;

(b) The agreed sanction if any;

(c) Signatures of the student and the grievance officer.

(4) FAILURE TO REACH AN AGREEMENT: If no agreement is reached on responsibility or sanction, the grievance officer shall bring the case before the trier of fact or shall dismiss the case.

(5) FAILURE TO RESPOND TO THE GRIEVANCE OFFICER'S REQUEST FOR A MEETING: Failure to respond to a request for a meeting shall trigger a formal hearing as defined in WAC 174-120-060 through 174-120-080, as follows.

AMENDATORY SECTION (Amending Order 88-1, Motion No. 88-25, filed 8/18/88)

WAC 174-120-060 STUDENT CONDUCT CODE—GRIEVANCE OFFICER. (1) PURPOSE: The basic role of the grievance office is to seek justice and not convictions. The grievance officer receives and investigates complaints and proposes corrective action, if warranted. The grievance officer has the responsibility of making a decision of who and when to charge with a violation.

(2) PROCEDURE: If the grievance officer is satisfied that sufficient evidence exists to substantiate a violation and if a settlement has not been reached, he/she shall send a notice of the formal charges, recommended corrective action and the right to a hearing to the student. If the student is charged with a violation potentially punishable by suspension or termination, the vice-president shall institute formal hearing board procedures unless otherwise waived by the student. If a student is not charged with a violation potentially punishable by suspension or termination, he/she must petition the vice-president for a formal hearing within 10 days after receipt of the grievance officer's charges. If the student fails to petition the vice-president for a formal hearing, the recommended disciplinary action shall go into effect unless summary suspension has already occurred.

AMENDATORY SECTION (Amending Order 88-1, Motion No. 88-25, filed 8/18/88)

WAC 174-120-070 STUDENT CONDUCT CODE—FORMAL HEARING NOTICE AND RIGHTS. Notice of the hearing, including a statement of the particular rules involved and matters asserted, shall be provided at least ten days before any hearing, as called for by RCW 28B.19.120(1), as amended or superseded. Both parties may submit to the designated trier of fact brief written position statements. Both parties have:

(1) The right to question witnesses; have someone appear on their behalf to defend them; and that they may have a maximum of three character witnesses appear on their behalf. The parties shall inform each other of their witnesses and representatives at least three days before the hearing. Representatives may not appear in lieu of the student charged.

(2) The right to have subpoena(s) issued by the vice-president and/or trier of fact, subject to a convincing showing of the general relevance and reasonable scope of the evidence sought;

(3) ((That)) The failure of the party charged to appear will result in a default judgment against all parties - this default judgment must be served on all parties stating the grounds for the order. The student or the grievance officer has a minimum of seven days in which to file a written motion requesting that the order be set

aside and stating the grounds for this request. The trier of fact must respond to this request in writing within seven days. The student or grievance officer may appeal the trier of fact's response to the reviewing officer as set forth in WAC 174-120-080 (6) and (7). Failure to provide a list of witnesses or/and the name(s) of their representatives at least three days before the hearing will result in disqualification of those witnesses and/or representatives.

AMENDATORY SECTION (Amending Order 88-1, Motion No. 88-25, filed 8/18/88)

WAC 174-120-080 STUDENT CONDUCT CODE—FORMAL PROCEDURES. (1) GENERAL: Students have a right to a fair and impartial hearing on any charge of prohibited conduct (~~((potentially punishable by suspension or termination))~~) and the right to confer with a representative present during the hearing. Pursuant to state law, the college president authorizes the vice-president to determine the trier of fact. Unless the vice-president determines otherwise, the formal hearing shall be conducted by the hearing board. Any such hearing shall be conducted pursuant to state law, ~~((RCW 28B.19.110 -- 28B.19.150))~~ chapter 34.05 RCW, as amended or superseded. Hearings will be closed to the public ~~((, except for the immediate members of the student's family))~~ and shall be deemed confidential except as provided by statute. RCW 34.05.449. The student may request the presence of his/her representative. An open hearing may be held, in the discretion of the trier of fact, if requested by the student.

(2) CHALLENGES: Each party has the right to one peremptory challenge of a member of the hearing board. Any party may challenge any ~~((trier of fact))~~ hearing board member based on cause, such as personal bias. The unchallenged hearing board members shall hear the challenge for cause and make a finding. If cause is found, the vice-president shall fill the vacancy forthwith. The hearing board advisor may also challenge a hearing board committee member. Except for peremptory challenges, hearing board members may be disqualified upon majority vote of the remaining board members. The trier(s) of fact should not discuss the case outside of the hearing, and shall base their decision upon the evidence presented at the hearing.

(3) BURDEN OF PROOF: The burden of proof shall be on the college which must establish, by a preponderance of the evidence, that the student is responsible for a violation of these rules.

(4) FORMAL RULES OF EVIDENCE DO NOT APPLY: Formal procedural rules of evidence shall not be applicable nor shall harmless procedural errors necessarily invalidate a decision or proceeding, unless significant prejudice to the rights of the student or the college would result. The trier of fact shall recognize rules of confidentiality and privilege, but shall otherwise admit all matters into evidence which reasonable persons would accept as having probative value in the conduct of their affairs. Undue repetitious or irrelevant evidence may be excluded. Illegally obtained evidence cannot be used.

(5) ~~((FINAL))~~ TRIER OF FACT DECISION: The trier of fact shall reach a final decision within 30 days of receipt

of the petition or within 15 days of the close of the hearing, whichever is greater. ((Final)) Decisions of the hearing board shall be by majority vote of the members present and voting. The trier of fact's written findings and conclusions shall be delivered to the student by hand or certified mail to his/her last known address.

(6) REVIEWING OFFICER DECISION: Either the grievance officer or the student may file an exception to the findings of the trier of fact with the college's designated reviewing officer. This exception must be filed within five days and the reviewing officer must review the record and afford the parties opportunity to present written argument. The reviewing officer may allow each party to make oral argument. Within fifteen days of the filing of the exception, the reviewing officer must render a final written order. No further agency appeal is required or provided for.

(7) STATUS PENDING FINAL ACTION: Except in cases of summary suspension, the student's status shall not be altered pending ((final decision by the trier of fact)) final decision by the reviewing officer.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 174-120-020 THE SOCIAL CONTRACT—COLLEGE PHILOSOPHY.

WSR 89-21-074

PROPOSED RULES

DEPARTMENT OF AGRICULTURE

[Filed October 18, 1989, 8:35 a.m.]

Original Notice.

Title of Rule: WAC 16-54-082 Domestic bovine animals.

Purpose: To give the state veterinarian authority to require tuberculosis testing of cattle imported from states classified modified accredited or accredited free of *Mycobacterium bovis* which has been cultured from a herd in that state in the previous twelve months.

Statutory Authority for Adoption: Chapter 16.36 RCW.

Summary: Allows state veterinarian to require tuberculosis testing from states experiencing outbreaks of tuberculosis.

Reasons Supporting Proposal: One hundred and forty Pennsylvania cattle herds have had contact with a dairy herd found infected with tuberculosis. Washington is certified free of bovine tuberculosis and occasionally receives shipments of cattle from Pennsylvania. State vet needs authority in chapter 16-54 WAC to require TB testing from Pennsylvania shipments.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Dr. Robert W. Mead, 406 General Administration Building, AX-41, 753-5040.

Name of Proponent: Food Safety/Animal Health Division, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The existing rule states that all beef and dairy cattle must originate from herds not under quarantine in a not less than modified accredited area. The purpose of the change would allow the state veterinarian to require a tuberculosis test from states experiencing outbreaks of TB in herds but retaining their modified accredited or accredited free status. This rule change is needed to protect Washington cattle herds and public health from the introduction of tuberculosis.

Proposal Changes the Following Existing Rules: It would require a tuberculosis test from cattle imported from states classified modified accredited or accredited free if *Mycobacterium bovis* has been cultured from a herd in that state in the previous twelve months.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Department of Agriculture, Food Safety/Animal Health, 2627-B Parkmont Lane S.W., Olympia, WA 98502, on November 21, 1989, at 1:30 p.m.

Submit Written Comments to: Dr. Robert W. Mead, by November 20, 1989.

Date of Intended Adoption: November 30, 1989.

October 17, 1989

John Daly

Assistant Director

AMENDATORY SECTION (Amending Order 1964, filed 2/5/88)

WAC 16-54-082 DOMESTIC BOVINE ANIMALS. All domestic bovine animals (including bison) entering Washington shall be moved on a permit issued by the office of the state veterinarian. All domestic bovine animals (including bison) shall meet the following requirements:

(1) Tuberculosis. All beef and dairy cattle must originate from herds not under quarantine in a not less than modified accredited area. The state veterinarian may require a negative tuberculosis test within thirty days of import for cattle (including bison) from the states classified as modified accredited or accredited free if *Mycobacterium bovis* (*M. bovis*) has been cultured from a herd in that state within the previous twelve months.

(2) Brucellosis health certificate requirements. All domestic bovine animals (including bison), except those consigned to restricted feedlots, or to federally inspected slaughter plants for immediate slaughter, or beef breed cattle or slaughter only dairy breed cattle consigned to a state-federal approved livestock market, shall be accompanied by an official interstate health certificate and shall meet the following requirements:

(a) Brucellosis test.

(i) Cattle from class free and A states.

(A) Sexually intact heifers from brucellosis quarantined herds in class free and A states shall not be imported into the state of Washington except for immediate slaughter at a federally inspected slaughter plant.

(B) Cattle other than those referred to in (a)(i)(A) of this subsection from class free or A states which are test eligible, unless destined for a restricted feedlot or for immediate slaughter at a federally inspected slaughter establishment, must be negative to an official brucellosis test conducted within thirty days prior to date of entry. Cattle not considered test eligible include:

(I) Calves under six months of age.

(II) Steers and spayed heifers.

(III) Officially vaccinated dairy cattle under twenty months of age and officially vaccinated beef cattle under twenty-four months of age.

(IV) Cattle from a certified brucellosis free herd.

(V) Cattle from selected brucellosis free states designated by the Washington state veterinarian.

(ii) Cattle from Class B or C states.

(A) Sexually intact heifers from other than certified brucellosis free herds in states classified B or C by the USDA shall not be imported into the state of Washington except for immediate slaughter at a federally inspected slaughter establishment.

(B) Cattle other than those referred to in (a)(ii)(A) of this subsection from Class B states which are test eligible, unless destined for a restricted feedlot or for immediate slaughter at a federally inspected slaughter establishment, must be negative to an official brucellosis test conducted within thirty days prior to date of entry and held on the premises of destination and kept separate from all other cattle for retest not less than forty-five nor more than one hundred twenty days from the date of the preentry test. Cattle not considered test eligible include:

- (I) Calves under six months of age.
- (II) Steers and spayed heifers.
- (III) Cattle from a certified brucellosis free herd.

(C) Cattle other than those referred to in (a)(ii)(A) of this subsection from Class C states which are test eligible must be negative to two official brucellosis tests conducted prior to entry at least sixty days apart, the second test to be conducted within thirty days of entry. Those cattle shall be held on the premises of destination and kept separate from all other cattle for retest not less than forty-five nor more than one hundred twenty days from the date of the second negative preentry test. Cattle not considered test eligible include:

- (I) Calves under six months of age.
- (II) Steers and spayed heifers.
- (III) Cattle from a certified brucellosis free herd.
- (iii) Beef cattle eligible for brucellosis testing coming from class free or A states may be moved to state-federal approved livestock markets in Washington to meet entry health requirements.

(iv) Should brucellosis infection occur in the state of Washington as a result of importation of infected animals, all future importations from the state of origin shall be required to meet import regulations of the next lower classification. State regulatory officials of that state shall be notified and the lower classification entry requirement will be in effect for twelve months following notification to the state of origin.

(b) Brucellosis calffood vaccinates—female dairy cattle. All female dairy cattle must be identified as official brucellosis calffood vaccinates before entry. Except the following classes of cattle are exempt from this requirement:

- (i) Calves under four months of age.
- (ii) Those cattle consigned directly to a federally inspected slaughter plant.
- (iii) Those cattle consigned directly to a restricted feedlot.
- (iv) Spayed heifers.
- (c) Brucellosis calffood vaccinates—female beef cattle. All female beef breed cattle must be identified as official brucellosis vaccinates before entry, except the following classes of cattle are exempt from this requirement:

- (i) Calves under four months of age.
- (ii) Female beef breed cattle born before January 1, 1983.
- (iii) Cattle sold or consigned to a restricted feedlot.
- (iv) Cattle sold or consigned to a federally inspected slaughter plant.
- (v) Cattle sold or consigned to a public livestock market for immediate slaughter only.
- (vi) Spayed heifers.
- (vii) Cattle from a certified brucellosis free country where vaccination is prohibited by law: PROVIDED, That the state veterinarian, upon being assured that to allow such cattle to enter would not create any jeopardy to the livestock industry of the state of Washington, may issue a special permit for such entry.

(3) Scabies. The office of the state veterinarian may require that any cattle from a known infected area be dipped at an official dipping facility within ten days of entry and, except those consigned to a federally inspected slaughter plant for immediate slaughter within fourteen days, be accompanied by an official interstate health certificate. Ivermectin may be used as an alternative to the dipping procedure for beef and nonlactating dairy animals.

(4) Vesicular stomatitis. The office of the state veterinarian may require that:

- (a) Any cattle be accompanied by an official interstate health certificate except those consigned to a federally inspected slaughter plant for immediate slaughter within fourteen days;
- (b) Dairy breed cattle be held separate and apart from all other cattle for a period of seven days at the point of destination and rechecked by an accredited veterinarian at the end of that period; except

that dairy breed cattle from known infected areas shall not be allowed entry into the state; and

(c) Beef breed cattle from known infected areas be held separate and apart from all other cattle for a period of thirty days either prior to entry or at the point of destination or both.

(5) Temporary grazing permits. Herd owners desiring to move cattle into Washington for temporary grazing purposes must obtain a prior permit from the office of the state veterinarian: PROVIDED, That the state veterinarian may, if deemed necessary, require a brucellosis herd test and/or an official health certificate for any cattle entering the state for grazing purposes. Applicants must also file an approved herd plan with the office of the state veterinarian to phase out all brucellosis nonvaccinates in the herd prior to January 1, 1988. Grazing permits shall be for one specified season only and shall be valid for movement to only that destination declared on the permit. A copy of the permit shall accompany any vehicle transporting cattle into the state for such temporary grazing purposes.

WSR 89-21-075
PROPOSED RULE
DEPARTMENT OF ECOLOGY
 [Filed October 18, 1989, 8:57 a.m.]

Original Notice.

Title of Rule: Chapter 173-422 WAC, Motor vehicle emission inspection.

Purpose: Chapter 173-422 WAC is being amended to meet the requirements of 1989 SHB 1104 relating to the motor vehicle emission inspection and maintenance program.

Statutory Authority for Adoption: Chapter 70.120 RCW.

Statute Being Implemented: 1989 SHB 1104.

Summary: This amendment revises chapter 173-422 WAC. This rule implements the motor vehicle emission control law codified as chapter 70.120 RCW. The 1989 legislature amended chapter 70.120 RCW effective January 1, 1990, by passage of SHB 1104. Ecology is proposing to revise its rules to implement changes to chapter 70.120 RCW made by the 1989 legislature (HB 1104) and make program improvements.

Name of Agency Personnel Responsible for Drafting and Enforcement: John Raymond, Lacey, (206) 459-6261; and Implementation: Stuart Clark, Lacey, (206) 459-6256.

Name of Proponent: Department of Ecology, air programs, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Proposed revision of the motor vehicle emission inspection rules are to make changes: Required by 1989 SHB 1104 including switching to biennial testing, testing 1968 and newer vehicles, further restricting repair waivers, a two speed test, setting testing fees and establishing emission specialist certification requirements; and desired to improve testing.

Proposal Changes the Following Existing Rules: Changes required by HB 1104: Switches to biennial testing from the current annual testing; replacement of current "moving" exemption (1975 and older this year) with a fixed exemption for 1967 and older vehicles; discontinues repair waivers for vehicles with less than five

years or 50,000 miles, with removed/inoperative emission control systems and not repaired by an ecology authorized emission specialist; raises the repair waiver for 1981 and newer vehicles to \$150 (retains \$50 repair waiver for older vehicles); revises test procedure to include a 2500 rpm test; set the test fee at \$16. The fee must be set at the minimum whole dollar amount required to compensate the testing contractor and offset ecology's administrative cost; establishes requirements for emission specialist certification and the inclusion of their employer on a list provided the public; and establishes emission test standards.

Changes Dictated by Recent Air Quality Data: Expands the noncompliance areas for carbon monoxide to include the entire cities of Seattle, Bellevue and Spokane and adds Tacoma, Vancouver, Yakima and Everett; and deletes the central Puget Sound ozone noncompliance area.

Changes to Conform With Present Department Policy: Dealer exemptions are acceptable when license has expired or will expire within thirty days.

Changes to Improve Testing: Tightens exhaust analyzer specifications; reduces the maximum exhaust analyzer HC reading from 20 to 10 ppm before a vehicle test can start; requires the hourly calibration gas be about forty percent of range; reduces the frequency of multipoint calibration from monthly to weekly; and changes information entered on the vehicle inspection report: Deletes number of cylinders, deletes whether or not the vehicle was manufactured with a catalytic converter for 1980 and older model year vehicles, deletes identification of person issuing certificate, requires the engine speed when emission readings are taken and requires identification number of an ecology authorized emission specialist who repairs a vehicle before a retest.

Changes That Mitigate the Disproportionate Burden on Small Businesses: Eliminates the requirement that the free retest must be taken within 60 days for nonfleet vehicle operators. (By law fleet vehicles may be inspected within twelve months of their scheduled license renewal); and sets the fleet test form equal to \$16, the test fee paid by nonfleet businesses and the public. (No fleet test form fee is required by law.)

Changes That Reduce the Impact on Government: Authorizing self-inspection and waiving test form fees; and also while not included in the regulation, the department has contracted for the testing of government vehicle without charge at the vehicle inspection stations.

Chapter 173-422 WAC, Motor vehicle emission inspection applies to vehicles registered in the following ZIP codes.

| | |
|---|----------|
| 98101 through 98199 | Seattle |
| Except 98110 Bainbridge Island | |
| 98198 South of the Kent Des Moines Road | |
| 98004 through 98009 | Bellevue |
| 98011, 98012, 98021 and 98041 | Bothell |
| 98020 | Edmonds |
| 98027 | Issaquah |
| 98028 | Kenmore |
| 98033, 98034 and 98083 | Kirkland |
| 98036, 98037 and 98046 | Lynnwood |

| | |
|------------------------|-------------------|
| 98039 | Medina |
| 98040 | Mercer Island |
| 98043 | Mountlake Terrace |
| 98052, 98053 and 98073 | Redmond |
| 98055 through 98058 | Renton |
| 98062 | Seahurst |
| 98072 | Woodinville |
| 99200 through 99299 | Spokane |

Small Business Economic Impact Statement: The Regulatory Fairness Act, chapter 19.85 RCW, requires that rules which have an economic impact on more than 20 percent of the businesses of all industries or more than 10 percent of the businesses in any one industry be reviewed and altered, if necessary, to minimize their impact on small businesses. In RCW 43.31.025 a small business is defined as any business entity (including a sole proprietorship, corporation, partnership, or other legal entity) which is independently owned and operated from all other businesses, which has the purpose of making a profit, and which has fifty or fewer employees. Chapter 173-422 WAC has been reviewed and has some effect on all SIC codes in the greater Seattle and Spokane areas where motor vehicle emission testing is required, since nearly all businesses operate one or more motor vehicles. In these areas new automotive dealers, SIC Code 551, and automotive repair shops, SIC Code 753, will benefit from additional business.

Chapter 173-422 WAC specifies which vehicles need to be emission tested and the procedures to be followed by vehicle operators and vehicle emission testers.

This rule implements the motor vehicle emission control law codified as chapter 70.120 RCW. The 1989 legislature amended chapter 70.120 RCW effective January 1, 1990, by passage of SHB 1104.

Ecology is proposing to revise its rules to implement changes to chapter 70.120 RCW made by the 1989 legislature (HB 1104) and make program improvements including minimizing disproportional higher burdens on small businesses.

Changes That Minimize Small Business Impact: Switches to biennial testing from the current annual testing; dealer exemptions are acceptable when license has expired or will expire within thirty days; sets the cost of each fleet vehicle test form at \$16, the same as the test fee paid by nonfleet businesses and the public at the state inspection stations; and eliminates the requirement that the free retest must be taken within 60 days for nonfleet vehicle operators. (By law fleet vehicles may be inspected within twelve months of their scheduled license renewal.) The burden to small business of all proposed changes are discussed in the following text.

Changes Required by HB 1104: 1. Switches to biennial testing from the current annual testing; 2. Replacement of current "moving" exemption (1975 and older this year) with a fixed exemption for 1967 and older vehicles; 3. Discontinues repair waivers for vehicles: a. With less than five years or 50,000 miles, b. With removed/inoperative emission control systems, and c. Not repaired by an ecology authorized emission specialist; 4. Raises the repair waiver for 1981 and newer vehicles to \$150 (retains \$50 repair waiver for older vehicles); 5.

Revises test procedure to include a 2500 rpm test; 6. Set the test fee at \$16. The fee must be set at the minimum whole dollar amount required to compensate the testing contractor and offset ecology's administrative cost; and 7. Establishes requirements for emission specialist certification and the inclusion of their employer on a list provided the public.

Changes 1 and 6 will reduce the annual inspection cost from \$9 to \$8 per vehicle and reduce by 50 percent the other expenses associated with testing, such as employee time for most small businesses.

Change 2 is not expected to be a disproportional burden to small business, since it is believed that few businesses operate significant numbers of vehicles 15 years and older.

Change 3a is expected to increase cost negligibly for businesses in general. The increased cost of having to bring a vehicle with less than five years or 50,000 miles into compliance is expected to be offset by improved fuel economy as the result of repairs and the advantage of obtaining needed repairs when most repairs will be covered by warranty. Very few newer vehicles fail the emission test and require a waiver in any case. During the last six months of 1988, of the 133,735, 1984 and newer model vehicles tested in Seattle, only 573 were issued a repair waiver.

Changes 3b and 3c will benefit automobile dealers and automotive repair shops because of the additional repairs encouraged by the elimination of waivers for vehicles with removed or inoperative emission control systems and from the elimination of repair waivers for work done by vehicle owners. Auto parts stores will lose some vehicle owner business. There are no fees and other expenses required of businesses wishing to be "certified." Many repair businesses have already purchased needed emission testing equipment for routine use.

Change 4 will not be a disproportional cost for small businesses and will benefit automobile dealers and automotive repair shops.

Changes Dictated by Law Requirements That are Based on Recent Air Quality Data: Expands the non-compliance areas for carbon monoxide to include the entire cities of Seattle, Bellevue and Spokane and adds Tacoma, Vancouver, Yakima and Everett; and deletes the central Puget Sound ozone noncompliance area.

These changes will not result in any changes in the vehicle emission inspection program, or have other impacts on businesses. However, the current air quality planning effort that is taking place with or without these regulation changes could result in expanded or new vehicle emission inspection areas.

Changes to Conform With Present Department Policy: Dealer exemptions are acceptable when license has expired or will expire within thirty days.

This change would reduce vehicle dealer costs. However, since ecology currently accepts dealer exemptions within thirty days of expiration, there is no impact on small businesses from this change.

Changes to Improve Testing: 1. Tightens exhaust analyzer specifications; 2. Reduces the maximum exhaust analyzer HC reading from 20 to 10 ppm before vehicle test can start; 3. Requires the hourly calibration gas be

about forty percent of range; 4. Reduces the frequency of multipoint calibration from monthly to weekly; 5. Changes information entered on the vehicle inspection report: a. Deletes number of cylinders, b. Deletes whether or not the vehicle was manufactured with a catalytic converter for 1980 and older model year vehicles, c. Deletes identification of person issuing certificate, d. Requires the engine speed when emission readings are taken, e. Requires identification number of an ecology authorized emission specialist who repairs a vehicle before a retest; 6. Requires fleet testers to be an authorized emission specialist; and 7. Allows the department to require fleet test results to be on automated data storage devices after one year notice.

Changes 1 through 6 will not increase the cost of testing to the public or increase the cost to operate a small business. Change 7 could require fleets and fleet testers to purchase automated testing equipment similar to that used at the testing stations for the public and most small businesses, once the department determines that such equipment is commercially available from several manufacturers.

Changes to Mitigate the Disproportionate Burden on Small Businesses: Eliminates the requirement that the free retest must be taken within 60 days for nonfleet vehicle operators. (By law fleet vehicles may be inspected within twelve months of their scheduled license renewal.); and sets the cost of each fleet vehicle test form at \$16, the same as the test fee paid by nonfleet businesses and the public at the state inspection stations.

RCW 70.120.080 directs ecology to authorize an operator of twenty-five or more vehicles to emission test the vehicles. RCW 46.16.015 allows fleet tests to be done any time within twelve months of the assigned license renewal date. This allows fleets to schedule emission tests at their convenience, most likely along with other maintenance, which adds little or no additional expense. This has a disproportional impact on small businesses who cannot avail themselves of this option. Currently of the 38 businesses that test their own fleet vehicles, five are small businesses. Currently of the 57 businesses that have their vehicles tested by a fleet tester, 15 are small businesses of varying SIC codes. Currently of the 14 fleet testers, 11 are small automotive repair: SIC Code 753, one a parking garage, SIC Code 751 and two automobile dealers, SIC Code 551 with the exception of one small automotive repair business, the fleet testing income is incidental to their primary business. The additional income from fleet testing for other businesses is estimated to be \$80,000 during 1988. This is based on an average charge of \$10 to the fleet and the current \$1.50 charge for the fleet form.

One small business is estimated to have income less than \$20,000 from fleet testing during 1988. Three other small businesses are estimated to have less than \$3,000 income from their fleet testing business.

All fleets, fleet testers, car dealers and many other automotive repair businesses in addition to all currently "certified emission specialists" have been notified of these proposed rules. Two small businesses who test fleet vehicles have objected to the increase in test form costs,

since these firms may not be able to pass on the increased cost of forms to their customers.

While this report is not required to consider public sector impacts, the impact on government fleets will be reduced by authorizing self-inspection and waiving test form fees. Also the department has contracted for the testing of any government vehicle without charge at the vehicle inspection stations.

Hearing Location: Conference Room A, Seattle Center House, 305 Harrison Street, Seattle, on November 28, 1989, at 6 p.m.; and at the Spokane County Health District, West 1101 College, Spokane, on November 30, 1989, at 6 p.m.

Submit Written Comments to: John Raymond, Department of Ecology, PV-11, Olympia, Washington 98504, by December 15, 1989.

Date of Intended Adoption: January 2, 1990.

October 18, 1989
Fred Olson
Deputy Director

AMENDATORY SECTION (Amending Order DE 83-31, filed 11/23/83, effective 1/2/84)

WAC 173-422-020 DEFINITIONS. Unless a different meaning is clearly indicated by context, the following definitions will apply:

((1)) (1) "Accuracy" means the degree of correctness by which the true value of a measured sample is determined.

((2)) (2) "Calibration gases" mean a blend of hydrocarbon (propane), carbon monoxide (CO), and carbon dioxide using nitrogen as carrier gas. The concentrations are to be traceable to within two percent of NBS standards.

((3)) (3) "Certificate of acceptance" means an official form, issued by someone authorized by the department, which certifies that all of the following conditions have been met: The recipient's vehicle initially failed to comply with applicable emission standards, the recipient has provided original receipts proving that more than fifty dollars or one hundred fifty dollars on a 1981 or later model motor vehicle were spent after the first test and before the final test on repairs ~~((and/or parts))~~ performed by a "certified emission specialist" solely to meet emission standards, the vehicle on final reinspection again failed to meet such standards, and the repair information section of the test report has been completed and the vehicle has been in use for more than five years or fifty thousand miles, and any component of the vehicle installed by the manufacturer for the purpose of reducing emissions, or its appropriate replacement, is installed and operative.

((4)) (4) "Certificate of compliance" means an official form, issued by someone authorized by the department, which certifies that the ~~((following conditions have been met: The))~~ recipient's vehicle on inspection complied with applicable emission standards ~~((and inspection fees have been paid))~~.

((5)) (5) "Certified emission specialist" means an individual who has been issued a certificate of instruction by the department as authorized in RCW 70.120.020 (2)(a) and has maintained the certification by meeting requirements of WAC 173-422-190(2).

((6)) (6) "Dealer" means a motor vehicle dealer, as defined in RCW 46.70.011, that is licensed pursuant to chapter 46.70 RCW.

((7)) (7) "Department" means the department of ecology.

((8)) (8) "Drift" means the change in the reading of the analyzer to a given sample over a period of time with no adjustment to the analyzer having been made between the initial and final measurements.

((9)) (9) "Emission contributing area" means a land area within whose boundaries are registered motor vehicles that contribute significantly to the violation of motor vehicle related air quality standards in a noncompliance area. (The inspection program implemented by this chapter applies only to vehicles registered in emission contributing areas.)

((10)) (10) "Farm vehicle" means any vehicle other than a farm tractor or farm implement which is designed and/or used primarily in agricultural pursuits on farms for the purpose of transporting machinery, equipment, implements, farm products, supplies, and/or farm labor thereon and is only incidentally operated on or moved along public highways for the purpose of going from one farm to another.

~~((10))~~ ((11)) "Fleet" means a group of twenty-five or more motor vehicles owned or leased concurrently by one person.

~~((11))~~ ((12)) "Gaseous fuel" means liquefied petroleum gases and natural gases in liquefied or gaseous forms.

~~((12))~~ ((13)) "Gross vehicle weight (GVW)" means the manufacturer stated gross vehicle weight rating.

~~((13))~~ ((14)) "HC and CO emissions" means the concentration of hydrocarbons (measured as n-hexane) and carbon monoxide in the engine exhaust.

~~((14))~~ ((15)) "Motor vehicle" means any self-propelled vehicle required to be licensed pursuant to chapter 46.16 RCW.

~~((15))~~ ((16)) "Motorcycle" means every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a farm tractor.

~~((16))~~ ((17)) "NBS" means National Bureau of Standards.

~~((17))~~ ((18)) "Noncompliance area" means a land area within whose boundaries any air quality standard for any air contaminant from the emissions of motor vehicles will probably be exceeded ~~((after December 31, 1982))~~.

~~((18))~~ ((19)) "PPM" means parts per million by volume.

~~((19))~~ ((20)) "Repeatability" means the ability of an analyzer to report the same value for successive measurements of the same sample.

~~((20))~~ ((21)) "Response" means how quickly there is a change in reading following a change in concentration at the sample probe inlet.

~~((21))~~ ((22)) "Sensitivity" means the smallest change in the value of a measured sample that can be detected by the analyzer.

~~((22))~~ ((23)) "Zero calibration gases" means air or nitrogen in which total impurities do not exceed 0.01 percent.

NEW SECTION

WAC 173-422-035 REGISTRATION REQUIREMENTS. (1) Persons residing in emission contributing areas as defined under WAC 173-422-050 shall register their motor vehicles within that area, unless business reasons require registration outside of the area.

(2) Any person who violates this section is subject to a civil penalty not to exceed one hundred dollars.

(3) Any civil penalty imposed by the department hereunder shall be appealable to the pollution control hearings board as provided for in chapter 43.21B RCW.

AMENDATORY SECTION (Amending Order DE 83-31, filed 11/23/83, effective 1/2/84)

WAC 173-422-040 NONCOMPLIANCE AREAS. The following areas are designated noncompliance areas for the air contaminants specified ~~((these areas are set forth on maps on file with the department))~~:

((1)) Carbon monoxide

((a)) Parts of the city of Seattle.

((b)) Parts of the city of Bellevue.

((c)) Parts of the city of Spokane.

((2)) Ozone

The central Puget Sound basin): Carbon monoxide

((1)) The city of Seattle.

((2)) The city of Bellevue.

((3)) The city of Spokane.

((4)) The city of Tacoma.

((5)) The city of Vancouver.

((6)) The city of Yakima.

((7)) The city of Everett.

AMENDATORY SECTION (Amending Order DE 83-31, filed 11/23/83, effective 1/2/84)

WAC 173-422-060 EMISSION STANDARDS. Motor vehicles subject to this chapter shall meet the following emission standards prior to receiving a certificate of compliance.

((STANDARDS

CO(%) HC(ppm)

| Model Year | 4 or less* Cyl. | More Than 4 Cyl. | |
|------------|-----------------|------------------|------|
| 71-74 | 6.0 | 5.0 | 1000 |
| 75-78 | 3.0 | 3.0 | 800 |

| CO(%) | | HC(ppm) | |
|-------|------------|-----------|--|
| Model | 4 or less* | More Than | |
| Year | Cyl. | 4 Cyl. | |

79 and later 3.0 3.0 600

When 1979 and later model vehicles were manufactured with a catalytic converter the standards are:

2.0 1.5 300

*Includes all rotary engines)

STANDARDS

| Model Year | CO(%) | HC (ppm) |
|--------------|-------|----------|
| 68-74 | 6.0 | 1000 |
| 75 and later | 3.0 | 600 |

Except 1981 and later model vehicles manufactured with a catalytic converter the standards are:

1.2 220

AMENDATORY SECTION (Amending Order DE 83-31, filed 11/23/83, effective 1/2/84)

WAC 173-422-070 TEST PROCEDURES. All persons certified by, or under contract to, the department to conduct motor vehicle emission inspections shall use the following test procedures. Variations to the procedures specified may be used if approved by the department after receipt of evidence that such changes will not interfere with the validity of the test.

(1) ~~((An idle mode))~~ A two-speed (idle and 2500 rpm) test with the transmission in neutral or park shall be used to measure vehicle exhaust emissions for carbon monoxide, hydrocarbons, and carbon dioxide.

(2) The engine shall be at normal operating temperature during the emission test with all accessories off.

(3) Any vehicle causing an unsafe condition, such as the continuous leaking of any fluid onto the floor, may be rejected from the inspection site.

(4) Vehicles shall be approximately level during the test.

(5) Vehicles with more than one exhaust pipe shall be tested by sampling each tail pipe and averaging the results, unless the exhaust pipes originate from a common point in the exhaust system.

(6) The following steps shall be taken to prevent excessive dilution. The exhaust sample probe must be inserted at least ten inches into the tail pipe. If this is not possible, an extension boot shall be used. The exhaust emission test results shall not be recorded if the carbon dioxide concentration does not meet or exceed five percent.

(7) If the engine stalls during the test, the engine shall be restarted and one additional attempt will be made to complete the test.

(8) If a vehicle is capable of being operated with either gasoline or gaseous fuels, the vehicle shall be tested using the fuel it is operating on when it enters the testing facility.

(9) If a multiple range analyzer is used, the exhaust analyzer range shall be selected so that the standard for the vehicles being tested is between twenty-five percent and seventy-five percent of full scale, if possible.

(10) Before testing a 1981 and later model Ford Motor Company vehicle with a gross vehicle weight of 8500 pounds or less, or a 1984-85 Honda Prelude, the engine shall be turned off and then restarted.

(11) ~~((For all vehicles,))~~ Increase the engine ~~((shall be accelerated to one-third to one-half throttle (about 2500 rpm), with the transmission in neutral or park, and held there for fifteen seconds))~~ speed to 2500 ± 300 rpm.

(12) ~~((With))~~ Insert the probe into the tailpipe. After at least thirty seconds record the exhaust emissions averaged over the last five seconds.

(13) Slowly reduce the engine ~~((idling, insert the probe into the tailpipe for))~~ speed to idle (less than 1200 rpm). After at least thirty

seconds~~((:))~~ or when the readings have stabilized record the exhaust emissions averaged over the last five seconds ~~((shall then be recorded: A shorter testing time may be used if the emission stabilization procedure in WAC 173-422-110 (2)(d) is used))~~.

(14) When readings from multiple exhaust pipes are averaged, steps 10, 11, ~~((and))~~ 12, and 13 shall be repeated for all exhaust pipes.

AMENDATORY SECTION (Amending Order DE 83-31, filed 11/23/83, effective 1/2/84)

WAC 173-422-090 EXHAUST ANALYZER SPECIFICATIONS. Only exhaust analyzers meeting the following specifications at the time of certification testing may be used for certification testing. ~~((The department will maintain a list of analyzers that have been certified by the manufacturers as meeting the specifications at the time of manufacture. The department does not require the use of these analyzers or guarantee the performance of these analyzers:))~~ Any person authorized by the department to certify vehicles is solely responsible for insuring that the testing equipment is operating within the following specifications at the time of certification testing.

(1) Accuracy: The readings or the printed test results of the exhaust analyzers compared to the true value of a measured sample shall have the following accuracy tolerances.

| | |
|-----------------------------|----------|
| HC - Measured as n - hexane | |
| 200 to 220 ppm | ±15 ppm |
| 0 to 1000 ppm | ±30 ppm |
| 1000 to 2000 ppm | ±100 ppm |
| CO | |
| 1.0 to 1.2% | ±0.1% |
| 0 to 5% | ±0.2% |
| 5 to 10% | ±0.5% |
| CO ₂ | |
| 4 to 6% | ±1% |

(2) Calibration: The analyzer shall have the capability of being calibrated electronically and by gas.

(3) Drift: The drift of the zero reading or any calibration reading of each analyzer shall not exceed ~~((20))~~ 15 ppm HC, 0.1% CO or 0.5% CO₂ in one hour.

(4) Flow restriction indicator: The analyzer shall be operated within manufacturer's specifications for sample flow. The sampling system shall be equipped with a visual and/or audible warning that sample flow is not within operating requirements.

(5) Interference effects: Sampling the following concentrations of noninterest gases shall not cause the HC reading to change ±10 ppm: 15% CO₂ in N₂, 10% CO in N₂, 3000 ppm NO in N₂, 10% O₂ in N₂, and 3% H₂O vapor in air.

Sampling the following concentrations of noninterest gases shall not cause the CO reading to change ±0.05%: 15% CO₂ in N₂, 1600 ppm HC in N₂, 3000 ppm NO in N₂, 10% O₂ in N₂, and 3% H₂O vapor in air.

Sampling the following concentrations of noninterest gases shall not cause the CO₂ reading to change ±0.5%: 1600 ppm HC in N₂, 10% CO in N₂, 3000 ppm NO in N₂, 10% O₂ in N₂, and 3% H₂O vapor in air.

(6) Repeatability: The repeatability of the exhaust analyzers used shall be within 10 ppm HC, 0.05% CO and 0.2% CO₂ during five successive measurements of the same sample.

(7) Response: The response of the exhaust analyzers shall be at least ninety-five percent of the final value within fifteen seconds.

(8) Sensitivity: The sensitivity of each analyzer shall be equal to or less than 10 ppm HC, 0.05% CO and 0.2% CO₂.

(9) Range of measurement: The analyzer shall have a range equal to or greater than 0-2000 ppm HC (n-Hexane), 0 to 10% CO, and 0 to 6% CO₂.

AMENDATORY SECTION (Amending Order DE 83-31, filed 11/23/83, effective 1/2/84)

WAC 173-422-100 TESTING EQUIPMENT MAINTENANCE AND CALIBRATION. (1) Unless alternative procedures have been approved or required by the department all equipment used in the inspection shall be calibrated and maintained according to the manufacturer's specifications and recommendations. Complete logs as approved by the department shall be kept for maintenance, repair, and calibration.

backup bulk storage device shall be retained for one year and be available to the department upon request.

AMENDATORY SECTION (Amending Order DE 83-31, filed 11/23/83, effective 1/2/84)

WAC 173-422-145 FRAUDULENT CERTIFICATES OF COMPLIANCE/ACCEPTANCE. (1)(a) Obtaining or attempting to obtain a certificate of compliance by (i) providing false information or (ii) any fraudulent means; or

(b) Obtaining or attempting to obtain a certificate of acceptance (i) through the use of receipts or other documentation containing false information, or (ii) ~~((without having expended more than fifty dollars after the first test and before the final test for repairs or parts solely devoted to meeting the emission standards, or (iii)))~~ any fraudulent means shall be construed as a violation of these rules implementing chapter 70.94 RCW as supplemented by chapter 70.120 RCW.

(2) Any person who commits such violation or who aids or abets another in committing the same shall be subject to a civil penalty not to exceed two hundred fifty dollars for each violation.

(3) For the purposes of this section the term "expended" refers to the net actual cost to the vehicle owner in the purchase of repairs or parts derived after the amount of any rebate, discount or cash-return has been subtracted.

(4) Any civil penalty imposed by the department hereunder shall be appealable to the pollution control hearing board as provided for in chapter 43.21B RCW.

AMENDATORY SECTION (Amending Order DE 83-31, filed 11/23/83, effective 1/2/84)

WAC 173-422-160 FLEET AND GOVERNMENT VEHICLE TESTING REQUIREMENTS. Self-inspection of vehicles by a fleet or government agency operator may be authorized by the department. The department may also authorize emission inspection of fleet vehicles by an automotive service or testing facility engaged ~~((by the fleet))~~ for such activity. Authorizations to conduct emission tests and issue certificates of compliance under this section are limited to vehicles within the fleet or fleets requesting such authorization. Any person or facility conducting fleet tests under authorization of this section must meet all requirements of this section.

(1) The exhaust analyzers used for certification testing shall meet the specifications in WAC 173-422-090 except for those that pertain to CO₂. (CO₂ does not need to be measured.)

~~((In order to utilize existing equipment as much as possible, the department may allow testing facilities to use analyzers that do not meet all the specifications of WAC 173-422-090 if the analyzers were purchased prior to December 31, 1981.~~

~~To qualify for this exception, the test facility must request a waiver for each analyzer, demonstrate to the satisfaction of the department that the analyzer and procedures being used will provide satisfactory emission tests, and obtain approval from the department prior to using the analyzer for certification testing. Any analyzer model that has been approved by the State of California Bureau of Automotive Repair will qualify for this exception:))~~

(2) All persons engaged in testing of fleet vehicles must comply with all provisions of this chapter except WAC 173-422-080, 173-422-100 ~~((d))~~ (b)(iii) and (iv) and (c)(iii) and (iv), 173-422-110, 173-422-130, 173-422-140, and 173-422-150. ~~((The check specified in WAC 173-422-100 (2)(b)(i) and (ii) shall be performed within one hour prior to the test. The complete check specified in WAC 173-422-100 (2)(c) shall have been performed within one week prior to the test.))~~ The checks specified in WAC 173-422-100 (2)(c) ~~except (c)(iii) and (iv)~~, in addition to being required weekly, shall be performed after each relocation of the analyzer.

(3) All persons conducting tests for the purpose of issuing certificates for fleets shall ~~((demonstrate to the satisfaction of the department the knowledge and capability to calibrate and operate emission testing equipment, and perform an emission test according to WAC 173-422-070))~~ be ecology certified emission specialists.

(4) The department will provide test forms upon request. Legibly completed forms with appropriate signature(s) will constitute certificates of compliance for licensing purposes. Any person conducting testing under this section shall forward to the department within ten working days after the end of each month, a copy of each certificate of compliance issued during that month. Copies of each certificate of compliance shall be retained by the person issuing the certificate for at

least two years from date of issuance. Alternative arrangements for providing and storing this information using automated data storage devices may be required by the department after one years' notice.

Forms must be purchased from the department in advance of issuance through payment of ~~((one dollar fifty cents))~~ sixteen dollars to the department for each certificate requested. Refunds or credit may be given for unused certificates returned to the department.

Payment for fleet forms is waived for government fleets.

Test forms provided under this section are official documents. Persons receiving the forms from the department are accountable for each form provided.

Voided forms must be handled the same as certificates of compliance. One copy shall be sent to the department within ten days after the end of the month in which the form was voided and one copy shall be retained by the person accountable for the forms for at least two years after date of voiding. Refunds will not be made for voided forms.

(5) All persons authorized to conduct fleet or government vehicle inspections under this section shall be subject to performance audits and compliance inspections by the department, during normal business hours.

(6) Fleet vehicles may be inspected any time between their scheduled license renewals.

(7) Certificates of acceptance may not be issued under this section.

AMENDATORY SECTION (Amending Order DE 83-31, filed 11/23/83, effective 1/2/84)

WAC 173-422-170 EXEMPTIONS. The following motor vehicles are exempt from the inspection requirement:

(1) Vehicles proportionally registered pursuant to chapter 46.85 RCW.

(2) Vehicles whose model year ~~((when subtracted from the calendar year equals or exceeds fourteen))~~ is 1967 or earlier.

(3) New motor vehicles whose equitable or legal title has never been transferred to a person who in good faith purchases the vehicle for purposes other than resale; this does not exempt motor vehicles that are or have been leased.

(4) Motor vehicles that use propulsion units powered exclusively by electricity.

(5) Motor-driven cycles as defined by RCW 46.04.332.

(6) Motor vehicles powered by diesel engines or two-cycle engines.

(7) Farm vehicles as defined by RCW 46.04.181.

(8) Vehicles exempted from licensing pursuant to RCW 46.16.010.

(9) Mopeds as defined by RCW 46.04.304.

(10)(a) Vehicles garaged and operated out of the emission contributing area and not returning prior to six months following the registration renewal date, may be exempted provided the registered owner/authorized agent provides a signed statement which includes:

(i) The registered owner's name and address.

(ii) The vehicle license number.

(iii) A statement that the vehicle is now garaged and operated outside the emission contributing area and will not be returning to the emission contributing area prior to six months following the registration renewal date.

(b) Vehicles garaged and operated out of the emission contributing area and returning to the emission contributing area within six months after the registration renewal date may postpone the emission testing requirements provided the registered owner/agent provides a signed exemption statement which includes:

(i) The registered owner's name and address.

(ii) The vehicle license number.

(iii) A statement that the vehicle will not be returning to the emission contributing area prior to the registration renewal date.

(iv) A statement that within thirty days of returning to the emission contributing area the vehicle will be tested and a valid certificate of compliance or a certificate of acceptance will be obtained and forwarded to the department.

(v) The date of departure from the emission contributing area.

(vi) The anticipated date of return to the emission contributing area.

(11) Vehicles registered with the state but not for highway use.

(12) Used vehicles ~~((which are offered for sale))~~ whose licenses have expired or will expire within thirty days when sold by a Washington licensed motor vehicle dealer (as defined in RCW 46.70.011, that is licensed pursuant to chapter 46.70 RCW).

(13) Motor vehicles fueled exclusively by propane, compressed natural gas, or liquid petroleum gas.

NEW SECTION

WAC 173-422-190 EMISSION SPECIALIST CERTIFICATION. (1) To become a certified emission specialist an individual shall:

(a) Pass a course of study, approved by the department, on motor vehicle maintenance, engine and exhaust analysis equipment usage, and emission control system repair and maintenance; and

(b) Agree in writing to meet the requirements of subsection (2) of this section.

(2) To maintain certification, a certified emission specialist shall:

(a) Successfully complete a department approved course on emission repair within the second year after the date of certification, and within each second year thereafter;

(b) Sign, including the specialist identification number, all receipts for tune-up and emission repairs or adjustments performed;

(c) Record on all receipts the vehicle's emission readings after the work is completed when an exhaust analyzer is available;

(d) Not tamper with emission control systems, including adjusting an engine outside of the manufacturer's specifications (chapter 173-421 WAC);

(e) Not obtain or attempt to obtain a certificate of acceptance (repair waiver) by providing false information or by any fraudulent means (WAC 173-422-145); and

(f) Not aid or abet any individual in committing a violation of chapter 173-421 WAC or WAC 173-422-145.

(3) The certification of a certified emission specialist may be revoked for a first violation of chapter 173-421 WAC or WAC 173-422-145, for a period of no more than one year, and may be permanently revoked for a second violation of chapter 173-421 WAC or WAC 173-422-145.

The certification of a certified emission specialist may be temporarily revoked for violation of subsection (2) of this section and may be permanently revoked for continued willful violation of subsection (2) of this section.

A certified emission specialist whose certification is revoked permanently or temporarily may appeal to the pollution control hearings board as provided for in RCW 43.21B.310.

(4) A certified emission specialist whose certification has been temporarily revoked may reapply for certification twelve months after the date of revocation by applying to the department and meeting all requirements of subsection (1) of this section. An application for certification by a permanently revoked certified emission specialist will be denied.

NEW SECTION

WAC 173-422-195 LISTING OF CERTIFIED EMISSION SPECIALISTS. (1) A list of certified emission specialists will be available to the public. Specialists will be listed in chronological order of certification under their employer's shop name when the shop is approved for listing. The list will be updated by the department at least once every six months.

(2) The employer's name and address will be listed by the department, when the employer agrees in writing to:

(a) Use a properly maintained and correctly calibrated exhaust analyzer as a final check for all tune-up and emission repairs or adjustments;

(b) Have all tune-up and emission repairs or adjustments performed by a certified emission specialist;

(c) Require any person performing tune-up and emission repairs or adjustments to sign the customer's receipt for tune-up and emission repairs or adjustments, and to record the vehicle's emission readings on the receipt after the work is completed;

(d) Require that all employees not aid or abet any person to tamper with emission control systems, including adjusting a vehicle outside of the manufacturer's specifications (chapter 173-421 WAC); and

(e) Require that all employees not aid or abet any person to obtain a fraudulent certificate of compliance (repair waiver) (WAC 173-422-145).

(3) An employer may be removed from the certified emission specialist list for a first violation of chapter 173-421 WAC or WAC 173-422-145 for a period of no more than one year and may be permanently removed after a second violation of chapter 173-421 WAC or WAC 173-422-145.

An employer may be temporarily removed from the certified emission specialist list when failing to comply with the requirements of

subsection (2) of this section and may be permanently revoked for continued and willful violation of subsection (2) of this section.

(4) An employer who has been temporarily removed from the certified emission specialist list may reapply for listing twelve months after the date of removal from the listing by applying to the department and meeting all requirements of subsection (2) of this section. An application for listing from an employer permanently removed from the certified emission specialist list will be denied.

(5) An employer who is removed from a certified emission specialist list or denied listing in a certified emission specialist list may appeal to the pollution control hearings board as provided for in RCW 43.21B.310.

(6) A certified emission specialist whose employer is not listed may request to be placed on a separate list available to the public. The employer's name will not be listed. The specialist shall be listed in the chronological order of certification. The specialist may specify an address and phone number to be included in the list.

(7)(a) An employer approved for listing may display the "state certified emission specialist" sign available from the department. Any employer advertising or providing of information to the public based on the department's certification of a certified emission specialist must be able to be discontinued immediately upon revocation of the employer's listing or certification of the certified emission specialist.

(b) An employer violating (a) of this subsection shall be subject to a civil penalty not to exceed two hundred fifty dollars for each violation.

(c) A civil penalty imposed by the department may be appealed to the pollution control hearings board as provided for in RCW 43.21B.310.

WSR 89-21-076**EMERGENCY RULES****DEPARTMENT OF REVENUE**

[Filed October 18, 1989, 11:36 a.m.]

Date of Adoption: October 18, 1989.

Purpose: To describe the application of excise taxes to "admission" and "space" charge receipts by profit/nonprofit organizations sponsoring trade shows, conventions, and seminars.

Statutory Authority for Adoption: RCW 82.32.300.

Pursuant to 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: RCW 82.04.4282 which is implemented and administered under this WAC section took effect July 23, 1989, thus necessitating this emergency adoption. A full public hearing will be conducted before adopting the rule.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: There is no impact on small businesses requiring submission of an impact statement.

Effective Date of Rule: Immediately.

October 18, 1989
Edward Faker
Assistant Director

NEW SECTION

WAC 458-20-256 TRADE SHOWS, CONVENTIONS AND SEMINARS. (1) When a trade show, convention, or educational seminar is sponsored and held

by a nonprofit trade or nonprofit professional organization for a group other than the general public the sponsoring organization may deduct from its business and occupation tax measure all "attendance" or "space" charges it collects for such an event, per RCW 82.04.4282. Non-qualifying organizations, and qualifying organizations sponsoring non-qualifying events, must include "attendance" and "space" charges in their tax measure for purposes of computing Service and Other Activity business and occupation tax thereon.

(2) Nonprofit organizations are taxed in the same fashion as profit-making individuals or groups, with but few tax exemptions. This section implements one of those exemptions. See also WAC sections 458-20-114 and 458-20-169.

(3) For purposes of this section, the following definitions shall apply:

(a) The term "nonprofit" means exempt from tax under Section 501 of the Internal Revenue Code. The tax exempt status must be in effect when the trade show, convention, or seminar is conducted.

(b) A "trade organization" is an entity whose members are engaged "in trade", i.e., in one or more lawful commercial trades, businesses, crafts, industries, or distinct productive enterprises.

(c) A "professional organization" is an entity whose members are engaged in a particular lawful vocation, occupation or field of activity of a specialized nature.

(d) A "trade show" is a gathering of persons in trade for the purpose of exhibiting, demonstrating, and explaining services, products and/or equipment.

(e) A "convention" is a gathering of persons in trade or a profession for the purposes of providing, publishing and exchanging information, ideas and attitudes and conducting the business of the organization.

(f) A "seminar" is a gathering of persons in trade or a profession for the purpose of research, study, and/or exchange of specialized information, ideas and attitudes in regard to that trade or profession.

(g) "Not open to the general public" means that attendance is limited to members of the sponsoring organization and to specific invited guests of the sponsoring organization.

(4) As of July 23, 1989, for purposes of computing taxable receipts subject to business and occupation tax, a qualifying "nonprofit" organization may deduct all amounts the organization collects as charges for

(a) admissions, and

(b) licenses to occupy space in order to display exhibits, equipment and/or goods, at an organization-sponsored trade show, convention or seminar not open to the general public.

(5) No statutory deduction is available for the following:

(a) Outright sales of tangible personal property or services for which a specific charge separate from the charge for attending or occupying space is made. It is only those charges which are paid for the express privilege of attending or exhibiting at such an event which are deductible, and

(b) Admission or space charges for purely social, recreational, entertainment or other non-trade or non-professional gatherings regardless of the nonprofit tax status of the sponsoring organization.

(6) Examples:

(a) The local building trade council (Council) organizes and sponsors a trade show held for specialty and general housing contractors. Council has on file a letter of tax exemption under Section 501 of the Internal Revenue Code. Council collects \$100.00, prepaid, from each exhibitor for licenses to display and exhibit construction equipment, tools and related wares at preassigned booths, and \$5.00, paid at the door, from each contractor who attends the event. Because the sponsoring organization qualifies as a nonprofit trade organization, the event qualifies as a trade show sponsored by the organization, and it is not open to the general public, all of the amounts collected constitute deductible receipts of admission and/or space charges.

(b) The metropolitan business group (Metro), a recognized tax-exempt organization under IRC Section 501, organizes and sponsors a convention for all of its business members. Following completion of regular Metro business matters (election of officers, etc.), there are speeches by accountants, attorneys, bankers, financial consultants, city planners, and other persons able to give legal and business advice and information to those attending. Metro charges a \$25.00 per person entry fee. Included with the program is a hosted luncheon at which the mayor gives an explanation of local governmental regulations. The entry charges are fully deductible by Metro from its business and occupation tax measure. The sponsoring organization is "nonprofit" and a "trade organization" because its members are generically "in trade" even though not all are members of just one trade. The event constitutes a convention for persons "in trade" (generic, not specific) and the event is not open to the public. Finally, the moneys collected all constitute admission charges, no special charge for the meal having been made.

(c) The eastside whiffleball association (Association), a corporation recognized in writing to be tax exempt under Section 501 of the Internal Revenue Code, holds a "skills" clinic for all interested persons. The Association charges \$3.00 to all attending, which is just sufficient to cover the cost of materials and the use of a facility. Following the event, a special barbecue is held for \$4.00 extra per participant. Souvenirs imprinted with the Association name are also available for extra charge. The \$3.00 admission charges, the \$4.00 dinner charges, and the souvenir charges must all be included in the Association's B&O tax measure for the following reasons, each one of which disallows the deduction:

(i) the Association is not a trade or professional organization,

(ii) the event is not a trade show, convention or seminar, and

(iii) the event is open to the public. Separate dinner and souvenir charges are nondeductible in any event because they constitute itemized charges for goods and services.

(d) A local concerned citizen group (Group), which has never applied for federal tax exempt status, organizes and sponsors a health care seminar held in the local school auditorium for district health care professionals, nurses, sport trainers, parents, and concerned students. To cover the cost of hiring competent medical experts to speak at the seminar, the Group charges \$5.00 per person. The event is sponsored by the Group for a worthwhile public purpose and the entry fees are in fact admission charges. For the following reasons, each one of which disallows the deduction, the Group will have to include all door charges in its tax measure: (i) The sponsoring organization is not properly recognized to be nonprofit (no federal tax recognition) or to be a trade or professional organization, and (ii) the event is open to the public at large.

WSR 89-21-077
PROPOSED RULES
DEPARTMENT OF LICENSING
 [Filed October 18, 1989, 2:08 p.m.]

Original Notice.

Title of Rule: Standardized filing forms and procedures—Uniform commercial code, crop liens, and processor and preparer liens for agricultural, dairy and commercial fish products and certain federal liens.

Purpose: The purpose of the proposed revisions is to increase the fee for filing secured interests and obtaining certified searches, to correct the language of the regulation to include dairy products, and to expand and simplify the standard forms approval process.

Statutory Authority for Adoption: RCW 62A.9-409(1), 60.11.040(3), 60.13.040 (2)(f), 60.68.035(2) and 34.05.020.

Statute Being Implemented: Chapters 62A.9, 60.11, 60.13 and 60.68 RCW.

Summary: The proposed revisions make minor changes to sections WAC 308-400-025, 308-400-040, 308-400-046, 308-400-047, 308-400-048, 308-400-050, 308-400-052, 308-400-095 and 308-400-100.

Reasons Supporting Proposal: See below.

Name of Agency Personnel Responsible for Drafting: Maxine Nelson, 405 Black Lake Boulevard, 586-1421; Implementation: Keith Weaver, 405 Black Lake Boulevard, 753-9627; and Enforcement: Ken Mark, 405 Black Lake Boulevard, 753-1749.

Name of Proponent: Department of Licensing, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The department's ability to spend its appropriation to authorize levels is contingent upon generating an additional one million dollars through an increase in UCC related revenues. The word "dairy" is added to make a housekeeping adjustment to a law change that occurred in the processor and preparer statute in 1986. (RCW 60.13.035) The fee amount is adjusted on each form, the instructions are made clearer and a second method for

approving vendor forms is added to the regulation. The fee increase will generate the required revenues, the added vendor approval method will make approval simpler and the wording changes will improve the regulation. Failure to generate the additional funds would result in a significant reduction of the services provided by the Uniform Commercial Code program.

Proposal Changes the Following Existing Rules: The proposed rules revision increases the UCC standard filing fee from \$4 to \$7 and the nonstandard filing fee from \$7 to \$14. It increases the fee for a certificate of information without copies from \$4 to \$7 and the fee for a certificate of information with copies from \$8 to \$12. It brings dairy products into the processor preparer sections of the WAC, expands and simplifies the method for vendors to become approved sellers of UCC standard forms and clarifies the wording.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

The fee increase has a minor and negligible impact on the industry. In any event, in most instances, the fee increase would have no greater impact on small business than large since the fees for filings and searches are usually borne by the individual person rather than the business.

Hearing Location: 1st Floor Conference Room, on November 22, 1989, at 1:30 p.m.

Submit Written Comments to: Ken Mark, Assistant Director, Department of Licensing, Business License Services, 405 Black Lake Place, Olympia, WA 98504-8007, by November 20, 1989.

Date of Intended Adoption: November 22, 1989.

October 18, 1989
 Ken Mark
 Assistant Director

Chapter 308-400 WAC
 STANDARDIZED FILING FORMS AND PROCEDURES—
 UNIFORM COMMERCIAL CODE, CROP LIENS, AND PRO-
 CESSOR AND PREPARER LIENS FOR AGRICULTURAL
DAIRY AND COMMERCIAL FISH PRODUCTS AND CER-
 TAIN FEDERAL LIENS

AMENDATORY SECTION (Amending Order BLS 130, filed 3/1/89)

WAC 308-400-010 AUTHORITY AND PURPOSE. These rules are adopted under authority of RCW 62A.9-409(1), 60.11.040(3), 60.13.040 (2)(f), 60.68.035(2), and ~~((34-04-020))~~ 34.05-.220, to standardize filing forms for use under the Uniform Commercial Code and to establish uniform procedures for filing with, and obtaining information from, filing officers.

AMENDATORY SECTION (Amending Order BLS 130, filed 3/1/89)

WAC 308-400-025 FILING OF CROP LIENS AND PROCESSOR AND PREPARER LIENS FOR AGRICULTURAL DAIRY AND COMMERCIAL FISH PRODUCTS. Crop liens and processor and preparer liens for agricultural dairy and commercial fish products shall be filed under the uniform commercial code section of the department of licensing in accordance with the regulations adopted in this chapter.

AMENDATORY SECTION (Amending Order BLS 130, filed 3/1/89)

WAC 308-400-040 UCC-1 FINANCING STATEMENT. Effective January 1, 1990, the following form shall be the standard UCC-1 Financing Statement Form prescribed by the department of licensing:

FINANCING STATEMENT INSTRUCTIONS
UCC-1

1. **COMPLETION OF FORM:** Please type or print the information presented on this form clearly and accurately. If you make an error, be certain to correct all copies. Information from the copies will be microfilmed and recorded exactly as you present it. A financing statement must contain the name and mailing address of the debtor, the name and address of the secured party, appropriate signature(s) and a description of the collateral covered by the financing statement.
2. **DEBTOR AND SECURED PARTY NAMES:** The legal name of the debtor, secured party or assignee is required. When the debtor name is a personal name, check the personal box and enter the Social Security number. If the debtor name is a business name, check the business box and enter the federal employer identification number (FEIN). If the filing is being made under both personal and business names, both boxes should be checked. Trade names, DBAs or AKAs (including nicknames), may also be entered in box 1.

If more than one debtor is ~~((listed please follow the same procedure for each named debtor))~~ named, please identify the tax number belonging to each name.
3. **SIGNATURES:** All debtors must sign box 12, an attached signature page or a security agreement, unless box 11 is completed. If box 11 is completed, the secured party must sign box 13. The typed or printed name of the debtor or secured party must appear above the signature(s) in boxes 12 or 13 exactly as it appears in boxes 1, 3 or 4.
4. **DEFINITION OF TRANSMITTING UTILITY AND PRODUCTS OF COLLATERAL:** A TRANSMITTING UTILITY is any person primarily engaged in the railroad, street railway or trolley bus business; the electric or electronic communication transmission business; the transmission of goods by pipeline or the transmission or the production and transmission of electricity, steam, gas or water; or the provision of sewer service.

PRODUCTS OF COLLATERAL are things made from collateral in which a security interest has been perfected including things whose original identity may be lost by manufacture, processing, assemblage or commingling.
5. **ATTACHMENTS:** If space provided in any box is inadequate, type or print the words "See Attachments" in the box and continue the information on additional 8 1/2" by 11" sheets. Enter the total number of attached sheets in box 6. Include copies of the attached sheets only if you want copies of the attachments returned. If any attachment(s) are added to the filing form, the fee is \$7.00.
6. **MAILING:** Send copies 1 and 2 to the address provided in box 9. Do not remove the carbons between these pages. Use an envelope 9 1/2" x 6 1/2" to prevent mutilation during the automated mail opening process.
7. **TERMINATION:** When the filing is to be terminated, the acknowledgment copy may be returned to the filing officer with the termination statement signed by the secured party of record. The UCC-3 form may also be used as a termination statement. When either form is used, the current legal name of the secured party of record must be typed or printed above the signature.

If the name of the secured party has changed for any reason since the last filing action on the financing statement you are terminating, the past and current legal name(s) of the secured party(ies) must appear above the appropriate signature.

There is no charge to terminate a filing.
8. **FILING FEES:** The fee for filing a UCC-1 ~~((R/12/88))~~ (R/10/89) is ~~((54.00))~~ \$7.00. If any other form is used or additional sheet(s) have been attached, the filing fee is ~~((57.00))~~ \$14.00. Filing(s) will not be recorded unless the proper fee is sent. Checks should be made payable to the department of licensing.

PLEASE TYPE FORM - IF AN ERROR IS MADE, CORRECT ALL COPIES

This UCC-1 FINANCING STATEMENT is presented for filing pursuant to the WASHINGTON UNIFORM COMMERCIAL CODE, chapter 62A.9 RCW, to perfect a security interest in the below named collateral.

Filing fee \$4.00 Filing with attachment fee \$7.00

1. DEBTOR(S) (see instruction #2)
PERSONAL (last, first, middle name and address) SSN:
BUSINESS (legal business name and address) FEIN:

2. FOR OFFICE USE ONLY - DO NOT WRITE IN THIS BOX

TRADE NAME, DBA, AKA:

3. SECURED PARTY(IES) (name and address)

4. ASSIGNEE(S) of SECURED PARTY(IES) if applicable (name and address)

5. CHECK ONLY IF APPLICABLE: (For definitions of TRANSMITTING UTILITY AND PRODUCTS OF COLLATERAL, see instruction sheet.)
Debtor is a Transmitting Utility Products of Collateral are also covered

6. NUMBER OF ADDITIONAL SHEETS PRESENTED:

7. THIS FINANCING STATEMENT covers the following collateral: (Attach additional 8 1/2" x 11" sheet(s) if needed.)

8. RETURN ACKNOWLEDGMENT COPY TO: (name and address)

9. FILE WITH:
UNIFORM COMMERCIAL CODE
DEPARTMENT OF LICENSING
P.O. BOX 9660
OLYMPIA, WA 98504
MAKE CHECKS PAYABLE TO THE DEPARTMENT OF LICENSING

10. FOR OFFICE USE ONLY IMAGES TO BE FILMED

11. If collateral is described below, this statement may be signed by the Secured Party instead of the Debtor. Please check the appropriate box, complete the adjacent lines and box 13, if collateral is:
a. already subject to a security interest in another jurisdiction when it was brought into this state or when the debtor's location was changed to this state.
b. proceeds of the original collateral described above in which a security interest was perfected.
c. listed on a filing which has lapsed.
d. acquired after a change of name, identity, or corporate structure of the debtor(s).

1. ORIGINAL FILING NUMBER
2. FILING OFFICE WHERE FILED
3. FORMER NAME OF DEBTOR(S)

12. DEBTOR NAME(S) AND SIGNATURE(S):
TYPE NAME(S) OF DEBTOR(S) AS IT APPEARS IN BOX 1.
SIGNATURE(S) OF DEBTOR(S)

13. SECURED PARTY NAME(S) AND SIGNATURE(S) ARE REQUIRED IF BOX 11 HAS BEEN COMPLETED.
TYPE NAME(S) OF SECURED PARTY(IES) AS IT APPEARS IN BOX 3 OR 4.
SIGNATURE(S) OF SECURED PARTY(IES)

COPY 1 - FILING OFFICE

FORM APPROVED FOR USE IN THE STATE OF WASHINGTON (R/12/88) WASHINGTON UCC-1

PLEASE TYPE FORM - IF AN ERROR IS MADE, CORRECT ALL COPIES

This UCC-1 FINANCING STATEMENT is presented for filing pursuant to the WASHINGTON UNIFORM COMMERCIAL CODE, chapter 62A.9 RCW, to perfect a security interest in the below named collateral.

Filing fee \$4.00 Filing with attachment fee \$7.00

1. DEBTOR(S) (see instruction #2)
PERSONAL (last, first, middle name and address) SSN:
BUSINESS (legal business name and address) FEIN:

2. FOR OFFICE USE ONLY - DO NOT WRITE IN THIS BOX

TRADE NAME, DBA, AKA:

3. SECURED PARTY(IES) (name and address)

4. ASSIGNEE(S) of SECURED PARTY(IES) if applicable (name and address)

5. CHECK ONLY IF APPLICABLE: (For definitions of TRANSMITTING UTILITY AND PRODUCTS OF COLLATERAL, see instruction sheet.)
Debtor is a Transmitting Utility Products of Collateral are also covered

6. NUMBER OF ADDITIONAL SHEETS PRESENTED:

7. THIS FINANCING STATEMENT covers the following collateral: (Attach additional 8 1/2" x 11" sheet(s) if needed.)

8. RETURN ACKNOWLEDGMENT COPY TO: (name and address)

9. FILE WITH:
UNIFORM COMMERCIAL CODE
DEPARTMENT OF LICENSING
P.O. BOX 9680
OLYMPIA, WA 98504

MAKE CHECKS PAYABLE TO THE DEPARTMENT OF LICENSING

10. FOR OFFICE USE ONLY IMAGES TO BE FILMED

11. If collateral is described below, this statement may be signed by the Secured Party instead of the Debtor. Please check the appropriate box, complete the adjacent lines and box 13, if collateral is:

- a. already subject to a security interest in another jurisdiction when it was brought into this state or when the debtor's location was changed to this state.
b. proceeds of the original collateral described above in which a security interest was perfected.
c. listed on a filing which has lapsed.
d. acquired after a change of name, identity, or corporate structure of the debtor(s).

1. ORIGINAL FILING NUMBER
2. FILING OFFICE WHERE FILED
3. FORMER NAME OF DEBTOR(S)

TERMINATION STATEMENT: The SECURED PARTY(IES) certifies that the SECURED PARTY(IES) no longer claims a security interest under the financing statement bearing the file number shown above. NO FEE REQUIRED FOR TERMINATION.

PRINT OR TYPE NAME OF SECURED PARTY(IES) AS IT APPEARS IN BOX 3 OR 4. (see instruction #7)

Date

Signature(s)

FORM APPROVED FOR USE IN THE STATE OF WASHINGTON (R/12/88)

COPY 2 - FILING OFFICE - ACKNOWLEDGMENT

WASHINGTON UCC-1

PLEASE TYPE FORM - IF AN ERROR IS MADE, CORRECT ALL COPIES

This UCC-1 FINANCING STATEMENT is presented for filing pursuant to the WASHINGTON UNIFORM COMMERCIAL CODE, chapter 62A.9 RCW, to perfect a security interest in the below named collateral.

Filing fee \$4.00 Filing with attachment fee \$7.00

1. DEBTOR(S) (see instruction #2)
PERSONAL (last, first, middle name and address) SSN:
BUSINESS (legal business name and address) FEIN:

2. FOR OFFICE USE ONLY - DO NOT WRITE IN THIS BOX

TRADE NAME, DBA, AKA:

3. SECURED PARTY(IES) (name and address)

4. ASSIGNEE(S) OF SECURED PARTY(IES) if applicable (name and address)

5. CHECK ONLY IF APPLICABLE: (For definitions of TRANSMITTING UTILITY AND PRODUCTS OF COLLATERAL, see instruction sheet.)
Debtor is a Transmitting Utility Products of Collateral are also covered

6. NUMBER OF ADDITIONAL SHEETS PRESENTED:

7. THIS FINANCING STATEMENT covers the following collateral: (Attach additional 8 1/2" x 11" sheet(s) if needed.)

8. RETURN ACKNOWLEDGMENT COPY TO: (name and address)

9. FILE WITH:
UNIFORM COMMERCIAL CODE
DEPARTMENT OF LICENSING
P.O. BOX 9660
OLYMPIA, WA 98504
MAKE CHECKS PAYABLE TO THE DEPARTMENT OF LICENSING

10. FOR OFFICE USE ONLY IMAGES TO BE FILMED

11. If collateral is described below, this statement may be signed by the Secured Party instead of the Debtor. Please check the appropriate box, complete the adjacent lines and box 13, if collateral is:
a. already subject to a security interest in another jurisdiction when it was brought into this state or when the debtor's location was changed to this state.
b. proceeds of the original collateral described above in which a security interest was perfected.
c. listed on a filing which has lapsed.
d. acquired after a change of name, identity, or corporate structure of the debtor(s).

1. ORIGINAL FILING NUMBER
2. FILING OFFICE WHERE FILED
3. FORMER NAME OF DEBTOR(S)

12. DEBTOR NAME(S) AND SIGNATURE(S):
TYPE NAME(S) OF DEBTOR(S) AS IT APPEARS IN BOX 1.
SIGNATURE(S) OF DEBTOR(S)
SIGNATURE(S) OF DEBTOR(S)

13. SECURED PARTY NAME(S) AND SIGNATURE(S) ARE REQUIRED IF BOX 11 HAS BEEN COMPLETED.
TYPE NAME(S) OF SECURED PARTY(IES) AS IT APPEARS IN BOX 3 OR 4.
SIGNATURE(S) OF SECURED PARTY(IES)
SIGNATURE(S) OF SECURED PARTY(IES)

COPY 3 - FILE COPY - DEBTOR

FORM APPROVED FOR USE IN THE STATE OF WASHINGTON (R/12/88) WASHINGTON UCC-1

PLEASE TYPE FORM - IF AN ERROR IS MADE, CORRECT ALL COPIES

This UCC-1 FINANCING STATEMENT is presented for filing pursuant to the WASHINGTON UNIFORM COMMERCIAL CODE, chapter 62A.9 RCW, to perfect a security interest in the below named collateral.

Filing fee \$4.00 Filing with attachment fee. . . . \$7.00

1. DEBTOR(S) (see instruction #2)
PERSONAL (last, first, middle name and address) SSN:
BUSINESS (legal business name and address) FEIN:

2. FOR OFFICE USE ONLY - DO NOT WRITE IN THIS BOX

TRADE NAME, DBA, AKA:

3. SECURED PARTY(IES) (name and address)

4. ASSIGNEE(S) of SECURED PARTY(IES) if applicable (name and address)

5. CHECK ONLY IF APPLICABLE: (For definitions of TRANSMITTING UTILITY AND PRODUCTS OF COLLATERAL, see instruction sheet.)
Debtor is a Transmitting Utility Products of Collateral are also covered

6. NUMBER OF ADDITIONAL SHEETS PRESENTED:

7. THIS FINANCING STATEMENT covers the following collateral: (Attach additional 8 1/2" x 11" sheet(s) if needed.)

8. RETURN ACKNOWLEDGMENT COPY TO: (name and address)

9. FILE WITH:
UNIFORM COMMERCIAL CODE
DEPARTMENT OF LICENSING
P.O. BOX 9660
OLYMPIA, WA 98504

MAKE CHECKS PAYABLE TO THE DEPARTMENT OF LICENSING

10. FOR OFFICE USE ONLY IMAGES TO BE FILMED

11. If collateral is described below, this statement may be signed by the Secured Party instead of the Debtor. Please check the appropriate box, complete the adjacent lines and box 13, if collateral is:
a. already subject to a security interest in another jurisdiction when it was brought into this state or when the debtor's location was changed to this state.
b. proceeds of the original collateral described above in which a security interest was perfected.
c. listed on a filing which has lapsed.
d. acquired after a change of name, identity, or corporate structure of the debtor(s).

1. ORIGINAL FILING NUMBER
2. FILING OFFICE WHERE FILED
3. FORMER NAME OF DEBTOR(S)

12. DEBTOR NAME(S) AND SIGNATURE(S):
TYPE NAME(S) OF DEBTOR(S) AS IT APPEARS IN BOX 1.
SIGNATURE(S) OF DEBTOR(S)
SIGNATURE(S) OF DEBTOR(S)

13. SECURED PARTY NAME(S) AND SIGNATURE(S) ARE REQUIRED IF BOX 11 HAS BEEN COMPLETED.
TYPE NAME(S) OF SECURED PARTY(IES) AS IT APPEARS IN BOX 3 OR 4.
SIGNATURE(S) OF SECURED PARTY(IES)
SIGNATURE(S) OF SECURED PARTY(IES)

COPY 4 - FILE COPY - SECURED PARTY

FORM APPROVED FOR USE IN THE STATE OF WASHINGTON (R/12/88) WASHINGTON UCC-1

PLEASE TYPE FORM - IF AN ERROR IS MADE, CORRECT ALL COPIES

This UCC-1 FINANCING STATEMENT is presented for filing pursuant to the WASHINGTON UNIFORM COMMERCIAL CODE, chapter 62A.9 RCW, to perfect a security interest in the below named collateral.

Filing fee \$7.00 Filing with attachment fee \$14.00

1. DEBTOR(S) (see instruction #2)
Debtor 1
PERSONAL (last, first, middle name and address) SSN:
BUSINESS (legal business name and address) FEIN:
Debtor 2
SSN:
FEIN:

2. FOR OFFICE USE ONLY - DO NOT WRITE IN THIS BOX

TRADE NAME, DBA, AKA:

3. SECURED PARTY(IES) (name and address)

4. ASSIGNEE(S) of SECURED PARTY(IES) if applicable (name and address)

5. CHECK ONLY IF APPLICABLE: (For definitions of TRANSMITTING UTILITY AND PRODUCTS OF COLLATERAL, see instruction sheet.)
Debtor is a Transmitting Utility
Products of Collateral are also covered

6. NUMBER OF ADDITIONAL SHEETS PRESENTED:

7. THIS FINANCING STATEMENT covers the following collateral: (Attach additional 8 1/2" x 11" sheet(s) if needed.)

8. RETURN ACKNOWLEDGMENT COPY TO: (name and address)

9. FILE WITH:
UNIFORM COMMERCIAL CODE
DEPARTMENT OF LICENSING
P.O. BOX 9680
OLYMPIA, WA 98504-8007
MAKE CHECKS PAYABLE TO THE DEPARTMENT OF LICENSING

10. FOR OFFICE USE ONLY IMAGES TO BE FILMED

11. If collateral is described below, this statement may be signed by the Secured Party instead of the Debtor. Please check the appropriate box, complete the adjacent lines and box 13, if collateral is:
a. already subject to a security interest in another jurisdiction when it was brought into this state or when the debtor's location was changed to this state.
b. proceeds of the original collateral described above in which a security interest was perfected.
c. listed on a filing which has lapsed.
d. acquired after a change of name, identity, or corporate structure of the debtor(s).

12. DEBTOR NAME(S) AND SIGNATURE(S):
TYPE NAME(S) OF DEBTOR(S) AS IT APPEARS IN BOX 1.
SIGNATURE(S) OF DEBTOR(S)
SIGNATURE(S) OF DEBTOR(S)

13. SECURED PARTY NAME(S) AND SIGNATURE(S) ARE REQUIRED IF BOX 11 HAS BEEN COMPLETED.
TYPE NAME(S) OF SECURED PARTY(IES) AS IT APPEARS IN BOX 3 OR 4.
SIGNATURE(S) OF SECURED PARTY(IES)
SIGNATURE(S) OF SECURED PARTY(IES)

FORM APPROVED FOR USE IN THE STATE OF WASHINGTON (R/10/89)

COPY 1 - FILING OFFICE

WASHINGTON UCC-1

PLEASE TYPE FORM - IF AN ERROR IS MADE, CORRECT ALL COPIES

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Filing fee \$7.00 Filing with attachment fee \$14.00

1. DEBTOR(S) (see instruction #2)
PERSONAL (last, first, middle name and address)
BUSINESS (legal business name and address)
Debtor 1
SSN:
FEIN:
Debtor 2
SSN:
FEIN:

2. FOR OFFICE USE ONLY - DO NOT WRITE IN THIS BOX

TRADE NAME, DBA, AKA:

3. SECURED PARTY(IES) (name and address)

4. ASSIGNEE(S) OF SECURED PARTY(IES) if applicable (name and address)

5. CHECK ONLY IF APPLICABLE: (For definitions of TRANSMITTING UTILITY AND PRODUCTS OF COLLATERAL, see instruction sheet.)
Debtor is a Transmitting Utility
Products of Collateral are also covered

6. NUMBER OF ADDITIONAL SHEETS PRESENTED:

7. THIS FINANCING STATEMENT covers the following collateral: (Attach additional 8 1/2" x 11" sheet(s) if needed.)

8. RETURN ACKNOWLEDGMENT COPY TO: (name and address)

9. FILE WITH:
UNIFORM COMMERCIAL CODE
DEPARTMENT OF LICENSING
P.O. BOX 9660
OLYMPIA, WA 98504-8007
MAKE CHECKS PAYABLE TO THE DEPARTMENT OF LICENSING

10. FOR OFFICE USE ONLY IMAGES TO BE FILMED

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a. already subject to a security interest in another jurisdiction when it was brought into this state or when the debtor's location was changed to this state.
b. proceeds of the original collateral described above in which a security interest was perfected.
c. listed on a filing which has lapsed.
d. acquired after a change of name, identity, or corporate structure of the debtor(s).

TERMINATION STATEMENT: The SECURED PARTY(IES) certifies that the SECURED PARTY(IES) no longer claims a security interest under the financing statement bearing the file number shown above. NO FEE REQUIRED FOR TERMINATION. The acknowledgment of this termination will be returned to the name and address listed in box 8. Please complete or correct box 8 as needed.

PRINT OR TYPE NAME OF SECURED PARTY(IES) AS IT APPEARS IN BOX 3 OR 4. (see instruction # 7) Date

Signature(s) FORM APPROVED FOR USE IN THE STATE OF WASHINGTON (R/10/89) WASHINGTON UCC-1

PLEASE TYPE FORM - IF AN ERROR IS MADE, CORRECT ALL COPIES

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Filing fee \$7.00 Filing with attachment fee \$14.00

1. DEBTOR(S) (see instruction #2) Debtor 1
PERSONAL (last, first, middle name and address) SSN:
BUSINESS (legal business name and address) FEIN:
Debtor 2
SSN:
FEIN:

2. FOR OFFICE USE ONLY - DO NOT WRITE IN THIS BOX

TRADE NAME, DBA, AKA:

3. SECURED PARTY(IES) (name and address)

4. ASSIGNEE(S) OF SECURED PARTY(IES) if applicable (name and address)

5. CHECK ONLY IF APPLICABLE: (For definitions of TRANSMITTING UTILITY AND PRODUCTS OF COLLATERAL, see instruction sheet.)
Debtor is a Transmitting Utility
Products of Collateral are also covered

6. NUMBER OF ADDITIONAL SHEETS PRESENTED:

7. THIS FINANCING STATEMENT covers the following collateral: (Attach additional 8 1/2" x 11" sheet(s) if needed.)

8. RETURN ACKNOWLEDGMENT COPY TO: (name and address)

9. FILE WITH:
UNIFORM COMMERCIAL CODE
DEPARTMENT OF LICENSING
P.O. BOX 9660
OLYMPIA, WA 98504-8007
MAKE CHECKS PAYABLE TO THE
DEPARTMENT OF LICENSING

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b. proceeds of the original collateral described above in which a security interest was perfected.
c. listed on a filing which has lapsed.
d. acquired after a change of name, identity, or corporate structure of the debtor(s).

12. DEBTOR NAME(S) AND SIGNATURE(S):
TYPE NAME(S) OF DEBTOR(S) AS IT APPEARS IN BOX 1.
SIGNATURE(S) OF DEBTOR(S)
SIGNATURE(S) OF DEBTOR(S)

13. SECURED PARTY NAME(S) AND SIGNATURE(S) ARE REQUIRED IF BOX 11 HAS BEEN COMPLETED.
TYPE NAME(S) OF SECURED PARTY(IES) AS IT APPEARS IN BOX 3 OR 4.
SIGNATURE(S) OF SECURED PARTY(IES)
SIGNATURE(S) OF SECURED PARTY(IES)

PLEASE TYPE FORM - IF AN ERROR IS MADE, CORRECT ALL COPIES

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Filing fee \$7.00 Filing with attachment fee \$14.00

1. DEBTOR(S) (see instruction #2)

PERSONAL (last, first, middle name and address)

BUSINESS (legal business name and address)

Debtor 1
SSN: _____
FEIN: _____

Debtor 2
SSN: _____
FEIN: _____

TRADE NAME, DBA, AKA:

2. FOR OFFICE USE ONLY - DO NOT WRITE IN THIS BOX

3. SECURED PARTY(IES) (name and address)

4. ASSIGNEE(S) OF SECURED PARTY(IES) if applicable (name and address)

5. CHECK ONLY IF APPLICABLE: (For definitions of TRANSMITTING UTILITY AND PRODUCTS OF COLLATERAL, see instruction sheet.)

Debtor is a Transmitting Utility Products of Collateral are also covered

6. NUMBER OF ADDITIONAL SHEETS PRESENTED: _____

7. THIS FINANCING STATEMENT covers the following collateral: (Attach additional 8 1/2" x 11" sheet(s) if needed.)

8. RETURN ACKNOWLEDGMENT COPY TO: (name and address)

9. FILE WITH:

**UNIFORM COMMERCIAL CODE
DEPARTMENT OF LICENSING
P.O. BOX 9660
OLYMPIA, WA 98504-8007**

**MAKE CHECKS PAYABLE TO THE
DEPARTMENT OF LICENSING**

10. FOR OFFICE USE ONLY IMAGES TO BE FILMED

11. If collateral is described below, this statement may be signed by the Secured Party instead of the Debtor. Please check the appropriate box, complete the adjacent lines and box 13, if collateral is:

a. already subject to a security interest in another jurisdiction when it was brought into this state or when the debtor's location was changed to this state. (complete adjacent lines 1 and 2)

b. proceeds of the original collateral described above in which a security interest was perfected. (complete adjacent lines 1 and 2)

c. listed on a filing which has lapsed. (complete adjacent lines 1 and 2)

d. acquired after a change of name, identity, or corporate structure of the debtor(s). (complete adjacent lines 1, 2 and 3)

1. _____ ORIGINAL FILING NUMBER

2. _____ FILING OFFICE WHERE FILED

3. _____ FORMER NAME OF DEBTOR(S)

12. DEBTOR NAME(S) AND SIGNATURE(S):

TYPE NAME(S) OF DEBTOR(S) AS IT APPEARS IN BOX 1.

SIGNATURE(S) OF DEBTOR(S)

SIGNATURE(S) OF DEBTOR(S)

13. SECURED PARTY NAME(S) AND SIGNATURE(S) ARE REQUIRED IF BOX 11 HAS BEEN COMPLETED.

TYPE NAME(S) OF SECURED PARTY(IES) AS IT APPEARS IN BOX 3 OR 4.

SIGNATURE(S) OF SECURED PARTY(IES)

SIGNATURE(S) OF SECURED PARTY(IES)

FORM APPROVED FOR USE IN THE STATE OF WASHINGTON (R/10/89)

COPY 4 - FILE COPY - SECURED PARTY

WASHINGTON UCC-1

AMENDATORY SECTION (Amending Order BLS 130, filed 3/1/89)

WAC 308-400-046 UCC-3 CHANGE STATEMENT. Effective January 1, 1990, the following form shall be the standard UCC-3 Form prescribed by the department of licensing:

CHANGE STATEMENT INSTRUCTIONS
UCC-3

1. **COMPLETION OF FORM:** Please type or print the information presented on this form clearly and accurately. If you make an error, be certain to correct all copies. Information from the copies will be microfilmed and recorded exactly as you present it. The UCC-3 form must contain the name and mailing address of the debtor, the name and address of the secured party, the file number and date of the original financing statement, and a description of the action, where applicable.
2. **DEBTOR AND SECURED PARTY NAMES:** The legal name of the debtor, secured party or assignee is required as it appeared on your original filing. When the debtor name is a personal name, check the personal box and enter the Social Security number. If the debtor name is a business name, check the business box and enter the federal employer identification number (FEIN). If the filing is being made under both personal and business names, both boxes should be checked. Trade names, DBAs or AKAs (including nicknames), may also be entered in the space provided.

If more than one debtor is ~~((listed please follow the same procedure for each named debtor))~~ named, please identify the tax number belonging to each name.
3. **SIGNATURES:** The signature of the secured party of record is required on all change actions. If the name of the secured party has changed and you have not submitted a change statement, the past and current legal name(s) of the secured party(ies) must be typed above the appropriate signatures. An amendment also requires the signature of the debtor(s) unless the amendment is only to change the name or address of the secured party.
4. **ATTACHMENTS:** If the space provided in any box is inadequate, type or print the words "See Attachments" within the box and continue the information on additional 8 1/2" x 11" sheets. Enter the total number of attached sheets in box 6. Include copies of the attached sheets only if you want copies of the attachments returned. If any attachments are added to the filing form, the fee is \$7.00 for each action.
5. **MULTIPLE ACTIONS:** If more than one action is requested on a single form, a fee is charged for each action except termination which requires no fee. Multiple changes may be made to a single UCC file number using a single UCC-3 form, except for terminations which may not be combined with any other change.
6. **MAILING:** Send copies 1 and 2 to the address provided in box 12. Do not remove the carbons between these pages. Use an envelope 9 1/2" x 6 1/2" to prevent mutilation during the automated mail opening process.
7. **FILING FEES:** The fee for filing each action requested in box 7 of the UCC-3 ~~((R/12/88))~~ (R/10/89) is ~~((54.00))~~ \$7.00, except for termination which requires no fee. If additional sheets are attached for any of the actions (except termination) the filing fee for each action shall be ~~((57.00))~~ \$14.00. Filings will not be recorded unless sufficient payment is received. Checks should be made payable to the department of licensing.

((

PLEASE TYPE FORM - IF AN ERROR IS MADE, CORRECT ALL COPIES

This UCC-3 CHANGE STATEMENT is presented for filing pursuant to the Washington Uniform Commercial Code, chapter 62A.9; Crop Lien filings, chapter 60.11 and Processor and Preparer Liens chapter 60.13 RCW.

1. DEBTOR(S) (see instruction #2)
[] PERSONAL (last, first, middle name and address) SSN:
[] BUSINESS (legal business name and address) FEIN:

2. FOR OFFICE USE ONLY - DO NOT WRITE IN THIS BOX

TRADE NAME, DBA, AKA:

3. SECURED PARTY(IES) (name and address)

4. ASSIGNEE(S) OF SECURED PARTY(IES) if applicable (name and address)

5. This change statement effects the original filing statement recorded with the Department of Licensing. List one number and date only.
Original filing number Dated

6. FEES: A \$4.00 filing fee is required for each action checked in box 7, except termination which requires no fee. If additional sheets are attached for any of the actions, the filing fee for each action shall be \$7.00.
NUMBER OF ADDITIONAL SHEET(S) ATTACHED:

7. Please check one or more of the following actions:

- [] CONTINUATION. The original financing statement between the Debtor(s) and Secured Party(ies), bearing file number shown in box 5, is still effective.
[] FULL ASSIGNMENT. All of the Secured Party's rights under the financing statement bearing file number shown in box 5 have been assigned to the Assignee(s) whose name(s) and address(es) appear in box 4.
[] PARTIAL ASSIGNMENT. The Secured Party's rights under the financing statement bearing file number shown in box 5, to the property described in box 8, have been assigned to the Assignee(s) whose name(s) and address(es) appear in box 4.
[] AMENDMENT. Financing statement bearing file number shown in box 5 is amended as set forth in box 8.
[] PARTIAL RELEASE. Secured Party releases the collateral described in box 8 from the financing statement bearing file number shown in box 5.
[] TERMINATION. Secured Party(ies) no longer claims a security interest under the financing statement bearing file number shown in box 5.

8. DESCRIPTION of partial assignment, amendment or partial release: (Attach additional 8 1/2" x 11" sheet(s) if needed.)

9. DEBTOR NAME(S) AND SIGNATURE(S)

10. SECURED PARTY NAME(S) AND SIGNATURE(S)

TYPE NAME(S) OF DEBTOR(S) AS IT APPEARS IN BOX 1

TYPE NAME(S) OF SECURED PARTY(IES) AS IT APPEARS IN BOX 3 OR 4

SIGNATURE(S) OF DEBTOR(S)

SIGNATURE(S) OF SECURED PARTY(IES)

SIGNATURE(S) OF DEBTOR(S)

SIGNATURE(S) OF SECURED PARTY(IES)

11. RETURN ACKNOWLEDGMENT COPY TO:

12. FILE WITH:

UNIFORM COMMERCIAL CODE
DEPARTMENT OF LICENSING
P.O. BOX 9880
OLYMPIA, WA 98504

MAKE CHECKS PAYABLE TO THE
DEPARTMENT OF LICENSING

13. FOR OFFICE USE ONLY:

Images To Be Filmed

FORM APPROVED FOR USE IN THE
STATE OF WASHINGTON (R/12/88)

COPY 1 - FILING OFFICE

WASHINGTON UCC-3

))

PLEASE TYPE FORM - IF AN ERROR IS MADE, CORRECT ALL COPIES

This UCC-9 CHANGE STATEMENT is presented for filing pursuant to the Washington Uniform Commercial Code, chapter 62A.9; Crop Lien filings, chapter 60.11 and Processor and Preparer Liens chapter 60.13 RCW.

| | |
|---|--|
| <p>1. DEBTOR(S) (See instruction #2)</p> <p><input type="checkbox"/> PERSONAL (last, first, middle name and address) SSN: _____</p> <p><input type="checkbox"/> BUSINESS (legal business name and address) FEIN: _____</p> <p>TRADE NAME, DBA, AKA: _____</p> | <p>2. FOR OFFICE USE ONLY - DO NOT WRITE IN THIS BOX</p> |
|---|--|

| | |
|---|---|
| <p>3. SECURED PARTY(IES) (name and address)</p> <p>_____</p> <p>_____</p> | <p>4. ASSIGNEE(S) OF SECURED PARTY(IES) if applicable (name and address)</p> <p>_____</p> |
|---|---|

5. This change statement effects the original filing statement recorded with the Department of Licensing. List one number and date only.

Original filing number _____ Dated _____

6. FEES: A \$4.00 filing fee is required for each action checked in box 7, except termination which requires no fee. If additional sheets are attached for any of the actions, the filing fee for each action shall be \$7.00.

NUMBER OF ADDITIONAL SHEET(S) ATTACHED: _____

7. Please check one or more of the following actions:

CONTINUATION. The original financing statement between the Debtor(s) and Secured Party(ies), bearing file number shown in box 5, is still effective.

FULL ASSIGNMENT. All of the Secured Party's rights under the financing statement bearing file number shown in box 5 have been assigned to the Assignee(s) whose name(s) and address(es) appear in box 4.

PARTIAL ASSIGNMENT. The Secured Party's rights under the financing statement bearing file number shown in box 5, to the property described in box 8, have been assigned to the Assignee(s) whose name(s) and address(es) appear in box 4.

AMENDMENT. Financing statement bearing file number shown in box 5 is amended as set forth in box 8.

PARTIAL RELEASE. Secured Party releases the collateral described in box 8 from the financing statement bearing file number shown in box 5.

TERMINATION. Secured Party(ies) no longer claims a security interest under the financing statement bearing file number shown in box 5.

8. DESCRIPTION of partial assignment, amendment or partial release: (Attach additional 8 1/2" x 11" sheet(s) if needed.)

| | |
|---|---|
| <p>9. DEBTOR NAME(S) AND SIGNATURE(S)</p> <p>_____</p> <p>TYPE NAME(S) OF DEBTOR(S) AS IT APPEARS IN BOX 1</p> <p>_____</p> <p>SIGNATURE(S) OF DEBTOR(S)</p> <p>_____</p> <p>SIGNATURE(S) OF DEBTOR(S)</p> <p>_____</p> | <p>10. SECURED PARTY NAME(S) AND SIGNATURE(S)</p> <p>_____</p> <p>TYPE NAME(S) OF SECURED PARTY(IES) AS IT APPEARS IN BOX 3 OR 4</p> <p>_____</p> <p>SIGNATURE(S) OF SECURED PARTY(IES)</p> <p>_____</p> <p>SIGNATURE(S) OF SECURED PARTY(IES)</p> <p>_____</p> |
|---|---|

| | |
|---|--|
| <p>11. RETURN ACKNOWLEDGMENT COPY TO:</p> <p>_____</p> <p>_____</p> | <p>12. FILE WITH:</p> <p>UNIFORM COMMERCIAL CODE DEPARTMENT OF LICENSING P.O. BOX 9680 OLYMPIA, WA 98504</p> <p>MAKE CHECKS PAYABLE TO THE DEPARTMENT OF LICENSING</p> <p>13. FOR OFFICE USE ONLY:</p> <p>Images To Be Filmed <input type="checkbox"/></p> <p>FORM APPROVED FOR USE IN THE STATE OF WASHINGTON (R/12/88)</p> |
|---|--|

COPY 2 - FILING OFFICE - ACKNOWLEDGEMENT

WASHINGTON UCC-3

PLEASE TYPE FORM - IF AN ERROR IS MADE, CORRECT ALL COPIES

This UCC-3 CHANGE STATEMENT is presented for filing pursuant to the Washington Uniform Commercial Code, chapter 62A.9; Crop Lien filings, chapter 60.11 and Processor and Preparer Liens chapter 60.13 RCW.

1. DEBTOR(S) (see instruction #2)
PERSONAL (last, first, middle name and address) SSN:
BUSINESS (legal business name and address) FEIN:

2. FOR OFFICE USE ONLY - DO NOT WRITE IN THIS BOX

TRADE NAME, DBA, AKA:

3. SECURED PARTY(IES) (name and address)

4. ASSIGNEE(S) of SECURED PARTY(IES) if applicable (name and address)

5. This change statement effects the original filing statement recorded with the Department of Licensing. List one number and date only.
Original filing number Dated
6. FEES: A \$4.00 filing fee is required for each action checked in box 7, except termination which requires no fee. If additional sheets are attached for any of the actions, the filing fee for each action shall be \$7.00.
NUMBER OF ADDITIONAL SHEET(S) ATTACHED:

- 7. Please check one or more of the following actions:
CONTINUATION. The original financing statement between the Debtor(s) and Secured Party(ies), bearing file number shown in box 5, is still effective.
FULL ASSIGNMENT. All of the Secured Party's rights under the financing statement bearing file number shown in box 5 have been assigned to the Assignee(s) whose name(s) and address(es) appear in box 4.
PARTIAL ASSIGNMENT. The Secured Party's rights under the financing statement bearing file number shown in box 5, to the property described in box 8, have been assigned to the Assignee(s) whose name(s) and address(es) appear in box 4.
AMENDMENT. Financing statement bearing file number shown in box 5 is amended as set forth in box 8.
PARTIAL RELEASE. Secured Party releases the collateral described in box 8 from the financing statement bearing file number shown in box 5.
TERMINATION. Secured Party(ies) no longer claims a security interest under the financing statement bearing file number shown in box 5.

8. DESCRIPTION of partial assignment, amendment or partial release: (Attach additional 8 1/2" x 11" sheet(s) if needed.)

9. DEBTOR NAME(S) AND SIGNATURE(S)
TYPE NAME(S) OF DEBTOR(S) AS IT APPEARS IN BOX 1
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SIGNATURE(S) OF DEBTOR(S)

10. SECURED PARTY NAME(S) AND SIGNATURE(S)
TYPE NAME(S) OF SECURED PARTY(IES) AS IT APPEARS IN BOX 3 OR 4
SIGNATURE(S) OF SECURED PARTY(IES)
SIGNATURE(S) OF SECURED PARTY(IES)

11. RETURN ACKNOWLEDGMENT COPY TO:

12. FILE WITH:
UNIFORM COMMERCIAL CODE
DEPARTMENT OF LICENSING
P.O. BOX 9660
OLYMPIA, WA 98504
MAKE CHECKS PAYABLE TO THE
DEPARTMENT OF LICENSING

13. FOR OFFICE USE ONLY:
Images To Be Filmed
FORM APPROVED FOR USE IN THE STATE OF WASHINGTON (R/12/88)

COPY 3 - FILE COPY - DEBTOR

WASHINGTON UCC-3

PLEASE TYPE FORM - IF AN ERROR IS MADE, CORRECT ALL COPIES

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| | |
|--|--|
| <p>1. DEBTOR(S) (see instruction #2)</p> <p><input type="checkbox"/> PERSONAL (last, first, middle name and address) SSN: _____</p> <p><input type="checkbox"/> BUSINESS (legal business name and address) FEIN: _____</p> | <p>2. FOR OFFICE USE ONLY - DO NOT WRITE IN THIS BOX</p> |
|--|--|

TRADE NAME, DBA, AKA:

| | |
|---|--|
| <p>3. SECURED PARTY(IES) (name and address)</p> <p>_____</p> <p>_____</p> | <p>4. ASSIGNEE(S) OF SECURED PARTY(IES) if applicable (name and address)</p> <p>_____</p> <p>_____</p> |
|---|--|

5. This change statement effects the original filing statement recorded with the Department of Licensing. List one number and date only.
 Original filing number _____ Dated _____

6. FEES: A \$4.00 filing fee is required for each action checked in box 7, except termination which requires no fee. If additional sheets are attached for any of the actions, the filing fee for each action shall be \$7.00.
 NUMBER OF ADDITIONAL SHEET(S) ATTACHED: _____

7. Please check one or more of the following actions:

CONTINUATION. The original financing statement between the Debtor(s) and Secured Party(ies), bearing file number shown in box 5, is still effective.

FULL ASSIGNMENT. All of the Secured Party's rights under the financing statement bearing file number shown in box 5 have been assigned to the Assignee(s) whose name(s) and address(es) appear in box 4.

PARTIAL ASSIGNMENT. The Secured Party's rights under the financing statement bearing file number shown in box 5, to the property described in box 8, have been assigned to the Assignee(s) whose name(s) and address(es) appear in box 4.

AMENDMENT. Financing statement bearing file number shown in box 5 is amended as set forth in box 8.

PARTIAL RELEASE. Secured Party releases the collateral described in box 8 from the financing statement bearing file number shown in box 5.

TERMINATION. Secured Party(ies) no longer claims a security interest under the financing statement bearing file number shown in box 5.

8. DESCRIPTION of partial assignment, amendment or partial release: (Attach additional 8 1/2" x 11" sheet(s) if needed.)

| | |
|---|---|
| <p>9. DEBTOR NAME(S) AND SIGNATURE(S)</p> <p>_____</p> <p>TYPE NAME(S) OF DEBTOR(S) AS IT APPEARS IN BOX 1</p> <p>_____</p> <p>SIGNATURE(S) OF DEBTOR(S)</p> <p>_____</p> <p>SIGNATURE(S) OF DEBTOR(S)</p> <p>_____</p> | <p>10. SECURED PARTY NAME(S) AND SIGNATURE(S)</p> <p>_____</p> <p>TYPE NAME(S) OF SECURED PARTY(IES) AS IT APPEARS IN BOX 3 OR 4</p> <p>_____</p> <p>SIGNATURE(S) OF SECURED PARTY(IES)</p> <p>_____</p> <p>SIGNATURE(S) OF SECURED PARTY(IES)</p> <p>_____</p> |
|---|---|

11. RETURN ACKNOWLEDGMENT COPY TO:

12. FILE WITH:

**UNIFORM COMMERCIAL CODE
 DEPARTMENT OF LICENSING
 P.O. BOX 9880
 OLYMPIA, WA 98504**

**MAKE CHECKS PAYABLE TO THE
 DEPARTMENT OF LICENSING**

13. FOR OFFICE USE ONLY:

Images To Be Filmed

FORM APPROVED FOR USE IN THE STATE OF WASHINGTON (R/12/88)

COPY 4 - FILE COPY - SECURED PARTY

WASHINGTON UCC-3

PLEASE TYPE FORM - IF AN ERROR IS MADE, CORRECT ALL COPIES

This UCC-3 CHANGE STATEMENT is presented for filing pursuant to the Washington Uniform Commercial Code, chapter 62A.9; Crop Lien filings, chapter 60.11 and Processor and Preparer Liens chapter 60.13 RCW.

1. DEBTOR(S) (see instruction #2)

PERSONAL (last, first, middle name and address)

BUSINESS (legal business name and address)

Debtor 1
 SSN: _____
 FEIN: _____

Debtor 2
 SSN: _____
 FEIN: _____

2. FOR OFFICE USE ONLY - DO NOT WRITE IN THIS BOX

TRADE NAME, DBA, AKA:

3. SECURED PARTY(IES) (name and address)

4. ASSIGNEE(S) OF SECURED PARTY(IES) if applicable (name and address)

5. This change statement effects the original filing statement recorded with the Department of Licensing. List one number and date only.
 Original filing number _____ Dated _____

6. FEES: A \$7.00 filing fee is required for each action checked in box 7, except termination which requires no fee. If additional sheets are attached for any of the actions, the filing fee for each action shall be \$14.00.
 NUMBER OF ADDITIONAL SHEET(S) ATTACHED: _____

7. Please check one or more of the following actions:

CONTINUATION. The original financing statement between the Debtor(s) and Secured Party(ies), bearing file number shown in box 5, is still effective.

FULL ASSIGNMENT. All of the Secured Party's rights under the financing statement bearing file number shown in box 5 have been assigned to the Assignee(s) whose name(s) and address(es) appear in box 4.

PARTIAL ASSIGNMENT. The Secured Party's rights under the financing statement bearing file number shown in box 5, to the property described in box 8, have been assigned to the Assignee(s) whose name(s) and address(es) appear in box 4.

AMENDMENT. Financing statement bearing file number shown in box 5 is amended as set forth in box 8.

PARTIAL RELEASE. Secured Party releases the collateral described in box 8 from the financing statement bearing file number shown in box 5.

TERMINATION. Secured Party(ies) no longer claims a security interest under the financing statement bearing file number shown in box 5.

8. DESCRIPTION of partial assignment, amendment or partial release: (Attach additional 8 1/2" x 11" sheet(s) if needed.)

9. DEBTOR NAME(S) AND SIGNATURE(S)

TYPE NAME(S) OF DEBTOR(S) AS IT APPEARS IN BOX 1

SIGNATURE(S) OF DEBTOR(S)

SIGNATURE(S) OF DEBTOR(S)

10. SECURED PARTY NAME(S) AND SIGNATURE(S)

TYPE NAME(S) OF SECURED PARTY(IES) AS IT APPEARS IN BOX 3 OR 4

SIGNATURE(S) OF SECURED PARTY(IES)

SIGNATURE(S) OF SECURED PARTY(IES)

11. RETURN ACKNOWLEDGMENT COPY TO:

12. FILE WITH:

**UNIFORM COMMERCIAL CODE
 DEPARTMENT OF LICENSING
 P.O. BOX 9660
 OLYMPIA, WA 98504-8007**

**MAKE CHECKS PAYABLE TO THE
 DEPARTMENT OF LICENSING**

13. FOR OFFICE USE ONLY:

Images To Be Filmed

FORM APPROVED FOR USE IN THE
 STATE OF WASHINGTON (R/10/89)

COPY 1 - FILING OFFICE

WASHINGTON UCC-3

PLEASE TYPE FORM - IF AN ERROR IS MADE, CORRECT ALL COPIES

This UCC-3 CHANGE STATEMENT is presented for filing pursuant to the Washington Uniform Commercial Code, chapter 62A.9; Crop Lien filings, chapter 60.11 and Processor and Preparer Liens chapter 60.13 RCW.

| | | |
|--|--|---|
| 1. DEBTOR(S) (see instruction #2) <input type="checkbox"/> PERSONAL (last, first, middle name and address) <input type="checkbox"/> BUSINESS (legal business name and address) | Debtor 1 SSN: _____ FEIN: _____ Debtor 2 SSN: _____ FEIN: _____ | 2. FOR OFFICE USE ONLY - DO NOT WRITE IN THIS BOX |
|--|--|---|

TRADE NAME, DBA, AKA:

| | |
|--|---|
| 3. SECURED PARTY(IES) (name and address) <div style="border: 1px solid black; height: 100px; width: 100%;"></div> | 4. ASSIGNEE(S) OF SECURED PARTY(IES) if applicable (name and address) <div style="border: 1px solid black; height: 100px; width: 100%;"></div> |
|--|---|

5. This change statement effects the original filing statement recorded with the Department of Licensing. List one number and date only.
Original filing number _____ Dated _____

6. FEES: A \$7.00 filing fee is required for each action checked in box 7, except termination which requires no fee. If additional sheets are attached for any of the actions, the filing fee for each action shall be \$14.00.
NUMBER OF ADDITIONAL SHEET(S) ATTACHED: _____

7. Please check one or more of the following actions:
- CONTINUATION. The original financing statement between the Debtor(s) and Secured Party(ies), bearing file number shown in box 5, is still effective.
 - FULL ASSIGNMENT. All of the Secured Party's rights under the financing statement bearing file number shown in box 5 have been assigned to the Assignee(s) whose name(s) and address(es) appear in box 4.
 - PARTIAL ASSIGNMENT. The Secured Party's rights under the financing statement bearing file number shown in box 5, to the property described in box 8, have been assigned to the Assignee(s) whose name(s) and address(es) appear in box 4.
 - AMENDMENT. Financing statement bearing file number shown in box 5 is amended as set forth in box 8.
 - PARTIAL RELEASE. Secured Party releases the collateral described in box B from the financing statement bearing file number shown in box 5.
 - TERMINATION. Secured Party(ies) no longer claims a security interest under the financing statement bearing file number shown in box 5.

8. DESCRIPTION OF partial assignment, amendment or partial release: (Attach additional 8 1/2" x 11" sheet(s) if needed.)

| | |
|--|--|
| 9. DEBTOR NAME(S) AND SIGNATURE(S) TYPE NAME(S) OF DEBTOR(S) AS IT APPEARS IN BOX 1 SIGNATURE(S) OF DEBTOR(S) SIGNATURE(S) OF DEBTOR(S) | 10. SECURED PARTY NAME(S) AND SIGNATURE(S) TYPE NAME(S) OF SECURED PARTY(IES) AS IT APPEARS IN BOX 3 OR 4 SIGNATURE(S) OF SECURED PARTY(IES) SIGNATURE(S) OF SECURED PARTY(IES) |
|--|--|

11. RETURN ACKNOWLEDGMENT COPY TO:

12. FILE WITH:

**UNIFORM COMMERCIAL CODE
DEPARTMENT OF LICENSING
P.O. BOX 9660
OLYMPIA, WA 98504-8007**

**MAKE CHECKS PAYABLE TO THE
DEPARTMENT OF LICENSING**

13. FOR OFFICE USE ONLY:

Images To Be Filmed

FORM APPROVED FOR USE IN THE STATE OF WASHINGTON (R/10/89)

COPY 2 - FILING OFFICE - ACKNOWLEDGEMENT

WASHINGTON UCC-3

PLEASE TYPE FORM - IF AN ERROR IS MADE, CORRECT ALL COPIES

This UCC-3 CHANGE STATEMENT is presented for filing pursuant to the Washington Uniform Commercial Code, chapter 62A.9; Crop Lien filings, chapter 60.11 and Processor and Preparer Liens chapter 60.13 RCW.

| | |
|---|--|
| <p>1. DEBTOR(S) (see instruction #2)</p> <p><input type="checkbox"/> PERSONAL (last, first, middle name and address)</p> <p><input type="checkbox"/> BUSINESS (legal business name and address)</p> <p>Debtor 1 SSN: _____ FEIN: _____</p> <p>Debtor 2 SSN: _____ FEIN: _____</p> | <p>2. FOR OFFICE USE ONLY - DO NOT WRITE IN THIS BOX</p> |
|---|--|

| | |
|--|--|
| <p>TRADE NAME, DBA, AKA:</p> <p>3. SECURED PARTY(IES) (name and address)</p> | <p>4. ASSIGNEE(S) OF SECURED PARTY(IES) if applicable (name and address)</p> |
|--|--|

5. This change statement effects the original filing statement recorded with the Department of Licensing. List one number and date only.
Original filing number _____ Dated _____

6. FEES: A \$7.00 filing fee is required for each action checked in box 7, except termination which requires no fee. If additional sheets are attached for any of the actions, the filing fee for each action shall be \$14.00.
NUMBER OF ADDITIONAL SHEET(S) ATTACHED: _____

7. Please check one or more of the following actions:

- CONTINUATION. The original financing statement between the Debtor(s) and Secured Party(ies), bearing file number shown in box 5, is still effective.
- FULL ASSIGNMENT. All of the Secured Party's rights under the financing statement bearing file number shown in box 5 have been assigned to the Assignee(s) whose name(s) and address(es) appear in box 4.
- PARTIAL ASSIGNMENT. The Secured Party's rights under the financing statement bearing file number shown in box 5, to the property described in box 8, have been assigned to the Assignee(s) whose name(s) and address(es) appear in box 4.
- AMENDMENT. Financing statement bearing file number shown in box 5 is amended as set forth in box 8.
- PARTIAL RELEASE. Secured Party releases the collateral described in box 8 from the financing statement bearing file number shown in box 5.
- TERMINATION. Secured Party(ies) no longer claims a security interest under the financing statement bearing file number shown in box 5.

8. DESCRIPTION of partial assignment, amendment or partial release: (Attach additional 8 1/2" x 11" sheet(s) if needed.)

| | |
|---|---|
| <p>9. DEBTOR NAME(S) AND SIGNATURE(S)</p> <p>TYPE NAME(S) OF DEBTOR(S) AS IT APPEARS IN BOX 1</p> <p>SIGNATURE(S) OF DEBTOR(S)</p> <p>SIGNATURE(S) OF DEBTOR(S)</p> | <p>10. SECURED PARTY NAME(S) AND SIGNATURE(S)</p> <p>TYPE NAME(S) OF SECURED PARTY(IES) AS IT APPEARS IN BOX 3 OR 4</p> <p>SIGNATURE(S) OF SECURED PARTY(IES)</p> <p>SIGNATURE(S) OF SECURED PARTY(IES)</p> |
|---|---|

| | |
|---|--|
| <p>11. RETURN ACKNOWLEDGMENT COPY TO:</p> | <p>12. FILE WITH:</p> <p>UNIFORM COMMERCIAL CODE DEPARTMENT OF LICENSING P.O. BOX 9860 OLYMPIA, WA 98504-8007</p> <p>MAKE CHECKS PAYABLE TO THE DEPARTMENT OF LICENSING</p> <p>13. FOR OFFICE USE ONLY:</p> <p style="text-align: right;">Images To Be Filmed <input type="checkbox"/></p> <p>FORM APPROVED FOR USE IN THE STATE OF WASHINGTON (R/10/89)</p> |
|---|--|

COPY 3 - FILE COPY - DEBTOR

WASHINGTON UCC-3

PLEASE TYPE FORM - IF AN ERROR IS MADE, CORRECT ALL COPIES

This UCC-3 CHANGE STATEMENT is presented for filing pursuant to the Washington Uniform Commercial Code, chapter 62A.9; Crop Lien filings, chapter 60.11 and Processor and Preparer Liens chapter 60.13 RCW.

1. DEBTOR(S) (see instruction #2)

PERSONAL (last, first, middle name and address)

BUSINESS (legal business name and address)

Debtor 1
SSN: _____
FEIN: _____

Debtor 2
SSN: _____
FEIN: _____

TRADE NAME, DBA, AKA:

2. FOR OFFICE USE ONLY - DO NOT WRITE IN THIS BOX

3. SECURED PARTY(IES) (name and address)

┌ _____

└ _____

4. ASSIGNEE(S) of SECURED PARTY(IES) if applicable (name and address)

Dated _____

5. This change statement effects the original filing statement recorded with the Department of Licensing. List one number and date only.
Original filing number _____ Dated _____

6. FEES: A \$7.00 filing fee is required for each action checked in box 7, except termination which requires no fee. If additional sheets are attached for any of the actions, the filing fee for each action shall be \$14.00.
NUMBER OF ADDITIONAL SHEET(S) ATTACHED: _____

7. Please check one or more of the following actions:

CONTINUATION. The original financing statement between the Debtor(s) and Secured Party(ies), bearing file number shown in box 5, is still effective.

FULL ASSIGNMENT. All of the Secured Party's rights under the financing statement bearing file number shown in box 5 have been assigned to the Assignee(s) whose name(s) and address(es) appear in box 4.

PARTIAL ASSIGNMENT. The Secured Party's rights under the financing statement bearing file number shown in box 5, to the property described in box 8, have been assigned to the Assignee(s) whose name(s) and address(es) appear in box 4.

AMENDMENT. Financing statement bearing file number shown in box 5 is amended as set forth in box 8.

PARTIAL RELEASE. Secured Party releases the collateral described in box 8 from the financing statement bearing file number shown in box 5.

TERMINATION. Secured Party(ies) no longer claims a security interest under the financing statement bearing file number shown in box 5.

8. DESCRIPTION of partial assignment, amendment or partial release: (Attach additional 8 1/2" x 11" sheet(s) if needed.)

9. DEBTOR NAME(S) AND SIGNATURE(S)

TYPE NAME(S) OF DEBTOR(S) AS IT APPEARS IN BOX 1

SIGNATURE(S) OF DEBTOR(S)

SIGNATURE(S) OF DEBTOR(S)

10. SECURED PARTY NAME(S) AND SIGNATURE(S)

TYPE NAME(S) OF SECURED PARTY(IES) AS IT APPEARS IN BOX 3 OR 4

SIGNATURE(S) OF SECURED PARTY(IES)

SIGNATURE(S) OF SECURED PARTY(IES)

11. RETURN ACKNOWLEDGMENT COPY TO:

┌ _____

└ _____

12. FILE WITH:

UNIFORM COMMERCIAL CODE
DEPARTMENT OF LICENSING
P.O. BOX 9680
OLYMPIA, WA 98504-8007

MAKE CHECKS PAYABLE TO THE
DEPARTMENT OF LICENSING

13. FOR OFFICE USE ONLY:

Images To Be Filmed

FORM APPROVED FOR USE IN THE
STATE OF WASHINGTON (R/10/89)

AMENDATORY SECTION (Amending Order BLS 130, filed 3/1/89)

WAC 308-400-047 UCC-4 CROP LIENS AND PROCESSOR AND PREPARER LIENS FOR AGRICULTURAL DAIRY AND COMMERCIAL FISH PRODUCTS FILING FORM. Effective January 1, 1990, the following form shall be the standard UCC-4 form prescribed by the department of licensing.

LIEN FILING INSTRUCTIONS
UCC-4

1. **COMPLETION OF FORM:** Please type or print the information presented on this form clearly and accurately. If you make an error, be certain to correct all copies. Information from the copies will be microfilmed and recorded exactly as you present it.
2. **LIEN DEBTOR AND LIEN HOLDER/CLAIMANT:** The legal name of the debtor, secured party or assignee is required. When the debtor name is a personal name, check the personal box and enter the Social Security number. If the debtor name is a business name, check the business box and enter the federal employer identification number (FEIN). If the filing is being made under both personal and business names, both boxes should be checked. Trade names, DBAs or AKAs (including nicknames), may also be entered in box 1.

If more than one debtor is ~~((listed please follow the same procedure for each named debtor))~~ named, please identify the tax number belonging to each name.

3. **ATTACHMENTS:** If space provided in any box is inadequate, type or print the words "See Attachments" in the box and continue the information on additional 8 1/2" by 11" sheets. Enter the total number of attached sheets in box 7. Include copies of the attached sheets only if you want copies of the attachments returned. If any attachments are added to the filing form, the fee is \$7.00.
4. **MAILING:** Send copies 1 and 2 to the address provided in box 10. Do not remove the carbons between these pages. Use an envelope 9 1/2" x 6 1/2" to prevent mutilation during the automated mail opening process.
5. **TERMINATION:** To terminate a filing, send the acknowledgment (copy 2) back to the Department of Licensing with the termination statement signed by the lien holder/claimant of record. The UCC-3 form also may be used as a termination statement. Fees are not charged for the termination of liens.

If the name of the secured party or the assignee (if an assignment has been made) is a business name, then the exact name of the business must appear directly above the signature of the person representing the secured party.

6. **FILING FEES:** The fee for filing a UCC-4 ~~((R/12/88))~~ (R/10/89) is ~~((54.00))~~ \$7.00. If any other form is used or additional sheet(s) have been attached, the filing fee is ~~((57.00))~~ \$14.00. Filings will not be recorded unless the proper fee is sent. Checks should be made payable to the department of licensing.

PLEASE TYPE FORM - IF AN ERROR IS MADE, CORRECT ALL COPIES

This UCC-4 statement is presented for filing a crop lien pursuant to chapter 60.11 RCW, or a processor and preparer lien for agricultural and commercial fish products pursuant to chapter 60.13 RCW, to perfect a security interest in the collateral named below. If the form is used to secure a Processor and Preparer Lien for Agricultural or Commercial Fish Products, the term lien debtor is to be construed as a processor, preparer, or conditioner and the lien holder/claimant is to be construed as the producer.

| | |
|--|---|
| 1. LIEN DEBTOR(S) (see instruction #2) <input type="checkbox"/> PERSONAL (last, first, middle name and address) SSN: _____ <input type="checkbox"/> BUSINESS (legal business name and address) FEIN: _____ | 2. FOR OFFICE USE ONLY - DO NOT WRITE IN THIS BOX |
|--|---|

| | |
|---|---|
| TRADE NAME, DBA, AKA: 3. LIEN HOLDER/CLAIMANT (name and address) | 4. ASSIGNEE(S) of SECURED PARTY(IES) if applicable (name and address) |
|---|---|

5. LANDLORD/SUPPLIER: Date of commencement of performance for which the lien is claimed: _____

6. TYPE OF LIEN: LANDLORD SUPPLIER PREPARER PROCESSOR CONDITIONER

7. FEES: Filing fee . . . \$4.00 Filing fee with attachments . . . \$7.00. Number of additional sheets presented: _____

8. LANDLORD/SUPPLIER: Describe the labor, services, materials or supplies covered by this statement. PREPARER/PROCESSOR/CONDITIONER: Describe the agricultural or commercial fish product to be charged with the lien. Include the amount demanded after deducting credits and offsets. (Attach additional 8 1/2" x 11" sheet(s) if needed.)

| | |
|--|---|
| 9. RETURN ACKNOWLEDGMENT COPY TO: (name and address) | 10. FILE WITH: UNIFORM COMMERCIAL CODE DEPARTMENT OF LICENSING P.O. BOX 9660 OLYMPIA, WA 98504 MAKE CHECKS PAYABLE TO THE DEPARTMENT OF LICENSING 11. FOR OFFICE USE ONLY IMAGES TO BE FILMED <input type="checkbox"/> |
|--|---|

12. KIND OF CROP AND ADDRESS OR PROPERTY DESCRIPTION SUFFICIENT TO IDENTIFY THE LOCATION OF THE CROP: (Attach additional 8 1/2" x 11" sheet(s) if needed)

COUNTY IN WHICH CROP IS GROWN:

| | |
|--|--|
| 13. PRODUCER'S STATEMENT FOR PREPARER/PROCESSOR LIENS: I declare that the amount claimed is a true and bonafide existing debt as of the date of the filing or the notice evidencing the lien. | 14. TYPE NAME OF THE LIEN HOLDER/CLAIMANT OR PRODUCER exactly as entered in box 3. |
| 15. DATE PAYMENT IS DUE | 16. SIGNATURE OF LIEN HOLDER/CLAIMANT OR PRODUCER I verify that the information contained on this statement is true and accurate. |

PLEASE TYPE FORM - IF AN ERROR IS MADE, CORRECT ALL COPIES

This UCC-4 Statement is presented for filing a crop lien pursuant to chapter 60.11 RCW, or a processor and preparer lien for agricultural and commercial fish products pursuant to chapter 60.18 RCW, to perfect a security interest in the collateral named below. If the form is used to secure a Processor and Preparer Lien for Agricultural or Commercial Fish Products, the term lien debtor is to be construed as a processor, preparer, or conditioner and the lien holder/claimant is to be construed as the producer.

1. LIEN DEBTOR(S)
PERSONAL (last, first, middle name and address) SSN:
BUSINESS (legal business name and address) FEIN:

2. FOR OFFICE USE ONLY - DO NOT WRITE IN THIS BOX

TRADE NAME, DBA, AKA:
3. LIEN HOLDER/CLAIMANT (name and address)

4. ASSIGNEE(S) OF SECURED PARTY(IES) if applicable (name and address)

5. LANDLORD/SUPPLIER: Date of commencement of performance for which the lien is claimed:

6. TYPE OF LIEN: LANDLORD SUPPLIER PREPARER PROCESSOR CONDITIONER

7. FEES: Filing fee... \$4.00 Filing fee with attachments... \$7.00 Number of additional sheets presented:

8. LANDLORD/SUPPLIER: Describe the labor, services, materials or supplies covered by this statement. PREPARER/PROCESSOR/CONDITIONER: Describe the agricultural or commercial fish product to be charged with the lien.

9. RETURN ACKNOWLEDGMENT COPY TO: (name and address)

10. FILE WITH:
UNIFORM COMMERCIAL CODE
DEPARTMENT OF LICENSING
P.O. BOX 9860
OLYMPIA, WA 98504
MAKE CHECKS PAYABLE TO THE DEPARTMENT OF LICENSING

11. FOR OFFICE USE ONLY IMAGES TO BE FILMED

12. KIND OF CROP AND ADDRESS OR PROPERTY DESCRIPTION SUFFICIENT TO IDENTIFY THE LOCATION OF THE CROP: (Attach additional 8 1/2" x 11" sheet(s) if needed)

COUNTY IN WHICH CROP IS GROWN:

LIEN TERMINATION STATEMENT OR STATEMENT OF DISCHARGE: The LIEN HOLDER(S) certifies that the LIEN HOLDER(S) no longer claims an interest under the CROP LIEN, PREPARER, PROCESSOR OR CONDITIONER LIEN bearing the file number shown above.

PRINT OR TYPE NAME AS IT APPEARS IN BOX 3 OR 4. (see instruction #5) Date

Signature Return to: Uniform Commercial Code Department of Licensing P.O. Box 9860 Olympia, WA 98504

COPY 2 FILE COPY - ACKNOWLEDGMENT

WASHINGTON UCC-4 (R/12/88)

PLEASE TYPE FORM - IF AN ERROR IS MADE, CORRECT ALL COPIES

This UCC-1 statement is presented for filing a crop lien pursuant to chapter 60.11 RCW, or a processor and preparer lien for agricultural and commercial fish products pursuant to chapter 60.13 RCW, to perfect a security interest in the collateral named below. If the form is used to secure a Processor and Preparer Lien for Agricultural or Commercial Fish Products, the term lien debtor is to be construed as a processor, preparer, or conditioner and the lien holder/claimant is to be construed as the producer.

1. LIEN DEBTOR(S) (see instruction #2)
[] PERSONAL (last, first, middle name and address) SSN:
[] BUSINESS (legal business name and address) FEIN:

2. FOR OFFICE USE ONLY - DO NOT WRITE IN THIS BOX

TRADE NAME, DBA, AKA:

3. LIEN HOLDER/CLAIMANT (name and address)

4. ASSIGNEE(S) OF SECURED PARTY(IES) if applicable (name and address)

5. LANDLORD/SUPPLIER: Date of commencement of performance for which the lien is claimed:

6. TYPE OF LIEN: [] LANDLORD [] SUPPLIER [] PREPARER [] PROCESSOR [] CONDITIONER

7. FEES: Filing fee... \$4.00 Filing fee with attachments... \$7.00 Number of additional sheets presented:

8. LANDLORD/SUPPLIER: Describe the labor, services, materials or supplies covered by this statement. PREPARER/PROCESSOR/CONDITIONER: Describe the agricultural or commercial fish product to be charged with the lien. Include the amount demanded after deducting credits and offsets. (Attach additional 8 1/2" x 11" sheet(s) if needed.)

9. RETURN ACKNOWLEDGMENT COPY TO: (name and address)

10. FILE WITH:
UNIFORM COMMERCIAL CODE
DEPARTMENT OF LICENSING
P.O. BOX 9660
OLYMPIA, WA 98504
MAKE CHECKS PAYABLE TO THE DEPARTMENT OF LICENSING

11. FOR OFFICE USE ONLY IMAGES TO BE FILMED

12. KIND OF CROP AND ADDRESS OR PROPERTY DESCRIPTION SUFFICIENT TO IDENTIFY THE LOCATION OF THE CROP: (Attach additional 8 1/2" x 11" sheet(s) if needed)

COUNTY IN WHICH CROP IS GROWN:

13. PRODUCER'S STATEMENT FOR PREPARER/PROCESSOR LIENS: I declare that the amount claimed is a true and bonafide existing debt as of the date of the filing or the notice evidencing the lien.

14. TYPE NAME OF THE LIEN HOLDER/CLAIMANT OR PRODUCER exactly as entered in box 3.

15. DATE PAYMENT IS DUE

16. SIGNATURE OF LIEN HOLDER/CLAIMANT OR PRODUCER I verify that the information contained on this statement is true and accurate.

COPY 3 - FILE COPY - DEBTOR

FORM APPROVED FOR USE IN THE STATE OF WASHINGTON (R/12/88) WASHINGTON UCC-4

PLEASE TYPE FORM - IF AN ERROR IS MADE, CORRECT ALL COPIES

This UCC-4 statement is presented for filing a crop lien pursuant to chapter 60.11 RCW, or a processor and preparer lien for agricultural and commercial fish products pursuant to chapter 60.13 RCW, to perfect a security interest in the collateral named below. If the form is used to secure a Processor and Preparer Lien for Agricultural or Commercial Fish Products, the term lien debtor is to be construed as a processor, preparer, or conditioner and the lien holder/claimant is to be construed as the producer.

1. LIEN DEBTOR(S) (see instruction #2)
PERSONAL (last, first, middle name and address) SSN:
BUSINESS (legal business name and address) FEIN:

2. FOR OFFICE USE ONLY - DO NOT WRITE IN THIS BOX

TRADE NAME, DBA, AKA:
3. LIEN HOLDER/CLAIMANT (name and address)

4. ASSIGNEE(S) of SECURED PARTY(IES) if applicable (name and address)

5. LANDLORD/SUPPLIER: Date of commencement of performance for which the lien is claimed:
6. TYPE OF LIEN: LANDLORD SUPPLIER PREPARER PROCESSOR CONDITIONER
7. FEES: Filing fee... \$4.00 Filing fee with attachments... \$7.00 Number of additional sheets presented:
8. LANDLORD/SUPPLIER: Describe the labor, services, materials or supplies covered by this statement. PREPARER/PROCESSOR/CONDITIONER: Describe the agricultural or commercial fish product to be charged with the lien.

9. RETURN ACKNOWLEDGMENT COPY TO: (name and address)

10. FILE WITH:

UNIFORM COMMERCIAL CODE
DEPARTMENT OF LICENSING
P.O. BOX 9860
OLYMPIA, WA 98504

MAKE CHECKS PAYABLE TO THE DEPARTMENT OF LICENSING

11. FOR OFFICE USE ONLY IMAGES TO BE FILMED

12. KIND OF CRDP AND ADDRESS OR PROPERTY DESCRIPTION SUFFICIENT TO IDENTIFY THE LOCATION OF THE CROP: (Attach additional 8 1/2" x 11" sheet(s) if needed)

COUNTY IN WHICH CROP IS GROWN:

13. PRODUCER'S STATEMENT FOR PREPARER/PROCESSOR LIENS: I declare that the amount claimed is a true and bonafide existing debt as of the date of the filing or the notice evidencing the lien.

14. TYPE NAME OF THE LIEN HOLDER/CLAIMANT OR PRODUCER exactly as entered in box 3.

15. DATE PAYMENT IS DUE

16. SIGNATURE OF LIEN HOLDER/CLAIMANT OR PRODUCER I verify that the information contained on this statement is true and accurate.

COPY 4 - FILE COPY - SECURED PARTY

FORM APPROVED FOR USE IN THE STATE OF WASHINGTON (R/12/88) WASHINGTON UCC-4

PLEASE TYPE FORM - IF AN ERROR IS MADE, CORRECT ALL COPIES

This UCC-4 LIEN STATEMENT is presented for filing a crop lien pursuant to chapter 60.13 RCW, to perfect a security interest in the collateral named below. If the form is used to secure a Processor and Preparer Lien for Agricultural, Dairy or Commercial Fish Products, the term lien debtor is to be construed as a processor, preparer, or conditioner and the lien holder/claimant is to be construed as the producer.

1. DEBTOR(S) (see instruction #2) Debtor 1
PERSONAL (last, first, middle name and address) SSN:
BUSINESS (legal business name and address) FEIN:
Debtor 2
SSN:
FEIN:

2. FOR OFFICE USE ONLY - DO NOT WRITE IN THIS BOX

TRADE NAME, DBA, AKA:
3. LIEN HOLDER/CLAIMANT (name and address)

4. ASSIGNEE(S) OF SECURED PARTY(IES) if applicable (name and address)

5. LANDLORD/SUPPLIER: Date of commencement of performance for which the lien is claimed:
6. TYPE OF LIEN: LANDLORD SUPPLIER PREPARER PROCESSOR CONDITIONER
7. FEES: Filing fee . . . \$7.00 Filing fee with attachments . . . \$14.00 Number of additional sheets presented:
8. LANDLORD/SUPPLIER: Describe the labor, services, materials or supplies covered by this statement. PREPARER/PROCESSOR/CONDITIONER: Describe the agricultural, dairy or commercial fish product to be charged with the lien. Include the amount demanded after deducting credits and offsets. (Attach additional 8 1/2" x 11" sheet(s) if needed.)

9. RETURN ACKNOWLEDGMENT COPY TO: (name and address)

10. FILE WITH:
UNIFORM COMMERCIAL CODE
DEPARTMENT OF LICENSING
P.O. BOX 9660
OLYMPIA, WA 98504-8007
MAKE CHECKS PAYABLE TO THE
DEPARTMENT OF LICENSING
11. FOR OFFICE USE ONLY IMAGES TO BE FILMED

12. KIND OF CROP AND ADDRESS OR PROPERTY DESCRIPTION SUFFICIENT TO IDENTIFY THE LOCATION OF THE CROP: (Attach additional 8 1/2" x 11" sheet(s) if needed)

COUNTY IN WHICH CROP IS GROWN:

13. PRODUCER'S STATEMENT FOR PREPARER/PROCESSOR LIENS: I declare that the amount claimed is a true and bonafide existing debt as of the date of the filing or the notice evidencing the lien.

14. TYPE NAME OF THE LIEN HOLDER/CLAIMANT OR PRODUCER exactly as entered in box 3.

15. DATE PAYMENT IS DUE

16. SIGNATURE OF LIEN HOLDER/CLAIMANT OR PRODUCER I verify that the information contained on this statement is true and accurate.

PLEASE TYPE FORM - IF AN ERROR IS MADE, CORRECT ALL COPIES

This UCC-4 LIEN STATEMENT is presented for filing a crop lien pursuant to chapter 60.11 RCW, or a processor and preparer lien for agricultural, dairy and commercial fish products pursuant to chapter 60.13 RCW, to perfect a security interest in the collateral named below. If the form is used to secure a Processor and Preparer Lien for Agricultural, Dairy or Commercial Fish Products, the term lien debtor is to be construed as a processor, preparer, or conditioner and the lien holder/claimant is to be construed as the producer.

| | |
|---|--|
| <p>1. DEBTOR(S) (see instruction #2)</p> <p><input type="checkbox"/> PERSONAL (last, first, middle name and address)</p> <p><input type="checkbox"/> BUSINESS (legal business name and address)</p> <p>Debtor 1 SSN: _____ FEIN: _____</p> <p>Debtor 2 SSN: _____ FEIN: _____</p> | <p>2. FOR OFFICE USE ONLY - DO NOT WRITE IN THIS BOX</p> |
| <p>TRADE NAME, DBA, AKA: _____</p> | |

| | |
|---|--|
| <p>3. LIEN HOLDER/CLAIMANT (name and address)</p> <p>_____</p> <p>_____</p> | <p>4. ASSIGNEE(S) of SECURED PARTY (IES) if applicable (name and address)</p> <p>_____</p> |
|---|--|

5. LANDLORD/SUPPLIER: Date of commencement of performance for which the lien is claimed: _____

6. TYPE OF LIEN: LANDLORD SUPPLIER PREPARER PROCESSOR CONDITIONER

7. FEES: Filing fee . . . \$7.00 Filing fee with attachments . . . \$14.00 Number of additional sheets presented: _____

8. LANDLORD/SUPPLIER: Describe the labor, services, materials or supplies covered by this statement. PREPARER/PROCESSOR/CONDITIONER: Describe the agricultural, dairy or commercial fish product to be charged with the lien. Include the amount demanded after deducting credits and offsets. (Attach additional 8 1/2" x 11" sheet(s) if needed.)

| | |
|---|---|
| <p>9. RETURN ACKNOWLEDGMENT COPY TO: (name and address)</p> <p>_____</p> <p>_____</p> | <p>10. FILE WITH:</p> <p>UNIFORM COMMERCIAL CODE DEPARTMENT OF LICENSING P.O. BOX 9660 OLYMPIA, WA 98504-8007</p> <p>MAKE CHECKS PAYABLE TO THE DEPARTMENT OF LICENSING</p> <p>11. FOR OFFICE USE ONLY IMAGES TO BE FILMED <input type="checkbox"/></p> |
|---|---|

12. KIND OF CROP AND ADDRESS OR PROPERTY DESCRIPTION SUFFICIENT TO IDENTIFY THE LOCATION OF THE CROP: (Attach additional 8 1/2" x 11" sheet(s) if needed)

COUNTY IN WHICH CROP IS GROWN:

LIEN TERMINATION STATEMENT OR STATEMENT OF DISCHARGE: The LIEN HOLDER(S) certifies that the LIEN HOLDER(S) no longer claims an interest under the CROP LIEN, PREPARER, PROCESSOR OR CONDITIONER LIEN bearing the file number shown above. The acknowledgment of this termination will be returned to the name and address listed in box 9. Please complete or correct box 9 as needed.

Date _____

PRINT OR TYPE NAME AS IT APPEARS IN BOX 3 OR 4. (see instruction #5)

Signature _____

COPY 2 FILING OFFICE - ACKNOWLEDGMENT WASHINGTON UCC-4 (R/10/89)

PLEASE TYPE FORM - IF AN ERROR IS MADE, CORRECT ALL COPIES

This UCC-4 LIEN STATEMENT is presented for filing a crop lien pursuant to chapter 60.11 RCW, or a processor and preparer lien for agricultural, dairy and commercial fish products pursuant to chapter 60.13 RCW, to perfect a security interest in the collateral named below. If the form is used to secure a Processor and Preparer Lien for Agricultural, Dairy or Commercial Fish Products, the term lien debtor is to be construed as a processor, preparer, or conditioner and the lien holder/claimant is to be construed as the producer.

| | |
|---|--|
| <p>1. DEBTOR(S) (see instruction #2)</p> <p><input type="checkbox"/> PERSONAL (last, first, middle name and address)</p> <p><input type="checkbox"/> BUSINESS (legal business name and address)</p> <p>Debtor 1 SSN: _____ FEIN: _____</p> <p>Debtor 2 SSN: _____ FEIN: _____</p> | <p>2. FOR OFFICE USE ONLY - DO NOT WRITE IN THIS BOX</p> |
| <p>TRADE NAME, DBA, AKA:</p> | |

| | |
|---|--|
| <p>3. LIEN HOLDER/CLAIMANT (name and address)</p> | <p>4. ASSIGNEE(S) OF SECURED PARTY(IES) if applicable (name and address)</p> |
|---|--|

5. LANDLORD/SUPPLIER: Date of commencement of performance for which the lien is claimed: _____

6. TYPE OF LIEN: LANDLORD SUPPLIER PREPARER PROCESSOR CONDITIONER

7. FEES: Filing fee . . . \$7.00 Filing fee with attachments . . . \$14.00 Number of additional sheets presented: _____

8. LANDLORD/SUPPLIER: Describe the labor, services, materials or supplies covered by this statement. PREPARER/PROCESSOR/CONDITIONER: Describe the agricultural, dairy or commercial fish product to be charged with the lien. Include the amount demanded after deducting credits and offsets. (Attach additional 8 1/2" x 11" sheet(s) if needed.)

| | |
|---|---|
| <p>9. RETURN ACKNOWLEDGMENT COPY TO: (name and address)</p> | <p>10. FILE WITH:</p> <p>UNIFORM COMMERCIAL CODE DEPARTMENT OF LICENSING P.O. BOX 9660 OLYMPIA, WA 98504-8007</p> <p>MAKE CHECKS PAYABLE TO THE DEPARTMENT OF LICENSING</p> <p>11. FOR OFFICE USE ONLY IMAGES TO BE FILMED <input type="checkbox"/></p> |
|---|---|

12. KIND OF CROP AND ADDRESS OR PROPERTY DESCRIPTION SUFFICIENT TO IDENTIFY THE LOCATION OF THE CROP: (Attach additional 8 1/2" x 11" sheet(s) if needed)

COUNTY IN WHICH CROP IS GROWN:

| | |
|--|--|
| <p>13. PRODUCER'S STATEMENT FOR PREPARER/PROCESSOR LIENS: I declare that the amount claimed is a true and bonafide existing debt as of the date of the filing or the notice evidencing the lien.</p> | <p>14. TYPE NAME OF THE LIEN HOLDER/CLAIMANT OR PRODUCER exactly as entered in box 3.</p> |
| <p>15. DATE PAYMENT IS DUE</p> | <p>16. SIGNATURE OF LIEN HOLDER/CLAIMANT OR PRODUCER I verify that the information contained on this statement is true and accurate.</p> |

PLEASE TYPE FORM - IF AN ERROR IS MADE, CORRECT ALL COPIES

This UCC-4 LIEN STATEMENT is presented for filing a crop lien pursuant to chapter 60.11 RCW, or a processor and preparer lien for agricultural, dairy and commercial fish products pursuant to chapter 60.13 RCW, to perfect a security interest in the collateral named below. If the form is used to secure a Processor and Preparer Lien for Agricultural, Dairy or Commercial Fish Products, the term lien debtor is to be construed as a processor, preparer, or conditioner and the lien holder/claimant is to be construed as the producer.

1. DEBTOR(S) (see instruction #2) Debtor 1
PERSONAL (last, first, middle name and address) SSN:
BUSINESS (legal business name and address) FEIN:
Debtor 2
SSN:
FEIN:

2. FOR OFFICE USE ONLY - DO NOT WRITE IN THIS BOX

TRADE NAME, DBA, AKA:
3. LIEN HOLDER/CLAIMANT (name and address)

4. ASSIGNEE(S) of SECURED PARTY(IES) if applicable (name and address)

5. LANDLORD/SUPPLIER: Date of commencement of performance for which the lien is claimed:
6. TYPE OF LIEN: LANDLORD SUPPLIER PREPARER PROCESSOR CONDITIONER

7. FEES: Filing fee . . . \$7.00 Filing fee with attachments . . . \$14.00 Number of additional sheets presented:

8. LANDLORD/SUPPLIER: Describe the labor, services, materials or supplies covered by this statement. PREPARER/PROCESSOR/CONDITIONER: Describe the agricultural, dairy or commercial fish product to be charged with the lien. Include the amount demanded after deducting credits and offsets. (Attach additional 8 1/2" x 11" sheet(s) if needed.)

9. RETURN ACKNOWLEDGMENT COPY TO: (name and address)

10. FILE WITH:
UNIFORM COMMERCIAL CODE
DEPARTMENT OF LICENSING
P.O. BOX 9660
OLYMPIA, WA 98504-8007
MAKE CHECKS PAYABLE TO THE DEPARTMENT OF LICENSING
11. FOR OFFICE USE ONLY IMAGES TO BE FILMED

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14. TYPE NAME OF THE LIEN HOLDER/CLAIMANT OR PRODUCER exactly as entered in box 3.
15. DATE PAYMENT IS DUE
16. SIGNATURE OF LIEN HOLDER/CLAIMANT OR PRODUCER I verify that the information contained on this statement is true and accurate.

AMENDATORY SECTION (Amending Order BLS 130, filed 3/1/89)

WAC 308-400-048 UCC-11R REQUEST FOR CERTIFICATE OF INFORMATION. Effective January 1, 1990, the following form shall be the standard UCC-11R Form prescribed by the department of licensing:

SEARCH REQUEST INSTRUCTIONS
UCC-11R

1. **COMPLETION OF FORM:** Please type or print the information presented on this form clearly and accurately. The search will be conducted using the exact spelling of the debtor name as shown in box 3. If you make an error, be certain to correct all copies.

It would also be helpful to include the Social Security number or the federal employer identification number (FEIN) of the debtor in the space provided in box 3.

2. **ONE DEBTOR NAME PER FORM:** Only the first debtor name on this form will be searched. A separate UCC-11R must be submitted for each debtor name. Please check the appropriate square in box 3 to indicate whether the debtor name is a personal name or a business name.

A husband and wife are considered to be two individual debtors and require separate search request forms. DBAs, AKAs, FKAs and trade names are considered separate debtors and require separate search request forms.

3. **DEBTOR NAME:** Correct spelling of the debtor's name is important. A deviation in spelling or an incomplete name may result in failure to disclose the desired information. If unsure of whether the debtor uses other names or other spellings, requestors may wish to submit an additional search request for each probable name or spelling.

4. **ADDITIONAL ADDRESSES OF THE DEBTOR:** To search the debtor name at any addresses within the city you designate, enter the name of the city. To search the debtor name at any addresses within the county you designate, enter the county name. To search the debtor name at any possible address, check ALL. If a debtor has a post office box in addition to a street address, please list both.

5. **MAILING:** Send copies 1 and 2 to the address shown in box 7. Retain copy 3 for your records.

6. **SEARCH FEES:** The proper filing fees must accompany each search request.

| | |
|---|---------------------------|
| CERTIFICATE OF INFORMATION | \$(4.00) 7.00 |
| CERTIFICATE OF INFORMATION AND COPIES | \$(8.00) 12.00 |

UCC-11R REQUEST FOR CERTIFICATE OF INFORMATION

PLEASE TYPE FORM. IF AN ERROR IS MADE, CORRECT ALL COPIES

1. OFFICE USE ONLY-DO NOT WRITE IN THIS BOX

3. DEBTOR NAME (list one debtor per request)

- PERSONAL (last, first, middle name and address) SSN:
BUSINESS (legal business name and address) FEIN:

2. REQUESTING PARTY (Name and address)

4. ADDITIONAL DEBTOR ADDRESS(ES) (You may request additional addresses by city or county. All addresses may be requested by checking the ALL box.)

CITY
COUNTY ALL

5. PLEASE INDICATE BOTH THE TYPE OF SEARCH DESIRED AND THE TYPE OF INFORMATION REQUESTED:

TYPE OF SEARCH DESIRED: Check one box only.

- All current UCC filings and liens for the debtor named above, at the address(es) shown in box(es) 3 and/or 4.
Any current UCC filings and liens from
Federal tax liens only - partnership and corporation.
Specific filing numbers listed below in box 7.

TYPE OF INFORMATION REQUESTED: Check one box only.

- Certificate of Information * \$4.00
Certificate of Information * and true and exact copies. \$8.00

*CERTIFICATE OF INFORMATION CONTAINS FILE NUMBER, FILE DATE, SECURED PARTY NAME AND ADDRESS.

6. SPECIFICALLY REQUESTED FILE NUMBER(S)

7. FORWARD TO: UNIFORM COMMERCIAL CODE DEPARTMENT OF LICENSING P.O. BOX 9660 OLYMPIA, WA 98504

NOTE: Records of crop related liens and federal liens against the personal property of corporations and partnerships are now filed with the Department of Licensing. Searches of both state and county records should be made during the periods of transition. See Chapters 60.11, 60.13 and 60.68 RCW.

MAKE CHECKS PAYABLE TO THE DEPARTMENT OF LICENSING

THE DEPARTMENT OF LICENSING HEREBY DISCLAIMS RESPONSIBILITY IN THIS RECORD SEARCH AND CERTIFICATION FOR OTHER THAN THE SPECIFICALLY NAMED DEBTOR AT THE EXACT ADDRESS(ES) CITED IN YOUR REQUEST. SEARCHING A VARIATION OF THE DEBTOR NAME OR ADDITIONAL NAMES REQUIRES SEPARATE REQUEST FORMS AND FEES.

8. SIGNATURE OF REQUESTING PARTY

9. DATE

FORM APPROVED FOR USE IN THE STATE OF WASHINGTON (R/12/88) WASHINGTON UCC-11R

COPY 1-FILING OFFICER

UCC-11R REQUEST FOR CERTIFICATE OF INFORMATION

PLEASE TYPE FORM. IF AN ERROR IS MADE, CORRECT ALL COPIES

1. OFFICE USE ONLY-DO NOT WRITE IN THIS BOX

3. DEBTOR NAME (list one debtor per request)
PERSONAL (last, first, middle name and address) SSN:
BUSINESS (legal business name and address) FEIN:

2. REQUESTING PARTY (Name and address)

4. ADDITIONAL DEBTOR ADDRESS(ES) (You may request additional addresses by city or county. All addresses may be requested by checking the ALL box.)

CITY
COUNTY ALL

5. PLEASE INDICATE BOTH THE TYPE OF SEARCH DESIRED AND THE TYPE OF INFORMATION REQUESTED:

TYPE OF SEARCH DESIRED: Check one box only.

- All current UCC filings and liens for the debtor named above, at the address(es) shown in box(es) 3 and/or 4.
Any current UCC filings and liens from to
Federal tax liens only - partnership and corporation.
Specific filing numbers listed below in box 7.

TYPE OF INFORMATION REQUESTED: Check one box only.

- Certificate of Information * \$4.00
Certificate of Information * and true and exact copies. \$8.00

*CERTIFICATE OF INFORMATION CONTAINS FILE NUMBER, FILE DATE, SECURED PARTY NAME AND ADDRESS.

6. SPECIFICALLY REQUESTED FILE NUMBER(S)

7. FORWARD TO: UNIFORM COMMERCIAL CODE DEPARTMENT OF LICENSING P.O. BOX 9660 OLYMPIA, WA 98504

NOTE: Records of crop related liens and federal liens against the personal property of corporations and partnerships are now filed with the Department of Licensing. Searches of both state and county records should be made during the periods of transition. See Chapters 60.11, 60.13 and 60.68 RCW.

MAKE CHECKS PAYABLE TO THE DEPARTMENT OF LICENSING

THE DEPARTMENT OF LICENSING HEREBY DISCLAIMS RESPONSIBILITY IN THIS RECORD SEARCH AND CERTIFICATION FOR OTHER THAN THE SPECIFICALLY NAMED DEBTOR AT THE EXACT ADDRESS(ES) CITED IN YOUR REQUEST. SEARCHING A VARIATION OF THE DEBTOR NAME OR ADDITIONAL NAMES REQUIRES SEPARATE REQUEST FORMS AND FEES.

8. SIGNATURE OF REQUESTING PARTY

9. DATE

FORM APPROVED FOR USE IN THE STATE OF WASHINGTON (R/12/88)

COPY 2-FILING OFFICER

WASHINGTON UCC-11R

UCC-11R REQUEST FOR CERTIFICATE OF INFORMATION PLEASE TYPE FORM. IF AN ERROR IS MADE, CORRECT ALL COPIES

1. OFFICE USE ONLY-DO NOT WRITE IN THIS BOX

3. DEBTOR NAME (list one debtor per request)
 PERSONAL (last, first, middle name and address) SSN: _____
 BUSINESS (legal business name and address) FEIN: _____

2. REQUESTING PARTY (Name and address)

4. ADDITIONAL DEBTOR ADDRESS(ES) (You may request additional addresses by city or county. All addresses may be requested by checking the ALL box.)

CITY _____
COUNTY _____ ALL

5. PLEASE INDICATE BOTH THE TYPE OF SEARCH DESIRED AND THE TYPE OF INFORMATION REQUESTED:

TYPE OF SEARCH DESIRED: Check one box only.

- All current UCC filings and liens for the debtor named above, at the address(es) shown in box(es) 3 and/or 4.
- Any current UCC filings and liens from _____ to _____.
- Federal tax liens only — partnership and corporation.
- Specific filing numbers listed below in box 7.

TYPE OF INFORMATION REQUESTED: Check one box only.

- Certificate of Information * \$4.00
- Certificate of Information * and true and exact copies. \$8.00

*CERTIFICATE OF INFORMATION CONTAINS FILE NUMBER, FILE DATE, SECURED PARTY NAME AND ADDRESS.

6. SPECIFICALLY REQUESTED FILE NUMBER(S)

7. FORWARD TO: UNIFORM COMMERCIAL CODE
DEPARTMENT OF LICENSING
P.O. BOX 9680
OLYMPIA, WA 98504

NOTE: Records of crop related liens and federal liens against the personal property of corporations and partnerships are now filed with the Department of Licensing. Searches of both state and county records should be made during the periods of transition. See Chapters 60.11, 60.13 and 60.68 RCW.

MAKE CHECKS PAYABLE TO THE
DEPARTMENT OF LICENSING

THE DEPARTMENT OF LICENSING HEREBY DISCLAIMS RESPONSIBILITY IN THIS RECORD SEARCH AND CERTIFICATION FOR OTHER THAN THE SPECIFICALLY NAMED DEBTOR AT THE EXACT ADDRESS(ES) CITED IN YOUR REQUEST. SEARCHING A VARIATION OF THE DEBTOR NAME OR ADDITIONAL NAMES REQUIRES SEPARATE REQUEST FORMS AND FEES.

8. SIGNATURE OF REQUESTING PARTY

9. DATE

FORM APPROVED FOR USE IN THE STATE OF WASHINGTON (R/12/88)
WASHINGTON UCC-11R

COPY 3-FILE COPY REQUESTING PARTY

UCC-11R REQUEST FOR CERTIFICATE OF INFORMATION

PLEASE TYPE FORM. IF AN ERROR IS MADE, CORRECT ALL COPIES

1. OFFICE USE ONLY-DO NOT WRITE IN THIS BOX

3. DEBTOR NAME (list one debtor per request)
PERSONAL (last, first, middle name and address) SSN:
BUSINESS (legal business name and address) FEIN:

2. REQUESTING PARTY (Name and address)

4. ADDITIONAL DEBTOR ADDRESS(ES) (You may request additional addresses by city or county. All addresses may be requested by checking the ALL box.)

CITY
COUNTY ALL

5. PLEASE INDICATE BOTH THE TYPE OF SEARCH DESIRED AND THE TYPE OF INFORMATION REQUESTED:

TYPE OF SEARCH DESIRED: Check one box only.

- All current UCC filings and liens for the debtor named above, at the address(es) shown in box(es) 3 and/or 4.
Any current UCC filings and liens from to
Federal tax liens only - partnership and corporation.
Specific filing numbers listed below in box 6.

TYPE OF INFORMATION REQUESTED: Check one box only.

- Certificate of Information * \$ 7.00
Certificate of Information * and true and exact copies. \$12.00

*CERTIFICATE OF INFORMATION CONTAINS FILE NUMBER, FILE DATE, SECURED PARTY NAME AND ADDRESS.

6. SPECIFICALLY REQUESTED FILE NUMBER(S)

7. FORWARD TO: UNIFORM COMMERCIAL CODE DEPARTMENT OF LICENSING P.O. BOX 9660 OLYMPIA, WA 98504-8007

NOTE: Records of crop related liens and federal liens against the personal property of corporations and partnerships are now filed with the Department of Licensing. Searches of both state and county records should be made during the periods of transition. See Chapters 60.11, 60.13 and 60.68 RCW.

MAKE CHECKS PAYABLE TO THE DEPARTMENT OF LICENSING

THE DEPARTMENT OF LICENSING HEREBY DISCLAIMS RESPONSIBILITY IN THIS RECORD SEARCH AND CERTIFICATION FOR OTHER THAN THE SPECIFICALLY NAMED DEBTOR AT THE EXACT ADDRESS(ES) CITED IN YOUR REQUEST. SEARCHING A VARIATION OF THE DEBTOR NAME OR ADDITIONAL NAMES REQUIRES SEPARATE REQUEST FORMS AND FEES.

8. SIGNATURE OF REQUESTING PARTY

9. DATE

FORM APPROVED FOR USE IN THE STATE OF WASHINGTON (R/10/89)

COPY 1-FILING OFFICER

WASHINGTON UCC-11R

UCC-11R REQUEST FOR CERTIFICATE OF INFORMATION PLEASE TYPE FORM. IF AN ERROR IS MADE, CORRECT ALL COPIES

1. OFFICE USE ONLY-DO NOT WRITE IN THIS BOX

3. DEBTOR NAME (list one debtor per request)
 PERSONAL (last, first, middle name and address) SSN: _____
 BUSINESS (legal business name and address) FEIN: _____

2. REQUESTING PARTY (Name and address)

4. ADDITIONAL DEBTOR ADDRESS(ES) (You may request additional addresses by city or county. All addresses may be requested by checking the ALL box.)

CITY _____
COUNTY _____ ALL

5. PLEASE INDICATE BOTH THE TYPE OF SEARCH DESIRED AND THE TYPE OF INFORMATION REQUESTED:

TYPE OF SEARCH DESIRED: Check one box only.

- All current UCC filings and liens for the debtor named above, at the address(es) shown in box(es) 3 and/or 4.
- Any current UCC filings and liens from _____ to _____.
- Federal tax liens only — partnership and corporation.
- Specific filing numbers listed below in box 6.

TYPE OF INFORMATION REQUESTED: Check one box only.

- Certificate of Information * \$ 7.00
- Certificate of Information * and true and exact copies. \$12.00

*CERTIFICATE OF INFORMATION CONTAINS FILE NUMBER, FILE DATE, SECURED PARTY NAME AND ADDRESS.

6. SPECIFICALLY REQUESTED FILE NUMBER(S)

7. FORWARD TO: UNIFORM COMMERCIAL CODE
DEPARTMENT OF LICENSING
P.O. BOX 9660
OLYMPIA, WA 98504-8007

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MAKE CHECKS PAYABLE TO THE DEPARTMENT OF LICENSING

THE DEPARTMENT OF LICENSING HEREBY DISCLAIMS RESPONSIBILITY IN THIS RECORD SEARCH AND CERTIFICATION FOR OTHER THAN THE SPECIFICALLY NAMED DEBTOR AT THE EXACT ADDRESS(ES) CITED IN YOUR REQUEST. SEARCHING A VARIATION OF THE DEBTOR NAME OR ADDITIONAL NAMES REQUIRES SEPARATE REQUEST FORMS AND FEES.

8. SIGNATURE OF REQUESTING PARTY _____ **9. DATE** _____

COPY 2-FILING OFFICER _____

FORM APPROVED FOR USE IN THE STATE OF WASHINGTON (R/10/89)
WASHINGTON UCC-11R

UCC-11R REQUEST FOR CERTIFICATE OF INFORMATION

PLEASE TYPE FORM. IF AN ERROR IS MADE, CORRECT ALL COPIES

1. OFFICE USE ONLY-DO NOT WRITE IN THIS BOX

3. DEBTOR NAME (list one debtor per request)

- PERSONAL (last, first, middle name and address) SSN:
BUSINESS (legal business name and address) FEIN:

2. REQUESTING PARTY (Name and address)

4. ADDITIONAL DEBTOR ADDRESS(ES) (You may request additional addresses by city or county. All addresses may be requested by checking the ALL box.)

CITY
COUNTY ALL

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Any current UCC filings and liens from
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Specific filing numbers listed below in box 6.

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Certificate of Information * and true and exact copies. \$12.00

*CERTIFICATE OF INFORMATION CONTAINS FILE NUMBER, FILE DATE, SECURED PARTY NAME AND ADDRESS.

6. SPECIFICALLY REQUESTED FILE NUMBER(S)

7. FORWARD TO: UNIFORM COMMERCIAL CODE DEPARTMENT OF LICENSING P.O. BOX 9660 OLYMPIA, WA 98504-8007

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8. SIGNATURE OF REQUESTING PARTY

9. DATE

FORM APPROVED FOR USE IN THE STATE OF WASHINGTON (R/10/89)

COPY 3-FILE COPY REQUESTING PARTY

WASHINGTON UCC-11R

AMENDATORY SECTION (Amending Order BLS 130, filed 3/1/89)

WAC 308-400-050 OFFICIAL APPROVAL OF STANDARD FORMS. ((A supplier of standard forms who wishes to print on such forms a legend indicating that they have been officially approved as standard forms by the department of licensing shall submit two sets of reproducible proof copies of each such form to the department. The copies must demonstrate to the satisfaction of the department that the approved form in final printing will conform to content, format, size, and construction of the forms set out in WAC 308-400-040, 308-400-042, 308-400-046, 308-400-047, and 308-400-048. If the department is so satisfied, it shall notify such supplier in writing. No person shall print such a legend on any form for use under Article 62A.9 RCW or chapter 60.11 or 60.13 RCW, nor shall any person in any manner represent that there has been such approval, without first applying for such approval and receiving such notice from the department.)) Only forms which have been approved in writing by the department will be considered standard forms.

(1) Forms submitted for approval must demonstrate to the satisfaction of the department that each page of the forms in final printing will conform to the size and construction and other form specific department specifications of the forms set out in WAC 308-400-040, 308-400-046, 308-400-047, and 308-400-048. The department will not give approval for the production of any forms until it is satisfied as to the quality and content of the forms. Forms which have not been approved by the department shall be considered nonstandard forms and shall command the nonstandard filing fee.

(2) A supplier who wishes to produce standard forms for purchase by the public shall submit two sets of camera ready proofs to the department for approval. In lieu of submitting camera ready proofs for approval, a supplier may purchase camera ready proofs from the department.

(3) A supplier who has not received official approval in writing from the department shall not print on any form a legend indicating that the forms are officially approved as standard forms. A form which has not been approved by the department shall be considered a nonstandard form.

AMENDATORY SECTION (Amending Order BLS 130, filed 3/1/89)

WAC 308-400-052 STANDARD FORM. (1) Beginning January 1, 1990, the only forms which will be considered standard forms for the purpose of assessing standard filing fees are those set out in WAC 308-400-040, 308-400-042, 308-400-046, and 308-400-047. All other forms will be considered nonstandard forms to which the nonstandard filing fees apply.

(2) Beginning January 1, 1990, the only forms which will be considered the standard form for requests for certificates of information shall be those set out as WAC 308-400-048.

(3) A standard form which includes attachments becomes a nonstandard filing and will be assessed the nonstandard filing fee.

((4) Between the effective date of this amendment and December 31, 1989, forms previously approved by the department of licensing under WAC 308-400-040, 308-400-042, 308-400-046, 308-400-047, and 308-400-048 will be considered standard forms for the purpose of assessing standard fees.))

AMENDATORY SECTION (Amending Order BLS 130, filed 3/1/89)

WAC 308-400-095 FEES. The following fees for filing information with, and for obtaining information from, filing officers are adopted by the department of licensing:

(1) For filing, indexing, and furnishing data pursuant to a security interest created by a deed of trust or mortgage under provisions of RCW 62A.9-302, the fee shall be seven dollars.

(2) For filing and indexing an original financing statement or a continuation statement pursuant to RCW 62A.9-403, and for stamping a copy furnished by the secured party showing the date and place of filing, the fee shall be ((four)) seven dollars if the statement is in the standard form prescribed by the department of licensing, but if the form of the statement does not conform to the standards prescribed by the department, or if attached pages are added, the fee shall be ((seven)) fourteen dollars.

(3) For filing, indexing, and furnishing filing data for a financing statement indicating an assignment or a separate statement of assignment, under provisions of RCW 62A.9-405, on a form conforming to standards prescribed by the department of licensing shall be ((four)) seven dollars, but if the form of the financing statement or separate statement of assignment does not conform to the standards prescribed by the department, or if attached pages are added, the fee shall be ((seven)) fourteen dollars.

(4) For filing and noting a statement of release pursuant to RCW 62A.9-406 on a form conforming to standards prescribed by the department of licensing, the fee shall be ((four)) seven dollars, but if the form of the statement does not conform to the standards prescribed by the department, or if attached pages are added, the fee shall be ((seven)) fourteen dollars.

(5) For a certificate of information pursuant to RCW 62A.9-407, the fee shall be ((four)) seven dollars. For a certificate of information pursuant to RCW 62A.9-407 and for a copy of any filed financing statements or statements of assignment the fee shall be ((eight)) twelve dollars for each particular debtor's statements requested.

AMENDATORY SECTION (Amending Order BLS 130, filed 3/1/89)

WAC 308-400-100 FEES, FORMS AND PROCEDURES—FILING PROCESSOR AND PREPARER LIENS FOR AGRICULTURAL ((PRODUCTS)) DAIRY OR COMMERCIAL FISH PRODUCTS. The filing forms, fees and procedures for filing with, and obtaining information from, filing officers, pertaining to processor and preparer liens for agricultural ((products)) dairy or commercial fish products pursuant to chapter 60.13 RCW, shall correspond to the forms, fees and procedures prescribed by the department of licensing pursuant to chapter 62A.9 RCW, for filing statements or information with, and obtaining information from, filing officers.

WSR 89-21-078

PROPOSED RULES

STATE BOARD OF EDUCATION

[Filed October 18, 1989, 3:53 p.m.]

Original Notice.

Title of Rule: WAC 180-16-220(3) Supplemental program and basic education allocation entitlement requirements (student learning objectives).

Purpose: Repeal of student learning objective language in supplemental basic education requirements due to legislative action making review of the objections a part of the self-study process.

Statutory Authority for Adoption: RCW 28A.58.754(6).

Statute Being Implemented: SB 6157, RCW 28A.58.085 and 28A.58.090.

Summary: Repeal of student learning objectives language from WAC 180-16-220(3).

Reasons Supporting Proposal: Legislative action requires repeal.

Name of Agency Personnel Responsible for Drafting: Richard M. Wilson, Old Capitol Building, 753-2298; Implementation: Doyle Winter, Old Capitol Building, 753-1880; and Enforcement: Monica Schmidt, Old Capitol Building, 753-6715.

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: Repeal of student learning objective language in

supplemental basic education requirements due to legislative action making review of the objectives a part of the self-study process.

Proposal Changes the Following Existing Rules: Repeals existing rule.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Spokane School District, Board Room, North 200 Bernard, Spokane, WA 99201, on November 30, 1989, at 9:00 a.m.

Submit Written Comments to: Monica Schmidt, State Board of Education, Old Capitol Building, FG-11, Olympia, Washington 98504, by November 28, 1989.

Date of Intended Adoption: December 1, 1989.

October 18, 1989

Monica Schmidt
Secretary

AMENDATORY SECTION (Amending Order 14-86, filed 9/29/86)

WAC 180-16-220 SUPPLEMENTAL PROGRAM AND BASIC EDUCATION ALLOCATION ENTITLEMENT REQUIREMENTS. The following requirements, while not imposed by the "Basic Education Act of 1977," are hereby established by the state board of education as related supplemental conditions to a school district's entitlement to state basic education allocation funds.

(1) Student to certificated staff ratio requirement. The ratio of students enrolled in a school district to full-time equivalent certificated employees shall not exceed twenty-three to one: PROVIDED, That nonhigh school districts or school districts that have a student enrollment of two hundred fifty or less in grades nine through twelve may, as an alternative to the foregoing requirement, have a ratio of students to full-time equivalent certificated classroom teachers of twenty-six to one or less. For the purpose of this subsection, "certificated employees" shall mean those employees who are required by state statute or by rule of the state board of education, or by written policy of the school district to possess a professional education permit, certificate or credential issued by the superintendent of public instruction, as a condition to employment and "classroom teacher" shall be defined as in WAC 180-16-210 and the students to classroom teachers ratio shall be computed in accordance with WAC 180-16-210(1).

(2) Current and valid certificates. Every school district employee required by WAC 180-75-055 to possess a professional 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, effective August 31, 1987, classroom teachers, principals, vice principals, and educational staff associates shall be required to possess endorsements as required by WAC 180-16-221, 180-16-231, and 180-16-236, respectively.

(3) ~~(Student learning objectives. Each school district shall have implemented a program of student learning objectives in the areas of language arts, reading, mathematics, social studies, and physical education for grades kindergarten through twelve. On or before September 1, 1988, school districts shall have initiated implementation of the student learning objectives in all other course(s)/subject(s) taught in the K-12 common schools.~~

~~(a) Each school district must evidence community participation in defining the objectives of such a program.~~

~~(b) The student learning objectives of such program shall be measurable as to the actual student attainment. Student attainment shall be locally assessed annually.~~

~~(c) The student learning objectives program shall be reviewed by the district according to one of the following options:~~

~~Option A: The district shall review all student learning objectives in all required course/subject areas at least every two years.~~

~~Option B: If the district board of directors determines that its curriculum review, textbook review, or self-study process includes a review of the district's student learning objectives program, such school district may provide for the periodic review of all or a part of its student learning objectives program in accordance with the time schedule the district has established for one or more of the aforementioned processes. Periodic review under option B shall take place at least every seven years.~~

~~In developing and reviewing the learning objectives, districts shall give specific attention to improving the depth of course content within courses and in coordinating the sequence in which subject matter is presented.~~

~~(4)) Other program requirements self evaluation. Each school district shall adopt a procedure to ensure awareness of and compliance with other program requirements, including provisions set forth in WAC 180-16-240.~~

WSR 89-21-079

PROPOSED RULES

STATE BOARD OF EDUCATION

[Filed October 18, 1989, 3:55 p.m.]

Original Notice.

Title of Rule: Chapter 180-25 WAC, State assistance in providing school plant facilities—Preliminary provisions.

Purpose: Provide a process to determine the availability or nonavailability of suitable school buildings in neighboring school districts prior to approval of new construction where suitable school buildings are not available.

Other Identifying Information: WAC 180-25-060, 180-25-065, 180-25-070, 180-25-075, 180-25-080, 180-25-085 and 180-25-090.

Statutory Authority for Adoption: RCW 28A.47.803, 28A.47.060 and 28A.47.802.

Statute Being Implemented: RCW 28A.47.105.

Summary: Provide a process to determine availability of school buildings in neighboring districts.

Reasons Supporting Proposal: State construction matching funds can only be allocated if it is determined that suitable school buildings in neighboring districts are not available or cannot be leased for instructional purposes. This process will make that determination.

Name of Agency Personnel Responsible for Drafting: Richard M. Wilson, Old Capitol Building, 753-2298; Implementation: David Moberly, Old Capitol Building, 753-6742; and Enforcement: Mike Roberts, Old Capitol Building, 753-6729.

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: WAC 180-25-060, definition; 180-25-065, definition; 180-25-070, requires survey of neighboring districts for available suitable schools; 180-25-075, delineates required information of survey; 180-25-080, delineates required documentation submitted to Superintendent of Public Instruction; 180-25-085, determination of compliance by Superintendent of Public Instruction; and 180-25-090, approval of certification of unavailability of suitable school buildings by the State Board of Education.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Spokane School District, Board Room, North 200 Bernard, Spokane, WA 99201, on November 30, 1989, at 9:00 a.m.

Submit Written Comments to: Monica Schmidt, State Board of Education, Old Capitol Building, FG-11, Olympia, Washington 98504, by November 28, 1989.

Date of Intended Adoption: December 1, 1989.

October 18, 1989

Monica Schmidt
Secretary

NEW SECTION

WAC 180-25-060 ELIGIBILITY FOR STATE ASSISTANCE FOR NEW CONSTRUCTION—DEFINITION—CONTIGUOUS SCHOOL DISTRICT. As used in this chapter the term "contiguous school district" means a school district sharing a common boundary with another school district.

NEW SECTION

WAC 180-25-065 ELIGIBILITY FOR STATE ASSISTANCE FOR NEW CONSTRUCTION—DEFINITION—NEGOTIATE IN GOOD FAITH. As used in this chapter the term "negotiate in good faith" means approach a school district with an available and suitable school facility with the intent to enter into an agreement to lease the facility.

NEW SECTION

WAC 180-25-070 ELIGIBILITY FOR STATE ASSISTANCE FOR NEW CONSTRUCTION—SURVEY OF AVAILABLE AND SUITABLE SCHOOL PLANT FACILITIES IN CONTIGUOUS SCHOOL DISTRICTS. A school district applying for state assistance for new construction shall conduct a documented survey of available and suitable school plant facilities in each contiguous school district that meet the needs of the applicant school district and are either currently vacant or scheduled for vacation within five years.

NEW SECTION

WAC 180-25-075 ELIGIBILITY FOR STATE ASSISTANCE FOR NEW CONSTRUCTION—CONTENTS OF SURVEY. The survey required in WAC 180-25-070 shall include at a minimum:

- (1) A listing of contiguous school districts.
- (2) Name and title of each person contacted regarding availability of facilities.
- (3) A listing of available facilities including location.

NEW SECTION

WAC 180-25-080 ELIGIBILITY FOR STATE ASSISTANCE FOR NEW CONSTRUCTION—APPLICATION TO SUPERINTENDENT OF PUBLIC INSTRUCTION—NECESSARY DOCUMENTATION. As part of the application submitted to the superintendent of public instruction, the district applying for state assistance for new construction shall include:

- (1) A copy of the survey conducted pursuant to WAC 180-25-070.
- (2) A board resolution certifying one of the following:
 - (a) No suitable space is available in any contiguous district;
 - (b) Space is available in a contiguous district but the facilities do not meet needs of the applicant district. The applicant district shall provide substantial evidence to support the unsuitability of the available facility;
 - (c) Space is available in a contiguous district but good faith negotiations did not lead to an agreement between the applicant district and the district containing the available facility. The applicant district shall provide substantial evidence to support the lack of lease agreement including a history of the negotiations and proposed offers by each district.
- (3) Other information deemed pertinent by the applicant district.

NEW SECTION

WAC 180-25-085 ELIGIBILITY FOR STATE ASSISTANCE FOR NEW CONSTRUCTION—REVIEW OF SURVEY OF AVAILABLE AND SUITABLE SCHOOL PLANT FACILITIES

IN CONTIGUOUS SCHOOL DISTRICTS. The superintendent of public instruction shall review and approve the applicant school boards certification and supporting documentation submitted pursuant to WAC 180-25-080, if the certification is complete, technically accurate, and complies with all applicable rules and regulations. Until this certification is approved by the superintendent of public instruction, the school district's application for state assistance will not be forwarded to the state board of education.

NEW SECTION

WAC 180-25-090 ELIGIBILITY FOR STATE ASSISTANCE FOR NEW CONSTRUCTION—APPROVAL BY STATE BOARD OF EDUCATION OF APPLICANT'S SCHOOL DISTRICT CERTIFICATION. Upon presentation by the superintendent of public instruction, the state board of education shall approve an applicant school district's certification of the unavailability of suitable school plant facilities in contiguous school districts if it is established to the state board of education's satisfaction that vacant, available, and suitable school plant facilities neither exist nor are scheduled to exist within five years in a contiguous school district.

WSR 89-21-080

PROPOSED RULES

STATE BOARD OF EDUCATION

[Filed October 18, 1989, 3:58 p.m.]

Original Notice.

Title of Rule: Chapter 180-27 WAC, State assistance in providing school plant facilities—Basic state support.

Purpose: Revise eligibility criterion and state matching rates for state assistance for new construction of common school facilities.

Other Identifying Information: WAC 180-27-015, 180-27-017, 180-27-019, 180-27-023, 180-27-115, 180-27-400, 180-27-405, 180-27-410, 180-27-415 and 180-27-420.

Statutory Authority for Adoption: RCW 28A.47.830, 28A.47.060 and 28A.47.802.

Statute Being Implemented: Same.

Summary: Revises state board policy on utilization of school facilities determinations of district eligibility for state assistance for school construction, and limits the amount of additional state assistance for certain projects.

Reasons Supporting Proposal: Review and/or revisions of eligibility criterion required by section 708, chapter 12, Laws of 1989 1st ex. sess.

Name of Agency Personnel Responsible for Drafting: Richard M. Wilson, Old Capitol Building, 753-2298; Implementation: David Moberly, Old Capitol Building, 753-6742; and Enforcement: Mike Roberts, Old Capitol Building, 753-6729.

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: WAC 180-27-015, revises policy on utilization of school facilities; 180-27-017, definition; 180-27-019, definition; 180-27-023, establish eligibility for assistance for emerging nonhigh districts; 180-27-115, revises additional support levels for projects after a certain date;

180-27-400, required survey of district instructional facilities; 180-27-405, establish instructional space inventory for eligibility after a certain date; 180-27-405, establish instructional space inventory for eligibility after a certain date; 180-27-410, removal from inventory by demolition; 180-27-415, removal from inventory by sale or long term lease; and 180-27-420, removal from inventory by conversion to noninstructional use.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Spokane School District, Board Room, North 200 Bernard, Spokane, WA 99201, on November 30, 1989, at 9:00 a.m.

Submit Written Comments to: Monica Schmidt, State Board of Education, Old Capitol Building, FG-11, Olympia, Washington 98504, by November 28, 1989.

Date of Intended Adoption: December 1, 1989.

October 18, 1989
Monica Schmidt
Secretary

AMENDATORY SECTION (Amending Order 11-83, filed 10/17/83)

WAC 180-27-015 STATE BOARD POLICY. (1) In the interpretation of the regulations in this chapter, the superintendent of public instruction shall be guided by the following state board of education policy:

(a) To equate insofar as possible the efforts by districts to provide capital moneys;

(b) To equalize insofar as possible the educational opportunities for the students of the state;

(c) To establish a level of state support for the construction and modernization of school facilities consistent with moneys available; ~~(and)~~

(d) To recognize that districts may find it necessary to apply local moneys in excess of state matching funds in order to provide facilities commensurate with their respective educational specifications;

(e) To establish that any school district facility, notwithstanding its current designation by the district, is deemed available for any instructional program at any grade level; and

(f) To recognize that districts may have reasons to remove district facilities from current inventories and provide consistent state-wide policies for removal.

(2) Nonhigh district participation in financing the cost of secondary school facilities shall be established pursuant to the provisions of chapter 28A.56 RCW.

NEW SECTION

WAC 180-27-017 DEFINITION—SCHOOL FACILITIES. As used in this chapter, the term "school facilities" means school plant facilities, school plant projects, school buildings, and common school facilities placed on a permanent foundation.

NEW SECTION

WAC 180-27-019 DEFINITION—INSTRUCTIONAL SPACE. As used in this chapter, the term "instructional space" means the gross amount of square footage calculated in accordance with the American Institute of Architects, document D101, The Architectural Area and Volume of Buildings, January 1980 edition, for a school facility utilized by a school district for the purpose of instructing students: PROVIDED, That the following areas shall not be included in any calculation of instructional space:

- (1) Exterior covered walkways, cantilevered or supported.
- (2) Exterior porches including loading platforms.
- (3) Space used by central administrative personnel.
- (4) Stadia and grandstands.
- (5) Bus garages.

(6) Free-standing warehouse space specifically designed for that purpose.

(7) Portable facilities not placed on a permanent foundation.

(8) Other square footage not otherwise available or related to the instructional program of the district.

NEW SECTION

WAC 180-27-023 EMERGING HIGH SCHOOL DISTRICT ELIGIBILITY. If a new secondary program is being established in a nonhigh district pursuant to chapter 180-56 WAC, the district shall make application and be eligible for state funding assistance of new construction for school facilities to serve the projected high school enrollment.

AMENDATORY SECTION (Amending Order 25-85, filed 11/27/85)

WAC 180-27-115 SUPPORT LEVEL—ADDITIONAL ASSISTANCE. State assistance in addition to the amount determined pursuant to WAC 180-27-020 and 180-27-055 may be allowed for the purposes and in accordance with the requirements set forth in this section: PROVIDED, That in no case shall the state assistance exceed one hundred percent of the amount calculated for matching purposes: PROVIDED FURTHER, That for projects that would qualify for additional state assistance under subsections (1) through (8) of this section, for which the local match was secured or for which the local match special bond or levy election was filed with the county auditor prior to January 27, 1989, shall receive additional state assistance at ninety percent of the approved square foot cost allowance. In each of the following exceptions, either at the time the project is approved pursuant to WAC 180-25-040 or at any time prior to receiving secured funding status pursuant to WAC 180-29-107, state board of education approval is required:

(1) Act of condemnation of a building.

A school district required to replace a school facility determined to be hazardous to the safety and health of school children and staff—as evidenced by reports of architects or engineers licensed to practice in the state of Washington, the health agency having jurisdiction, and/or the fire marshal and building official having jurisdiction—shall be eligible for additional assistance if the voters of the school district authorize the issuance of bonds and/or the levying of excess taxes to meet the statutory limits. If the state board of education determines that the voters of the school district have authorized the issuance of bonds to its legal limit, the board shall provide state financial assistance for the remaining cost of the building to a level not exceeding the area cost allowance set forth in WAC 180-27-060.

(2) Loss of building by fire.

A school district which has lost a school facility by fire shall be eligible for additional state assistance consideration if the district first applies toward the project all insurance payments received for the loss of the structure and the voters of the school district authorize the issuance of bonds and/or the levying of excess taxes to meet the statutory limits. If the state board of education determines that the district is deficient in capital moneys and cannot legally bond for the moneys needed to replace the number of square feet for which it is eligible, the state board of education shall provide state financial assistance for the remaining cost of the project to a level not exceeding the area cost allowance set forth in WAC 180-27-060.

(3) Facilities for handicapped children.

A school district which admits handicapped children from without the district shall be eligible for additional state assistance in construction of school facilities: PROVIDED, That (a) handicapped children who spend less than one hundred minutes per school day in a facility designated by the school district board of directors as special purpose space shall not be counted, and (b) the additional allocation shall be ~~((ninety))~~ seventy-five percent of the approved square foot cost allowance for out-of-district handicapped students.

(4) Vocational-technical facilities.

A school district which has a vocational-technical institute shall be eligible for additional state assistance in construction of vocational-technical institute facilities: PROVIDED, That the additional assistance in excess of the amount allocable under the statutory formula shall be ~~((ninety))~~ seventy-five percent of the total approved project cost determined to be eligible for state matching purposes.

(5) Interdistrict cooperative centers.

In the financing of interdistrict cooperative projects as set forth in chapter 180-31 WAC, the state board of education shall allocate at

((~~ninety~~)) seventy-five percent of the total approved project cost determined eligible for state matching purposes if the planned school facility meets the following criteria:

- (a) Provides educational opportunities, including vocational skills programs, not otherwise provided;
 - (b) Avoids unnecessary duplication of specialized or unusually expensive educational programs or facilities; or
 - (c) Improves racial balance within and among participating districts.
- (6) School housing emergency.

A school district found by the state board of education to have a school housing emergency requiring an allocation of state moneys in excess of the amount allocable under the statutory formula may be considered for an additional allocation of moneys: **PROVIDED**, That the school district must have authorized the issuance of bonds to its legal capacity to meet the statutory and state board of education fiscal requirements for state assistance in providing school facilities.

The total amount of state moneys allocated shall be ((~~ninety percent of~~)) the total approved project cost determined eligible for state matching purposes multiplied by the districts' regular match rate as calculated pursuant to RCW 28A.47.803 plus twenty percent and not to exceed ninety percent in total: PROVIDED FURTHER, That at any time thereafter when the state board of education finds that the financial position of such district has improved, the amount of such additional allocation shall be deducted, under conditions prescribed by the state board of education from any future state school facility construction funds which might otherwise be provided to such district.

(7) Improved school district organization.

If two or more school districts reorganize into a single school district and the construction of new school facilities results in the elimination of a small high school with a full-time equivalent enrollment in grades 9-12 of less than four hundred students and/or an elementary school with a full-time equivalent enrollment of less than one hundred students, the state board of education shall match the total approved cost of the project at ((~~ninety~~)) seventy-five percent.

(8) Racial imbalance.

Any school district that contains a school facility which is racially imbalanced as defined in WAC 180-26-025 or which contains a school facility that would have been racially imbalanced as defined in WAC 180-26-025 but for a transportation program designed to eliminate racial imbalance shall receive ((~~ninety~~)) seventy-five percent of the total approved cost of construction if the building project meets one of the following standards:

(a) In the case of a school district which contains a racially imbalanced school facility the district must demonstrate that, as a result of new construction or modernization, the particular school facility will no longer be racially imbalanced, that the combined minority enrollment in the particular school facility will be reduced by more than ten percentage points, and that the above stated results will be obtained as a direct result of increased enrollment of nonminority students in the particular school facility.

(b) In the case of a school district which contains a school facility that would have been racially imbalanced but for a transportation program designed to eliminate racial imbalance, the district must demonstrate that, as a result of new construction or modernization, the district will continue to contain no school plant facility which is racially imbalanced and that the expense of transportation within the district for a stated period of years will be significantly less than without the new construction or modernization. For the purpose of demonstrating eligibility of a particular school plant facility pursuant to this subsection, a district shall demonstrate that a particular school plant facility would have been racially imbalanced but for a transportation program by producing demographic data that demonstrate what the racial balance for its population would have been within the proximity attendance area of the particular school plant facility. For the purpose of demonstrating that the expense of transportation within the district for a stated period of time will be significantly less pursuant to this subsection, a district shall demonstrate savings in to and from transportation costs, as the term "to and from" transportation is defined in WAC 392-141-120, by comparing expenses for such transportation for the school year immediately preceding the school year in which approval by the state board of education pursuant to this subsection with the amount that would have been expended for such transportation for the previous school year if the new construction or modernization was in place. In the alternative, the district shall demonstrate savings in to and from transportation by comparing such previous year's expenditures with the amount that would have been expended for such transportation if the particular school plant facility was closed. In either

case, in order to demonstrate the amount of savings necessary to qualify for additional state assistance pursuant to this subsection, the district must demonstrate savings in to and from transportation for the school year of comparison equal to or exceeding five percent of the additional state assistance resulting from application of this subsection to modernization of such school plant facility or equal to or exceeding two and one-half percent of the additional state assistance resulting from application of this subsection to new construction, including new construction authorized pursuant to the replacement option of WAC 180-33-042.

When an improvement in racial balance within a school district pursuant to this section involves construction or modernization of one or more school facilities, all such school facilities shall be included in the application.

NEW SECTION

WAC 180-27-400 INSTRUCTIONAL SPACE SURVEY OF DISTRICT FACILITIES. Prior to April 1, 1990, each school district shall provide the superintendent of public instruction with the following information regarding school facilities, to be included in an active instructional space inventory, within the boundaries of the district:

- (1) Building name;
- (2) Location (address);
- (3) Gross square footage;
- (4) Gross square footage of available instructional space (if different than subsection (3) of this section);
- (5) Date of construction, additions, and/or modernizations; and
- (6) Grade spans served in the facility.

NEW SECTION

WAC 180-27-405 INSTRUCTIONAL SPACE INVENTORY OF SCHOOL FACILITIES—ELIGIBILITY. For purposes of determining district eligibility for state financial assistance for the new construction of school facilities, except for the new construction of school facilities for which an acceptable form D-3 project request was on file with the superintendent of public instruction and local matching funds were secured prior to March 31, 1989, the superintendent of public instruction shall establish and maintain an instructional space inventory of all school facilities within the state of Washington. Such listing shall consist of the following:

- (1) Facility name;
- (2) Location (address);
- (3) Gross square footage;
- (4) Gross square footage of available instructional space (if different than subsection (3) of this section);
- (5) Date of construction, additions, and/or modernizations; and
- (6) Grade spans served in the facility.

School facilities that are surplus and under lease per the provision of RCW 28A.58.033 are considered to be available for instructional activities and shall be included in the instructional space inventory.

NEW SECTION

WAC 180-27-410 REMOVAL FROM INSTRUCTIONAL SPACE INVENTORY—DEMOLITION. A school facility shall be removed from the superintendent of public instruction active instructional space inventory five years after it has been demolished under the following conditions:

- (1) The facility is at least forty years old.
- (2) The facility is determined to be surplus to the needs of the district by the local school board.

NEW SECTION

WAC 180-27-415 REMOVAL FROM INSTRUCTIONAL SPACE INVENTORY—SALE OR LONG-TERM LEASE OF BUILDING. A school facility shall be removed from the superintendent of public instruction's active instructional space inventory five years after it has been sold or long-term leased under the following conditions:

- (1) The facility is determined to be surplus to the needs of the district by the local school board.
- (2) The sale is in compliance with the requirements of chapter 28A-.58 RCW.

For purposes of this section a long-term lease having a term of no less than forty years constitutes a sale of the building.

NEW SECTION

WAC 180-27-420 REMOVAL FROM INVENTORY—CONVERSION FROM INSTRUCTIONAL SPACE. Instructional space shall be removed from the superintendent of public instruction's active instructional space inventory if it has been converted from instructional use for five years under the following conditions:

- (1) The facility is determined to be surplus to the needs of the district by the local school board.
- (2) The school facility is not needed for instructional use by a neighboring district.

WSR 89-21-081
PROPOSED RULES
STATE BOARD OF EDUCATION

[Filed October 18, 1989, 3:59 p.m.]

Original Notice.

Title of Rule: Chapter 180-53 WAC, Educational quality—Self-study by school districts.

Purpose: To make required changes and additions in self-study rules and to delete the student learning objectives requirement from WAC 180-53-220.

Statutory Authority for Adoption: RCW 28A.58.085.

Statute Being Implemented: RCW 28A.58.085.

Summary: In recent legislative sessions actions were taken to add criteria to the self-study process. The suggested amendments are aimed at bringing the administrative code in line with statutory change.

Name of Agency Personnel Responsible for Drafting: Richard M. Wilson, Old Capitol Building, 753-2298; Implementation: Doyle Winter, Old Capitol Building, 753-1880; and Enforcement: Alfred Rasp, Old Capitol Building, 753-3449.

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: Adds two criteria to the self-study criteria in WAC 180-53-025: A review of student learning objectives and an analysis of class size and staffing patterns. Also the annual reporting requirement is changed to a biennial one. The student learning objective implementation process is deleted from WAC 180-16-220.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Spokane School District, Board Room, North 200 Bernard, Spokane, WA 99201, on November 30, 1989, at 9:00 a.m.

Submit Written Comments to: Monica Schmidt, State Board of Education, Old Capitol Building, FG-11, Olympia, Washington 98504, by November 28, 1989.

Date of Intended Adoption: December 1, 1989.

October 18, 1989
 Monica Schmidt
 Secretary

AMENDATORY SECTION (Amending Order 22-85, filed 12/2/85)

WAC 180-53-025 SELF-STUDY CRITERIA. The self-study process shall include an emphasis in the following areas:

- (1) The participation of staff, parents, community members, and students where appropriate to their age;
- (2) A comprehensive assessment of the instructional program, staff, services, learning resources, student activities, and facilities; ~~((and))~~
- (3) The development of a plan for program improvement~~((:));~~
- (4) The implementation of a program for student learning objectives in the areas of language arts, mathematics, social studies, physical education, and all other course(s)/subject(s) taught in grades kindergarten through twelve in the common schools. This program shall be reviewed by the building steering committee in accordance with a time schedule the district has established for their self-study. Periodic review shall take place at least every seven years; and
- (5) An analysis of class size and staffing patterns within the school district.

Public schools that are accredited pursuant to the self-study procedures of the state board of education or the Northwest Association of Schools and Colleges as specified in chapter 180-55 WAC shall be judged to have complied with the criteria stated above.

AMENDATORY SECTION (Amending Order 22-85, filed 12/2/85)

WAC 180-53-050 SUBSEQUENT SELF-STUDY CYCLE PLAN—REPORT TO SUPERINTENDENT OF PUBLIC INSTRUCTION. Each school district shall report to the superintendent of public instruction, by ~~((May 31))~~ June 15 of the final year of a self-study cycle, a plan for the implementation of a self-study in each public school within the district's jurisdiction during the next self-study cycle. The report shall include:

- (1) A schedule for self-study;
- (2) Assurance that the self-study criteria specified in WAC 180-53-025 will be implemented; and
- (3) Whether a waiver is being requested for economic reasons pursuant to WAC 180-53-060.

AMENDATORY SECTION (Amending Order 22-85, filed 12/2/85)

WAC 180-53-055 ~~((ANNUAL))~~ BIENNIAL REPORT—TO SUPERINTENDENT OF PUBLIC INSTRUCTION. Each district shall ~~((annually))~~ report every two years to the superintendent of public instruction by ~~((May 31))~~ June 15 on the scheduling and implementation of the self-study activities in each public school. The report shall contain the following:

- (1) Dates of self-study completion;
- (2) Assurance that the self-study criteria specified in WAC 180-53-025 have been met;
- (3) An indication of the self-study model implemented, for example, the ~~((input/standards assessment (WAC 180-55-055), the process/outcome analysis (WAC 180-55-060)))~~ state board of education accrediting process (chapter 180-55 WAC), the Evaluative Criteria published by the National Study of School Evaluation, or district developed procedure; and
- (4) Whether a waiver is being requested for economic reasons pursuant to WAC 180-53-060.

WSR 89-21-082
PROPOSED RULES
STATE BOARD OF EDUCATION

[Filed October 18, 1989, 4:01 p.m.]

Original Notice.

Title of Rule: Chapter 180-75 WAC, Professional certification—General provisions.

Purpose: To separate general certification provisions from the procedures for the administration of certification proceedings.

Statutory Authority for Adoption: RCW 28A.70.005.

Statute Being Implemented: Same.

Summary: The development of chapters 180-86 and 180-87 WAC required revisions in chapter 180-75 WAC.

Reasons Supporting Proposal: The chapters need to address discreet areas of state policy.

Name of Agency Personnel Responsible for Drafting: Richard M. Wilson, Old Capitol Building, 753-2298; Implementation: Doyle Winter, Old Capitol Building, 753-1880; and Enforcement: Ted Andrews, Old Capitol Building, 753-3222.

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 addition to revisions, an expanded definition of good moral character and personal fitness is provided. The revisions will clarify administrative policies.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Spokane School District, Board Room, North 200 Bernard, Spokane, WA 99201, on November 30, 1989, at 9:00 a.m.

Submit Written Comments to: Monica Schmidt, State Board of Education, Old Capitol Building, FG-11, Olympia, Washington 98504, by November 28, 1989.

Date of Intended Adoption: December 1, 1989.

October 18, 1989
Monica Schmidt
Secretary

AMENDATORY SECTION (Amending Order 11-87, filed 6/1/87)

WAC 180-75-005 PURPOSE. The purpose of this chapter is to incorporate into one chapter the general certification ~~((provisions to ensure uniform application and interpretation of the various certification rules within the confines of current statutory law. It is not the intent or purpose of this chapter to govern or limit the procedures and standards which are otherwise applicable to the nonrenewal or discharge of certificated employees by school districts and educational service districts. Proceedings under this chapter and local discharge/nonrenewal proceedings are separate proceedings))~~ requirements applicable to all permits and certificates.

AMENDATORY SECTION (Amending Order 14-87, filed 12/21/87)

WAC 180-75-045 CERTIFICATE VALIDITY. Any certificate issued pursuant to chapters 180-77 or 180-79 WAC or previous standards of the state board of education shall entitle the holder thereof to be employed by a public or nonpublic school for the performance of duties encompassed by the type of certificate as specified in WAC 180-75-055, if such certification is required by statute or rules of the state board of education, unless such certificate is under suspension or until such certificate expires, lapses, or is revoked.

AMENDATORY SECTION (Amending Order 2-87, filed 4/3/87)

WAC 180-75-081 GOOD MORAL CHARACTER AND PERSONAL FITNESS—DEFINITION. As used in this chapter, the terms "good moral character and personal fitness" means character and personal fitness necessary to serve as a certificated employee in schools in the state of Washington, including character and personal fitness to have contact with ((and)),₁ to teach ((children)),₂ and ((personal fitness necessary)) to perform supervision of children ((and)). Good moral character and personal fitness includes, but is not limited to, the following:

(1) No conviction of any felony crime involving:

(a) The physical neglect of ((children)) a child under chapter 9A.42 RCW;

(b) The physical injury or death of ((children)) a child under chapter 9A.32 or 9A.36 RCW, excepting motor vehicle violations under chapter 46.61 RCW; ((and))

(c) The sexual ((abuse of children)) exploitation of a child under chapter 9.68A RCW;

(d) Sexual offenses where a child is the victim under chapter 9A.44 RCW;

(e) The promotion of prostitution of a child under chapter 9A.88 RCW;

(f) The sale or purchase of a child under RCW 9A.64.030;

(g) PROVIDED, That the general classes of felony crimes referenced within ((a) and (b) of) this subsection shall ((be limited in application to felony crimes in the state of Washington and equivalent federal and crimes in other states committed against children and which, in fact, caused bodily harm to such children greater than transient pain or minor temporary marks; provided further, that the general class of felony crime referenced within (c) of this subsection shall be limited in application to felony crimes in the state of Washington and)) include equivalent federal and crimes in other states committed against ((children:)) a child;

(h) PROVIDED FURTHER, That for the purpose of this subsection "child" means a minor as defined by the applicable state or federal law;

(i) Provided Further, That for the purpose of this subsection "conviction" shall include a guilty plea.

(2) No conviction of any crime within the last ten years, including motor vehicle violations, which would materially and substantially impair the individual's worthiness and ability to serve as a professional within the public and private schools of the state. In determining whether a particular conviction would materially and substantially impair the individual's worthiness and ability to practice, the following and any other relevant considerations shall be weighed:

(a) Age and maturity at the time the criminal act was committed;

(b) The degree of culpability required for conviction of the crime and any mitigating factors, including motive for commission of the crime;

(c) The classification of the criminal act and the seriousness of the actual and potential harm to persons or property;

(d) Criminal history and the likelihood that criminal conduct will be repeated;

(e) The permissibility of service as a professional educator within the terms of any parole or probation;

(f) Proximity or remoteness in time of the criminal conviction;

(g) Any evidence offered which would support good moral character and personal fitness; ~~((and))~~

(h) If this ~~((section))~~ subsection is applied to a person certified under the laws of the state of Washington in a suspension or revocation action, the effect on the education profession, including any chilling effect, shall be weighed; and

(i) In order to establish good moral character and personal fitness despite the criminal conviction, the applicant or certificate holder has the duty to provide available evidence relative to the above considerations. The superintendent of public instruction has the right to gather and present additional evidence which may corroborate or negate that provided by the applicant or certificate holder.

(3) No serious behavioral problem~~((s))~~ which endangers the educational welfare or personal safety of students, teachers, or other colleagues within the educational setting.

(4) No intentional and knowing practice within the state of Washington within the previous five school years with an expired, lapsed, surrendered, or revoked certificate in a professional position for which certification is required under the rules of the state board of education.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 180-75-018 WRITTEN NOTICE OF DENIAL, LAPSING, OR REVOCATION BY SUPERINTENDENT OF PUBLIC INSTRUCTION.

WAC 180-75-019 INVESTIGATORY FILES—ESTABLISHMENT, SECURITY, DISCLOSURE, RETENTION, AND DESTRUCTION.

WAC 180-75-020 APPEAL—GENERAL.

WAC 180-75-025 APPEAL PROCEDURE—INFORMAL SPI REVIEW.

WAC 180-75-026 AGREEMENT NOT TO CONTINUE OR ACCEPT EDUCATIONAL EMPLOYMENT.
 WAC 180-75-027 WAIVER OF REQUIREMENT FOR TIMELY APPEAL.
 WAC 180-75-030 APPEAL PROCEDURE—FORMAL SPI REVIEW PROCESS.
 WAC 180-75-033 APPEAL PROCEDURE TO SBE.
 WAC 180-75-034 CERTIFICATE REVOCATION—INITIATION OF PROCEEDINGS.
 WAC 180-75-035 CERTIFICATE REVOCATION AND SUBSEQUENT REINSTATEMENT.
 WAC 180-75-037 CERTIFICATE REVOCATION—GROUNDS FOR REVOCATION.
 WAC 180-75-038 DUTY OF EDUCATIONAL SERVICE DISTRICT SUPERINTENDENT TO INVESTIGATE COMPLAINTS.
 WAC 180-75-039 DUTY OF ESD SUPERINTENDENT, DISTRICT SUPERINTENDENT AND PRIVATE SCHOOL ADMINISTRATOR TO FILE COMPLAINTS.
 WAC 180-75-040 NOTIFICATION OF DENIAL, SURRENDER, LAPSING, OR REVOCATION OF CERTIFICATES.
 WAC 180-75-042 EMERGENCY SUSPENSION OF CERTIFICATE.
 WAC 180-75-043 UNPROFESSIONAL CONDUCT FOR FAILURE TO FILE A COMPLAINT.
 WAC 180-75-044 UNPROFESSIONAL CONDUCT FOR MISREPRESENTATION OF FACTS.
 WAC 180-75-084 GOOD MORAL CHARACTER, PERSONAL FITNESS, AND UNPROFESSIONAL CONDUCT—BURDEN AND STANDARD OF PROOF.
 WAC 180-75-086 VOLUNTARY SURRENDER OF CERTIFICATES.
 WAC 180-75-199 CODE OF PROFESSIONAL RESPONSIBILITY FOR CERTIFICATED EDUCATIONAL PROFESSIONALS.

WSR 89-21-083
PROPOSED RULES
STATE BOARD OF EDUCATION

[Filed October 18, 1989, 4:03 p.m.]

Original Notice.

Title of Rule: Chapter 180-78 WAC, Professional certification—Approved preparation programs by colleges and universities.

Purpose: To eliminate the college developed exit examination requirement.

Statutory Authority for Adoption: RCW 28A.70.005.

Statute Being Implemented: Same.

Summary: Rules requiring colleges and universities to develop exit examinations between 1990 and 1993 are being eliminated.

Reasons Supporting Proposal: The rules would be difficult and costly to implement.

Name of Agency Personnel Responsible for Drafting: Richard M. Wilson, Old Capitol Building, 753-2298; Implementation: Doyle Winter, Old Capitol Building, 753-1880; and Enforcement: Ted Andrews, Old Capitol Building, 753-3222.

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: The elimination of the exit examination requirement will be replaced by the establishment of a committee to develop and field test examination questions. As a result the state should be able to develop by 1993 the

entrance to practice examination required by the legislature.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Spokane School District, Board Room, North 200 Bernard, Spokane, WA 99201, on November 30, 1989, at 9:00 a.m.

Submit Written Comments to: Monica Schmidt, State Board of Education, Old Capitol Building, FG-11, Olympia, Washington 98504, by November 28, 1989.

Date of Intended Adoption: December 1, 1989.

October 18, 1989

Monica Schmidt

Secretary

AMENDATORY SECTION (Amending Order 3-87, filed 4/3/87)

WAC 180-78-191 EXIT EXAMINATION ((~~REQUIREMENT~~))—((~~REQUIRED FOR PROGRAM APPROVAL~~)) DEVELOPMENT OF UNIFORM STATE EXIT EXAMINATION. ((~~Commencing January 1, 1990, no college or university's preparation program shall be or continue to be approved by the state board of education unless such college or university requires all candidates recommended for certificates to pass an exit examination administered in accordance with the provisions of WAC 180-78-192 through 180-78-195.~~)) The procedures for the establishment of a uniform state exit examination for teacher certification candidates shall consist of the following:

(1) During the 1989-1990 academic year, the superintendent of public instruction shall establish an examination committee, composed of college and university faculty members representing each of the areas to be addressed on the state-wide examination, who shall develop sample essay examination questions and recommended scoring procedures which will serve as prototypes for the questions that will be used in the uniform admission to practice examination.

(2) During the 1990-1991 academic year, as a condition of program approval, the prototype essay questions shall be field-tested by colleges and universities either in appropriate courses or through a comprehensive professional education exit examination.

(3) Randomly selected student responses to the prototype examination questions, as determined by the superintendent of public instruction, shall be submitted by June 30, 1991, to the superintendent of public instruction and graded in accordance with instructions provided by the examination committee.

(4) A report shall be given to each college and university by August 31, 1991, on the passage rate of its students for each of the areas that has been examined.

(5) The superintendent of public instruction shall make recommendations to the state board of education by September 1991 for the development, administration, and scoring procedures, including timelines and cost estimates, for a uniform state administered admission to practice examination for professional educators which shall commence in August 1993.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 180-78-192 EXIT EXAMINATION REQUIREMENT—PANEL OF EXAMINERS.

WAC 180-78-193 EXIT EXAMINATION REQUIREMENT—MANDATORY TOPICS.

WAC 180-78-194 EXIT EXAMINATION REQUIREMENTS—MANDATORY PARTS FOR CERTIFICATION.

WAC 180-78-195 EXIT EXAMINATION REQUIREMENT—STANDARDS FOR ADMINISTRATION.

WAC 180-78-197 EXIT EXAMINATION REQUIREMENTS—PILOT PROGRAMMING.

WAC 180-78-198 REVISION OF GENERIC STANDARDS.

WAC 180-78-199 UNIFORM ADMISSION TO PRACTICE EXAMINATION.

WSR 89-21-084
PROPOSED RULES
STATE BOARD OF EDUCATION
[Filed October 18, 1989, 4:05 p.m.]

Original Notice.

Title of Rule: Chapter 180-86 WAC, Professional certification—Policies and procedures for administration of certification procedures.

Purpose: To establish the administrative procedures to accompany chapter 180-87 WAC, Acts of unprofessional conduct.

Statutory Authority for Adoption: RCW 28A.70.005.

Statute Being Implemented: Same.

Summary: This chapter establishes policies related to revocation, suspension, and reprimand. An admissions and professional conduct advisory committee will be established to advise the Superintendent of Public Instruction.

Reasons Supporting Proposal: Rules must be developed to provide due process rights for individuals under investigation.

Name of Agency Personnel Responsible for Drafting: Richard M. Wilson, Old Capitol Building, 753-2298; Implementation: Doyle Winter, Old Capitol Building, 753-1880; and Enforcement: Ted Andrews, Old Capitol Building, 753-3222.

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: These rules establish the procedures the Superintendent of Public Instruction must follow while conducting investigations which may lead to revocation, suspension or letters of reprimand.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Spokane School District, Board Room, North 200 Bernard, Spokane, WA 99201, on November 30, 1989, at 9:00 a.m.

Submit Written Comments to: Monica Schmidt, State Board of Education, Old Capitol Building, FG-11, Olympia, Washington 98504, by November 28, 1989.

Date of Intended Adoption: December 1, 1989.

October 18, 1989
Monica Schmidt
Secretary

Chapter 180-86 WAC
PROFESSIONAL CERTIFICATION—POLICIES AND PROCEDURES FOR ADMINISTRATION OF CERTIFICATION PROCEEDINGS

WAC

- 180-86-003 Authority.
180-86-005 Purpose.
180-86-010 Public policy—Certification proceeding separate from other proceedings.

ORDERS

- 180-86-015 Denial of application for certification or endorsement order—Definition.
180-86-020 Lapse of certificate order—Definition.

- 180-86-030 Reprimand order—Definition.
180-86-035 Suspension order—Definition.
180-86-040 Revocation order—Definition.

GROUNDS FOR ORDERS

- 180-86-050 Grounds for issuance of denial of application for certification or endorsement order.
180-86-055 Grounds for issuance of lapse of certificate order.
180-86-065 Grounds for issuance of a reprimand order.
180-86-070 Grounds for issuance of suspension order.
180-86-075 Grounds for issuance of a revocation order.

ADVISORY COMMITTEE

- 180-86-085 Admissions and professional conduct advisory committee—Creation and composition.
180-86-090 Admissions and professional conduct advisory committee—Operational procedures.
180-86-095 Admissions and professional conduct advisory committee—Duties.

INVESTIGATIVE PROCEDURES

- 180-86-100 Reprimand or certificate suspension or revocation—Initiation of proceedings.
180-86-105 Duty of educational service district superintendent to investigate complaints.
180-86-110 Duty of ESD superintendent, district superintendent and private school administrator to file complaints.
180-86-115 Investigatory files—Establishment, security, disclosure, retention, and destruction.

ISSUANCE OF ORDERS

- 180-86-120 Issuance of denial order by superintendent of public instruction.
180-86-130 Issuance of proposed order for lapsing, reprimand, suspension, or revocation by superintendent of public instruction.
180-86-135 Issuance of final order for lapsing, reprimand, suspension, or revocation by superintendent of public instruction.

APEALS

- 180-86-140 Appeal—General.
180-86-145 Appeal procedure—Informal SPI review.
180-86-150 Appeal procedure—Formal SPI review process.
180-86-155 Appeal procedure to SBE.
180-86-160 Agreement not to continue or accept educational employment.
180-86-165 Waiver of requirement for timely appeal.
180-86-170 Burden and standard of proof.

EMERGENCY SUSPENSION

- 180-86-175 Emergency suspension of certificate.

VOLUNTARY SURRENDER

- 180-86-180 Voluntary surrender of certificates.

PUBLIC NOTICE

- 180-86-185 Notification of denial, surrender, lapsing, or revocation of certificates.

NEW SECTION

WAC 180-86-003 AUTHORITY. The authority for this chapter is RCW 28A.70.005 which authorizes the state board of education to establish, publish, and enforce rules and regulations determining eligibility for certification of personnel employed in the common schools of this state. (Note: RCW 28A.02.201 (3)(a) requires most private school classroom teachers to hold appropriate Washington state certification with few exceptions.)

NEW SECTION

WAC 180-86-005 PURPOSE. The purpose of this chapter is to set forth policies and procedures for the administration of standards related to certification proceedings.

NEW SECTION

WAC 180-86-010 PUBLIC POLICY—CERTIFICATION PROCEEDING SEPARATE FROM OTHER PROCEEDINGS.

The public policy purpose of certification proceedings is to protect the health, safety, and general welfare of the citizens of the state of Washington. These proceedings are separate from civil and criminal proceedings, nonrenewal and discharge proceedings, or proceedings of any other administrative agency.

ORDERS

NEW SECTION

WAC 180-86-015 DENIAL OF APPLICATION FOR CERTIFICATION OR ENDORSEMENT ORDER—DEFINITION. As used in this chapter the term "denial of application for certification order" means an official document issued by the superintendent of public instruction which contains:

- (1) Findings of fact.
- (2) A conclusion of law that the applicant does not qualify for the certificate, including renewal and reinstatement, or endorsement request.

NEW SECTION

WAC 180-86-020 LAPSE OF CERTIFICATE ORDER—DEFINITION. As used in this chapter, the term "lapse of certificate order" means an official document issued by the superintendent of public instruction which contains:

- (1) Findings of fact.
- (2) A conclusion of law stating the affected certificate(s) has lapsed.
- (3) An order to not continue to practice as an education practitioner in a position for which certification is required under the laws of the state of Washington until the affected certificate(s) is reinstated.

NEW SECTION

WAC 180-86-030 REPRIMAND ORDER—DEFINITION. As used in this chapter, the term "reprimand order" means an official document issued by the superintendent of public instruction which contains:

- (1) Findings of fact.
- (2) One or more conclusions of law stating the commission of an act of unprofessional conduct.
- (3) An order to not continue or repeat the conduct.

NEW SECTION

WAC 180-86-035 SUSPENSION ORDER—DEFINITION. As used in this chapter, the term "suspension order" means an official document issued by the superintendent of public instruction which contains:

- (1) Findings of fact.
- (2) One or more conclusions of law stating one or more of the following:
 - (a) The commission of an act of unprofessional conduct.
 - (b) The lack of good moral conduct.
 - (c) The lack of personal fitness.
- (3) An order suspending the education practitioner from practicing for a stated period of time.
- (4) Such order may contain a requirement that the certificate holder fulfill certain conditions precedent to resuming professional practice and certain conditions subsequent to resuming professional practice.

NEW SECTION

WAC 180-86-040 REVOCATION ORDER—DEFINITION. As used in this chapter, the term "revocation order" means an official document issued by the superintendent of public instruction which contains:

- (1) Findings of fact.
- (2) One or more conclusions of law stating one or more of the following:
 - (a) The commission of an act of unprofessional conduct.
 - (b) The lack of good moral character.
 - (c) The lack of personal fitness.
- (3) An order revoking the certificate(s) of the education practitioner.

FOUNDATIONS FOR ORDERS

NEW SECTION

WAC 180-86-050 GROUNDS FOR ISSUANCE OF DENIAL OF APPLICATION FOR CERTIFICATION OR ENDORSEMENT ORDER. The superintendent of public instruction shall issue a denial of application for certification or endorsement order if the applicant is not eligible for one or more of the following:

- (1) Certification.
- (2) Reissuance of a certificate.
- (3) Reinstatement of a certificate.
- (4) An endorsement.

NEW SECTION

WAC 180-86-055 GROUNDS FOR ISSUANCE OF LAPSE OF CERTIFICATE ORDER. The superintendent of public instruction shall issue a lapse of certificate order if the certificate holder fails to fulfill the continuing education requirements of chapter 180-85 WAC.

NEW SECTION

WAC 180-86-065 GROUNDS FOR ISSUANCE OF A REPRIMAND ORDER. The superintendent of public instruction may issue a reprimand order whenever the superintendent of public instruction determines one or both of the following:

- (1) That the certificate holder has committed an act of unprofessional conduct but the evidence is probably insufficient to meet the clear and convincing proof standard for suspension or revocation.
- (2) That the certificate holder has committed an act of unprofessional conduct but the violation and the consequence were not serious and the interest of the state in protecting the health, safety, and general welfare of students, colleagues, and other affected persons is adequately served by a reprimand.
- (3) PROVIDED, That the superintendent of public instruction, in the administration of this chapter, shall place a high priority on processing complaints that allege circumstances which appear to warrant a suspension or revocation and, in order to do so, may elect not to pursue, when necessary, any and all complaints which appear to only warrant a reprimand.

NEW SECTION

WAC 180-86-070 GROUNDS FOR ISSUANCE OF SUSPENSION ORDER. The superintendent of public instruction may issue a suspension order under one of the following conditions:

- (1) The certificate holder has admitted the commission of an act of unprofessional conduct or lack of good moral character or personal fitness and has presented to the superintendent of public instruction an agreed order to not serve as an education practitioner for a stated period of time and the superintendent of public instruction has agreed that the interest of the state in protecting the health, safety, and general welfare of students, colleagues, and other affected persons is adequately served by a suspension. Such order may contain a requirement that the certificate holder fulfill certain conditions precedent to resuming professional practice and certain conditions subsequent to resuming practice.

- (2) The certificate holder has committed an act of unprofessional conduct or lacks good moral character but the superintendent of public instruction has determined that a suspension as applied to the particular certificate holder will probably deter subsequent unprofessional or other conduct which evidences lack of good moral character or personal fitness by such certificate holder, and believes the interest of the state in protecting the health, safety, and general welfare of students, colleagues, and other affected persons is adequately served by a suspension. Such order may contain a requirement that the certificate holder fulfill certain conditions precedent to resuming professional practice and certain conditions subsequent to resuming practice.

- (3) The certificate holder lacks personal fitness but the superintendent of public instruction has determined the deficiency is correctable through remedial action and believes the interest of the state in protecting the health, safety, and general welfare of students, colleagues, and other affected persons is adequately served by a suspension which states condition precedent to resuming professional practice and which also may state certain conditions subsequent to resuming practice.

- (4) PROVIDED, That suspension shall never be appropriate if the certificate holder has committed a felony crime under WAC 180-75-081(1).

NEW SECTION

WAC 180-86-075 **GROUND FOR ISSUANCE OF A REVOCATION ORDER.** The superintendent of public instruction may issue a revocation order under one of the following conditions:

(1) The superintendent of public instruction has determined that the certificate holder has committed a felony crime under WAC 180-75-081(1), which bars the certificate holder from any future practice as an education practitioner.

(2) The certificate holder has not committed a felony crime under WAC 180-75-081(1) but the superintendent of public instruction has determined the certificate holder has committed an act of unprofessional conduct or lacks good moral character or personal fitness and revocation is appropriate.

ADVISORY COMMITTEENEW SECTION

WAC 180-86-085 **ADMISSIONS AND PROFESSIONAL CONDUCT ADVISORY COMMITTEE—CREATION AND COMPOSITION.** The superintendent of public instruction shall appoint a nine-member admissions and professional conduct advisory committee. Prior to making appointments to such committee, the superintendent of public instruction shall consult with one or more officers within recognized professional associations regarding possible appointments. The advisory committee shall consist of three teachers, three educational staff associates, and three administrators. Advisory committee members must be practicing in such designated roles at the time of their appointments.

NEW SECTION

WAC 180-86-090 **ADMISSIONS AND PROFESSIONAL CONDUCT ADVISORY COMMITTEE—OPERATIONAL PROCEDURES.** The following shall govern the operational procedures of the admissions and professional conduct advisory committee:

(1) Meetings of the advisory committee shall be open to the public except when it is considering the admission or professional conduct of a particular certificate holder unless such affected certificate holder requests the meeting to be open to the public.

(2) Voting by the advisory committee shall be as follows:

(a) If the proposed action affects a person applying for or holding a teacher certificate, each of the teacher members present shall cast one vote each, the educational staff associate members, by majority vote, shall cast one vote, and the administrator members, by majority vote, shall cast one vote.

(b) If the proposed action affects a person applying for or holding an educational staff associate certificate, each of the educational staff associate members present shall cast one vote each, the teacher members, by majority vote, shall cast one vote, and the administrator members, by majority vote, shall cast one vote.

(c) If the proposed action affects a person applying for or holding an administrator certificate, each of the administrator members present shall cast one vote each, the teacher members, by majority vote, shall cast one vote, and the educational staff associate members, by majority vote, shall cast one vote.

(d) If the proposed action affects a person applying for or holding more than one type of certificate and the proposed action affects more than one type of certificate, a separate vote, as provided above, shall be taken for each certificate affected.

(e) On matters not affecting a person applying for or holding a certificate, each member of the committee present shall have one vote.

NEW SECTION

WAC 180-86-095 **ADMISSIONS AND PROFESSIONAL CONDUCT ADVISORY COMMITTEE—DUTIES.** The duties of the admissions and professional conduct advisory committee are as follows:

(1) To advise the superintendent of public instruction and the state board of education on matters related to good moral conduct, personal fitness, and unprofessional conduct regarding education practitioners.

(2) To review informal appeals conducted pursuant to WAC 180-86-140 and provide recommendations to the review officer on the content of the written decision.

INVESTIGATIVE PROCEDURESNEW SECTION

WAC 180-86-100 **REPRIMAND OR CERTIFICATE SUSPENSION OR REVOCATION—INITIATION OF PROCEEDINGS.** The initiation of reprimand, suspension, or revocation proceedings by the superintendent of public instruction shall commence as a result of the following:

(1) Whenever the superintendent of public instruction or the designated administrative officer of the superintendent of public instruction having responsibility for certification becomes aware from whatever source that a certificate holder has had a professional license revoked by a licensing agency or has been arrested, charged, or convicted for any felony offense included within WAC 180-75-081(1), the superintendent of public instruction or the designated administrative officer shall cause an investigation.

(2) In all other cases, the initiation of investigative proceedings shall commence only upon receipt of a written complaint from a school district or educational service district superintendent or the chief administrative officer of an approved private school. Such written complaint shall state the grounds and summarize the factual basis upon which a determination has been made that an investigation by the superintendent of public instruction is warranted. The superintendent of public instruction shall provide the affected certificate holder with a copy of such written complaint and a copy of WAC 180-86-180.

NEW SECTION

WAC 180-86-105 **DUTY OF EDUCATIONAL SERVICE DISTRICT SUPERINTENDENT TO INVESTIGATE COMPLAINTS.** Each educational service district superintendent shall cause to be investigated all written and signed complaints, from whatever source, that allege that a certificated education professional within his or her educational service district is not of good moral character or personal fitness or has committed an act of unprofessional conduct. If the educational service district superintendent investigates and determines the facts are reliable and further investigation by the superintendent of public instruction is warranted, the educational service district superintendent shall forward the written complaint and the results of his or her investigation to the superintendent of public instruction: **PROVIDED,** That if the educational service district superintendent, after consultation with the assistant attorney general assigned to his or her educational service district, determines that the substance of the complaint would not constitute grounds for reprimand, suspension, or revocation if true, then such educational service district superintendent need not investigate the complaint: **PROVIDED FURTHER,** That if the educational service district superintendent receives a written assurance from the superintendent of public instruction, a district superintendent, or a chief administrative officer of an approved private school that such official is investigating or will investigate the same or a substantially similar complaint, the educational service district superintendent shall be deemed to have caused an investigation in compliance with this section.

NEW SECTION

WAC 180-86-110 **DUTY OF ESD SUPERINTENDENT, DISTRICT SUPERINTENDENT AND PRIVATE SCHOOL ADMINISTRATOR TO FILE COMPLAINTS.** When an educational service district superintendent, a district superintendent, or the chief administrative officer of an approved private school possesses sufficient reliable information to believe that a certificated employee within such district or approved private school is not of good moral character or personally fit or has committed an act of unprofessional conduct, such superintendent or chief administrative officer, within a reasonable period of time of making such determination, shall file a written complaint with the superintendent of public instruction: **PROVIDED,** That if an educational service district or school district is considering action to discharge an employee of such district, the educational service district or school district superintendent need not file such complaint until ten calendar days after making the final decision to serve or not serve formal notice of discharge.

NEW SECTION

WAC 180-86-115 **INVESTIGATORY FILES—ESTABLISHMENT, SECURITY, DISCLOSURE, RETENTION, AND DESTRUCTION.** The following policies shall apply to investigatory files established by the superintendent of public instruction:

(1) Establishment. Upon receipt of any negative material relating to good moral character, personal fitness, or professional conduct or which forms the basis for initiation of a certificate investigation, that section within the office of the superintendent of public instruction having responsibility for certification shall establish an investigatory file which shall contain all information related to the good moral character, personal fitness, and professional conduct in question.

(2) Security. The investigatory file shall be maintained separately from an applicant's or a certificate holder's noninvestigatory certification file and shall be kept in a secured storage area with access limited to the chief administrator responsible for certification, the assigned investigator and/or designated staff assistants of such investigator, the review officer established pursuant to WAC 180-86-140, the counsel for administrative law services, and involved assistant attorney general.

(3) Disclosure. The intelligence information, including investigative records, in the investigatory file shall be exempt from public disclosure and copying pursuant to RCW 42.17.310 (1)(d). In response to a public records request concerning material in an open investigatory file made by someone other than the certificate holder or applicant, the assigned investigator in the office of the superintendent of public instruction shall notify the requestor that the existence of or material in an open investigatory file, pursuant to RCW 42.17.310 (1)(d), is exempt from public disclosure. In response to a public records request concerning material in a closed investigatory file made by someone other than the certificate holder or applicant, the requestor shall be informed only of any formal action taken—i.e., voluntary surrender, revocation, suspension, or reprimand—and, if not a voluntary surrender, the grounds for the action—i.e., lack of good moral character and/or personal fitness or commission of an act of unprofessional conduct and shall further be notified that the material within a closed investigatory file, pursuant to RCW 42.17.310 (1)(d), is exempt from public disclosure.

(4) Retention and destruction. Investigatory files shall be retained and destroyed pursuant to the following policies:

(a) If an applicant or certificate holder receives an order of denial of application for certification for failure to possess good moral character or personal fitness and such order is not rescinded or a final reprimand, suspension, or revocation order, the investigatory file related thereto shall not be destroyed until such affected party reaches the age of seventy-five or until such time as the chief administrator for certification determines, with a high degree of certainty, that the information within such file would not be relevant to a subsequent application for or reinstatement of a certificate or a subsequent reprimand, suspension, or revocation action. An affected party may request the chief administrator of certification, once in each calendar year, to make such a determination and either to destroy his or her investigatory file or to advise the affected party of the reason or reasons for the decision to retain such file.

(b) In all other cases, investigatory files shall be destroyed no later than one year after the date of establishment unless the chief administrator for certification, prior to such date, determines that the information within such file is or might be relevant either for investigatory and/or adjudication purposes in a current or subsequent revocation investigation or action and, in which case, the investigatory file shall be destroyed ten years after the file has been closed, which for the purpose of this section means the last date upon which the file was reviewed for an investigatory purpose. An affected party may request the chief administrator of certification, once in each calendar year, to make a determination as to current or subsequent relevancy of the information within his or her file and either to destroy his or her investigatory file or to advise the affected party of the reason or reasons for the decision to retain such file.

ISSUANCE OF ORDERS

NEW SECTION

WAC 180-86-120 ISSUANCE OF DENIAL ORDER BY SUPERINTENDENT OF PUBLIC INSTRUCTION. Whenever the superintendent of public instruction takes action to deny an application, the superintendent of public instruction, in accordance with the provisions of this chapter, shall issue an order of denial of application for certification or endorsement to the applicant or affected certificate holder and shall provide such person a copy of applicable administrative appeal procedures provided in this chapter.

NEW SECTION

WAC 180-86-130 ISSUANCE OF PROPOSED ORDER FOR LAPSING, REPRIMAND, SUSPENSION, OR REVOCATION BY SUPERINTENDENT OF PUBLIC INSTRUCTION. Whenever the superintendent of public instruction has decided to take action to lapse, suspend, or revoke a certificate or reprimand a certificate holder, the superintendent of public instruction, in accordance with the provisions of this chapter, shall issue a proposed order for lapsing, reprimand, suspension, or revocation to the affected certificate holder and shall provide such person a copy of applicable administrative appeal procedures provided in this chapter. If the proposed order is to lapse, suspend, or revoke a certificate and the superintendent of public instruction has knowledge that such certificate holder is employed within the common school system or by an approved private school, the superintendent of public instruction shall advise such employer that a proposed order has been sent to the employee but shall not provide such employer with a copy of the proposed order.

NEW SECTION

WAC 180-86-135 ISSUANCE OF FINAL ORDER FOR LAPSING, REPRIMAND, SUSPENSION, OR REVOCATION BY SUPERINTENDENT OF PUBLIC INSTRUCTION. Final orders for lapsing, reprimand, suspension, and revocation shall be issued by the superintendent of public instruction as follows:

(1) If the certificate holder fails to appeal a proposed order pursuant to this chapter within thirty calendar days following the date of mailing the proposed order, the superintendent of public instruction shall issue a final order of lapsing, reprimand, suspension, or revocation.

(2) If the certificate holder appeals a proposed order pursuant to this chapter, the superintendent of public instruction shall not issue a final order until completion of the informal review process by the superintendent of public instruction.

APPEALS

NEW SECTION

WAC 180-86-140 APPEAL—GENERAL. Any person who applies directly to the superintendent of public instruction for a certificate, particular endorsement, certificate renewal, or certificate reinstatement whose application is denied or any person who is notified that his or her certificate has lapsed or that his or her certificate will be suspended or revoked or that a reprimand order will be issued in thirty calendar days unless the decision is appealed shall be advised that he or she is entitled to appeal that decision to the superintendent of public instruction if he or she follows the procedures established in this chapter: PROVIDED, That the appeal procedure may not be used to seek reinstatement of a certificate if that certificate has been revoked in the preceding twelve months by the superintendent of public instruction.

The appeal procedure to the superintendent of public instruction consists of two levels, one informal and one formal. The use of the informal level is a condition precedent to use of the formal level. In addition, the provisions of WAC 180-86-155 provide an additional appeal to the state board of education and RCW 34.05.570 provides for judicial review of such decisions.

NEW SECTION

WAC 180-86-145 APPEAL PROCEDURE—INFORMAL SPI REVIEW. Any person who appeals the decision or proposed order to deny his or her application, the lapsing of his or her certificate, the issuance of a reprimand, or the proposed order to suspend or revoke his or her certificate must file a written notice with the superintendent of public instruction within thirty calendar days following the date of mailing from the section of the superintendent of public instruction's office responsible for certification of the decision or proposed order.

The written notice must set forth the reasons why the appellant believes his or her application should have been granted or why his or her certificate should not be lapsed, suspended, or revoked, or why the proposed reprimand should not be issued whichever is applicable.

Following timely notice of appeal, the superintendent of public instruction shall appoint a review officer who shall proceed as follows:

(1) If the appeal does not involve good moral character, personal fitness, or unprofessional conduct, the review officer shall review the application or notice of lapsing, whichever is applicable, and appeal

notice and may request further written information including, but not limited to, an explanation from the person or persons who initially reviewed the application or decided to lapse the certificate, whichever is applicable, of the reason(s) why the application was denied or lapsed. If the review officer deems it advisable, he or she shall schedule an informal meeting with the appellant, the person or persons who denied the application or lapsed the certificate, and any other interested party designated by the review officer to receive oral information concerning the application or lapsing. Any such meeting must be held within thirty calendar days of the date of receipt by the superintendent of public instruction of the timely-filed appeal notice.

(2) If the appeal involves good moral character, personal fitness, or acts of unprofessional conduct, the review officer shall schedule an informal meeting of the applicant or certificate holder and/or counsel for the applicant or certificate holder with the admissions and professional conduct advisory committee. Such meeting shall be scheduled in accordance with the calendar of meetings of the advisory committee: PROVIDED, That notice of appeal must be received at least fifteen calendar days in advance of a scheduled meeting.

(3) Send by certified mail a written decision—i.e., findings of fact and conclusions of law—on the appeal within thirty calendar days from the date of receipt of the timely-filed appeal notice or informal meeting, whichever is later. The review officer may uphold, reverse, or modify the decision to deny the application, the lapsing of the certificate, the proposed order to reprimand, or the proposed order to suspend or revoke the certificate.

(4) The timelines stated herein may be extended by the review officer for cause.

(5) PROVIDED, That in the case of an action for suspension or revocation of a certificate, the review officer, if so requested by an appellant, shall delay any review under this section until all quasi-judicial administrative or judicial proceedings (i.e., criminal and civil actions), which the review officer and the appellant agree are factually related to the suspension or revocation proceeding, are completed, including appeals, if the appellant signs the agreement stated in WAC 180-86-160. In requesting such delay, the appellant shall disclose fully all pending quasi-judicial administrative proceedings in which the appellant is involved.

NEW SECTION

WAC 180-86-150 APPEAL PROCEDURE—FORMAL SPI REVIEW PROCESS. Formal appeals to the superintendent of public instruction shall be provided as follows:

(1) Any person who has filed an appeal in accordance with WAC 180-86-140 and desires to have the decision of the review officer formally reviewed by the superintendent of public instruction may do so. To instigate review under this section, a person must file a written notice with the superintendent of public instruction within thirty calendar days following the date of receipt of the review officer's written decision.

(2) For purposes of hearing an appeal under this section, the superintendent of public instruction shall conduct a formal administrative hearing in conformance with the Administrative Procedure Act, chapter 34.05 RCW. The superintendent of public instruction, in carrying out this duty, may contract with the office of administrative hearings pursuant to RCW 28A.03.500 to hear a particular appeal. Decisions in cases formally appealed pursuant to this section may be made by the administrative law judge selected by the chief administrative law judge if the superintendent of public instruction delegates this authority pursuant to RCW 28A.03.500.

(3) The decision of the superintendent of public instruction or the administrative law judge, whichever is applicable, shall be sent by certified mail to the appellant's last known address and if the decision is to reprimand, suspend, or revoke, the appellant shall be notified that such order takes effect upon signing of the final order and that no stay of reprimand, suspension, or revocation shall exist until the appellant files an appeal in a timely manner pursuant to WAC 180-75-033.

NEW SECTION

WAC 180-86-155 APPEAL PROCEDURE TO SBE. Any person whose application has been denied for any reason, who has been reprimanded, or whose certificate has been lapsed or revoked by the superintendent of public instruction in accordance with the procedures of this chapter may appeal that decision to the state board of education by filing a notice of appeal with the superintendent of public instruction or the secretary of the state board of education within thirty

calendar days of the date of mailing the decision of the superintendent of public instruction. Review by the state board of education shall be conducted as follows:

(1) Review shall be conducted by the state board of education at its next scheduled meeting following notice of appeal unless either the appellant or the superintendent of public instruction requests an extension of the review to the following next scheduled meeting.

(2) Review conducted by the state board of education shall be confined to the record, except that in cases of alleged irregularities in procedures before the superintendent of public instruction, not shown in the record, testimony thereon shall be taken before the state board of education.

(3) The record shall include written briefs submitted.

(4) Oral argument will be permitted if fifteen days advance notice is given to the secretary of the state board of education.

(5) The state board of education will be assisted in its deliberations and its final order by an assistant attorney general who has not been involved in any prior proceeding related to the previous administrative order by the superintendent of public instruction.

(6) The state board of education may affirm the decision of the superintendent of public instruction, remand the matter for further proceedings, or reverse the decision.

(7) If the decision of the state board of education is to reverse the decision of the superintendent of public instruction or to remand the matter for further proceedings, the state board of education shall state its reasons in a written order.

(8) The final order of the state board of education shall be by written order, attested by the secretary of the state board of education, and sent to the appellant by certified mail within ten calendar days of the final decision by the state board of education. In addition, persons aggrieved by a final order shall be advised of their right to judicial review pursuant to RCW 34.05.570.

NEW SECTION

WAC 180-86-160 AGREEMENT NOT TO CONTINUE OR ACCEPT EDUCATIONAL EMPLOYMENT. The agreement required for deferring suspension or revocation proceedings shall read as follows:

"I,, have received notice in the form of a proposed order to suspend or revoke that the superintendent of public instruction believes sufficient cause exists for the suspension or revocation of the following certificate(s):

- (1) _____ Cert. No. _____
- (2) _____ Cert. No. _____

As a condition to a delay in the hearing date, I agree not to commence or continue employment in any Washington public or private school or agency in a position requiring such certificate until the superintendent of public instruction dismisses the case without a hearing or until a hearing has been held and the final decision is rendered by the superintendent of public instruction. I further agree to advise the review officer assigned to my suspension or revocation proceedings of all decisions rendered in any administrative or judicial tribunal and all appeals therefrom which the review officer and I have agreed are factually related to the action to suspend or revoke my certificate(s). I understand my failure to abide by this agreement is an act of unprofessional conduct and, therefore, may be sufficient cause for revocation of my certificate(s)."

NEW SECTION

WAC 180-86-165 WAIVER OF REQUIREMENT FOR TIMELY APPEAL. The requirements in this chapter for timely notice of appeal shall be waived if justifiable cause is established by the appellant, including failure to receive such notice without fault of the appellant or a plausible reason by the appellant for failure to understand the nature of or the timelines within the received notice.

NEW SECTION

WAC 180-86-170 BURDEN AND STANDARD OF PROOF. The following burden and standard of proof shall be applicable:

(1) If an application for certification or reinstatement has been denied for lack of good moral character or personal fitness, the evidence

submitted by the applicant must prove by clear and convincing evidence that he or she is of good moral character and personal fitness or the application will be denied.

(2) In a suspension or revocation proceeding, the superintendent of public instruction must prove by clear and convincing evidence that the certificate holder is not of good moral character or personal fitness or has committed an act of unprofessional conduct.

(3) In all other proceedings, including reprimand and lapsing proceedings, the standard of proof shall be a preponderance of evidence.

EMERGENCY SUSPENSION

NEW SECTION

WAC 180-86-175 EMERGENCY SUSPENSION OF CERTIFICATE. Notwithstanding any other provision of this chapter, the superintendent of public instruction, pursuant to RCW 34.05.479, may emergency suspend a certificate if the superintendent of public instruction finds that the public health, safety, or welfare of students, colleagues, or the general public imperatively requires emergency action. In such cases, the holder of the certificate who is subjected to emergency suspension of his or her certificate shall have the right to commence an informal review of such action within forty-eight hours of filing a notice of appeal with the superintendent of public instruction or, if applicable, to sign an agreement pursuant to WAC 180-86-180. If such an agreement is signed or, if not, unless the superintendent of public instruction sustains the emergency action within seven calendar days of the filing of the notice of appeal, the emergency suspension shall be void. The superintendent of public instruction, in carrying out this duty, may contract with the office of administrative hearings, pursuant to RCW 28A.03.050, to hear the appeal and sustain the emergency action.

VOLUNTARY SURRENDER

NEW SECTION

WAC 180-86-180 VOLUNTARY SURRENDER OF CERTIFICATES. A holder of a certificate who has not received a final order for revocation of his or her certificate may voluntarily surrender his or her certificate to the superintendent of public instruction if the certificate holder believes that he or she is or might be ineligible to hold a certificate for any reason which is or might constitute grounds for revocation of the certificate other than conviction of a felony crime stated within WAC 180-75-081(1).

A certificate holder voluntarily surrendering a certificate shall provide the superintendent of public instruction the following affidavit:

"I,, have reason to believe that I am or might be ineligible to hold a certificate(s) for reasons which do or might constitute grounds for revocation of the certificate(s). Accordingly, I hereby voluntarily surrender the following certificate(s):

- (1) _____ Cert. No. _____
(2) _____ Cert. No. _____

I have not been to the best of my knowledge convicted of any felony crime listed within WAC 180-75-081(1).

I agree, if I request reinstatement of the certificate(s) I have voluntarily surrendered, to provide the superintendent of public instruction with an affidavit describing in full the reasons for my voluntary surrender of the certificate(s) listed above. I further understand that the superintendent of public instruction will notify other states and public and private school officials within the state of Washington that I have voluntarily surrendered my certificate(s)."

Upon request for reinstatement of such certificate, the applicant must comply with WAC 180-75-087 and, in addition, must disclose in full the reasons for the voluntary surrender of the certificate. In the event the surrendered certificate would have expired or lapsed but for the surrendering of the certificate, the applicant must meet all requirements for reinstating an expired or lapsed certificate.

PUBLIC NOTICE

NEW SECTION

WAC 180-86-185 NOTIFICATION OF DENIAL, SURRENDER, LAPSING, OR REVOCATION OF CERTIFICATES. The

superintendent of public instruction shall notify all other states whenever an applicant has been denied a certificate for failure to possess good moral character or personal fitness or whenever a certificate has been surrendered or revoked and shall provide the full name and certificate number, if applicable, to the agency responsible for certification in each state. The superintendent of public instruction shall notify appropriate public or private school officials within the state the name and certification number of all certificate holders whose certificates have been lapsed, surrendered, or revoked: PROVIDED, That such notification shall not be made prior to forty-five days after the final administrative order and shall not be made if a court order staying the denial, lapsing, or revocation is in effect.

WSR 89-21-085

PROPOSED RULES

STATE BOARD OF EDUCATION

[Filed October 18, 1989, 4:07 p.m.]

Original Notice.

Title of Rule: Chapter 180-87 WAC, Professional certification—Acts of unprofessional conduct.

Purpose: To identify acts of unprofessional conduct for which certified staff may have their certificates revoked or suspended. Letters of reprimand may also be issued.

Statutory Authority for Adoption: RCW 28A.70.005.

Statute Being Implemented: Same.

Summary: Two years ago the State Board of Education established a committee to develop a code of professional conduct. Nine specific acts of unprofessional conduct are identified in the rules.

Reasons Supporting Proposal: Without rules, no action can be taken against a certified person for acts of unprofessional conduct.

Name of Agency Personnel Responsible for Drafting: Richard M. Wilson, Old Capitol Building, 753-2298; Implementation: Doyle Winter, Old Capitol Building, 753-1880; and Enforcement: Ted Andrews, Old Capitol Building, 753-3222.

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: These rules define acts of unprofessional conduct which shall in the future be the legal basis for investigations, revocations, suspensions, and letters of reprimand.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Spokane School District, Board Room, North 200 Bernard, Spokane, WA 99201, on November 30, 1989, at 9:00 a.m.

Submit Written Comments to: Monica Schmidt, State Board of Education, Old Capitol Building, FG-11, Olympia, Washington 98504, by November 28, 1989.

Date of Intended Adoption: December 1, 1989.

October 18, 1989
Monica Schmidt
Secretary

Chapter 180-87 WAC
PROFESSIONAL CERTIFICATION—ACTS OF UNPROFESSIONAL CONDUCT

WAC

| | |
|------------|--|
| 180-87-001 | Sunset provision. |
| 180-87-003 | Authority. |
| 180-87-005 | Purpose. |
| 180-87-010 | Public policy goals of chapter. |
| 180-87-015 | Accountability for acts of unprofessional conduct. |

ADMINISTRATIVE PROVISIONS

| | |
|------------|--|
| 180-87-020 | Applicability of chapter to private conduct. |
| 180-87-025 | Exclusivity of chapter. |
| 180-87-030 | Prospective application of chapter and amendments. |
| 180-87-035 | Education practitioner—Definition. |
| 180-87-040 | Student—Definition. |
| 180-87-045 | Colleague—Definition. |

ACTS OF UNPROFESSIONAL CONDUCT

| | |
|------------|--|
| 180-87-050 | Misrepresentation or falsification in the course of professional practice. |
| 180-87-055 | Alcohol or controlled substance abuse. |
| 180-87-060 | Disregard or abandonment of generally recognized professional standards. |
| 180-87-065 | Abandonment of contract for professional services. |
| 180-87-070 | Unauthorized professional practice. |
| 180-87-080 | Sexual misconduct with students. |
| 180-87-085 | Furnishing alcohol or controlled substance to students. |
| 180-87-090 | Improper remunerative conduct. |
| 180-87-095 | Failure to file a complaint. |

NEW SECTION

WAC 180-87-001 SUNSET PROVISION. This chapter does not apply after January 9, 1994, unless this section is repealed.

NEW SECTION

WAC 180-87-003 AUTHORITY. The authority for this chapter is RCW 28A.70.005 which authorizes the state board of education to establish, publish, and enforce rules and regulations determining eligibility for and certification of personnel employed in the common schools of this state. This authority is supplemented by RCW 28A.70.160 which authorizes the revocation of certificates for unprofessional conduct. (Note: RCW 28A.02.201 (3)(a) requires most private school classroom teachers to hold appropriate Washington state certification with few exceptions.)

NEW SECTION

WAC 180-87-005 PURPOSE. The sole purpose of this chapter is to set forth policies and procedures related to reprimand, suspension, and revocation actions respecting certification of education practitioners in the state of Washington for acts of unprofessional conduct. It is recognized that grounds for the discharge, nonrenewal of contracts, or other adverse change in contract status affecting the employment contracts of education practitioners are broader than stated herein. The grounds set forth as unprofessional conduct in this chapter shall not limit discharge, nonrenewal of contracts, or other employment action by employers of education practitioners.

NEW SECTION

WAC 180-87-010 PUBLIC POLICY GOALS OF CHAPTER. The public policy goals of this chapter are as follows:

- (1) To protect the health, safety, and general welfare of students within the state of Washington.
- (2) To assure the citizens of the state of Washington that education practitioners are accountable for acts of unprofessional conduct.
- (3) To define and provide notice to education practitioners within the state of Washington of the acts of unprofessional conduct for which they are accountable pursuant to the provisions of chapter 180-86 WAC.

NEW SECTION

WAC 180-87-015 ACCOUNTABILITY FOR ACTS OF UNPROFESSIONAL CONDUCT. Any educational practitioner who

commits an act of unprofessional conduct proscribed within this chapter may be held accountable for such conduct pursuant to the provisions of chapter 180-86 WAC.

ADMINISTRATIVE PROVISIONS

NEW SECTION

WAC 180-87-020 APPLICABILITY OF CHAPTER TO PRIVATE CONDUCT. As a general rule, the provisions of this chapter shall not be applicable to the private conduct of an education practitioner except where the education practitioner's role as a private person is not clearly distinguishable from the role as an education practitioner and the fulfillment of professional obligations.

NEW SECTION

WAC 180-87-025 EXCLUSIVITY OF CHAPTER. No act, for the purpose of this chapter, shall be defined as an act of unprofessional conduct unless it is included in this chapter.

NEW SECTION

WAC 180-87-030 PROSPECTIVE APPLICATION OF CHAPTER AND AMENDMENTS. The provisions of this chapter shall take effect six months after adoption and shall apply prospectively to acts of unprofessional conduct committed after such effective date. Unless provided to the contrary, any revision shall take effect six months after adoption and shall apply prospectively from such effective date.

NEW SECTION

WAC 180-87-035 EDUCATION PRACTITIONER—DEFINITION. As used in this chapter, the term "education practitioner" means any certificate holder licensed under rules of the state board of education to serve as a certificated employee.

NEW SECTION

WAC 180-87-040 STUDENT—DEFINITION. As used in this chapter, the term "student" means any student who is under the supervision, direction, or control of the education practitioner and, in addition, includes all students enrolled in any school district served by the education practitioner.

NEW SECTION

WAC 180-87-045 COLLEAGUE—DEFINITION. As used in this chapter, the term "colleague" means any person with whom the education practitioner has established a professional relationship and includes fellow workers and employees regardless of their status as education practitioners.

ACTS OF UNPROFESSIONAL CONDUCT

NEW SECTION

WAC 180-87-050 MISREPRESENTATION OR FALSIFICATION IN THE COURSE OF PROFESSIONAL PRACTICE. Any falsification or deliberate misrepresentation, including omission, of a material fact by an education practitioner concerning any of the following is an act of unprofessional conduct:

- (1) Statement of professional qualifications.
- (2) Application or recommendation for professional employment, promotion, certification, or an endorsement.
- (3) Application or recommendation for college or university admission, scholarship, grant, academic award, or similar benefit.
- (4) Representation of completion of inservice or continuing education credit hours.
- (5) Evaluations or grading of students and/or personnel.
- (6) Financial or program compliance reports submitted to state, federal, or other governmental agencies.
- (7) Information submitted in the course of an official inquiry by the superintendent of public instruction related to the following:
 - (a) Good moral character or personal fitness.
 - (b) Acts of unprofessional conduct.

(8) Information submitted in the course of an investigation by a law enforcement agency or by child protective services regarding school related criminal activity.

NEW SECTION

WAC 180-87-055 ALCOHOL OR CONTROLLED SUBSTANCE ABUSE. Unprofessional conduct includes being under the influence of alcohol or of a controlled substance, as defined in chapter 69.50 RCW, on school premises or at a school-sponsored activity involving students, following:

- (1) Notification to the education practitioner by his or her employer of concern regarding alcohol or substance abuse affecting job performance;
- (2) A recommendation by the employer that the education practitioner seek counseling or other appropriate and available assistance; and
- (3) The education practitioner has had a reasonable opportunity to obtain such assistance.

NEW SECTION

WAC 180-87-060 DISREGARD OR ABANDONMENT OF GENERALLY RECOGNIZED PROFESSIONAL STANDARDS. Any performance of professional practice in flagrant disregard or clear abandonment of generally recognized professional standards in the course of any of the following professional practices is an act of unprofessional conduct:

- (1) Assessment, treatment, instruction, or supervision of students.
- (2) Employment or evaluation of personnel.
- (3) Management of moneys or property.

NEW SECTION

WAC 180-87-065 ABANDONMENT OF CONTRACT FOR PROFESSIONAL SERVICES. Any permanent abandonment, constituting a substantial violation without good cause, of one of the following written contracts to perform professional services for a private school or a school or an educational service district is an act of unprofessional conduct:

- (1) An employment contract, excluding any extracurricular or other specific activity within such contract or any supplementary contract.
- (2) Professional service contract.

NEW SECTION

WAC 180-87-070 UNAUTHORIZED PROFESSIONAL PRACTICE. Any act performed without good cause that materially contributes to one of the following unauthorized professional practices is an act of unprofessional practice.

- (1) The employment of a person to serve as an employee in a position for which certification is required by rules of the state board of education when such person does not possess, at the time of commencement of such responsibility, a valid certificate to hold the position for which such person is employed.
- (2) The assignment or delegation in a school setting of any responsibility within the scope of the authorized practice of nursing, physical therapy, or occupational therapy to a person not licensed to practice such profession unless such assignment or delegation is otherwise authorized by law, including the rules of the appropriate licensing board.
- (3) The practice of education by a certificate holder during any period in which such certificate has been suspended.
- (4) The failure of a certificate holder to abide by the conditions within an agreement, executed pursuant to WAC 180-86-150, to not continue or to accept education employment.
- (5) The failure of a certificate holder to comply with any condition, limitation, or other order or decision entered pursuant to chapter 180-86 WAC.
- (6) PROVIDED, That for the purpose of this section, good cause includes, but is not limited to, exigent circumstances where immediate action is necessary to protect the health, safety, or general welfare of a student, colleague, or other affected person.

NEW SECTION

WAC 180-87-080 SEXUAL MISCONDUCT WITH STUDENTS. Unprofessional conduct includes the commission by an education practitioner of any sexually exploitive act with or to a student including, but not limited to, the following:

- (1) Any sexual advance, verbal or physical;
- (2) Sexual intercourse as defined in RCW 9A.44.010;
- (3) Indecent exposure as defined in RCW 9A.88.010;
- (4) Sexual contact, i.e., the intentional touching of the sexual or other intimate parts of a student except to the extent necessary and appropriate to attend to the hygienic or health needs of the student;
- (5) PROVIDED, That the provisions of this section shall not apply if at the time of the sexual conduct the participants are married to each other.

NEW SECTION

WAC 180-87-085 FURNISHING ALCOHOL OR CONTROLLED SUBSTANCE TO STUDENTS. Unprofessional conduct includes the illegal furnishing of alcohol or a controlled substance, as defined in chapter 69.50 RCW, to any student by an education practitioner.

NEW SECTION

WAC 180-87-090 IMPROPER REMUNERATIVE CONDUCT. Any deliberate act in the course of professional practice which requires or pressures students to purchase equipment, supplies, or services from the education practitioner in a private remunerative capacity is an act of unprofessional conduct.

NEW SECTION

WAC 180-87-095 FAILURE TO FILE A COMPLAINT. The intentional or knowing failure of an educational service district superintendent, a district superintendent, or a chief administrator of a private school to file a complaint pursuant to WAC 180-86-110 regarding the lack of good moral character or personal fitness of an education practitioner or the commission of an act of unprofessional conduct by an education practitioner is an act of unprofessional conduct.

WSR 89-21-086

PROPOSED RULES

DEPARTMENT OF ECOLOGY

[Order 89-58—Filed October 18, 1989, 4:10 p.m.]

Original Notice.

Title of Rule: WAC 173-19-2519 Redmond, city of.

Purpose: Adoption of revised shoreline master program into state master program, chapter 173-19 WAC. Statutory Authority for Adoption: RCW 90.58.200.

Statute Being Implemented: Chapter 90.58 RCW, Shoreline Management Act of 1971.

Summary: The amendment revises the shoreline master program for the city of Redmond.

Reasons Supporting Proposal: Shoreline master program and revisions thereto are developed by local governments and submitted to the department for approval. The program does not become effective until adopted by the department in accordance with the Shoreline Management Act and the Administrative Procedure Act.

Name of Agency Personnel Responsible for Drafting: Nora Jewett, Department of Ecology, Mailstop PV-11, Olympia, 98504, (206) 459-6789; Implementation and Enforcement: D. Rodney Mack, Department of Ecology, Mailstop PV-11, Olympia, 98504, (206) 459-6777.

Name of Proponent: Department of Ecology, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed amendment will change the environment designation for rural to urban for a strip approximately 2600 feet long on the east side of the Sammamish River directly north of N.E. 90th Street (if extended) and ending at the Puget Power right-of-way.

Proposal Changes the Following Existing Rules: Amending WAC 173-19-2519.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: City Council Chambers, 15670 N.E. 85th Street, Redmond, WA, on Monday, November 27, 1989, at 7:00 p.m.

Submit Written Comments to: Master Program Coordinator, Department of Ecology, Shorelands and Coastal Zone Management Program, Mailstop PV-11, Olympia, Washington 98504, by December 4, 1989.

Date of Intended Adoption: January 2, 1990.

October 17, 1989
Fred Olson
Deputy Director

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed amendment incorporates newly annexed islands in the Yakima River delta into the city shoreline master program and amends the shoreline environment designation map, assigning the conservancy designation to Bateman Island and the natural designation to the unnamed islands.

Proposal Changes the Following Existing Rules: Amending WAC 173-19-1104.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: City Council Chambers, 505 Swift Boulevard, Richland, WA, on Tuesday, November 21, 1989, at 7:00 p.m.

Submit Written Comments to: Master Program Coordinator, Washington State Department of Ecology, Shorelands and Coastal Zone Management Program, Mailstop PV-11, Olympia, Washington 98502, by December 4, 1989.

Date of Intended Adoption: January 2, 1990.

October 17, 1989
Fred Olson
Deputy Director

AMENDATORY SECTION (Amending Order DE 86-27, filed 10/20/86)

WAC 173-19-2519 REDMOND, CITY OF. City of Redmond master program approved September 20, 1974. Revision approved December 15, 1981. Revision approved October 20, 1986. Revision approved January 2, 1990.

AMENDATORY SECTION (Amending Order DE 83-37, filed 1/4/84)

WAC 173-19-1104 RICHLAND, CITY OF. City of Richland master program approved September 9, 1974. Revision approved August 29, 1979. Revision approved June 23, 1983. Revision approved January 4, 1984. Revision approved January 2, 1990.

WSR 89-21-087

PROPOSED RULES

DEPARTMENT OF ECOLOGY

[Order 89-57—Filed October 18, 1989, 4:14 p.m.]

Original Notice.

Title of Rule: WAC 173-19-1104 Richland, city of.

Purpose: Adoption of revised shoreline master program into state master program, chapter 173-19 WAC.

Statutory Authority for Adoption: RCW 90.58.200.

Statute Being Implemented: Chapter 90.58 RCW, Shoreline Management Act of 1971.

Summary: The amendment revises the shoreline master program for the city of Richland.

Reasons Supporting Proposal: Shoreline master programs and revisions thereto are developed by local governments and submitted to the department for approval. The programs do not become effective until adopted by the department in accordance with the Shoreline Management Act and the Administrative Procedure Act.

Name of Agency Personnel Responsible for Drafting: Peter Skowlund, Department of Ecology, Mailstop PV-11, Olympia, 98504, 438-7430; Implementation and Enforcement: D. Rodney Mack, Department of Ecology, Mailstop PV-11, Olympia, 98504, 459-6777.

Name of Proponent: Department of Ecology, governmental.

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

WSR 89-21-088

**NOTICE OF PUBLIC MEETINGS
CENTENNIAL COMMISSION**

[Memorandum—October 18, 1989]

The date for the regular meeting of the 1989 Washington Centennial Commission scheduled for November 1989 has been changed.

The meeting will be held in the State Transportation Commission's Board Room, 1D2, Transportation Building, Maple Park, Olympia, Washington, on November 17, 1989, beginning at 9:00 a.m.

WSR 89-21-089

**EMERGENCY RULES
CENTENNIAL COMMISSION**

[Filed October 18, 1989, 4:26 p.m.]

Date of Adoption: September 28, 1989.

Purpose: To provide for funding of additional centennial projects.

Citation of Existing Rules Affected by this Order: Amending WAC 100-100-070, Outside resources.

Statutory Authority for Adoption: RCW 27.60.010 and 27.60.040.

Pursuant to 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: Centennial Day, November 11, 1989, officially ends the celebration of the centennial of Washington's admission to the union. This rule provides for funding of additional centennial projects which provide a lasting legacy and benefit citizens throughout the state. Delay in the effective date of the rule would eliminate such projects and would be contrary to the public interest.

Effective Date of Rule: Immediately.

October 18, 1989

Putnam Barber

Executive Secretary

AMENDATORY SECTION (Amending Resolution No. 87-1, filed 8/21/87)

WAC 100-100-070 OUTSIDE RESOURCES. (1) The commission encourages the use of other state agencies, employees, and outside groups to implement and support the 1989 centennial.

(2) The commission may, from time to time, allow others to associate their projects or activities with the centennial celebration or provide other specific assistance as set forth in the application described in subsection (3) of this section.

(3) Sponsors of such programs or activities, other than publications, must complete an application specifying the manner in which they wish to associate their projects or activities with the centennial celebration or requesting such other assistance as may be described in the application form, which is available on request, and submit it to the centennial office in Olympia. The application will enable the commission to consider three aspects in its deliberation:

(a) Appropriateness of the project/activity as part of the centennial celebration.

(i) The project must show promise of contributing directly to public knowledge and appreciation of the history, society, or landscape of Washington.

(ii) If the project presents events of Washington history, it must be historically accurate or make adequate disclaimers to protect against perpetuation of errors.

(iii) If the project/activity touches on one of the state-wide programs of the commission (e.g., "Pacific Celebration '89," the "Centennial Games"), the project/activity must complement and support the goals of such related program. When necessary, the application will be referred to the appropriate centennial committee sponsoring said state-wide program for review.

(b) Population affected by the project/activity.

(i) Projects/activities which are primarily intended to appeal to residents of a single county shall be reviewed and approved by the county centennial commission/committee, described in WAC 100-100-052(1);

(ii) Projects/activities which are of state-wide significance shall be reviewed by the appropriate program committee of the commission and the recommendation of that committee considered prior to action by the commission.

(c) Financial support of the project/activity.

(i) When projects/activities use internal resources of their sponsors or organizers, no further attention will be paid to this question.

(ii) When projects will rely on ticket sales or small direct contributions by participants or on support in an amount of less than one thousand dollars from local sources, an effort will be made to coordinate dates and locations to avoid damaging overlap of programming. If appropriate dates and locations cannot be identified, priority will be given to projects which have earliest dates of application.

(iii) When projects or activities seek grants or other external support, an effort will be made to coordinate requests in accordance with known policies of granting agencies. In the event that a coordinated approach cannot be agreed upon, priority will be given to projects which have earliest dates of application.

(iv) Requests which may total more than ten thousand dollars to organizations making contributions or grants in more than one county shall comply with "policies and procedures for large gifts" as approved by the commission.

(4) Approved projects may use the commission's centennial logo only when the conditions specified in WAC 100-100-130 through 100-100-180 are satisfied.

(5) In the event of disagreement with the recommendation of a program or other committee of the commission, the following procedures shall apply to any request for reconsideration:

(a) The licensing and sponsorships committee shall reconsider requests for letters of support for fund-raising efforts and may deny the requests or refer them for further consideration to the same or a different program committee or make a recommendation directly to the commission;

(b) The executive committee shall reconsider requests for financial support from funds derived from sales of centennial license plates as provided in subsection (6) of this section, and may deny the requests or refer them for further consideration to the same or a different program committee or directly to the budget and finance committee.

(c) The executive committee shall reconsider all requests for assistance of any other sort and may deny the requests or refer them for further consideration to any committee or to the commission.

(d) Further appeal may be made to the commission in the event of any adverse decision, other than an action of commission, at the first meeting which occurs not less than thirty days after such commission review is requested in writing.

(6) Projects of state-wide significance. The commission may contract with public agencies and private non-profit organizations which undertake to organize and manage distinctive projects of state-wide significance which are funded in part from revenues resulting from chapter 280, Laws of 1986.

(a) To be considered, proposals must satisfy the following basic criteria:

(i) The commission's share of the projected cash outlays implementation of the proposal must be no more than fifty percent.

(ii) The total amount requested from the commission must be no less than ten thousand dollars and no more than one hundred thousand dollars.

(iii) The proposal's goals and activities must ensure a demonstrable benefit.

(iv) The proposal must be open to participation without discrimination of any kind.

(v) The dates of proposed activities must be consistent with the schedule of the centennial celebration and allow for completion of all activities to be supported by the commission prior to December 31, 1989.

(b) The following process in selection of projects for assistance shall be followed:

(i) The commission's request for proposals shall give at least forty-five days notice before the due date.

(ii) Timely responses shall be reviewed by staff for completeness, responsiveness, compliance with nondiscrimination requirements, and other requirements as specified in the request for proposal.

(iii) Accepted responses shall be reviewed by one or more program committees of the commission. If no suitable program committee exists, the sponsor may request that the commission act as a committee of the whole for the purpose of review. The committee shall make a recommendation to the budget and finance committee concerning the level of funding (if any) for each proposal and the centennial commission which includes the committee's determinations of:

(A) The ways in which the proposal meets and complements the overall goals of the centennial celebration and the specific program goals of the committee; and

(B) In addition to the applicable requirements of subsection (3) of this section, project proposals for funds of state-wide significance received by the commission will be reviewed by the commission and its committees in terms of state-wide content, participation and impact. To be considered as a project of state-wide significance, a proposal must have as its primary focus and purpose the celebration of events or activities which are significant to the history, current development or future growth of the special or unique character of the state of Washington as a whole. Specific content areas are to be determined by the commission, consistent with its overall program. In determining whether or not a project has state-wide significance, the commission and its committees require that the project be equitably available to the people of the entire state, under criteria as established by the commission.

The program committee may ask for advice or further information from the sponsor of the proposal, relevant country centennial committees, and other interested parties.

(iv) The budget and finance committee shall recommend a level of funding for each project consistent with funds available in the centennial fund.

(v) The executive secretary shall negotiate the necessary contracts or agreements with the sponsor to implement the decision of the commission.

(7) Projects deemed to be of state-wide significance. Once the "projects of state-wide significance" approved under subsection (6) of this section have been funded, the commission may allocate the moneys remaining from the revenues resulting from chapter 280, Laws of 1986 to fund, in whole or in part, centennial projects, programs and activities which enhance the centennial celebration and benefit citizens throughout the state of Washington.

(8) The commission may contract or enter into agreements and understandings with affiliated organizations, other agencies, persons, and groups in an appropriate manner to accomplish commission activities in accordance with state law. The commission may work closely with such affiliated organizations and may provide special assistance to them to support their work in support of the commission's goals.

~~((8))~~ (9) The commission requires assurance of compliance with local, state, and federal civil rights and anti-discrimination laws and regulations, and open access for all persons regardless of race, religion, ethnic background, or physical handicap, as a condition of sponsorship, recognition, endorsement or support of any activity proposing to celebrate the state centennial.

~~((9))~~ (10) The commission may provide cosponsorship, recognition, endorsement, financial support, and/or other assistance to persons or groups in order to facilitate contributions to literature about Washington, its culture, history, geography, and other aspects to be celebrated during the centennial and other events or programs under the purview of the commission by statute or executive order.

(a) Authors and publishers who are developing projects which they believe will make a contribution to the celebration of the centennial, and who wish to have that expectation confirmed in writing may request a letter of encouragement.

(i) The executive secretary may require such information as he deems necessary, and shall provide the applicant with full information about procedures and criteria.

(ii) If the executive secretary issues a letter of encouragement, the letter may be reproduced for publicity purposes or reprinted in the work.

(iii) Issuance of a letter of encouragement does not imply approval to print or otherwise use the centennial symbol in any way.

(b) The commission may endorse publications which make important contributions to the celebration or the understanding of the history or character of Washington.

(i) Endorsement allows commercial use of the commission symbol, provided that such commercial use shall be in compliance with WAC 100-100-900.

(ii) Application for publication endorsement shall be made to the executive secretary on forms provided for that purpose; provided that the executive secretary shall require submission of two copies of the publication or manuscript plus twenty-five dollars. Neither the copies nor the twenty-five dollars will be returned.

(iii) In the event that the applicant disagrees with the decision of the executive secretary, the applicant may request a review by the executive committee who may

decide the issue or refer it to the commission's publications committee.

(c) The "centennial bookshelf" is a list of publications maintained and distributed by the commission. Listing does not imply endorsement by the commission of the content or opinions expressed in the work. Prominent notice shall be given for each issue of the "centennial bookshelf."

(i) Each publication in the "bookshelf" must make a contribution to the understanding of the history or character of Washington.

(ii) Each publication must be in print or generally available to the public through bookstores or mail distribution.

(iii) Promotional items, limited editions, membership premiums, and other similar publications are not eligible to be listed.

(iv) An application for listing in the "centennial bookshelf" and instructions for filing shall be available from the commission upon request.

(v) Applications for listing may be approved in advance of publication when a definite publication date has been set; provided that in addition to information about the work the executive secretary shall charge the applicant ten dollars plus twice the full purchase price including shipping cost and tax. Such funds will be used to purchase two copies of the work when available.

~~((+0))~~ (11) Letters of support. The commission may provide letters of support for the fund-raising efforts of independent organizations sponsoring centennial activities.

(a) To be considered, proposed activities must satisfy the following basic criteria:

(i) The project must require ten thousand dollars or more in support from outside sources;

(ii) The project must have state-wide impact as contrasted to local or specialized scope and must encourage widespread access or participation by Washingtonians from every part of the state;

(iii) The project's goals and activities must ensure a demonstrable benefit without discrimination of any kind;

(iv) The project dates must be consistent with the schedule of the centennial celebration.

(b) The following process in selection of projects for letters of support shall be followed:

(i) The notice of each review cycle shall give at least forty-five days notice before the due date;

(ii) Timely responses shall be reviewed by staff for completeness, responsiveness, compliance with nondiscrimination requirements, and other requirements as specified by the commission;

(iii) Accepted responses shall be reviewed by one or more program committees of the commission. The committee shall make a recommendation to the commission which includes the committees determinations of:

(A) The ways in which the proposed project complements the overall goals of the centennial celebration and the program goals of the committee;

(B) The sense in which the project meets the requirements of having state-wide significance.

(iv) The executive secretary shall provide letters of support as provided by the commission to any project approved by the commission.

WSR 89-21-090
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed October 18, 1989, 4:30 p.m.]

Original Notice.

Title of Rule: WAC 388-28-560 Income for support of legal dependents.

Purpose: To allow child care and \$90 work expense deductions from income earned by a parent or stepparent who is sanctioned or failed to cooperate with the department.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: Chapter 74.08 RCW.

Summary: Parents or stepparents in the household but not in the assistance unit shall receive the earned income disregards before income is allotted. Parents or stepparents in the household but not in the assistance unit because of sanction or failure to comply with the department shall receive the work expense deduction and child care expenses deducted before earned income is allotted.

Reasons Supporting Proposal: This rule is necessary to implement *Simpson v. Hegstrom*, Court of Appeals, Ninth Circuit Court.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Dana Beck, Income Assistance, 753-4908.

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

Rule is necessary because of federal court decision, *Simpson v. Hegstrom*, Court of Appeals, Ninth Circuit Court.

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on November 21, 1989, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by November 21, 1989.

Date of Intended Adoption: December 1, 1989.

October 18, 1989

Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2571, filed 1/22/88)

WAC 388-28-560 INCOME FOR SUPPORT OF LEGAL DEPENDENTS. ((The income of a parent or stepparent shall be allocated as follows:))

(1) The department shall allot the income of a parent(s) or stepparent(s) in the assistance unit after applying the proper earned income exemptions in WAC 388-28-570(6). The department shall allot the income in the following order:

(a) To pay court or administratively ordered support for ((any)) a legal dependent ((or dependents)) not living in ((his or her)) the parent or stepparent's home. ((Such)) The department shall verify support ((is)) payments and exempt up to the amount of the one-person continuing assistance need standard for each legal dependent((-Verification must be obtained that the support payments are being made));

(b) To meet the ((requirements of those needy members)) needs of ((the)) family ((who are)) members not eligible for AFDC ((and for whom)) but who are the legal responsibility of the parent or stepparent ((is legally responsible. Such requirements shall be computed according to appropriate payment level)). The exempt amount shall not exceed the appropriate payment standard;

(c) To meet the needs of members of the AFDC assistance unit ((for whom he or she is legally responsible)).

(2) After applying the earned income work expense and dependent care exemptions allowed in WAC 388-28-570(6), the department shall allot the income of a parent(s) or stepparent(s not in the assistance unit but) in the household((-

(a) Ineligible parents or stepparents whose income is deemed to the assistance unit shall have that income allocated)), but not in the assistance unit as in subsections (1)(a), (b), and (c) of this section((-

(b) A parent or stepparent who is in sanction status or who is required to be in the assistance unit and has)). The department shall not allot any income to the needs of the parent or stepparent if that person is sanctioned or failed to cooperate ((shall have his or her gross income allocated to the assistance unit)) with the department.

WSR 89-21-091
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed October 18, 1989, 4:31 p.m.]

Original Notice.

Title of Rule: WAC 388-40-050 Incapacity requirements for ADATSA treatment.

Purpose: To redefine the incapacity criteria needed to qualify for treatment services under the Alcoholism and Drug Addiction Treatment and Support Act (ADATSA).

Statutory Authority for Adoption: Chapter 18, Laws of 1989 1st ex. sess.

Statute Being Implemented: Chapter 18, Laws of 1989 1st ex. sess.

Summary: Deletes the three year requirement currently used to establish a pattern of chronicity. Adds new categories for CPS referred clients who are at least moderately addicted and intravenous drug users who are severely addicted, regardless of chronicity. Expands the category of severely addicted clients with DWI arrests to also include other drug-related arrests.

Reasons Supporting Proposal: This rule is necessary to broaden existing criteria which is too strict. Current criteria tends to screen out some candidates who appear clinically appropriate for ADATSA treatment.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Chris Hansen, Alcohol and Substance Abuse, 753-1275.

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: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: 12th and Franklin, OB-2 Auditorium, Olympia, Washington, on November 21, 1989, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by November 21, 1989.

Date of Intended Adoption: December 1, 1989.

October 18, 1989

Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2851, filed 8/29/89, effective 9/29/89)

WAC 388-40-050 INCAPACITY REQUIREMENTS FOR ADATSA TREATMENT. (1) ~~((if otherwise eligible;))~~ The department may grant ADATSA treatment services, within the current appropriation, ((may be granted)) to an alcoholic or drug addict, if otherwise eligible, whose chemical dependency is severe enough to render the applicant incapable of gainful employment.

(2) In order to qualify for ADATSA treatment services, an applicant shall:

(a) Meet the criteria for Psychoactive Substance Dependence In the Diagnostic and Statistical Manual of Mental Disorders (third edition revised), published by the American Psychiatric Association, ~~((also))~~ referred to below as the DSM III-R, for a psychoactive substance class other than nicotine, either mild, moderate, or severe;

(b) Be incapacitated and unable to work. Incapacity shall exist if the applicant meets one or more of the following:

(i) ~~((is))~~ Currently pregnant or up to two months post partum; or

(ii) ~~((Has been determined incapacitated for the purpose of eligibility for ADATSA shelter within the last six months))~~ Diagnosed as at least moderately psychoactive substance dependent and referred for treatment by child protective services; or

(iii) ~~((Currently meets the DSM III-R criteria for severe psychoactive substance dependence and at least one of the following occurred at least thirty-six months before application or twelve months for cocaine dependence:~~

~~(A) Diagnosis of severe psychoactive substance dependence by a department-approved chemical dependency treatment program, department-designated chemical dependency assessment center, or department-approved DWI assessment center;~~

~~(B) Admission to a department-approved alcohol/drug treatment program;~~

~~(C) Admission to a department-approved detoxification program; or~~

~~(D) Two or more arrests for driving while intoxicated or actual physical control;))~~ Diagnosed as severely psychoactive substance dependent and currently an intravenous drug user; or

(iv) Diagnosed as severely psychoactive substance dependent and has a prior diagnosis of severe psychoactive substance dependency by an assessment center or at least one prior admission to a department-approved alcohol/drug treatment or detoxification program; or

(v) Diagnosed as severely psychoactive substance dependent and has had two or more arrests for offenses directly related to the chemical dependency; or

(vi) Determined incapacitated for the purpose of eligibility for ADATSA shelter within the past six months; or

(vii) Lost two or more jobs during the last six months ((due to)) as a direct result of chemical dependency; or

~~((or))~~ (viii) ((Has been)) Admitted to a department-approved outpatient treatment program during the last six months and the outpatient treatment provider certifies the treatment recipient is not benefiting from outpatient treatment and needs more intensive chemical dependency treatment services.

(3) Notwithstanding subsection (2) of this section, an applicant meeting the following criteria shall not be eligible for ADATSA treatment when the applicant:

(a) Is not clearly diagnosed as currently dependent on psychoactive substances other than nicotine; or

(b) Has abstained from alcohol and drug use for at least the last ninety days, excluding days spent while incarcerated; or

(c) Has ~~((been))~~ been gainfully employed in a job in the competitive labor market at any time during the last thirty days. "Gainfully employed" means performing in a regular and predictable manner an activity for pay or profit. Gainful employment shall not include work in a department-approved sheltered workshop or sporadic or part-time work, if the individual, due to functional limitation, is unable to compete with unimpaired workers in the same job.

(4) A current recipient of ADATSA treatment services successfully participating in outpatient treatment shall ~~((continue to))~~ be considered ~~((to be))~~ incapacitated through completion of planned treatment, even if the recipient:

(a) Becomes employed~~((:));~~

(b) Abstains from alcohol or drug use~~((:));~~ or

(c) Has full or partial remission of psychoactive substance abuse dependence.

~~((Incapacity based on alcoholism or drug addiction shall be determined by))~~ A department designated chemical dependency assessment center shall determine incapacity based on alcoholism or drug addiction. The assessment center is the department's sole source of medical evidence required for the diagnosis and evaluation of alcoholism/drug addiction and its effects on employability. The department shall:

(a) ~~((The department shall))~~ Require ~~((such an))~~ a current assessment in writing, for all ADATSA applicants~~((:));~~ and

(b) Pay the costs of assessments needed to determine eligibility ~~((shall be paid by the department)).~~

WSR 89-21-092
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed October 18, 1989, 4:32 p.m.]

Original Notice.

Title of Rule: WAC 388-49-460 Income—Unearned; and WAC 388-49-470 Income—Exclusions.

Purpose: To correct two subsections and prevent federal compliance issues. To update the food stamp program energy allowance and correct a subsection for preventing a compliance issue.

Statutory Authority for Adoption: RCW 74.04.510.

Statute Being Implemented: Chapter 74.04 RCW.

Summary: A repetitive subsection is repealed concerning mandatory grant deductions counted as unearned income. Child care will no longer be an allowable income exclusion from nonfederal education income. An exclusion for support payment is clarified to better define when directed payments are allowable exclusions. The food stamp energy allowance is updated.

Reasons Supporting Proposal: This rule is necessary to comply with legislative mandate and with Code of Federal Regulations.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Daniel Ohlson, Food Stamp Program, 753-1354.

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

Rule is necessary because of federal law, Code of Federal Regulations, Chapter 273.9(c).

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on November 21, 1989, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by November 21, 1989.

Date of Intended Adoption: December 1, 1989.

October 18, 1989

Leslie F. James, Director
 Administrative Services

AMENDATORY SECTION (Amending Order 2762, filed 2/13/89)

WAC 388-49-460 INCOME—UNEARNED. (1) The department shall consider unearned income to include, but not be limited to:

- (a) An annuity, pension, or retirement;
- (b) Veteran or disability benefits;
- (c) Workmen or unemployment compensation;
- (d) Old-age, survivors, or social security benefits;
- (e) Strike benefits;
- (f) Payment from federally aided assistance programs based on need;

(g) Support and alimony payments made directly to the household from a person ~~((living))~~ residing outside the household;

(h) Child support refund payments received by AFDC recipients from office of support enforcement;

(i) Adult foster care payments;

(j) Child foster care payments provided the foster child is a food stamp household member;

(k) Educational benefits less excluded amounts (see income exclusions in WAC 388-49-470):

- (i) Scholarships;
- (ii) Educational grants including loans where repayment is deferred;
- (iii) Fellowships; and
- (iv) Veteran benefits.

(l) Payments from government-sponsored programs;

(m) Cash prizes, awards, lottery winnings, or gifts;

(n) Dividends, interest, or royalties;

(o) Gross income minus the cost of doing business from rental property if a household member is not managing the property at least twenty hours a week;

(p) Money withheld from public assistance to recoup an overpayment for intentional failure to comply with the public assistance program requirements;

(q) Direct money payments, such as interest, dividends, and royalties which are a gain or benefit;

(r) Money legally obligated and otherwise payable to the household, but diverted by the provider of the payment to a third party, for a household expense; and

(s) ~~((The))~~ Deemed income from an alien's sponsor.

(2) The department shall disregard the following as unearned income:

(a) Money from any source voluntarily returned by a household member to repay a prior overpayment from the same source;

(b) ~~((Mandatory deductions from a source to repay a prior overpayment from the same source except from:~~

- (i) AFDC;
- (ii) Refugee assistance;
- (iii) GA-U, and
- (iv) GA-S;

~~((c))~~ Child support payments assigned to office of support enforcement received by AFDC recipients.

(3) The department shall verify gross nonexempt unearned income except for expedited service households:

(a) ~~((Prior to))~~ Before initial certification;

(b) At recertification if amount ~~((has changed))~~ changes more than twenty-five dollars; and

(c) On a monthly basis for households subject to monthly reporting if the income (~~(has changed)~~) changes.

AMENDATORY SECTION (Amending Order 2800, filed 5/24/89)

WAC 388-49-470 INCOME—EXCLUSIONS. (1) The department shall exclude the following income:

- (a) Money withheld from an assistance payment, earned income, or other income source used to repay a prior overpayment from that same income source;
- (b) (~~(Any)~~) Income specifically excluded by any (~~(other)~~) federal statute from consideration as income in the food stamp program;
- (c) The earned income of children who are:
 - (i) Members of the household,
 - (ii) (~~(Under eighteen)~~) Seventeen years of age or under, and
 - (iii) Attending school at least half time.
- (d) Infrequent or irregular income received during a three-month period that:
 - (i) Cannot be reasonably anticipated as available, and
 - (ii) Shall not exceed thirty dollars for all household members.
- (e) Loans, including those from private individuals and commercial institutions, other than educational loans where repayment is deferred;
- (f) Nonrecurring lump sum payments;
- (g) The cost of producing self-employment income;
- (h) Financial aid received under Title IV of the Higher Education Act designated by the school for:
 - (i) Tuition,
 - (ii) Fees (including equipment and material),
 - (iii) Books,
 - (iv) Supplies,
 - (v) Transportation, and
 - (vi) Miscellaneous personal expenses (~~(as)~~) determined by the institution.
- (i) Other federal financial aid designated by the school for:
 - (i) Tuition, and
 - (ii) Mandatory fees.
- (j) Nonfederal financial aid designated by the school for:
 - (i) Tuition and mandatory fees at any school beyond high school or a school at any level for the physically or mentally handicapped; and
 - (ii) Other earmarked educational expenses such as transportation, supplies, and textbooks (~~(, and child care)~~).
- (k) Reimbursements for past or future expenses to the extent the reimbursements do not:
 - (i) Exceed the actual expense, and
 - (ii) Represent a gain or benefit to the household.
- (l) Any gain or benefit not in money;
- (m) Vendor payments as defined in WAC 388-49-020;
- (n) Money received and used for the care and maintenance of a third-party beneficiary who is not a household member;
- (o) Supplemental payments or allowances made under federal, state, or local laws for the purpose of offsetting increased energy costs;
- (p) Energy allowances included in AFDC, continuing general assistance, and refugee assistance grants.

| Number in Grant Assistance Unit | Energy Exclusion |
|---------------------------------|------------------------------|
| 1 | \$ (30) <u>36</u> |
| 2 | (39) <u>47</u> |
| 3 | (46) <u>56</u> |
| 4 | (56) <u>67</u> |
| 5 | (63) <u>77</u> |
| 6 | (72) <u>87</u> |
| 7 | (84) <u>101</u> |
| 8 or more | (92) <u>111</u> |

- (q) (~~(Money)~~) Support payments specified by the support court order or other legally binding written support or alimony agreement to go directly to a third-party beneficiary rather than to the household;
- (r) Support payments not required by (~~(a)~~) the support court order or other legally binding written support or alimony agreement paid directly to a third party rather than to the household;
- (s) Payments from the individual and family grant program;
- (t) Public assistance payments (~~(when they are)~~):
 - (i) Over and above the regular warrant amount; and
 - (ii) Not normally a part of the regular warrant; and
 - (iii) Paid directly to a third party on behalf of the household.

- (u) Earnings from on-the-job training programs under the Job Training Partnership Act by household members:
 - (i) (~~(Under 19)~~) Eighteen years of age and under; and
 - (ii) Under parental control.
- (v) Cash donations based (~~(upon)~~) on need:
 - (i) Received directly by the household;
 - (ii) From one or more private, nonprofit, charitable organizations; and
 - (iii) Not exceeding three hundred dollars in any federal fiscal year quarter.
- (w) Earned income credit.
- (2) When a child's earnings or amount of work performed cannot be differentiated from the earnings or work performed by other household members, the department shall:
 - (a) Prorate the earnings equally among the working members, and
 - (b) Exclude the child's pro rata share.
- (3) When the intended beneficiaries of a single payment for care and maintenance of a third-party beneficiary include both household members and persons not in the household, the (~~excluded amount~~) department shall (~~(be)~~) exclude:
 - (a) Any identifiable portion intended and used for the care and maintenance of the person out of the household, or
 - (b) If the portions are not readily identified as:
 - (i) An even pro rata share; or
 - (ii) The amount actually used for the care and maintenance of the person out of the household, whichever is less.

WSR 89-21-093
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed October 18, 1989, 4:33 p.m.]

Original Notice.

Title of Rule: WAC 388-82-140 Qualified Medicare beneficiaries eligible for Medicare cost sharing.

Purpose: To incorporate the QMB income raise to 90 percent of the federal poverty level as required by federal law.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: Chapter 74.08 RCW.

Summary: As of January 1, 1990, the QMB income is 90 percent of the federal poverty level. The rates go from \$424 for one person to \$449 and from \$568 for two people to \$602.

Reasons Supporting Proposal: This rule is necessary to raise the QMB income level to 90 percent of the federal poverty level.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bobbe Andersen, Medical Assistance, 753-0529.

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

Rule is necessary because of federal law, Federal Register, Volume 54, Number 31.

Explanation of Rule, its Purpose, and Anticipated Effects: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on November 21, 1989, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by November 21, 1989.

Date of Intended Adoption: December 1, 1989.

October 18, 1989
 Leslie F. James, Director
 Administrative Services

AMENDATORY SECTION (Amending Order 2798, filed 5/17/89)

WAC 388-82-140 QUALIFIED MEDICARE BENEFICIARIES ELIGIBLE FOR MEDICARE COST SHARING. The department shall provide Medicare cost sharing under WAC 388-81-060(2) for an individual:

- (1) Meeting the general nonfinancial requirements under chapter 388-83 WAC; and
- (2) Entitled to Medicare hospital insurance benefits, Part A, under Title XVIII of the Social Security Act; and
- (3) Having resources not exceeding twice the maximum supplemental security income (SSI) resource limits under chapter 388-92 WAC; and
- (4) Having a total countable family income, as determined under chapter 388-92 WAC, not exceeding ~~((eighty-five))~~ ninety percent of the poverty income guidelines as published and updated by the secretary of health and human services. ~~((Eighty-five))~~ Ninety percent of the 1989 poverty income guidelines is:

| | Family Size | Monthly |
|---|-------------|----------------------------------|
| (a) | One | \$ ((424)) <u>449</u> |
| (b) | Two | ((568)) <u>602</u> |
| (c) For family units with more than two members, add \$ ((145.00)) <u>153.00</u> to the monthly income for each additional member. | | |

WSR 89-21-094
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed October 18, 1989, 4:34 p.m.]

Original Notice.

Title of Rule: WAC 388-86-008 Patient overutilization.

Purpose: To change the time a person may select a provider from thirty to twenty days. To delete that the restriction applies to all persons of an assistance unit.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: Chapter 74.08 RCW.

Summary: A person shall have twenty days to select a physician, pharmacy, or both, if the person has been determined to use medical assistance in excess or inappropriately.

Reasons Supporting Proposal: This rule is necessary to change the time a person may select a provider from thirty to twenty days, and to delete that the restriction applies to all persons of an assistance unit.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bobbe Andersen, Medical Assistance, 753-0529.

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: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on November 21, 1989, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by November 21, 1989.

Date of Intended Adoption: December 1, 1989.

October 18, 1989
 Leslie F. James, Director
 Administrative Services

AMENDATORY SECTION (Amending Order 2220, filed 4/4/85)

WAC 388-86-008 ~~((PATIENT))~~ RECIPIENT OVERUTILIZATION. (1) Whenever payment records and other information indicate that recipient ~~((utilization))~~ use of medical assistance is excessive or inappropriate ~~((with reference to medical need))~~, the department may require ~~((an individual))~~ a recipient to ((designate)) select a primary physician ~~((and/or))~~, a single pharmacy, or both for exclusive provider service in an effort to:

- (a) Protect the ~~((individual))~~ recipient's health and safety;
- (b) Provide continuity of medical care;
- (c) Avoid duplication of service by providers;
- (d) Avoid inappropriate or unnecessary ~~((utilization))~~ use of medical assistance as defined by community practices and standards;
- (e) Avoid excessive ~~((utilization))~~ use of prescription medications.

Excessive ~~((utilization))~~ use of prescription medications ~~((with))~~ shall be determined from published current medical and pharmacological references to include Physicians' Desk Reference published by Medical Economics Company, Oradell, New Jersey 07649; or Facts and Comparisons published by Facts and Comparisons, Inc., 12011 Marine Avenue, Suite 220, St. Louis, ~~((Mo))~~ MO 63141; or The Pharmacological Basis of Therapeutics published by Macmillan Publishing Co., 866 Third Avenue, New York, NY 10022.

(2) The ~~((individual will be given))~~ department shall provide the recipient with written notice of ~~((his/her))~~ the recipient's excessive or inappropriate ~~((utilization and will be requested to))~~ use of medical assistance. The notice shall state that:

(a) The recipient shall select, in writing, a single physician ~~((and/or))~~, a pharmacy, or both within ~~((thirty))~~ twenty days ~~((The notice will include the individual's))~~ from receipt of the notice;

(b) The recipient shall have the right to request a fair hearing within ninety days if ~~((he/she))~~ the recipient disagrees with the department's action ~~((The notice will also advise the individual that))~~;

(c) Failure to cooperate in ~~((this procedure will necessitate))~~ choosing a doctor or pharmacy shall cause the department ~~((designating a physician and/or pharmacy for the individual or redirecting))~~ to redirect the ((individual)) recipient's medical coupons to the community service office (CSO) until ((selection of)) the recipient selects a physician ((and/or)), a pharmacy ((is made:)), or both;

(d) The department shall issue medical coupons ~~((issued to the individuals will be))~~ imprinted with the message "RESTRICTED" to facilitate identification by providers. ~~((This restriction will be extended to all individuals listed on the "RESTRICTED" coupons:))~~

(3) After ~~((an individual has selected))~~ the department confirms the selection of a physician ((and)), a pharmacy ((and the selections have been confirmed by the department)), or both, ((a)) the recipient may not change ((of)) physician ((or)), pharmacy ((may not be requested)), or both for a ((minimum)) period of one hundred eighty days with the following exceptions:

(a) If the ~~((individual))~~ recipient moves to a new residence ~~((which would be considered))~~ outside the normal service area of the selected physician ~~((and)),~~ pharmacy, ((he/she)), or both, the recipient may ((request to designate)) choose different providers in the area of ((his/her)) the recipient's new residence((-:)); or

(b) Whenever the selected physician ~~((or)),~~ pharmacy, or both refuse~~((s))~~ to continue as a designated provider, the ~~((individual will~~

be notified that he/she has thirty days) department shall notify the recipient to ~~((select))~~ choose, in writing, within twenty days a new physician ~~((or))~~, pharmacy, or both.

(4) The department shall:

(a) Monitor medical services ~~((received by))~~ the restricted ~~((individuals will be monitored))~~ recipients receive; and

(b) Deny payment for services and prescriptions ~~((denied))~~ unless authorized by the ~~((selected designated))~~ chosen physician. Providers may bill recipients for ~~((these))~~ denied services.

(5) In the event of a bona fide emergency, ~~((the individual may be seen by))~~ a physician other than the one selected may see the recipient. The primary physician may also refer the ~~((individual))~~ recipient to a specialist when necessary.

(6) ~~((When))~~ After the ~~((individual has been restricted))~~ department has restricted a recipient under the provisions of this section for a period of two years, the department ~~((will))~~ shall conduct a review of that ~~((person))~~ recipient's medical ~~((service utilization))~~ usage to determine whether the restriction should be terminated. The review ~~((will))~~ shall include contact with the primary physician for comment and recommendation. The department will then determine whether the ~~((individual))~~ recipient shall:

(a) Remain restricted, with an annual review thereafter; or

(b) ~~((Have the))~~ Be released from restriction ~~((terminated))~~ and be ~~((subject to periodic review of medical service utilization. If utilization is subsequently determined to be))~~ reviewed in six months. If the department again determines the recipient's medical use is excessive or inappropriate, the ~~((individual))~~ department may again ~~((be restricted))~~ restrict the recipient under the provisions of this section.

WSR 89-21-095
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed October 18, 1989, 4:35 p.m.]

Original Notice.

Title of Rule: WAC 388-84-110 Application—Disposition.

Purpose: To implement state law on processing medical applications for pregnant women.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: Chapter 74.08 RCW.

Summary: Applications for pregnant women shall be processed in 15 days from the date of application including an interview within five working days. Includes editorial changes for easier readability.

Reasons Supporting Proposal: This rule is necessary to set the time period for timely processing medical assistance applications for pregnant women.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bobbe Andersen, Medical Assistance, 753-0529.

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: Same as above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on November 21, 1989, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop OB-33H, Olympia, Washington 98504, by November 21, 1989.

Date of Intended Adoption: December 1, 1989.

October 18, 1989

Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2409, filed 8/12/86)

WAC 388-84-110 APPLICATION—DISPOSITION. (1) ~~((Timely determination standards are))~~ The department shall act on a request for medical assistance within:

(a) Sixty days for applicants based on disability~~((;))~~;

(b) Fifteen working days for a pregnant woman, including an interview within five working days; and

(c) Forty-five days for all other categories~~((;))~~;

~~((c))~~ (2) The department shall:

(a) Not use the standards for timely processing of applications ~~((shall not be used))~~ as a waiting period for determining eligibility~~((;))~~; and

(b) Act on each application ~~((shall be acted upon))~~ as quickly as possible.

~~((2))~~ (3) ~~((Each application shall be acted upon within the standards of subsection (1) of this section.))~~ When ~~((ES))~~ the department has otherwise acted promptly at all stages of the application process, the department may extend the time standard ~~((may be extended))~~ if the ~~((ES))~~ department cannot reach a timely eligibility decision because the:

(a) ~~((The))~~ Applicant or an examining physician delays or fails to provide information or fails to take a required action; or

(b) ~~((The))~~ Eligibility determination depends upon out-of-state or intercity correspondence and no other verification is available to establish the eligibility factor at issue; or

(c) ~~((The))~~ Occurrence of an administrative or other emergency is beyond the control of the ~~((ES))~~ department. Administrative burdens do not justify delayed processing of applications; or

(d) Eligibility determination depends on receipt of medical expense documentation under WAC 388-99-030 and 388-100-020.

~~((3))~~ (4) For cash assistance except consolidated emergency assistance program (CEAP), approval of the medical assistance is concurrent.

~~((4))~~ (5) The department shall notify applicants for medical assistance ~~((will be notified))~~ of departmental action by ~~((means of a notification of eligibility))~~ letter.

~~((5))~~ (6) Approval, denial, or withdrawal of the application for medical assistance, medical care services, or the limited casualty program will follow cash assistance standards and criteria in chapter 388-38 WAC, with the exception of WAC 388-38-110. For time limits for disposal of a medical application, subsections (1), (2) and ~~((2))~~ (3) of this section shall apply.

~~((6))~~ (7) The department may rescind a denial and approve assistance based on a denied application when:

(a) The applicant, within thirty days from the date of denial, provides additional information needed to establish eligibility~~((;))~~; or

(b) Following this thirty-day period, the applicant:

(i) ~~((The applicant))~~ Timely requests a fair hearing to appeal the denial; and

(ii) ~~((The applicant))~~ Provides the additional information needed to establish eligibility.

WSR 89-21-096
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 2888—Filed October 18, 1989, 4:36 p.m.]

Date of Adoption: October 18, 1989.

Purpose: To allow child care and \$90 work expense deductions from income earned by a parent or stepparent who is sanctioned or failed to cooperate with the department.

Citation of Existing Rules Affected by this Order: Amending WAC 388-28-560.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to 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 implement *Simpson v. Hegstrom*, Court of Appeals, Ninth Circuit Court.

Effective Date of Rule: October 19, 1989, 12:01 a.m.

October 18, 1989
Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2571, filed 1/22/88)

WAC 388-28-560 INCOME FOR SUPPORT OF LEGAL DEPENDENTS. (~~The income of a parent or stepparent shall be allocated as follows:~~)

(1) The department shall allot the income of a parent((s)) or stepparent((s)) in the assistance unit after applying the proper earned income exemptions in WAC 388-28-570(6). The department shall allot the income in the following order:

(a) To pay court or administratively ordered support for ((any)) a legal dependent ((or dependents)) not living in ((his or her)) the parent or stepparent's home. ((Such)) The department shall verify support ((is)) payments and exempt up to the amount of the one-person continuing assistance need standard for each legal dependent((- Verification must be obtained that the support payments are being made.));

(b) To meet the ((requirements of those needy members)) needs of ((the)) family ((who are)) members not eligible for AFDC ((and for whom)) but who are the legal responsibility of the parent or stepparent ((is legally responsible. Such requirements shall be computed according to appropriate payment level)). The exempt amount shall not exceed the appropriate payment standard;

(c) To meet the needs of members of the AFDC assistance unit ((for whom he or she is legally responsible)).

(2) After applying the earned income work expense and dependent care exemptions allowed in WAC 388-28-570(6), the department shall allot the income of a parent((s)) or stepparent((s not in the assistance unit but)) in the household(:

(a) ~~Ineligible parents or stepparents whose income is deemed to the assistance unit shall have that income allocated), but not in the assistance unit as in subsections (1)(a), (b), and (c) of this section(:~~

(b) ~~A parent or stepparent who is in sanction status or who is required to be in the assistance unit and has),~~

The department shall not allot any income to the needs of the parent or stepparent if that person is sanctioned or failed to cooperate ((shall have his or her gross income allocated to the assistance unit)) with the department.

WSR 89-21-097

PROPOSED RULES

SUPERINTENDENT OF PUBLIC INSTRUCTION

[Filed October 18, 1989, 4:36 p.m.]

Original Notice.

Title of Rule: Finance—Partnerships among small school districts.

Purpose: Sets forth the policies and procedures to be used by the Superintendent of Public Instruction to implement RCW 28A.100.080 through 28A.100.092.

Statutory Authority for Adoption: RCW 28A.100.090(1).

Statute Being Implemented: RCW 28A.100.080 through 28A.100.092.

Summary: School districts that receive funding as small high schools are authorized to participate in a cooperative partnership for up to five years. As part of establishing the cooperative partnership, the school districts must apply to the Superintendent of Public Instruction. Included in the application may be the request to waive rules and regulations promulgated by the Superintendent of Public Instruction.

Reasons Supporting Proposal: Implements statute.

Name of Agency Personnel Responsible for Drafting: Richard Michael Wilson, Old Capitol Building, 753-2298; Implementation: Robert M. Schley, Old Capitol Building, 753-1717; and Enforcement: Dr. David L. Moberly, Old Capitol Building, 753-6742.

Name of Proponent: Superintendent of Public Instruction, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Summary and Purpose.

Proposal Changes the Following Existing Rules: See Summary and Purpose.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Wanamaker Conference Room, Old Capitol Building, Olympia, Washington 98504, on November 22, 1989, at 9:00 a.m.

Submit Written Comments to: Richard Michael Wilson, by November 20, 1989.

Date of Intended Adoption: November 22, 1989.

October 18, 1989
Judith A. Billings
Superintendent of
Public Instruction

FINANCE—PARTNERSHIPS AMONG SMALL SCHOOL DISTRICTS

NEW SECTION

WAC 392-126-400 AUTHORITY. The authority for this chapter is RCW 28A.100.090(1) which authorizes the superintendent of

public instruction to adopt rules and regulations as are necessary to implement the cooperative partnerships among small school districts program.

NEW SECTION

WAC 392-126-405 **PURPOSE.** The purpose of this chapter is to set forth the policies and procedures to implement the cooperative partnerships among small school districts program set forth in RCW 28A.100.080 through 28A.100.092.

NEW SECTION

WAC 392-126-410 **DEFINITION—ELIGIBLE SCHOOL DISTRICTS.** As used in this chapter, "eligible school district" means a school district eligible for funding as a small high school district pursuant to the state Omnibus Appropriations Act in effect when the school districts are approved for participation in a cooperative project.

NEW SECTION

WAC 392-126-415 **DEFINITION—SCHOOL YEAR.** As used in this chapter, "school year" means the same defined in WAC 392-121-031.

NEW SECTION

WAC 392-126-420 **APPLICATION PROCESS.** Eligible school districts may apply to participate in a cooperative partnership for a period of five years. If additional eligible school districts wish to join the cooperative partnership at a later date, the cooperative partnership shall reapply as a whole. The application shall be reviewed by the superintendent of public instruction for the following:

- (1) The granting of waivers from rules and regulations; and
- (2) Technical accuracy.

The applicant school districts may not commence the proposed cooperative partnership until the superintendent of public instruction has completed the review of the application: **PROVIDED,** That for those cooperative programs approved by the superintendent of public instruction pursuant to RCW 28A.03.448 through 28A.03.450 shall be allowed to continue operations until they have had applications reviewed by the superintendent of public instruction.

NEW SECTION

WAC 392-126-425 **APPLICATION PROCESS—CONTENT OF COOPERATIVE PARTNERSHIP APPLICATION.** The cooperative partnership application will include the following:

- (1) A description of the cooperative project, including the programs, services, and administrative activities to be jointly operated;
- (2) The improvements in curriculum offerings and educational opportunities expected to result from the establishment of the cooperative project;
- (3) A list of statutory requirements or administrative rules which act as financial disincentives to the establishment and/or would impede the operation of the cooperative project;
- (4) The financial impact to the school districts and the state that would result from the waiving of the statutory requirement or administrative rules;
- (5) An assessment of community support for the proposed cooperative project, including an assessment of each affected community; and
- (6) A plan for evaluating the educational and cost-effectiveness of the proposed cooperative project. The evaluation plan shall include a means of evaluating curriculum offerings and staffing patterns.

NEW SECTION

WAC 392-126-430 **APPLICATION PROCESS—WAIVERS FROM RULES AND REGULATIONS.** The superintendent of public instruction may grant waivers for five years from rules and regulations if they meet the following conditions:

- (1) That the rules and regulations have been adopted by the superintendent of public instruction pursuant to express statutory authority;
- (2) That waiving the rules will not affect the health, safety, or civil rights of students, parents, or staff; and
- (3) That the request for waiver has been expressly stated in the cooperative partnership application.

NEW SECTION

WAC 392-126-435 **REPORTING PROCESS.** Each school district participating in cooperative partnership shall submit the following reports:

- (1) By September 1 of the third school year of continuous operation, a report on the progress of the cooperative partnership in meeting the objectives set forth in the application pursuant to WAC 392-126-425.
- (2) By September 1 of the fifth school year of continuous operation, a report evaluating the success of the cooperative partnership in meeting the objectives set forth in the application submitted pursuant to WAC 392-126-425.

NEW SECTION

WAC 392-126-440 **REPORTING PROCESS—REAPPLICATION.** The report submitted pursuant to WAC 392-126-435(2) may include an application for continuation of the cooperative partnership. The contents of this application will conform to the requirements set forth in WAC 392-126-425 and will be subject to review by the superintendent of public instruction set forth in WAC 392-126-420.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 392-126-005 **AUTHORITY.**

WSR 89-21-098

PROPOSED RULES

SUPERINTENDENT OF PUBLIC INSTRUCTION

[Filed October 18, 1989, 4:37 p.m.]

Original Notice.

Title of Rule: Finance—Special allocations—1989-91 Certificated instructional staff enhancement moneys.

Purpose: Implement section 502 (10)(b) and (c), chapter 19, Laws of 1989 1st ex. sess. (the Omnibus Appropriations Act) establishing conditions under which school districts may receive moneys for certificated instructional staff in addition to those staff ratios set forth in RCW 28A.41.140 (2)(c).

Other Identifying Information: Compliance with these rules and regulations does not affect compliance with RCW 28A.41.110(2) or 28A.41.130 which sets forth other staffing standards.

Statutory Authority for Adoption: RCW 28A.41.170(1).

Statute Being Implemented: Section 502 (10)(b) and (c), chapter 19, Laws of 1989 1st ex. sess. (the Omnibus Appropriations Act).

Summary: RCW 28A.41.140 (2)(c) specifies that the funding formula used to distribute general apportionment moneys will use a ratio of 49 certificated instructional staff per one thousand full-time equivalent students. The 1989 Omnibus Appropriations Act provides an additional two certificated instructional staff above the statutory requirements if school districts comply with certain conditions.

Reasons Supporting Proposal: Implements the Omnibus Appropriations Act.

Name of Agency Personnel Responsible for Drafting: Richard Michael Wilson, Old Capitol Building, 753-2298; **Implementation:** Robert M. Schley, Old Capitol Building, 753-1717; and **Enforcement:** Dr. David L. Moberly, Old Capitol Building, 753-6742.

Name of Proponent: Superintendent of Public Instruction, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose and Summary.

Proposal Changes the Following Existing Rules: See Summary and Purpose.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Wanamaker Conference Room, Old Capitol Building, Olympia, Washington 98504, on November 22, 1989, at 9:00 a.m.

Submit Written Comments to: Richard Michael Wilson, by November 20, 1989.

Date of Intended Adoption: November 22, 1989.

October 18, 1989

Judith A. Billings

Superintendent of

Public Instruction

Chapter 392-140 WAC
FINANCE—SPECIAL ALLOCATIONS(~~(-INSTRUCTIONS,
AND REQUIREMENTS))~~ 1989-91 CERTIFICATED INSTRU-
CTIONAL STAFF ENHANCEMENT MONEYS WAC 392-140-
300 THROUGH 392-140-399

NEW SECTION

WAC 392-140-300 1989-91 CERTIFICATED INSTRUCTIONAL STAFF ENHANCEMENT MONEYS—APPLICABLE PROVISIONS. The provisions of WAC 392-140-300 through 392-140-335 apply to the determination of kindergarten through third grade enhancement moneys which are in addition to the statutory general apportionment moneys allocated pursuant to RCW 28A.41.140 (2)(c). Compliance with these sections does not assure compliance with:

(1) RCW 28A.41.110(2), which requires each school district to maintain a ratio of at least forty-six basic education certificated instructional staff per thousand annual average full-time equivalent students; or

(2) RCW 28A.41.130, which requires that the ratio of students per classroom teacher in grades kindergarten through three be no greater than the ratio of students per classroom teacher in grades four and above.

NEW SECTION

WAC 392-140-301 1989-91 CERTIFICATED INSTRUCTIONAL STAFF ENHANCEMENT MONEYS—AUTHORITY. The authority for WAC 392-140-300 through 392-140-335 is:

(1) Section 502(10), chapter 19, Laws of 1989 1st ex. sess. (the Omnibus Appropriations Act); and

(2) RCW 28A.41.170(1).

NEW SECTION

WAC 392-140-302 1989-91 CERTIFICATED INSTRUCTIONAL STAFF ENHANCEMENT MONEYS—PURPOSE. The purpose of WAC 392-140-300 through 392-140-335 is to set forth the policies and procedures used by the superintendent of public instruction to determine the amount of moneys to be provided to school districts for certificated instructional staff above that set forth in RCW 28A.41.140 (2)(c).

NEW SECTION

WAC 392-140-303 1989-91 CERTIFICATED INSTRUCTIONAL STAFF ENHANCEMENT MONEYS—DEFINITION—SCHOOL DISTRICT. As used in WAC 392-140-300 through 392-140-335, "school district" means a school district which is eligible to receive kindergarten through third grade enhancement moneys.

NEW SECTION

WAC 392-140-304 1989-91 CERTIFICATED INSTRUCTIONAL STAFF ENHANCEMENT MONEYS—DEFINITION—SPI FORM E-672. As used in WAC 392-140-300 through 392-140-335, "SPI Form E-672" means the form prepared and distributed to those school districts operating state institutional education program for the purpose of reporting enrollment.

NEW SECTION

WAC 392-140-305 1989-91 CERTIFICATED INSTRUCTIONAL STAFF ENHANCEMENT MONEYS—DEFINITION—FULL-TIME EQUIVALENT BASIC EDUCATION ENROLLMENT. As used in WAC 392-140-300 through 392-140-335, "full-time equivalent basic education enrollment" means for the period selected by the school district:

(1) Total full-time equivalent students reported by a school district pursuant to WAC 392-121-122; minus

(2) Handicapped full-time equivalent students calculated pursuant to WAC 392-122-131 and based on the enrollment reported by a school district pursuant to WAC 392-122-106; minus

(3) Full-time equivalent students enrolled in learning centers reported by a school district on SPI Form E-672.

NEW SECTION

WAC 392-140-306 1989-91 CERTIFICATED INSTRUCTIONAL STAFF ENHANCEMENT MONEYS—DEFINITION—FULL-TIME EQUIVALENT KINDERGARTEN THROUGH THIRD GRADE BASIC EDUCATION ENROLLMENT. As used in WAC 392-140-300 through 392-140-335, "full-time equivalent kindergarten through third grade basic education enrollment" means for the period selected by the school district:

(1) Total full-time equivalent kindergarten through third grade students reported by a school district pursuant to WAC 392-121-122; minus

(2) Handicapped full-time equivalent students of ages six through eight calculated pursuant to WAC 392-122-131 based on enrollment reported by a school district pursuant to WAC 392-122-106.

NEW SECTION

WAC 392-140-307 1989-91 CERTIFICATED INSTRUCTIONAL STAFF ENHANCEMENT MONEYS—DEFINITION—FULL-TIME EQUIVALENT KINDERGARTEN THROUGH THIRD GRADE BASIC EDUCATION ENROLLMENT INCLUDING HANDICAPPED ENROLLMENT. As used in WAC 392-140-300 through 392-140-335, "full-time equivalent kindergarten through third grade basic education enrollment including handicapped enrollment" means total full-time equivalent kindergarten through third grade students for the period selected and reported by a school district pursuant to WAC 392-121-122.

NEW SECTION

WAC 392-140-308 1989-91 CERTIFICATED INSTRUCTIONAL STAFF ENHANCEMENT MONEYS—DEFINITION—SPI FORM S-275. As used in WAC 392-140-300 through 392-140-335, "SPI Form S-275" means the same as defined in WAC 392-121-220.

NEW SECTION

WAC 392-140-309 1989-91 CERTIFICATED INSTRUCTIONAL STAFF ENHANCEMENT MONEYS—DEFINITION—SCHOOL YEAR. As used in WAC 392-140-300 through 392-140-335, "school year" means the same as defined in WAC 392-121-031.

NEW SECTION

WAC 392-140-310 1989-91 CERTIFICATED INSTRUCTIONAL STAFF ENHANCEMENT MONEYS—DEFINITION—CURRENT SCHOOL YEAR. As used in WAC 392-140-300 through 392-140-335, "current school year" means the school year for which the calculations set forth in WAC 392-140-300 through 392-140-335 are being performed.

NEW SECTION

WAC 392-140-311 1989-91 CERTIFICATED INSTRUCTIONAL STAFF ENHANCEMENT MONEYS—DEFINITION—FOLLOWING SCHOOL YEAR. As used in WAC 392-140-300 through 392-140-335, "following school year" means the school year immediately after the current school year.

NEW SECTION

WAC 392-140-312 1989-91 CERTIFICATED INSTRUCTIONAL STAFF ENHANCEMENT MONEYS—DEFINITION—ACADEMIC YEAR. As used in WAC 392-140-300 through 392-140-335, "academic year" means any nine-month period within the current school year in which the minimum one hundred eighty school days required by law is conducted.

NEW SECTION

WAC 392-140-313 1989-91 CERTIFICATED INSTRUCTIONAL STAFF ENHANCEMENT MONEYS—DEFINITION—FULL-TIME EQUIVALENT BASIC EDUCATION CERTIFICATED INSTRUCTIONAL EMPLOYEE. As used in WAC 392-140-300 through 392-140-335, "full-time equivalent basic education certificated instructional employee" means for a basic education certificated instructional employee as defined in WAC 392-121-210 the full-time equivalent calculated pursuant to WAC 392-121-215.

NEW SECTION

WAC 392-140-314 1989-91 CERTIFICATED INSTRUCTIONAL STAFF ENHANCEMENT MONEYS—DEFINITION—FULL-TIME EQUIVALENT KINDERGARTEN THROUGH THIRD GRADE BASIC EDUCATION CERTIFICATED INSTRUCTIONAL EMPLOYEE. As used in WAC 392-140-300 through 392-140-335, "full-time equivalent kindergarten through third grade basic education certificated instructional employee" means for a full-time equivalent basic education certificated instructional employee the following:

- (1) If the basic education certificated instructional employee serves only kindergarten through third grade students, one hundred percent of the full-time equivalent assigned to basic education; or
- (2) If the basic education certificated instructional employee serves kindergarten through third grade students and students of one or more other grades, multiply the full-time equivalent assigned to basic education by:
 - (a) The proportion of time spent serving kindergarten through third grade students to all time serving students;
 - (b) The proportion of kindergarten through third grade students served to all students served; or
 - (c) Any combination of (2)(a) or (2)(b) of this subsection as appropriate.

NEW SECTION

WAC 392-140-315 1989-91 CERTIFICATED INSTRUCTIONAL STAFF ENHANCEMENT MONEYS—DEFINITION—FULL-TIME EQUIVALENT KINDERGARTEN THROUGH THIRD GRADE BASIC EDUCATION CERTIFICATED INSTRUCTIONAL STAFF. As used in WAC 392-140-300 through 392-140-335, "full-time equivalent kindergarten through third grade basic education certificated instructional staff" means the sum of full-time equivalent kindergarten through third grade basic education certificated instructional employees for a school district.

NEW SECTION

WAC 392-140-316 1989-91 CERTIFICATED INSTRUCTIONAL STAFF ENHANCEMENT MONEYS—DEFINITION—ADDITION FULL-TIME EQUIVALENT. As used in WAC 392-140-300 through 392-140-335, "addition full-time equivalent" means the increase in full-time equivalent for a basic education certificated instructional employee who is not reported on SPI Form S-275 or whose certificated instructional full-time equivalent is increased after October 1 of the current school year calculated as follows:

- (1) Determine the basic education certificated instructional full-time equivalent that would have been reported for the employee on SPI Form S-275 if the employee had served the full academic year at the level of service after the contract change;

- (2) Subtract the basic education certificated instructional full-time equivalent as of October 1 as reported for the employee on SPI Form S-275 from the result obtained in subsection (1) of this section;

- (3) Multiply the result obtained in subsection (2) of this section by the number of months remaining in the academic year, including the month the change occurred; and

- (4) Divide the result obtained in subsection (3) of this section by nine.

NEW SECTION

WAC 392-140-317 1989-91 CERTIFICATED INSTRUCTIONAL STAFF ENHANCEMENT MONEYS—DEFINITION—REDUCTION FULL-TIME EQUIVALENT. As used in WAC 392-140-300 through 392-140-335, "reduction full-time equivalent" means the decrease in full-time equivalent for a basic education certificated instructional employee who is no longer employed or whose certificated instructional full-time equivalent is changed after October 1 of the current school year calculated as follows:

- (1) Determine the basic education certificated instructional full-time equivalent that would have been reported for the employee on SPI Form S-275 if the employee had served the full academic year at the level of service after the contract change;

- (2) Subtract the basic education certificated instructional full-time equivalent as of October 1 as reported for the employee on SPI Form S-275 from the result obtained in subsection (1) of this section;

- (3) Multiply the result obtained in subsection (2) of this section by the number of months remaining in the academic year, including the month the change occurred; and

- (4) Divide the result obtained in subsection (3) of this section by nine.

NEW SECTION

WAC 392-140-318 1989-91 CERTIFICATED INSTRUCTIONAL STAFF ENHANCEMENT MONEYS—DEFINITION—REASSIGNMENT FULL-TIME EQUIVALENT. As used in WAC 392-140-300 through 392-140-335, "reassignment full-time equivalent" means the change in full-time equivalent for a basic education certificated instructional employee after October 1 whose certificated instructional full-time equivalent does not change calculated as follows:

- (1) Determine the basic education certificated instructional full-time equivalent that would have been reported for the employee on SPI Form S-275 if the employee had served the full academic year at the level of service after the assignment change;

- (2) Subtract the basic education certificated instructional full-time equivalent as of October 1 as reported on SPI Form S-275 from the result obtained in subsection (1) of this section;

- (3) Multiply the result obtained in subsection (1) of this section by the number of months remaining in the academic year, including the month the reassignment is in effect; and

- (4) Divide the result obtained in subsection (2) of this section by nine.

NEW SECTION

WAC 392-140-319 1989-91 CERTIFICATED INSTRUCTIONAL STAFF ENHANCEMENT MONEYS—DEFINITION—SUPPLEMENTAL FULL-TIME EQUIVALENT STAFF. As used in WAC 392-140-300 through 392-140-335, "supplemental full-time equivalent staff" means the sum of a school district's addition, reduction, or reassignment full-time equivalents for basic education certificated instructional employees.

NEW SECTION

WAC 392-140-320 1989-91 CERTIFICATED INSTRUCTIONAL STAFF ENHANCEMENT MONEYS—DEFINITION—SUPPLEMENTAL FULL-TIME EQUIVALENT KINDERGARTEN THROUGH THIRD GRADE STAFF. As used in WAC 392-140-300 through 392-140-335, "supplemental full-time equivalent kindergarten through third grade staff" means the sum of a school district's addition, reduction, and reassignment full-time equivalents for kindergarten through third grade basic education certificated instructional staff.

NEW SECTION

WAC 392-140-321 1989-91 CERTIFICATED INSTRUCTIONAL STAFF ENHANCEMENT MONEYS—DEFINITION—KINDERGARTEN THROUGH THIRD GRADE STAFFING RATIO. As used in WAC 392-140-300 through 392-140-335, "kindergarten through third grade staffing ratio" means the ratio calculated as follows:

(1) Add the full-time equivalent kindergarten through third grade basic education certificated instructional staff as reported on SPI Form S-275 and any supplemental full-time equivalent kindergarten through third grade staff;

(2) Divide the result obtained in subsection (1) of this section by the full-time equivalent kindergarten through third grade basic education enrollment; and

(3) Multiply the result obtained in subsection (2) of this section by 1000.

NEW SECTION

WAC 392-140-322 1989-91 CERTIFICATED INSTRUCTIONAL STAFF ENHANCEMENT MONEYS—DEFINITION—KINDERGARTEN THROUGH TWELFTH GRADE STAFFING RATIO. As used in WAC 392-140-300 through 392-140-335, "kindergarten through twelfth grade staffing ratio" means the ratio calculated as follows:

(1) Add the full-time equivalent basic education certificated instructional staff as reported on SPI Form S-275 and any supplemental full-time equivalent staff;

(2) Divide the result obtained in subsection (1) of this section by the full-time equivalent basic education enrollment for the school year; and

(3) Multiply the result obtained in subsection (2) of this section by 1000.

NEW SECTION

WAC 392-140-323 1989-91 CERTIFICATED INSTRUCTIONAL STAFF ENHANCEMENT MONEYS—DEFINITION—SPI FORM 1157. As used in WAC 392-140-300 through 392-140-335, "SPI Form 1157" means the form prepared by the superintendent of public instruction on which school districts report 1988-89 staffing data.

NEW SECTION

WAC 392-140-324 1989-91 CERTIFICATED INSTRUCTIONAL STAFF ENHANCEMENT MONEYS—DEFINITION—SPI FORM 1158. As used in WAC 392-140-300 through 392-140-335, "SPI Form 1158" means the form prepared by the superintendent of public instruction on which school districts report supplemental full-time equivalent staff and/or supplemental kindergarten through third grade full-time equivalent staff for the current school year.

NEW SECTION

WAC 392-140-325 1989-91 CERTIFICATED INSTRUCTIONAL STAFF ENHANCEMENT MONEYS—DEFINITION—SPI FORM 1159. As used in WAC 392-140-300 through 392-140-335, "SPI Form 1159" means the form prepared by the superintendent of public instruction displaying the calculations of kindergarten through third grade staffing and apportionment ratios and other information as necessary.

NEW SECTION

WAC 392-140-326 1989-91 CERTIFICATED INSTRUCTIONAL STAFF ENHANCEMENT MONEYS—DEFINITION—SPI FORM 1160. As used in WAC 392-140-300 through 392-140-335, "SPI Form 1160" means the form prepared by the superintendent of public instruction on which a school district indicates the enrollment the superintendent of public instruction shall use to calculate staffing ratios.

NEW SECTION

WAC 392-140-327 1989-91 CERTIFICATED INSTRUCTIONAL STAFF ENHANCEMENT MONEYS—GENERAL

PROVISIONS. The following general provisions apply to WAC 392-140-300 through 392-140-335:

(1) All calculations made by the superintendent of public instruction shall use the most current school district information for the school year on file with the superintendent of public instruction at the time of the calculation.

(2) Full-time equivalent staff shall be rounded to the nearest three decimal places.

(3) Full-time equivalent enrollment shall be rounded to the nearest two decimal places.

(4) Ratios of full-time equivalent staff to students shall be expressed as a ratio of staff to one thousand students and shall be rounded to two decimal places (e.g., 51.21/1000).

(5) School districts shall have available upon request by the superintendent of public instruction and for audit purposes, such documentation as necessary to support all data reported to the superintendent of public instruction pursuant to WAC 392-140-300 through 392-140-335.

NEW SECTION

WAC 392-140-328 1989-91 CERTIFICATED INSTRUCTIONAL STAFF ENHANCEMENT MONEYS—SCHOOL DISTRICT REPORTING—REQUIRED REPORTS. School districts are required to report to the superintendent as follows:

(1) On or before the Wednesday prior to Thanksgiving of each school year, each school district shall submit to the superintendent of public instruction on SPI Form S-275 the school district's full-time equivalent kindergarten through third grade basic education certificated instructional staff for the current school year.

(2) Any school district that has not previously submitted SPI Form 1157 and that receives SPI Form 1159 showing a school district kindergarten through third grade staffing ratio of fifty-one per thousand or greater shall, within thirty days of receiving SPI Form 1159, submit SPI Form 1157:

(a) Certifying that the school district's 1988-89 kindergarten through third grade staffing ratio was or was not fifty-one per thousand or greater; and

(b) If the 1988-89 kindergarten through third grade staffing ratio was fifty-one per thousand or greater, the school district's 1988-89 kindergarten through twelfth grade staffing ratio.

NEW SECTION

WAC 392-140-329 1989-91 CERTIFICATED INSTRUCTIONAL STAFF ENHANCEMENT MONEYS—SCHOOL DISTRICT REPORTING—OPTIONAL REPORT—STAFF CHANGES. School districts may report to the superintendent of public instruction prior to September 30 of the following school year supplemental full-time equivalent staff and/or supplemental full-time equivalent kindergarten through third grade staff for the current school year on SPI Form 1158.

NEW SECTION

WAC 392-140-330 1989-91 CERTIFICATED INSTRUCTIONAL STAFF ENHANCEMENT MONEYS—SCHOOL DISTRICT REPORTING—OPTIONAL REPORT—ENROLLMENT CHANGES. School districts may request that the superintendent of public instruction use a different enrollment to compute staffing ratios than that reported for October 1 prior to September 30 of the following school year on SPI Form 1160. The school district may select either one of the following:

(1) The enrollments for any one month during the current school year; or

(2) The annual average enrollments for the current school year.

NEW SECTION

WAC 392-140-331 1989-91 CERTIFICATED INSTRUCTIONAL STAFF ENHANCEMENT MONEYS—INITIAL REPORT BY THE SUPERINTENDENT OF PUBLIC INSTRUCTION. Prior to January 31 of each school year the superintendent of public instruction shall report to each school district the school district's kindergarten through third grade staffing ratio for the current school year on SPI Form 1159. The report shall include any supplemental data submitted by the school district to the superintendent of public instruction prior to January 1 of the current school year.

NEW SECTION

WAC 392-140-332 1989-91 CERTIFICATED INSTRUCTIONAL STAFF ENHANCEMENT MONEYS—INTERIM REPORT BY THE SUPERINTENDENT OF PUBLIC INSTRUCTION. Within thirty days of receiving data on supplemental full-time equivalent from a school district on SPI Form 1157 SPI Form 1158, the superintendent of public instruction shall report to the school district the school district's kindergarten through third grade staffing and apportionment ratios for the current school year on SPI Form 1159.

NEW SECTION

WAC 392-140-333 1989-91 CERTIFICATED INSTRUCTIONAL STAFF ENHANCEMENT MONEYS—FINAL REPORT BY THE SUPERINTENDENT OF PUBLIC INSTRUCTION. Prior to January 1 of the following school year, the superintendent of public instruction shall report to each school district the final kindergarten through third grade staffing and apportionment ratios calculated for the school district for the current school year. Calculations shall include supplemental data for the current school year submitted by the school district prior to September 30 of the following school year.

NEW SECTION

WAC 392-140-334 1989-91 CERTIFICATED INSTRUCTIONAL STAFF ENHANCEMENT MONEYS—KINDERGARTEN THROUGH THIRD GRADE APPORTIONMENT RATIOS A SCHOOL DISTRICT WITH A 1988-89 KINDERGARTEN THROUGH THIRD GRADE STAFFING RATIO LESS THAN FIFTY-ONE PER THOUSAND. For those school districts with a 1988-89 kindergarten through third grade staffing ratio less than fifty-one per thousand, the superintendent of public instruction shall determine the kindergarten through third grade apportionment ratios as follows:

(1) If a school district's kindergarten through third grade staffing ratio is less than fifty-one per thousand in the current school year, the kindergarten through third grade apportionment ratio equals the greater of:

(a) The school district's kindergarten through third grade staffing ratio for the current school year; or

(b) Forty-nine per thousand.

(2) If a school district's kindergarten through third grade staffing ratio is fifty-one per thousand or greater in the current school year the kindergarten through third grade apportionment ratio equals fifty-one per thousand.

NEW SECTION

WAC 392-140-335 1989-91 CERTIFICATED INSTRUCTIONAL STAFF ENHANCEMENT MONEYS—KINDERGARTEN THROUGH THIRD GRADE APPORTIONMENT RATIOS FOR A SCHOOL DISTRICT WITH A 1988-89 KINDERGARTEN THROUGH THIRD GRADE STAFFING RATIO EQUAL TO OR GREATER THAN FIFTY-ONE PER THOUSAND. For those school districts with a 1988-89 kindergarten through third grade staffing ratio equal to or greater than fifty-one per thousand, the superintendent of public instruction shall determine the certificated instructional ratios or units used for apportionment purposes as follows:

(1) If a school district's kindergarten through third grade staffing ratio is less than fifty-one per thousand in the current school year, the kindergarten through third grade apportionment ratio equals the greater of:

(a) The school district's kindergarten through third grade staffing ratio for the current school year; or

(b) Forty-nine per thousand.

(2) If a school district's kindergarten through third grade staffing ratio is equal to or greater than fifty-one per thousand in the current school year:

(a) The kindergarten through third grade apportionment ratio equals fifty-one per thousand; and

(b) If the school district does not use all of the kindergarten through third grade enhancement moneys to improve its kindergarten through twelfth grade staffing ratio, the number of certificated instructional units reflected in the apportionment payments to the school district will be reduced as follows:

(i) Multiply the current school year full-time equivalent basic education enrollment by the 1988-89 kindergarten through twelfth grade staffing ratio and divide by 1000;

(ii) Divide the current school year full-time equivalent kindergarten through third grade basic education enrollment including handicapped enrollment by one thousand;

(iii) Multiply the result obtained in (b)(ii) of this subsection by three;

(iv) Divide the current school year full-time equivalent kindergarten through third grade basic education enrollment by one thousand;

(v) Multiply the result obtained in (b)(iv) of this subsection by five;

(vi) Subtract the result obtained in (b)(iii) of this subsection from the result obtained in (b)(v) of this subsection;

(vii) Add the results obtained in (b)(i) and (vi) of this subsection;

(viii) Subtract the full-time equivalent basic education certificated instructional staff for the current school year as reported by school districts on SPI Form S-275 and any supplemental full-time equivalent staff as reported on SPI Form 1158 for the current school year from the result obtained in (b)(vii) of this subsection;

(ix) If the result obtained in (b)(viii) of this subsection is greater than zero, the reduction of certificated instructional staff units used for apportionment purposes equals the lesser of:

(A) The result obtained in (b)(vi) of this subsection; or

(B) The result obtained in (b)(viii) of this subsection.

WSR 89-21-099**PROPOSED RULES****SUPERINTENDENT OF PUBLIC INSTRUCTION**

[Filed October 18, 1989, 4:38 p.m.]

Original Notice.

Title of Rule: Finance—Special allocations—1989-91 Vocational equipment allocations.

Purpose: Implements section 502 (8)(b), chapter 19, Laws of 1989 1st ex. sess. (the Omnibus Appropriations Act).

Statutory Authority for Adoption: RCW 28A.41.170(1).

Statute Being Implemented: See Purpose.

Summary: The 1989 legislature provided \$6,000,000 solely for the purchase of instructional equipment for school district vocational programs. These moneys are to be distributed on the basis of enrollment in vocational-secondary and vocational skill center programs approved by the Superintendent of Public Instruction.

Reasons Supporting Proposal: Implements the Omnibus Appropriations Act.

Name of Agency Personnel Responsible for Drafting: Richard Michael Wilson, Old Capitol Building, 753-2298; Implementation: Robert M. Schley, Old Capitol Building, 753-1717; and Enforcement: Dr. David L. Moberly, Old Capitol Building, 753-6742.

Name of Proponent: Superintendent of Public Instruction, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Summary and Purpose.

Proposal Changes the Following Existing Rules: See Summary and Purpose.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Wanamaker Conference Room, Old Capitol Building, Olympia, Washington 98504, on November 22, 1989, at 9:00 a.m.

Submit Written Comments to: Richard Michael Wilson, by November 20, 1989.

Date of Intended Adoption: November 22, 1989.

October 18, 1989
Judith A. Billings
Superintendent of
Public Instruction

NEW SECTION

WAC 392-140-175 1989-91 VOCATIONAL EQUIPMENT ALLOCATION—APPLICABLE PROVISIONS. The provisions of WAC 392-140-175 through 392-140-186 implement section 502 (8)(b), chapter 19, Laws of 1989 1st ex. sess. (the Omnibus Appropriations Act). This section provides moneys for the purchase of new and replacement equipment for use in vocational secondary and vocational skills center programs approved by the superintendent of public instruction.

NEW SECTION

WAC 392-140-176 1989-91 VOCATIONAL EQUIPMENT ALLOCATION—DEFINITION—ANNUAL AVERAGE FULL-TIME EQUIVALENT STUDENTS. As used in WAC 392-140-175 through 392-140-186, the term "annual average full-time equivalent students" means the same as that defined in WAC 392-121-133.

NEW SECTION

WAC 392-140-177 1989-91 VOCATIONAL EQUIPMENT ALLOCATION—DEFINITION—VOCATIONAL ANNUAL AVERAGE FULL-TIME EQUIVALENT STUDENTS. As used in WAC 392-140-175 through 392-140-186, the term "vocational annual average full-time equivalent students" means the annual average full-time equivalent students in vocational secondary and vocational skills center programs approved by the superintendent of public instruction including those students reported pursuant to WAC 392-121-136.

NEW SECTION

WAC 392-140-178 1989-91 VOCATIONAL EQUIPMENT ALLOCATION—DEFINITION—SCHOOL YEAR. As used in WAC 392-140-175 through 392-140-186, the term "school year" means the same as that defined in WAC 392-121-031.

NEW SECTION

WAC 392-140-179 1989-91 VOCATIONAL EQUIPMENT ALLOCATION—DEFINITION—ELIGIBLE SCHOOL DISTRICT. As used in WAC 392-140-175 through 392-140-186, the term "eligible school district" means any school district operating either or both:

- (1) A vocational secondary program approved pursuant to WAC 180-58-090; and
- (2) A multidistrict cooperative vocational program approved pursuant to WAC 180-58-075 and 180-58-090.

NEW SECTION

WAC 392-140-180 1989-91 VOCATIONAL EQUIPMENT ALLOCATION—DEFINITION—FORM SPI 1154. As used in WAC 392-140-175 through 392-140-186, the term "Form SPI 1154" means the form prepared by the superintendent of public instruction and completed by each eligible school district separately for vocational secondary and vocational skills center programs showing the type, number, vocational program, average price, and total cost of equipment purchased with moneys allocated pursuant to the applicable provisions.

NEW SECTION

WAC 392-140-181 1989-91 VOCATIONAL EQUIPMENT ALLOCATION—LIMITATIONS AND CONDITIONS. The expenditure of moneys allocated pursuant to WAC 392-140-175 through 392-140-186 by each eligible school district is subject to the following conditions and limitations:

- (1) The moneys shall be used solely for the cost of the purchase of equipment, shipping cost, and sales tax;
- (2) The purchased equipment will be used solely for educational purposes in vocational secondary or vocational skills center programs approved by the superintendent of public instruction;
- (3) Moneys allocated based on vocational annual average full-time equivalent students in a vocational skills center shall be expended for the purposes of purchasing equipment for the vocational skills center; and
- (4) The preparation and submittal of a final report on Form SPI 1154.

NEW SECTION

WAC 392-140-182 1989-91 VOCATIONAL EQUIPMENT ALLOCATION—APPORTIONMENT OF FUNDS. The superintendent of public instruction shall apportion moneys to each eligible school district in a like manner as that provided in WAC 392-121-400 based on vocational annual average full-time equivalent students. The final allocation will be determined using the 1989-90 school year vocational annual average full-time equivalent students. Apportionment forms provided to school districts by the superintendent of public instruction shall show the following information separately for vocational secondary and vocational skills center programs:

- (1) Vocational annual average full-time equivalent students used for the allocation;
- (2) The rate per vocational annual average full-time equivalent students used for the allocation;
- (3) Any necessary proration percentage; and
- (4) Total allocation.

NEW SECTION

WAC 392-140-183 1989-91 VOCATIONAL EQUIPMENT ALLOCATION—REPORTING OF 1989-90 VOCATIONAL ANNUAL AVERAGE FULL-TIME EQUIVALENT STUDENTS. Each eligible school district shall report the vocational annual average full-time equivalent students for the 1989-90 school year by September 1, 1990, in such form or manner as required by the superintendent of public instruction.

NEW SECTION

WAC 392-140-184 1989-91 VOCATIONAL EQUIPMENT ALLOCATION—FINAL ALLOCATION. The superintendent of public instruction shall provide each eligible school district by October 31, 1990, with a revised report indicating the final allocation of moneys.

NEW SECTION

WAC 392-140-185 1989-91 VOCATIONAL EQUIPMENT ALLOCATION—FINAL REPORTING OF EXPENDITURES BY ELIGIBLE SCHOOL DISTRICTS. Each eligible school district shall submit a separate Form SPI 1154 for vocational secondary and vocational skills center programs by April 30, 1991.

NEW SECTION

WAC 392-140-186 1989-91 VOCATIONAL EQUIPMENT ALLOCATION—RECOVERY OF UNSPENT FUNDS. The superintendent of public instruction shall separately compare for each eligible school district the actual expenditures reported pursuant to WAC 392-140-185 to the final allocations made pursuant to WAC 392-140-184 for vocational secondary and skills center programs. If the moneys allocated exceeds the reported expenditures, the difference shall be recovered from the school district no later than the June 1991 apportionment payment.

WSR 89-21-100

PROPOSED RULES

SUPERINTENDENT OF PUBLIC INSTRUCTION

[Filed October 18, 1989, 4:39 p.m.]

Original Notice.

Title of Rule: Finance—Emergency school closure.

Purpose: Clarify existing rules and implement section 11, chapter 223, Laws of 1989, changing the definition of a school holiday.

Statutory Authority for Adoption: RCW 28A.41.170(2).

Statute Being Implemented: Same.

Summary: The 1989 legislature redefined school holidays as not including Saturday. School holidays are not required to be used to make up lost days during a district-wide emergency school closure. These rules provide school districts the option to use Saturdays for this purpose. In addition, these amendments clarify the existing rules and regulations.

Reasons Supporting Proposal: Clarifies the implementation of the change in the definition of school holidays.

Name of Agency Personnel Responsible for Drafting: Richard Michael Wilson, Old Capitol Building, 753-2298; Implementation: Robert M. Schley, Old Capitol Building, 753-1717; and Enforcement: Dr. David L. Moberly, Old Capitol Building, 753-6742.

Name of Proponent: Superintendent of Public Instruction, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Summary and Purpose.

Proposal Changes the Following Existing Rules: See Summary and Purpose.

No small business economic impact statement is required for this proposal by chapter 19.85 RCW.

Hearing Location: Wanamaker Conference Room, Old Capitol Building, Olympia, Washington 98504, on November 22, 1989, at 9:00 a.m.

Submit Written Comments to: Richard Michael Wilson, by November 20, 1989.

Date of Intended Adoption: November 22, 1989.

October 18, 1989
Judith A. Billings
Superintendent of
Public Instruction

AMENDATORY SECTION (Amending Order 87-11, filed 9/15/87)

WAC 392-129-003 AUTHORITY. The authority for this chapter is RCW 28A.41.170(2) which authorizes the superintendent of public instruction to establish the terms and conditions for allowing a school district(s) to receive ((basic education moneys)) an allocation of state moneys when ((said)) the school district((s are)) is unable, due to an unforeseen emergency, to fulfill the following statutory requirements: ((of))

- (1) One hundred eighty days of operation; or ((to meet))
- (2) The total program hour offerings, teacher contact hours, or course mix and percentage requirements imposed by law.

AMENDATORY SECTION (Amending Order 81-26, filed 10/8/81)

WAC 392-129-005 PURPOSE ((AND CONSTRUCTION)). This chapter shall govern a school district's entitlement to ((basic education)) allocations ((funds)) of state moneys pursuant to RCW 28A.41.170(2) for any school year during which it is unable to conduct the kindergarten program, first through twelfth grade program, or both due to one or more unforeseen emergencies such that the following statutory requirements cannot be met:

- (1) The minimum number of school days; and/or
- (2) Program hour offerings, teacher contact hours, and course mix and percentages ((required by law for the kindergarten program and/or the grade one through twelve program (or that portion offered

by a district) by reason of one or more unforeseen conditions. The provisions of this chapter shall be narrowly construed by the superintendent of public instruction)).

NEW SECTION

WAC 392-129-008 CONSTRUCTION OF CHAPTER. The provisions of this chapter shall be narrowly construed by the superintendent of public instruction.

AMENDATORY SECTION (Amending Order 82-9, filed 7/28/82)

WAC 392-129-010 DEFINITION((S))—SCHOOL DAY. As used in this chapter, ((the term:

(1) "Unforeseen conditions" shall mean a natural event, including but not necessarily limited to, a fire, flood, explosion, storm, earthquake, epidemic, or volcanic eruption that has the direct or indirect effect of rendering one or more school district facilities unsafe, unhealthy, inaccessible, or inoperable; and

An unforeseen mechanical failure or an unforeseen action or inaction by one or more persons, including negligence and threats, that (a) is beyond the control of both a school district board of directors and its employees and (b) has the direct or indirect effect of rendering one or more school district facilities unsafe, unhealthy, inaccessible, or inoperable. Such actions, inactions or mechanical failures may include, but are not necessarily limited to, arson, vandalism, riots, insurrections, bomb threats, bombings, delays in the scheduled completion of construction projects, and the discontinuance or disruption of utilities such as heating, lighting and water. PROVIDED, That an unforeseen action or inaction shall not include any labor dispute between a school district board of directors and any employee of the school district.

A condition is foreseeable for the purposes of this subsection to the extent a reasonably prudent person would have anticipated prior to August first of the preceding school year that the condition probably would occur during the ensuing school year because of the occurrence of an event or a circumstance which existed during such preceding school year or a prior school year. A board of directors of a school district is deemed for the purposes of this subsection to have knowledge of events and circumstances which are a matter of common knowledge within the school district and of those events and circumstances which can be discovered upon prudent inquiry or inspection.

(2) A "school day" shall mean a calendar day on which all students enrolled in the pre-school handicapped/kindergarten through twelfth grade program of a school district are scheduled for participation in educational activity which is planned, supervised, and conducted by or under the supervision of the school district certificated staff and on which day all, or any portion, of the students enrolled in the program actually commence participation in such educational activity.

(3) A "vacation day" shall mean a day other than (a) a school day; (b) a school holiday as defined in RCW 28A.02.061, and (c) an inservice day for employees of the district that was scheduled prior to the unforeseen school closure and is actually used for that purpose.

(4) A "reasonable effort" shall, in the case of total district closures, mean the rescheduling and/or extension of the school district's instructional calendar in an effort to attain the minimum number of school days and program hour offerings, teacher contact hours, and course mix and percentages accruing therefrom required by law by (a) extending the school year to and through at least June fourteenth and (b) the use of scheduled vacation days. PROVIDED, That in no case shall a district be deemed to have made a reasonable effort unless at least three school days and program hour offerings, teacher contact hours, and course mix and percentages accruing therefrom, which have been lost by all the schools in the entire district by reason of one or more unforeseen conditions shall have in fact been made up)) "school day" means the same as defined in WAC 392-121-033.

AMENDATORY SECTION (Amending Order 81-26, filed 10/8/81)

WAC 392-129-015 ((SUPERINTENDENT'S DETERMINATION OF ELIGIBILITY)) DEFINITION—VACATION DAY. ((1) Total district closures. If a reasonable effort has been made to make up all school days and program hour offerings, teacher contact hours, and course mix and percentages accruing therefrom lost by all the schools in an entire district by reason of one or more unforeseen conditions, but fewer than the minimum number of school days and program hour offerings, teacher contact hours, and course mix and percentages accruing therefrom required by law have been conducted,

the school district will nevertheless be credited with full annual basic education allocation.

(2) ~~Individual school closures. In the event that a district comprising more than one school is unable to operate a school for the minimum number of school days required by law to be conducted, the district may apply to the superintendent of public instruction or his designee for credit for its full annual basic education allocation. Such application shall be granted only upon a conclusive demonstration by the district to the satisfaction of the superintendent that one or more unforeseen conditions prevented the district from operating the school. If such conclusive demonstration is provided, the superintendent shall have the discretion to excuse such district from the obligation to make up such school days for that school and the program hours, teacher contact hours, and course mix and percentages accruing therefrom; however such excuse for that school shall not exceed two scheduled school days per incident nor three scheduled school days per school year.~~

(3) ~~Whenever a district satisfies the definition of a school day specified in WAC 392-129-010(2) it also shall be deemed to have accrued all hours, as originally scheduled for that day, toward meeting its program hour offerings, teacher contact hours, and course mix and percentages requirements.)~~ As used in this chapter, "vacation day" means a day other than:

- (1) A school day;
- (2) A school holiday defined in RCW 28A.02.061;
- (3) Saturday unless actually used for a school day; or
- (4) An inservice day for employees of the school district that:
 - (a) Was scheduled prior to the unforeseen school closure; and
 - (b) Was actually used for that purpose.

AMENDATORY SECTION (Amending Order 81-26, filed 10/8/81)

WAC 392-129-020 ((RATE OF REDUCTION IN ANNUAL BASIC EDUCATION ALLOCATION)) DEFINITION—SCHOOL YEAR. ((For each school day short of the minimum number of school days required by law which a school district fails to conduct by reason of one or more unforeseen conditions, and/or by reason of any other cause, and for which the school district is not entitled to its basic education allocation pursuant to this chapter, the superintendent of public instruction shall reduce the basic education allocation of the district for that school year by one one-hundred and eightieth in the case of total district closures. In the case of individual school closures such one one-hundred and eightieth daily reduction in the district's basic education allocation shall be multiplied by that fraction resulting from dividing the full-time equivalent student enrollment of such individual school by the full-time equivalent student enrollment of the district. Kindergarten and grade one through twelve programs shall be considered separately for the purpose of computing compliance with minimum school day and/or program hour offerings requirements and any loss of basic education allocation.)) As used in this chapter, "school year" means the same as defined in WAC 392-121-031.

AMENDATORY SECTION (Amending Order 85-2, filed 4/10/85)

WAC 392-129-030 ((APPLICATION OF CHAPTER TO HALF DAY KINDERGARTEN PROGRAMS)) DEFINITION—CURRENT SCHOOL YEAR. ((The following shall apply to the cancellation of either the morning or afternoon kindergarten program in a school district due to an unforeseen emergency:

(1) In the event a district has both a morning and afternoon kindergarten program scheduled on a school day and the district cancels the morning program and commences the afternoon kindergarten program, the district need not make up such school day, program hour offering, teacher contact hours, and course mix percentages required by law for the morning kindergarten program.

(2) In the event a district has both a morning and afternoon kindergarten program scheduled on a school day and the district commences the school day with the morning kindergarten program, the district may cancel the afternoon kindergarten program without making up such school day, program hour offering, teacher contact hours, and course mix and percentages required by law for the afternoon program.)) As used in this chapter, "current school year" means the same as defined in WAC 392-139-052.

NEW SECTION

WAC 392-129-035 DEFINITION—PRECEDING SCHOOL YEAR. As used in this chapter, "preceding school year" means the school year immediately preceding the current school year.

NEW SECTION

WAC 392-129-040 DEFINITION—PRIOR SCHOOL YEAR. As used in this chapter, "prior school year" means any one of nine school years immediately preceding the prior school year.

NEW SECTION

WAC 392-129-045 DEFINITION—NATURAL EVENT. As used in this chapter, "natural event" means, but is not limited to, a fire, flood, explosion, storm, earthquake, epidemic, or volcanic eruption.

NEW SECTION

WAC 392-129-050 DEFINITION—MECHANICAL FAILURE. As used in this chapter, "mechanical failure" means a discontinuation or disruption of utilities such as heating, lighting, or water beyond the control of a school district board of directors and its employees.

NEW SECTION

WAC 392-129-060 DEFINITION—ACTION OR INACTION BY ONE OR MORE PERSONS. As used in this chapter, "action or inaction by one or more persons" means, but is not limited to, arson, vandalism, riots, insurrections, bomb threats, bombing, or delays in the scheduled completion of construction projects beyond the control of a school district board of directors and its employees. It shall not mean any labor dispute between a school district board of directors and any employee.

NEW SECTION

WAC 392-129-065 DEFINITION—UNFORESEEN. As used in this chapter, "unforeseen" means the extent that a reasonably prudent person could not have anticipated, prior to August 1st of the preceding school year, that natural events, mechanical failures, or actions or inactions by one or more persons would probably occur during the current school year due to the occurrence of an event or circumstances during a preceding or prior school year.

NEW SECTION

WAC 392-129-070 DEFINITION—FORESEEABLE. As used in this chapter, "foreseeable" means the extent that a reasonably prudent person could have anticipated prior to August 1st of the preceding school year, that natural events, mechanical failures, or actions or inactions by one or more persons would probably occur during the current school year due to the occurrence of an event or circumstances during a preceding or prior school year.

NEW SECTION

WAC 392-129-080 DEFINITION—FORESEEABLE SCHOOL CLOSURE DAYS. As used in this chapter, "foreseeable school closure days" means those days that are foreseeable in order to provide the school district with the ability to make up lost school days due to foreseeable natural events, mechanical failure, or action or inaction by one or more persons that would lead to all schools being unsafe, unhealthy, inaccessible, or inoperable.

NEW SECTION

WAC 392-129-090 DEFINITION—DISTRICT-WIDE EMERGENCY CLOSURE. As used in this chapter, "district-wide emergency closure" means that all school buildings in the school district are unsafe, unhealthy, inaccessible, or inoperable due to one or more unforeseen natural events, mechanical failures, or actions or inactions by one or more persons.

NEW SECTION

WAC 392-129-100 DEFINITION—SCHOOL EMERGENCY CLOSURE. As used in this chapter, "school emergency closure" means a school in the school district comprised of more than one

school that is unsafe, unhealthy, inaccessible, or inoperable due to one or more unforeseen natural events, mechanical failures, or actions or inactions by one or more persons.

NEW SECTION

WAC 392-129-105 DEFINITION—REASONABLE EFFORT. As used in this chapter, "reasonable effort" means the:

- (1) Extension of the school year to and through June 14th; and
- (2) Use of scheduled vacation days and foreseeable school closure days, to attain the minimum number of school days and program hour offerings, teacher contact hours, and course mix and percentages required by law. In no case shall a school district be considered to have made a reasonable effort unless at least three school days and program hour offerings, teacher contact hours, and course mix percentage which have been lost have in fact been made up.

NEW SECTION

WAC 392-129-110 DEFINITION—ANNUAL AVERAGE FULL-TIME EQUIVALENT STUDENTS. As used in this chapter, "annual average full-time equivalent students" means the same as defined in WAC 392-121-133.

NEW SECTION

WAC 392-129-115 SEPARATE CONSIDERATION GIVEN TO THE KINDERGARTEN AND FIRST THROUGH TWELFTH GRADE PROGRAMS. For the purpose of computing compliance with minimum school days, program hour offerings, or both resulting in a loss of allocations of state moneys, the kindergarten and the first through twelfth grade programs shall be considered separately.

NEW SECTION

WAC 392-129-120 APPLICATION OF CHAPTER TO HALF-DAY KINDERGARTEN PROGRAMS. In the event a school district offers both a morning and afternoon kindergarten program and cancels either but not both the morning or afternoon session due to one or more unforeseen natural events, mechanical failures, or actions or inactions by one or more persons, the school district shall be considered as having met the school day, program hour offering, teacher contact hours, and course mix percentages for the canceled session.

NEW SECTION

WAC 392-129-125 DISTRICT-WIDE EMERGENCY CLOSURE—SCHOOL DISTRICT APPLICATION TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION. A school district applying for continuation of state support during a district-wide emergency closure will submit the following information:

- (1) The name of the school district;
- (2) The name of the superintendent of the school district;
- (3) A statement signed by the superintendent that:
 - (a) The school district board of directors has reviewed the application and supports its submittal; and
 - (b) Any foreseeable school closure days are not included in the request;
- (4) The unforeseen natural events, mechanical failures, or actions or inactions by one or more persons which caused the district-wide emergency closure;
- (5) The specific dates of the district-wide emergency closure; and
- (6) The specific dates that the school district has scheduled to make up the lost days.

NEW SECTION

WAC 392-129-130 DISTRICT-WIDE EMERGENCY CLOSURE—SUPERINTENDENT OF PUBLIC INSTRUCTION'S DETERMINATION OF ELIGIBILITY. The superintendent of public instruction shall review each application submitted for a district-wide closure to determine if a reasonable effort has been made to make up all school days and program hour offerings, teacher contact hours, and course mix percentages required by law lost due to the district-wide emergency closure.

NEW SECTION

WAC 392-129-135 DISTRICT-WIDE EMERGENCY CLOSURE—IMPLEMENTATION OF SUPERINTENDENT OF PUBLIC INSTRUCTION'S DETERMINATION OF ELIGIBILITY. If the superintendent of public instruction determines that the school district has made a reasonable effort to make up all school days and program hour offerings, teacher contact hours, and course mix percentages required by law, the school district shall receive its full annual allocation of state moneys. If the superintendent of public instruction determines that the school district has not made a reasonable effort, the school district's annual allocation of state moneys shall be reduced by the number of days lost due to the district-wide emergency closure divided by one hundred eighty.

NEW SECTION

WAC 392-129-140 SCHOOL EMERGENCY CLOSURE—SCHOOL DISTRICT APPLICATION TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION. A school district applying for continuation of state support during a school emergency closure will submit the following information:

- (1) The name of the school district;
- (2) The name of the superintendent of the school district;
- (3) A statement signed by the superintendent that the school district board of directors has reviewed the application and supports its submittal;
- (4) The name(s) of the individual schools which did not operate;
- (5) The unforeseen natural events, mechanical failures, or actions or inactions by one or more persons which caused the school emergency closure;
- (6) The specific dates of the school emergency closure; and
- (7) The specific dates that the school district has scheduled to make up the lost days.

NEW SECTION

WAC 392-129-145 SCHOOL EMERGENCY CLOSURE—SUPERINTENDENT OF PUBLIC INSTRUCTION'S DETERMINATION OF ELIGIBILITY. The superintendent of public instruction shall review each application submitted for a school closure to determine if the application provides a conclusive demonstration that one or more unforeseen natural events, mechanical failures, or actions or inactions by one or more persons prevented the school district from operating the school. Whenever a school district provides a school day, it shall be considered as meeting all hours, as originally scheduled for that day, toward meeting its program hour offerings, teacher contact hours, and course mix percentage requirements.

NEW SECTION

WAC 392-129-150 SCHOOL EMERGENCY CLOSURE—IMPLEMENTATION OF SUPERINTENDENT OF PUBLIC INSTRUCTION'S DETERMINATION OF ELIGIBILITY. If the superintendent of public instruction determines that the school district has provided a conclusive demonstration that one or more unforeseen natural events, mechanical failures, or actions or inactions by one or more persons prevented the school district from operating the school, the school district shall receive its full annual allocation of state moneys. However, the superintendent of public instruction may only excuse the school district for up to two scheduled school days per incident and not for more than three scheduled school days per school year. If the district did not conclusively demonstrate that it was prevented from operating the school(s), its allocation of state moneys shall be reduced by:

- (1) Dividing the number of days lost by one hundred eighty;
- (2) Multiplying the result obtained in subsection (1) of this section by the annual average full-time equivalent enrollment in the school; and
- (3) Dividing the result obtained in subsection (2) of this section by the annual average full-time equivalent enrollment in the school district.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 392-129-013 APPLICATION TO SUPERINTENDENT OF PUBLIC INSTRUCTION.

Table of WAC Sections Affected

KEY TO TABLE

Symbols:

- AMD = Amendment of existing section
- NEW = New section not previously codified
- OBJEC = Notice of objection by Joint Administrative Rules Review Committee
- PREP = Preproposal comments
- RE-AD = Readoption of existing section
- REP = Repeal of existing section
- REAFF = Order assuming and reaffirming rules
- REMOV = Removal of rule pursuant to RCW 34.04.050(5)
- RESCIND = Rescind previous emergency rule
- REVIEW = Review of previously adopted rule
- STMT = Statement regarding previously adopted rule

Suffixes:

- P = Proposed action
- C = Continuance of previous proposal
- E = Emergency action
- S = Supplemental notice
- W = Withdrawal of proposed action
- No suffix means permanent action

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WSR # shows the issue of the Washington State Register where the document may be found; the last three digits show the sequence of the document within the issue.

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| 1-12-160 | REP-P | 89-09-068 | 1-13-080 | REP-P | 89-09-068 | 1-21-030 | NEW-P | 89-09-068 |
| 1-12-160 | REP | 89-12-028 | 1-13-080 | REP | 89-12-028 | 1-21-030 | NEW | 89-12-028 |
| 1-12-170 | REP-P | 89-09-068 | 1-13-090 | REP-P | 89-09-068 | 1-21-040 | NEW-P | 89-09-068 |
| 1-12-170 | REP | 89-12-028 | 1-13-090 | REP | 89-12-028 | 1-21-040 | NEW | 89-12-028 |

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| 1-21-050 | NEW | 89-12-028 | 10-08-210 | AMD | 89-13-036 | 16-228-145 | AMD-P | 89-20-067 |
| 1-21-060 | NEW-P | 89-09-068 | 10-08-211 | NEW-P | 89-10-035 | 16-228-155 | AMD-P | 89-20-067 |
| 1-21-060 | NEW | 89-12-028 | 10-08-211 | NEW | 89-13-036 | 16-228-157 | AMD-P | 89-20-067 |
| 1-21-070 | NEW-P | 89-09-068 | 10-08-215 | NEW-P | 89-10-035 | 16-228-160 | AMD-P | 89-20-067 |
| 1-21-070 | NEW | 89-12-028 | 10-08-215 | NEW | 89-13-036 | 16-228-162 | AMD | 89-07-006 |
| 1-21-080 | NEW-P | 89-09-068 | 10-08-230 | NEW-P | 89-10-035 | 16-228-164 | NEW | 89-07-006 |
| 1-21-080 | NEW | 89-12-028 | 10-08-230 | NEW | 89-13-036 | 16-228-164 | AMD-P | 89-20-067 |
| 1-21-090 | NEW-P | 89-09-068 | 10-08-250 | NEW-P | 89-10-035 | 16-228-165 | REP | 89-07-006 |
| 1-21-090 | NEW | 89-12-028 | 10-08-250 | NEW | 89-13-036 | 16-228-166 | NEW | 89-07-006 |
| 1-21-100 | NEW-P | 89-09-068 | 10-08-251 | NEW-P | 89-10-035 | 16-228-168 | AMD-P | 89-20-067 |
| 1-21-100 | NEW | 89-12-028 | 10-08-251 | NEW | 89-13-036 | 16-228-170 | AMD-P | 89-20-067 |
| 1-21-110 | NEW-P | 89-09-068 | 10-08-252 | NEW-P | 89-10-035 | 16-228-180 | AMD-P | 89-20-067 |
| 1-21-110 | NEW | 89-12-028 | 10-08-252 | NEW | 89-13-036 | 16-228-185 | AMD-P | 89-20-067 |
| 1-21-120 | NEW-P | 89-09-068 | 10-08-260 | NEW-P | 89-10-035 | 16-228-190 | AMD-P | 89-20-067 |
| 1-21-120 | NEW | 89-12-028 | 10-08-260 | NEW | 89-13-036 | 16-228-190 | AMD-W | 89-21-063 |
| 1-21-130 | NEW-P | 89-09-068 | 10-08-261 | NEW-P | 89-10-035 | 16-228-213 | NEW-P | 89-20-067 |
| 1-21-130 | NEW | 89-12-028 | 10-08-261 | NEW | 89-13-036 | 16-228-215 | AMD-P | 89-20-067 |
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| 1-21-140 | NEW | 89-12-028 | 16-22-040 | AMD | 89-14-020 | 16-228-223 | NEW-P | 89-20-067 |
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| 1-21-150 | NEW | 89-12-028 | 16-30-010 | AMD | 89-06-014 | 16-228-233 | NEW-P | 89-20-067 |
| 1-21-160 | NEW-P | 89-09-068 | 16-30-020 | AMD-P | 89-02-056 | 16-228-400 | NEW-E | 89-09-012 |
| 1-21-160 | NEW | 89-12-028 | 16-30-020 | AMD | 89-06-014 | 16-228-410 | NEW-E | 89-09-012 |
| 1-21-170 | NEW-P | 89-09-068 | 16-30-025 | NEW-P | 89-02-056 | 16-228-420 | NEW-E | 89-09-012 |
| 1-21-170 | NEW | 89-12-028 | 16-30-025 | NEW | 89-06-014 | 16-228-430 | NEW-E | 89-09-012 |
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| 4-25-040 | AMD-P | 89-10-012 | 16-30-030 | AMD | 89-06-014 | 16-228-450 | NEW-E | 89-09-012 |
| 4-25-040 | AMD | 89-19-004 | 16-30-050 | AMD-P | 89-02-056 | 16-228-460 | NEW-E | 89-09-012 |
| 4-25-080 | AMD-P | 89-10-013 | 16-30-050 | AMD | 89-06-014 | 16-228-470 | NEW-E | 89-09-012 |
| 4-25-080 | AMD-P | 89-12-073 | 16-30-060 | AMD-P | 89-02-056 | 16-228-480 | NEW-E | 89-09-012 |
| 4-25-180 | REP | 89-03-062 | 16-30-060 | AMD | 89-06-014 | 16-228-490 | NEW-E | 89-09-012 |
| 4-25-191 | NEW | 89-03-062 | 16-30-070 | AMD-P | 89-02-056 | 16-228-500 | NEW-E | 89-09-012 |
| 10-04-020 | AMD-P | 89-10-035 | 16-30-070 | AMD | 89-06-014 | 16-228-510 | NEW-E | 89-09-012 |
| 10-04-020 | AMD | 89-13-036 | 16-30-090 | AMD-P | 89-02-056 | 16-228-520 | NEW-E | 89-09-012 |
| 10-04-060 | AMD-P | 89-10-035 | 16-30-090 | AMD | 89-06-014 | 16-228-520 | REP-E | 89-09-017 |
| 10-04-060 | AMD | 89-13-036 | 16-30-100 | AMD-P | 89-02-056 | 16-228-521 | NEW-E | 89-09-017 |
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| 10-08-001 | NEW | 89-13-036 | 16-54-082 | AMD-E | 89-21-005 | 16-228-610 | NEW-E | 89-18-008 |
| 10-08-010 | REP-P | 89-10-035 | 16-54-082 | AMD-P | 89-21-074 | 16-228-615 | NEW-E | 89-12-002 |
| 10-08-010 | REP | 89-13-036 | 16-59 | AMD | 89-06-007 | 16-228-615 | NEW-E | 89-18-008 |
| 10-08-020 | REP-P | 89-10-035 | 16-59-030 | AMD | 89-06-007 | 16-228-620 | NEW-E | 89-12-002 |
| 10-08-020 | REP | 89-13-036 | 16-156 | AMD-P | 89-20-035 | 16-228-620 | NEW-E | 89-18-008 |
| 10-08-030 | REP-P | 89-10-035 | 16-156-001 | AMD-P | 89-20-035 | 16-228-625 | NEW-E | 89-12-002 |
| 10-08-030 | REP | 89-13-036 | 16-156-005 | AMD-P | 89-20-035 | 16-228-625 | NEW-E | 89-18-008 |
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| 10-08-035 | NEW | 89-13-036 | 16-156-020 | AMD-P | 89-20-035 | 16-228-650 | NEW-E | 89-12-046 |
| 10-08-040 | AMD-P | 89-10-035 | 16-156-030 | AMD-P | 89-20-035 | 16-228-660 | NEW-E | 89-12-046 |
| 10-08-040 | AMD | 89-13-036 | 16-156-035 | NEW-P | 89-20-035 | 16-228-670 | NEW-E | 89-12-046 |
| 10-08-045 | NEW-P | 89-10-035 | 16-156-040 | AMD-P | 89-20-035 | 16-228-900 | AMD-P | 89-20-067 |
| 10-08-045 | NEW | 89-13-036 | 16-156-050 | AMD-P | 89-20-035 | 16-230 | NEW-C | 89-04-056 |
| 10-08-050 | AMD-P | 89-10-035 | 16-156-060 | AMD-P | 89-20-035 | 16-230 | NEW-C | 89-07-051 |
| 10-08-050 | AMD | 89-13-036 | 16-212-087 | NEW-P | 89-08-019 | 16-230-800 | NEW-P | 89-03-065 |
| 10-08-060 | REP-P | 89-10-035 | 16-212-087 | NEW | 89-11-092 | 16-230-800 | NEW-P | 89-11-093 |
| 10-08-060 | REP | 89-13-036 | 16-212-110 | AMD-P | 89-08-019 | 16-230-800 | NEW | 89-16-073 |
| 10-08-090 | AMD-P | 89-10-035 | 16-212-110 | AMD | 89-11-092 | 16-230-805 | NEW-P | 89-03-065 |
| 10-08-090 | AMD | 89-13-036 | 16-212-230 | AMD-P | 89-08-019 | 16-230-805 | NEW-P | 89-11-093 |
| 10-08-110 | AMD-P | 89-10-035 | 16-212-230 | AMD | 89-11-092 | 16-230-805 | NEW | 89-16-073 |
| 10-08-110 | AMD | 89-13-036 | 16-224-010 | AMD-P | 89-08-019 | 16-230-810 | NEW-P | 89-03-065 |
| 10-08-120 | AMD-P | 89-10-035 | 16-224-010 | AMD | 89-11-092 | 16-230-810 | NEW-P | 89-11-093 |
| 10-08-120 | AMD | 89-13-036 | 16-225-001 | REP-P | 89-08-019 | 16-230-810 | NEW | 89-16-073 |
| 10-08-130 | AMD-P | 89-10-035 | 16-225-001 | REP | 89-11-092 | 16-230-815 | NEW-P | 89-03-065 |
| 10-08-130 | AMD | 89-13-036 | 16-225-010 | REP-P | 89-08-019 | 16-230-815 | NEW-P | 89-11-093 |
| 10-08-140 | AMD-P | 89-10-035 | 16-225-010 | REP | 89-11-092 | 16-230-815 | NEW | 89-16-073 |
| 10-08-140 | AMD | 89-13-036 | 16-225-020 | REP-P | 89-08-019 | 16-230-820 | NEW-P | 89-03-065 |
| 10-08-150 | AMD-P | 89-10-035 | 16-225-020 | REP | 89-11-092 | 16-230-820 | NEW-P | 89-11-093 |
| 10-08-150 | AMD | 89-13-036 | 16-225-030 | REP-P | 89-08-019 | 16-230-820 | NEW | 89-16-073 |
| 10-08-160 | AMD-P | 89-10-035 | 16-225-030 | REP | 89-11-092 | 16-230-825 | NEW-P | 89-03-065 |
| 10-08-160 | AMD | 89-13-036 | 16-225-040 | REP-P | 89-08-019 | 16-230-825 | NEW-P | 89-11-093 |
| 10-08-170 | AMD-P | 89-10-035 | 16-225-040 | REP | 89-11-092 | 16-230-825 | NEW | 89-16-073 |
| 10-08-170 | AMD | 89-13-036 | 16-225-050 | REP-P | 89-08-019 | 16-230-830 | NEW-P | 89-03-065 |
| 10-08-180 | AMD-P | 89-10-035 | 16-225-050 | REP | 89-11-092 | 16-230-830 | NEW-P | 89-11-093 |
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| 10-08-200 | AMD | 89-13-036 | 16-228-117 | NEW-P | 89-18-081 | 16-230-840 | NEW | 89-16-073 |

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| 16-230-845 | NEW | 89-16-073 | 16-316-360 | AMD | 89-11-078 | 16-690-015 | AMD | 89-08-039 |
| 16-230-850 | NEW-P | 89-11-093 | 16-316-370 | AMD-P | 89-07-074 | 16-750-003 | AMD-P | 89-20-057 |
| 16-230-850 | NEW | 89-16-073 | 16-316-375 | NEW-E | 89-12-001 | 16-750-005 | AMD-P | 89-20-057 |
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| 16-230-855 | NEW | 89-16-073 | 16-316-385 | NEW-E | 89-12-001 | 16-750-015 | AMD-P | 89-20-057 |
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| 16-230-860 | NEW | 89-16-073 | 16-316-395 | NEW-E | 89-12-001 | 16-750-950 | NEW-E | 89-11-072 |
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| 16-230-865 | NEW | 89-16-073 | 16-316-440 | AMD | 89-11-078 | 16-752-300 | NEW-E | 89-20-077 |
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| 16-232-415 | NEW-E | 89-05-004 | 16-316-474 | AMD | 89-11-078 | 16-752-305 | NEW-P | 89-21-064 |
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| 16-232-440 | NEW-E | 89-14-016 | 16-316-800 | AMD | 89-11-078 | 16-752-325 | NEW-E | 89-20-077 |
| 16-232-440 | REP-E | 89-16-057 | 16-316-810 | AMD-P | 89-07-074 | 16-752-325 | NEW-P | 89-21-064 |
| 16-232-445 | NEW-E | 89-05-004 | 16-316-810 | AMD | 89-11-078 | 16-752-330 | NEW-E | 89-20-077 |
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| 16-232-450 | REP-E | 89-16-057 | 16-324-360 | AMD-P | 89-19-064 | 25-48-030 | AMD-P | 89-17-116 |
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| 16-232-455 | REP-E | 89-08-006 | 16-324-410 | AMD-P | 89-19-064 | 25-48-050 | AMD-P | 89-17-116 |
| 16-232-460 | NEW-E | 89-08-006 | 16-324-445 | AMD-P | 89-19-064 | 25-48-050 | AMD-E | 89-17-117 |
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| 16-232-470 | NEW-E | 89-08-006 | 16-324-630 | AMD-P | 89-19-064 | 25-48-105 | AMD-P | 89-17-116 |
| 16-232-470 | NEW-E | 89-14-016 | 16-324-660 | AMD-P | 89-19-064 | 25-48-110 | AMD-P | 89-17-116 |
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| 44-10-220 | AMD | 89-16-024 | 55-01-010 | AMD-P | 89-08-097 | 106-116-210 | AMD-P | 89-19-026 |
| 44-10-230 | AMD-P | 89-12-030 | 55-01-010 | AMD | 89-11-059 | 106-116-210 | AMD-E | 89-19-027 |
| 44-10-230 | AMD-E | 89-12-031 | 55-01-030 | AMD | 89-06-001 | 106-116-301 | AMD-P | 89-19-026 |
| 44-10-230 | AMD | 89-16-024 | 55-01-050 | AMD | 89-06-001 | 106-116-301 | AMD-E | 89-19-027 |
| 44-10-240 | AMD-P | 89-12-030 | 55-01-050 | AMD-E | 89-16-021 | 106-116-311 | AMD-P | 89-19-026 |
| 44-10-240 | AMD-E | 89-12-031 | 55-01-050 | AMD-P | 89-19-018 | 106-116-311 | AMD-E | 89-19-027 |
| 44-10-240 | AMD | 89-16-024 | 55-01-060 | AMD | 89-06-001 | 106-116-514 | AMD-P | 89-19-026 |
| 44-10-300 | NEW | 89-06-025 | 67-35-020 | AMD-P | 89-18-013 | 106-116-514 | AMD-E | 89-19-027 |
| 44-10-310 | NEW | 89-06-025 | 67-35-020 | AMD | 89-21-046 | 106-116-601 | AMD-P | 89-19-026 |
| 44-10-320 | NEW | 89-06-025 | 67-35-090 | AMD-P | 89-18-013 | 106-116-601 | AMD-E | 89-19-027 |
| 50-44-020 | AMD-P | 89-06-059 | 67-35-090 | AMD | 89-21-046 | 106-116-603 | AMD-P | 89-19-026 |
| 50-44-020 | AMD | 89-09-004 | 67-35-120 | AMD-P | 89-18-013 | 106-116-603 | AMD-E | 89-19-027 |
| 50-56-010 | NEW-P | 89-21-045 | 67-35-120 | AMD | 89-21-046 | 113-12-104 | NEW-P | 89-12-083 |
| 50-56-020 | NEW-P | 89-21-045 | 67-35-310 | AMD-P | 89-18-013 | 113-12-195 | AMD-P | 89-12-083 |
| 50-56-030 | NEW-P | 89-21-045 | 67-35-310 | AMD | 89-21-046 | 113-12-195 | AMD | 89-16-095 |
| 50-56-040 | NEW-P | 89-21-045 | 67-35-430 | AMD-P | 89-18-013 | 114-12-125 | REP-P | 89-14-029 |
| 50-56-050 | NEW-P | 89-21-045 | 67-35-430 | AMD | 89-21-046 | 114-12-125 | REP | 89-18-085 |
| 50-56-060 | NEW-P | 89-21-045 | 67-35-910 | AMD-P | 89-18-013 | 114-12-126 | NEW-P | 89-14-029 |
| 50-56-070 | NEW-P | 89-21-045 | 67-35-910 | AMD | 89-21-046 | 114-12-126 | NEW | 89-18-085 |
| 50-56-080 | NEW-P | 89-21-045 | 82-30-010 | NEW-P | 89-11-107 | 114-12-132 | AMD-P | 89-18-082 |
| 51-04 | AMD-P | 89-17-138 | 82-30-020 | NEW-P | 89-11-107 | 114-12-132 | AMD | 89-21-058 |
| 51-04-010 | AMD-P | 89-17-138 | 82-30-030 | NEW-P | 89-11-107 | 114-12-145 | REP-P | 89-14-029 |
| 51-04-015 | NEW-P | 89-17-138 | 82-30-040 | NEW-P | 89-11-107 | 114-12-145 | REP | 89-18-085 |
| 51-04-018 | NEW-P | 89-17-138 | 82-30-050 | NEW-P | 89-11-107 | 114-12-155 | AMD-P | 89-14-102 |
| 51-04-020 | AMD-P | 89-17-138 | 82-30-060 | NEW-P | 89-11-107 | 114-12-155 | AMD | 89-18-086 |
| 51-04-025 | NEW-P | 89-17-138 | 82-50-021 | AMD | 89-03-063 | 114-12-160 | NEW-P | 89-14-029 |
| 51-04-030 | NEW-P | 89-17-138 | 82-50-021 | AMD-P | 89-15-026 | 114-12-160 | REP | 89-18-085 |
| 51-04-035 | NEW-P | 89-17-138 | 82-50-021 | AMD | 89-17-090 | 114-12-164 | NEW-P | 89-14-029 |
| 51-04-037 | NEW-P | 89-17-138 | 82-54-010 | NEW-E | 89-12-022 | 114-12-164 | NEW | 89-18-085 |
| 51-04-040 | NEW-P | 89-17-138 | 82-54-010 | NEW-P | 89-15-016 | 114-12-170 | AMD-P | 89-14-029 |
| 51-04-050 | NEW-P | 89-17-138 | 82-54-010 | NEW | 89-17-089 | 114-12-170 | AMD | 89-18-085 |
| 51-04-060 | NEW-P | 89-17-138 | 82-54-020 | NEW-E | 89-12-022 | 114-12-190 | NEW-P | 89-14-029 |
| 51-04-070 | NEW-P | 89-17-138 | 82-54-020 | NEW-P | 89-15-016 | 114-12-190 | NEW | 89-18-085 |
| 51-06-010 | AMD-P | 89-17-138 | 82-54-020 | NEW | 89-17-089 | 131-08-010 | AMD-P | 89-19-022 |
| 51-06-020 | AMD-P | 89-17-138 | 98-08-150 | AMD-P | 89-05-054 | 131-28 | AMD-C | 89-09-056 |
| 51-06-030 | REP-P | 89-17-138 | 98-08-150 | AMD | 89-08-043 | 131-28 | AMD-C | 89-11-079 |
| 51-06-040 | REP-P | 89-17-138 | 98-11-010 | AMD-P | 89-05-054 | 131-28-015 | AMD-P | 89-06-054 |
| 51-06-050 | REP-P | 89-17-138 | 98-11-010 | AMD | 89-08-043 | 131-28-015 | AMD | 89-14-037 |
| 51-06-060 | REP-P | 89-17-138 | 98-12-010 | REP-P | 89-05-054 | 131-28-021 | AMD-P | 89-06-054 |
| 51-06-070 | AMD-P | 89-17-138 | 98-12-010 | REP | 89-08-043 | 131-28-021 | AMD | 89-14-037 |
| 51-06-080 | REP-P | 89-17-138 | 98-12-050 | NEW-P | 89-05-054 | 131-28-025 | AMD-P | 89-06-054 |
| 51-06-090 | REP-P | 89-17-138 | 98-14-090 | AMD-P | 89-05-054 | 131-28-025 | AMD | 89-14-037 |
| 51-06-100 | REP-P | 89-17-138 | 98-14-090 | AMD | 89-08-043 | 131-28-026 | AMD-P | 89-06-054 |
| 51-06-110 | REP-P | 89-17-138 | 98-14-100 | NEW-P | 89-05-054 | 131-28-026 | AMD | 89-14-037 |
| 51-06-120 | AMD-P | 89-17-138 | 98-14-100 | NEW | 89-08-043 | 131-28-030 | AMD-P | 89-06-054 |
| 51-08-010 | AMD-P | 89-17-138 | 98-16-020 | AMD-P | 89-05-054 | 131-28-030 | AMD | 89-14-037 |
| 51-10 | AMD-P | 89-17-138 | 98-16-020 | AMD | 89-08-043 | 131-28-040 | AMD-P | 89-06-054 |
| 51-12-102 | AMD | 89-04-043 | 98-20-010 | REP-P | 89-05-054 | 131-28-040 | AMD | 89-14-037 |
| 51-12-206 | AMD | 89-04-043 | 98-20-010 | REP | 89-08-043 | 131-28-045 | AMD-P | 89-06-054 |
| 51-12-219 | AMD | 89-04-043 | 98-20-020 | AMD-P | 89-05-054 | 131-28-045 | AMD | 89-14-037 |
| 51-12-220 | AMD-P | 89-17-138 | 98-20-020 | AMD | 89-08-043 | 131-28-080 | AMD-P | 89-06-054 |
| 51-12-223 | AMD | 89-04-043 | 98-40-020 | AMD-P | 89-05-054 | 131-28-080 | AMD | 89-14-037 |
| 51-12-305 | AMD | 89-04-043 | 98-40-020 | AMD | 89-08-043 | 131-28-085 | AMD-P | 89-06-054 |
| 51-12-402 | AMD | 89-04-043 | 98-40-030 | AMD-P | 89-05-054 | 131-28-085 | AMD | 89-14-037 |
| 51-12-403 | AMD-P | 89-17-138 | 98-40-030 | AMD | 89-08-043 | 131-28-090 | AMD-P | 89-06-054 |
| 51-12-404 | AMD-P | 89-17-138 | 98-40-040 | AMD-P | 89-05-054 | 131-28-090 | AMD | 89-14-037 |
| 51-12-411 | AMD | 89-04-043 | 98-40-040 | AMD | 89-08-043 | 132D-08-010 | REP-P | 89-07-061 |
| 51-12-426 | AMD | 89-04-043 | 98-40-050 | AMD-P | 89-05-054 | 132D-08-010 | REP | 89-11-023 |
| 51-12-426 | AMD-P | 89-17-138 | 98-40-050 | AMD | 89-08-043 | 132D-08-015 | REP-P | 89-07-061 |
| 51-12-503 | AMD | 89-04-043 | 98-40-070 | AMD-P | 89-05-054 | 132D-08-015 | REP | 89-11-023 |
| 51-12-601 | AMD | 89-04-043 | 98-40-070 | AMD | 89-08-043 | 132D-08-020 | REP-P | 89-07-061 |
| 51-12-601 | AMD-P | 89-17-138 | 98-40-080 | AMD-P | 89-05-054 | 132D-08-020 | REP | 89-11-023 |
| 51-12-602 | AMD | 89-04-043 | 98-40-080 | AMD | 89-08-043 | 132D-08-025 | REP-P | 89-07-061 |
| 51-12-605 | AMD | 89-04-043 | 98-70-010 | AMD-P | 89-03-032 | 132D-08-025 | REP | 89-11-023 |
| 51-12-608 | AMD | 89-04-043 | 98-70-010 | AMD-E | 89-03-033 | 132D-10-003 | REP-P | 89-07-069 |
| 51-12-608 | AMD-P | 89-17-138 | 98-70-010 | AMD | 89-06-074 | 132D-10-003 | REP | 89-11-022 |
| 51-16-030 | AMD | 89-11-081 | 100-100-070 | AMD-E | 89-21-089 | 132D-10-006 | REP-P | 89-07-069 |
| 51-16-030 | AMD-P | 89-17-138 | 106-116-201 | AMD-P | 89-19-026 | 132D-10-006 | REP | 89-11-022 |
| 51-16-050 | AMD | 89-11-081 | 106-116-201 | AMD-E | 89-19-027 | 132D-10-009 | REP-P | 89-07-069 |
| 51-16-050 | AMD-P | 89-17-138 | 106-116-203 | AMD-P | 89-19-026 | 132D-10-009 | REP | 89-11-022 |
| 51-18-010 | NEW-P | 89-17-138 | 106-116-203 | AMD-E | 89-19-027 | 132D-10-012 | REP-P | 89-07-069 |
| 51-18-020 | NEW-P | 89-17-138 | 106-116-205 | AMD-P | 89-19-026 | 132D-10-012 | REP | 89-11-022 |
| 51-18-030 | NEW-P | 89-17-138 | 106-116-205 | AMD-E | 89-19-027 | 132D-10-015 | REP-P | 89-07-069 |
| 51-18-040 | NEW-P | 89-17-138 | 106-116-207 | AMD-P | 89-19-026 | 132D-10-015 | REP | 89-11-022 |
| 51-18-050 | NEW-P | 89-17-138 | 106-116-207 | AMD-E | 89-19-027 | 132D-10-018 | REP-P | 89-07-069 |
| 55-01-010 | AMD | 89-06-001 | 106-116-208 | AMD-P | 89-19-026 | 132D-10-018 | REP | 89-11-022 |
| 55-01-010 | AMD-E | 89-08-055 | 106-116-208 | AMD-E | 89-19-027 | 132D-10-021 | REP-P | 89-07-069 |

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| 132D-18-020 | REP-P | 89-07-062 | 132D-20-130 | REP-W | 89-05-046 | 132D-122-010 | NEW-P | 89-05-006 |
| 132D-18-020 | REP | 89-11-024 | 132D-20-130 | REP-P | 89-07-070 | 132D-122-010 | NEW | 89-09-039 |
| 132D-18-030 | REP-P | 89-07-062 | 132D-20-130 | REP | 89-11-025 | 132D-122-020 | NEW-P | 89-05-006 |
| 132D-18-030 | REP | 89-11-024 | 132D-20-140 | REP-P | 89-05-012 | 132D-122-020 | NEW | 89-09-039 |
| 132D-18-040 | REP-P | 89-07-062 | 132D-20-140 | REP-W | 89-05-046 | 132D-122-030 | NEW-P | 89-05-006 |
| 132D-18-040 | REP | 89-11-024 | 132D-20-140 | REP-P | 89-07-070 | 132D-122-030 | NEW | 89-09-039 |
| 132D-18-050 | REP-P | 89-07-062 | 132D-20-140 | REP | 89-11-025 | 132D-140-010 | NEW | 89-06-012 |
| 132D-18-050 | REP | 89-11-024 | 132D-20-150 | REP-P | 89-05-012 | 132D-140-020 | NEW | 89-06-012 |
| 132D-18-060 | REP-P | 89-07-062 | 132D-20-150 | REP-W | 89-05-046 | 132D-140-030 | NEW | 89-06-012 |
| 132D-18-060 | REP | 89-11-024 | 132D-20-150 | REP-P | 89-07-070 | 132D-140-040 | NEW | 89-06-012 |
| 132D-18-070 | REP-P | 89-07-062 | 132D-20-150 | REP | 89-11-025 | 132D-140-050 | NEW | 89-06-012 |
| 132D-18-070 | REP | 89-11-024 | 132D-20-160 | REP-P | 89-05-012 | 132D-140-060 | NEW | 89-06-012 |
| 132D-18-080 | REP-P | 89-07-062 | 132D-20-160 | REP-W | 89-05-046 | 132D-140-070 | NEW | 89-06-012 |
| 132D-18-080 | REP | 89-11-024 | 132D-20-160 | REP-P | 89-07-070 | 132D-140-080 | NEW | 89-06-012 |
| 132D-18-090 | REP-P | 89-07-062 | 132D-20-160 | REP | 89-11-025 | 132D-276-010 | NEW-P | 89-07-062 |
| 132D-18-090 | REP | 89-11-024 | 132D-20-170 | REP-P | 89-05-012 | 132D-276-010 | NEW | 89-11-024 |
| 132D-18-100 | REP-P | 89-07-062 | 132D-20-170 | REP-W | 89-05-046 | 132D-276-020 | NEW-P | 89-07-062 |
| 132D-18-100 | REP | 89-11-024 | 132D-20-170 | REP-P | 89-07-070 | 132D-276-020 | NEW | 89-11-024 |
| 132D-18-110 | REP-P | 89-07-062 | 132D-20-170 | REP | 89-11-025 | 132D-276-030 | NEW-P | 89-07-062 |
| 132D-18-110 | REP | 89-11-024 | 132D-20-180 | REP-P | 89-05-012 | 132D-276-030 | NEW | 89-11-024 |
| 132D-18-120 | REP-P | 89-07-062 | 132D-20-180 | REP-W | 89-05-046 | 132D-276-040 | NEW-P | 89-07-062 |
| 132D-18-120 | REP | 89-11-024 | 132D-20-180 | REP-P | 89-07-070 | 132D-276-040 | NEW | 89-11-024 |
| 132D-18-130 | REP-P | 89-07-062 | 132D-20-180 | REP | 89-11-025 | 132D-276-050 | NEW-P | 89-07-062 |
| 132D-18-130 | REP | 89-11-024 | 132D-20-190 | REP-P | 89-05-012 | 132D-276-050 | NEW | 89-11-024 |
| 132D-18-140 | REP-P | 89-07-062 | 132D-20-190 | REP-W | 89-05-046 | 132D-276-060 | NEW-P | 89-07-062 |
| 132D-18-140 | REP | 89-11-024 | 132D-20-190 | REP-P | 89-07-070 | 132D-276-060 | NEW | 89-11-024 |
| 132D-18-150 | REP-P | 89-07-062 | 132D-20-190 | REP | 89-11-025 | 132D-276-070 | NEW-P | 89-07-062 |
| 132D-18-150 | REP | 89-11-024 | 132D-20-200 | REP-P | 89-05-012 | 132D-276-070 | NEW | 89-11-024 |
| 132D-20-010 | REP-P | 89-05-012 | 132D-20-200 | REP-W | 89-05-046 | 132D-276-080 | NEW-P | 89-07-062 |
| 132D-20-010 | REP-W | 89-05-046 | 132D-20-200 | REP-P | 89-07-070 | 132D-276-080 | NEW | 89-11-024 |
| 132D-20-010 | REP-P | 89-07-070 | 132D-20-200 | REP | 89-11-025 | 132D-276-090 | NEW-P | 89-07-062 |
| 132D-20-010 | REP | 89-11-025 | 132D-20-210 | REP-P | 89-05-012 | 132D-276-090 | NEW | 89-11-024 |
| 132D-20-020 | REP-P | 89-05-012 | 132D-20-210 | REP-W | 89-05-046 | 132D-276-100 | NEW-P | 89-07-062 |
| 132D-20-020 | REP-W | 89-05-046 | 132D-20-210 | REP-P | 89-07-070 | 132D-276-100 | NEW | 89-11-024 |
| 132D-20-020 | REP-P | 89-07-070 | 132D-20-210 | REP | 89-11-025 | 132D-276-110 | NEW-P | 89-07-062 |
| 132D-20-020 | REP | 89-11-025 | 132D-20-220 | REP-P | 89-05-012 | 132D-276-110 | NEW | 89-11-024 |
| 132D-20-030 | REP-P | 89-05-012 | 132D-20-220 | REP-W | 89-05-046 | 132D-276-120 | NEW-P | 89-07-062 |
| 132D-20-030 | REP-W | 89-05-046 | 132D-20-220 | REP-P | 89-07-070 | 132D-276-120 | NEW | 89-11-024 |
| 132D-20-030 | REP-P | 89-07-070 | 132D-20-220 | REP | 89-11-025 | 132D-276-130 | NEW-P | 89-07-062 |
| 132D-20-030 | REP | 89-11-025 | 132D-20-230 | REP-P | 89-05-012 | 132D-276-130 | NEW | 89-11-024 |
| 132D-20-040 | REP-P | 89-05-012 | 132D-20-230 | REP-W | 89-05-046 | 132D-276-140 | NEW-P | 89-07-062 |
| 132D-20-040 | REP-W | 89-05-046 | 132D-20-230 | REP-P | 89-07-070 | 132D-276-140 | NEW | 89-11-024 |
| 132D-20-040 | REP-P | 89-07-070 | 132D-20-230 | REP | 89-11-025 | 132D-280-010 | NEW-P | 89-07-063 |
| 132D-20-040 | REP | 89-11-025 | 132D-20-240 | REP-P | 89-05-012 | 132D-280-010 | NEW | 89-11-044 |
| 132D-20-050 | REP-P | 89-05-012 | 132D-20-240 | REP-W | 89-05-046 | 132D-280-020 | NEW-P | 89-07-063 |
| 132D-20-050 | REP-W | 89-05-046 | 132D-20-240 | REP-P | 89-07-070 | 132D-280-020 | NEW | 89-11-044 |
| 132D-20-050 | REP-P | 89-07-070 | 132D-20-240 | REP | 89-11-025 | 132D-280-025 | NEW-P | 89-07-063 |
| 132D-20-050 | REP | 89-11-025 | 132D-20-250 | REP-P | 89-05-012 | 132D-280-025 | NEW | 89-11-044 |
| 132D-20-060 | REP-P | 89-05-012 | 132D-20-250 | REP-W | 89-05-046 | 132D-280-030 | NEW-P | 89-07-063 |
| 132D-20-060 | REP-W | 89-05-046 | 132D-20-250 | REP-P | 89-07-070 | 132D-280-030 | NEW | 89-11-044 |
| 132D-20-060 | REP-P | 89-07-070 | 132D-20-250 | REP | 89-11-025 | 132D-280-035 | NEW-P | 89-07-063 |
| 132D-20-060 | REP | 89-11-025 | 132D-20-260 | REP-P | 89-05-012 | 132D-280-035 | NEW | 89-11-044 |
| 132D-20-070 | REP-P | 89-05-012 | 132D-20-260 | REP-W | 89-05-046 | 132D-280-040 | NEW-P | 89-07-063 |
| 132D-20-070 | REP-W | 89-05-046 | 132D-20-260 | REP-P | 89-07-070 | 132D-280-040 | NEW | 89-11-044 |
| 132D-20-070 | REP-P | 89-07-070 | 132D-20-260 | REP | 89-11-025 | 132D-300-010 | NEW-P | 89-07-058 |
| 132D-20-070 | REP | 89-11-025 | 132D-20-270 | REP-P | 89-05-012 | 132D-300-010 | NEW | 89-11-038 |
| 132D-20-080 | REP-P | 89-05-012 | 132D-20-270 | REP-W | 89-05-046 | 132D-300-020 | NEW-P | 89-07-058 |
| 132D-20-080 | REP-W | 89-05-046 | 132D-20-270 | REP-P | 89-07-070 | 132D-300-020 | NEW | 89-11-038 |
| 132D-20-080 | REP-P | 89-07-070 | 132D-20-270 | REP | 89-11-025 | 132D-300-030 | NEW-P | 89-07-058 |
| 132D-20-080 | REP | 89-11-025 | 132D-20-280 | REP-P | 89-05-012 | 132D-300-030 | NEW | 89-11-038 |
| 132D-20-090 | REP-P | 89-05-012 | 132D-20-280 | REP-W | 89-05-046 | 132D-325-010 | NEW-P | 89-05-048 |
| 132D-20-090 | REP-W | 89-05-046 | 132D-20-280 | REP-P | 89-07-070 | 132D-325-010 | NEW | 89-09-042 |
| 132D-20-090 | REP-P | 89-07-070 | 132D-20-280 | REP | 89-11-025 | 132D-350-010 | NEW-P | 89-07-064 |
| 132D-20-090 | REP | 89-11-025 | 132D-20-290 | REP-P | 89-05-012 | 132D-350-010 | NEW | 89-11-026 |
| 132D-20-100 | REP-P | 89-05-012 | 132D-20-290 | REP-W | 89-05-046 | 132D-350-020 | NEW-P | 89-07-064 |
| 132D-20-100 | REP-W | 89-05-046 | 132D-20-290 | REP-P | 89-07-070 | 132D-350-020 | NEW | 89-11-026 |
| 132D-20-100 | REP-P | 89-07-070 | 132D-20-290 | REP | 89-11-025 | 132D-350-030 | NEW-P | 89-07-064 |
| 132D-20-100 | REP | 89-11-025 | 132D-36-010 | REP-P | 89-05-048 | 132D-350-030 | NEW | 89-11-026 |
| 132D-20-110 | REP-P | 89-05-012 | 132D-36-010 | REP | 89-09-042 | 132D-350-040 | NEW-P | 89-07-064 |
| 132D-20-110 | REP-W | 89-05-046 | 132D-104-010 | NEW-P | 89-07-061 | 132D-350-040 | NEW | 89-11-026 |
| 132D-20-110 | REP-P | 89-07-070 | 132D-104-010 | NEW | 89-11-023 | 132D-350-050 | NEW-P | 89-07-064 |
| 132D-20-110 | REP | 89-11-025 | 132D-104-020 | NEW-P | 89-07-061 | 132D-350-050 | NEW | 89-11-026 |
| 132D-20-120 | REP-P | 89-05-012 | 132D-104-020 | NEW | 89-11-023 | 132F-120-090 | AMD-P | 89-08-069 |
| 132D-20-120 | REP-W | 89-05-046 | 132D-104-030 | NEW-P | 89-07-061 | 132F-120-090 | AMD | 89-14-025 |
| 132D-20-120 | REP-P | 89-07-070 | 132D-104-030 | NEW | 89-11-023 | 132F-120-090 | AMD | 89-15-000 |
| 132D-20-120 | REP | 89-11-025 | 132D-104-040 | NEW-P | 89-07-061 | 132I-120-315 | AMD-P | 89-04-039 |
| 132D-20-130 | REP-P | 89-05-012 | 132D-104-040 | NEW | 89-11-023 | 132I-120-315 | AMD | 89-08-016 |

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| 132I-120-400 | AMD-P | 89-04-039 | 132V-15-110 | NEW | 89-20-013 | 137-44-150 | NEW-P | 89-11-029 |
| 132I-120-400 | AMD | 89-08-016 | 132V-15-120 | NEW-P | 89-13-072 | 137-44-160 | NEW-P | 89-11-029 |
| 132I-120-405 | AMD-P | 89-04-039 | 132V-15-120 | NEW | 89-20-013 | 137-44-170 | NEW-P | 89-11-029 |
| 132I-120-405 | AMD | 89-08-016 | 132Y-300-001 | NEW | 89-04-008 | 137-44-180 | NEW-P | 89-11-029 |
| 132I-120-410 | AMD-P | 89-04-039 | 132Y-300-002 | NEW | 89-04-008 | 137-44-190 | NEW-P | 89-11-029 |
| 132I-120-410 | AMD | 89-08-016 | 132Y-300-003 | NEW | 89-04-008 | 137-44-200 | NEW-P | 89-11-029 |
| 132I-120-425 | AMD-P | 89-04-039 | 132Y-300-004 | NEW | 89-04-008 | 137-44-210 | NEW-P | 89-11-029 |
| 132I-120-425 | AMD | 89-08-016 | 132Y-310-010 | NEW-P | 89-08-023 | 137-44-220 | NEW-P | 89-11-029 |
| 132I-120-430 | AMD-P | 89-04-039 | 132Y-310-010 | NEW | 89-12-056 | 137-44-230 | NEW-P | 89-11-029 |
| 132I-120-430 | AMD | 89-08-016 | 132Y-310-020 | NEW-P | 89-08-023 | 137-44-240 | NEW-P | 89-11-029 |
| 132I-136-010 | REP-P | 89-08-015 | 132Y-310-020 | NEW | 89-12-056 | 137-44-250 | NEW-P | 89-11-029 |
| 132I-136-010 | REP | 89-11-091 | 132Y-310-030 | NEW-P | 89-08-023 | 137-44-260 | NEW-P | 89-11-029 |
| 132I-136-020 | REP-P | 89-08-015 | 132Y-310-030 | NEW | 89-12-056 | 137-56-010 | AMD-P | 89-02-058 |
| 132I-136-020 | REP | 89-11-091 | 132Y-310-040 | NEW-P | 89-08-023 | 137-56-010 | AMD-C | 89-07-083 |
| 132I-136-030 | REP-P | 89-08-015 | 132Y-310-040 | NEW | 89-12-056 | 137-56-015 | AMD-P | 89-02-058 |
| 132I-136-030 | REP | 89-11-091 | 132Y-320-010 | NEW-P | 89-08-022 | 137-56-015 | AMD-C | 89-07-083 |
| 132I-136-040 | REP-P | 89-08-015 | 132Y-320-010 | NEW | 89-12-057 | 137-56-030 | AMD-P | 89-02-058 |
| 132I-136-040 | REP | 89-11-091 | 132Y-320-020 | NEW-P | 89-08-022 | 137-56-030 | AMD-C | 89-07-083 |
| 132I-136-050 | REP-P | 89-08-015 | 132Y-320-020 | NEW | 89-12-057 | 137-56-040 | AMD-P | 89-02-058 |
| 132I-136-050 | REP | 89-11-091 | 132Y-320-030 | NEW-P | 89-08-022 | 137-56-040 | AMD-C | 89-07-083 |
| 132I-136-060 | REP-P | 89-08-015 | 132Y-320-030 | NEW | 89-12-057 | 137-56-050 | AMD-P | 89-02-058 |
| 132I-136-060 | REP | 89-11-091 | 132Y-320-040 | NEW-P | 89-08-022 | 137-56-050 | AMD-C | 89-07-083 |
| 132I-136-070 | REP-P | 89-08-015 | 132Y-320-040 | NEW | 89-12-057 | 137-56-060 | AMD-P | 89-02-058 |
| 132I-136-070 | REP | 89-11-091 | 132Y-320-050 | NEW-P | 89-08-022 | 137-56-060 | AMD-C | 89-07-083 |
| 132I-136-080 | REP-P | 89-08-015 | 132Y-320-050 | NEW | 89-12-057 | 137-56-070 | AMD-P | 89-02-058 |
| 132I-136-080 | REP | 89-11-091 | 132Y-320-060 | NEW-P | 89-08-022 | 137-56-070 | AMD-C | 89-07-083 |
| 132I-136-100 | NEW-P | 89-08-015 | 132Y-320-060 | NEW | 89-12-057 | 137-56-080 | AMD-P | 89-02-058 |
| 132I-136-100 | NEW | 89-11-091 | 132Y-320-070 | NEW-P | 89-08-022 | 137-56-080 | AMD-C | 89-07-083 |
| 132I-136-110 | NEW-P | 89-08-015 | 132Y-320-070 | NEW | 89-12-057 | 137-56-090 | AMD-P | 89-02-058 |
| 132I-136-110 | NEW | 89-11-091 | 132Y-320-080 | NEW-P | 89-08-022 | 137-56-090 | AMD-C | 89-07-083 |
| 132I-136-120 | NEW-P | 89-08-015 | 132Y-320-080 | NEW | 89-12-057 | 137-56-095 | AMD-P | 89-02-058 |
| 132I-136-120 | NEW | 89-11-091 | 132Y-320-090 | NEW-P | 89-08-022 | 137-56-095 | AMD-C | 89-07-083 |
| 132I-136-130 | NEW-P | 89-08-015 | 132Y-320-090 | NEW | 89-12-057 | 137-56-100 | AMD-P | 89-02-058 |
| 132I-136-130 | NEW | 89-11-091 | 132Y-320-100 | NEW-P | 89-08-022 | 137-56-100 | AMD-C | 89-07-083 |
| 132I-136-140 | NEW-P | 89-08-015 | 132Y-320-100 | NEW | 89-12-057 | 137-56-110 | AMD-P | 89-02-058 |
| 132I-136-140 | NEW | 89-11-091 | 132Y-320-110 | NEW-P | 89-08-022 | 137-56-110 | AMD-C | 89-07-083 |
| 132I-136-150 | NEW-P | 89-08-015 | 132Y-320-110 | NEW | 89-12-057 | 137-56-120 | AMD-P | 89-02-058 |
| 132I-136-150 | NEW | 89-11-091 | 132Y-320-120 | NEW-P | 89-08-022 | 137-56-120 | AMD-C | 89-07-083 |
| 132I-136-160 | NEW-P | 89-08-015 | 132Y-320-120 | NEW | 89-12-057 | 137-56-140 | AMD-P | 89-02-058 |
| 132I-136-160 | NEW | 89-11-091 | 132Y-320-130 | NEW-P | 89-08-022 | 137-56-140 | AMD-C | 89-07-083 |
| 132I-136-170 | NEW-P | 89-08-015 | 132Y-320-130 | NEW | 89-12-057 | 137-56-150 | AMD-P | 89-02-058 |
| 132I-136-170 | NEW | 89-11-091 | 132Y-320-990 | NEW-P | 89-08-022 | 137-56-150 | AMD-C | 89-07-083 |
| 132N-276-070 | AMD-P | 89-04-035 | 132Y-320-990 | NEW | 89-12-057 | 137-56-160 | AMD-P | 89-02-058 |
| 132N-276-070 | AMD | 89-12-024 | 137-25-010 | NEW-P | 89-04-031 | 137-56-160 | AMD-C | 89-07-083 |
| 132N-276-080 | AMD-P | 89-04-035 | 137-25-010 | NEW-E | 89-06-010 | 137-56-170 | AMD-P | 89-02-058 |
| 132N-276-080 | AMD | 89-12-024 | 137-25-020 | NEW-P | 89-04-031 | 137-56-170 | AMD-C | 89-07-083 |
| 132N-276-110 | AMD-P | 89-04-035 | 137-25-020 | NEW-E | 89-06-010 | 137-56-180 | AMD-P | 89-02-058 |
| 132N-276-110 | AMD | 89-12-024 | 137-25-030 | NEW-P | 89-04-031 | 137-56-180 | AMD-C | 89-07-083 |
| 132N-276-130 | AMD-P | 89-04-035 | 137-25-030 | NEW-E | 89-06-010 | 137-56-190 | AMD-P | 89-02-058 |
| 132N-276-130 | AMD | 89-12-024 | 137-25-040 | NEW-P | 89-04-031 | 137-56-190 | AMD-C | 89-07-083 |
| 132N-276-150 | AMD-P | 89-04-035 | 137-25-040 | NEW-E | 89-06-010 | 137-56-200 | AMD-P | 89-02-058 |
| 132N-276-150 | AMD | 89-12-024 | 137-28-006 | AMD | 89-04-032 | 137-56-200 | AMD-C | 89-07-083 |
| 132Q-04-035 | AMD-C | 89-04-018 | 137-28-025 | AMD | 89-04-032 | 137-56-210 | AMD-P | 89-02-058 |
| 132Q-04-035 | AMD-C | 89-06-023 | 137-28-030 | AMD | 89-04-032 | 137-56-210 | AMD-C | 89-07-083 |
| 132Q-04-035 | AMD | 89-07-068 | 137-28-035 | AMD | 89-04-032 | 137-56-220 | AMD-P | 89-02-058 |
| 132V-15 | NEW-C | 89-17-005 | 137-28-080 | AMD | 89-04-032 | 137-56-220 | AMD-C | 89-07-083 |
| 132V-15-010 | NEW-P | 89-13-072 | 137-28-090 | AMD | 89-04-032 | 137-56-230 | AMD-P | 89-02-058 |
| 132V-15-010 | NEW | 89-20-013 | 137-28-094 | NEW | 89-04-032 | 137-56-230 | AMD-C | 89-07-083 |
| 132V-15-020 | NEW-P | 89-13-072 | 137-28-097 | AMD | 89-04-032 | 137-56-240 | AMD-P | 89-02-058 |
| 132V-15-020 | NEW | 89-20-013 | 137-28-107 | NEW | 89-04-032 | 137-56-240 | AMD-C | 89-07-083 |
| 132V-15-030 | NEW-P | 89-13-072 | 137-36-020 | AMD-E | 89-04-029 | 137-56-250 | AMD-P | 89-02-058 |
| 132V-15-030 | NEW | 89-20-013 | 137-36-030 | AMD-E | 89-04-029 | 137-56-250 | AMD-C | 89-07-083 |
| 132V-15-040 | NEW-P | 89-13-072 | 137-36-040 | AMD-E | 89-04-029 | 137-70-040 | AMD-P | 89-07-075 |
| 132V-15-040 | NEW | 89-20-013 | 137-44-010 | NEW-P | 89-11-029 | 137-70-040 | AMD | 89-12-003 |
| 132V-15-050 | NEW-P | 89-13-072 | 137-44-020 | NEW-P | 89-11-029 | 137-78-010 | NEW-P | 89-11-108 |
| 132V-15-050 | NEW | 89-20-013 | 137-44-030 | NEW-P | 89-11-029 | 137-78-010 | NEW | 89-15-059 |
| 132V-15-060 | NEW-P | 89-13-072 | 137-44-040 | NEW-P | 89-11-029 | 137-78-020 | NEW-P | 89-11-108 |
| 132V-15-060 | NEW | 89-20-013 | 137-44-050 | NEW-P | 89-11-029 | 137-78-020 | NEW | 89-15-059 |
| 132V-15-070 | NEW-P | 89-13-072 | 137-44-060 | NEW-P | 89-11-029 | 137-78-030 | NEW-P | 89-11-108 |
| 132V-15-070 | NEW | 89-20-013 | 137-44-070 | NEW-P | 89-11-029 | 137-78-030 | NEW | 89-15-059 |
| 132V-15-080 | NEW-P | 89-13-072 | 137-44-080 | NEW-P | 89-11-029 | 137-78-040 | NEW-P | 89-11-108 |
| 132V-15-080 | NEW | 89-20-013 | 137-44-090 | NEW-P | 89-11-029 | 137-78-040 | NEW | 89-15-059 |
| 132V-15-090 | NEW-P | 89-13-072 | 137-44-100 | NEW-P | 89-11-029 | 137-78-050 | NEW-P | 89-11-108 |
| 132V-15-090 | NEW | 89-20-013 | 137-44-110 | NEW-P | 89-11-029 | 137-78-050 | NEW | 89-15-059 |
| 132V-15-100 | NEW-P | 89-13-072 | 137-44-120 | NEW-P | 89-11-029 | 137-78-060 | NEW-P | 89-11-108 |
| 132V-15-100 | NEW | 89-20-013 | 137-44-130 | NEW-P | 89-11-029 | 137-78-060 | NEW | 89-15-059 |
| 132V-15-110 | NEW-P | 89-13-072 | 137-44-140 | NEW-P | 89-11-029 | 137-78-070 | NEW-P | 89-11-108 |

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| 137-78-070 | NEW | 89-15-059 | 154-20-010 | REP-P | 89-07-090 | 162-08-217 | REP-P | 89-17-098 |
| 139-05-200 | AMD-P | 89-07-049 | 154-20-010 | REP-E | 89-11-008 | 162-08-221 | RE-AD-P | 89-17-098 |
| 139-05-200 | AMD-E | 89-07-050 | 154-20-010 | REP | 89-11-010 | 162-08-231 | RE-AD-P | 89-17-098 |
| 139-05-200 | AMD | 89-13-024 | 154-20-020 | REP-P | 89-07-090 | 162-08-241 | RE-AD-P | 89-17-098 |
| 139-05-230 | AMD-P | 89-07-048 | 154-20-020 | REP-E | 89-11-008 | 162-08-251 | RE-AD-P | 89-17-098 |
| 139-05-230 | AMD | 89-13-023 | 154-20-020 | REP | 89-11-010 | 162-08-253 | NEW-P | 89-17-098 |
| 143-06-990 | REP | 89-05-007 | 154-24-010 | AMD-P | 89-07-090 | 162-08-255 | NEW-P | 89-17-098 |
| 154-04-040 | REP-P | 89-07-090 | 154-24-010 | AMD-E | 89-11-008 | 162-08-261 | RE-AD-P | 89-17-098 |
| 154-04-040 | REP-E | 89-11-008 | 154-24-010 | AMD | 89-11-010 | 162-08-263 | NEW-P | 89-17-098 |
| 154-04-040 | REP | 89-11-010 | 154-32-010 | AMD-P | 89-07-090 | 162-08-265 | RE-AD-P | 89-17-098 |
| 154-04-060 | REP-P | 89-07-090 | 154-32-010 | AMD-E | 89-11-008 | 162-08-268 | RE-AD-P | 89-17-098 |
| 154-04-060 | REP-E | 89-11-008 | 154-32-010 | AMD | 89-11-010 | 162-08-271 | RE-AD-P | 89-17-098 |
| 154-04-060 | REP | 89-11-010 | 154-32-020 | AMD-P | 89-07-090 | 162-08-275 | REP-P | 89-17-098 |
| 154-04-065 | NEW-P | 89-07-090 | 154-32-020 | AMD-E | 89-11-008 | 162-08-278 | REP-P | 89-17-098 |
| 154-04-065 | NEW-E | 89-11-008 | 154-32-020 | AMD | 89-11-010 | 162-08-282 | RE-AD-P | 89-17-098 |
| 154-04-065 | NEW | 89-11-010 | 154-68-020 | AMD-P | 89-07-090 | 162-08-284 | REP-P | 89-17-098 |
| 154-04-090 | REP-P | 89-07-090 | 154-68-020 | AMD-E | 89-11-008 | 162-08-286 | RE-AD-P | 89-17-098 |
| 154-04-090 | REP-E | 89-11-008 | 154-68-020 | AMD | 89-11-010 | 162-08-288 | RE-AD-P | 89-17-098 |
| 154-04-090 | REP | 89-11-010 | 154-120-015 | AMD-P | 89-07-089 | 162-08-291 | RE-AD-P | 89-17-098 |
| 154-12-010 | AMD-P | 89-07-090 | 154-120-015 | AMD-E | 89-11-009 | 162-08-292 | RE-AD-P | 89-17-098 |
| 154-12-010 | AMD-E | 89-11-008 | 154-120-015 | AMD | 89-11-011 | 162-08-294 | RE-AD-P | 89-17-098 |
| 154-12-010 | AMD | 89-11-010 | 154-130-020 | AMD-P | 89-15-061 | 162-08-295 | REP-P | 89-17-098 |
| 154-12-010 | AMD-P | 89-16-100 | 154-130-020 | AMD | 89-20-022 | 162-08-296 | REP-P | 89-17-098 |
| 154-12-010 | AMD | 89-20-021 | 154-130-030 | AMD-P | 89-15-061 | 162-08-298 | RE-AD-P | 89-17-098 |
| 154-12-015 | AMD-P | 89-16-100 | 154-130-030 | AMD | 89-20-022 | 162-08-301 | RE-AD-P | 89-17-098 |
| 154-12-015 | AMD | 89-20-021 | 154-140-030 | AMD-P | 89-15-061 | 162-08-305 | RE-AD-P | 89-17-098 |
| 154-12-020 | AMD-P | 89-07-090 | 154-140-030 | AMD | 89-20-022 | 162-08-311 | RE-AD-P | 89-17-098 |
| 154-12-020 | AMD-E | 89-11-008 | 162-04-010 | AMD-P | 89-17-115 | 162-08-600 | RE-AD-P | 89-17-098 |
| 154-12-020 | AMD | 89-11-010 | 162-04-020 | AMD-P | 89-17-115 | 162-08-610 | RE-AD-P | 89-17-098 |
| 154-12-030 | AMD-P | 89-07-090 | 162-04-026 | AMD-P | 89-17-115 | 162-08-621 | REP-P | 89-17-098 |
| 154-12-030 | AMD-E | 89-11-008 | 162-04-030 | AMD-P | 89-17-115 | 162-08-700 | RE-AD-P | 89-17-098 |
| 154-12-030 | AMD | 89-11-010 | 162-04-035 | NEW-P | 89-17-115 | 173-06-030 | AMD-E | 89-04-013 |
| 154-12-040 | AMD-P | 89-07-090 | 162-04-040 | AMD-P | 89-17-115 | 173-06-030 | AMD-P | 89-08-078 |
| 154-12-040 | AMD-E | 89-11-008 | 162-04-050 | AMD-P | 89-17-115 | 173-06-030 | AMD-E | 89-08-079 |
| 154-12-040 | AMD | 89-11-010 | 162-04-060 | AMD-P | 89-17-115 | 173-06-030 | AMD | 89-11-021 |
| 154-12-050 | AMD-P | 89-07-090 | 162-04-070 | AMD-P | 89-17-115 | 173-19-110 | AMD-W | 89-03-012 |
| 154-12-050 | AMD-E | 89-11-008 | 162-08-011 | RE-AD-P | 89-17-098 | 173-19-1104 | AMD-P | 89-21-087 |
| 154-12-050 | AMD | 89-11-010 | 162-08-013 | RE-AD-P | 89-17-098 | 173-19-130 | AMD-P | 89-17-152 |
| 154-12-060 | REP-P | 89-07-090 | 162-08-015 | RE-AD-P | 89-17-098 | 173-19-240 | AMD | 89-08-012 |
| 154-12-060 | REP-E | 89-11-008 | 162-08-017 | RE-AD-P | 89-17-098 | 173-19-2401 | AMD | 89-08-035 |
| 154-12-060 | REP | 89-11-010 | 162-08-019 | RE-AD-P | 89-17-098 | 173-19-2503 | AMD-P | 89-08-112 |
| 154-12-070 | AMD-P | 89-07-090 | 162-08-021 | RE-AD-P | 89-17-098 | 173-19-2503 | AMD-C | 89-12-087 |
| 154-12-070 | AMD-E | 89-11-008 | 162-08-041 | RE-AD-P | 89-17-098 | 173-19-2503 | AMD-C | 89-16-028 |
| 154-12-070 | AMD | 89-11-010 | 162-08-051 | RE-AD-P | 89-17-098 | 173-19-2503 | AMD | 89-20-016 |
| 154-12-075 | NEW-P | 89-07-090 | 162-08-061 | RE-AD-P | 89-17-098 | 173-19-2505 | AMD-P | 89-09-076 |
| 154-12-075 | NEW-E | 89-11-008 | 162-08-062 | RE-AD-P | 89-17-098 | 173-19-2505 | AMD-W | 89-14-128 |
| 154-12-075 | NEW | 89-11-010 | 162-08-071 | RE-AD-P | 89-17-098 | 173-19-2512 | AMD | 89-03-009 |
| 154-12-080 | AMD-P | 89-07-090 | 162-08-072 | RE-AD-P | 89-17-098 | 173-19-2512 | AMD-P | 89-17-153 |
| 154-12-080 | AMD-E | 89-11-008 | 162-08-081 | RE-AD-P | 89-17-098 | 173-19-2515 | AMD | 89-03-011 |
| 154-12-080 | AMD | 89-11-010 | 162-08-091 | RE-AD-P | 89-17-098 | 173-19-2519 | AMD-P | 89-09-075 |
| 154-12-085 | NEW-P | 89-07-090 | 162-08-093 | RE-AD-P | 89-17-098 | 173-19-2519 | AMD-W | 89-12-071 |
| 154-12-085 | NEW-E | 89-11-008 | 162-08-094 | RE-AD-P | 89-17-098 | 173-19-2519 | AMD-P | 89-21-086 |
| 154-12-085 | NEW | 89-11-010 | 162-08-09501 | NEW-P | 89-17-098 | 173-19-3503 | AMD-P | 89-15-044 |
| 154-12-086 | NEW-P | 89-07-090 | 162-08-096 | RE-AD-P | 89-17-098 | 173-19-360 | AMD | 89-09-077 |
| 154-12-086 | NEW-E | 89-11-008 | 162-08-097 | NEW-P | 89-17-098 | 173-19-390 | AMD | 89-07-026 |
| 154-12-086 | NEW | 89-11-010 | 162-08-098 | RE-AD-P | 89-17-098 | 173-19-390 | AMD-P | 89-08-114 |
| 154-12-087 | NEW-P | 89-07-090 | 162-08-099 | RE-AD-P | 89-17-098 | 173-19-390 | AMD | 89-14-130 |
| 154-12-087 | NEW-E | 89-11-008 | 162-08-101 | RE-AD-P | 89-17-098 | 173-19-3910 | AMD-P | 89-08-115 |
| 154-12-087 | NEW | 89-11-010 | 162-08-106 | RE-AD-P | 89-17-098 | 173-19-3910 | AMD | 89-14-131 |
| 154-12-090 | AMD-P | 89-07-090 | 162-08-108 | REP-P | 89-17-098 | 173-19-4501 | AMD-P | 89-08-113 |
| 154-12-090 | AMD-E | 89-11-008 | 162-08-109 | RE-AD-P | 89-17-098 | 173-19-4501 | AMD-C | 89-14-129 |
| 154-12-090 | AMD | 89-11-010 | 162-08-111 | REP-P | 89-17-098 | 173-19-4501 | AMD-W | 89-17-032 |
| 154-12-100 | REP-P | 89-07-090 | 162-08-114 | REP-P | 89-17-098 | 173-19-4501 | AMD-P | 89-17-033 |
| 154-12-100 | REP-E | 89-11-008 | 162-08-116 | REP-P | 89-17-098 | 173-19-4501 | AMD-W | 89-17-154 |
| 154-12-100 | REP | 89-11-010 | 162-08-121 | REP-P | 89-17-098 | 173-19-4501 | AMD-P | 89-17-155 |
| 154-12-107 | NEW-P | 89-07-090 | 162-08-131 | REP-P | 89-17-098 | 173-19-4507 | AMD | 89-03-010 |
| 154-12-107 | NEW-E | 89-11-008 | 162-08-135 | REP-P | 89-17-098 | 173-20-700 | AMD-W | 89-07-025 |
| 154-12-107 | NEW | 89-11-010 | 162-08-141 | REP-P | 89-17-098 | 173-50 | NEW-C | 89-07-032 |
| 154-12-110 | AMD-P | 89-07-090 | 162-08-151 | REP-P | 89-17-098 | 173-50-010 | NEW-P | 89-04-052 |
| 154-12-110 | AMD-E | 89-11-008 | 162-08-155 | REP-P | 89-17-098 | 173-50-010 | NEW | 89-10-001 |
| 154-12-110 | AMD | 89-11-010 | 162-08-161 | REP-P | 89-17-098 | 173-50-020 | NEW-P | 89-04-052 |
| 154-16-010 | REP-P | 89-07-090 | 162-08-171 | REP-P | 89-17-098 | 173-50-020 | NEW | 89-10-001 |
| 154-16-010 | REP-E | 89-11-008 | 162-08-190 | RE-AD-P | 89-17-098 | 173-50-030 | NEW-P | 89-04-052 |
| 154-16-010 | REP | 89-11-010 | 162-08-201 | RE-AD-P | 89-17-098 | 173-50-030 | NEW | 89-10-001 |
| 154-16-020 | REP-P | 89-07-090 | 162-08-211 | RE-AD-P | 89-17-098 | 173-50-040 | NEW-P | 89-04-052 |
| 154-16-020 | REP-E | 89-11-008 | 162-08-212 | REP-P | 89-17-098 | 173-50-040 | NEW | 89-10-001 |
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| 173-50-060 | NEW-P 89-04-052 | 173-223-030 | REP-P 89-07-088 | 173-306-010 | NEW-P 89-19-069 |
| 173-50-060 | NEW 89-10-001 | 173-223-030 | REP 89-12-027 | 173-306-050 | NEW-P 89-19-069 |
| 173-50-070 | NEW-P 89-04-052 | 173-223-040 | AMD 89-05-026 | 173-306-100 | NEW-P 89-19-069 |
| 173-50-070 | NEW 89-10-001 | 173-223-040 | AMD-E 89-06-053 | 173-306-150 | NEW-P 89-19-069 |
| 173-50-080 | NEW-P 89-04-052 | 173-223-040 | REP-P 89-07-088 | 173-306-200 | NEW-P 89-19-069 |
| 173-50-080 | NEW 89-10-001 | 173-223-040 | REP 89-12-027 | 173-306-300 | NEW-P 89-19-069 |
| 173-50-090 | NEW-P 89-04-052 | 173-223-050 | AMD 89-05-026 | 173-306-310 | NEW-P 89-19-069 |
| 173-50-090 | NEW 89-10-001 | 173-223-050 | AMD-E 89-06-053 | 173-306-320 | NEW-P 89-19-069 |
| 173-50-100 | NEW-P 89-04-052 | 173-223-050 | REP-P 89-07-088 | 173-306-330 | NEW-P 89-19-069 |
| 173-50-100 | NEW 89-10-001 | 173-223-050 | REP 89-12-027 | 173-306-340 | NEW-P 89-19-069 |
| 173-50-110 | NEW-P 89-04-052 | 173-223-060 | REP-P 89-07-088 | 173-306-345 | NEW-P 89-19-069 |
| 173-50-110 | NEW 89-10-001 | 173-223-060 | REP 89-12-027 | 173-306-350 | NEW-P 89-19-069 |
| 173-50-120 | NEW-P 89-04-052 | 173-223-070 | AMD 89-05-026 | 173-306-400 | NEW-P 89-19-069 |
| 173-50-120 | NEW 89-10-001 | 173-223-070 | AMD-E 89-06-053 | 173-306-405 | NEW-P 89-19-069 |
| 173-50-130 | NEW-P 89-04-052 | 173-223-070 | REP-P 89-07-088 | 173-306-410 | NEW-P 89-19-069 |
| 173-50-130 | NEW 89-10-001 | 173-223-070 | REP 89-12-027 | 173-306-440 | NEW-P 89-19-069 |
| 173-50-140 | NEW-P 89-04-052 | 173-223-080 | REP-P 89-07-088 | 173-306-450 | NEW-P 89-19-069 |
| 173-50-140 | NEW 89-10-001 | 173-223-080 | REP 89-12-027 | 173-306-470 | NEW-P 89-19-069 |
| 173-50-150 | NEW-P 89-04-052 | 173-223-090 | AMD 89-05-026 | 173-306-480 | NEW-P 89-19-069 |
| 173-50-150 | NEW 89-10-001 | 173-223-090 | AMD-E 89-06-053 | 173-306-490 | NEW-P 89-19-069 |
| 173-50-160 | NEW-P 89-04-052 | 173-223-090 | REP-P 89-07-088 | 173-306-495 | NEW-P 89-19-069 |
| 173-50-160 | NEW 89-10-001 | 173-223-090 | REP 89-12-027 | 173-306-500 | NEW-P 89-19-069 |
| 173-50-170 | NEW-P 89-04-052 | 173-223-100 | REP-P 89-07-088 | 173-306-900 | NEW-P 89-19-069 |
| 173-50-170 | NEW 89-10-001 | 173-223-100 | REP 89-12-027 | 173-306-9901 | NEW-P 89-19-069 |
| 173-50-180 | NEW-P 89-04-052 | 173-223-110 | REP-P 89-07-088 | 173-313-010 | NEW-E 89-06-060 |
| 173-50-180 | NEW 89-10-001 | 173-223-110 | REP 89-12-027 | 173-313-010 | NEW-P 89-11-086 |
| 173-50-190 | NEW-P 89-04-052 | 173-224 | NEW-C 89-12-016 | 173-313-010 | NEW-E 89-12-021 |
| 173-50-190 | NEW 89-10-001 | 173-224-015 | NEW-P 89-07-088 | 173-313-010 | NEW 89-17-073 |
| 173-50-200 | NEW-P 89-04-052 | 173-224-015 | NEW 89-12-027 | 173-313-020 | NEW-E 89-06-060 |
| 173-50-200 | NEW 89-10-001 | 173-224-020 | NEW-P 89-07-088 | 173-313-020 | NEW-P 89-11-086 |
| 173-50-210 | NEW-P 89-04-052 | 173-224-020 | NEW 89-12-027 | 173-313-020 | NEW-E 89-12-021 |
| 173-50-210 | NEW 89-10-001 | 173-224-030 | NEW-P 89-07-088 | 173-313-020 | NEW 89-17-073 |
| 173-98-010 | NEW-P 89-11-082 | 173-224-030 | NEW 89-12-027 | 173-313-030 | NEW-E 89-06-060 |
| 173-98-010 | NEW 89-18-019 | 173-224-040 | NEW-P 89-07-088 | 173-313-030 | NEW-P 89-11-086 |
| 173-98-020 | NEW-P 89-11-082 | 173-224-040 | NEW 89-12-027 | 173-313-030 | NEW-E 89-12-021 |
| 173-98-020 | NEW 89-18-019 | 173-224-050 | NEW-P 89-07-088 | 173-313-030 | NEW 89-17-073 |
| 173-98-030 | NEW-P 89-11-082 | 173-224-050 | NEW 89-12-027 | 173-313-040 | NEW-E 89-06-060 |
| 173-98-030 | NEW 89-18-019 | 173-224-060 | NEW-P 89-07-088 | 173-313-040 | NEW-P 89-11-086 |
| 173-98-040 | NEW-P 89-11-082 | 173-224-060 | NEW 89-12-027 | 173-313-040 | NEW-E 89-12-021 |
| 173-98-040 | NEW 89-18-019 | 173-224-070 | NEW-P 89-07-088 | 173-313-040 | NEW 89-17-073 |
| 173-98-050 | NEW-P 89-11-082 | 173-224-070 | NEW 89-12-027 | 173-313-050 | NEW-E 89-06-060 |
| 173-98-050 | NEW 89-18-019 | 173-224-080 | NEW-P 89-07-088 | 173-313-050 | NEW-P 89-11-086 |
| 173-98-060 | NEW-P 89-11-082 | 173-224-080 | NEW 89-12-027 | 173-313-050 | NEW-E 89-12-021 |
| 173-98-060 | NEW 89-18-019 | 173-224-090 | NEW-P 89-07-088 | 173-313-050 | NEW 89-17-073 |
| 173-98-070 | NEW-P 89-11-082 | 173-224-090 | NEW 89-12-027 | 173-314-010 | NEW 89-03-047 |
| 173-98-070 | NEW 89-18-019 | 173-224-100 | NEW-P 89-07-088 | 173-314-100 | NEW 89-03-047 |
| 173-98-080 | NEW-P 89-11-082 | 173-224-100 | NEW 89-12-027 | 173-314-200 | NEW 89-03-047 |
| 173-98-080 | NEW 89-18-019 | 173-224-110 | NEW-P 89-07-088 | 173-314-210 | NEW 89-03-047 |
| 173-98-090 | NEW-P 89-11-082 | 173-224-110 | NEW 89-12-027 | 173-314-220 | NEW 89-03-047 |
| 173-98-090 | NEW 89-18-019 | 173-224-120 | NEW-P 89-07-088 | 173-314-300 | NEW 89-03-047 |
| 173-98-100 | NEW-P 89-11-082 | 173-224-120 | NEW 89-12-027 | 173-314-310 | NEW 89-03-047 |
| 173-98-100 | NEW 89-18-019 | 173-303-040 | AMD 89-02-059 | 173-314-320 | NEW 89-03-047 |
| 173-98-110 | NEW-P 89-11-082 | 173-303-045 | AMD 89-02-059 | 173-314-330 | NEW 89-03-047 |
| 173-98-110 | NEW 89-18-019 | 173-303-070 | AMD 89-02-059 | 173-314-340 | NEW 89-03-047 |
| 173-98-120 | NEW-P 89-11-082 | 173-303-071 | AMD 89-02-059 | 173-315-010 | NEW-E 89-06-061 |
| 173-98-120 | NEW 89-18-019 | 173-303-080 | AMD 89-02-059 | 173-315-010 | NEW-P 89-11-087 |
| 173-158-030 | AMD-C 89-05-003 | 173-303-110 | AMD 89-02-059 | 173-315-010 | NEW-E 89-12-020 |
| 173-158-030 | AMD 89-07-022 | 173-303-161 | AMD 89-02-059 | 173-315-010 | NEW 89-17-072 |
| 173-158-060 | AMD-C 89-05-003 | 173-303-200 | AMD 89-02-059 | 173-315-020 | NEW-E 89-06-061 |
| 173-158-060 | AMD 89-07-022 | 173-303-202 | NEW 89-02-059 | 173-315-020 | NEW-P 89-11-087 |
| 173-160-215 | AMD-E 89-03-046 | 173-303-400 | AMD 89-02-059 | 173-315-020 | NEW-E 89-12-020 |
| 173-160-215 | AMD-P 89-12-058 | 173-303-505 | AMD 89-02-059 | 173-315-020 | NEW 89-17-072 |
| 173-160-215 | AMD 89-15-017 | 173-303-515 | AMD 89-02-059 | 173-315-030 | NEW-E 89-06-061 |
| 173-201 | PREP 89-21-059 | 173-303-550 | AMD 89-02-059 | 173-315-030 | NEW-P 89-11-087 |
| 173-216-125 | NEW-P 89-04-051 | 173-303-610 | AMD 89-02-059 | 173-315-030 | NEW-E 89-12-020 |
| 173-216-125 | NEW-W 89-09-015 | 173-303-620 | AMD 89-02-059 | 173-315-030 | NEW 89-17-072 |
| 173-220-210 | AMD-P 89-04-051 | 173-303-640 | AMD 89-02-059 | 173-315-040 | NEW-E 89-06-061 |
| 173-220-210 | AMD-W 89-09-015 | 173-303-645 | AMD 89-02-059 | 173-315-040 | NEW-P 89-11-087 |
| 173-223 | REP-C 89-12-016 | 173-303-805 | AMD 89-02-059 | 173-315-040 | NEW-E 89-12-020 |
| 173-223-015 | AMD 89-05-026 | 173-303-806 | AMD 89-02-059 | 173-315-040 | NEW 89-17-072 |
| 173-223-015 | AMD-E 89-06-053 | 173-303-830 | AMD 89-02-059 | 173-315-050 | NEW-E 89-06-061 |
| 173-223-015 | REP-P 89-07-088 | 173-303-902 | NEW-P 89-15-047 | 173-315-050 | NEW-P 89-11-087 |
| 173-223-015 | REP 89-12-027 | 173-303-902 | NEW-E 89-19-030 | 173-315-050 | NEW-E 89-12-020 |
| 173-223-020 | REP-P 89-07-088 | 173-303-902 | NEW 89-21-071 | 173-315-050 | NEW 89-17-072 |
| 173-223-020 | REP 89-12-027 | 173-303-9903 | AMD 89-02-059 | 173-315-060 | NEW-E 89-06-061 |
| 173-223-030 | AMD 89-05-026 | 173-303-9904 | AMD 89-02-059 | 173-315-060 | NEW-P 89-11-087 |

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| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # | | | |
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| 173-315-060 | NEW-E | 89-12-020 | 173-340-400 | NEW-P | 89-20-059 | 173-802-050 | AMD-E | 89-08-079 |
| 173-315-060 | NEW | 89-17-072 | 173-340-410 | NEW-P | 89-20-059 | 173-802-050 | AMD | 89-11-021 |
| 173-315-070 | NEW-E | 89-06-061 | 173-340-420 | NEW-P | 89-20-059 | 174-120-010 | AMD-P | 89-18-089 |
| 173-315-070 | NEW-P | 89-11-087 | 173-340-430 | NEW-P | 89-20-059 | 174-120-010 | AMD | 89-21-073 |
| 173-315-070 | NEW-E | 89-12-020 | 173-340-500 | NEW-P | 89-20-059 | 174-120-020 | REP-P | 89-18-089 |
| 173-315-070 | NEW | 89-17-072 | 173-340-510 | NEW-P | 89-20-059 | 174-120-020 | REP | 89-21-073 |
| 173-315-080 | NEW-E | 89-06-061 | 173-340-520 | NEW-P | 89-20-059 | 174-120-030 | AMD-P | 89-18-089 |
| 173-315-090 | NEW-E | 89-06-061 | 173-340-530 | NEW-P | 89-20-059 | 174-120-030 | AMD | 89-21-073 |
| 173-318 | NEW-C | 89-16-102 | 173-340-540 | NEW-P | 89-20-059 | 174-120-040 | AMD-P | 89-18-089 |
| 173-318-010 | NEW-E | 89-09-005 | 173-340-550 | NEW-P | 89-20-059 | 174-120-040 | AMD | 89-21-073 |
| 173-318-010 | NEW-P | 89-12-065 | 173-340-560 | NEW-P | 89-20-059 | 174-120-050 | AMD-P | 89-18-089 |
| 173-318-010 | NEW | 89-18-070 | 173-340-600 | NEW-P | 89-20-059 | 174-120-050 | AMD | 89-21-073 |
| 173-318-020 | NEW-E | 89-09-005 | 173-340-610 | NEW-P | 89-20-059 | 174-120-060 | AMD-P | 89-18-089 |
| 173-318-020 | NEW-P | 89-12-065 | 173-340-700 | NEW-P | 89-20-059 | 174-120-060 | AMD | 89-21-073 |
| 173-318-020 | NEW | 89-18-070 | 173-340-800 | NEW-P | 89-20-059 | 174-120-070 | AMD-P | 89-18-089 |
| 173-318-030 | NEW-E | 89-09-005 | 173-340-810 | NEW-P | 89-20-059 | 174-120-070 | AMD | 89-21-073 |
| 173-318-030 | NEW-P | 89-12-065 | 173-340-820 | NEW-P | 89-20-059 | 174-120-080 | AMD-P | 89-18-089 |
| 173-318-030 | NEW | 89-18-070 | 173-340-830 | NEW-P | 89-20-059 | 174-120-080 | AMD | 89-21-073 |
| 173-318-040 | NEW-E | 89-09-005 | 173-340-840 | NEW-P | 89-20-059 | 174-121-010 | NEW-P | 89-18-089 |
| 173-318-040 | NEW-P | 89-12-065 | 173-340-850 | NEW-P | 89-20-059 | 174-121-010 | NEW | 89-21-073 |
| 173-318-040 | NEW | 89-18-070 | 173-340-860 | NEW-P | 89-20-059 | 180-08-003 | RE-AD-E | 89-16-076 |
| 173-318-050 | NEW-E | 89-09-005 | 173-340-870 | NEW-P | 89-20-059 | 180-08-003 | RE-AD-P | 89-17-107 |
| 173-318-050 | NEW-P | 89-12-065 | 173-340-880 | NEW-P | 89-20-059 | 180-08-005 | RE-AD-E | 89-16-076 |
| 173-318-050 | NEW | 89-18-070 | 173-340-890 | NEW-P | 89-20-059 | 180-08-005 | RE-AD-P | 89-17-107 |
| 173-318-060 | NEW-E | 89-09-005 | 173-342-010 | NEW-P | 89-20-060 | 180-16-220 | AMD-P | 89-21-078 |
| 173-318-060 | NEW-P | 89-12-065 | 173-342-020 | NEW-P | 89-20-060 | 180-24-205 | NEW-E | 89-16-039 |
| 173-318-060 | NEW | 89-18-070 | 173-342-030 | NEW-P | 89-20-060 | 180-24-205 | NEW-P | 89-17-100 |
| 173-318-070 | NEW-E | 89-09-005 | 173-342-040 | NEW-P | 89-20-060 | 180-25-060 | NEW-P | 89-21-079 |
| 173-318-070 | NEW-P | 89-12-065 | 173-342-050 | NEW-P | 89-20-060 | 180-25-065 | NEW-P | 89-21-079 |
| 173-318-070 | NEW | 89-18-070 | 173-400-120 | AMD | 89-02-055 | 180-25-070 | NEW-P | 89-21-079 |
| 173-318-080 | NEW-E | 89-09-005 | 173-403-030 | AMD | 89-02-055 | 180-25-075 | NEW-P | 89-21-079 |
| 173-318-080 | NEW-P | 89-12-065 | 173-403-050 | AMD | 89-02-055 | 180-25-080 | NEW-P | 89-21-079 |
| 173-318-080 | NEW | 89-18-070 | 173-403-080 | AMD | 89-02-055 | 180-25-085 | NEW-P | 89-21-079 |
| 173-321-010 | NEW-P | 89-15-046 | 173-405-078 | AMD | 89-02-055 | 180-25-090 | NEW-P | 89-21-079 |
| 173-321-010 | NEW | 89-21-072 | 173-410-071 | AMD | 89-02-055 | 180-25-300 | NEW-P | 89-05-066 |
| 173-321-020 | NEW-P | 89-15-046 | 173-415-080 | AMD | 89-02-055 | 180-25-300 | NEW-E | 89-06-018 |
| 173-321-020 | NEW | 89-21-072 | 173-422-020 | AMD-P | 89-21-075 | 180-25-300 | NEW | 89-08-086 |
| 173-321-030 | NEW-P | 89-15-046 | 173-422-035 | NEW-P | 89-21-075 | 180-25-300 | AMD-E | 89-13-011 |
| 173-321-030 | NEW | 89-21-072 | 173-422-040 | AMD-P | 89-21-075 | 180-25-300 | AMD-E | 89-16-040 |
| 173-321-040 | NEW-P | 89-15-046 | 173-422-060 | AMD-P | 89-21-075 | 180-25-300 | AMD-P | 89-17-102 |
| 173-321-040 | NEW | 89-21-072 | 173-422-070 | AMD-P | 89-21-075 | 180-26-055 | AMD-P | 89-05-065 |
| 173-321-050 | NEW-P | 89-15-046 | 173-422-090 | AMD-P | 89-21-075 | 180-26-055 | AMD-E | 89-06-017 |
| 173-321-050 | NEW | 89-21-072 | 173-422-100 | AMD-P | 89-21-075 | 180-26-055 | AMD | 89-08-085 |
| 173-321-060 | NEW-P | 89-15-046 | 173-422-130 | AMD-P | 89-21-075 | 180-27-015 | AMD-P | 89-21-080 |
| 173-321-060 | NEW | 89-21-072 | 173-422-140 | AMD-P | 89-21-075 | 180-27-017 | NEW-P | 89-21-080 |
| 173-321-070 | NEW-P | 89-15-046 | 173-422-145 | AMD-P | 89-21-075 | 180-27-019 | NEW-P | 89-21-080 |
| 173-321-070 | NEW | 89-21-072 | 173-422-160 | AMD-P | 89-21-075 | 180-27-023 | NEW-P | 89-21-080 |
| 173-321-080 | NEW-P | 89-15-046 | 173-422-170 | AMD-P | 89-21-075 | 180-27-057 | AMD-E | 89-13-015 |
| 173-321-080 | NEW | 89-21-072 | 173-422-190 | NEW-P | 89-21-075 | 180-27-057 | AMD-E | 89-16-041 |
| 173-336-010 | REP-P | 89-20-059 | 173-422-195 | NEW-P | 89-21-075 | 180-27-057 | AMD-P | 89-17-101 |
| 173-336-020 | REP-P | 89-20-059 | 173-425-030 | AMD | 89-02-055 | 180-27-115 | AMD-P | 89-21-080 |
| 173-336-030 | REP-P | 89-20-059 | 173-425-035 | REP | 89-02-055 | 180-27-400 | NEW-P | 89-21-080 |
| 173-338-010 | REP-P | 89-20-059 | 173-425-036 | NEW | 89-02-055 | 180-27-405 | NEW-P | 89-21-080 |
| 173-338-020 | REP-P | 89-20-059 | 173-425-045 | AMD | 89-02-055 | 180-27-410 | NEW-P | 89-21-080 |
| 173-338-030 | REP-P | 89-20-059 | 173-425-065 | AMD | 89-02-055 | 180-27-415 | NEW-P | 89-21-080 |
| 173-338-040 | REP-P | 89-20-059 | 173-425-075 | AMD | 89-02-055 | 180-27-420 | NEW-P | 89-21-080 |
| 173-338-050 | REP-P | 89-20-059 | 173-425-085 | AMD | 89-02-055 | 180-29-108 | AMD-E | 89-16-042 |
| 173-340 | AMD-P | 89-20-059 | 173-425-095 | AMD | 89-02-055 | 180-29-108 | AMD-P | 89-17-104 |
| 173-340-010 | REP-P | 89-20-059 | 173-425-130 | AMD | 89-02-055 | 180-29-300 | NEW-P | 89-05-067 |
| 173-340-020 | REP-P | 89-20-059 | 173-433-030 | AMD | 89-02-054 | 180-29-300 | NEW-E | 89-06-019 |
| 173-340-030 | REP-P | 89-20-059 | 173-433-100 | AMD | 89-02-054 | 180-29-300 | NEW | 89-08-087 |
| 173-340-040 | REP-P | 89-20-059 | 173-433-120 | AMD | 89-02-054 | 180-29-300 | AMD-E | 89-13-014 |
| 173-340-050 | REP-P | 89-20-059 | 173-433-130 | NEW | 89-02-054 | 180-29-300 | AMD-E | 89-16-043 |
| 173-340-100 | NEW-P | 89-20-059 | 173-433-170 | NEW | 89-02-054 | 180-29-300 | AMD-P | 89-17-103 |
| 173-340-110 | NEW-P | 89-20-059 | 173-434-050 | AMD | 89-02-055 | 180-51-025 | AMD-P | 89-05-060 |
| 173-340-120 | NEW-P | 89-20-059 | 173-434-200 | AMD | 89-02-055 | 180-51-025 | AMD-C | 89-08-080 |
| 173-340-130 | NEW-P | 89-20-059 | 173-435-010 | AMD | 89-02-055 | 180-51-025 | AMD | 89-12-061 |
| 173-340-140 | NEW-P | 89-20-059 | 173-435-015 | NEW | 89-02-055 | 180-53-025 | AMD-P | 89-21-081 |
| 173-340-200 | NEW-P | 89-20-059 | 173-435-020 | AMD | 89-02-055 | 180-53-050 | AMD-P | 89-21-081 |
| 173-340-210 | NEW-P | 89-20-059 | 173-435-030 | AMD | 89-02-055 | 180-53-055 | AMD-P | 89-21-081 |
| 173-340-300 | NEW-P | 89-20-059 | 173-435-040 | AMD | 89-02-055 | 180-59 | NEW-C | 89-05-061 |
| 173-340-310 | NEW-P | 89-20-059 | 173-435-050 | AMD | 89-02-055 | 180-59-005 | NEW | 89-09-044 |
| 173-340-320 | NEW-P | 89-20-059 | 173-435-060 | AMD | 89-02-055 | 180-59-010 | NEW | 89-09-044 |
| 173-340-330 | NEW-P | 89-20-059 | 173-435-070 | AMD | 89-02-055 | 180-59-015 | NEW | 89-09-044 |
| 173-340-340 | NEW-P | 89-20-059 | 173-470-030 | AMD | 89-02-055 | 180-59-020 | NEW | 89-09-044 |
| 173-340-350 | NEW-P | 89-20-059 | 173-470-100 | AMD | 89-02-055 | 180-59-025 | NEW | 89-09-044 |
| 173-340-360 | NEW-P | 89-20-059 | 173-802-050 | AMD-P | 89-08-078 | 180-59-030 | NEW | 89-09-044 |

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| 180-59-032 | NEW | 89-09-044 | 180-75-040 | REP-P | 89-21-082 | 180-86-005 | NEW-P | 89-21-084 |
| 180-59-035 | NEW | 89-09-044 | 180-75-042 | RE-AD-E | 89-16-076 | 180-86-010 | NEW-P | 89-21-084 |
| 180-59-037 | NEW | 89-09-044 | 180-75-042 | RE-AD-P | 89-17-107 | 180-86-015 | NEW-P | 89-21-084 |
| 180-59-040 | NEW | 89-09-044 | 180-75-042 | REP-P | 89-21-082 | 180-86-020 | NEW-P | 89-21-084 |
| 180-59-045 | NEW | 89-09-044 | 180-75-043 | RE-AD-E | 89-16-076 | 180-86-030 | NEW-P | 89-21-084 |
| 180-59-047 | NEW | 89-09-044 | 180-75-043 | RE-AD-P | 89-17-107 | 180-86-035 | NEW-P | 89-21-084 |
| 180-59-050 | NEW | 89-09-044 | 180-75-043 | REP-P | 89-21-082 | 180-86-040 | NEW-P | 89-21-084 |
| 180-59-055 | NEW | 89-09-044 | 180-75-044 | RE-AD-E | 89-16-076 | 180-86-050 | NEW-P | 89-21-084 |
| 180-59-060 | NEW | 89-09-044 | 180-75-044 | RE-AD-P | 89-17-107 | 180-86-055 | NEW-P | 89-21-084 |
| 180-59-065 | NEW | 89-09-044 | 180-75-044 | REP-P | 89-21-082 | 180-86-065 | NEW-P | 89-21-084 |
| 180-59-070 | NEW | 89-09-044 | 180-75-045 | RE-AD-E | 89-16-076 | 180-86-070 | NEW-P | 89-21-084 |
| 180-59-075 | NEW | 89-09-044 | 180-75-045 | RE-AD-P | 89-17-107 | 180-86-075 | NEW-P | 89-21-084 |
| 180-59-080 | NEW | 89-09-044 | 180-75-045 | AMD-P | 89-21-082 | 180-86-085 | NEW-P | 89-21-084 |
| 180-59-090 | NEW | 89-09-044 | 180-75-047 | RE-AD-E | 89-16-076 | 180-86-090 | NEW-P | 89-21-084 |
| 180-59-095 | NEW | 89-09-044 | 180-75-047 | RE-AD-P | 89-17-107 | 180-86-095 | NEW-P | 89-21-084 |
| 180-59-100 | NEW | 89-09-044 | 180-75-048 | RE-AD-E | 89-16-076 | 180-86-100 | NEW-P | 89-21-084 |
| 180-59-105 | NEW | 89-09-044 | 180-75-048 | RE-AD-P | 89-17-107 | 180-86-105 | NEW-P | 89-21-084 |
| 180-59-110 | NEW | 89-09-044 | 180-75-050 | RE-AD-E | 89-16-076 | 180-86-110 | NEW-P | 89-21-084 |
| 180-59-115 | NEW | 89-09-044 | 180-75-050 | RE-AD-P | 89-17-107 | 180-86-115 | NEW-P | 89-21-084 |
| 180-59-120 | NEW | 89-09-044 | 180-75-055 | RE-AD-E | 89-16-076 | 180-86-120 | NEW-P | 89-21-084 |
| 180-59-125 | NEW | 89-09-044 | 180-75-055 | RE-AD-P | 89-17-107 | 180-86-130 | NEW-P | 89-21-084 |
| 180-59-130 | NEW | 89-09-044 | 180-75-060 | RE-AD-E | 89-16-076 | 180-86-135 | NEW-P | 89-21-084 |
| 180-59-135 | NEW | 89-09-044 | 180-75-060 | RE-AD-P | 89-17-107 | 180-86-140 | NEW-P | 89-21-084 |
| 180-59-140 | NEW | 89-09-044 | 180-75-061 | RE-AD-E | 89-16-076 | 180-86-145 | NEW-P | 89-21-084 |
| 180-59-145 | NEW | 89-09-044 | 180-75-061 | RE-AD-P | 89-17-107 | 180-86-150 | NEW-P | 89-21-084 |
| 180-59-150 | NEW | 89-09-044 | 180-75-065 | RE-AD-E | 89-16-076 | 180-86-155 | NEW-P | 89-21-084 |
| 180-59-155 | NEW | 89-09-044 | 180-75-065 | RE-AD-P | 89-17-107 | 180-86-160 | NEW-P | 89-21-084 |
| 180-59-160 | NEW | 89-09-044 | 180-75-070 | RE-AD-E | 89-16-076 | 180-86-165 | NEW-P | 89-21-084 |
| 180-59-165 | NEW | 89-09-044 | 180-75-070 | RE-AD-P | 89-17-107 | 180-86-170 | NEW-P | 89-21-084 |
| 180-75-003 | RE-AD-E | 89-16-076 | 180-75-080 | RE-AD-E | 89-16-076 | 180-86-175 | NEW-P | 89-21-084 |
| 180-75-003 | RE-AD-P | 89-17-107 | 180-75-080 | RE-AD-P | 89-17-107 | 180-86-180 | NEW-P | 89-21-084 |
| 180-75-005 | RE-AD-E | 89-16-076 | 180-75-081 | RE-AD-E | 89-16-076 | 180-86-185 | NEW-P | 89-21-084 |
| 180-75-005 | RE-AD-P | 89-17-107 | 180-75-081 | RE-AD-P | 89-17-107 | 180-87-001 | NEW-P | 89-21-085 |
| 180-75-005 | AMD-P | 89-21-082 | 180-75-081 | AMD-P | 89-21-082 | 180-87-003 | NEW-P | 89-21-085 |
| 180-75-017 | RE-AD-E | 89-16-076 | 180-75-082 | RE-AD-E | 89-16-076 | 180-87-005 | NEW-P | 89-21-085 |
| 180-75-017 | RE-AD-P | 89-17-107 | 180-75-082 | RE-AD-P | 89-17-107 | 180-87-010 | NEW-P | 89-21-085 |
| 180-75-018 | RE-AD-E | 89-16-076 | 180-75-083 | RE-AD-E | 89-16-076 | 180-87-015 | NEW-P | 89-21-085 |
| 180-75-018 | RE-AD-P | 89-17-107 | 180-75-083 | RE-AD-P | 89-17-107 | 180-87-020 | NEW-P | 89-21-085 |
| 180-75-018 | REP-P | 89-21-082 | 180-75-084 | RE-AD-E | 89-16-076 | 180-87-025 | NEW-P | 89-21-085 |
| 180-75-019 | RE-AD-E | 89-16-076 | 180-75-084 | RE-AD-P | 89-17-107 | 180-87-030 | NEW-P | 89-21-085 |
| 180-75-019 | RE-AD-P | 89-17-107 | 180-75-084 | REP-P | 89-21-082 | 180-87-035 | NEW-P | 89-21-085 |
| 180-75-019 | REP-P | 89-21-082 | 180-75-085 | AMD-P | 89-08-082 | 180-87-040 | NEW-P | 89-21-085 |
| 180-75-020 | RE-AD-E | 89-16-076 | 180-75-085 | AMD-E | 89-08-084 | 180-87-045 | NEW-P | 89-21-085 |
| 180-75-020 | RE-AD-P | 89-17-107 | 180-75-085 | AMD | 89-12-025 | 180-87-050 | NEW-P | 89-21-085 |
| 180-75-020 | REP-P | 89-21-082 | 180-75-085 | RE-AD-E | 89-16-076 | 180-87-055 | NEW-P | 89-21-085 |
| 180-75-025 | RE-AD-E | 89-16-076 | 180-75-085 | RE-AD-P | 89-17-107 | 180-87-060 | NEW-P | 89-21-085 |
| 180-75-025 | RE-AD-P | 89-17-107 | 180-75-086 | RE-AD-E | 89-16-076 | 180-87-065 | NEW-P | 89-21-085 |
| 180-75-025 | REP-P | 89-21-082 | 180-75-086 | RE-AD-P | 89-17-107 | 180-87-070 | NEW-P | 89-21-085 |
| 180-75-026 | RE-AD-E | 89-16-076 | 180-75-086 | REP-P | 89-21-082 | 180-87-080 | NEW-P | 89-21-085 |
| 180-75-026 | RE-AD-P | 89-17-107 | 180-75-087 | RE-AD-E | 89-16-076 | 180-87-085 | NEW-P | 89-21-085 |
| 180-75-026 | REP-P | 89-21-082 | 180-75-087 | RE-AD-P | 89-17-107 | 180-87-090 | NEW-P | 89-21-085 |
| 180-75-027 | RE-AD-E | 89-16-076 | 180-75-088 | RE-AD-E | 89-16-076 | 180-87-095 | NEW-P | 89-21-085 |
| 180-75-027 | RE-AD-P | 89-17-107 | 180-75-088 | RE-AD-P | 89-17-107 | 180-115-010 | AMD-E | 89-16-044 |
| 180-75-027 | REP-P | 89-21-082 | 180-75-090 | RE-AD-E | 89-16-076 | 180-115-010 | AMD-P | 89-17-105 |
| 180-75-030 | RE-AD-E | 89-16-076 | 180-75-090 | RE-AD-P | 89-17-107 | 180-115-020 | AMD-E | 89-16-044 |
| 180-75-030 | RE-AD-P | 89-17-107 | 180-75-091 | RE-AD-E | 89-16-076 | 180-115-020 | AMD-P | 89-17-105 |
| 180-75-030 | REP-P | 89-21-082 | 180-75-091 | RE-AD-P | 89-17-107 | 180-115-035 | AMD-E | 89-16-044 |
| 180-75-033 | RE-AD-E | 89-16-076 | 180-75-092 | RE-AD-E | 89-16-076 | 180-115-035 | AMD-P | 89-17-105 |
| 180-75-033 | RE-AD-P | 89-17-107 | 180-75-092 | RE-AD-P | 89-17-107 | 180-115-045 | AMD-E | 89-16-044 |
| 180-75-033 | REP-P | 89-21-082 | 180-75-100 | RE-AD-E | 89-16-076 | 180-115-045 | AMD-P | 89-17-105 |
| 180-75-034 | RE-AD-E | 89-16-076 | 180-75-100 | RE-AD-P | 89-17-107 | 180-115-060 | AMD-E | 89-16-044 |
| 180-75-034 | RE-AD-P | 89-17-107 | 180-75-199 | RE-AD-E | 89-16-076 | 180-115-060 | AMD-P | 89-17-105 |
| 180-75-034 | REP-P | 89-21-082 | 180-75-199 | RE-AD-P | 89-17-107 | 180-115-070 | REP-E | 89-16-044 |
| 180-75-035 | RE-AD-E | 89-16-076 | 180-75-199 | REP-P | 89-21-082 | 180-115-070 | REP-P | 89-17-105 |
| 180-75-035 | RE-AD-P | 89-17-107 | 180-78-191 | AMD-P | 89-21-083 | 180-115-081 | NEW-E | 89-16-044 |
| 180-75-035 | REP-P | 89-21-082 | 180-78-192 | REP-P | 89-21-083 | 180-115-081 | NEW-P | 89-17-105 |
| 180-75-037 | RE-AD-E | 89-16-076 | 180-78-193 | REP-P | 89-21-083 | 180-115-085 | AMD-E | 89-16-044 |
| 180-75-037 | RE-AD-P | 89-17-107 | 180-78-194 | REP-P | 89-21-083 | 180-115-085 | AMD-P | 89-17-105 |
| 180-75-037 | REP-P | 89-21-082 | 180-78-195 | REP-P | 89-21-083 | 180-115-090 | AMD-E | 89-16-044 |
| 180-75-038 | RE-AD-E | 89-16-076 | 180-78-197 | REP-P | 89-21-083 | 180-115-090 | AMD-P | 89-17-105 |
| 180-75-038 | RE-AD-P | 89-17-107 | 180-78-198 | REP-P | 89-21-083 | 180-115-105 | AMD-E | 89-16-044 |
| 180-75-038 | REP-P | 89-21-082 | 180-78-199 | REP-P | 89-21-083 | 180-115-105 | AMD-P | 89-17-105 |
| 180-75-039 | RE-AD-E | 89-16-076 | 180-79-063 | AMD-P | 89-17-106 | 182-08-165 | NEW-P | 89-02-070 |
| 180-75-039 | RE-AD-P | 89-17-107 | 180-79-230 | AMD-P | 89-08-081 | 182-08-165 | NEW | 89-05-013 |
| 180-75-039 | REP-P | 89-21-082 | 180-79-230 | AMD-E | 89-08-083 | 182-08-190 | AMD-P | 89-08-005 |
| 180-75-040 | RE-AD-E | 89-16-076 | 180-79-230 | AMD | 89-12-026 | 182-08-190 | AMD-W | 89-09-053 |
| 180-75-040 | RE-AD-P | 89-17-107 | 180-86-003 | NEW-P | 89-21-084 | 182-12-115 | AMD-P | 89-09-054 |

Table of WAC Sections Affected

| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # | | | |
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| 182-12-115 | AMD | 89-12-045 | 192-09-315 | AMD | 89-03-070 | 204-65-030 | AMD-P | 89-09-024 |
| 182-12-127 | AMD-P | 89-08-005 | 192-09-315 | REP-P | 89-19-079 | 204-65-030 | AMD | 89-12-018 |
| 182-12-127 | AMD-W | 89-09-053 | 192-09-400 | REP-P | 89-19-079 | 204-65-040 | AMD-E | 89-09-023 |
| 182-12-127 | AMD-P | 89-09-054 | 192-09-405 | REP-P | 89-19-079 | 204-65-040 | AMD-P | 89-09-024 |
| 182-12-127 | AMD | 89-12-045 | 192-09-410 | REP-P | 89-19-079 | 204-65-040 | AMD | 89-12-018 |
| 182-12-140 | REP-P | 89-02-070 | 192-09-415 | REP-P | 89-19-079 | 204-65-050 | AMD-E | 89-09-023 |
| 182-12-140 | REP | 89-05-013 | 192-09-420 | REP-P | 89-19-079 | 204-65-050 | AMD-P | 89-09-024 |
| 182-12-210 | AMD-P | 89-08-005 | 192-09-425 | REP-P | 89-19-079 | 204-65-050 | AMD | 89-12-018 |
| 182-12-210 | AMD-W | 89-09-053 | 192-09-430 | REP-P | 89-19-079 | 204-65-060 | AMD-E | 89-09-023 |
| 182-12-210 | AMD-P | 89-09-054 | 192-09-435 | REP-P | 89-19-079 | 204-65-060 | AMD-P | 89-09-024 |
| 182-12-210 | AMD | 89-12-045 | 192-09-440 | REP-P | 89-19-079 | 204-65-060 | AMD | 89-12-018 |
| 192-04-010 | NEW-P | 89-19-079 | 192-09-445 | REP-P | 89-19-079 | 204-76-99001 | AMD-P | 89-09-025 |
| 192-04-020 | NEW-P | 89-19-079 | 192-09-450 | REP-P | 89-19-079 | 204-76-99001 | AMD | 89-12-019 |
| 192-04-030 | NEW-P | 89-19-079 | 192-09-455 | REP-P | 89-19-079 | 204-76-99002 | AMD-P | 89-09-025 |
| 192-04-040 | NEW-P | 89-17-086 | 192-09-460 | REP-P | 89-19-079 | 204-76-99002 | AMD | 89-12-019 |
| 192-04-040 | NEW | 89-20-064 | 192-12-025 | AMD | 89-03-068 | 204-82-010 | REP-P | 89-21-043 |
| 192-04-050 | NEW-P | 89-19-079 | 192-12-180 | AMD | 89-03-069 | 204-82-020 | REP-P | 89-21-043 |
| 192-04-060 | NEW-P | 89-19-079 | 192-12-182 | AMD | 89-03-069 | 204-82-030 | REP-P | 89-21-043 |
| 192-04-070 | NEW-P | 89-19-079 | 192-12-300 | NEW-P | 89-17-086 | 204-82-040 | REP-P | 89-21-043 |
| 192-04-080 | NEW-P | 89-19-079 | 192-12-300 | NEW | 89-20-064 | 204-82-050 | REP-P | 89-21-043 |
| 192-04-090 | NEW-P | 89-19-079 | 192-12-305 | NEW-P | 89-17-086 | 204-82-060 | REP-P | 89-21-043 |
| 192-04-100 | NEW-P | 89-19-079 | 192-12-305 | NEW | 89-20-064 | 204-82A-010 | NEW-P | 89-21-006 |
| 192-04-110 | NEW-P | 89-19-079 | 192-12-310 | NEW-P | 89-17-086 | 204-82A-020 | NEW-P | 89-21-006 |
| 192-04-120 | NEW-P | 89-19-079 | 192-12-310 | NEW | 89-20-064 | 204-82A-030 | NEW-P | 89-21-006 |
| 192-04-130 | NEW-P | 89-19-079 | 192-12-320 | NEW-P | 89-17-086 | 204-82A-040 | NEW-P | 89-21-006 |
| 192-04-140 | NEW-P | 89-19-079 | 192-12-320 | NEW | 89-20-064 | 204-82A-050 | NEW-P | 89-21-006 |
| 192-04-150 | NEW-P | 89-19-079 | 192-12-330 | NEW-P | 89-17-086 | 204-82A-060 | NEW-P | 89-21-006 |
| 192-04-160 | NEW-P | 89-19-079 | 192-12-330 | NEW | 89-20-064 | 204-91-010 | REP-P | 89-10-029 |
| 192-04-170 | NEW-P | 89-19-079 | 192-12-340 | NEW-P | 89-17-086 | 204-91-010 | REP | 89-14-015 |
| 192-04-180 | NEW-P | 89-19-079 | 192-12-340 | NEW | 89-20-064 | 204-91-020 | REP-P | 89-10-029 |
| 192-04-190 | NEW-P | 89-19-079 | 192-16-300 | NEW-P | 89-17-085 | 204-91-020 | REP | 89-14-015 |
| 192-04-200 | NEW-P | 89-19-079 | 192-16-305 | NEW-P | 89-17-085 | 204-91-030 | REP-P | 89-10-029 |
| 192-04-210 | NEW-P | 89-19-079 | 192-16-310 | NEW-P | 89-17-085 | 204-91-030 | REP | 89-14-015 |
| 192-09-010 | REP-P | 89-19-079 | 192-28-135 | NEW-P | 89-12-084 | 204-91-040 | REP-P | 89-10-029 |
| 192-09-020 | REP-P | 89-19-079 | 192-28-135 | NEW | 89-20-065 | 204-91-040 | REP | 89-14-015 |
| 192-09-030 | AMD | 89-03-070 | 192-40-020 | AMD-P | 89-19-079 | 204-91-050 | REP-P | 89-10-029 |
| 192-09-030 | REP-P | 89-19-079 | 192-40-040 | AMD-P | 89-19-079 | 204-91-050 | REP | 89-14-015 |
| 192-09-035 | REP-P | 89-17-086 | 192-40-050 | AMD-P | 89-19-079 | 204-91-060 | REP-P | 89-10-029 |
| 192-09-035 | REP-P | 89-19-079 | 192-40-060 | AMD-P | 89-19-079 | 204-91-060 | REP | 89-14-015 |
| 192-09-035 | REP | 89-20-064 | 192-40-070 | AMD-P | 89-19-079 | 204-91-070 | REP-P | 89-10-029 |
| 192-09-040 | REP-P | 89-17-086 | 192-40-080 | AMD-P | 89-19-079 | 204-91-070 | REP | 89-14-015 |
| 192-09-040 | REP-P | 89-19-079 | 192-40-090 | AMD-P | 89-19-079 | 204-91-080 | REP-P | 89-10-029 |
| 192-09-040 | REP | 89-20-064 | 192-40-100 | AMD-P | 89-19-079 | 204-91-080 | REP | 89-14-015 |
| 192-09-050 | REP-P | 89-19-079 | 192-42-010 | AMD-P | 89-17-121 | 204-91-100 | REP-P | 89-10-029 |
| 192-09-060 | REP-P | 89-19-079 | 192-42-020 | REP-P | 89-17-121 | 204-91-100 | REP | 89-14-015 |
| 192-09-062 | REP-P | 89-19-079 | 192-42-021 | NEW-P | 89-17-121 | 204-91-110 | REP-P | 89-10-029 |
| 192-09-063 | AMD | 89-03-070 | 192-42-030 | AMD-P | 89-17-121 | 204-91-110 | REP | 89-14-015 |
| 192-09-063 | REP-P | 89-19-079 | 192-42-035 | NEW-P | 89-17-121 | 204-91-120 | REP-P | 89-10-029 |
| 192-09-065 | REP-P | 89-19-079 | 192-42-040 | REP-P | 89-17-121 | 204-91-120 | REP | 89-14-015 |
| 192-09-070 | REP-P | 89-19-079 | 192-42-050 | AMD-P | 89-17-121 | 204-91-130 | REP-P | 89-10-029 |
| 192-09-100 | REP-P | 89-19-079 | 192-42-055 | NEW-P | 89-17-121 | 204-91-130 | REP | 89-14-015 |
| 192-09-105 | REP-P | 89-19-079 | 192-42-058 | NEW-P | 89-17-121 | 204-91-140 | REP-P | 89-10-029 |
| 192-09-110 | REP-P | 89-19-079 | 192-42-070 | REP-P | 89-17-121 | 204-91-140 | REP | 89-14-015 |
| 192-09-115 | REP-P | 89-19-079 | 192-42-071 | NEW-P | 89-17-121 | 204-91-150 | REP-P | 89-10-029 |
| 192-09-120 | REP-P | 89-19-079 | 192-42-080 | REP-P | 89-17-121 | 204-91-150 | REP | 89-14-015 |
| 192-09-125 | REP-P | 89-19-079 | 192-42-081 | NEW-P | 89-17-121 | 204-91-160 | REP-P | 89-10-029 |
| 192-09-130 | REP-P | 89-19-079 | 194-18-010 | NEW-P | 89-11-083 | 204-91-160 | REP | 89-14-015 |
| 192-09-135 | REP-P | 89-19-079 | 194-18-010 | NEW | 89-15-013 | 204-91-170 | REP-P | 89-10-029 |
| 192-09-140 | REP-P | 89-19-079 | 194-18-020 | NEW-P | 89-11-083 | 204-91-170 | REP | 89-14-015 |
| 192-09-145 | REP-P | 89-19-079 | 194-18-020 | NEW | 89-15-013 | 204-91-180 | REP-P | 89-10-029 |
| 192-09-150 | REP-P | 89-19-079 | 194-18-030 | NEW-P | 89-11-083 | 204-91-180 | REP | 89-14-015 |
| 192-09-155 | REP-P | 89-19-079 | 194-18-030 | NEW | 89-15-013 | 204-91-190 | REP-P | 89-10-029 |
| 192-09-160 | REP-P | 89-19-079 | 196-16-007 | AMD | 89-05-021 | 204-91-190 | REP | 89-14-015 |
| 192-09-165 | REP-P | 89-19-079 | 196-16-020 | AMD | 89-05-021 | 204-91-200 | REP-P | 89-10-029 |
| 192-09-170 | REP-P | 89-19-079 | 196-16-031 | AMD | 89-05-021 | 204-91-200 | REP | 89-14-015 |
| 192-09-200 | REP-P | 89-19-079 | 196-24-080 | AMD | 89-05-021 | 204-91A-010 | NEW-P | 89-10-029 |
| 192-09-205 | REP-P | 89-19-079 | 196-24-085 | AMD | 89-05-021 | 204-91A-010 | NEW | 89-14-015 |
| 192-09-210 | REP-P | 89-19-079 | 196-26-020 | AMD-E | 89-20-044 | 204-91A-020 | NEW-P | 89-10-029 |
| 192-09-215 | REP-P | 89-19-079 | 204-29-010 | NEW-E | 89-10-007 | 204-91A-020 | NEW | 89-14-015 |
| 192-09-220 | REP-P | 89-19-079 | 204-29-010 | NEW | 89-10-016 | 204-91A-030 | NEW-P | 89-10-029 |
| 192-09-225 | REP-P | 89-19-079 | 204-65-010 | AMD-E | 89-09-023 | 204-91A-030 | NEW | 89-14-015 |
| 192-09-230 | REP-P | 89-19-079 | 204-65-010 | AMD-P | 89-09-024 | 204-91A-030 | AMD-P | 89-18-080 |
| 192-09-235 | REP-P | 89-19-079 | 204-65-010 | AMD | 89-12-018 | 204-91A-030 | AMD | 89-21-044 |
| 192-09-240 | REP-P | 89-19-079 | 204-65-020 | AMD-E | 89-09-023 | 204-91A-040 | NEW-P | 89-10-029 |
| 192-09-300 | REP-P | 89-19-079 | 204-65-020 | AMD-P | 89-09-024 | 204-91A-040 | NEW | 89-14-015 |
| 192-09-305 | REP-P | 89-19-079 | 204-65-020 | AMD | 89-12-018 | 204-91A-050 | NEW-P | 89-10-029 |
| 192-09-310 | REP-P | 89-19-079 | 204-65-030 | AMD-E | 89-09-023 | 204-91A-050 | NEW | 89-14-015 |

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| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # | | | |
|---------------|-------|-----------|---------------|-------|-----------|---------------|-------|-----------|
| 204-91A-060 | NEW-P | 89-10-029 | 220-32-05100T | REP-E | 89-19-082 | 220-44-05000X | REP-E | 89-20-045 |
| 204-91A-060 | NEW | 89-14-015 | 220-32-05100U | NEW-E | 89-19-082 | 220-44-05000Y | NEW-E | 89-20-045 |
| 204-91A-060 | AMD-P | 89-18-080 | 220-32-05100V | REP-E | 89-20-025 | 220-47-311 | AMD-P | 89-09-080 |
| 204-91A-060 | AMD | 89-21-044 | 220-32-05100V | NEW-E | 89-20-025 | 220-47-311 | AMD | 89-13-004 |
| 204-91A-070 | NEW-P | 89-10-029 | 220-32-05100V | REP-E | 89-21-017 | 220-47-312 | AMD-P | 89-09-080 |
| 204-91A-070 | NEW | 89-14-015 | 220-32-05100W | NEW-E | 89-21-017 | 220-47-312 | AMD | 89-13-004 |
| 204-91A-070 | AMD-P | 89-18-080 | 220-32-05100W | REP-E | 89-21-021 | 220-47-313 | AMD-P | 89-09-080 |
| 204-91A-070 | AMD | 89-21-044 | 220-32-05100X | NEW-E | 89-21-021 | 220-47-313 | AMD | 89-13-004 |
| 204-91A-080 | NEW-P | 89-10-029 | 220-32-05700C | REP-E | 89-07-080 | 220-47-401 | AMD-P | 89-09-080 |
| 204-91A-080 | NEW | 89-14-015 | 220-32-05700D | NEW-E | 89-07-080 | 220-47-401 | AMD | 89-13-004 |
| 204-91A-090 | NEW-P | 89-10-029 | 220-32-05900P | NEW-E | 89-10-009 | 220-47-411 | AMD-P | 89-09-080 |
| 204-91A-090 | NEW | 89-14-015 | 220-32-05900P | REP-E | 89-10-059 | 220-47-411 | AMD | 89-13-004 |
| 204-91A-100 | NEW-P | 89-10-029 | 220-32-05900Q | NEW-E | 89-10-059 | 220-47-412 | AMD-P | 89-09-080 |
| 204-91A-100 | NEW | 89-14-015 | 220-33-005 | AMD-P | 89-06-032 | 220-47-412 | AMD | 89-13-004 |
| 204-91A-110 | NEW-P | 89-10-029 | 220-33-005 | AMD | 89-09-051 | 220-47-413 | AMD-P | 89-09-080 |
| 204-91A-110 | NEW | 89-14-015 | 220-33-01000C | NEW-E | 89-04-047 | 220-47-413 | AMD | 89-13-004 |
| 204-91A-120 | NEW-P | 89-10-029 | 220-33-01000C | REP-E | 89-07-002 | 220-47-414 | AMD-P | 89-09-080 |
| 204-91A-120 | NEW | 89-14-015 | 220-33-01000D | NEW-E | 89-07-002 | 220-47-414 | AMD | 89-13-004 |
| 204-91A-120 | AMD-P | 89-18-080 | 220-33-01000D | REP-E | 89-07-021 | 220-47-500 | NEW-E | 89-16-008 |
| 204-91A-120 | AMD | 89-21-044 | 220-33-01000E | NEW-E | 89-07-021 | 220-47-500 | REP-E | 89-16-054 |
| 204-91A-130 | NEW-P | 89-10-029 | 220-33-01000F | NEW-E | 89-17-016 | 220-47-504 | NEW-E | 89-16-054 |
| 204-91A-130 | NEW | 89-14-015 | 220-33-01000F | REP-E | 89-17-044 | 220-47-504 | REP-E | 89-17-015 |
| 204-91A-140 | NEW-P | 89-10-029 | 220-33-01000G | NEW-E | 89-17-044 | 220-47-505 | NEW-E | 89-17-015 |
| 204-91A-140 | NEW | 89-14-015 | 220-33-01000G | REP-E | 89-17-053 | 220-47-505 | REP-E | 89-17-045 |
| 204-91A-140 | AMD-P | 89-18-080 | 220-33-01000H | NEW-E | 89-17-053 | 220-47-506 | NEW-E | 89-17-045 |
| 204-91A-140 | AMD | 89-21-044 | 220-33-01000H | REP-E | 89-18-039 | 220-47-506 | REP-E | 89-17-082 |
| 204-91A-150 | NEW-P | 89-10-029 | 220-33-01000I | NEW-E | 89-19-028 | 220-47-507 | NEW-E | 89-17-082 |
| 204-91A-150 | NEW | 89-14-015 | 220-33-01000I | REP-E | 89-20-004 | 220-47-507 | REP-E | 89-18-012 |
| 204-91A-160 | NEW-P | 89-10-029 | 220-33-01000J | NEW-E | 89-20-004 | 220-47-508 | NEW-E | 89-18-012 |
| 204-91A-160 | NEW | 89-14-015 | 220-33-01000J | REP-E | 89-21-017 | 220-47-508 | REP-E | 89-18-016 |
| 204-91A-170 | NEW-P | 89-10-029 | 220-33-01000K | NEW-E | 89-21-017 | 220-47-509 | NEW-E | 89-18-016 |
| 204-91A-170 | NEW | 89-14-015 | 220-33-03000A | NEW-E | 89-11-050 | 220-47-509 | REP-E | 89-18-041 |
| 204-91A-180 | NEW-P | 89-10-029 | 220-33-03000A | REP-E | 89-14-021 | 220-47-510 | NEW-E | 89-18-041 |
| 204-91A-180 | NEW | 89-14-015 | 220-33-03000B | NEW-E | 89-14-021 | 220-47-510 | REP-E | 89-18-042 |
| 204-91A-180 | AMD-P | 89-18-080 | 220-33-03000B | REP-E | 89-17-016 | 220-47-511 | NEW-E | 89-18-042 |
| 204-91A-180 | AMD | 89-21-044 | 220-36 | AMD-C | 89-16-055 | 220-47-511 | REP-E | 89-18-065 |
| 212-17-140 | AMD-P | 89-13-019 | 220-36-015 | NEW-P | 89-12-085 | 220-47-512 | NEW-E | 89-18-065 |
| 212-17-140 | AMD-E | 89-13-020 | 220-36-015 | NEW | 89-16-056 | 220-47-512 | REP-E | 89-18-094 |
| 212-17-140 | AMD | 89-17-024 | 220-36-020 | AMD-P | 89-12-085 | 220-47-513 | NEW-E | 89-18-094 |
| 212-17-195 | AMD-P | 89-13-019 | 220-36-020 | AMD | 89-16-056 | 220-47-513 | REP-E | 89-19-011 |
| 212-17-195 | AMD-E | 89-13-020 | 220-36-021 | AMD-P | 89-12-085 | 220-47-514 | NEW-E | 89-19-011 |
| 212-17-195 | AMD | 89-17-024 | 220-36-021 | AMD | 89-16-056 | 220-47-514 | REP-E | 89-19-039 |
| 220-12-010 | AMD-P | 89-10-068 | 220-36-02100B | NEW-E | 89-14-049 | 220-47-515 | NEW-E | 89-19-039 |
| 220-12-010 | AMD | 89-14-010 | 220-36-02100B | REP-E | 89-15-033 | 220-47-515 | REP-E | 89-20-009 |
| 220-12-01000A | NEW-E | 89-16-009 | 220-36-02100C | NEW-E | 89-15-033 | 220-47-516 | NEW-E | 89-20-009 |
| 220-16-410 | NEW-P | 89-12-006 | 220-36-02100C | REP-E | 89-19-001 | 220-47-516 | REP-E | 89-20-033 |
| 220-16-410 | NEW | 89-15-032 | 220-36-02100D | NEW-E | 89-19-001 | 220-47-517 | NEW-E | 89-20-033 |
| 220-20-017 | AMD-P | 89-09-080 | 220-36-02100D | REP-E | 89-19-023 | 220-47-517 | REP-E | 89-21-014 |
| 220-20-017 | AMD | 89-13-004 | 220-36-02100E | NEW-E | 89-19-023 | 220-47-518 | NEW-E | 89-21-014 |
| 220-20-055 | AMD-P | 89-06-033 | 220-36-02100E | REP-E | 89-19-050 | 220-47-518 | REP-E | 89-21-052 |
| 220-20-055 | AMD | 89-09-052 | 220-36-02100F | NEW-E | 89-19-050 | 220-47-519 | NEW-E | 89-21-052 |
| 220-22-030 | AMD-P | 89-09-080 | 220-36-023 | NEW-P | 89-12-085 | 220-48-015 | AMD-P | 89-10-068 |
| 220-22-030 | AMD | 89-13-004 | 220-36-023 | NEW | 89-16-056 | 220-48-015 | AMD | 89-14-010 |
| 220-24-02000D | NEW-E | 89-09-073 | 220-40 | AMD-C | 89-16-055 | 220-48-01700B | NEW-E | 89-07-033 |
| 220-24-02000D | REP-E | 89-12-086 | 220-40-015 | NEW-P | 89-12-085 | 220-48-029 | AMD-P | 89-10-068 |
| 220-24-02000E | NEW-E | 89-12-086 | 220-40-015 | NEW | 89-16-056 | 220-48-029 | AMD | 89-14-010 |
| 220-24-02000E | REP-E | 89-13-022 | 220-40-020 | AMD-P | 89-12-085 | 220-48-02900D | NEW-E | 89-19-041 |
| 220-24-02000F | NEW-E | 89-13-022 | 220-40-020 | AMD | 89-16-056 | 220-48-062 | AMD-P | 89-10-068 |
| 220-24-02000F | REP-E | 89-15-034 | 220-40-021 | AMD-P | 89-12-085 | 220-48-062 | AMD | 89-14-010 |
| 220-24-02000G | NEW-E | 89-15-019 | 220-40-021 | AMD | 89-16-056 | 220-49-017 | AMD-P | 89-10-068 |
| 220-24-02000G | REP-E | 89-16-078 | 220-40-02100P | NEW-E | 89-14-049 | 220-49-017 | AMD | 89-14-010 |
| 220-24-02000H | NEW-E | 89-16-078 | 220-40-02100Q | NEW-E | 89-19-019 | 220-49-02000A | NEW-E | 89-11-013 |
| 220-24-02000H | REP-E | 89-17-061 | 220-40-02100Q | REP-E | 89-19-029 | 220-49-02000A | REP-E | 89-11-014 |
| 220-24-02000I | NEW-E | 89-17-061 | 220-40-02100R | NEW-E | 89-19-029 | 220-49-02000B | NEW-E | 89-11-014 |
| 220-24-02000I | REP-E | 89-17-084 | 220-40-026 | NEW-P | 89-12-085 | 220-49-02000Y | NEW-E | 89-09-041 |
| 220-24-02000J | NEW-E | 89-17-084 | 220-40-026 | NEW | 89-16-056 | 220-49-02000Y | REP-E | 89-10-010 |
| 220-24-02000J | REP-E | 89-17-143 | 220-40-027 | NEW-P | 89-12-085 | 220-49-02000Z | NEW-E | 89-10-010 |
| 220-24-02000K | NEW-E | 89-17-143 | 220-40-027 | NEW | 89-16-056 | 220-49-02000Z | REP-E | 89-11-013 |
| 220-24-02000K | REP-E | 89-19-012 | 220-44-050 | AMD-P | 89-03-003 | 220-52-03000E | NEW-E | 89-10-034 |
| 220-32-05100P | NEW-E | 89-04-046 | 220-44-050 | AMD | 89-06-030 | 220-52-05100B | NEW-E | 89-11-049 |
| 220-32-05100P | REP-E | 89-07-080 | 220-44-050 | AMD-P | 89-11-105 | 220-52-05100B | REP-E | 89-11-066 |
| 220-32-05100Q | NEW-E | 89-07-080 | 220-44-050 | AMD | 89-14-069 | 220-52-05100C | NEW-E | 89-11-066 |
| 220-32-05100R | NEW-E | 89-17-016 | 220-44-05000V | NEW-E | 89-10-019 | 220-52-07100D | NEW-E | 89-17-142 |
| 220-32-05100R | REP-E | 89-18-064 | 220-44-05000V | REP-E | 89-15-021 | 220-55-010 | AMD-P | 89-03-013 |
| 220-32-05100S | NEW-E | 89-18-064 | 220-44-05000W | NEW-E | 89-15-021 | 220-55-010 | AMD | 89-07-071 |
| 220-32-05100S | REP-E | 89-19-049 | 220-44-05000W | REP-E | 89-16-038 | 220-55-015 | AMD-P | 89-03-013 |
| 220-32-05100T | NEW-E | 89-19-049 | 220-44-05000X | NEW-E | 89-16-038 | 220-55-015 | AMD | 89-07-071 |

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|---------------|-------|-----------|---------------|-------|-----------|---------------|-------|-----------|
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| 220-55-020 | REP | 89-07-071 | 220-56-156 | AMD-C | 89-17-018 | 220-56-32500Q | NEW-E | 89-11-066 |
| 220-55-025 | REP-P | 89-03-013 | 220-56-156 | AMD-C | 89-17-019 | 220-56-345 | REP-P | 89-03-075 |
| 220-55-025 | REP | 89-07-071 | 220-56-175 | AMD-P | 89-03-013 | 220-56-345 | REP-C | 89-07-059 |
| 220-55-030 | REP-P | 89-03-013 | 220-56-175 | AMD | 89-07-071 | 220-56-345 | REP | 89-07-060 |
| 220-55-030 | REP | 89-07-071 | 220-56-180 | AMD-P | 89-03-075 | 220-56-350 | AMD-P | 89-03-075 |
| 220-55-035 | REP-P | 89-03-013 | 220-56-180 | AMD-C | 89-07-059 | 220-56-350 | AMD-C | 89-07-059 |
| 220-55-035 | REP | 89-07-071 | 220-56-180 | AMD | 89-07-060 | 220-56-350 | AMD | 89-07-060 |
| 220-55-040 | AMD-P | 89-03-013 | 220-56-18000B | NEW-E | 89-08-074 | 220-56-35000E | NEW-E | 89-08-074 |
| 220-55-040 | AMD | 89-07-071 | 220-56-185 | AMD-P | 89-03-075 | 220-56-35000F | NEW-E | 89-13-021 |
| 220-55-04000A | NEW-E | 89-03-014 | 220-56-185 | AMD-C | 89-07-059 | 220-56-35000G | REP-E | 89-13-025 |
| 220-55-045 | REP-P | 89-03-013 | 220-56-185 | AMD | 89-07-060 | 220-56-35000H | NEW-E | 89-13-025 |
| 220-55-045 | REP-E | 89-03-014 | 220-56-190 | AMD-P | 89-03-075 | 220-56-35000I | NEW-E | 89-19-081 |
| 220-55-045 | REP | 89-07-071 | 220-56-190 | AMD-C | 89-07-059 | 220-56-355 | AMD-P | 89-03-075 |
| 220-55-060 | AMD-P | 89-03-013 | 220-56-190 | AMD | 89-07-060 | 220-56-355 | AMD-C | 89-07-059 |
| 220-55-060 | AMD | 89-07-071 | 220-56-19000J | NEW-E | 89-08-074 | 220-56-355 | AMD | 89-07-060 |
| 220-55-070 | AMD-P | 89-03-013 | 220-56-19000J | REP-E | 89-10-031 | 220-56-35500B | NEW-E | 89-08-074 |
| 220-55-070 | AMD | 89-07-071 | 220-56-19000K | NEW-E | 89-09-072 | 220-56-36000R | NEW-E | 89-07-066 |
| 220-55-07000A | NEW-E | 89-03-014 | 220-56-19000K | REP-E | 89-14-011 | 220-56-36000S | NEW-E | 89-21-013 |
| 220-55-075 | AMD-P | 89-03-013 | 220-56-19000L | NEW-E | 89-14-011 | 220-56-380 | AMD-P | 89-03-075 |
| 220-55-075 | AMD | 89-07-071 | 220-56-19000L | REP-E | 89-16-027 | 220-56-380 | AMD-C | 89-07-059 |
| 220-55-07500A | NEW-E | 89-03-014 | 220-56-19000M | NEW-E | 89-14-047 | 220-56-380 | AMD | 89-07-060 |
| 220-55-086 | NEW-P | 89-03-013 | 220-56-19000M | REP-E | 89-17-062 | 220-56-38000C | NEW-E | 89-13-021 |
| 220-55-086 | NEW | 89-07-071 | 220-56-19000N | NEW-E | 89-16-027 | 220-56-38000C | REP-E | 89-13-025 |
| 220-55-08600A | NEW-E | 89-03-014 | 220-56-19000N | REP-E | 89-17-122 | 220-56-38000D | NEW-E | 89-13-025 |
| 220-55-08600B | NEW-E | 89-12-047 | 220-56-19000P | NEW-E | 89-17-062 | 220-56-38000E | NEW-E | 89-19-081 |
| 220-55-08600C | NEW-E | 89-18-093 | 220-56-19000P | REP-E | 89-19-002 | 220-57-120 | AMD-P | 89-03-075 |
| 220-55-090 | AMD-P | 89-03-013 | 220-56-19000Q | NEW-E | 89-17-122 | 220-57-120 | AMD-C | 89-07-059 |
| 220-55-090 | AMD | 89-07-071 | 220-56-19000Q | REP-E | 89-20-034 | 220-57-120 | AMD | 89-07-060 |
| 220-55-09000A | NEW-E | 89-03-014 | 220-56-195 | AMD-P | 89-03-075 | 220-57-130 | AMD-P | 89-03-075 |
| 220-55-105 | AMD-P | 89-03-013 | 220-56-195 | AMD-C | 89-07-059 | 220-57-130 | AMD-C | 89-07-059 |
| 220-55-105 | AMD | 89-07-071 | 220-56-195 | AMD | 89-07-060 | 220-57-130 | AMD | 89-07-060 |
| 220-55-110 | AMD-P | 89-03-013 | 220-56-196 | AMD-P | 89-03-075 | 220-57-135 | AMD-P | 89-03-075 |
| 220-55-110 | AMD | 89-07-071 | 220-56-196 | AMD-C | 89-07-059 | 220-57-135 | AMD-C | 89-07-059 |
| 220-55-11000A | NEW-E | 89-03-014 | 220-56-196 | AMD | 89-07-060 | 220-57-135 | AMD | 89-07-060 |
| 220-55-115 | AMD-P | 89-03-013 | 220-56-19700A | NEW-E | 89-17-046 | 220-57-137 | AMD-P | 89-03-075 |
| 220-55-115 | AMD | 89-07-071 | 220-56-235 | AMD-P | 89-03-075 | 220-57-137 | AMD-C | 89-07-059 |
| 220-55-11500A | NEW-E | 89-03-014 | 220-56-235 | AMD-C | 89-07-059 | 220-57-137 | AMD | 89-07-060 |
| 220-55-120 | AMD-P | 89-03-013 | 220-56-235 | AMD | 89-07-060 | 220-57-140 | AMD-P | 89-03-075 |
| 220-55-120 | AMD | 89-07-071 | 220-56-23500E | NEW-E | 89-08-074 | 220-57-140 | AMD-C | 89-07-059 |
| 220-55-12000A | NEW-E | 89-03-014 | 220-56-240 | AMD-P | 89-03-075 | 220-57-140 | AMD | 89-07-060 |
| 220-55-125 | AMD-P | 89-03-013 | 220-56-240 | AMD-C | 89-07-059 | 220-57-14000J | NEW-E | 89-11-001 |
| 220-55-125 | AMD | 89-07-071 | 220-56-240 | AMD | 89-07-060 | 220-57-14000J | REP-E | 89-16-018 |
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| 220-55-130 | AMD-P | 89-03-013 | 220-56-24000F | NEW-E | 89-15-020 | 220-57-14000K | REP-E | 89-21-012 |
| 220-55-130 | AMD | 89-07-071 | 220-56-245 | AMD-P | 89-03-075 | 220-57-14000L | NEW-E | 89-21-012 |
| 220-55-13000A | NEW-E | 89-03-014 | 220-56-245 | AMD-C | 89-07-059 | 220-57-14000L | REP-E | 89-21-022 |
| 220-55-135 | REP-P | 89-03-013 | 220-56-245 | AMD | 89-07-060 | 220-57-14000M | NEW-E | 89-21-022 |
| 220-55-135 | REP | 89-07-071 | 220-56-24500F | NEW-E | 89-06-052 | 220-57-150 | AMD-P | 89-03-075 |
| 220-55-140 | NEW-P | 89-03-013 | 220-56-250 | AMD-P | 89-07-018 | 220-57-150 | AMD-C | 89-07-059 |
| 220-55-140 | NEW | 89-07-071 | 220-56-250 | AMD | 89-10-032 | 220-57-150 | AMD | 89-07-060 |
| 220-55-200 | NEW-P | 89-09-049 | 220-56-255 | AMD-P | 89-03-075 | 220-57-155 | AMD-P | 89-03-075 |
| 220-56-100 | AMD-P | 89-03-075 | 220-56-255 | AMD-C | 89-07-059 | 220-57-155 | AMD-C | 89-07-059 |
| 220-56-100 | AMD-C | 89-07-059 | 220-56-255 | AMD | 89-07-060 | 220-57-155 | AMD | 89-07-060 |
| 220-56-105 | AMD-P | 89-03-075 | 220-56-25500E | NEW-E | 89-06-052 | 220-57-160 | AMD-P | 89-03-075 |
| 220-56-105 | AMD-C | 89-07-059 | 220-56-282 | NEW-P | 89-03-075 | 220-57-160 | AMD-C | 89-07-059 |
| 220-56-105 | AMD | 89-07-060 | 220-56-282 | NEW-C | 89-07-059 | 220-57-160 | AMD | 89-07-060 |
| 220-56-116 | AMD-P | 89-07-018 | 220-56-282 | NEW | 89-07-060 | 220-57-160 | AMD-P | 89-11-104 |
| 220-56-116 | AMD | 89-10-032 | 220-56-28200A | NEW-E | 89-08-074 | 220-57-160 | AMD | 89-15-022 |
| 220-56-120 | REP-P | 89-03-075 | 220-56-295 | AMD-P | 89-03-075 | 220-57-16000A | NEW-E | 89-19-010 |
| 220-56-120 | REP-C | 89-07-059 | 220-56-295 | AMD-C | 89-07-059 | 220-57-16000A | REP-E | 89-20-004 |
| 220-56-120 | REP | 89-07-060 | 220-56-295 | AMD | 89-07-060 | 220-57-16000B | NEW-E | 89-19-040 |
| 220-56-126 | AMD-P | 89-03-075 | 220-56-310 | AMD-P | 89-03-075 | 220-57-16000X | NEW-E | 89-08-031 |
| 220-56-126 | AMD-C | 89-07-059 | 220-56-310 | AMD-C | 89-07-059 | 220-57-16000Y | NEW-E | 89-13-003 |
| 220-56-126 | AMD | 89-07-060 | 220-56-310 | AMD | 89-07-060 | 220-57-16000Z | NEW-E | 89-16-019 |
| 220-56-128 | AMD-P | 89-03-075 | 220-56-31000I | NEW-E | 89-08-074 | 220-57-165 | AMD-P | 89-03-075 |
| 220-56-128 | AMD-C | 89-07-059 | 220-56-315 | AMD-P | 89-03-075 | 220-57-165 | AMD-C | 89-07-059 |
| 220-56-128 | AMD | 89-07-060 | 220-56-315 | AMD-C | 89-07-059 | 220-57-165 | AMD | 89-07-060 |
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| 220-56-12800D | REP-E | 89-17-070 | 220-56-320 | AMD-P | 89-03-075 | 220-57-180 | AMD-C | 89-07-059 |
| 220-56-12800E | NEW-E | 89-17-070 | 220-56-320 | AMD-C | 89-07-059 | 220-57-180 | AMD | 89-07-060 |
| 220-56-133 | NEW-P | 89-03-075 | 220-56-320 | AMD | 89-07-060 | 220-57-181 | AMD-P | 89-03-075 |
| 220-56-133 | NEW-C | 89-07-059 | 220-56-32000B | NEW-E | 89-08-074 | 220-57-181 | AMD-C | 89-07-059 |
| 220-56-133 | NEW | 89-07-060 | 220-56-325 | AMD-P | 89-03-075 | 220-57-181 | AMD | 89-07-060 |
| 220-56-13300A | NEW-E | 89-08-074 | 220-56-325 | AMD-C | 89-07-059 | 220-57-185 | AMD-P | 89-03-075 |
| 220-56-156 | AMD-P | 89-10-060 | 220-56-325 | AMD | 89-07-060 | 220-57-185 | AMD-C | 89-07-059 |
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| 220-57-190 | AMD-C | 89-07-059 | 220-57-335 | AMD | 89-07-060 | 220-57-490 | AMD-C | 89-07-059 |
| 220-57-190 | AMD | 89-07-060 | 220-57-340 | AMD-P | 89-03-075 | 220-57-490 | AMD | 89-07-060 |
| 220-57-195 | AMD-P | 89-03-075 | 220-57-340 | AMD-C | 89-07-059 | 220-57-49700D | NEW-E | 89-12-012 |
| 220-57-195 | AMD-C | 89-07-059 | 220-57-340 | AMD | 89-07-060 | 220-57-500 | AMD-P | 89-03-075 |
| 220-57-195 | AMD | 89-07-060 | 220-57-342 | NEW-P | 89-03-075 | 220-57-500 | AMD-C | 89-07-059 |
| 220-57-200 | AMD-P | 89-03-075 | 220-57-342 | NEW-C | 89-07-059 | 220-57-500 | AMD | 89-07-060 |
| 220-57-200 | AMD-C | 89-07-059 | 220-57-342 | NEW | 89-07-060 | 220-57-502 | AMD-P | 89-03-075 |
| 220-57-200 | AMD | 89-07-060 | 220-57-350 | AMD-P | 89-03-075 | 220-57-502 | AMD-C | 89-07-059 |
| 220-57-205 | AMD-P | 89-03-075 | 220-57-350 | AMD-C | 89-07-059 | 220-57-502 | AMD | 89-07-060 |
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| 220-57-205 | AMD | 89-07-060 | 220-57-365 | AMD-P | 89-03-075 | 220-57-50500P | REP-E | 89-11-018 |
| 220-57-210 | AMD-P | 89-03-075 | 220-57-365 | AMD-C | 89-07-059 | 220-57-50500Q | NEW-E | 89-11-018 |
| 220-57-210 | AMD-C | 89-07-059 | 220-57-365 | AMD | 89-07-060 | 220-57-510 | AMD-P | 89-03-075 |
| 220-57-210 | AMD | 89-07-060 | 220-57-370 | AMD-P | 89-03-075 | 220-57-510 | AMD-C | 89-07-059 |
| 220-57-215 | AMD-P | 89-03-075 | 220-57-370 | AMD-C | 89-07-059 | 220-57-510 | AMD | 89-07-060 |
| 220-57-215 | AMD-C | 89-07-059 | 220-57-370 | AMD | 89-07-060 | 220-57-51500D | NEW-E | 89-08-073 |
| 220-57-215 | AMD | 89-07-060 | 220-57-375 | AMD-P | 89-03-075 | 220-57-520 | AMD-P | 89-03-075 |
| 220-57-220 | AMD-P | 89-03-075 | 220-57-375 | AMD-C | 89-07-059 | 220-57-520 | AMD-C | 89-07-059 |
| 220-57-220 | AMD-C | 89-07-059 | 220-57-375 | AMD | 89-07-060 | 220-57-520 | AMD | 89-07-060 |
| 220-57-220 | AMD | 89-07-060 | 220-57-380 | AMD-P | 89-03-075 | 220-57-525 | AMD-P | 89-03-075 |
| 220-57-225 | AMD-P | 89-03-075 | 220-57-380 | AMD-C | 89-07-059 | 220-57-525 | AMD-C | 89-07-059 |
| 220-57-225 | AMD-C | 89-07-059 | 220-57-380 | AMD | 89-07-060 | 220-57-525 | AMD | 89-07-060 |
| 220-57-225 | AMD | 89-07-060 | 220-57-385 | AMD-P | 89-03-075 | 220-57A-030 | AMD-P | 89-03-075 |
| 220-57-230 | AMD-P | 89-03-075 | 220-57-385 | AMD-C | 89-07-059 | 220-57A-030 | AMD-C | 89-07-059 |
| 220-57-230 | AMD-C | 89-07-059 | 220-57-385 | AMD | 89-07-060 | 220-57A-030 | AMD | 89-07-060 |
| 220-57-230 | AMD | 89-07-060 | 220-57-400 | AMD-P | 89-03-075 | 220-57A-175 | AMD-P | 89-03-075 |
| 220-57-240 | AMD-P | 89-03-075 | 220-57-400 | AMD-C | 89-07-059 | 220-57A-175 | AMD-C | 89-07-059 |
| 220-57-240 | AMD-C | 89-07-059 | 220-57-400 | AMD | 89-07-060 | 220-57A-175 | AMD | 89-07-060 |
| 220-57-240 | AMD | 89-07-060 | 220-57-405 | AMD-P | 89-03-075 | 220-57A-180 | AMD-P | 89-03-075 |
| 220-57-260 | AMD-P | 89-03-075 | 220-57-405 | AMD-C | 89-07-059 | 220-57A-180 | AMD-C | 89-07-059 |
| 220-57-260 | AMD-C | 89-07-059 | 220-57-405 | AMD | 89-07-060 | 220-57A-180 | AMD | 89-07-060 |
| 220-57-260 | AMD | 89-07-060 | 220-57-410 | AMD-P | 89-03-075 | 220-57A-18300B | NEW-E | 89-16-019 |
| 220-57-265 | AMD-P | 89-03-075 | 220-57-410 | AMD-C | 89-07-059 | 220-69-237 | AMD-P | 89-03-013 |
| 220-57-265 | AMD-C | 89-07-059 | 220-57-410 | AMD | 89-07-060 | 220-69-237 | AMD | 89-07-071 |
| 220-57-265 | AMD | 89-07-060 | 220-57-415 | AMD-P | 89-03-075 | 220-69-23700A | NEW-E | 89-03-014 |
| 220-57-270 | AMD-P | 89-03-075 | 220-57-415 | AMD-C | 89-07-059 | 220-69-238 | AMD-P | 89-03-013 |
| 220-57-270 | AMD-C | 89-07-059 | 220-57-415 | AMD | 89-07-060 | 220-69-238 | AMD | 89-07-071 |
| 220-57-270 | AMD | 89-07-060 | 220-57-420 | AMD-P | 89-03-075 | 220-69-23800A | NEW-E | 89-03-014 |
| 220-57-275 | AMD-P | 89-03-075 | 220-57-420 | AMD-C | 89-07-059 | 220-69-247 | REP-P | 89-03-013 |
| 220-57-275 | AMD-C | 89-07-059 | 220-57-420 | AMD | 89-07-060 | 220-69-247 | REP-E | 89-03-014 |
| 220-57-275 | AMD | 89-07-060 | 220-57-425 | AMD-P | 89-03-075 | 220-69-247 | REP | 89-07-071 |
| 220-57-280 | AMD-P | 89-03-075 | 220-57-425 | AMD-C | 89-07-059 | 220-76-010 | AMD-P | 89-07-019 |
| 220-57-280 | AMD-C | 89-07-059 | 220-57-425 | AMD | 89-07-060 | 220-76-010 | AMD | 89-10-033 |
| 220-57-280 | AMD | 89-07-060 | 220-57-42500S | NEW-E | 89-16-077 | 220-76-010 | AMD-P | 89-07-019 |
| 220-57-285 | AMD-P | 89-03-075 | 220-57-430 | AMD-P | 89-03-075 | 220-76-020 | AMD | 89-10-033 |
| 220-57-285 | AMD-C | 89-07-059 | 220-57-430 | AMD-C | 89-07-059 | 220-77-080 | NEW-P | 89-03-004 |
| 220-57-285 | AMD | 89-07-060 | 220-57-430 | AMD | 89-07-060 | 220-77-080 | NEW | 89-06-031 |
| 220-57-290 | AMD-P | 89-03-075 | 220-57-435 | AMD-P | 89-03-075 | 220-130-010 | AMD | 89-03-015 |
| 220-57-290 | AMD-C | 89-07-059 | 220-57-435 | AMD-C | 89-07-059 | 220-130-020 | AMD | 89-03-015 |
| 220-57-290 | AMD | 89-07-060 | 220-57-435 | AMD | 89-07-060 | 220-130-070 | NEW | 89-03-015 |
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| 220-57-300 | AMD-P | 89-03-075 | 220-57-43500E | REP-E | 89-16-010 | 222-16-050 | AMD-P | 89-20-066 |
| 220-57-300 | AMD-C | 89-07-059 | 220-57-440 | AMD-P | 89-03-075 | 222-16-060 | NEW-P | 89-20-066 |
| 220-57-300 | AMD | 89-07-060 | 220-57-440 | AMD-C | 89-07-059 | 222-20-040 | AMD-P | 89-20-066 |
| 220-57-31500M | NEW-E | 89-08-073 | 220-57-440 | AMD | 89-07-060 | 222-20-050 | AMD-P | 89-20-066 |
| 220-57-31500M | REP-E | 89-11-018 | 220-57-445 | AMD-P | 89-03-075 | 222-46-020 | AMD-P | 89-20-066 |
| 220-57-31500N | NEW-E | 89-11-018 | 220-57-445 | AMD-C | 89-07-059 | 222-46-030 | AMD-P | 89-20-066 |
| 220-57-31500N | REP-E | 89-11-034 | 220-57-445 | AMD | 89-07-060 | 222-46-040 | AMD-P | 89-20-066 |
| 220-57-31500P | NEW-E | 89-11-034 | 220-57-450 | AMD-P | 89-03-075 | 230-02-010 | AMD-P | 89-21-067 |
| 220-57-31500P | REP-E | 89-11-106 | 220-57-450 | AMD-C | 89-07-059 | 230-02-022 | NEW-P | 89-19-083 |
| 220-57-31500Q | NEW-E | 89-11-106 | 220-57-450 | AMD | 89-07-060 | 230-02-030 | AMD-P | 89-09-045 |
| 220-57-31500Q | REP-E | 89-15-009 | 220-57-455 | AMD-P | 89-03-075 | 230-02-030 | AMD | 89-13-059 |
| 220-57-31500R | NEW-E | 89-15-009 | 220-57-455 | AMD-C | 89-07-059 | 230-02-035 | NEW-P | 89-19-084 |
| 220-57-325 | AMD-P | 89-03-075 | 220-57-455 | AMD | 89-07-060 | 230-02-150 | REP-P | 89-07-053 |
| 220-57-325 | AMD-C | 89-07-059 | 220-57-460 | AMD-P | 89-03-075 | 230-02-150 | REP | 89-11-048 |
| 220-57-325 | AMD | 89-07-060 | 220-57-460 | AMD-C | 89-07-059 | 230-02-155 | NEW-P | 89-05-064 |
| 220-57-326 | AMD-P | 89-03-075 | 220-57-460 | AMD | 89-07-060 | 230-02-155 | NEW | 89-09-047 |
| 220-57-326 | AMD-C | 89-07-059 | 220-57-465 | AMD-P | 89-03-075 | 230-02-160 | NEW-P | 89-05-064 |
| 220-57-326 | AMD | 89-07-060 | 220-57-465 | AMD-C | 89-07-059 | 230-02-160 | NEW | 89-09-047 |
| 220-57-327 | AMD-P | 89-03-075 | 220-57-465 | AMD | 89-07-060 | 230-02-161 | NEW-P | 89-05-064 |
| 220-57-327 | AMD-C | 89-07-059 | 220-57-470 | AMD-P | 89-03-075 | 230-02-161 | NEW | 89-09-047 |
| 220-57-327 | AMD | 89-07-060 | 220-57-470 | AMD-C | 89-07-059 | 230-02-163 | NEW-P | 89-05-064 |
| 220-57-330 | AMD-P | 89-03-075 | 220-57-470 | AMD | 89-07-060 | 230-02-163 | NEW | 89-09-047 |
| 220-57-330 | AMD-C | 89-07-059 | 220-57-475 | AMD-P | 89-03-075 | 230-02-166 | NEW-P | 89-05-064 |
| 220-57-330 | AMD | 89-07-060 | 220-57-475 | AMD-C | 89-07-059 | 230-02-166 | NEW | 89-09-047 |
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| 230-02-173 | NEW-P | 89-05-064 | 230-08-120 | AMD | 89-09-047 | 230-50-060 | RE-AD-E | 89-15-037 |
| 230-02-173 | NEW | 89-09-047 | 230-08-122 | NEW-P | 89-05-064 | 230-50-060 | PREP | 89-17-136 |
| 230-02-176 | NEW-P | 89-05-064 | 230-08-122 | NEW | 89-09-047 | 230-50-060 | AMD-P | 89-19-084 |
| 230-02-176 | NEW | 89-09-047 | 230-08-125 | AMD-P | 89-05-064 | 230-50-060 | AMD-E | 89-21-068 |
| 230-02-179 | NEW-P | 89-05-064 | 230-08-125 | AMD | 89-09-047 | 230-50-070 | RE-AD-E | 89-15-037 |
| 230-02-179 | NEW | 89-09-047 | 230-08-140 | PREP | 89-17-136 | 230-50-070 | PREP | 89-17-136 |
| 230-02-182 | NEW-P | 89-05-064 | 230-08-140 | AMD-P | 89-19-083 | 230-50-070 | REP-P | 89-19-084 |
| 230-02-182 | NEW | 89-09-047 | 230-08-150 | PREP | 89-17-136 | 230-50-080 | RE-AD-E | 89-15-037 |
| 230-02-185 | NEW-P | 89-05-064 | 230-08-150 | AMD-P | 89-19-083 | 230-50-090 | RE-AD-E | 89-15-037 |
| 230-02-185 | NEW | 89-09-047 | 230-08-170 | PREP | 89-17-136 | 230-50-100 | RE-AD-E | 89-15-037 |
| 230-02-188 | NEW-P | 89-05-064 | 230-08-180 | NEW-P | 89-19-083 | 230-50-110 | RE-AD-E | 89-15-037 |
| 230-02-188 | NEW | 89-09-047 | 230-12-010 | AMD-P | 89-11-046 | 230-50-140 | RE-AD-E | 89-15-037 |
| 230-02-191 | NEW-P | 89-05-064 | 230-12-010 | AMD | 89-15-039 | 230-50-140 | PREP | 89-17-136 |
| 230-02-191 | NEW | 89-09-047 | 230-12-020 | AMD-P | 89-05-064 | 230-50-140 | REP-P | 89-19-084 |
| 230-02-370 | AMD-P | 89-03-066 | 230-12-020 | AMD | 89-09-047 | 230-50-150 | RE-AD-E | 89-15-037 |
| 230-02-500 | NEW | 89-05-024 | 230-12-020 | AMD-P | 89-13-057 | 230-50-150 | PREP | 89-17-136 |
| 230-04-005 | NEW-P | 89-05-064 | 230-12-020 | AMD | 89-17-056 | 230-50-150 | AMD-P | 89-19-084 |
| 230-04-005 | NEW | 89-09-047 | 230-12-050 | AMD | 89-05-024 | 230-50-150 | AMD-E | 89-21-068 |
| 230-04-010 | AMD-P | 89-05-064 | 230-12-053 | NEW | 89-05-024 | 230-50-160 | RE-AD-E | 89-15-037 |
| 230-04-010 | AMD | 89-09-047 | 230-12-060 | NEW-P | 89-05-064 | 230-50-160 | PREP | 89-17-136 |
| 230-04-020 | AMD-P | 89-05-064 | 230-12-060 | NEW | 89-09-047 | 230-50-160 | AMD-P | 89-19-084 |
| 230-04-020 | AMD | 89-09-047 | 230-20-064 | AMD-P | 89-05-064 | 230-50-160 | AMD-E | 89-21-068 |
| 230-04-020 | AMD-P | 89-21-067 | 230-20-064 | AMD-E | 89-07-046 | 230-50-170 | RE-AD-E | 89-15-037 |
| 230-04-022 | NEW-P | 89-05-064 | 230-20-064 | AMD | 89-09-047 | 230-50-180 | RE-AD-E | 89-15-037 |
| 230-04-022 | NEW | 89-09-047 | 230-20-246 | AMD-P | 89-13-057 | 230-50-190 | RE-AD-E | 89-15-037 |
| 230-04-022 | NEW-P | 89-05-064 | 230-20-246 | AMD-P | 89-13-058 | 230-50-190 | PREP | 89-17-136 |
| 230-04-024 | NEW | 89-09-047 | 230-20-246 | AMD | 89-17-056 | 230-50-190 | AMD-P | 89-19-084 |
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| 230-04-035 | NEW | 89-09-047 | 230-20-248 | NEW | 89-07-045 | 230-50-200 | RE-AD-E | 89-15-037 |
| 230-04-040 | NEW-P | 89-05-064 | 230-20-325 | AMD | 89-05-024 | 230-50-200 | PREP | 89-17-136 |
| 230-04-040 | NEW | 89-09-047 | 230-20-325 | AMD-P | 89-21-067 | 230-50-200 | AMD-P | 89-19-084 |
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| 230-04-060 | REP | 89-09-047 | 230-20-605 | AMD-P | 89-19-083 | 230-50-210 | AMD-P | 89-19-084 |
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| 230-04-061 | REP | 89-09-047 | 230-20-630 | AMD-P | 89-19-083 | 230-50-220 | RE-AD-E | 89-15-037 |
| 230-04-064 | NEW-P | 89-05-064 | 230-20-670 | PREP | 89-17-136 | 230-50-220 | PREP | 89-17-136 |
| 230-04-064 | NEW | 89-09-047 | 230-20-670 | NEW-P | 89-19-083 | 230-50-220 | REP-P | 89-19-084 |
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| 230-04-110 | AMD-P | 89-19-083 | 230-20-699 | AMD-P | 89-13-057 | 230-50-230 | RE-AD-E | 89-15-037 |
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| 230-04-123 | REP-P | 89-19-084 | 230-25-065 | AMD | 89-15-039 | 230-50-230 | AMD-E | 89-21-068 |
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| 230-04-130 | REP-P | 89-19-084 | 230-30-030 | AMD-P | 89-17-081 | 230-50-240 | REP-P | 89-19-084 |
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| 230-04-190 | AMD | 89-09-047 | 230-30-070 | AMD-P | 89-13-057 | 230-50-250 | PREP | 89-17-136 |
| 230-04-190 | PREP | 89-17-136 | 230-30-070 | AMD | 89-17-056 | 230-50-250 | REP-P | 89-19-084 |
| 230-04-190 | AMD-P | 89-19-083 | 230-30-072 | AMD-P | 89-17-081 | 230-50-260 | RE-AD-E | 89-15-037 |
| 230-04-190 | AMD-P | 89-21-067 | 230-30-072 | AMD | 89-21-069 | 230-50-260 | PREP | 89-17-136 |
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| 230-04-201 | PREP | 89-17-136 | 230-40-120 | AMD | 89-15-039 | 230-50-280 | REP-P | 89-19-084 |
| 230-04-201 | AMD-P | 89-19-083 | 230-50-010 | RE-AD-E | 89-15-037 | 230-50-290 | RE-AD-E | 89-15-037 |
| 230-04-201 | AMD | 89-21-070 | 230-50-010 | PREP | 89-17-136 | 230-50-290 | PREP | 89-17-136 |
| 230-04-270 | AMD-P | 89-21-067 | 230-50-010 | AMD-P | 89-19-084 | 230-50-290 | REP-P | 89-19-084 |
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| 230-08-010 | AMD-P | 89-19-083 | 230-50-012 | RE-AD-E | 89-15-037 | 230-50-300 | PREP | 89-17-136 |
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| 230-08-025 | PREP | 89-17-136 | 230-50-012 | AMD-E | 89-21-068 | 230-50-310 | RE-AD-E | 89-15-037 |
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| 230-50-520 | RE-AD-E 89-15-037 | 232-12-184 | RE-AD-P 89-14-113 | 232-28-61721 | NEW 89-10-026 |
| 230-50-530 | RE-AD-E 89-15-037 | 232-12-184 | RE-AD-C 89-17-147 | 232-28-61621 | REP-P 89-17-150 |
| 230-50-550 | RE-AD-E 89-15-037 | 232-12-187 | RE-AD-E 89-13-085 | 232-28-61722 | NEW-P 89-06-081 |
| 230-50-550 | PREP 89-17-136 | 232-12-187 | RE-AD-P 89-14-113 | 232-28-61722 | NEW 89-10-027 |
| 230-50-550 | AMD-P 89-19-084 | 232-12-187 | RE-AD-C 89-17-147 | 232-28-61722 | REP-P 89-17-150 |
| 230-50-550 | AMD-E 89-21-068 | 232-12-191 | AMD-P 89-14-115 | 232-28-61723 | NEW-P 89-06-082 |
| 230-50-560 | NEW-P 89-19-084 | 232-12-191 | AMD-C 89-17-148 | 232-28-61723 | NEW-E 89-17-054 |
| 230-50-560 | NEW-E 89-21-068 | 232-12-194 | REP-P 89-14-110 | 232-28-61724 | NEW-E 89-06-042 |
| 230-50-570 | NEW-P 89-19-084 | 232-12-197 | REP-P 89-14-110 | 232-28-61725 | NEW-E 89-08-011 |
| 230-50-570 | NEW-E 89-21-068 | 232-12-207 | REP-P 89-14-110 | 232-28-61726 | NEW-E 89-08-032 |
| 230-50-580 | NEW-P 89-19-084 | 232-12-221 | REP-P 89-14-110 | 232-28-61727 | NEW-E 89-11-052 |
| 230-50-580 | NEW-E 89-21-068 | 232-12-251 | RE-AD-E 89-13-085 | 232-28-61727 | REP-E 89-16-020 |
| 230-50-600 | RE-AD-E 89-15-037 | 232-12-251 | RE-AD-P 89-14-113 | 232-28-618 | NEW-P 89-17-151 |
| 230-50-600 | PREP 89-17-136 | 232-12-251 | RE-AD-C 89-17-147 | 232-28-61801 | NEW-E 89-19-035 |
| 230-50-600 | REP-P 89-19-084 | 232-12-254 | RE-AD-E 89-13-085 | 232-28-710 | REP 89-06-002 |
| 230-50-610 | RE-AD-E 89-15-037 | 232-12-254 | RE-AD-P 89-14-113 | 232-28-712 | NEW 89-06-002 |
| 230-50-610 | AMD-P 89-19-084 | 232-12-254 | RE-AD-C 89-17-147 | 232-28-810 | REP-P 89-06-083 |
| 230-50-610 | AMD-E 89-21-068 | 232-12-267 | AMD-P 89-06-079 | 232-28-810 | REP-C 89-09-059 |
| 230-50-620 | RE-AD-E 89-15-037 | 232-12-267 | AMD-C 89-09-058 | 232-28-810 | REP 89-11-064 |
| 230-50-620 | PREP 89-17-136 | 232-12-267 | AMD 89-14-018 | 232-28-811 | NEW-P 89-06-083 |
| 230-50-620 | REP-P 89-19-084 | 232-12-271 | AMD-W 89-04-034 | 232-28-811 | NEW 89-12-041 |
| 230-50-630 | RE-AD-E 89-15-037 | 232-12-271 | AMD-P 89-08-104 | 236-22-010 | NEW-P 89-13-076 |
| 230-50-630 | AMD-P 89-19-084 | 232-12-271 | AMD 89-12-044 | 236-22-020 | NEW-P 89-13-076 |
| 230-50-630 | AMD-E 89-21-068 | 232-12-285 | NEW-P 89-08-105 | 236-22-030 | NEW-P 89-13-076 |
| 230-50-640 | RE-AD-E 89-15-037 | 232-12-285 | NEW-W 89-12-043 | 236-22-040 | NEW-P 89-13-076 |
| 230-50-650 | RE-AD-E 89-15-037 | 232-12-618 | NEW-P 89-17-149 | 236-48 | AMD-P 89-14-013 |
| 230-50-660 | RE-AD-E 89-15-037 | 232-12-800 | REP-P 89-14-127 | 236-48 | AMD 89-17-094 |
| 230-50-670 | RE-AD-E 89-15-037 | 232-12-804 | REP-P 89-14-127 | 236-48-002 | AMD-P 89-14-013 |
| 230-50-680 | RE-AD-E 89-15-037 | 232-12-807 | REP-P 89-14-127 | 236-48-002 | AMD 89-17-094 |
| 230-50-700 | RE-AD-E 89-15-037 | 232-12-827 | REP-P 89-14-112 | 236-48-003 | AMD-P 89-14-013 |
| 230-50-750 | RE-AD-E 89-15-037 | 232-12-828 | NEW-E 89-08-034 | 236-48-003 | AMD 89-17-094 |
| 230-50-760 | RE-AD-E 89-15-037 | 232-12-829 | NEW-P 89-08-107 | 236-48-004 | AMD-P 89-14-013 |
| 230-50-800 | RE-AD-E 89-15-037 | 232-12-829 | NEW 89-11-073 | 236-48-004 | AMD 89-17-094 |
| 230-50-800 | AMD-P 89-19-084 | 232-28-110 | REP-P 89-08-108 | 236-48-005 | AMD-P 89-14-013 |
| 230-50-800 | AMD-E 89-21-068 | 232-28-110 | REP 89-11-063 | 236-48-005 | AMD 89-17-094 |
| 230-50-810 | RE-AD-E 89-15-037 | 232-28-20401 | REP-P 89-14-108 | 236-48-009 | AMD-P 89-14-013 |
| 230-50-810 | PREP 89-17-136 | 232-28-206 | REP-P 89-14-108 | 236-48-009 | AMD 89-17-094 |
| 230-50-810 | REP-P 89-19-084 | 232-28-209 | REP-P 89-14-108 | 236-48-011 | AMD-P 89-14-013 |
| 230-50-820 | RE-AD-E 89-15-037 | 232-28-21201 | REP-P 89-14-108 | 236-48-011 | AMD 89-17-094 |
| 230-50-820 | PREP 89-17-136 | 232-28-217 | REP-P 89-08-108 | 236-48-012 | AMD-P 89-14-013 |
| 230-50-820 | REP-P 89-19-084 | 232-28-217 | REP 89-11-063 | 236-48-012 | AMD 89-17-094 |
| 230-50-830 | RE-AD-E 89-15-037 | 232-28-218 | NEW-P 89-08-108 | 236-48-013 | AMD-P 89-14-013 |
| 230-50-830 | PREP 89-17-136 | 232-28-218 | NEW 89-13-029 | 236-48-013 | AMD 89-17-094 |
| 230-50-830 | REP-P 89-19-084 | 232-28-404 | REP-P 89-14-108 | 236-48-021 | AMD-P 89-14-013 |
| 230-50-850 | RE-AD-E 89-15-037 | 232-28-412 | REP-P 89-14-093 | 236-48-021 | AMD 89-17-094 |
| 230-50-850 | AMD-P 89-19-084 | 232-28-412 | REP 89-18-040 | 236-48-023 | AMD-P 89-14-013 |
| 230-50-850 | AMD-E 89-21-068 | 232-28-413 | NEW-P 89-14-093 | 236-48-023 | AMD 89-17-094 |
| 230-50-950 | RE-AD-E 89-15-037 | 232-28-413 | NEW 89-18-040 | 236-48-024 | AMD-P 89-14-013 |
| 230-50-950 | PREP 89-17-136 | 232-28-51101 | NEW-P 89-14-094 | 236-48-024 | AMD 89-17-094 |
| 230-50-950 | REP-P 89-19-084 | 232-28-60101 | REP-P 89-14-108 | 236-48-025 | AMD-P 89-14-013 |
| 230-60-010 | AMD-P 89-21-067 | 232-28-60102 | REP-P 89-14-108 | 236-48-025 | AMD 89-17-094 |
| 230-60-015 | REP-P 89-19-084 | 232-28-604 | REP-P 89-14-108 | 236-48-026 | AMD-P 89-14-013 |
| 230-60-025 | AMD-P 89-21-067 | 232-28-60415 | REP-P 89-14-108 | 236-48-026 | AMD 89-17-094 |
| 232-02-100 | NEW-P 89-14-127 | 232-28-605 | REP-P 89-14-108 | 236-48-035 | AMD-P 89-14-013 |
| 232-02-120 | NEW-P 89-14-127 | 232-28-60508 | REP-P 89-14-108 | 236-48-035 | AMD 89-17-094 |
| 232-02-140 | NEW-P 89-14-127 | 232-28-61521 | NEW-E 89-04-007 | 236-48-036 | NEW-P 89-14-013 |
| 232-12-001 | AMD-P 89-06-080 | 232-28-61610 | REP-P 89-14-108 | 236-48-036 | NEW 89-17-094 |
| 232-12-001 | AMD 89-10-026 | 232-28-617 | REP-P 89-17-150 | 236-48-052 | NEW-P 89-14-013 |
| 232-12-001 | RE-AD-P 89-14-107 | 232-28-61703 | REP-P 89-08-106 | 236-48-052 | NEW 89-17-094 |
| 232-12-011 | AMD-P 89-08-102 | 232-28-61703 | REP 89-11-051 | 236-48-061 | AMD-P 89-14-013 |
| 232-12-011 | AMD 89-11-061 | 232-28-61703 | REP-P 89-17-150 | 236-48-061 | AMD 89-17-094 |
| 232-12-017 | AMD-P 89-17-141 | 232-28-61706 | REP-P 89-17-150 | 236-48-071 | AMD-P 89-14-013 |

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| 236-48-071 | AMD | 89-17-094 | 236-49-001 | AMD-P | 89-14-013 | 248-08-470 | REP-E | 89-14-096 |
| 236-48-079 | AMD-P | 89-14-013 | 236-49-001 | AMD | 89-17-094 | 248-08-480 | REP-E | 89-14-096 |
| 236-48-079 | AMD | 89-17-094 | 236-49-010 | AMD-P | 89-14-013 | 248-08-490 | REP-E | 89-14-096 |
| 236-48-081 | AMD-P | 89-14-013 | 236-49-010 | AMD | 89-17-094 | 248-08-500 | REP-E | 89-14-096 |
| 236-48-081 | AMD | 89-17-094 | 236-49-020 | AMD-P | 89-14-013 | 248-08-510 | REP-E | 89-14-096 |
| 236-48-082 | AMD-P | 89-14-013 | 236-49-020 | AMD | 89-17-094 | 248-08-515 | NEW-E | 89-14-096 |
| 236-48-082 | AMD | 89-17-094 | 236-49-030 | AMD-P | 89-14-013 | 248-08-520 | REP-E | 89-14-096 |
| 236-48-083 | AMD-P | 89-14-013 | 236-49-030 | AMD | 89-17-094 | 248-08-525 | NEW-E | 89-14-096 |
| 236-48-083 | AMD | 89-17-094 | 236-49-040 | AMD-P | 89-14-013 | 248-08-530 | REP-E | 89-14-096 |
| 236-48-084 | AMD-P | 89-14-013 | 236-49-040 | AMD | 89-17-094 | 248-08-535 | NEW-E | 89-14-096 |
| 236-48-084 | AMD | 89-17-094 | 236-49-060 | AMD-P | 89-14-013 | 248-08-540 | REP-E | 89-14-096 |
| 236-48-085 | AMD-P | 89-14-013 | 236-49-060 | AMD | 89-17-094 | 248-08-545 | NEW-E | 89-14-096 |
| 236-48-085 | AMD | 89-17-094 | 236-49-061 | AMD-P | 89-14-013 | 248-08-550 | REP-E | 89-14-096 |
| 236-48-093 | AMD-P | 89-14-013 | 236-49-061 | AMD | 89-17-094 | 248-08-560 | REP-E | 89-14-096 |
| 236-48-093 | AMD | 89-17-094 | 236-80-010 | NEW-P | 89-08-033 | 248-08-565 | NEW-E | 89-14-096 |
| 236-48-095 | AMD-P | 89-14-013 | 236-80-020 | NEW-P | 89-08-033 | 248-08-570 | REP-E | 89-14-096 |
| 236-48-095 | AMD | 89-17-094 | 236-80-030 | NEW-P | 89-08-033 | 248-08-580 | REP-E | 89-14-096 |
| 236-48-096 | AMD-P | 89-14-013 | 248-06-385 | AMD-E | 89-14-095 | 248-08-590 | REP-E | 89-14-096 |
| 236-48-096 | AMD | 89-17-094 | 248-08-001 | REP-E | 89-14-096 | 248-08-596 | REP-E | 89-14-096 |
| 236-48-098 | AMD-P | 89-14-013 | 248-08-010 | REP-E | 89-14-096 | 248-08-596 | RE-AD-E | 89-17-008 |
| 236-48-098 | AMD | 89-17-094 | 248-08-020 | REP-E | 89-14-096 | 248-08-596 | AMD-P | 89-17-123 |
| 236-48-099 | AMD-P | 89-14-013 | 248-08-030 | REP-E | 89-14-096 | 248-08-700 | REP-E | 89-14-096 |
| 236-48-099 | AMD | 89-17-094 | 248-08-040 | REP-E | 89-14-096 | 248-08-705 | REP-E | 89-14-096 |
| 236-48-101 | AMD-P | 89-14-013 | 248-08-050 | REP-E | 89-14-096 | 248-08-710 | REP-E | 89-14-096 |
| 236-48-101 | AMD | 89-17-094 | 248-08-060 | REP-E | 89-14-096 | 248-08-715 | REP-E | 89-14-096 |
| 236-48-111 | AMD-P | 89-14-013 | 248-08-070 | REP-E | 89-14-096 | 248-08-720 | REP-E | 89-14-096 |
| 236-48-111 | AMD | 89-17-094 | 248-08-075 | REP-E | 89-14-096 | 248-08-725 | REP-E | 89-14-096 |
| 236-48-121 | AMD-P | 89-14-013 | 248-08-080 | REP-E | 89-14-096 | 248-08-730 | REP-E | 89-14-096 |
| 236-48-121 | AMD | 89-17-094 | 248-08-090 | REP-E | 89-14-096 | 248-08-735 | REP-E | 89-14-096 |
| 236-48-122 | AMD-P | 89-14-013 | 248-08-100 | REP-E | 89-14-096 | 248-08-740 | REP-E | 89-14-096 |
| 236-48-122 | AMD | 89-17-094 | 248-08-110 | REP-E | 89-14-096 | 248-08-750 | REP-E | 89-14-096 |
| 236-48-123 | AMD-P | 89-14-013 | 248-08-120 | REP-E | 89-14-096 | 248-08-755 | REP-E | 89-14-096 |
| 236-48-123 | AMD | 89-17-094 | 248-08-130 | REP-E | 89-14-096 | 248-08-760 | REP-E | 89-14-096 |
| 236-48-124 | AMD-P | 89-14-013 | 248-08-140 | REP-E | 89-14-096 | 248-08-765 | REP-E | 89-14-096 |
| 236-48-124 | AMD | 89-17-094 | 248-08-150 | REP-E | 89-14-096 | 248-08-770 | REP-E | 89-14-096 |
| 236-48-131 | AMD-P | 89-14-013 | 248-08-160 | REP-E | 89-14-096 | 248-08-775 | REP-E | 89-14-096 |
| 236-48-131 | AMD | 89-17-094 | 248-08-170 | REP-E | 89-14-096 | 248-08-780 | REP-E | 89-14-096 |
| 236-48-141 | AMD-P | 89-14-013 | 248-08-180 | REP-E | 89-14-096 | 248-08-785 | REP-E | 89-14-096 |
| 236-48-141 | AMD | 89-17-094 | 248-08-190 | REP-E | 89-14-096 | 248-08-790 | REP-E | 89-14-096 |
| 236-48-142 | AMD-P | 89-14-013 | 248-08-200 | REP-E | 89-14-096 | 248-08-800 | REP-E | 89-14-096 |
| 236-48-142 | AMD | 89-17-094 | 248-08-210 | REP-E | 89-14-096 | 248-08-805 | REP-E | 89-14-096 |
| 236-48-143 | AMD-P | 89-14-013 | 248-08-220 | REP-E | 89-14-096 | 248-08-810 | REP-E | 89-14-096 |
| 236-48-143 | AMD | 89-17-094 | 248-08-230 | REP-E | 89-14-096 | 248-08-815 | REP-E | 89-14-096 |
| 236-48-151 | AMD-P | 89-14-013 | 248-08-240 | REP-E | 89-14-096 | 248-08-820 | REP-E | 89-14-096 |
| 236-48-151 | AMD | 89-17-094 | 248-08-250 | REP-E | 89-14-096 | 248-08-825 | REP-E | 89-14-096 |
| 236-48-152 | AMD-P | 89-14-013 | 248-08-260 | REP-E | 89-14-096 | 248-08-830 | REP-E | 89-14-096 |
| 236-48-152 | AMD | 89-17-094 | 248-08-270 | REP-E | 89-14-096 | 248-08-835 | REP-E | 89-14-096 |
| 236-48-153 | AMD-P | 89-14-013 | 248-08-280 | REP-E | 89-14-096 | 248-08-840 | REP-E | 89-14-096 |
| 236-48-153 | AMD | 89-17-094 | 248-08-290 | REP-E | 89-14-096 | 248-08-845 | REP-E | 89-14-096 |
| 236-48-155 | AMD-P | 89-14-013 | 248-08-300 | REP-E | 89-14-096 | 248-14-001 | AMD-P | 89-04-054 |
| 236-48-155 | AMD | 89-17-094 | 248-08-310 | REP-E | 89-14-096 | 248-14-001 | AMD | 89-08-054 |
| 236-48-161 | REP-P | 89-14-013 | 248-08-320 | REP-E | 89-14-096 | 248-14-001 | AMD-P | 89-17-129 |
| 236-48-161 | REP | 89-17-094 | 248-08-330 | REP-E | 89-14-096 | 248-14-001 | AMD | 89-21-049 |
| 236-48-162 | AMD-P | 89-14-013 | 248-08-340 | REP-E | 89-14-096 | 248-14-010 | AMD-P | 89-15-051 |
| 236-48-162 | AMD | 89-17-094 | 248-08-350 | REP-E | 89-14-096 | 248-14-010 | AMD | 89-18-006 |
| 236-48-163 | AMD-P | 89-14-013 | 248-08-360 | REP-E | 89-14-096 | 248-14-070 | AMD-E | 89-14-098 |
| 236-48-163 | AMD | 89-17-094 | 248-08-370 | REP-E | 89-14-096 | 248-14-090 | AMD-P | 89-04-054 |
| 236-48-164 | AMD-P | 89-14-013 | 248-08-380 | REP-E | 89-14-096 | 248-14-090 | AMD | 89-08-054 |
| 236-48-164 | AMD | 89-17-094 | 248-08-390 | REP-E | 89-14-096 | 248-14-120 | AMD-P | 89-19-071 |
| 236-48-165 | AMD-P | 89-14-013 | 248-08-400 | REP-E | 89-14-096 | 248-14-211 | NEW-P | 89-17-129 |
| 236-48-165 | AMD | 89-17-094 | 248-08-410 | AMD-E | 89-14-096 | 248-14-211 | NEW | 89-21-049 |
| 236-48-166 | AMD-P | 89-14-013 | 248-08-413 | NEW-E | 89-14-096 | 248-14-235 | AMD-P | 89-04-054 |
| 236-48-166 | AMD | 89-17-094 | 248-08-420 | REP-E | 89-14-096 | 248-14-235 | AMD | 89-08-054 |
| 236-48-167 | AMD-P | 89-14-013 | 248-08-425 | NEW-E | 89-14-096 | 248-14-247 | AMD-P | 89-04-054 |
| 236-48-167 | AMD | 89-17-094 | 248-08-430 | REP-E | 89-14-096 | 248-14-247 | AMD | 89-08-054 |
| 236-48-1901 | NEW-P | 89-13-030 | 248-08-431 | NEW-E | 89-14-096 | 248-14-270 | AMD | 89-06-050 |
| 236-48-1901 | NEW | 89-18-004 | 248-08-434 | NEW-E | 89-14-096 | 248-14-285 | AMD-P | 89-04-054 |
| 236-48-230 | AMD-P | 89-14-013 | 248-08-437 | NEW-E | 89-14-096 | 248-14-285 | AMD | 89-08-054 |
| 236-48-230 | AMD | 89-17-094 | 248-08-440 | AMD-E | 89-14-096 | 248-14-297 | REP-P | 89-15-052 |
| 236-48-240 | AMD-P | 89-14-013 | 248-08-446 | NEW-E | 89-14-096 | 248-14-297 | REP-C | 89-18-054 |
| 236-48-240 | AMD | 89-17-094 | 248-08-449 | NEW-E | 89-14-096 | 248-14-297 | REP | 89-19-024 |
| 236-48-250 | AMD-P | 89-14-013 | 248-08-450 | REP-E | 89-14-096 | 248-14-298 | NEW-P | 89-15-052 |
| 236-48-250 | AMD | 89-17-094 | 248-08-452 | NEW-E | 89-14-096 | 248-14-298 | NEW-C | 89-18-054 |
| 236-48-251 | AMD-P | 89-14-013 | 248-08-460 | REP-E | 89-14-096 | 248-14-298 | NEW | 89-19-024 |
| 236-48-251 | AMD | 89-17-094 | 248-08-461 | NEW-E | 89-14-096 | 248-14-300 | AMD-P | 89-04-054 |
| 236-48-252 | AMD-P | 89-14-013 | 248-08-464 | NEW-E | 89-14-096 | 248-14-300 | AMD | 89-08-054 |
| 236-48-252 | AMD | 89-17-094 | 248-08-470 | NEW-E | 89-14-096 | 248-15-040 | AMD | 89-06-003 |

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| 248-15-110 | AMD-E | 89-14-095 | 248-18-311 | NEW-P | 89-17-126 | 248-27-060 | REP-P | 89-07-023 |
| 248-16-001 | AMD | 89-09-034 | 248-18-515 | AMD-P | 89-17-125 | 248-27-060 | REP | 89-12-077 |
| 248-16-030 | REP | 89-09-034 | 248-18-539 | REP-P | 89-17-124 | 248-27-065 | NEW-P | 89-07-023 |
| 248-16-031 | NEW | 89-09-034 | 248-18-541 | NEW-P | 89-17-124 | 248-27-065 | NEW | 89-12-077 |
| 248-16-031 | AMD-E | 89-14-095 | 248-18-600 | REP-P | 89-17-124 | 248-27-070 | REP-P | 89-07-023 |
| 248-16-033 | NEW | 89-09-034 | 248-18-601 | NEW-P | 89-17-124 | 248-27-070 | REP | 89-12-077 |
| 248-16-035 | REP | 89-09-034 | 248-18-605 | REP-P | 89-17-124 | 248-27-077 | NEW-P | 89-07-023 |
| 248-16-036 | NEW | 89-09-034 | 248-18-606 | NEW-P | 89-17-124 | 248-27-077 | NEW | 89-12-077 |
| 248-16-040 | REP | 89-09-034 | 248-18-607 | REP-P | 89-17-124 | 248-27-080 | REP-P | 89-07-023 |
| 248-16-045 | REP | 89-09-034 | 248-18-608 | NEW-P | 89-17-124 | 248-27-080 | REP | 89-12-077 |
| 248-16-046 | NEW | 89-09-034 | 248-18-615 | REP-P | 89-17-124 | 248-27-085 | NEW-P | 89-07-023 |
| 248-16-048 | NEW-P | 89-17-007 | 248-18-616 | NEW-P | 89-17-124 | 248-27-085 | NEW | 89-12-077 |
| 248-16-048 | NEW | 89-21-038 | 248-18-637 | NEW-P | 89-17-124 | 248-27-090 | REP-P | 89-07-023 |
| 248-16-050 | REP | 89-09-034 | 248-18-655 | REP-P | 89-17-126 | 248-27-090 | REP | 89-12-077 |
| 248-16-055 | REP | 89-09-034 | 248-18-656 | NEW-P | 89-17-126 | 248-27-095 | NEW-P | 89-07-023 |
| 248-16-056 | REP | 89-09-034 | 248-18-710 | REP-P | 89-17-125 | 248-27-095 | NEW | 89-12-077 |
| 248-16-057 | NEW | 89-09-034 | 248-18-711 | NEW-P | 89-17-125 | 248-27-100 | REP-P | 89-07-023 |
| 248-16-060 | AMD | 89-09-034 | 248-18-718 | REP-P | 89-17-125 | 248-27-100 | REP | 89-12-077 |
| 248-16-070 | AMD | 89-09-034 | 248-18-719 | NEW-P | 89-17-125 | 248-27-105 | NEW-P | 89-07-023 |
| 248-16-080 | AMD | 89-09-034 | 248-18-99902 | AMD-P | 89-17-125 | 248-27-105 | NEW | 89-12-077 |
| 248-16-090 | AMD | 89-09-034 | 248-19-220 | AMD-P | 89-14-077 | 248-27-115 | NEW-P | 89-07-023 |
| 248-16-105 | AMD | 89-09-034 | 248-19-230 | REP-P | 89-14-077 | 248-27-115 | NEW | 89-12-077 |
| 248-16-110 | AMD | 89-09-034 | 248-19-230 | REP-E | 89-14-087 | 248-27-120 | REP-P | 89-07-023 |
| 248-16-115 | AMD | 89-09-034 | 248-19-230 | REP-P | 89-19-043 | 248-27-120 | REP | 89-12-077 |
| 248-16-120 | REP | 89-09-034 | 248-19-230 | REP-E | 89-19-044 | 248-27-125 | NEW-P | 89-07-023 |
| 248-16-121 | NEW | 89-09-034 | 248-19-231 | NEW-P | 89-14-077 | 248-27-125 | NEW | 89-12-077 |
| 248-16-130 | REP | 89-09-034 | 248-19-231 | NEW-E | 89-14-087 | 248-27-135 | NEW-P | 89-07-023 |
| 248-16-131 | NEW | 89-09-034 | 248-19-231 | NEW-P | 89-19-043 | 248-27-135 | NEW | 89-12-077 |
| 248-16-140 | REP | 89-09-034 | 248-19-231 | NEW-E | 89-19-044 | 248-27-145 | NEW-P | 89-07-023 |
| 248-16-141 | NEW | 89-09-034 | 248-19-480 | AMD-E | 89-14-095 | 248-27-145 | NEW | 89-12-077 |
| 248-16-150 | AMD | 89-09-034 | 248-21-005 | AMD-E | 89-14-097 | 248-27-155 | NEW-P | 89-07-023 |
| 248-16-160 | AMD | 89-09-034 | 248-21-017 | NEW-P | 89-17-007 | 248-27-155 | NEW | 89-12-077 |
| 248-16-170 | AMD | 89-09-034 | 248-21-017 | NEW | 89-21-038 | 248-27-165 | NEW-P | 89-07-023 |
| 248-16-180 | AMD | 89-09-034 | 248-22-005 | AMD-E | 89-14-095 | 248-27-165 | NEW | 89-12-077 |
| 248-16-190 | AMD | 89-09-034 | 248-22-017 | NEW-P | 89-17-007 | 248-27-175 | NEW-P | 89-07-023 |
| 248-16-202 | AMD | 89-09-034 | 248-22-017 | NEW | 89-21-038 | 248-27-175 | NEW | 89-12-077 |
| 248-16-213 | AMD | 89-09-034 | 248-23-010 | AMD-E | 89-14-095 | 248-27-185 | NEW-P | 89-07-023 |
| 248-16-215 | AMD | 89-09-034 | 248-23-025 | NEW-P | 89-17-007 | 248-27-185 | NEW | 89-12-077 |
| 248-16-216 | NEW | 89-09-034 | 248-23-025 | NEW | 89-21-038 | 248-29-020 | AMD-E | 89-14-095 |
| 248-16-222 | AMD | 89-09-034 | 248-25-010 | AMD-E | 89-14-095 | 248-29-045 | NEW-P | 89-17-007 |
| 248-16-223 | AMD | 89-09-034 | 248-25-025 | NEW-P | 89-17-007 | 248-29-045 | NEW | 89-21-038 |
| 248-16-226 | AMD | 89-09-034 | 248-25-025 | NEW | 89-21-038 | 248-31 | AMD-P | 89-07-023 |
| 248-16-227 | REP | 89-09-034 | 248-26-020 | AMD-E | 89-14-095 | 248-31 | AMD | 89-12-077 |
| 248-16-228 | REP | 89-09-034 | 248-26-035 | NEW-P | 89-17-007 | 248-31-001 | REP-P | 89-07-023 |
| 248-16-229 | NEW | 89-09-034 | 248-26-035 | NEW | 89-21-038 | 248-31-001 | REP | 89-12-077 |
| 248-16-230 | AMD | 89-09-034 | 248-27 | AMD-P | 89-07-023 | 248-31-002 | REP-P | 89-07-023 |
| 248-16-235 | AMD | 89-09-034 | 248-27 | AMD | 89-12-077 | 248-31-002 | REP | 89-12-077 |
| 248-16-300 | NEW | 89-09-034 | 248-27-001 | REP-P | 89-07-023 | 248-31-002 | NEW-P | 89-07-023 |
| 248-16-900 | AMD | 89-09-034 | 248-27-001 | REP | 89-12-077 | 248-31-005 | NEW | 89-12-077 |
| 248-17-020 | AMD-P | 89-10-069 | 248-27-002 | REP-P | 89-07-023 | 248-31-010 | REP-P | 89-07-023 |
| 248-17-020 | AMD-E | 89-10-071 | 248-27-002 | REP | 89-12-077 | 248-31-010 | REP | 89-12-077 |
| 248-17-020 | AMD-E | 89-16-070 | 248-27-005 | NEW-P | 89-07-023 | 248-31-015 | NEW-P | 89-07-023 |
| 248-17-020 | AMD-P | 89-17-128 | 248-27-005 | NEW | 89-12-077 | 248-31-015 | NEW | 89-12-077 |
| 248-17-060 | AMD-E | 89-14-095 | 248-27-010 | REP-P | 89-07-023 | 248-31-020 | REP-P | 89-07-023 |
| 248-17-213 | AMD-P | 89-10-069 | 248-27-010 | REP | 89-12-077 | 248-31-020 | REP | 89-12-077 |
| 248-17-213 | AMD-E | 89-10-071 | 248-27-015 | NEW-P | 89-07-023 | 248-31-025 | NEW-P | 89-07-023 |
| 248-17-213 | AMD-E | 89-16-070 | 248-27-015 | NEW | 89-12-077 | 248-31-025 | NEW | 89-12-077 |
| 248-17-213 | AMD-P | 89-17-128 | 248-27-020 | REP-P | 89-07-023 | 248-31-025 | AMD-E | 89-15-057 |
| 248-17-230 | AMD-E | 89-14-095 | 248-27-020 | REP | 89-12-077 | 248-31-030 | REP-P | 89-07-023 |
| 248-17-260 | AMD-P | 89-10-069 | 248-27-025 | NEW-P | 89-07-023 | 248-31-030 | REP | 89-12-077 |
| 248-17-260 | AMD-E | 89-10-071 | 248-27-025 | NEW | 89-12-077 | 248-31-035 | NEW-P | 89-07-023 |
| 248-17-260 | AMD-E | 89-16-070 | 248-27-025 | AMD-E | 89-15-057 | 248-31-035 | NEW | 89-12-077 |
| 248-17-260 | AMD-P | 89-17-128 | 248-27-030 | REP-P | 89-07-023 | 248-31-035 | AMD-E | 89-15-057 |
| 248-17-261 | NEW-E | 89-16-070 | 248-27-030 | REP | 89-12-077 | 248-31-040 | REP-P | 89-07-023 |
| 248-17-261 | NEW-P | 89-17-128 | 248-27-035 | NEW-P | 89-07-023 | 248-31-040 | REP | 89-12-077 |
| 248-18-001 | AMD-P | 89-17-124 | 248-27-035 | NEW | 89-12-077 | 248-31-045 | NEW-P | 89-07-023 |
| 248-18-015 | AMD-E | 89-14-095 | 248-27-035 | AMD-E | 89-15-057 | 248-31-045 | NEW | 89-12-077 |
| 248-18-035 | AMD-P | 89-17-006 | 248-27-040 | REP-P | 89-07-023 | 248-31-045 | AMD-E | 89-15-057 |
| 248-18-035 | AMD | 89-21-039 | 248-27-040 | REP | 89-12-077 | 248-31-050 | REP-P | 89-07-023 |
| 248-18-215 | REP-P | 89-17-124 | 248-27-045 | NEW-P | 89-07-023 | 248-31-050 | REP | 89-12-077 |
| 248-18-216 | NEW-P | 89-17-124 | 248-27-045 | NEW | 89-12-077 | 248-31-055 | NEW-P | 89-07-023 |
| 248-18-220 | REP-P | 89-17-124 | 248-27-045 | AMD-E | 89-15-057 | 248-31-055 | NEW | 89-12-077 |
| 248-18-221 | NEW-P | 89-17-124 | 248-27-050 | REP-P | 89-07-023 | 248-31-055 | AMD-E | 89-15-057 |
| 248-18-222 | REP-P | 89-17-124 | 248-27-050 | REP | 89-12-077 | 248-31-060 | REP-P | 89-07-023 |
| 248-18-223 | REP-P | 89-17-124 | 248-27-055 | NEW-P | 89-07-023 | 248-31-060 | REP | 89-12-077 |
| 248-18-224 | NEW-P | 89-17-124 | 248-27-055 | NEW | 89-12-077 | 248-31-065 | NEW-P | 89-07-023 |

Table of WAC Sections Affected

| WAC # | | WSR # | WAC # | | WSR # | WAC # | | WSR # |
|------------|-------|-----------|------------|-------|-----------|---------------|-------|-----------|
| 248-31-065 | NEW | 89-12-077 | 248-36-115 | NEW | 89-12-077 | 248-57-500 | AMD | 89-16-065 |
| 248-31-070 | REP-P | 89-07-023 | 248-36-125 | NEW-P | 89-07-023 | 248-58-085 | NEW-E | 89-14-097 |
| 248-31-070 | REP | 89-12-077 | 248-36-125 | NEW | 89-12-077 | 248-59-030 | AMD-E | 89-14-095 |
| 248-31-075 | REP-P | 89-07-023 | 248-36-135 | NEW-P | 89-07-023 | 248-59-040 | REP-E | 89-14-095 |
| 248-31-075 | REP | 89-12-077 | 248-36-135 | NEW | 89-12-077 | 248-59-050 | REP-E | 89-14-095 |
| 248-31-077 | NEW-P | 89-07-023 | 248-36-165 | NEW-P | 89-07-023 | 248-59-060 | REP-E | 89-14-095 |
| 248-31-077 | NEW | 89-12-077 | 248-36-165 | NEW | 89-12-077 | 248-59-070 | REP-E | 89-14-095 |
| 248-31-080 | REP-P | 89-07-023 | 248-52 | NEW-C | 89-17-131 | 248-59-080 | REP-E | 89-14-095 |
| 248-31-080 | REP | 89-12-077 | 248-52-001 | NEW-P | 89-16-103 | 248-64-240 | AMD-P | 89-16-104 |
| 248-31-085 | NEW-P | 89-07-023 | 248-52-001 | NEW | 89-20-020 | 248-64-240 | AMD-C | 89-17-132 |
| 248-31-085 | NEW | 89-12-077 | 248-52-005 | NEW-P | 89-16-103 | 248-64-240 | AMD | 89-20-026 |
| 248-31-090 | REP-P | 89-07-023 | 248-52-005 | NEW | 89-20-020 | 248-64-320 | AMD-P | 89-16-104 |
| 248-31-090 | REP | 89-12-077 | 248-52-010 | NEW-P | 89-16-103 | 248-64-320 | AMD-C | 89-17-132 |
| 248-31-095 | NEW-P | 89-07-023 | 248-52-010 | NEW | 89-20-020 | 248-64-320 | AMD | 89-20-026 |
| 248-31-095 | NEW | 89-12-077 | 248-52-020 | NEW-P | 89-16-103 | 248-91-060 | AMD-E | 89-14-095 |
| 248-31-100 | REP-P | 89-07-023 | 248-52-020 | NEW | 89-20-020 | 248-96 | AMD-C | 89-17-055 |
| 248-31-100 | REP | 89-12-077 | 248-52-030 | NEW-P | 89-16-103 | 248-96-020 | AMD-P | 89-14-126 |
| 248-31-105 | NEW-P | 89-07-023 | 248-52-030 | NEW | 89-20-020 | 248-96-020 | AMD | 89-21-026 |
| 248-31-105 | NEW | 89-12-077 | 248-52-040 | NEW-P | 89-16-103 | 248-96-040 | AMD-P | 89-14-126 |
| 248-31-110 | REP-P | 89-07-023 | 248-52-040 | NEW | 89-20-020 | 248-96-040 | AMD | 89-21-026 |
| 248-31-110 | REP | 89-12-077 | 248-52-050 | NEW-P | 89-16-103 | 248-96-046 | AMD-P | 89-14-126 |
| 248-31-115 | NEW-P | 89-07-023 | 248-52-050 | NEW | 89-20-020 | 248-96-046 | AMD | 89-21-026 |
| 248-31-115 | NEW | 89-12-077 | 248-52-060 | NEW-P | 89-16-103 | 248-96-060 | AMD-P | 89-14-126 |
| 248-31-120 | REP-P | 89-07-023 | 248-52-060 | NEW | 89-20-020 | 248-96-060 | AMD | 89-21-026 |
| 248-31-120 | REP | 89-12-077 | 248-52-070 | NEW-P | 89-16-103 | 248-96-110 | AMD-P | 89-14-126 |
| 248-31-125 | NEW-P | 89-07-023 | 248-52-070 | NEW | 89-20-020 | 248-96-110 | AMD | 89-21-026 |
| 248-31-125 | NEW | 89-12-077 | 248-52-080 | NEW-P | 89-16-103 | 248-96-120 | NEW-P | 89-14-126 |
| 248-31-130 | REP-P | 89-07-023 | 248-52-080 | NEW | 89-20-020 | 248-96-120 | NEW | 89-21-026 |
| 248-31-130 | REP | 89-12-077 | 248-54 | AMD-C | 89-17-130 | 248-96-125 | NEW-P | 89-14-126 |
| 248-31-135 | NEW-P | 89-07-023 | 248-54-005 | AMD-P | 89-14-079 | 248-96-125 | NEW | 89-21-026 |
| 248-31-135 | NEW | 89-12-077 | 248-54-005 | AMD | 89-21-020 | 248-97-130 | AMD-E | 89-14-097 |
| 248-31-140 | REP-P | 89-07-023 | 248-54-006 | NEW-P | 89-14-079 | 248-97-135 | NEW-E | 89-14-097 |
| 248-31-140 | REP | 89-12-077 | 248-54-006 | NEW | 89-21-020 | 248-100-011 | AMD-P | 89-04-055 |
| 248-31-150 | REP-P | 89-07-023 | 248-54-015 | AMD-P | 89-14-079 | 248-100-011 | AMD | 89-07-095 |
| 248-31-150 | REP | 89-12-077 | 248-54-015 | AMD | 89-21-020 | 248-100-016 | AMD-P | 89-21-016 |
| 248-31-155 | NEW-P | 89-07-023 | 248-54-025 | AMD-P | 89-14-079 | 248-100-206 | AMD-P | 89-04-055 |
| 248-31-155 | NEW | 89-12-077 | 248-54-025 | AMD | 89-21-020 | 248-100-206 | AMD | 89-07-095 |
| 248-31-160 | REP-P | 89-07-023 | 248-54-035 | AMD-P | 89-14-079 | 248-100-207 | AMD-P | 89-10-021 |
| 248-31-160 | REP | 89-12-077 | 248-54-035 | AMD | 89-21-020 | 248-100-207 | AMD-E | 89-10-022 |
| 248-31-165 | NEW-P | 89-07-023 | 248-54-045 | AMD-P | 89-14-079 | 248-100-207 | AMD | 89-14-003 |
| 248-31-165 | NEW | 89-12-077 | 248-54-045 | AMD | 89-21-020 | 248-100-207 | AMD-E | 89-16-026 |
| 248-31-175 | NEW-P | 89-07-023 | 248-54-055 | AMD-P | 89-14-079 | 248-100-207 | AMD-P | 89-16-059 |
| 248-31-175 | NEW | 89-12-077 | 248-54-055 | AMD | 89-21-020 | 248-100-207 | AMD-C | 89-17-133 |
| 248-31-185 | NEW-P | 89-07-023 | 248-54-086 | AMD-P | 89-14-079 | 248-100-207 | AMD | 89-20-006 |
| 248-31-185 | NEW | 89-12-077 | 248-54-086 | AMD | 89-21-020 | 248-105-010 | AMD-P | 89-13-079 |
| 248-33-040 | AMD-P | 89-14-097 | 248-54-097 | AMD-P | 89-14-079 | 248-105-010 | AMD-P | 89-20-019 |
| 248-33-060 | REP-P | 89-14-097 | 248-54-097 | AMD | 89-21-020 | 248-105-020 | AMD-P | 89-13-079 |
| 248-33-080 | REP-P | 89-14-097 | 248-54-098 | NEW-P | 89-14-079 | 248-105-020 | AMD-P | 89-20-019 |
| 248-33-090 | NEW-P | 89-17-007 | 248-54-098 | NEW | 89-21-020 | 248-105-030 | AMD-P | 89-13-079 |
| 248-33-090 | NEW | 89-21-038 | 248-54-165 | AMD-P | 89-14-079 | 248-105-030 | AMD-P | 89-20-019 |
| 248-36-005 | NEW-P | 89-07-023 | 248-54-165 | AMD | 89-21-020 | 248-105-040 | REP-P | 89-13-079 |
| 248-36-005 | NEW | 89-12-077 | 248-54-175 | AMD-P | 89-14-079 | 248-105-040 | REP-P | 89-20-019 |
| 248-36-015 | NEW-P | 89-07-023 | 248-54-175 | AMD | 89-21-020 | 248-105-050 | REP-P | 89-13-079 |
| 248-36-015 | NEW | 89-12-077 | 248-54-185 | AMD-P | 89-14-079 | 248-105-050 | REP-P | 89-20-019 |
| 248-36-025 | NEW-P | 89-07-023 | 248-54-185 | AMD | 89-21-020 | 248-105-060 | REP-P | 89-13-079 |
| 248-36-025 | NEW | 89-12-077 | 248-54-187 | NEW-P | 89-14-079 | 248-105-060 | REP-P | 89-20-019 |
| 248-36-025 | AMD-E | 89-15-057 | 248-54-187 | NEW | 89-21-020 | 248-105-070 | AMD-P | 89-13-079 |
| 248-36-035 | NEW-P | 89-07-023 | 248-54-196 | AMD-P | 89-14-079 | 248-105-070 | AMD-P | 89-20-019 |
| 248-36-035 | NEW | 89-12-077 | 248-54-196 | AMD | 89-21-020 | 248-105-080 | AMD-P | 89-13-079 |
| 248-36-035 | AMD-E | 89-15-057 | 248-54-201 | AMD-P | 89-14-079 | 248-105-080 | AMD-P | 89-20-019 |
| 248-36-045 | NEW-P | 89-07-023 | 248-54-201 | AMD | 89-21-020 | 248-105-090 | AMD-P | 89-13-079 |
| 248-36-045 | NEW | 89-12-077 | 248-54-255 | REP-P | 89-14-079 | 248-105-090 | AMD-P | 89-20-019 |
| 248-36-045 | AMD-E | 89-15-057 | 248-54-255 | REP | 89-21-020 | 248-105-100 | AMD-P | 89-13-079 |
| 248-36-055 | NEW-P | 89-07-023 | 248-54-265 | AMD-P | 89-14-079 | 248-105-100 | AMD-P | 89-20-019 |
| 248-36-055 | NEW | 89-12-077 | 248-54-265 | AMD | 89-21-020 | 248-106-001 | NEW-E | 89-20-005 |
| 248-36-055 | AMD-E | 89-15-057 | 248-54-285 | AMD-P | 89-14-079 | 248-106-001 | NEW-P | 89-21-015 |
| 248-36-065 | NEW-P | 89-07-023 | 248-54-285 | AMD | 89-21-020 | 248-106-010 | NEW-E | 89-20-005 |
| 248-36-065 | NEW | 89-12-077 | 248-55-220 | AMD-E | 89-14-095 | 248-106-010 | NEW-P | 89-21-015 |
| 248-36-077 | NEW-P | 89-07-023 | 248-55-230 | REP-E | 89-14-095 | 248-106-020 | NEW-E | 89-20-005 |
| 248-36-077 | NEW | 89-12-077 | 248-55-235 | NEW-E | 89-14-095 | 248-106-020 | NEW-P | 89-21-015 |
| 248-36-085 | NEW-P | 89-07-023 | 248-55-240 | AMD-E | 89-14-095 | 248-124-990 | REP-P | 89-06-047 |
| 248-36-085 | NEW | 89-12-077 | 248-55-250 | AMD-E | 89-14-095 | 248-124-990 | REP | 89-10-023 |
| 248-36-095 | NEW-P | 89-07-023 | 248-55-260 | REP-E | 89-14-095 | 248-124-99001 | REP-P | 89-06-047 |
| 248-36-095 | NEW | 89-12-077 | 248-56-500 | AMD-P | 89-11-055 | 248-124-99001 | REP | 89-10-023 |
| 248-36-105 | NEW-P | 89-07-023 | 248-56-500 | AMD | 89-16-065 | 248-124-99002 | REP-P | 89-06-047 |
| 248-36-105 | NEW | 89-12-077 | 248-56-510 | AMD-P | 89-11-055 | 248-124-99002 | REP | 89-10-023 |
| 248-36-115 | NEW-P | 89-07-023 | 248-57-500 | AMD-P | 89-11-055 | 248-124-99003 | REP-P | 89-06-047 |

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| WAC # | | WSR # | WAC # | | WSR # | WAC # | | WSR # |
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| 248-124-99003 | REP | 89-10-023 | 248-144-190 | REP-P | 89-08-098 | 251-04-040 | AMD-E | 89-19-017 |
| 248-124-99004 | REP-P | 89-06-047 | 248-144-191 | REP | 89-11-058 | 251-04-105 | RE-AD-E | 89-17-009 |
| 248-140-200 | AMD-E | 89-14-097 | 248-144-191 | NEW-P | 89-08-098 | 251-04-110 | RE-AD-P | 89-17-120 |
| 248-140-215 | NEW-P | 89-17-007 | 248-144-191 | NEW | 89-11-058 | 251-04-110 | RE-AD-E | 89-17-009 |
| 248-140-038 | NEW | 89-21-215 | 248-144-200 | REP-P | 89-08-098 | 251-04-110 | RE-AD-P | 89-17-120 |
| 248-144-010 | AMD-P | 89-08-098 | 248-144-200 | REP | 89-11-058 | 251-07-100 | NEW-P | 89-06-044 |
| 248-144-010 | AMD | 89-11-058 | 248-144-201 | NEW-P | 89-08-098 | 251-07-100 | NEW-P | 89-06-045 |
| 248-144-020 | AMD-P | 89-08-098 | 248-144-201 | NEW | 89-11-058 | 251-07-100 | NEW-W | 89-09-060 |
| 248-144-020 | AMD | 89-11-058 | 248-144-210 | REP-P | 89-08-098 | 251-07-100 | NEW-C | 89-09-061 |
| 248-144-030 | REP-P | 89-08-098 | 248-144-210 | REP | 89-11-058 | 251-07-100 | NEW | 89-13-074 |
| 248-144-030 | REP | 89-11-058 | 248-144-211 | NEW-P | 89-08-098 | 251-08-110 | AMD-C | 89-05-043 |
| 248-144-031 | NEW-P | 89-08-098 | 248-144-211 | NEW | 89-11-058 | 251-08-110 | AMD | 89-08-003 |
| 248-144-031 | NEW | 89-11-058 | 248-144-220 | REP-P | 89-08-098 | 251-10 | AMD | 89-08-003 |
| 248-144-031 | AMD-E | 89-14-097 | 248-144-220 | REP | 89-11-058 | 251-10-070 | NEW-C | 89-05-043 |
| 248-144-035 | REP-P | 89-08-098 | 248-144-230 | REP-P | 89-08-098 | 251-10-070 | NEW | 89-08-003 |
| 248-144-035 | REP | 89-11-058 | 248-144-230 | REP | 89-11-058 | 251-10-080 | NEW-C | 89-05-043 |
| 248-144-040 | REP-P | 89-08-098 | 248-144-240 | REP-P | 89-08-098 | 251-10-080 | NEW | 89-08-003 |
| 248-144-040 | REP | 89-11-058 | 248-144-240 | REP | 89-11-058 | 251-10-090 | NEW-C | 89-05-043 |
| 248-144-041 | NEW-P | 89-08-098 | 248-180-010 | NEW-P | 89-20-032 | 251-10-090 | NEW | 89-08-003 |
| 248-144-041 | NEW | 89-11-058 | 248-180-020 | NEW-P | 89-20-032 | 251-11-100 | AMD-C | 89-05-043 |
| 248-144-050 | REP-P | 89-08-098 | 248-320-340 | NEW-E | 89-14-096 | 251-11-100 | AMD | 89-08-003 |
| 248-144-050 | REP | 89-11-058 | 248-320-350 | NEW-E | 89-14-096 | 251-12-073 | RE-AD-E | 89-17-009 |
| 248-144-051 | NEW-P | 89-08-098 | 248-320-360 | NEW-E | 89-14-096 | 251-12-073 | RE-AD-P | 89-17-120 |
| 248-144-051 | NEW | 89-11-058 | 248-320-370 | NEW-E | 89-14-096 | 251-12-075 | AMD-C | 89-05-043 |
| 248-144-060 | REP-P | 89-08-098 | 248-320-400 | NEW-E | 89-14-096 | 251-12-075 | AMD | 89-08-003 |
| 248-144-060 | REP | 89-11-058 | 248-320-410 | NEW-E | 89-14-096 | 251-12-075 | RE-AD-E | 89-17-009 |
| 248-144-061 | NEW-P | 89-08-098 | 248-320-500 | NEW-E | 89-14-096 | 251-12-075 | RE-AD-P | 89-17-120 |
| 248-144-061 | NEW | 89-11-058 | 248-554-030 | AMD-E | 89-14-098 | 251-12-076 | RE-AD-E | 89-17-009 |
| 248-144-070 | REP-P | 89-08-098 | 250-44-050 | AMD-P | 89-04-048 | 251-12-076 | RE-AD-P | 89-17-120 |
| 248-144-070 | REP | 89-11-058 | 250-44-050 | AMD | 89-08-056 | 251-12-080 | RE-AD-E | 89-17-009 |
| 248-144-071 | NEW-P | 89-08-098 | 250-44-050 | AMD-E | 89-08-057 | 251-12-080 | RE-AD-P | 89-17-120 |
| 248-144-071 | NEW | 89-11-058 | 250-44-110 | AMD-P | 89-04-048 | 251-12-085 | AMD-E | 89-17-009 |
| 248-144-080 | REP-P | 89-08-098 | 250-44-110 | AMD | 89-08-056 | 251-12-085 | AMD-P | 89-17-120 |
| 248-144-080 | REP | 89-11-058 | 250-44-110 | AMD-E | 89-08-057 | 251-12-087 | NEW-C | 89-05-043 |
| 248-144-081 | NEW-P | 89-08-098 | 250-44-130 | AMD-P | 89-04-048 | 251-12-090 | RE-AD-E | 89-17-009 |
| 248-144-081 | NEW | 89-11-058 | 250-44-130 | AMD | 89-08-056 | 251-12-090 | RE-AD-P | 89-17-120 |
| 248-144-090 | REP-P | 89-08-098 | 250-44-130 | AMD-E | 89-08-057 | 251-12-096 | AMD-P | 89-09-063 |
| 248-144-090 | REP | 89-11-058 | 250-44-130 | AMD | 89-20-014 | 251-12-096 | AMD | 89-12-059 |
| 248-144-091 | NEW-P | 89-08-098 | 250-68-010 | NEW-P | 89-16-072 | 251-12-096 | RE-AD-E | 89-17-009 |
| 248-144-091 | NEW | 89-11-058 | 250-68-020 | NEW-P | 89-16-072 | 251-12-096 | RE-AD-P | 89-17-120 |
| 248-144-100 | REP-P | 89-08-098 | 250-68-020 | NEW | 89-20-014 | 251-12-097 | AMD-P | 89-09-063 |
| 248-144-100 | REP | 89-11-058 | 250-68-030 | NEW-P | 89-16-072 | 251-12-097 | AMD | 89-12-059 |
| 248-144-101 | NEW-P | 89-08-098 | 250-68-030 | NEW | 89-20-014 | 251-12-097 | RE-AD-E | 89-17-009 |
| 248-144-101 | NEW | 89-11-058 | 250-68-035 | NEW-P | 89-16-072 | 251-12-097 | RE-AD-P | 89-17-120 |
| 248-144-110 | REP-P | 89-08-098 | 250-68-035 | NEW | 89-20-014 | 251-12-097 | AMD-P | 89-17-120 |
| 248-144-110 | REP | 89-11-058 | 250-68-040 | NEW-P | 89-16-072 | 251-12-100 | AMD-E | 89-17-009 |
| 248-144-111 | NEW-P | 89-08-098 | 250-68-040 | NEW | 89-20-014 | 251-12-100 | AMD-P | 89-17-120 |
| 248-144-111 | NEW | 89-11-058 | 250-68-040 | NEW-P | 89-16-072 | 251-12-101 | RE-AD-E | 89-17-009 |
| 248-144-120 | REP-P | 89-08-098 | 250-68-050 | NEW | 89-20-014 | 251-12-101 | RE-AD-P | 89-17-120 |
| 248-144-120 | REP | 89-11-058 | 250-68-050 | NEW-P | 89-16-072 | 251-12-102 | RE-AD-E | 89-17-009 |
| 248-144-121 | NEW-P | 89-08-098 | 250-68-060 | NEW | 89-20-014 | 251-12-102 | RE-AD-P | 89-17-120 |
| 248-144-121 | NEW | 89-11-058 | 250-68-060 | NEW-P | 89-16-072 | 251-12-102 | RE-AD-E | 89-17-009 |
| 248-144-130 | REP-P | 89-08-098 | 250-68-070 | NEW-P | 89-20-014 | 251-12-170 | RE-AD-P | 89-17-120 |
| 248-144-130 | REP | 89-11-058 | 250-68-070 | NEW | 89-20-014 | 251-12-170 | RE-AD-E | 89-17-009 |
| 248-144-131 | NEW-P | 89-08-098 | 251-01-077 | NEW-P | 89-06-044 | 251-12-180 | RE-AD-P | 89-17-120 |
| 248-144-131 | NEW | 89-11-058 | 251-01-077 | NEW-P | 89-06-045 | 251-12-180 | RE-AD-E | 89-17-009 |
| 248-144-140 | REP-P | 89-08-098 | 251-01-077 | NEW-W | 89-09-060 | 251-12-190 | RE-AD-P | 89-17-120 |
| 248-144-140 | REP | 89-11-058 | 251-01-077 | NEW-C | 89-09-061 | 251-12-190 | RE-AD-E | 89-17-009 |
| 248-144-141 | NEW-P | 89-08-098 | 251-01-078 | NEW | 89-13-074 | 251-12-200 | RE-AD-P | 89-17-120 |
| 248-144-141 | NEW | 89-11-058 | 251-01-078 | NEW-P | 89-06-044 | 251-12-200 | RE-AD-E | 89-17-009 |
| 248-144-150 | REP-P | 89-08-098 | 251-01-078 | NEW-P | 89-06-045 | 251-12-210 | RE-AD-P | 89-17-120 |
| 248-144-150 | REP | 89-11-058 | 251-01-078 | NEW-W | 89-09-060 | 251-12-210 | RE-AD-E | 89-17-009 |
| 248-144-151 | NEW-P | 89-08-098 | 251-01-078 | NEW-C | 89-09-061 | 251-12-210 | NEW-E | 89-17-009 |
| 248-144-151 | NEW | 89-11-058 | 251-01-415 | AMD-P | 89-06-044 | 251-12-231 | NEW-P | 89-17-120 |
| 248-144-160 | REP-P | 89-08-098 | 251-01-415 | AMD-P | 89-06-045 | 251-12-232 | NEW-E | 89-17-009 |
| 248-144-160 | REP | 89-11-058 | 251-01-415 | AMD-W | 89-09-060 | 251-12-232 | NEW-P | 89-17-120 |
| 248-144-161 | NEW-P | 89-08-098 | 251-01-415 | AMD-C | 89-09-061 | 251-12-250 | RE-AD-E | 89-17-009 |
| 248-144-161 | NEW | 89-11-058 | 251-01-415 | AMD-P | 89-09-063 | 251-12-250 | RE-AD-P | 89-17-120 |
| 248-144-170 | REP-P | 89-08-098 | 251-01-415 | AMD | 89-13-074 | 251-12-600 | AMD-P | 89-06-044 |
| 248-144-170 | REP | 89-11-058 | 251-01-415 | AMD-E | 89-19-017 | 251-12-600 | AMD-P | 89-06-045 |
| 248-144-171 | NEW-P | 89-08-098 | 251-01-416 | NEW-P | 89-09-063 | 251-12-600 | AMD-W | 89-09-060 |
| 248-144-171 | NEW | 89-11-058 | 251-01-417 | NEW-P | 89-09-063 | 251-12-600 | AMD-C | 89-09-061 |
| 248-144-180 | REP-P | 89-08-098 | 251-04-040 | AMD-P | 89-06-044 | 251-12-600 | AMD-P | 89-09-063 |
| 248-144-180 | REP | 89-11-058 | 251-04-040 | AMD-P | 89-06-045 | 251-12-600 | AMD | 89-13-074 |
| 248-144-181 | NEW-P | 89-08-098 | 251-04-040 | AMD-W | 89-09-060 | 251-12-600 | AMD-E | 89-19-017 |
| 248-144-181 | NEW | 89-11-058 | 251-04-040 | AMD-C | 89-09-061 | 251-14-110 | AMD-C | 89-05-043 |
| | | | 251-04-040 | AMD-P | 89-09-063 | 251-14-110 | AMD | 89-08-003 |
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| 251-19-030 | REP-P | 89-06-045 | 260-34-040 | AMD-P | 89-04-060 |
| 251-19-030 | REP-W | 89-09-060 | 260-34-040 | AMD-W | 89-07-027 |
| 251-19-030 | REP-C | 89-09-061 | 260-34-040 | AMD-P | 89-08-090 |
| 251-19-030 | REP | 89-13-074 | 260-34-040 | AMD | 89-13-006 |
| 251-19-040 | REP-P | 89-06-044 | 260-34-050 | AMD-P | 89-04-060 |
| 251-19-040 | REP-P | 89-06-045 | 260-34-050 | AMD-W | 89-07-027 |
| 251-19-040 | REP-W | 89-09-060 | 260-34-050 | AMD-P | 89-08-090 |
| 251-19-040 | REP-C | 89-09-061 | 260-34-050 | AMD | 89-13-006 |
| 251-19-040 | REP | 89-13-074 | 260-34-060 | AMD-P | 89-04-060 |
| 251-19-100 | AMD-P | 89-09-063 | 260-34-060 | AMD-W | 89-07-027 |
| 251-19-100 | AMD | 89-13-075 | 260-34-060 | AMD-P | 89-08-090 |
| 251-19-105 | NEW-P | 89-09-063 | 260-34-060 | AMD | 89-13-006 |
| 251-19-105 | NEW | 89-13-075 | 260-34-070 | AMD-P | 89-04-060 |
| 251-19-120 | AMD-P | 89-06-044 | 260-34-070 | AMD-W | 89-07-027 |
| 251-19-120 | AMD-P | 89-06-045 | 260-34-070 | AMD-P | 89-08-090 |
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| 251-19-120 | AMD-P | 89-09-063 | 260-34-080 | AMD-P | 89-04-060 |
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| 251-19-122 | NEW-P | 89-06-045 | 260-34-090 | AMD-P | 89-04-060 |
| 251-19-122 | NEW-C | 89-09-061 | 260-34-090 | AMD-W | 89-07-027 |
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| 251-22-250 | NEW-P | 89-13-073 | 260-34-100 | AMD-W | 89-07-027 |
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| 251-22-250 | NEW-E | 89-18-046 | 260-34-100 | AMD | 89-13-006 |
| 251-22-260 | NEW-E | 89-12-060 | 260-34-180 | AMD-P | 89-04-060 |
| 251-22-260 | NEW-P | 89-13-073 | 260-34-180 | AMD-W | 89-07-027 |
| 251-22-260 | NEW-P | 89-17-119 | 260-34-180 | AMD-P | 89-08-090 |
| 251-22-260 | NEW-E | 89-18-046 | 260-34-180 | AMD | 89-13-006 |
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| 251-22-270 | NEW-E | 89-18-046 | 260-34-190 | NEW | 89-13-006 |
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| 251-22-280 | NEW-E | 89-18-046 | 260-36-030 | AMD-E | 89-04-029 |
| 251-22-290 | NEW-E | 89-12-060 | 260-36-030 | AMD-P | 89-08-070 |
| 251-22-290 | NEW-P | 89-13-073 | 260-36-030 | AMD | 89-13-007 |
| 251-22-290 | NEW-P | 89-17-119 | 260-36-040 | AMD-E | 89-04-029 |
| 251-22-290 | NEW-E | 89-18-046 | 260-36-040 | AMD-P | 89-08-070 |
| 251-22-300 | NEW-E | 89-12-060 | 260-36-040 | AMD | 89-13-007 |
| 251-22-300 | NEW-P | 89-13-073 | 260-48-327 | NEW-P | 89-09-064 |
| 251-22-300 | NEW-P | 89-17-119 | 260-48-327 | NEW | 89-13-008 |
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| 251-24-030 | AMD | 89-08-003 | 260-70-010 | AMD-P | 89-09-065 |
| 251-24-030 | AMD-W | 89-09-060 | 260-70-090 | AMD | 89-04-026 |
| 251-24-030 | AMD-P | 89-09-063 | 260-70-100 | AMD-P | 89-09-065 |
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| 251-24-200 | NEW-P | 89-09-063 | 275-16-030 | AMD-P | 89-17-025 |
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| 259-04-010 | NEW | 89-07-003 | 275-16-030 | AMD-C | 89-21-023 |
| 259-04-020 | NEW | 89-07-003 | 275-16-055 | AMD-E | 89-14-098 |
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| 259-04-040 | NEW | 89-07-003 | 275-19-030 | AMD | 89-06-011 |
| 259-04-050 | NEW | 89-07-003 | 275-19-040 | AMD | 89-06-011 |
| 259-04-060 | NEW | 89-07-003 | 275-19-050 | AMD | 89-06-011 |
| 259-04-070 | NEW | 89-07-003 | 275-19-050 | AMD-E | 89-14-098 |
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| 260-34-020 | AMD | 89-13-006 | 275-19-180 | AMD | 89-06-011 |
| 260-34-030 | AMD-P | 89-04-060 | 275-19-185 | REP | 89-06-011 |
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| 275-19-980 | AMD | 89-06-011 | | | |
| 275-19-985 | AMD | 89-06-011 | | | |
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| 275-56-017 | NEW-E | 89-20-030 | | | |
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| 275-56-043 | NEW-E | 89-20-030 | | | |
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| 275-56-087 | NEW-P | 89-16-105 | 275-56-265 | REP-E | 89-20-030 | 275-80-805 | REP-P | 89-11-029 |
| 275-56-087 | NEW-E | 89-20-030 | 275-56-270 | REP-P | 89-16-105 | 275-80-810 | REP-P | 89-11-029 |
| 275-56-088 | NEW-P | 89-16-105 | 275-56-270 | REP-E | 89-20-030 | 275-80-815 | REP-P | 89-11-029 |
| 275-56-088 | NEW-E | 89-20-030 | 275-56-275 | AMD-P | 89-16-105 | 275-80-840 | REP-P | 89-11-029 |
| 275-56-089 | NEW-P | 89-16-105 | 275-56-275 | AMD-E | 89-20-030 | 275-80-842 | REP-P | 89-11-029 |
| 275-56-089 | NEW-E | 89-20-030 | 275-56-280 | REP-P | 89-16-105 | 275-80-844 | REP-P | 89-11-029 |
| 275-56-090 | AMD-P | 89-16-105 | 275-56-280 | REP-E | 89-20-030 | 275-80-846 | REP-P | 89-11-029 |
| 275-56-090 | AMD-E | 89-20-030 | 275-56-285 | AMD-P | 89-16-105 | 275-80-848 | REP-P | 89-11-029 |
| 275-56-095 | AMD-E | 89-14-098 | 275-56-285 | AMD-E | 89-20-030 | 275-80-852 | REP-P | 89-11-029 |
| 275-56-095 | AMD-P | 89-16-105 | 275-56-290 | AMD-P | 89-16-105 | 275-80-854 | REP-P | 89-11-029 |
| 275-56-095 | AMD-E | 89-20-030 | 275-56-290 | AMD-E | 89-20-030 | 275-80-860 | REP-P | 89-11-029 |
| 275-56-100 | AMD-P | 89-16-105 | 275-56-295 | AMD-P | 89-16-105 | 275-80-870 | REP-P | 89-11-029 |
| 275-56-100 | AMD-E | 89-20-030 | 275-56-295 | AMD-E | 89-20-030 | 275-80-872 | REP-P | 89-11-029 |
| 275-56-105 | AMD-P | 89-16-105 | 275-56-300 | AMD-P | 89-16-105 | 275-80-876 | REP-P | 89-11-029 |
| 275-56-105 | AMD-E | 89-20-030 | 275-56-300 | AMD-E | 89-20-030 | 275-80-878 | REP-P | 89-11-029 |
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| 275-56-110 | AMD-E | 89-20-030 | 275-56-305 | AMD-E | 89-20-030 | 275-80-895 | REP-P | 89-11-029 |
| 275-56-115 | AMD-P | 89-16-105 | 275-56-310 | REP-P | 89-16-105 | 275-80-900 | REP-P | 89-11-029 |
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| 275-56-120 | REP-P | 89-16-105 | 275-56-315 | REP-P | 89-16-105 | 275-80-910 | REP-P | 89-11-029 |
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| 296-62-3152 | AMD-P | 89-14-124 | 296-115-030 | AMD | 89-21-018 | 296-127-018 | NEW-C | 89-17-083 |
| 296-62-3152 | AMD | 89-21-018 | 296-115-120 | AMD-P | 89-14-124 | 296-127-018 | NEW-C | 89-19-068 |
| 296-62-3160 | AMD-P | 89-14-124 | 296-115-120 | AMD | 89-21-018 | 296-127-019 | AMD-P | 89-12-051 |
| 296-62-3160 | AMD | 89-21-018 | 296-116-080 | AMD-P | 89-14-001 | 296-127-019 | AMD-C | 89-17-083 |
| 296-62-3170 | AMD-P | 89-14-124 | 296-116-080 | AMD | 89-18-045 | 296-127-019 | AMD-C | 89-19-068 |
| 296-62-3170 | AMD | 89-21-018 | 296-116-082 | AMD-P | 89-05-035 | 296-127-019 | AMD-P | 89-12-051 |
| 296-62-3180 | AMD-P | 89-14-124 | 296-116-082 | AMD-E | 89-05-035 | 296-127-020 | AMD-C | 89-17-083 |
| 296-62-3180 | AMD | 89-21-018 | 296-116-082 | AMD-E | 89-09-028 | 296-127-020 | AMD-C | 89-19-068 |
| 296-62-3190 | AMD-P | 89-14-124 | 296-116-082 | AMD | 89-11-060 | 296-127-023 | RE-AD-P | 89-12-051 |
| 296-62-3190 | AMD | 89-21-018 | 296-116-082 | AMD-P | 89-14-002 | 296-127-023 | RE-AD-C | 89-17-083 |
| 296-65 | AMD-C | 89-19-015 | 296-116-082 | AMD | 89-18-063 | 296-127-023 | RE-AD-C | 89-19-068 |
| 296-65 | AMD-C | 89-20-018 | 296-116-185 | AMD-C | 89-03-037 | 296-127-025 | RE-AD-P | 89-12-051 |
| 296-65-001 | AMD-E | 89-14-100 | 296-116-185 | AMD | 89-08-042 | 296-127-025 | RE-AD-C | 89-17-083 |
| 296-65-001 | AMD-P | 89-14-124 | 296-116-300 | AMD-C | 89-03-038 | 296-127-025 | RE-AD-C | 89-19-068 |
| 296-65-001 | AMD | 89-21-018 | 296-116-300 | AMD | 89-08-041 | 296-127-026 | RE-AD-P | 89-12-051 |
| 296-65-003 | AMD-E | 89-14-100 | 296-125-015 | AMD-E | 89-16-023 | 296-127-026 | RE-AD-C | 89-17-083 |
| 296-65-003 | AMD-P | 89-14-124 | 296-125-015 | AMD-P | 89-16-087 | 296-127-026 | RE-AD-C | 89-19-068 |
| 296-65-003 | AMD | 89-21-018 | 296-125-030 | AMD-E | 89-16-023 | 296-127-040 | AMD-P | 89-12-051 |
| 296-65-005 | AMD-E | 89-14-100 | 296-125-030 | AMD-P | 89-16-087 | 296-127-040 | AMD-C | 89-17-083 |
| 296-65-005 | AMD-P | 89-14-124 | 296-125-043 | AMD-C | 89-06-035 | 296-127-040 | AMD-C | 89-19-068 |
| 296-65-005 | AMD | 89-21-018 | 296-125-043 | AMD-C | 89-08-058 | 296-127-045 | AMD-P | 89-12-051 |
| 296-65-007 | NEW-E | 89-14-100 | 296-125-043 | AMD-C | 89-09-007 | 296-127-045 | AMD-C | 89-17-083 |
| 296-65-007 | NEW-P | 89-14-124 | 296-125-043 | AMD | 89-10-014 | 296-127-045 | AMD-C | 89-19-068 |
| 296-65-007 | NEW | 89-21-018 | 296-125-110 | NEW-E | 89-16-023 | 296-128 | NEW-C | 89-20-040 |
| 296-65-010 | AMD-E | 89-14-100 | 296-125-110 | NEW-P | 89-16-087 | 296-128-011 | NEW-P | 89-15-060 |
| 296-65-010 | AMD-P | 89-14-124 | 296-125-115 | NEW-E | 89-16-023 | 296-128-011 | NEW-E | 89-16-085 |
| 296-65-010 | AMD | 89-21-018 | 296-125-115 | NEW-P | 89-16-087 | 296-128-012 | NEW-P | 89-15-060 |
| 296-65-012 | NEW-E | 89-14-100 | 296-125-120 | NEW-E | 89-16-023 | 296-128-012 | NEW-E | 89-16-085 |
| 296-65-012 | NEW-P | 89-14-124 | 296-125-120 | NEW-P | 89-16-087 | 296-128-025 | AMD-P | 89-16-089 |
| 296-65-012 | NEW | 89-21-018 | 296-125-125 | NEW-E | 89-16-023 | 296-128-025 | AMD-C | 89-21-011 |
| 296-65-015 | AMD-E | 89-14-100 | 296-125-125 | NEW-P | 89-16-087 | 296-128-035 | NEW-P | 89-16-089 |
| 296-65-015 | AMD-P | 89-14-124 | 296-125-130 | NEW-E | 89-16-023 | 296-128-035 | NEW-C | 89-21-011 |
| 296-65-015 | AMD | 89-21-018 | 296-125-130 | NEW-P | 89-16-087 | 296-131-001 | NEW-E | 89-16-022 |
| 296-65-017 | NEW-E | 89-14-100 | 296-125-135 | NEW-E | 89-16-023 | 296-131-001 | NEW-P | 89-16-088 |
| 296-65-017 | NEW-P | 89-14-124 | 296-125-135 | NEW-P | 89-16-087 | 296-131-001 | NEW-C | 89-21-010 |
| 296-65-017 | NEW | 89-21-018 | 296-125-140 | NEW-E | 89-16-023 | 296-131-010 | NEW-E | 89-16-022 |
| 296-65-020 | AMD-E | 89-14-100 | 296-125-140 | NEW-P | 89-16-087 | 296-131-010 | NEW-P | 89-16-088 |
| 296-65-020 | AMD-P | 89-14-124 | 296-125-145 | NEW-E | 89-16-023 | 296-131-015 | NEW-E | 89-16-022 |
| 296-65-020 | AMD | 89-21-018 | 296-125-145 | NEW-P | 89-16-087 | 296-131-015 | NEW-P | 89-16-088 |
| 296-65-025 | AMD-E | 89-14-100 | 296-125-155 | NEW-E | 89-16-023 | 296-131-015 | NEW-C | 89-21-010 |
| 296-65-025 | AMD-P | 89-14-124 | 296-125-155 | NEW-P | 89-16-087 | 296-131-017 | NEW-E | 89-16-022 |
| 296-65-025 | AMD | 89-21-018 | 296-125-160 | NEW-E | 89-16-023 | | | |

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| 296-131-017 | NEW-P | 89-16-088 | 296-155-750 | REP-P | 89-06-058 | 308-34-020 | REP | 89-02-051 |
| 296-131-017 | NEW-C | 89-21-010 | 296-155-750 | REP | 89-11-035 | 308-34-030 | REP | 89-02-051 |
| 296-134-001 | NEW-P | 89-18-090 | 296-303-02007 | AMD-P | 89-06-058 | 308-34-040 | REP | 89-02-051 |
| 296-134-001 | NEW-E | 89-18-091 | 296-303-02007 | AMD | 89-11-035 | 308-34-050 | REP | 89-02-051 |
| 296-134-010 | NEW-P | 89-18-090 | 296-303-040 | AMD-P | 89-06-058 | 308-34-060 | REP | 89-02-051 |
| 296-134-010 | NEW-E | 89-18-091 | 296-303-040 | AMD | 89-11-035 | 308-34-070 | REP | 89-02-051 |
| 296-134-030 | NEW-P | 89-18-090 | 296-304-010 | AMD-P | 89-06-058 | 308-34-080 | REP | 89-02-051 |
| 296-134-030 | NEW-E | 89-18-091 | 296-304-010 | AMD | 89-11-035 | 308-34-090 | REP | 89-02-051 |
| 296-134-040 | NEW-P | 89-18-090 | 296-305-025 | AMD-P | 89-06-058 | 308-34-310 | NEW | 89-02-051 |
| 296-134-040 | NEW-E | 89-18-091 | 296-305-025 | AMD | 89-11-035 | 308-34-320 | NEW | 89-02-051 |
| 296-134-050 | NEW-P | 89-18-090 | 296-306 | AMD-P | 89-06-058 | 308-34-330 | NEW | 89-02-051 |
| 296-134-050 | NEW-E | 89-18-091 | 296-306 | AMD | 89-11-035 | 308-34-410 | NEW | 89-02-051 |
| 296-134-060 | NEW-P | 89-18-090 | 296-306-010 | AMD-P | 89-06-058 | 308-34-420 | NEW | 89-02-051 |
| 296-134-060 | NEW-E | 89-18-091 | 296-306-010 | AMD | 89-11-035 | 308-34-430 | NEW | 89-02-051 |
| 296-134-070 | NEW-P | 89-18-090 | 296-306-165 | AMD-P | 89-06-058 | 308-34-440 | NEW | 89-02-051 |
| 296-134-070 | NEW-E | 89-18-091 | 296-306-165 | AMD | 89-11-035 | 308-34-450 | NEW | 89-02-051 |
| 296-134-090 | NEW-P | 89-18-090 | 296-306-200 | AMD-P | 89-06-058 | 308-34-460 | NEW | 89-02-051 |
| 296-134-090 | NEW-E | 89-18-091 | 296-306-200 | AMD | 89-11-035 | 308-34-470 | NEW | 89-02-051 |
| 296-150B-015 | AMD | 89-05-016 | 296-306-310 | AMD-P | 89-06-058 | 308-34-480 | NEW | 89-02-051 |
| 296-155-140 | AMD-P | 89-06-058 | 296-306-310 | AMD-E | 89-11-007 | 308-37-190 | AMD-P | 89-02-064 |
| 296-155-140 | AMD | 89-11-035 | 296-306-310 | AMD | 89-11-035 | 308-37-190 | AMD-C | 89-05-020 |
| 296-155-180 | NEW-P | 89-06-058 | 296-306-320 | AMD-P | 89-06-058 | 308-37-190 | REP-P | 89-07-092 |
| 296-155-180 | NEW | 89-11-035 | 296-306-320 | AMD-E | 89-11-007 | 308-37-190 | AMD | 89-08-095 |
| 296-155-205 | AMD-P | 89-06-058 | 296-306-320 | AMD | 89-11-035 | 308-40-102 | AMD | 89-06-075 |
| 296-155-205 | AMD | 89-11-035 | 296-400-045 | AMD-P | 89-07-079 | 308-40-105 | AMD-P | 89-10-072 |
| 296-155-212 | AMD-P | 89-06-058 | 296-400-045 | AMD | 89-12-004 | 308-40-105 | AMD-E | 89-10-074 |
| 296-155-212 | AMD | 89-11-035 | 308-12-025 | AMD-P | 89-13-049 | 308-40-105 | AMD | 89-13-052 |
| 296-155-305 | AMD-P | 89-06-058 | 308-12-025 | AMD | 89-17-038 | 308-40-106 | NEW-P | 89-10-072 |
| 296-155-305 | AMD | 89-11-035 | 308-12-031 | AMD-P | 89-13-049 | 308-40-106 | NEW-E | 89-10-074 |
| 296-155-36313 | AMD-P | 89-06-058 | 308-12-031 | AMD | 89-17-038 | 308-40-106 | NEW | 89-13-052 |
| 296-155-36313 | AMD | 89-11-035 | 308-12-040 | AMD-P | 89-06-067 | 308-40-125 | AMD-E | 89-21-041 |
| 296-155-370 | AMD-P | 89-06-058 | 308-12-040 | AMD | 89-12-052 | 308-40-140 | NEW-P | 89-06-068 |
| 296-155-370 | AMD | 89-11-035 | 308-12-050 | AMD-P | 89-13-049 | 308-40-140 | NEW | 89-11-053 |
| 296-155-48529 | AMD-P | 89-06-058 | 308-12-050 | AMD | 89-17-038 | 308-42-010 | AMD-P | 89-06-069 |
| 296-155-48529 | AMD | 89-11-035 | 308-12-326 | AMD-E | 89-17-087 | 308-42-010 | AMD-C | 89-10-073 |
| 296-155-48533 | AMD-P | 89-06-058 | 308-25-080 | NEW-P | 89-10-077 | 308-42-010 | AMD-P | 89-17-095 |
| 296-155-48533 | AMD | 89-11-035 | 308-25-080 | NEW | 89-14-092 | 308-42-010 | AMD | 89-21-007 |
| 296-155-48536 | NEW-P | 89-06-058 | 308-25-090 | NEW-P | 89-10-077 | 308-42-120 | AMD-P | 89-17-096 |
| 296-155-48536 | NEW | 89-11-035 | 308-25-090 | NEW | 89-14-092 | 308-42-120 | AMD | 89-21-008 |
| 296-155-510 | AMD-P | 89-06-058 | 308-25-100 | NEW-P | 89-10-077 | 308-42-121 | NEW-P | 89-09-066 |
| 296-155-510 | AMD | 89-11-035 | 308-25-100 | NEW | 89-14-092 | 308-42-121 | NEW-P | 89-17-097 |
| 296-155-675 | AMD-P | 89-06-058 | 308-25-110 | NEW-P | 89-10-077 | 308-42-121 | NEW | 89-19-007 |
| 296-155-675 | AMD | 89-11-035 | 308-25-110 | NEW | 89-14-092 | 308-42-121 | NEW | 89-21-009 |
| 296-155-680 | AMD-P | 89-06-058 | 308-25-120 | NEW-P | 89-10-077 | 308-42-145 | AMD-P | 89-09-066 |
| 296-155-680 | AMD | 89-11-035 | 308-25-120 | NEW | 89-14-092 | 308-42-145 | AMD | 89-19-007 |
| 296-155-681 | NEW-P | 89-06-058 | 308-25-130 | NEW-P | 89-10-077 | 308-48-021 | NEW-P | 89-18-084 |
| 296-155-681 | NEW | 89-11-035 | 308-25-130 | NEW | 89-14-092 | 308-48-165 | REP-P | 89-18-084 |
| 296-155-682 | NEW-P | 89-06-058 | 308-25-140 | NEW-P | 89-10-077 | 308-48-350 | NEW | 89-04-002 |
| 296-155-682 | NEW | 89-11-035 | 308-25-140 | NEW | 89-14-092 | 308-49-100 | AMD-P | 89-18-084 |
| 296-155-683 | NEW-P | 89-06-058 | 308-25-150 | NEW-P | 89-10-077 | 308-49-130 | AMD-P | 89-18-084 |
| 296-155-683 | NEW | 89-11-035 | 308-25-150 | NEW | 89-14-092 | 308-49-140 | AMD-P | 89-18-084 |
| 296-155-684 | NEW-P | 89-06-058 | 308-25-160 | NEW-P | 89-10-077 | 308-49-145 | NEW-P | 89-18-084 |
| 296-155-684 | NEW | 89-11-035 | 308-25-160 | NEW | 89-14-092 | 308-49-150 | AMD-P | 89-18-084 |
| 296-155-685 | AMD-P | 89-06-058 | 308-25-170 | NEW-P | 89-13-048 | 308-49-160 | REP-P | 89-18-084 |
| 296-155-685 | AMD | 89-11-035 | 308-25-170 | NEW | 89-16-096 | 308-49-162 | NEW-P | 89-18-084 |
| 296-155-686 | NEW-P | 89-06-058 | 308-26-055 | NEW-P | 89-10-077 | 308-49-164 | NEW-P | 89-18-084 |
| 296-155-686 | NEW | 89-11-035 | 308-26-055 | NEW | 89-14-092 | 308-49-166 | NEW-P | 89-18-084 |
| 296-155-687 | NEW-P | 89-06-058 | 308-26-065 | NEW-P | 89-10-077 | 308-49-168 | NEW-P | 89-18-084 |
| 296-155-687 | NEW | 89-11-035 | 308-26-065 | NEW | 89-14-092 | 308-50-010 | AMD-P | 89-05-055 |
| 296-155-688 | NEW-P | 89-06-058 | 308-26-075 | NEW-P | 89-10-077 | 308-50-010 | AMD | 89-08-096 |
| 296-155-688 | NEW | 89-11-035 | 308-26-075 | NEW | 89-14-092 | 308-50-020 | AMD | 89-04-017 |
| 296-155-689 | NEW-P | 89-06-058 | 308-26-085 | NEW-P | 89-10-077 | 308-50-035 | AMD | 89-04-017 |
| 296-155-689 | NEW | 89-11-035 | 308-26-085 | NEW | 89-14-092 | 308-50-035 | AMD-P | 89-09-026 |
| 296-155-690 | AMD-P | 89-06-058 | 308-26-095 | NEW-P | 89-10-077 | 308-50-035 | AMD | 89-14-007 |
| 296-155-690 | AMD | 89-11-035 | 308-26-095 | NEW | 89-14-092 | 308-50-130 | AMD | 89-04-017 |
| 296-155-691 | NEW-P | 89-06-058 | 308-26-105 | NEW-P | 89-10-077 | 308-50-350 | AMD | 89-04-017 |
| 296-155-691 | NEW | 89-11-035 | 308-26-105 | NEW | 89-14-092 | 308-50-420 | AMD | 89-04-017 |
| 296-155-692 | NEW-P | 89-06-058 | 308-26-115 | NEW-P | 89-10-077 | 308-51-230 | NEW-P | 89-10-077 |
| 296-155-692 | NEW | 89-11-035 | 308-26-115 | NEW | 89-14-092 | 308-51-230 | NEW | 89-14-092 |
| 296-155-694 | NEW-P | 89-06-058 | 308-26-125 | NEW-P | 89-10-077 | 308-51-240 | NEW-P | 89-10-077 |
| 296-155-694 | NEW | 89-11-035 | 308-26-125 | NEW | 89-14-092 | 308-51-240 | NEW | 89-14-092 |
| 296-155-695 | AMD-P | 89-06-058 | 308-26-135 | NEW-P | 89-10-077 | 308-51-250 | NEW-P | 89-10-077 |
| 296-155-695 | AMD | 89-11-035 | 308-26-135 | NEW | 89-14-092 | 308-51-250 | NEW | 89-14-092 |
| 296-155-697 | NEW-P | 89-06-058 | 308-31-055 | AMD-E | 89-13-091 | 308-51-260 | NEW-P | 89-10-077 |
| 296-155-697 | NEW | 89-11-035 | 308-31-055 | AMD-P | 89-14-103 | 308-51-260 | NEW | 89-14-092 |
| 296-155-699 | NEW-P | 89-06-058 | 308-31-055 | AMD | 89-17-156 | 308-51-270 | NEW-P | 89-10-077 |
| 296-155-699 | NEW | 89-11-035 | 308-34-010 | REP | 89-02-051 | 308-51-270 | NEW | 89-14-092 |

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| 308-51-280 | NEW | 89-14-092 | 308-55-045 | NEW | 89-14-092 |
| 308-51-290 | NEW-P | 89-10-077 | 308-55-055 | NEW-P | 89-10-077 |
| 308-51-290 | NEW | 89-14-092 | 308-55-055 | NEW | 89-14-092 |
| 308-51-300 | NEW-P | 89-10-077 | 308-55-065 | NEW-P | 89-10-077 |
| 308-51-300 | NEW | 89-14-092 | 308-55-065 | NEW | 89-14-092 |
| 308-51-310 | NEW-P | 89-10-077 | 308-55-075 | NEW-P | 89-10-077 |
| 308-51-310 | NEW | 89-14-092 | 308-55-075 | NEW | 89-14-092 |
| 308-52-139 | AMD | 89-06-077 | 308-55-085 | NEW-P | 89-10-077 |
| 308-52-165 | NEW-P | 89-16-097 | 308-55-085 | NEW | 89-14-092 |
| 308-52-165 | NEW | 89-20-023 | 308-55-095 | NEW-P | 89-10-077 |
| 308-52-190 | NEW-P | 89-05-056 | 308-55-095 | NEW | 89-14-092 |
| 308-52-190 | NEW | 89-08-063 | 308-55-105 | NEW-P | 89-10-077 |
| 308-52-255 | AMD-P | 89-09-067 | 308-55-105 | NEW | 89-14-092 |
| 308-52-255 | AMD | 89-12-053 | 308-55-115 | NEW-P | 89-10-077 |
| 308-52-260 | AMD | 89-06-077 | 308-55-115 | NEW | 89-14-092 |
| 308-52-265 | NEW-P | 89-09-067 | 308-56A-610 | NEW-E | 89-10-045 |
| 308-52-265 | NEW | 89-12-053 | 308-56A-610 | NEW-P | 89-11-019 |
| 308-52-405 | AMD-P | 89-09-067 | 308-56A-610 | NEW | 89-16-074 |
| 308-52-405 | AMD | 89-12-053 | 308-56A-610 | NEW-E | 89-16-075 |
| 308-52-415 | AMD-P | 89-09-067 | 308-56A-620 | NEW-E | 89-10-045 |
| 308-52-415 | AMD | 89-12-053 | 308-56A-620 | NEW-P | 89-11-019 |
| 308-52-590 | AMD-E | 89-14-008 | 308-56A-620 | NEW | 89-16-074 |
| 308-52-590 | AMD-P | 89-14-030 | 308-56A-620 | NEW-E | 89-16-075 |
| 308-52-590 | AMD | 89-18-037 | 308-56A-630 | NEW-E | 89-10-045 |
| 308-52-620 | NEW | 89-06-076 | 308-56A-630 | NEW-P | 89-11-019 |
| 308-52-630 | NEW-P | 89-09-067 | 308-56A-630 | NEW | 89-16-074 |
| 308-52-630 | NEW | 89-13-002 | 308-56A-630 | NEW-E | 89-16-075 |
| 308-52-640 | NEW-P | 89-09-067 | 308-56A-640 | NEW-E | 89-10-045 |
| 308-52-640 | NEW | 89-13-002 | 308-56A-640 | NEW-P | 89-11-019 |
| 308-52-650 | NEW-P | 89-09-067 | 308-56A-640 | NEW | 89-16-074 |
| 308-52-650 | NEW | 89-13-002 | 308-56A-640 | NEW-E | 89-16-075 |
| 308-52-660 | NEW-P | 89-09-067 | 308-56A-650 | NEW-E | 89-10-045 |
| 308-52-660 | NEW | 89-13-002 | 308-56A-650 | NEW-P | 89-11-019 |
| 308-52-670 | NEW-P | 89-09-067 | 308-56A-650 | NEW | 89-16-074 |
| 308-52-670 | NEW | 89-13-002 | 308-56A-650 | NEW-E | 89-16-075 |
| 308-52-670 | REP-P | 89-16-097 | 308-56A-660 | NEW-E | 89-10-045 |
| 308-52-670 | REP | 89-20-023 | 308-56A-660 | NEW-P | 89-11-019 |
| 308-52-680 | NEW-P | 89-16-097 | 308-56A-660 | NEW | 89-16-074 |
| 308-52-680 | NEW | 89-20-023 | 308-56A-660 | NEW-E | 89-16-075 |
| 308-52-690 | NEW-P | 89-16-097 | 308-56A-670 | NEW-E | 89-10-045 |
| 308-52-690 | NEW | 89-20-023 | 308-56A-670 | NEW-P | 89-11-019 |
| 308-53-120 | AMD-P | 89-06-070 | 308-56A-670 | NEW | 89-16-074 |
| 308-53-120 | AMD | 89-10-030 | 308-56A-670 | NEW-E | 89-16-075 |
| 308-53-123 | NEW-P | 89-06-070 | 308-56A-680 | NEW-E | 89-10-045 |
| 308-53-123 | NEW | 89-10-030 | 308-56A-680 | NEW-P | 89-11-019 |
| 308-53-125 | AMD-P | 89-06-070 | 308-56A-680 | NEW | 89-16-074 |
| 308-53-125 | AMD | 89-10-030 | 308-56A-680 | NEW-E | 89-16-075 |
| 308-53-130 | REP-P | 89-06-070 | 308-56A-690 | NEW-E | 89-10-045 |
| 308-53-130 | REP | 89-10-030 | 308-56A-690 | NEW-P | 89-11-019 |
| 308-53-135 | AMD-P | 89-06-070 | 308-56A-690 | NEW | 89-16-074 |
| 308-53-135 | AMD | 89-10-030 | 308-56A-690 | NEW-E | 89-16-075 |
| 308-53-145 | AMD-P | 89-06-070 | 308-61-108 | AMD-P | 89-20-010 |
| 308-53-145 | AMD | 89-10-030 | 308-61-108 | AMD-E | 89-20-011 |
| 308-53-146 | AMD-P | 89-06-070 | 308-61-135 | AMD-P | 89-20-010 |
| 308-53-146 | AMD | 89-10-030 | 308-61-135 | AMD-E | 89-20-011 |
| 308-53-150 | AMD-P | 89-06-070 | 308-61-185 | AMD-P | 89-20-010 |
| 308-53-150 | AMD | 89-10-030 | 308-61-185 | AMD-E | 89-20-011 |
| 308-53-151 | AMD-P | 89-06-070 | 308-61-190 | AMD-P | 89-20-010 |
| 308-53-151 | AMD | 89-10-030 | 308-61-190 | AMD-E | 89-20-011 |
| 308-53-165 | AMD-P | 89-06-070 | 308-61-230 | AMD-P | 89-20-010 |
| 308-53-165 | AMD | 89-10-030 | 308-61-230 | AMD-E | 89-20-011 |
| 308-53-170 | AMD-P | 89-06-070 | 308-77-030 | AMD | 89-03-005 |
| 308-53-170 | AMD | 89-10-030 | 308-77-034 | AMD | 89-03-005 |
| 308-53-175 | NEW-P | 89-06-070 | 308-77-040 | AMD | 89-03-005 |
| 308-53-175 | NEW | 89-10-030 | 308-77-042 | NEW | 89-03-034 |
| 308-53-180 | AMD-P | 89-06-070 | 308-77-044 | NEW | 89-03-034 |
| 308-53-180 | AMD | 89-10-030 | 308-77-060 | AMD | 89-03-005 |
| 308-53-330 | NEW-P | 89-13-062 | 308-89-040 | AMD-P | 89-08-091 |
| 308-53-330 | NEW | 89-17-040 | 308-89-040 | AMD-E | 89-08-094 |
| 308-53-340 | NEW-P | 89-13-062 | 308-90-080 | AMD-E | 89-14-091 |
| 308-53-340 | NEW | 89-17-040 | 308-90-080 | AMD-P | 89-15-049 |
| 308-53-350 | NEW-P | 89-18-083 | 308-90-080 | AMD | 89-18-028 |
| 308-53-400 | NEW-C | 89-06-066 | 308-91 | AMD-P | 89-02-063 |
| 308-53-400 | NEW | 89-09-027 | 308-91 | AMD | 89-07-035 |
| 308-55-035 | NEW-P | 89-10-077 | 308-91-030 | AMD-P | 89-02-062 |
| 308-55-035 | NEW | 89-14-092 | 308-91-030 | AMD | 89-07-036 |
| 308-91-040 | AMD-P | 89-02-063 | 308-91-040 | AMD-P | 89-02-063 |
| 308-91-040 | AMD | 89-07-035 | 308-91-050 | AMD-P | 89-02-063 |
| 308-91-050 | AMD-P | 89-07-035 | 308-91-140 | AMD-P | 89-02-063 |
| 308-91-140 | AMD | 89-07-035 | 308-91-140 | AMD | 89-07-035 |
| 308-96A-260 | AMD-P | 89-08-091 | 308-96A-260 | AMD-E | 89-08-094 |
| 308-96A-260 | AMD-E | 89-08-094 | 308-99-025 | AMD-P | 89-17-065 |
| 308-99-025 | AMD-P | 89-17-065 | 308-99-025 | AMD | 89-20-043 |
| 308-99-050 | NEW-P | 89-17-065 | 308-99-050 | NEW | 89-20-043 |
| 308-100-010 | AMD-P | 89-15-040 | 308-100-010 | AMD-P | 89-15-040 |
| 308-100-010 | AMD | 89-18-003 | 308-100-010 | AMD | 89-18-003 |
| 308-100-020 | AMD-P | 89-15-040 | 308-100-020 | AMD-P | 89-15-040 |
| 308-100-020 | AMD | 89-18-003 | 308-100-020 | AMD | 89-18-003 |
| 308-100-030 | AMD-P | 89-15-040 | 308-100-030 | AMD-P | 89-15-040 |
| 308-100-030 | AMD | 89-18-003 | 308-100-030 | AMD | 89-18-003 |
| 308-100-040 | AMD-P | 89-15-040 | 308-100-040 | AMD-P | 89-15-040 |
| 308-100-040 | AMD | 89-18-003 | 308-100-040 | AMD | 89-18-003 |
| 308-100-050 | AMD-P | 89-15-040 | 308-100-050 | AMD-P | 89-15-040 |
| 308-100-050 | AMD | 89-18-003 | 308-100-050 | AMD | 89-18-003 |
| 308-100-080 | REP-P | 89-15-040 | 308-100-080 | REP-P | 89-15-040 |
| 308-100-080 | REP | 89-18-003 | 308-100-080 | REP | 89-18-003 |
| 308-100-100 | NEW-P | 89-15-040 | 308-100-100 | NEW-P | 89-15-040 |
| 308-100-100 | NEW | 89-18-003 | 308-100-100 | NEW | 89-18-003 |
| 308-100-110 | NEW-P | 89-15-040 | 308-100-110 | NEW-P | 89-15-040 |
| 308-100-110 | NEW | 89-18-003 | 308-100-110 | NEW | 89-18-003 |
| 308-100-120 | NEW-P | 89-15-040 | 308-100-120 | NEW-P | 89-15-040 |
| 308-100-120 | NEW | 89-18-003 | 308-100-120 | NEW | 89-18-003 |
| 308-100-130 | NEW-P | 89-15-040 | 308-100-130 | NEW-P | 89-15-040 |
| 308-100-130 | NEW | 89-18-003 | 308-100-130 | NEW | 89-18-003 |
| 308-100-140 | NEW-P | 89-15-040 | 308-100-140 | NEW-P | 89-15-040 |
| 308-100-140 | NEW | 89-18-003 | 308-100-140 | NEW | 89-18-003 |
| 308-100-150 | NEW-P | 89-15-040 | 308-100-150 | NEW-P | 89-15-040 |
| 308-100-150 | NEW | 89-18-003 | 308-100-150 | NEW | 89-18-003 |
| 308-100-160 | NEW-P | 89-15-040 | 308-100-160 | NEW-P | 89-15-040 |
| 308-100-160 | NEW | 89-18-003 | 308-100-160 | NEW | 89-18-003 |
| 308-100-170 | NEW-P | 89-15-040 | 308-100-170 | NEW-P | 89-15-040 |
| 308-100-170 | NEW | 89-18-003 | 308-100-170 | NEW | 89-18-003 |
| 308-100-180 | NEW-P | 89-15-040 | 308-100-180 | NEW-P | 89-15-040 |
| 308-100-180 | NEW | 89-18-003 | 308-100-180 | NEW | 89-18-003 |
| 308-100-190 | NEW-P | 89-15-040 | 308-100-190 | NEW-P | 89-15-040 |
| 308-100-190 | NEW | 89-18-003 | 308-100-190 | NEW | 89-18-003 |
| 308-100-200 | NEW-P | 89-15-040 | 308-100-200 | NEW-P | 89-15-040 |
| 308-100-200 | NEW | 89-18-003 | 308-100-200 | NEW | 89-18-003 |
| 308-104-025 | AMD-P | 89-15-040 | 308-104-025 | AMD-P | 89-15-040 |
| 308-104-025 | AMD | 89-18-003 | 308-104-025 | AMD | 89-18-003 |
| 308-104-035 | NEW-P | 89-15-040 | 308-104-035 | NEW-P | 89-15-040 |
| 308-104-035 | NEW | 89-18-003 | 308-104-035 | NEW | 89-18-003 |
| 308-104-100 | AMD-P | 89-15-040 | 308-104-100 | AMD-P | 89-15-040 |
| 308-104-100 | AMD | 89-18-003 | 308-104-100 | AMD | 89-18-003 |
| 308-104-105 | AMD-P | 89-15-040 | 308-104-105 | AMD-P | 89-15-040 |
| 308-104-105 | AMD | 89-18-003 | 308-104-105 | AMD | 89-18-003 |
| 308-106-010 | NEW-P | 89-19-052 | 308-106-010 | NEW-P | 89-19-052 |
| 308-106-020 | NEW-P | 89-19-052 | 308-106-020 | NEW-P | 89-19-052 |
| 308-106-030 | NEW-P | 89-19-052 | 308-106-030 | NEW-P | 89-19-052 |
| 308-115-065 | NEW | 89-16-037 | 308-115-065 | NEW | 89-16-037 |
| 308-115-260 | NEW-P | 89-10-077 | 308-115-260 | NEW-P | 89-10-077 |
| 308-115-270 | NEW-P | 89-10-077 | 308-115-270 | NEW-P | 89-10-077 |
| 308-115-270 | NEW | 89-14-092 | 308-115-270 | NEW | 89-14-092 |
| 308-115-280 | NEW-P | 89-10-077 | 308-115-280 | NEW-P | 89-10-077 |
| 308-115-280 | NEW | 89-14-092 | 308-115-280 | NEW | 89-14-092 |
| 308-115-290 | NEW-P | 89-10-077 | 308-115-290 | NEW-P | 89-10-077 |
| 308-115-310 | NEW-P | 89-10-077 | 308-115-310 | NEW-P | 89-10-077 |
| 308-115-310 | NEW | 89-14-092 | 308-115-310 | NEW | 89-14-092 |
| 308-115-320 | NEW-P | 89-10-077 | 308-115-320 | NEW-P | 89-10-077 |
| 308-115-320 | NEW | 89-14-092 | 308-115-320 | NEW | 89-14-092 |
| 308-115-330 | NEW-P | 89-10-077 | 308-115-330 | NEW-P | 89-10-077 |
| 308-115-330 | NEW | 89-14-092 | 308-115-330 | NEW | 89-14-092 |
| 308-115-340 | NEW-P | 89-10-077 | 308-115-340 | NEW-P | 89-10-077 |
| 308-115-340 | NEW | 89-14-092 | 308-115-340 | NEW | 89-14-092 |
| 308-115-350 | NEW-P | 89-10-077 | 308-115-350 | NEW-P | 89-10-077 |
| 308-115-350 | NEW | 89-14-092 | 308-115-350 | NEW | 89-14-092 |
| 308-115-405 | AMD-P | 89-05-018 | 308-115-405 | AMD-P | 89-05-018 |

Table of WAC Sections Affected

| WAC # | | WSR # | WAC # | | WSR # | WAC # | | WSR # |
|--------------|-------|-----------|--------------|-------|-----------|-------------|-------|-----------|
| 308-115-405 | AMD | 89-08-008 | 308-124A-025 | AMD-E | 89-07-004 | 308-177-110 | AMD | 89-17-071 |
| 308-117-080 | AMD-P | 89-06-071 | 308-124A-025 | AMD | 89-08-009 | 308-177-115 | NEW-E | 89-14-009 |
| 308-117-080 | AMD | 89-10-075 | 308-124A-460 | AMD-P | 89-05-057 | 308-177-115 | NEW-P | 89-14-104 |
| 308-117-450 | NEW-P | 89-02-065 | 308-124A-460 | AMD-E | 89-07-004 | 308-177-115 | NEW | 89-17-071 |
| 308-117-460 | NEW-P | 89-02-065 | 308-124A-460 | AMD | 89-08-009 | 308-177-120 | NEW | 89-03-035 |
| 308-117-460 | NEW | 89-07-005 | 308-124D-060 | REP-P | 89-07-091 | 308-177-120 | AMD-E | 89-14-009 |
| 308-117-470 | NEW-P | 89-02-065 | 308-124D-060 | REP | 89-11-032 | 308-177-120 | AMD-P | 89-14-104 |
| 308-117-470 | NEW | 89-07-005 | 308-124D-065 | REP-P | 89-07-091 | 308-177-120 | AMD | 89-17-071 |
| 308-117-480 | NEW-P | 89-02-065 | 308-124D-065 | REP | 89-11-032 | 308-177-130 | NEW | 89-03-035 |
| 308-117-480 | NEW | 89-07-005 | 308-124H-030 | AMD-P | 89-07-091 | 308-177-130 | AMD-E | 89-14-009 |
| 308-120-168 | AMD-P | 89-08-093 | 308-124H-030 | AMD | 89-11-032 | 308-177-130 | AMD-P | 89-14-104 |
| 308-120-168 | AMD | 89-12-032 | 308-126A-030 | AMD-P | 89-15-058 | 308-177-130 | AMD | 89-17-071 |
| 308-120-170 | AMD-P | 89-06-072 | 308-126A-030 | AMD | 89-18-038 | 308-177-140 | NEW | 89-03-035 |
| 308-120-170 | AMD | 89-12-033 | 308-128E-010 | REP-P | 89-04-001 | 308-177-150 | NEW | 89-03-035 |
| 308-120-305 | AMD-P | 89-06-072 | 308-128E-010 | REP | 89-07-077 | 308-177-150 | REP-E | 89-14-009 |
| 308-120-305 | AMD | 89-12-033 | 308-128E-011 | NEW-P | 89-04-001 | 308-177-150 | REP-P | 89-14-104 |
| 308-120-810 | NEW-P | 89-06-072 | 308-128E-011 | NEW | 89-07-077 | 308-177-150 | REP | 89-17-071 |
| 308-120-810 | NEW | 89-12-033 | 308-130-320 | NEW-P | 89-10-077 | 308-177-160 | NEW-E | 89-14-009 |
| 308-122-211 | NEW-P | 89-08-092 | 308-130-320 | NEW | 89-14-092 | 308-177-160 | NEW-P | 89-14-104 |
| 308-122-211 | NEW | 89-11-054 | 308-130-330 | NEW-P | 89-10-077 | 308-177-160 | NEW | 89-17-071 |
| 308-122-360 | AMD-P | 89-14-090 | 308-130-330 | NEW | 89-14-092 | 308-177-180 | NEW-E | 89-14-009 |
| 308-122-360 | AMD | 89-19-053 | 308-130-340 | NEW-P | 89-10-077 | 308-177-180 | NEW-P | 89-14-104 |
| 308-122-370 | AMD-P | 89-14-090 | 308-130-340 | NEW | 89-14-092 | 308-177-180 | NEW | 89-17-071 |
| 308-122-370 | AMD | 89-19-053 | 308-130-350 | NEW-P | 89-10-077 | 308-177-190 | NEW-E | 89-14-009 |
| 308-122-380 | AMD-P | 89-14-090 | 308-130-350 | NEW | 89-14-092 | 308-177-190 | NEW-P | 89-14-104 |
| 308-122-380 | AMD | 89-19-053 | 308-130-360 | NEW-P | 89-10-077 | 308-177-190 | NEW | 89-17-071 |
| 308-122-390 | AMD-P | 89-14-090 | 308-130-360 | NEW | 89-14-092 | 308-180-290 | NEW-P | 89-10-077 |
| 308-122-390 | AMD | 89-19-053 | 308-130-370 | NEW-P | 89-10-077 | 308-180-290 | NEW | 89-14-092 |
| 308-122-400 | AMD-P | 89-14-090 | 308-130-370 | NEW | 89-14-092 | 308-180-300 | NEW-P | 89-10-077 |
| 308-122-400 | AMD | 89-19-053 | 308-130-380 | NEW-P | 89-10-077 | 308-180-300 | NEW | 89-14-092 |
| 308-122-410 | AMD-P | 89-14-090 | 308-130-380 | NEW | 89-14-092 | 308-180-310 | NEW-P | 89-10-077 |
| 308-122-410 | AMD | 89-19-053 | 308-130-390 | NEW-P | 89-10-077 | 308-180-310 | NEW | 89-14-092 |
| 308-122-420 | AMD-P | 89-14-090 | 308-130-390 | NEW | 89-14-092 | 308-180-320 | NEW-P | 89-10-077 |
| 308-122-420 | AMD | 89-19-053 | 308-130-400 | NEW-P | 89-10-077 | 308-180-320 | NEW | 89-14-092 |
| 308-122-430 | AMD-P | 89-14-090 | 308-130-400 | NEW | 89-14-092 | 308-180-330 | NEW-P | 89-10-077 |
| 308-122-430 | AMD | 89-19-053 | 308-138A-020 | AMD-P | 89-13-051 | 308-180-330 | NEW | 89-14-092 |
| 308-122-440 | AMD-P | 89-14-090 | 308-138A-025 | AMD-P | 89-19-054 | 308-180-340 | NEW-P | 89-10-077 |
| 308-122-440 | AMD | 89-19-053 | 308-138A-070 | NEW-P | 89-13-051 | 308-180-340 | NEW | 89-14-092 |
| 308-122-450 | AMD-P | 89-14-090 | 308-138A-080 | NEW-P | 89-13-051 | 308-180-350 | NEW-P | 89-10-077 |
| 308-122-450 | AMD | 89-19-053 | 308-138A-090 | NEW-P | 89-13-051 | 308-180-350 | NEW | 89-14-092 |
| 308-122-500 | AMD-P | 89-14-090 | 308-150-014 | AMD-P | 89-06-073 | 308-180-360 | NEW-P | 89-10-077 |
| 308-122-500 | AMD | 89-19-053 | 308-150-014 | AMD | 89-10-076 | 308-180-360 | NEW | 89-14-092 |
| 308-122-500 | REP-E | 89-21-050 | 308-154-085 | NEW-P | 89-06-073 | 308-180-370 | NEW-P | 89-10-077 |
| 308-122-500 | REP-P | 89-21-051 | 308-154-085 | NEW | 89-10-076 | 308-180-370 | NEW | 89-14-092 |
| 308-122-503 | NEW-P | 89-14-090 | 308-156-200 | NEW-P | 89-06-073 | 308-183-010 | NEW-P | 89-10-077 |
| 308-122-503 | NEW | 89-19-053 | 308-156-200 | NEW | 89-10-076 | 308-183-010 | NEW | 89-14-092 |
| 308-122-503 | REP-E | 89-21-050 | 308-173-010 | NEW-P | 89-10-077 | 308-183-020 | NEW-P | 89-10-077 |
| 308-122-503 | REP-P | 89-21-051 | 308-173-010 | NEW | 89-14-092 | 308-183-020 | NEW | 89-14-092 |
| 308-122-550 | NEW-P | 89-14-090 | 308-173-020 | NEW-P | 89-10-077 | 308-183-030 | NEW-P | 89-10-077 |
| 308-122-550 | NEW | 89-19-053 | 308-173-020 | NEW | 89-14-092 | 308-183-030 | NEW | 89-14-092 |
| 308-122-550 | REP-E | 89-21-050 | 308-173-070 | NEW-P | 89-10-077 | 308-183-040 | NEW-P | 89-10-077 |
| 308-122-550 | REP-P | 89-21-051 | 308-173-070 | NEW | 89-14-092 | 308-183-040 | NEW | 89-14-092 |
| 308-122-555 | NEW-P | 89-14-090 | 308-173-080 | NEW-P | 89-10-077 | 308-183-050 | NEW-P | 89-10-077 |
| 308-122-555 | NEW | 89-19-053 | 308-173-080 | NEW | 89-14-092 | 308-183-050 | NEW | 89-14-092 |
| 308-122-555 | REP-E | 89-21-050 | 308-173-090 | NEW-P | 89-10-077 | 308-183-060 | NEW-P | 89-10-077 |
| 308-122-555 | REP-P | 89-21-051 | 308-173-090 | NEW | 89-14-092 | 308-183-060 | NEW | 89-14-092 |
| 308-122-560 | NEW-P | 89-14-090 | 308-177-010 | NEW-P | 89-10-077 | 308-183-070 | NEW-P | 89-10-077 |
| 308-122-560 | NEW | 89-19-053 | 308-177-010 | NEW | 89-14-092 | 308-183-070 | NEW | 89-14-092 |
| 308-122-560 | REP-E | 89-21-050 | 308-177-020 | NEW-P | 89-10-077 | 308-183-080 | NEW-P | 89-10-077 |
| 308-122-560 | REP-P | 89-21-051 | 308-177-020 | NEW | 89-14-092 | 308-183-080 | NEW | 89-14-092 |
| 308-122-565 | NEW-P | 89-14-090 | 308-177-030 | NEW-P | 89-10-077 | 308-190-030 | AMD-P | 89-07-081 |
| 308-122-565 | NEW | 89-19-053 | 308-177-030 | NEW | 89-14-092 | 308-190-030 | AMD | 89-14-070 |
| 308-122-565 | REP-E | 89-21-050 | 308-177-040 | NEW-P | 89-10-077 | 308-190-040 | AMD-P | 89-07-081 |
| 308-122-565 | REP-P | 89-21-051 | 308-177-040 | NEW | 89-14-092 | 308-190-040 | AMD | 89-14-070 |
| 308-122-570 | NEW-P | 89-14-090 | 308-177-050 | NEW-P | 89-10-077 | 308-190-041 | NEW-P | 89-07-081 |
| 308-122-570 | NEW | 89-19-053 | 308-177-050 | NEW | 89-14-092 | 308-190-041 | NEW | 89-14-070 |
| 308-122-570 | REP-E | 89-21-050 | 308-177-060 | NEW-P | 89-10-077 | 308-190-042 | NEW-P | 89-07-081 |
| 308-122-570 | REP-P | 89-21-051 | 308-177-060 | NEW | 89-14-092 | 308-190-042 | NEW | 89-14-070 |
| 308-122-575 | NEW-P | 89-14-090 | 308-177-070 | NEW-P | 89-10-077 | 308-190-060 | NEW-P | 89-10-077 |
| 308-122-575 | NEW | 89-19-053 | 308-177-070 | NEW | 89-14-092 | 308-190-060 | NEW | 89-14-092 |
| 308-122-575 | REP-E | 89-21-050 | 308-177-080 | NEW-P | 89-10-077 | 308-190-070 | NEW-P | 89-10-077 |
| 308-122-575 | REP-P | 89-21-051 | 308-177-080 | NEW | 89-14-092 | 308-190-070 | NEW | 89-14-092 |
| 308-122-580 | NEW-P | 89-14-090 | 308-177-090 | NEW-P | 89-10-077 | 308-190-080 | NEW-P | 89-10-077 |
| 308-122-580 | NEW | 89-19-053 | 308-177-090 | NEW | 89-14-092 | 308-190-080 | NEW | 89-14-092 |
| 308-122-580 | REP-E | 89-21-050 | 308-177-110 | NEW | 89-03-035 | 308-190-090 | NEW-P | 89-10-077 |
| 308-122-580 | REP-P | 89-21-051 | 308-177-110 | AMD-E | 89-14-009 | 308-190-090 | NEW | 89-14-092 |
| 308-124A-025 | AMD-P | 89-05-057 | 308-177-110 | AMD-P | 89-14-104 | 308-190-100 | NEW-P | 89-10-077 |

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| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # |
|-------------|-----------------|-------------|-----------------|------------|-----------------|
| 308-190-100 | NEW 89-14-092 | 308-220-140 | NEW-P 89-10-077 | 315-06-020 | AMD 89-12-042 |
| 308-190-110 | NEW-P 89-10-077 | 308-220-140 | NEW 89-14-092 | 315-06-035 | AMD 89-05-015 |
| 308-190-110 | NEW 89-14-092 | 308-220-150 | NEW-P 89-10-077 | 315-06-115 | NEW-P 89-13-061 |
| 308-190-120 | NEW-P 89-10-077 | 308-220-150 | NEW 89-14-092 | 315-06-115 | NEW 89-17-021 |
| 308-190-120 | NEW 89-14-092 | 308-220-160 | NEW-P 89-10-077 | 315-06-120 | AMD-P 89-09-079 |
| 308-190-130 | NEW-P 89-10-077 | 308-220-160 | NEW 89-14-092 | 315-06-120 | AMD 89-12-042 |
| 308-190-130 | NEW 89-14-092 | 308-220-170 | NEW-P 89-10-077 | 315-10-020 | AMD-P 89-17-108 |
| 308-190-140 | NEW-P 89-10-077 | 308-220-170 | NEW 89-14-092 | 315-10-020 | AMD 89-21-029 |
| 308-190-140 | NEW 89-14-092 | 308-230-060 | NEW-P 89-10-077 | 315-10-030 | AMD-P 89-17-108 |
| 308-195-030 | AMD-P 89-05-058 | 308-230-060 | NEW 89-14-092 | 315-10-030 | AMD 89-21-029 |
| 308-195-030 | AMD 89-09-006 | 308-230-070 | NEW-P 89-10-077 | 315-10-060 | AMD-C 89-05-014 |
| 308-195-120 | NEW-P 89-10-077 | 308-230-070 | NEW 89-14-092 | 315-10-060 | AMD 89-09-008 |
| 308-195-120 | NEW 89-14-092 | 308-230-080 | NEW-P 89-10-077 | 315-11-400 | NEW 89-05-015 |
| 308-195-130 | NEW-P 89-10-077 | 308-230-080 | NEW 89-14-092 | 315-11-401 | NEW 89-05-015 |
| 308-195-130 | NEW 89-14-092 | 308-230-090 | NEW-P 89-10-077 | 315-11-402 | NEW 89-05-015 |
| 308-195-140 | NEW-P 89-10-077 | 308-230-090 | NEW 89-14-092 | 315-11-410 | NEW-P 89-06-084 |
| 308-195-140 | NEW 89-14-092 | 308-230-100 | NEW-P 89-10-077 | 315-11-410 | NEW 89-09-009 |
| 308-195-150 | NEW-P 89-10-077 | 308-230-100 | NEW 89-14-092 | 315-11-411 | NEW-P 89-06-084 |
| 308-195-150 | NEW 89-14-092 | 308-230-110 | NEW-P 89-10-077 | 315-11-411 | NEW 89-09-009 |
| 308-195-160 | NEW-P 89-10-077 | 308-230-110 | NEW 89-14-092 | 315-11-412 | NEW-P 89-06-084 |
| 308-195-160 | NEW 89-14-092 | 308-230-120 | NEW-P 89-10-077 | 315-11-412 | NEW 89-09-009 |
| 308-195-170 | NEW-P 89-10-077 | 308-230-120 | NEW 89-14-092 | 315-11-420 | NEW-P 89-06-084 |
| 308-195-170 | NEW 89-14-092 | 308-230-130 | NEW-P 89-10-077 | 315-11-420 | NEW 89-09-009 |
| 308-195-180 | NEW-P 89-10-077 | 308-230-130 | NEW 89-14-092 | 315-11-421 | NEW-P 89-06-084 |
| 308-195-180 | NEW 89-14-092 | 308-230-140 | NEW-P 89-10-077 | 315-11-421 | NEW 89-09-009 |
| 308-195-190 | NEW-P 89-10-077 | 308-230-140 | NEW 89-14-092 | 315-11-422 | NEW-P 89-06-084 |
| 308-195-190 | NEW 89-14-092 | 308-310-020 | NEW 89-05-019 | 315-11-422 | NEW 89-09-009 |
| 308-195-210 | NEW-P 89-05-058 | 308-310-030 | NEW 89-05-019 | 315-11-430 | NEW-P 89-06-084 |
| 308-195-210 | NEW 89-09-006 | 308-310-040 | NEW 89-05-019 | 315-11-430 | NEW 89-09-009 |
| 308-195-220 | NEW-P 89-05-058 | 308-400 | AMD 89-06-078 | 315-11-431 | NEW-P 89-06-084 |
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| 388-73-044 | AMD | 89-05-063 | 388-86-02301 | REP-E | 89-14-059 | 388-96-585 | AMD | 89-17-030 |
| 388-73-056 | AMD | 89-11-005 | 388-86-02301 | REP | 89-18-033 | 388-96-722 | AMD-P | 89-08-046 |
| 388-73-136 | AMD-P | 89-03-025 | 388-86-024 | NEW-E | 89-16-066 | 388-96-904 | AMD-E | 89-14-098 |
| 388-73-136 | AMD | 89-07-097 | 388-86-024 | NEW-P | 89-16-069 | 388-98-001 | AMD-P | 89-21-024 |
| 388-73-142 | AMD | 89-11-005 | 388-86-024 | NEW-C | 89-18-069 | 388-98-001 | AMD-E | 89-21-025 |
| 388-73-143 | NEW-P | 89-19-076 | 388-86-047 | NEW-P | 89-14-082 | 388-98-003 | NEW-P | 89-21-024 |
| 388-73-146 | AMD | 89-11-005 | 388-86-047 | NEW-E | 89-14-083 | 388-98-003 | NEW-E | 89-21-025 |
| 388-73-310 | AMD | 89-11-005 | 388-86-047 | NEW | 89-18-034 | 388-98-005 | REP-P | 89-21-024 |
| 388-73-422 | AMD | 89-11-005 | 388-86-085 | AMD-P | 89-20-072 | 388-98-005 | REP-E | 89-21-025 |
| 388-73-423 | NEW | 89-11-005 | 388-86-085 | AMD-E | 89-20-075 | 388-98-010 | AMD-P | 89-21-024 |
| 388-73-424 | AMD | 89-11-005 | 388-86-087 | NEW-P | 89-14-058 | 388-98-010 | AMD-E | 89-21-025 |
| 388-73-428 | NEW | 89-11-005 | 388-86-087 | NEW-E | 89-14-063 | 388-98-015 | AMD-P | 89-21-024 |
| 388-76-080 | NEW | 89-05-033 | 388-86-087 | NEW | 89-18-031 | 388-98-015 | AMD-E | 89-21-025 |
| 388-76-095 | NEW-E | 89-14-098 | 388-86-090 | AMD | 89-05-029 | 388-98-020 | AMD-P | 89-21-024 |
| 388-76-170 | AMD | 89-05-033 | 388-86-100 | AMD | 89-08-052 | 388-98-020 | AMD-E | 89-21-025 |
| 388-77-005 | AMD | 89-03-053 | 388-87-005 | AMD-P | 89-13-082 | 388-98-300 | NEW-P | 89-21-024 |
| 388-77-005 | AMD-E | 89-03-054 | 388-87-005 | AMD-E | 89-14-059 | 388-98-300 | NEW-E | 89-21-025 |
| 388-77-230 | AMD-P | 89-09-033 | 388-87-005 | AMD | 89-18-033 | 388-98-320 | NEW-P | 89-21-024 |
| 388-77-230 | AMD | 89-12-036 | 388-87-010 | AMD-P | 89-16-062 | 388-98-320 | NEW-E | 89-21-025 |
| 388-77-240 | AMD-P | 89-09-033 | 388-87-010 | AMD-C | 89-18-068 | 388-98-330 | NEW-P | 89-21-024 |
| 388-77-240 | AMD | 89-12-036 | 388-87-011 | AMD-P | 89-07-037 | 388-98-330 | NEW-E | 89-21-025 |
| 388-77-255 | AMD-P | 89-20-071 | 388-87-011 | AMD-E | 89-07-039 | 388-98-340 | NEW-P | 89-21-024 |
| 388-77-610 | AMD | 89-03-053 | 388-87-011 | AMD | 89-11-004 | 388-98-340 | NEW-E | 89-21-025 |
| 388-77-610 | AMD-E | 89-03-054 | 388-87-035 | AMD-P | 89-20-072 | 388-98-700 | AMD-E | 89-14-098 |
| 388-77-820 | AMD | 89-03-053 | 388-87-035 | AMD-E | 89-20-075 | 388-98-700 | AMD-P | 89-21-024 |
| 388-77-820 | AMD-E | 89-03-054 | 388-87-04701 | REP-P | 89-13-082 | 388-98-700 | AMD-E | 89-21-025 |
| 388-77-820 | AMD-P | 89-17-127 | 388-87-04701 | REP-E | 89-14-059 | 388-98-750 | NEW-P | 89-21-024 |
| 388-77-820 | AMD-E | 89-18-007 | 388-87-04701 | REP | 89-18-033 | 388-98-750 | NEW-E | 89-21-025 |
| 388-77-820 | AMD | 89-21-048 | 388-87-060 | AMD-P | 89-07-012 | 388-98-800 | REP-P | 89-21-024 |
| 388-78-210 | AMD-P | 89-05-062 | 388-87-060 | AMD-E | 89-07-013 | 388-98-800 | REP-E | 89-21-025 |
| 388-78-210 | AMD | 89-08-050 | 388-87-060 | AMD | 89-11-003 | 388-98-850 | AMD-E | 89-14-098 |
| 388-80-005 | AMD-E | 89-14-098 | 388-87-067 | NEW-P | 89-14-082 | 388-98-850 | REP-P | 89-21-024 |
| 388-81-043 | AMD | 89-05-029 | 388-87-067 | NEW-E | 89-14-083 | 388-98-850 | REP-E | 89-21-025 |
| 388-81-052 | AMD-P | 89-14-057 | 388-87-067 | NEW | 89-18-034 | 388-99-020 | AMD | 89-05-029 |
| 388-81-052 | AMD-E | 89-14-064 | 388-88-080 | AMD-P | 89-07-094 | 388-99-030 | AMD-P | 89-08-047 |
| 388-81-052 | AMD | 89-18-032 | 388-88-080 | AMD | 89-11-017 | 388-99-030 | AMD-E | 89-08-049 |
| 388-81-060 | AMD | 89-05-029 | 388-88-095 | AMD | 89-06-050 | 388-99-030 | AMD | 89-11-057 |
| 388-81-070 | NEW-P | 89-18-053 | 388-88-097 | NEW | 89-06-050 | 388-100-005 | AMD-P | 89-18-047 |
| 388-81-070 | NEW-E | 89-18-060 | 388-88-098 | NEW-P | 89-07-094 | 388-100-005 | AMD-E | 89-18-048 |
| 388-82-140 | NEW | 89-05-029 | 388-88-098 | NEW | 89-11-017 | 388-320 | AMD-E | 89-14-099 |
| 388-82-140 | AMD-P | 89-08-044 | 388-88-099 | NEW-P | 89-07-094 | 388-320-340 | NEW-E | 89-14-099 |
| 388-82-140 | AMD-E | 89-08-053 | 388-88-099 | NEW | 89-11-017 | 388-320-350 | NEW-E | 89-14-099 |
| 388-82-140 | AMD | 89-11-057 | 388-88-101 | AMD-P | 89-07-094 | 388-320-360 | NEW-E | 89-14-099 |
| 388-82-140 | AMD-P | 89-21-093 | 388-88-101 | AMD | 89-11-017 | 388-320-370 | NEW-E | 89-14-099 |
| 388-83-012 | AMD-P | 89-10-047 | 388-92-025 | AMD-P | 89-21-034 | 388-320-400 | NEW-E | 89-14-099 |
| 388-83-012 | AMD-E | 89-10-048 | 388-92-025 | AMD-E | 89-21-035 | 388-320-410 | NEW-E | 89-14-099 |
| 388-83-012 | AMD | 89-12-080 | 388-92-036 | NEW-P | 89-21-034 | 388-320-500 | NEW-E | 89-14-099 |
| 388-83-013 | NEW-P | 89-10-047 | 388-92-036 | NEW-E | 89-21-035 | 388-330-010 | NEW-P | 89-02-067 |
| 388-83-013 | NEW-E | 89-10-048 | 388-92-045 | AMD-P | 89-21-034 | 388-330-010 | NEW | 89-07-096 |
| 388-83-013 | NEW | 89-12-080 | 388-92-045 | AMD-E | 89-21-035 | 388-330-020 | NEW-P | 89-02-067 |
| 388-83-014 | NEW-P | 89-10-047 | 388-92-043 | AMD-P | 89-14-057 | 388-330-020 | NEW | 89-07-096 |
| 388-83-014 | NEW-E | 89-10-048 | 388-92-043 | AMD-E | 89-14-064 | 388-330-030 | NEW-P | 89-02-067 |
| 388-83-014 | NEW | 89-12-080 | 388-92-043 | AMD | 89-18-032 | 388-330-030 | NEW | 89-07-096 |
| 388-83-015 | AMD-P | 89-08-045 | 388-93-070 | REP-P | 89-14-057 | 388-330-040 | NEW-P | 89-02-067 |
| 388-83-015 | AMD-E | 89-08-048 | 388-93-070 | REP-E | 89-14-064 | 388-330-040 | NEW | 89-07-096 |
| 388-83-015 | AMD | 89-11-057 | 388-93-070 | REP | 89-18-032 | 388-330-050 | NEW-P | 89-02-067 |

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| 388-330-050 | NEW | 89-07-096 | 391-25-070 | RE-AD-E | 89-17-011 | 391-45-350 | RE-AD-E | 89-17-013 |
| 388-330-060 | NEW-P | 89-02-067 | 391-25-090 | RE-AD-E | 89-17-011 | 391-45-370 | RE-AD-E | 89-17-013 |
| 388-330-060 | NEW | 89-07-096 | 391-25-092 | RE-AD-E | 89-17-011 | 391-45-390 | RE-AD-E | 89-17-013 |
| 390-16-011 | AMD-P | 89-17-139 | 391-25-110 | RE-AD-E | 89-17-011 | 391-45-410 | RE-AD-E | 89-17-013 |
| 390-16-011 | AMD | 89-20-068 | 391-25-130 | RE-AD-E | 89-17-011 | 391-45-430 | RE-AD-E | 89-17-013 |
| 390-16-012 | NEW-P | 89-17-139 | 391-25-140 | RE-AD-E | 89-17-011 | 391-45-431 | RE-AD-E | 89-17-013 |
| 390-16-012 | NEW | 89-20-068 | 391-25-150 | RE-AD-E | 89-17-011 | 391-45-550 | RE-AD-E | 89-17-013 |
| 390-16-031 | AMD-P | 89-17-139 | 391-25-170 | RE-AD-E | 89-17-011 | 391-45-552 | RE-AD-E | 89-17-013 |
| 390-16-031 | AMD | 89-20-068 | 391-25-190 | RE-AD-E | 89-17-011 | 391-95-001 | AMD-E | 89-17-014 |
| 390-16-032 | NEW-P | 89-17-139 | 391-25-210 | RE-AD-E | 89-17-011 | 391-95-010 | RE-AD-E | 89-17-014 |
| 390-16-032 | NEW | 89-20-068 | 391-25-220 | NEW-E | 89-17-011 | 391-95-030 | RE-AD-E | 89-17-014 |
| 390-16-033 | AMD-P | 89-17-139 | 391-25-230 | RE-AD-E | 89-17-011 | 391-95-050 | RE-AD-E | 89-17-014 |
| 390-16-033 | AMD | 89-20-068 | 391-25-250 | RE-AD-E | 89-17-011 | 391-95-070 | RE-AD-E | 89-17-014 |
| 390-16-036 | REP-P | 89-17-139 | 391-25-252 | RE-AD-E | 89-17-011 | 391-95-090 | RE-AD-E | 89-17-014 |
| 390-16-036 | REP | 89-20-068 | 391-25-253 | RE-AD-E | 89-17-011 | 391-95-110 | RE-AD-E | 89-17-014 |
| 390-16-041 | AMD-P | 89-17-139 | 391-25-270 | RE-AD-E | 89-17-011 | 391-95-130 | RE-AD-E | 89-17-014 |
| 390-16-041 | AMD | 89-20-068 | 391-25-290 | RE-AD-E | 89-17-011 | 391-95-150 | RE-AD-E | 89-17-014 |
| 390-16-042 | NEW-P | 89-17-139 | 391-25-299 | RE-AD-E | 89-17-011 | 391-95-170 | AMD-E | 89-17-014 |
| 390-16-042 | NEW | 89-20-068 | 391-25-310 | RE-AD-E | 89-17-011 | 391-95-190 | RE-AD-E | 89-17-014 |
| 390-16-050 | AMD-P | 89-17-139 | 391-25-350 | AMD-E | 89-17-011 | 391-95-230 | AMD-E | 89-17-014 |
| 390-16-050 | AMD | 89-20-068 | 391-25-270 | RE-AD-E | 89-17-011 | 391-95-250 | RE-AD-E | 89-17-014 |
| 390-16-055 | AMD-P | 89-17-139 | 391-25-390 | RE-AD-E | 89-17-011 | 391-95-260 | RE-AD-E | 89-17-014 |
| 390-16-055 | AMD | 89-20-068 | 391-25-391 | RE-AD-E | 89-17-011 | 391-95-270 | RE-AD-E | 89-17-014 |
| 390-16-060 | AMD-P | 89-17-139 | 391-25-410 | RE-AD-E | 89-17-011 | 391-95-280 | RE-AD-E | 89-17-014 |
| 390-16-060 | AMD | 89-20-068 | 391-25-412 | RE-AD-E | 89-17-011 | 391-95-290 | RE-AD-E | 89-17-014 |
| 390-16-111 | AMD-P | 89-17-139 | 391-25-413 | RE-AD-E | 89-17-011 | 391-95-310 | RE-AD-E | 89-17-014 |
| 390-16-111 | AMD | 89-20-068 | 391-25-430 | RE-AD-E | 89-17-011 | 392-101-001 | RE-AD-P | 89-16-012 |
| 390-16-115 | AMD-P | 89-17-139 | 391-25-450 | RE-AD-E | 89-17-011 | 392-101-001 | RE-AD-E | 89-16-016 |
| 390-16-115 | AMD | 89-20-068 | 391-25-470 | RE-AD-E | 89-17-011 | 392-101-005 | RE-AD-P | 89-16-012 |
| 390-16-120 | AMD-P | 89-17-139 | 391-25-490 | RE-AD-E | 89-17-011 | 392-101-005 | RE-AD-E | 89-16-016 |
| 390-16-120 | AMD | 89-20-068 | 391-25-510 | RE-AD-E | 89-17-011 | 392-101-010 | AMD-E | 89-13-010 |
| 390-16-121 | NEW-P | 89-17-139 | 391-25-530 | RE-AD-E | 89-17-011 | 392-101-010 | AMD-P | 89-14-032 |
| 390-16-121 | NEW | 89-20-068 | 391-25-531 | RE-AD-E | 89-17-011 | 392-101-010 | RE-AD-P | 89-16-012 |
| 390-16-125 | AMD-P | 89-17-139 | 391-25-550 | RE-AD-E | 89-17-011 | 392-101-010 | RE-AD-E | 89-16-016 |
| 390-16-125 | AMD | 89-20-068 | 391-25-570 | RE-AD-E | 89-17-011 | 392-101-010 | AMD | 89-17-067 |
| 390-16-155 | AMD-P | 89-17-139 | 391-25-590 | RE-AD-E | 89-17-011 | 392-121-260 | AMD-P | 89-10-002 |
| 390-16-155 | AMD | 89-20-068 | 391-25-610 | RE-AD-E | 89-17-011 | 392-121-260 | AMD | 89-13-064 |
| 390-16-302 | REP-P | 89-17-139 | 391-25-630 | RE-AD-E | 89-17-011 | 392-121-415 | AMD-P | 89-12-039 |
| 390-16-302 | REP | 89-20-068 | 391-25-650 | RE-AD-E | 89-17-011 | 392-121-415 | AMD | 89-16-015 |
| 390-16-306 | REP-P | 89-17-139 | 391-25-670 | RE-AD-E | 89-17-011 | 392-126-005 | REP-P | 89-21-097 |
| 390-16-306 | REP | 89-20-068 | 391-35-001 | AMD-E | 89-17-012 | 392-126-100 | REP-P | 89-14-033 |
| 391-08-001 | AMD-E | 89-17-010 | 391-35-002 | RE-AD-E | 89-17-012 | 392-126-100 | REP | 89-17-069 |
| 391-08-003 | RE-AD-E | 89-17-010 | 391-35-010 | RE-AD-E | 89-17-012 | 392-126-105 | REP-P | 89-14-033 |
| 391-08-007 | RE-AD-E | 89-17-010 | 391-35-020 | RE-AD-E | 89-17-012 | 392-126-105 | REP | 89-17-069 |
| 391-08-010 | RE-AD-E | 89-17-010 | 391-35-030 | RE-AD-E | 89-17-012 | 392-126-110 | REP-P | 89-14-033 |
| 391-08-020 | RE-AD-E | 89-17-010 | 391-35-050 | RE-AD-E | 89-17-012 | 392-126-110 | REP | 89-17-069 |
| 391-08-030 | RE-AD-E | 89-17-010 | 391-35-070 | RE-AD-E | 89-17-012 | 392-126-115 | REP-P | 89-14-033 |
| 391-08-040 | RE-AD-E | 89-17-010 | 391-35-080 | NEW-E | 89-17-012 | 392-126-115 | REP | 89-17-069 |
| 391-08-100 | RE-AD-E | 89-17-010 | 391-35-090 | RE-AD-E | 89-17-012 | 392-126-120 | REP-P | 89-14-033 |
| 391-08-110 | REP-E | 89-17-010 | 391-35-099 | RE-AD-E | 89-17-012 | 392-126-120 | REP | 89-17-069 |
| 391-08-120 | AMD-E | 89-17-010 | 391-35-110 | RE-AD-E | 89-17-012 | 392-126-125 | REP-P | 89-14-033 |
| 391-08-160 | REP-E | 89-17-010 | 391-35-130 | RE-AD-E | 89-17-012 | 392-126-125 | REP | 89-17-069 |
| 391-08-180 | AMD-E | 89-17-010 | 391-35-170 | AMD-E | 89-17-012 | 392-126-130 | REP-P | 89-14-033 |
| 391-08-200 | REP-E | 89-17-010 | 391-35-190 | RE-AD-E | 89-17-012 | 392-126-130 | REP | 89-17-069 |
| 391-08-210 | REP-E | 89-17-010 | 391-35-210 | RE-AD-E | 89-17-012 | 392-126-135 | REP-P | 89-14-033 |
| 391-08-230 | RE-AD-E | 89-17-010 | 391-35-230 | RE-AD-E | 89-17-012 | 392-126-135 | REP | 89-17-069 |
| 391-08-300 | AMD-E | 89-17-010 | 391-35-250 | RE-AD-E | 89-17-012 | 392-126-200 | REP-P | 89-14-033 |
| 391-08-310 | RE-AD-E | 89-17-010 | 391-45-001 | AMD-E | 89-17-013 | 392-126-200 | REP | 89-17-069 |
| 391-08-315 | NEW-E | 89-17-010 | 391-45-002 | RE-AD-E | 89-17-013 | 392-126-205 | REP-P | 89-14-033 |
| 391-08-500 | REP-E | 89-17-010 | 391-45-019 | RE-AD-E | 89-17-013 | 392-126-205 | REP | 89-17-069 |
| 391-08-510 | REP-E | 89-17-010 | 391-45-030 | RE-AD-E | 89-17-013 | 392-126-210 | REP-P | 89-14-033 |
| 391-08-600 | REP-E | 89-17-010 | 391-45-050 | RE-AD-E | 89-17-013 | 392-126-210 | REP | 89-17-069 |
| 391-08-610 | RE-AD-E | 89-17-010 | 391-45-070 | RE-AD-E | 89-17-013 | 392-126-215 | REP-P | 89-14-033 |
| 391-08-630 | AMD-E | 89-17-010 | 391-45-090 | RE-AD-E | 89-17-013 | 392-126-215 | REP | 89-17-069 |
| 391-08-800 | RE-AD-E | 89-17-010 | 391-45-110 | RE-AD-E | 89-17-013 | 392-126-220 | REP-P | 89-14-033 |
| 391-08-810 | RE-AD-E | 89-17-010 | 391-45-130 | RE-AD-E | 89-17-013 | 392-126-220 | REP | 89-17-069 |
| 391-08-820 | AMD-E | 89-17-010 | 391-45-170 | RE-AD-E | 89-17-013 | 392-126-225 | REP-P | 89-14-033 |
| 391-08-900 | REP-E | 89-17-010 | 391-45-190 | AMD-E | 89-17-013 | 392-126-225 | REP | 89-17-069 |
| 391-08-910 | REP-E | 89-17-010 | 391-45-210 | RE-AD-E | 89-17-013 | 392-126-230 | REP-P | 89-14-033 |
| 391-08-920 | REP-E | 89-17-010 | 391-45-230 | RE-AD-E | 89-17-013 | 392-126-230 | REP | 89-17-069 |
| 391-08-930 | REP-E | 89-17-010 | 391-45-250 | RE-AD-E | 89-17-013 | 392-126-235 | REP-P | 89-14-033 |
| 391-25-001 | AMD-E | 89-17-011 | 391-45-260 | RE-AD-E | 89-17-013 | 392-126-235 | REP | 89-17-069 |
| 391-25-002 | RE-AD-E | 89-17-011 | 391-45-270 | AMD-E | 89-17-013 | 392-126-240 | REP-P | 89-14-033 |
| 391-25-010 | RE-AD-E | 89-17-011 | 391-45-290 | AMD-E | 89-17-013 | 392-126-240 | REP | 89-17-069 |
| 391-25-012 | RE-AD-E | 89-17-011 | 391-45-310 | RE-AD-E | 89-17-013 | 392-126-245 | REP-P | 89-14-033 |
| 391-25-030 | RE-AD-E | 89-17-011 | 391-45-330 | RE-AD-E | 89-17-013 | 392-126-245 | REP | 89-17-069 |
| 391-25-050 | RE-AD-E | 89-17-011 | | RE-AD-E | 89-17-013 | 392-126-250 | REP-P | 89-14-033 |

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| 392-171-671 | RE-AD-E 89-16-016 | 392-191-025 | NEW-E 89-18-044 | 392-202-070 | AMD 89-19-032 |
| 392-171-676 | RE-AD-P 89-16-012 | 392-191-025 | NEW-P 89-19-080 | 392-202-075 | AMD-P 89-16-014 |
| 392-171-676 | RE-AD-E 89-16-016 | 392-191-030 | NEW-E 89-18-044 | 392-202-075 | AMD 89-19-032 |
| 392-171-681 | RE-AD-P 89-16-012 | 392-191-030 | NEW-P 89-19-080 | 392-202-080 | AMD-P 89-16-014 |
| 392-171-681 | RE-AD-E 89-16-016 | 392-191-035 | NEW-E 89-18-044 | 392-202-080 | AMD 89-19-032 |
| 392-171-686 | RE-AD-P 89-16-012 | 392-191-035 | NEW-P 89-19-080 | 392-202-085 | AMD-P 89-16-014 |
| 392-171-686 | RE-AD-E 89-16-016 | 392-191-040 | NEW-E 89-18-044 | 392-202-085 | AMD 89-19-032 |
| 392-171-691 | RE-AD-P 89-16-012 | 392-191-040 | NEW-P 89-19-080 | 392-202-095 | AMD-P 89-16-014 |
| 392-171-691 | RE-AD-E 89-16-016 | 392-191-045 | NEW-E 89-18-044 | 392-202-095 | AMD 89-19-032 |
| 392-171-696 | RE-AD-P 89-16-012 | 392-191-045 | NEW-P 89-19-080 | 392-202-110 | AMD-P 89-16-014 |
| 392-171-696 | RE-AD-E 89-16-016 | 392-191-060 | NEW-E 89-18-044 | 392-202-110 | AMD 89-19-032 |
| 392-171-701 | RE-AD-P 89-16-012 | 392-191-060 | NEW-P 89-19-080 | 392-202-115 | AMD-P 89-16-014 |
| 392-171-701 | RE-AD-E 89-16-016 | 392-191-065 | NEW-E 89-18-044 | 392-202-115 | AMD 89-19-032 |
| 392-171-706 | RE-AD-P 89-16-012 | 392-191-065 | NEW-P 89-19-080 | 399-30-020 | AMD-P 89-02-057 |
| 392-171-706 | RE-AD-E 89-16-016 | 392-191-070 | NEW-E 89-18-044 | 399-30-020 | AMD-C 89-06-057 |
| 392-171-711 | RE-AD-P 89-16-012 | 392-191-070 | NEW-P 89-19-080 | 399-30-020 | AMD 89-10-041 |
| 392-171-711 | RE-AD-E 89-16-016 | 392-191-075 | NEW-E 89-18-044 | 399-30-045 | NEW-P 89-02-057 |
| 392-171-716 | RE-AD-P 89-16-012 | 392-191-075 | NEW-P 89-19-080 | 399-30-045 | NEW-C 89-06-057 |
| 392-171-716 | RE-AD-E 89-16-016 | 392-191-080 | NEW-E 89-18-044 | 399-30-045 | NEW 89-10-041 |
| 392-171-721 | RE-AD-P 89-16-012 | 392-191-080 | NEW-P 89-19-080 | 399-30-050 | AMD-P 89-02-057 |
| 392-171-721 | RE-AD-E 89-16-016 | 392-191-085 | NEW-E 89-18-044 | 399-30-050 | AMD-C 89-06-057 |
| 392-171-726 | RE-AD-P 89-16-012 | 392-191-085 | NEW-P 89-19-080 | 399-30-050 | AMD 89-10-041 |
| 392-171-726 | RE-AD-E 89-16-016 | 392-191-090 | NEW-E 89-18-044 | 399-30-060 | AMD-P 89-02-057 |
| 392-171-731 | RE-AD-P 89-16-012 | 392-191-090 | NEW-P 89-19-080 | 399-30-065 | NEW-P 89-06-057 |
| 392-171-731 | RE-AD-E 89-16-016 | 392-191-095 | NEW-E 89-18-044 | 399-30-065 | NEW 89-10-041 |
| 392-171-736 | RE-AD-P 89-16-012 | 392-191-095 | NEW-P 89-19-080 | 419-64-010 | NEW 89-04-050 |
| 392-171-736 | RE-AD-E 89-16-016 | 392-196-011 | AMD-P 89-16-013 | 419-64-020 | NEW 89-04-050 |
| 392-171-741 | RE-AD-P 89-16-012 | 392-196-011 | AMD-E 89-16-017 | 419-64-030 | NEW 89-04-050 |
| 392-171-741 | RE-AD-E 89-16-016 | 392-196-015 | AMD-P 89-16-013 | 419-64-040 | NEW 89-04-050 |
| 392-171-746 | RE-AD-P 89-16-012 | 392-196-015 | AMD-E 89-16-017 | 419-64-050 | NEW 89-04-050 |
| 392-171-746 | RE-AD-E 89-16-016 | 392-196-020 | AMD-P 89-16-013 | 419-64-060 | NEW 89-04-050 |
| 392-171-751 | RE-AD-P 89-16-012 | 392-196-020 | AMD-E 89-16-017 | 419-64-070 | NEW 89-04-050 |
| 392-171-751 | RE-AD-E 89-16-016 | 392-196-025 | AMD-P 89-16-013 | 419-64-080 | NEW 89-04-050 |
| 392-171-756 | RE-AD-P 89-16-012 | 392-196-025 | AMD-E 89-16-017 | 419-64-090 | NEW 89-04-050 |
| 392-171-756 | RE-AD-E 89-16-016 | 392-196-030 | AMD-P 89-16-013 | 419-70-010 | NEW-P 89-11-094 |
| 392-171-761 | RE-AD-P 89-16-012 | 392-196-030 | AMD-E 89-16-017 | 419-70-010 | NEW 89-16-083 |
| 392-171-761 | RE-AD-E 89-16-016 | 392-196-035 | AMD-P 89-16-013 | 419-70-020 | NEW-P 89-11-094 |
| 392-190-005 | RE-AD-P 89-16-012 | 392-196-035 | AMD-E 89-16-017 | 419-70-020 | NEW 89-16-083 |
| 392-190-005 | RE-AD-E 89-16-016 | 392-196-040 | AMD-P 89-16-013 | 419-70-030 | NEW-P 89-11-094 |
| 392-190-010 | RE-AD-P 89-16-012 | 392-196-040 | AMD-E 89-16-017 | 419-70-030 | NEW 89-16-083 |
| 392-190-010 | RE-AD-E 89-16-016 | 392-196-045 | AMD-P 89-16-013 | 419-70-040 | NEW-P 89-11-094 |
| 392-190-015 | RE-AD-P 89-16-012 | 392-196-045 | AMD-E 89-16-017 | 419-70-040 | NEW 89-16-083 |
| 392-190-015 | RE-AD-E 89-16-016 | 392-196-050 | AMD-P 89-16-013 | 419-70-050 | NEW-P 89-11-094 |
| 392-190-020 | RE-AD-P 89-16-012 | 392-196-050 | AMD-E 89-16-017 | 419-70-050 | NEW 89-16-083 |
| 392-190-020 | RE-AD-E 89-16-016 | 392-196-055 | AMD-P 89-16-013 | 419-72 | NEW-C 89-16-084 |
| 392-190-025 | RE-AD-P 89-16-012 | 392-196-055 | AMD-E 89-16-017 | 419-72 | NEW-C 89-19-034 |
| 392-190-025 | RE-AD-E 89-16-016 | 392-196-060 | AMD-P 89-16-013 | 419-72-010 | NEW-P 89-11-095 |
| 392-190-030 | RE-AD-P 89-16-012 | 392-196-060 | AMD-E 89-16-017 | 419-72-015 | NEW-P 89-11-095 |
| 392-190-030 | RE-AD-E 89-16-016 | 392-196-066 | NEW-P 89-16-013 | 419-72-020 | NEW-P 89-11-095 |
| 392-190-035 | RE-AD-P 89-16-012 | 392-196-066 | NEW-E 89-16-017 | 419-72-025 | NEW-P 89-11-095 |
| 392-190-035 | RE-AD-E 89-16-016 | 392-196-070 | AMD-P 89-16-013 | 419-72-030 | NEW-P 89-11-095 |
| 392-190-040 | RE-AD-P 89-16-012 | 392-196-070 | AMD-E 89-16-017 | 419-72-035 | NEW-P 89-11-095 |
| 392-190-040 | RE-AD-E 89-16-016 | 392-196-075 | AMD-P 89-16-013 | 419-72-040 | NEW-P 89-11-095 |
| 392-190-045 | RE-AD-P 89-16-012 | 392-196-075 | AMD-E 89-16-017 | 419-72-045 | NEW-P 89-11-095 |
| 392-190-045 | RE-AD-E 89-16-016 | 392-196-080 | AMD-P 89-16-013 | 419-72-050 | NEW-P 89-11-095 |
| 392-190-050 | RE-AD-P 89-16-012 | 392-196-080 | AMD-E 89-16-017 | 419-72-055 | NEW-P 89-11-095 |
| 392-190-050 | RE-AD-E 89-16-016 | 392-196-085 | AMD-P 89-16-013 | 419-72-060 | NEW-P 89-11-095 |
| 392-190-055 | RE-AD-P 89-16-012 | 392-196-085 | AMD-E 89-16-017 | 419-72-065 | NEW-P 89-11-095 |
| 392-190-055 | RE-AD-E 89-16-016 | 392-196-090 | AMD-P 89-16-013 | 419-72-070 | NEW-P 89-11-095 |
| 392-190-060 | RE-AD-P 89-16-012 | 392-196-090 | AMD-E 89-16-017 | 419-72-075 | NEW-P 89-11-095 |
| 392-190-060 | RE-AD-E 89-16-016 | 392-196-095 | NEW-P 89-16-013 | 419-72-080 | NEW-P 89-11-095 |
| 392-190-065 | RE-AD-P 89-16-012 | 392-196-095 | NEW-E 89-16-017 | 419-72-090 | NEW-P 89-11-095 |
| 392-190-065 | RE-AD-E 89-16-016 | 392-196-100 | NEW-P 89-16-013 | 419-72-095 | NEW-P 89-11-095 |
| 392-190-070 | RE-AD-P 89-16-012 | 392-196-100 | NEW-E 89-16-017 | 434-04-010 | NEW-P 89-15-036 |
| 392-190-070 | RE-AD-E 89-16-016 | 392-196-105 | NEW-P 89-16-013 | 434-04-010 | NEW 89-20-031 |
| 392-190-075 | RE-AD-P 89-16-012 | 392-196-105 | NEW-E 89-16-017 | 434-04-015 | NEW-P 89-15-036 |
| 392-190-075 | RE-AD-E 89-16-016 | 392-196-110 | NEW-P 89-16-013 | 434-04-015 | NEW 89-20-031 |
| 392-190-080 | RE-AD-P 89-16-012 | 392-196-110 | NEW-E 89-16-017 | 434-04-017 | NEW-P 89-15-036 |
| 392-190-080 | RE-AD-E 89-16-016 | 392-202-003 | AMD-P 89-16-014 | 434-04-017 | NEW 89-20-031 |
| 392-191-001 | AMD-E 89-18-044 | 392-202-003 | AMD 89-19-032 | 434-04-020 | NEW-P 89-15-036 |
| 392-191-001 | AMD-P 89-19-080 | 392-202-005 | AMD-P 89-16-014 | 434-04-020 | NEW 89-20-031 |
| 392-191-005 | AMD-E 89-18-044 | 392-202-005 | AMD 89-19-032 | 434-04-030 | NEW-P 89-15-036 |
| 392-191-005 | AMD-P 89-19-080 | 392-202-010 | AMD-P 89-16-014 | 434-04-030 | NEW 89-20-031 |
| 392-191-010 | AMD-E 89-18-044 | 392-202-010 | AMD 89-19-032 | 434-04-040 | NEW-P 89-15-036 |
| 392-191-010 | AMD-P 89-19-080 | 392-202-015 | AMD-P 89-16-014 | 434-04-040 | NEW 89-20-031 |
| 392-191-020 | AMD-E 89-18-044 | 392-202-015 | AMD 89-19-032 | 434-04-050 | NEW-P 89-15-036 |

Table of WAC Sections Affected

| WAC # | | WSR # | WAC # | | WSR # | WAC # | | WSR # |
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| 434-04-050 | NEW | 89-20-031 | 456-08-180 | REP-P | 89-06-062 | 456-08-650 | REP | 89-10-055 |
| 434-04-060 | NEW-P | 89-15-036 | 456-08-180 | REP | 89-10-055 | 456-08-660 | REP-P | 89-06-062 |
| 434-04-060 | NEW | 89-20-031 | 456-08-190 | REP-P | 89-06-062 | 456-08-660 | REP | 89-10-055 |
| 434-04-070 | NEW-P | 89-15-036 | 456-08-190 | REP | 89-10-055 | 456-08-670 | REP-P | 89-06-062 |
| 434-04-070 | NEW | 89-20-031 | 456-08-200 | REP-P | 89-06-062 | 456-08-670 | REP | 89-10-055 |
| 434-04-075 | NEW-P | 89-15-036 | 456-08-200 | REP | 89-10-055 | 456-08-700 | REP-P | 89-06-062 |
| 434-04-075 | NEW | 89-20-031 | 456-08-220 | REP-P | 89-06-062 | 456-08-700 | REP | 89-10-055 |
| 434-04-080 | NEW-P | 89-15-036 | 456-08-220 | REP | 89-10-055 | 456-08-705 | REP-P | 89-06-062 |
| 434-04-080 | NEW | 89-20-031 | 456-08-230 | REP-P | 89-06-062 | 456-08-705 | REP | 89-10-055 |
| 434-04-090 | NEW-P | 89-15-036 | 456-08-230 | REP | 89-10-055 | 456-08-710 | REP-P | 89-06-062 |
| 434-04-090 | NEW | 89-20-031 | 456-08-240 | REP-P | 89-06-062 | 456-08-710 | REP | 89-10-055 |
| 440-44-023 | AMD-P | 89-12-076 | 456-08-240 | REP | 89-10-055 | 456-08-715 | REP-P | 89-06-062 |
| 440-44-023 | AMD-E | 89-14-061 | 456-08-250 | REP-P | 89-06-062 | 456-08-715 | REP | 89-10-055 |
| 440-44-023 | AMD | 89-16-064 | 456-08-250 | REP | 89-10-055 | 456-08-720 | REP-P | 89-06-062 |
| 440-44-030 | AMD-P | 89-17-051 | 456-08-260 | REP-P | 89-06-062 | 456-08-720 | REP | 89-10-055 |
| 440-44-030 | AMD-E | 89-17-052 | 456-08-260 | REP | 89-10-055 | 456-08-725 | REP-P | 89-06-062 |
| 440-44-030 | AMD | 89-21-042 | 456-08-270 | REP-P | 89-06-062 | 456-08-725 | REP | 89-10-055 |
| 440-44-040 | AMD-P | 89-12-076 | 456-08-270 | REP | 89-10-055 | 456-08-730 | REP-P | 89-06-062 |
| 440-44-040 | AMD-E | 89-14-061 | 456-08-280 | REP-P | 89-06-062 | 456-08-730 | REP | 89-10-055 |
| 440-44-040 | AMD | 89-16-064 | 456-08-280 | REP | 89-10-055 | 456-08-735 | REP-P | 89-06-062 |
| 440-44-041 | NEW-P | 89-12-076 | 456-08-290 | REP-P | 89-06-062 | 456-08-735 | REP | 89-10-055 |
| 440-44-041 | NEW-E | 89-14-061 | 456-08-290 | REP | 89-10-055 | 456-08-740 | REP-P | 89-06-062 |
| 440-44-041 | NEW | 89-16-064 | 456-08-300 | REP-P | 89-06-062 | 456-08-740 | REP | 89-10-055 |
| 440-44-042 | NEW-P | 89-12-076 | 456-08-300 | REP | 89-10-055 | 456-09-010 | NEW-P | 89-06-063 |
| 440-44-042 | NEW-E | 89-14-061 | 456-08-310 | REP-P | 89-06-062 | 456-09-010 | NEW | 89-10-056 |
| 440-44-042 | NEW-P | 89-17-026 | 456-08-310 | REP | 89-10-055 | 456-09-110 | NEW-P | 89-06-063 |
| 440-44-042 | NEW-E | 89-17-027 | 456-08-320 | REP-P | 89-06-062 | 456-09-110 | NEW | 89-10-056 |
| 440-44-042 | NEW | 89-21-040 | 456-08-320 | REP | 89-10-055 | 456-09-120 | NEW-P | 89-06-063 |
| 440-44-043 | NEW-P | 89-12-076 | 456-08-330 | REP-P | 89-06-062 | 456-09-120 | NEW | 89-10-056 |
| 440-44-043 | NEW-E | 89-14-061 | 456-08-330 | REP | 89-10-055 | 456-09-130 | NEW-P | 89-06-063 |
| 440-44-043 | NEW | 89-16-064 | 456-08-340 | REP-P | 89-06-062 | 456-09-130 | NEW | 89-10-056 |
| 440-44-050 | AMD-P | 89-12-076 | 456-08-340 | REP | 89-10-055 | 456-09-140 | NEW-P | 89-06-063 |
| 440-44-050 | AMD-E | 89-14-061 | 456-08-350 | REP-P | 89-06-062 | 456-09-140 | NEW | 89-10-056 |
| 440-44-050 | AMD | 89-16-064 | 456-08-350 | REP | 89-10-055 | 456-09-150 | NEW-P | 89-06-063 |
| 446-20-285 | AMD-E | 89-14-038 | 456-08-360 | REP-P | 89-06-062 | 456-09-150 | NEW | 89-10-056 |
| 446-20-285 | AMD-P | 89-19-045 | 456-08-360 | REP | 89-10-055 | 456-09-160 | NEW-P | 89-06-063 |
| 446-20-285 | AMD-E | 89-19-046 | 456-08-365 | REP-P | 89-06-062 | 456-09-160 | NEW | 89-10-056 |
| 446-40-020 | AMD-E | 89-10-011 | 456-08-365 | REP | 89-10-055 | 456-09-170 | NEW-P | 89-06-063 |
| 446-40-020 | AMD | 89-10-015 | 456-08-370 | REP-P | 89-06-062 | 456-09-170 | NEW | 89-10-056 |
| 446-40-025 | NEW-E | 89-10-011 | 456-08-370 | REP | 89-10-055 | 456-09-210 | NEW-P | 89-06-063 |
| 446-40-025 | NEW | 89-10-015 | 456-08-380 | REP-P | 89-06-062 | 456-09-210 | NEW | 89-10-056 |
| 456-08-001 | REP-P | 89-06-062 | 456-08-380 | REP | 89-10-055 | 456-09-220 | NEW-P | 89-06-063 |
| 456-08-001 | REP | 89-10-055 | 456-08-400 | REP-P | 89-06-062 | 456-09-220 | NEW | 89-10-056 |
| 456-08-002 | REP-P | 89-06-062 | 456-08-400 | REP | 89-10-055 | 456-09-230 | NEW-P | 89-06-063 |
| 456-08-002 | REP | 89-10-055 | 456-08-401 | REP-P | 89-06-062 | 456-09-230 | NEW | 89-10-056 |
| 456-08-003 | REP-P | 89-06-062 | 456-08-401 | REP | 89-10-055 | 456-09-310 | NEW-P | 89-06-063 |
| 456-08-003 | REP-E | 89-07-031 | 456-08-405 | REP-P | 89-06-062 | 456-09-310 | NEW | 89-10-056 |
| 456-08-003 | REP | 89-10-055 | 456-08-405 | REP | 89-10-055 | 456-09-315 | NEW-P | 89-06-063 |
| 456-08-004 | REP-P | 89-06-062 | 456-08-408 | REP-P | 89-06-062 | 456-09-315 | NEW | 89-10-056 |
| 456-08-004 | REP-E | 89-07-031 | 456-08-408 | REP | 89-10-055 | 456-09-320 | NEW-P | 89-06-063 |
| 456-08-004 | REP | 89-10-055 | 456-08-420 | REP-P | 89-06-062 | 456-09-320 | NEW | 89-10-056 |
| 456-08-005 | REP-P | 89-06-062 | 456-08-420 | REP | 89-10-055 | 456-09-325 | NEW-P | 89-06-063 |
| 456-08-005 | REP | 89-10-055 | 456-08-430 | REP-P | 89-06-062 | 456-09-325 | NEW | 89-10-056 |
| 456-08-006 | REP-P | 89-06-062 | 456-08-430 | REP | 89-10-055 | 456-09-330 | NEW-P | 89-06-063 |
| 456-08-006 | REP | 89-10-055 | 456-08-510 | REP-P | 89-06-062 | 456-09-330 | NEW | 89-10-056 |
| 456-08-007 | REP-P | 89-06-062 | 456-08-510 | REP | 89-10-055 | 456-09-335 | NEW-P | 89-06-063 |
| 456-08-007 | REP | 89-10-055 | 456-08-520 | REP-P | 89-06-062 | 456-09-335 | NEW | 89-10-056 |
| 456-08-010 | REP-P | 89-06-062 | 456-08-520 | REP | 89-10-055 | 456-09-340 | NEW-P | 89-06-063 |
| 456-08-010 | REP | 89-10-055 | 456-08-532 | REP-P | 89-06-062 | 456-09-340 | NEW | 89-10-056 |
| 456-08-040 | REP-P | 89-06-062 | 456-08-532 | REP | 89-10-055 | 456-09-345 | NEW-P | 89-06-063 |
| 456-08-040 | REP | 89-10-055 | 456-08-535 | REP-P | 89-06-062 | 456-09-345 | NEW | 89-10-056 |
| 456-08-045 | REP-P | 89-06-062 | 456-08-535 | REP | 89-10-055 | 456-09-350 | NEW-P | 89-06-063 |
| 456-08-045 | REP | 89-10-055 | 456-08-540 | REP-P | 89-06-062 | 456-09-350 | NEW | 89-10-056 |
| 456-08-070 | REP-P | 89-06-062 | 456-08-540 | REP | 89-10-055 | 456-09-355 | NEW-P | 89-06-063 |
| 456-08-070 | REP | 89-10-055 | 456-08-600 | REP-P | 89-06-062 | 456-09-355 | NEW | 89-10-056 |
| 456-08-080 | REP-P | 89-06-062 | 456-08-600 | REP | 89-10-055 | 456-09-360 | NEW-P | 89-06-063 |
| 456-08-080 | REP | 89-10-055 | 456-08-610 | REP-P | 89-06-062 | 456-09-360 | NEW | 89-10-056 |
| 456-08-090 | REP-P | 89-06-062 | 456-08-610 | REP | 89-10-055 | 456-09-365 | NEW-P | 89-06-063 |
| 456-08-090 | REP | 89-10-055 | 456-08-620 | REP-P | 89-06-062 | 456-09-365 | NEW | 89-10-056 |
| 456-08-092 | REP-P | 89-06-062 | 456-08-620 | REP | 89-10-055 | 456-09-410 | NEW-P | 89-06-063 |
| 456-08-092 | REP | 89-10-055 | 456-08-630 | REP-P | 89-06-062 | 456-09-410 | NEW | 89-10-056 |
| 456-08-150 | REP-P | 89-06-062 | 456-08-630 | REP | 89-10-055 | 456-09-420 | NEW-P | 89-06-063 |
| 456-08-150 | REP | 89-10-055 | 456-08-635 | REP-P | 89-06-062 | 456-09-420 | NEW | 89-10-056 |
| 456-08-160 | REP-P | 89-06-062 | 456-08-635 | REP | 89-10-055 | 456-09-430 | NEW-P | 89-06-063 |
| 456-08-160 | REP | 89-10-055 | 456-08-640 | REP-P | 89-06-062 | 456-09-430 | NEW | 89-10-056 |
| 456-08-170 | REP-P | 89-06-062 | 456-08-640 | REP | 89-10-055 | 456-09-440 | NEW-P | 89-06-063 |
| 456-08-170 | REP | 89-10-055 | 456-08-650 | REP-P | 89-06-062 | 456-09-440 | NEW | 89-10-056 |

Table of WAC Sections Affected

| WAC # | WSR # | WAC # | WSR # | WAC # | WSR # |
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| 456-09-510 | NEW-P 89-06-063 | 456-09-940 | NEW 89-10-056 | 456-10-540 | NEW 89-10-057 |
| 456-09-510 | NEW 89-10-056 | 456-09-945 | NEW-P 89-06-063 | 456-10-545 | NEW-P 89-06-064 |
| 456-09-520 | NEW-P 89-06-063 | 456-09-945 | NEW 89-10-056 | 456-10-545 | NEW 89-10-057 |
| 456-09-520 | NEW 89-10-056 | 456-09-950 | NEW-P 89-06-063 | 456-10-550 | NEW-P 89-06-064 |
| 456-09-530 | NEW-P 89-06-063 | 456-09-950 | NEW 89-10-056 | 456-10-550 | NEW 89-10-057 |
| 456-09-530 | NEW 89-10-056 | 456-09-955 | NEW-P 89-06-063 | 456-10-555 | NEW-P 89-06-064 |
| 456-09-540 | NEW-P 89-06-063 | 456-09-955 | NEW 89-10-056 | 456-10-555 | NEW 89-10-057 |
| 456-09-540 | NEW 89-10-056 | 456-09-970 | NEW-P 89-06-063 | 456-10-560 | NEW-P 89-06-064 |
| 456-09-550 | NEW-P 89-06-063 | 456-09-970 | NEW 89-10-056 | 456-10-560 | NEW 89-10-057 |
| 456-09-550 | NEW 89-10-056 | 456-10-010 | NEW-P 89-06-064 | 456-10-565 | NEW-P 89-06-064 |
| 456-09-560 | NEW-P 89-06-063 | 456-10-010 | NEW 89-10-057 | 456-10-565 | NEW 89-10-057 |
| 456-09-560 | NEW 89-10-056 | 456-10-110 | NEW-P 89-06-064 | 456-10-570 | NEW-P 89-06-064 |
| 456-09-570 | NEW-P 89-06-063 | 456-10-110 | NEW 89-10-057 | 456-10-570 | NEW 89-10-057 |
| 456-09-570 | NEW 89-10-056 | 456-10-120 | NEW-P 89-06-064 | 456-10-710 | NEW-P 89-06-064 |
| 456-09-610 | NEW-P 89-06-063 | 456-10-120 | NEW 89-10-057 | 456-10-710 | NEW 89-10-057 |
| 456-09-610 | NEW 89-10-056 | 456-10-130 | NEW-P 89-06-064 | 456-10-715 | NEW-P 89-06-064 |
| 456-09-615 | NEW-P 89-06-063 | 456-10-130 | NEW 89-10-057 | 456-10-715 | NEW 89-10-057 |
| 456-09-615 | NEW 89-10-056 | 456-10-140 | NEW-P 89-06-064 | 456-10-720 | NEW-P 89-06-064 |
| 456-09-620 | NEW-P 89-06-063 | 456-10-140 | NEW 89-10-057 | 456-10-720 | NEW 89-10-057 |
| 456-09-620 | NEW 89-10-056 | 456-10-150 | NEW-P 89-06-064 | 456-10-725 | NEW-P 89-06-064 |
| 456-09-625 | NEW-P 89-06-063 | 456-10-150 | NEW 89-10-057 | 456-10-725 | NEW 89-10-057 |
| 456-09-625 | NEW 89-10-056 | 456-10-160 | NEW-P 89-06-064 | 456-10-730 | NEW-P 89-06-064 |
| 456-09-630 | NEW-P 89-06-063 | 456-10-160 | NEW 89-10-057 | 456-10-730 | NEW 89-10-057 |
| 456-09-630 | NEW 89-10-056 | 456-10-170 | NEW-P 89-06-064 | 456-10-735 | NEW-P 89-06-064 |
| 456-09-635 | NEW-P 89-06-063 | 456-10-170 | NEW 89-10-057 | 456-10-735 | NEW 89-10-057 |
| 456-09-635 | NEW 89-10-056 | 456-10-180 | NEW-P 89-06-064 | 456-10-740 | NEW-P 89-06-064 |
| 456-09-640 | NEW-P 89-06-063 | 456-10-180 | NEW 89-10-057 | 456-10-740 | NEW 89-10-057 |
| 456-09-640 | NEW 89-10-056 | 456-10-210 | NEW-P 89-06-064 | 456-10-745 | NEW-P 89-06-064 |
| 456-09-645 | NEW-P 89-06-063 | 456-10-210 | NEW 89-10-057 | 456-10-745 | NEW 89-10-057 |
| 456-09-645 | NEW 89-10-056 | 456-10-220 | NEW-P 89-06-064 | 456-10-750 | NEW-P 89-06-064 |
| 456-09-650 | NEW-P 89-06-063 | 456-10-220 | NEW 89-10-057 | 456-10-750 | NEW 89-10-057 |
| 456-09-650 | NEW 89-10-056 | 456-10-230 | NEW-P 89-06-064 | 456-10-755 | NEW-P 89-06-064 |
| 456-09-655 | NEW-P 89-06-063 | 456-10-230 | NEW 89-10-057 | 456-10-755 | NEW 89-10-057 |
| 456-09-655 | NEW 89-10-056 | 456-10-310 | NEW-P 89-06-064 | 456-10-970 | NEW-P 89-06-064 |
| 456-09-705 | NEW-P 89-06-063 | 456-10-310 | NEW 89-10-057 | 456-10-970 | NEW 89-10-057 |
| 456-09-705 | NEW 89-10-056 | 456-10-315 | NEW-P 89-06-064 | 456-12-010 | NEW-P 89-06-065 |
| 456-09-710 | NEW-P 89-06-063 | 456-10-315 | NEW 89-10-057 | 456-12-010 | NEW 89-10-058 |
| 456-09-710 | NEW 89-10-056 | 456-10-320 | NEW-P 89-06-064 | 456-12-020 | NEW-P 89-06-065 |
| 456-09-715 | NEW-P 89-06-063 | 456-10-320 | NEW 89-10-057 | 456-12-020 | NEW 89-10-058 |
| 456-09-715 | NEW 89-10-056 | 456-10-325 | NEW-P 89-06-064 | 456-12-030 | NEW-P 89-06-065 |
| 456-09-720 | NEW-P 89-06-063 | 456-10-325 | NEW 89-10-057 | 456-12-030 | NEW 89-10-058 |
| 456-09-720 | NEW 89-10-056 | 456-10-330 | NEW-P 89-06-064 | 456-12-040 | NEW-P 89-06-065 |
| 456-09-725 | NEW-P 89-06-063 | 456-10-330 | NEW 89-10-057 | 456-12-040 | NEW 89-10-058 |
| 456-09-725 | NEW 89-10-056 | 456-10-335 | NEW-P 89-06-064 | 456-12-040 | NEW 89-10-058 |
| 456-09-730 | NEW-P 89-06-063 | 456-10-335 | NEW 89-10-057 | 456-12-050 | NEW-P 89-06-065 |
| 456-09-730 | NEW 89-10-056 | 456-10-340 | NEW-P 89-06-064 | 456-12-050 | NEW 89-10-058 |
| 456-09-735 | NEW-P 89-06-063 | 456-10-340 | NEW 89-10-057 | 456-12-060 | NEW-P 89-06-065 |
| 456-09-735 | NEW 89-10-056 | 456-10-345 | NEW-P 89-06-064 | 456-12-060 | NEW 89-10-058 |
| 456-09-740 | NEW-P 89-06-063 | 456-10-345 | NEW 89-10-057 | 456-12-070 | NEW-P 89-06-065 |
| 456-09-740 | NEW 89-10-056 | 456-10-350 | NEW-P 89-06-064 | 456-12-070 | NEW 89-10-058 |
| 456-09-745 | NEW-P 89-06-063 | 456-10-355 | NEW-P 89-06-064 | 456-12-080 | NEW-P 89-06-065 |
| 456-09-745 | NEW 89-10-056 | 456-10-355 | NEW 89-10-057 | 456-12-080 | NEW 89-10-058 |
| 456-09-750 | NEW-P 89-06-063 | 456-10-360 | NEW-P 89-06-064 | 456-12-090 | NEW-P 89-06-065 |
| 456-09-750 | NEW 89-10-056 | 456-10-360 | NEW 89-10-057 | 456-12-090 | NEW 89-10-058 |
| 456-09-755 | NEW-P 89-06-063 | 456-10-410 | NEW-P 89-06-064 | 456-12-100 | NEW-P 89-06-065 |
| 456-09-755 | NEW 89-10-056 | 456-10-410 | NEW 89-10-057 | 456-12-100 | NEW 89-10-058 |
| 456-09-760 | NEW-P 89-06-063 | 456-10-420 | NEW-P 89-06-064 | 456-12-110 | NEW-P 89-06-065 |
| 456-09-760 | NEW 89-10-056 | 456-10-420 | NEW 89-10-057 | 456-12-110 | NEW 89-10-058 |
| 456-09-765 | NEW-P 89-06-063 | 456-10-430 | NEW-P 89-06-064 | 456-12-120 | NEW-P 89-06-065 |
| 456-09-765 | NEW 89-10-056 | 456-10-430 | NEW 89-10-057 | 456-12-120 | NEW 89-10-058 |
| 456-09-770 | NEW-P 89-06-063 | 456-10-440 | NEW-P 89-06-064 | 456-12-130 | NEW-P 89-06-065 |
| 456-09-770 | NEW 89-10-056 | 456-10-440 | NEW 89-10-057 | 456-12-130 | NEW 89-10-058 |
| 456-09-775 | NEW-P 89-06-063 | 456-10-505 | NEW-P 89-06-064 | 456-12-140 | NEW-P 89-06-065 |
| 456-09-775 | NEW 89-10-056 | 456-10-505 | NEW 89-10-057 | 456-12-140 | NEW 89-10-058 |
| 456-09-910 | NEW-P 89-06-063 | 456-10-510 | NEW-P 89-06-064 | 458-14-005 | NEW-P 89-07-087 |
| 456-09-910 | NEW 89-10-056 | 456-10-510 | NEW 89-10-057 | 458-14-009 | NEW-P 89-07-087 |
| 456-09-915 | NEW-P 89-06-063 | 456-10-515 | NEW-P 89-06-064 | 458-14-010 | REP-P 89-07-087 |
| 456-09-915 | NEW 89-10-056 | 456-10-515 | NEW 89-10-057 | 458-14-014 | NEW-P 89-07-087 |
| 456-09-920 | NEW-P 89-06-063 | 456-10-520 | NEW-P 89-06-064 | 458-14-015 | NEW-P 89-07-087 |
| 456-09-920 | NEW 89-10-056 | 456-10-520 | NEW 89-10-057 | 458-14-016 | NEW-P 89-07-087 |
| 456-09-925 | NEW-P 89-06-063 | 456-10-525 | NEW-P 89-06-064 | 458-14-017 | NEW-P 89-07-087 |
| 456-09-925 | NEW 89-10-056 | 456-10-525 | NEW 89-10-057 | 458-14-019 | NEW-P 89-07-087 |
| 456-09-930 | NEW-P 89-06-063 | 456-10-530 | NEW-P 89-06-064 | 458-14-020 | REP-P 89-07-087 |
| 456-09-930 | NEW 89-10-056 | 456-10-530 | NEW 89-10-057 | 458-14-021 | NEW-P 89-07-087 |
| 456-09-935 | NEW-P 89-06-063 | 456-10-535 | NEW-P 89-06-064 | 458-14-023 | NEW-P 89-07-087 |
| 456-09-935 | NEW 89-10-056 | 456-10-535 | NEW 89-10-057 | 458-14-025 | NEW-P 89-07-087 |
| 456-09-940 | NEW-P 89-06-063 | 456-10-540 | NEW-P 89-06-064 | 458-14-027 | NEW-P 89-07-087 |

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| 458-14-030 | REP-P | 89-07-087 | 458-20-252 | AMD-C | 89-04-042 | 460-42A-020 | AMD-C | 89-17-075 |
| 458-14-031 | NEW-P | 89-07-087 | 458-20-252 | AMD-E | 89-06-005 | 460-42A-020 | AMD | 89-21-031 |
| 458-14-040 | REP-P | 89-07-087 | 458-20-252 | AMD-W | 89-07-084 | 460-42A-030 | NEW-P | 89-13-069 |
| 458-14-042 | NEW-P | 89-07-087 | 458-20-252 | AMD-P | 89-07-085 | 460-42A-030 | NEW | 89-17-080 |
| 458-14-045 | REP-P | 89-07-087 | 458-20-252 | AMD | 89-10-051 | 460-42A-081 | AMD-P | 89-13-066 |
| 458-14-050 | REP-P | 89-07-087 | 458-20-252 | AMD-E | 89-10-052 | 460-42A-081 | AMD-C | 89-17-074 |
| 458-14-052 | REP-P | 89-07-087 | 458-20-252 | AMD-P | 89-13-086 | 460-42A-082 | AMD | 89-21-032 |
| 458-14-055 | REP-P | 89-07-087 | 458-20-252 | AMD-E | 89-13-088 | 460-44A-500 | AMD-P | 89-13-070 |
| 458-14-060 | REP-P | 89-07-087 | 458-20-252 | AMD | 89-16-091 | 460-44A-500 | AMD | 89-17-076 |
| 458-14-062 | REP-P | 89-07-087 | 458-20-253 | AMD-P | 89-17-064 | 460-44A-501 | AMD-P | 89-13-070 |
| 458-14-065 | REP-P | 89-07-087 | 458-20-253 | AMD | 89-21-002 | 460-44A-501 | AMD | 89-17-076 |
| 458-14-070 | REP-P | 89-07-087 | 458-20-254 | NEW-P | 89-08-089 | 460-44A-502 | AMD-P | 89-13-070 |
| 458-14-075 | REP-P | 89-07-087 | 458-20-254 | NEW | 89-11-040 | 460-44A-502 | AMD | 89-17-076 |
| 458-14-080 | REP-P | 89-07-087 | 458-20-255 | NEW-P | 89-13-041 | 460-44A-503 | AMD-P | 89-13-070 |
| 458-14-085 | REP-P | 89-07-087 | 458-20-255 | NEW-E | 89-13-042 | 460-44A-503 | AMD | 89-17-076 |
| 458-14-086 | REP-P | 89-07-087 | 458-20-255 | NEW | 89-17-001 | 460-44A-505 | AMD-P | 89-13-070 |
| 458-14-090 | REP-P | 89-07-087 | 458-20-256 | NEW-E | 89-21-076 | 460-44A-505 | AMD | 89-17-076 |
| 458-14-091 | REP-P | 89-07-087 | 458-30-260 | AMD | 89-05-009 | 460-44A-506 | AMD-P | 89-13-070 |
| 458-14-092 | REP-P | 89-07-087 | 458-30-261 | NEW | 89-05-008 | 460-44A-506 | AMD | 89-17-076 |
| 458-14-094 | REP-P | 89-07-087 | 458-30-590 | AMD | 89-05-010 | 460-44A-508 | NEW-P | 89-13-070 |
| 458-14-098 | REP-P | 89-07-087 | 458-40-540 | AMD-P | 89-21-062 | 460-44A-508 | NEW | 89-17-076 |
| 458-14-100 | REP-P | 89-07-087 | 458-40-660 | AMD-P | 89-10-061 | 460-46A-010 | AMD-P | 89-03-044 |
| 458-14-110 | REP-P | 89-07-087 | 458-40-660 | AMD-E | 89-14-050 | 460-46A-010 | AMD | 89-07-042 |
| 458-14-115 | REP-P | 89-07-087 | 458-40-660 | AMD | 89-14-051 | 460-46A-050 | AMD-P | 89-03-044 |
| 458-14-120 | REP-P | 89-07-087 | 458-40-670 | AMD-P | 89-10-061 | 460-46A-050 | AMD | 89-07-042 |
| 458-14-121 | REP-P | 89-07-087 | 458-40-670 | AMD-E | 89-14-050 | 460-46A-060 | REP-P | 89-03-044 |
| 458-14-122 | REP-P | 89-07-087 | 458-40-670 | AMD | 89-14-051 | 460-46A-060 | REP | 89-07-042 |
| 458-14-125 | REP-P | 89-07-087 | 458-53-020 | AMD-P | 89-05-053 | 460-46A-070 | REP-P | 89-03-044 |
| 458-14-126 | REP-P | 89-07-087 | 458-53-020 | AMD | 89-09-021 | 460-46A-070 | REP | 89-07-042 |
| 458-14-130 | REP-P | 89-07-087 | 458-53-030 | AMD-P | 89-05-053 | 460-46A-080 | REP-P | 89-03-044 |
| 458-14-135 | REP-P | 89-07-087 | 458-53-030 | AMD | 89-09-021 | 460-46A-080 | REP | 89-07-042 |
| 458-14-140 | REP-P | 89-07-087 | 458-53-070 | AMD-P | 89-05-053 | 460-46A-085 | REP-P | 89-03-044 |
| 458-14-145 | REP-P | 89-07-087 | 458-53-070 | AMD | 89-09-021 | 460-46A-085 | REP | 89-07-042 |
| 458-14-150 | REP-P | 89-07-087 | 458-53-100 | AMD-P | 89-05-053 | 460-46A-090 | AMD-P | 89-03-044 |
| 458-14-152 | REP-P | 89-07-087 | 458-53-100 | AMD | 89-09-021 | 460-46A-090 | AMD | 89-07-042 |
| 458-14-155 | REP-P | 89-07-087 | 458-53-110 | AMD-P | 89-05-053 | 460-46A-092 | NEW-P | 89-03-044 |
| 458-14-160 | NEW-P | 89-07-087 | 458-53-110 | AMD | 89-09-021 | 460-46A-092 | NEW | 89-07-042 |
| 458-16-115 | NEW-P | 89-05-052 | 458-53-150 | AMD-P | 89-05-053 | 460-46A-095 | AMD-P | 89-03-044 |
| 458-16-115 | NEW-W | 89-08-036 | 458-53-150 | AMD | 89-09-021 | 460-46A-095 | AMD | 89-07-042 |
| 458-16-115 | NEW-E | 89-08-037 | 458-53-163 | AMD-P | 89-05-053 | 460-46A-105 | AMD-P | 89-03-044 |
| 458-16-115 | NEW-P | 89-09-074 | 458-53-163 | AMD | 89-09-021 | 460-46A-105 | AMD | 89-07-042 |
| 458-16-115 | NEW | 89-12-013 | 458-61-230 | AMD-P | 89-20-076 | 460-46A-110 | AMD-P | 89-03-044 |
| 458-18-220 | AMD | 89-10-067 | 460-10A-160 | AMD-P | 89-13-066 | 460-46A-110 | AMD | 89-07-042 |
| 458-19-005 | NEW-P | 89-18-092 | 460-10A-160 | AMD-C | 89-17-074 | 460-46A-120 | REP-P | 89-03-044 |
| 458-19-005 | NEW-W | 89-18-024 | 460-10A-160 | AMD | 89-21-032 | 460-46A-120 | REP | 89-07-042 |
| 458-19-010 | NEW-W | 89-18-024 | 460-20A-008 | NEW-P | 89-13-066 | 460-46A-145 | AMD-P | 89-03-044 |
| 458-19-015 | NEW-W | 89-18-024 | 460-20A-008 | NEW | 89-17-079 | 460-46A-145 | AMD | 89-07-042 |
| 458-19-020 | NEW-W | 89-18-024 | 460-20A-220 | AMD-P | 89-13-067 | 460-46A-150 | AMD-P | 89-03-044 |
| 458-19-025 | NEW-W | 89-18-024 | 460-20A-220 | AMD-P | 89-13-068 | 460-46A-150 | AMD | 89-07-042 |
| 458-19-030 | NEW-W | 89-18-024 | 460-20A-220 | AMD | 89-17-077 | 460-46A-155 | AMD-P | 89-03-044 |
| 458-19-040 | NEW-W | 89-18-024 | 460-20A-230 | AMD-P | 89-13-068 | 460-46A-155 | AMD | 89-07-042 |
| 458-19-045 | NEW-P | 89-18-092 | 460-20A-230 | AMD | 89-17-077 | 468-06 | REVIEW | 89-06-038 |
| 458-19-045 | NEW-W | 89-18-024 | 460-20A-420 | AMD-P | 89-13-066 | 468-06-030 | AMD-P | 89-14-019 |
| 458-19-050 | NEW-P | 89-18-092 | 460-20A-420 | AMD | 89-17-079 | 468-06-030 | AMD | 89-17-047 |
| 458-19-055 | NEW-P | 89-18-092 | 460-20A-425 | AMD-P | 89-13-066 | 468-06-040 | AMD-P | 89-14-019 |
| 458-19-055 | NEW-W | 89-18-024 | 460-20A-425 | AMD | 89-17-079 | 468-06-040 | AMD | 89-17-047 |
| 458-19-060 | NEW-P | 89-18-092 | 460-24A-050 | AMD-P | 89-13-067 | 468-06-050 | AMD-P | 89-14-019 |
| 458-19-060 | NEW-W | 89-18-024 | 460-24A-050 | AMD | 89-17-077 | 468-06-050 | AMD | 89-17-047 |
| 458-19-065 | NEW-W | 89-18-024 | 460-33A-010 | AMD-P | 89-13-068 | 468-10 | REVIEW | 89-06-038 |
| 458-19-095 | NEW-P | 89-18-092 | 460-33A-010 | AMD | 89-17-078 | 468-12 | REVIEW | 89-06-038 |
| 458-19-095 | NEW-W | 89-18-024 | 460-33A-015 | AMD-P | 89-13-068 | 468-14 | REVIEW | 89-08-061 |
| 458-19-100 | NEW-P | 89-18-092 | 460-33A-015 | AMD | 89-17-078 | 468-16-010 | NEW-P | 89-07-034 |
| 458-19-100 | NEW-W | 89-18-024 | 460-33A-017 | AMD-P | 89-13-068 | 468-16-010 | NEW-W | 89-08-064 |
| 458-19-105 | NEW-P | 89-18-092 | 460-33A-017 | AMD | 89-17-078 | 468-16-010 | NEW-P | 89-16-086 |
| 458-19-110 | NEW-P | 89-18-092 | 460-33A-031 | AMD-P | 89-13-068 | 468-16-010 | NEW-W | 89-19-013 |
| 458-19-110 | NEW-W | 89-18-024 | 460-33A-031 | AMD | 89-17-078 | 468-16-020 | NEW-P | 89-07-034 |
| 458-20-105 | AMD-P | 89-13-043 | 460-33A-055 | AMD-P | 89-13-068 | 468-16-020 | NEW-W | 89-08-064 |
| 458-20-105 | AMD | 89-16-080 | 460-33A-055 | AMD | 89-17-078 | 468-16-020 | NEW-P | 89-16-086 |
| 458-20-127 | AMD-P | 89-17-063 | 460-33A-065 | AMD-P | 89-13-068 | 468-16-020 | NEW-W | 89-19-013 |
| 458-20-127 | AMD | 89-21-001 | 460-33A-065 | AMD | 89-17-078 | 468-16-030 | NEW-P | 89-07-034 |
| 458-20-193B | AMD-C | 89-02-052 | 460-33A-080 | AMD-P | 89-13-068 | 468-16-030 | NEW-W | 89-08-064 |
| 458-20-193B | AMD | 89-06-015 | 460-33A-080 | AMD | 89-17-078 | 468-16-030 | NEW-P | 89-16-086 |
| 458-20-221 | AMD-C | 89-02-052 | 460-33A-085 | AMD-P | 89-13-068 | 468-16-030 | NEW-W | 89-19-013 |
| 458-20-221 | AMD | 89-06-016 | 460-33A-085 | AMD | 89-17-078 | 468-16-040 | NEW-P | 89-07-034 |
| 458-20-250 | AMD-P | 89-13-087 | 460-33A-105 | AMD-P | 89-13-068 | 468-16-040 | NEW-W | 89-08-064 |
| 458-20-250 | AMD-E | 89-13-089 | 460-33A-105 | AMD | 89-17-078 | 468-16-040 | NEW-P | 89-16-086 |
| 458-20-250 | AMD | 89-16-090 | 460-42A-020 | REP-P | 89-13-069 | 468-16-040 | NEW-W | 89-19-013 |

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| 468-16-050 | NEW-W | 89-08-064 | 468-34-150 | AMD | 89-05-022 | 468-100-302 | NEW-P | 89-14-039 |
| 468-16-050 | NEW-P | 89-16-086 | 468-34-170 | AMD | 89-05-022 | 468-100-302 | NEW | 89-17-048 |
| 468-16-050 | NEW-W | 89-19-013 | 468-34-190 | AMD | 89-05-022 | 468-100-303 | NEW-P | 89-14-039 |
| 468-16-060 | NEW-P | 89-07-034 | 468-34-210 | AMD | 89-05-022 | 468-100-303 | NEW | 89-17-048 |
| 468-16-060 | NEW-W | 89-08-064 | 468-34-220 | AMD | 89-05-022 | 468-100-304 | NEW-P | 89-14-039 |
| 468-16-060 | NEW-P | 89-16-086 | 468-34-250 | AMD | 89-05-022 | 468-100-304 | NEW | 89-17-048 |
| 468-16-060 | NEW-W | 89-19-013 | 468-34-290 | AMD | 89-05-022 | 468-100-305 | NEW-P | 89-14-039 |
| 468-16-070 | NEW-P | 89-07-034 | 468-34-300 | AMD | 89-05-022 | 468-100-305 | NEW | 89-17-048 |
| 468-16-070 | NEW-W | 89-08-064 | 468-34-320 | AMD | 89-05-022 | 468-100-306 | NEW-P | 89-14-039 |
| 468-16-070 | NEW-P | 89-16-086 | 468-34-340 | AMD | 89-05-022 | 468-100-306 | NEW | 89-17-048 |
| 468-16-070 | NEW-W | 89-19-013 | 468-34-350 | NEW | 89-05-022 | 468-100-401 | NEW-P | 89-14-039 |
| 468-16-080 | NEW-P | 89-07-034 | 468-38 | REVIEW | 89-13-027 | 468-100-401 | NEW | 89-17-048 |
| 468-16-080 | NEW-W | 89-08-064 | 468-38-030 | AMD-P | 89-19-042 | 468-100-402 | NEW-P | 89-14-039 |
| 468-16-080 | NEW-P | 89-16-086 | 468-38-040 | AMD-P | 89-19-042 | 468-100-402 | NEW | 89-17-048 |
| 468-16-080 | NEW-W | 89-19-013 | 468-38-050 | AMD-P | 89-19-042 | 468-100-403 | NEW-P | 89-14-039 |
| 468-16-090 | NEW-P | 89-07-034 | 468-38-100 | AMD-P | 89-19-042 | 468-100-403 | NEW | 89-17-048 |
| 468-16-090 | NEW-W | 89-08-064 | 468-38-160 | AMD-P | 89-19-042 | 468-100-501 | NEW-P | 89-14-039 |
| 468-16-090 | NEW-P | 89-16-086 | 468-38-200 | AMD-P | 89-19-042 | 468-100-501 | NEW | 89-17-048 |
| 468-16-090 | NEW-W | 89-19-013 | 468-38-230 | AMD-P | 89-19-042 | 468-100-502 | NEW-P | 89-14-039 |
| 468-16-100 | NEW-P | 89-07-034 | 468-38-250 | AMD-P | 89-19-042 | 468-100-502 | NEW | 89-17-048 |
| 468-16-100 | NEW-W | 89-08-064 | 468-38-260 | AMD-P | 89-19-042 | 468-100-503 | NEW-P | 89-14-039 |
| 468-16-100 | NEW-P | 89-16-086 | 468-38-350 | AMD-P | 89-19-042 | 468-100-503 | NEW | 89-17-048 |
| 468-16-100 | NEW-W | 89-19-013 | 468-38-390 | AMD-P | 89-19-042 | 468-100-504 | NEW-P | 89-14-039 |
| 468-16-110 | NEW-P | 89-07-034 | 468-46 | REVIEW | 89-13-027 | 468-100-504 | NEW | 89-17-048 |
| 468-16-110 | NEW-W | 89-08-064 | 468-54 | REVIEW | 89-08-061 | 468-100-505 | NEW-P | 89-14-039 |
| 468-16-110 | NEW-P | 89-16-086 | 468-58 | REVIEW | 89-08-061 | 468-100-505 | NEW | 89-17-048 |
| 468-16-110 | NEW-W | 89-19-013 | 468-78 | REVIEW | 89-13-027 | 468-100-601 | NEW-P | 89-14-039 |
| 468-16-120 | NEW-P | 89-07-034 | 468-100-001 | NEW-P | 89-14-039 | 468-100-601 | NEW | 89-17-048 |
| 468-16-120 | NEW-W | 89-08-064 | 468-100-001 | NEW | 89-17-048 | 468-100-602 | NEW-P | 89-14-039 |
| 468-16-120 | NEW-P | 89-16-086 | 468-100-002 | NEW-P | 89-14-039 | 468-100-602 | NEW | 89-17-048 |
| 468-16-120 | NEW-W | 89-19-013 | 468-100-002 | NEW | 89-17-048 | 468-300 | REVIEW | 89-06-038 |
| 468-16-130 | NEW-P | 89-07-034 | 468-100-003 | NEW-P | 89-14-039 | 468-300-010 | AMD | 89-04-014 |
| 468-16-130 | NEW-W | 89-08-064 | 468-100-003 | NEW | 89-17-048 | 468-300-010 | AMD-P | 89-08-068 |
| 468-16-130 | NEW-P | 89-16-086 | 468-100-004 | NEW-P | 89-14-039 | 468-300-010 | AMD-C | 89-12-005 |
| 468-16-130 | NEW-W | 89-19-013 | 468-100-004 | NEW | 89-17-048 | 468-300-010 | AMD | 89-14-052 |
| 468-16-140 | NEW-P | 89-07-034 | 468-100-005 | NEW-P | 89-14-039 | 468-300-020 | AMD | 89-04-014 |
| 468-16-140 | NEW-W | 89-08-064 | 468-100-005 | NEW | 89-17-048 | 468-300-020 | AMD-P | 89-08-068 |
| 468-16-140 | NEW-P | 89-16-086 | 468-100-006 | NEW-P | 89-14-039 | 468-300-020 | AMD-C | 89-12-005 |
| 468-16-140 | NEW-W | 89-19-013 | 468-100-006 | NEW | 89-17-048 | 468-300-020 | AMD | 89-14-052 |
| 468-16-150 | NEW-P | 89-07-034 | 468-100-007 | NEW-P | 89-14-039 | 468-300-040 | AMD | 89-04-014 |
| 468-16-150 | NEW-W | 89-08-064 | 468-100-007 | NEW | 89-17-048 | 468-300-040 | AMD-P | 89-08-068 |
| 468-16-150 | NEW-P | 89-16-086 | 468-100-008 | NEW-P | 89-14-039 | 468-300-040 | AMD-C | 89-12-005 |
| 468-16-150 | NEW-W | 89-19-013 | 468-100-008 | NEW | 89-17-048 | 468-300-040 | AMD | 89-14-052 |
| 468-16-160 | NEW-P | 89-07-034 | 468-100-009 | NEW-P | 89-14-039 | 468-300-070 | AMD | 89-04-014 |
| 468-16-160 | NEW-W | 89-08-064 | 468-100-009 | NEW | 89-17-048 | 468-300-070 | AMD-P | 89-08-068 |
| 468-16-160 | NEW-P | 89-16-086 | 468-100-010 | NEW-P | 89-14-039 | 468-300-070 | AMD-C | 89-12-005 |
| 468-16-160 | NEW-W | 89-19-013 | 468-100-010 | NEW | 89-17-048 | 468-300-070 | AMD | 89-14-052 |
| 468-16-170 | NEW-P | 89-07-034 | 468-100-101 | NEW-P | 89-14-039 | 468-300-700 | AMD-P | 89-08-068 |
| 468-16-170 | NEW-W | 89-08-064 | 468-100-101 | NEW | 89-17-048 | 468-300-700 | AMD-C | 89-12-005 |
| 468-16-170 | NEW-P | 89-16-086 | 468-100-102 | NEW-P | 89-14-039 | 468-320-010 | NEW-P | 89-18-087 |
| 468-16-170 | NEW-W | 89-19-013 | 468-100-102 | NEW | 89-17-048 | 468-320-010 | NEW-E | 89-18-088 |
| 468-16-180 | NEW-P | 89-07-034 | 468-100-103 | NEW-P | 89-14-039 | 468-320-020 | NEW-P | 89-18-087 |
| 468-16-180 | NEW-W | 89-08-064 | 468-100-103 | NEW | 89-17-048 | 468-320-020 | NEW-E | 89-18-088 |
| 468-16-180 | NEW-P | 89-16-086 | 468-100-104 | NEW-P | 89-14-039 | 468-320-030 | NEW-P | 89-18-087 |
| 468-16-180 | NEW-W | 89-19-013 | 468-100-104 | NEW | 89-17-048 | 468-320-030 | NEW-E | 89-18-088 |
| 468-16-190 | NEW-P | 89-07-034 | 468-100-105 | NEW-P | 89-14-039 | 468-320-040 | NEW-P | 89-18-087 |
| 468-16-190 | NEW-W | 89-08-064 | 468-100-105 | NEW | 89-17-048 | 468-320-040 | NEW-E | 89-18-088 |
| 468-16-190 | NEW-P | 89-16-086 | 468-100-106 | NEW-P | 89-14-039 | 468-320-050 | NEW-P | 89-18-087 |
| 468-16-190 | NEW-W | 89-19-013 | 468-100-106 | NEW | 89-17-048 | 468-320-050 | NEW-E | 89-18-088 |
| 468-16-200 | NEW-P | 89-07-034 | 468-100-201 | NEW-P | 89-14-039 | 468-320-060 | NEW-P | 89-18-087 |
| 468-16-200 | NEW-W | 89-08-064 | 468-100-201 | NEW | 89-17-048 | 468-320-060 | NEW-E | 89-18-088 |
| 468-16-200 | NEW-P | 89-16-086 | 468-100-202 | NEW-P | 89-14-039 | 468-320-070 | NEW-P | 89-18-087 |
| 468-16-200 | NEW-W | 89-19-013 | 468-100-202 | NEW | 89-17-048 | 468-320-070 | NEW-E | 89-18-088 |
| 468-16-210 | NEW-P | 89-07-034 | 468-100-203 | NEW-P | 89-14-039 | 468-320-080 | NEW-P | 89-18-087 |
| 468-16-210 | NEW-W | 89-08-064 | 468-100-203 | NEW | 89-17-048 | 468-320-080 | NEW-E | 89-18-088 |
| 468-16-210 | NEW-P | 89-16-086 | 468-100-204 | NEW-P | 89-14-039 | 468-320-090 | NEW-P | 89-18-087 |
| 468-16-210 | NEW-W | 89-19-013 | 468-100-204 | NEW | 89-17-048 | 468-320-090 | NEW-E | 89-18-088 |
| 468-18 | REVIEW | 89-06-038 | 468-100-205 | NEW-P | 89-14-039 | 468-320-100 | NEW-P | 89-18-087 |
| 468-30 | REVIEW | 89-08-061 | 468-100-205 | NEW | 89-17-048 | 468-320-100 | NEW-E | 89-18-088 |
| 468-34 | REVIEW | 89-08-061 | 468-100-206 | NEW-P | 89-14-039 | 478-116-020 | AMD-P | 89-09-043 |
| 468-34-020 | AMD | 89-05-022 | 468-100-206 | NEW | 89-17-048 | 478-116-020 | AMD | 89-15-023 |
| 468-34-060 | AMD | 89-05-022 | 468-100-207 | NEW-P | 89-14-039 | 478-116-030 | AMD-P | 89-09-043 |
| 468-34-100 | AMD | 89-05-022 | 468-100-207 | NEW | 89-17-048 | 478-116-030 | AMD | 89-15-023 |
| 468-34-110 | AMD | 89-05-022 | 468-100-208 | NEW-P | 89-14-039 | 478-116-055 | AMD-P | 89-09-043 |
| 468-34-120 | AMD | 89-05-022 | 468-100-208 | NEW | 89-17-048 | 478-116-055 | AMD | 89-15-023 |
| 468-34-130 | AMD | 89-05-022 | 468-100-301 | NEW-P | 89-14-039 | 478-116-060 | AMD-P | 89-09-043 |

Table of WAC Sections Affected

| WAC # | | WSR # | WAC # | | WSR # | WAC # | | WSR # |
|-------------|-------|-----------|-------------|-------|-----------|------------|-------|-----------|
| 478-116-060 | AMD | 89-15-023 | 479-112-017 | NEW-E | 89-10-054 | 480-08-055 | REP-C | 89-17-049 |
| 478-116-095 | AMD-P | 89-09-043 | 479-112-017 | NEW | 89-14-005 | 480-08-055 | REP-E | 89-17-050 |
| 478-116-095 | AMD | 89-15-023 | 479-112-018 | NEW-P | 89-10-053 | 480-08-055 | REP | 89-21-036 |
| 478-116-100 | AMD-P | 89-09-043 | 479-112-018 | NEW-E | 89-10-054 | 480-08-060 | REP-C | 89-17-049 |
| 478-116-100 | AMD | 89-15-023 | 479-112-018 | NEW | 89-14-005 | 480-08-060 | REP-E | 89-17-050 |
| 478-116-110 | AMD-P | 89-09-043 | 479-112-020 | NEW-P | 89-10-053 | 480-08-060 | REP | 89-21-036 |
| 478-116-110 | AMD | 89-15-023 | 479-112-020 | NEW-E | 89-10-054 | 480-08-070 | REP-C | 89-17-049 |
| 478-116-210 | AMD-P | 89-09-043 | 479-112-020 | NEW | 89-14-005 | 480-08-070 | REP-E | 89-17-050 |
| 478-116-210 | AMD | 89-15-023 | 479-113-010 | NEW-P | 89-10-053 | 480-08-070 | REP | 89-21-036 |
| 478-116-240 | AMD-P | 89-09-043 | 479-113-010 | NEW-E | 89-10-054 | 480-08-080 | REP-C | 89-17-049 |
| 478-116-240 | AMD | 89-15-023 | 479-113-010 | NEW | 89-14-005 | 480-08-080 | REP-E | 89-17-050 |
| 478-116-250 | AMD-P | 89-09-043 | 479-113-011 | NEW-P | 89-10-053 | 480-08-080 | REP | 89-21-036 |
| 478-116-250 | AMD | 89-15-023 | 479-113-011 | NEW-E | 89-10-054 | 480-08-090 | REP-C | 89-17-049 |
| 478-116-250 | AMD-P | 89-20-041 | 479-113-011 | NEW | 89-14-005 | 480-08-090 | REP-E | 89-17-050 |
| 478-116-260 | AMD-P | 89-20-041 | 479-113-029 | NEW-P | 89-10-053 | 480-08-090 | REP | 89-21-036 |
| 478-116-270 | AMD-P | 89-09-043 | 479-113-029 | NEW-E | 89-10-054 | 480-08-100 | REP-C | 89-17-049 |
| 478-116-270 | AMD | 89-15-023 | 479-113-029 | NEW | 89-14-005 | 480-08-100 | REP-E | 89-17-050 |
| 478-116-280 | AMD-P | 89-09-043 | 479-113-031 | NEW-P | 89-10-053 | 480-08-100 | REP | 89-21-036 |
| 478-116-280 | AMD | 89-15-023 | 479-113-031 | NEW-E | 89-10-054 | 480-08-110 | REP-C | 89-17-049 |
| 478-116-340 | AMD-P | 89-09-043 | 479-113-031 | NEW | 89-14-005 | 480-08-110 | REP-E | 89-17-050 |
| 478-116-340 | AMD | 89-15-023 | 479-113-032 | NEW-P | 89-10-053 | 480-08-110 | REP | 89-21-036 |
| 478-116-345 | NEW-P | 89-09-043 | 479-113-032 | NEW-E | 89-10-054 | 480-08-120 | REP-C | 89-17-049 |
| 478-116-345 | NEW | 89-15-023 | 479-113-032 | NEW | 89-14-005 | 480-08-120 | REP-E | 89-17-050 |
| 478-116-360 | AMD-P | 89-09-043 | 479-113-035 | NEW-P | 89-10-053 | 480-08-120 | REP | 89-21-036 |
| 478-116-360 | AMD | 89-15-023 | 479-113-035 | NEW-E | 89-10-054 | 480-08-130 | REP-C | 89-17-049 |
| 478-116-380 | AMD-P | 89-09-043 | 479-113-035 | NEW | 89-14-005 | 480-08-130 | REP-E | 89-17-050 |
| 478-116-380 | AMD | 89-15-023 | 479-116-015 | NEW-P | 89-10-053 | 480-08-130 | REP | 89-21-036 |
| 478-116-430 | AMD-P | 89-09-043 | 479-116-015 | NEW-E | 89-10-054 | 480-08-140 | REP-C | 89-17-049 |
| 478-116-430 | AMD | 89-15-023 | 479-116-015 | NEW | 89-14-005 | 480-08-140 | REP-E | 89-17-050 |
| 478-116-440 | AMD-P | 89-09-043 | 479-116-016 | NEW-P | 89-10-053 | 480-08-140 | REP | 89-21-036 |
| 478-116-440 | AMD | 89-15-023 | 479-116-016 | NEW-E | 89-10-054 | 480-08-150 | REP-C | 89-17-049 |
| 478-116-455 | NEW-P | 89-09-043 | 479-116-016 | NEW | 89-14-005 | 480-08-150 | REP-E | 89-17-050 |
| 478-116-456 | NEW-P | 89-09-043 | 479-116-020 | NEW-P | 89-10-053 | 480-08-150 | REP | 89-21-036 |
| 478-116-462 | NEW-P | 89-09-043 | 479-116-020 | NEW-E | 89-10-054 | 480-08-160 | REP-C | 89-17-049 |
| 478-116-463 | NEW-P | 89-09-043 | 479-116-020 | NEW | 89-14-005 | 480-08-160 | REP-E | 89-17-050 |
| 478-116-465 | NEW-P | 89-09-043 | 479-116-030 | NEW-P | 89-10-053 | 480-08-160 | REP | 89-21-036 |
| 478-116-466 | NEW-P | 89-09-043 | 479-116-030 | NEW-E | 89-10-054 | 480-08-170 | REP-C | 89-17-049 |
| 478-116-467 | NEW-P | 89-09-043 | 479-116-030 | NEW | 89-14-005 | 480-08-170 | REP-E | 89-17-050 |
| 478-116-470 | AMD-P | 89-09-043 | 479-116-035 | NEW-P | 89-10-053 | 480-08-170 | REP | 89-21-036 |
| 478-116-490 | AMD-P | 89-09-043 | 479-116-035 | NEW-E | 89-10-054 | 480-08-180 | REP-C | 89-17-049 |
| 478-116-490 | AMD | 89-15-023 | 479-116-040 | NEW-P | 89-10-053 | 480-08-180 | REP-E | 89-17-050 |
| 478-116-500 | AMD-P | 89-09-043 | 479-116-040 | NEW-E | 89-10-054 | 480-08-180 | REP | 89-21-036 |
| 478-116-500 | AMD | 89-15-023 | 479-116-040 | NEW | 89-14-005 | 480-08-190 | REP-C | 89-17-049 |
| 478-116-510 | AMD-P | 89-09-043 | 479-116-045 | NEW-P | 89-10-053 | 480-08-190 | REP-E | 89-17-050 |
| 478-116-510 | AMD | 89-15-023 | 479-116-045 | NEW-E | 89-10-054 | 480-08-190 | REP | 89-21-036 |
| 478-116-512 | NEW-P | 89-09-043 | 479-116-045 | NEW | 89-14-005 | 480-08-200 | REP-C | 89-17-049 |
| 478-116-515 | NEW-P | 89-09-043 | 479-116-050 | NEW-P | 89-10-053 | 480-08-200 | REP-E | 89-17-050 |
| 478-116-520 | AMD-P | 89-09-043 | 479-116-050 | NEW-E | 89-10-054 | 480-08-200 | REP | 89-21-036 |
| 478-116-520 | AMD | 89-15-023 | 479-116-050 | NEW | 89-14-005 | 480-08-208 | NEW-E | 89-08-004 |
| 478-116-525 | NEW-P | 89-09-043 | 479-116-060 | NEW-P | 89-10-053 | 480-08-208 | NEW-P | 89-08-109 |
| 478-116-550 | AMD-P | 89-09-043 | 479-116-060 | NEW-E | 89-10-054 | 480-08-208 | REP-E | 89-11-006 |
| 478-116-550 | AMD | 89-15-023 | 479-116-060 | NEW | 89-14-005 | 480-08-208 | NEW-C | 89-11-085 |
| 478-116-586 | AMD-P | 89-09-043 | 479-120-020 | NEW-P | 89-10-053 | 480-08-208 | NEW-P | 89-13-028 |
| 478-116-586 | AMD | 89-15-023 | 479-120-020 | NEW-E | 89-10-054 | 480-08-208 | NEW-P | 89-15-041 |
| 478-116-600 | AMD-P | 89-09-043 | 479-120-020 | NEW | 89-14-005 | 480-08-210 | REP-C | 89-17-049 |
| 478-116-600 | AMD | 89-15-023 | 479-120-033 | NEW-P | 89-10-053 | 480-08-210 | REP-E | 89-17-050 |
| 478-116-600 | AMD-P | 89-20-041 | 479-120-033 | NEW-E | 89-10-054 | 480-08-210 | REP | 89-21-036 |
| 478-138-030 | AMD-P | 89-20-042 | 479-120-033 | NEW | 89-14-005 | 480-08-220 | REP-C | 89-17-049 |
| 478-138-040 | AMD-P | 89-20-042 | 480-08-010 | REP-C | 89-17-049 | 480-08-220 | REP-E | 89-17-050 |
| 478-138-050 | AMD-P | 89-20-042 | 480-08-010 | REP-E | 89-17-050 | 480-08-220 | REP | 89-21-036 |
| 479-112-005 | NEW-P | 89-10-053 | 480-08-010 | REP | 89-21-036 | 480-08-230 | REP-C | 89-17-049 |
| 479-112-005 | NEW-E | 89-10-054 | 480-08-015 | REP-C | 89-17-049 | 480-08-230 | REP-E | 89-17-050 |
| 479-112-005 | NEW | 89-14-005 | 480-08-015 | REP-E | 89-17-050 | 480-08-230 | REP | 89-21-036 |
| 479-112-007 | NEW-P | 89-10-053 | 480-08-015 | REP | 89-21-036 | 480-08-240 | REP-C | 89-17-049 |
| 479-112-007 | NEW-E | 89-10-054 | 480-08-020 | REP-C | 89-17-049 | 480-08-240 | REP-E | 89-17-050 |
| 479-112-007 | NEW | 89-14-005 | 480-08-020 | REP-E | 89-17-050 | 480-08-240 | REP | 89-21-036 |
| 479-112-008 | NEW-P | 89-10-053 | 480-08-020 | REP | 89-21-036 | 480-08-250 | REP-C | 89-17-049 |
| 479-112-008 | NEW-E | 89-10-054 | 480-08-030 | REP-C | 89-17-049 | 480-08-250 | REP-E | 89-17-050 |
| 479-112-008 | NEW | 89-14-005 | 480-08-030 | REP-E | 89-17-050 | 480-08-250 | REP | 89-21-036 |
| 479-112-009 | NEW-P | 89-10-053 | 480-08-030 | REP | 89-21-036 | 480-08-260 | REP-C | 89-17-049 |
| 479-112-009 | NEW-E | 89-10-054 | 480-08-040 | REP-C | 89-17-049 | 480-08-260 | REP-E | 89-17-050 |
| 479-112-009 | NEW | 89-14-005 | 480-08-040 | REP-E | 89-17-050 | 480-08-260 | REP | 89-21-036 |
| 479-112-010 | NEW-P | 89-10-053 | 480-08-040 | REP | 89-21-036 | 480-08-270 | REP-C | 89-17-049 |
| 479-112-010 | NEW-E | 89-10-054 | 480-08-050 | REP-C | 89-17-049 | 480-08-270 | REP-E | 89-17-050 |
| 479-112-010 | NEW | 89-14-005 | 480-08-050 | REP-E | 89-17-050 | 480-08-270 | REP | 89-21-036 |
| 479-112-017 | NEW-P | 89-10-053 | 480-08-050 | REP | 89-21-036 | 480-08-280 | REP-C | 89-17-049 |
| | | | | | | 480-08-280 | REP-E | 89-17-050 |

Table of WAC Sections Affected

| WAC # | | WSR # | WAC # | | WSR # | WAC # | | WSR # |
|------------|-------|-----------|------------|-------|-----------|------------|-------|-----------|
| 480-08-280 | REP | 89-21-036 | 480-09-320 | NEW-E | 89-17-050 | 480-09-620 | NEW | 89-21-036 |
| 480-08-290 | REP-C | 89-17-049 | 480-09-320 | NEW | 89-21-036 | 480-09-700 | NEW-P | 89-13-090 |
| 480-08-290 | REP-E | 89-17-050 | 480-09-330 | NEW-P | 89-13-090 | 480-09-700 | NEW-C | 89-17-049 |
| 480-08-290 | REP | 89-21-036 | 480-09-330 | NEW-C | 89-17-049 | 480-09-700 | NEW-E | 89-17-050 |
| 480-08-300 | REP-C | 89-17-049 | 480-09-330 | NEW-E | 89-17-050 | 480-09-700 | NEW | 89-21-036 |
| 480-08-300 | REP-E | 89-17-050 | 480-09-330 | NEW | 89-21-036 | 480-09-705 | NEW-P | 89-13-090 |
| 480-08-300 | REP | 89-21-036 | 480-09-340 | NEW-P | 89-13-090 | 480-09-705 | NEW-C | 89-17-049 |
| 480-08-310 | REP-C | 89-17-049 | 480-09-340 | NEW-C | 89-17-049 | 480-09-705 | NEW-E | 89-17-050 |
| 480-08-310 | REP-E | 89-17-050 | 480-09-340 | NEW-E | 89-17-050 | 480-09-705 | NEW | 89-21-036 |
| 480-08-310 | REP | 89-21-036 | 480-09-340 | NEW | 89-21-036 | 480-09-710 | NEW-P | 89-13-090 |
| 480-08-320 | REP-C | 89-17-049 | 480-09-400 | NEW-P | 89-13-090 | 480-09-710 | NEW-C | 89-17-049 |
| 480-08-320 | REP-E | 89-17-050 | 480-09-400 | NEW-C | 89-17-049 | 480-09-710 | NEW-E | 89-17-050 |
| 480-08-320 | REP | 89-21-036 | 480-09-400 | NEW-E | 89-17-050 | 480-09-710 | NEW | 89-21-036 |
| 480-08-330 | REP-C | 89-17-049 | 480-09-400 | NEW | 89-21-036 | 480-09-720 | NEW-P | 89-13-090 |
| 480-08-330 | REP-E | 89-17-050 | 480-09-410 | NEW-P | 89-13-090 | 480-09-720 | NEW-C | 89-17-049 |
| 480-08-330 | REP | 89-21-036 | 480-09-410 | NEW-C | 89-17-049 | 480-09-720 | NEW-E | 89-17-050 |
| 480-09 | NEW-C | 89-16-048 | 480-09-410 | NEW-E | 89-17-050 | 480-09-720 | NEW | 89-21-036 |
| 480-09 | NEW-C | 89-17-049 | 480-09-410 | NEW | 89-21-036 | 480-09-730 | NEW-P | 89-13-090 |
| 480-09 | NEW-E | 89-17-050 | 480-09-420 | NEW-P | 89-13-090 | 480-09-730 | NEW-C | 89-17-049 |
| 480-09 | NEW | 89-21-036 | 480-09-420 | NEW-C | 89-17-049 | 480-09-730 | NEW-E | 89-17-050 |
| 480-09-010 | NEW-P | 89-13-090 | 480-09-420 | NEW-E | 89-17-050 | 480-09-730 | NEW | 89-21-036 |
| 480-09-010 | NEW-C | 89-17-049 | 480-09-420 | NEW | 89-21-036 | 480-09-735 | NEW-P | 89-13-090 |
| 480-09-010 | NEW-E | 89-17-050 | 480-09-425 | NEW-P | 89-13-090 | 480-09-735 | NEW-C | 89-17-049 |
| 480-09-010 | NEW | 89-21-036 | 480-09-425 | NEW-C | 89-17-049 | 480-09-735 | NEW-E | 89-17-050 |
| 480-09-015 | NEW-P | 89-17-049 | 480-09-425 | NEW-E | 89-17-050 | 480-09-735 | NEW | 89-21-036 |
| 480-09-015 | NEW-E | 89-17-050 | 480-09-425 | NEW | 89-21-036 | 480-09-736 | NEW-P | 89-13-090 |
| 480-09-015 | NEW | 89-21-036 | 480-09-430 | NEW-P | 89-13-090 | 480-09-736 | NEW-C | 89-17-049 |
| 480-09-100 | NEW-P | 89-13-090 | 480-09-430 | NEW-C | 89-17-049 | 480-09-736 | NEW-E | 89-17-050 |
| 480-09-100 | NEW-C | 89-17-049 | 480-09-430 | NEW-E | 89-17-050 | 480-09-736 | NEW | 89-21-036 |
| 480-09-100 | NEW-E | 89-17-050 | 480-09-430 | NEW | 89-21-036 | 480-09-740 | NEW-P | 89-13-090 |
| 480-09-100 | NEW | 89-21-036 | 480-09-440 | NEW-P | 89-13-090 | 480-09-740 | NEW-C | 89-17-049 |
| 480-09-110 | NEW-P | 89-13-090 | 480-09-440 | NEW-C | 89-17-049 | 480-09-740 | NEW-E | 89-17-050 |
| 480-09-110 | NEW-C | 89-17-049 | 480-09-440 | NEW-E | 89-17-050 | 480-09-740 | NEW | 89-21-036 |
| 480-09-110 | NEW-E | 89-17-050 | 480-09-440 | NEW | 89-21-036 | 480-09-745 | NEW-P | 89-13-090 |
| 480-09-110 | NEW | 89-21-036 | 480-09-450 | NEW-P | 89-13-090 | 480-09-745 | NEW-C | 89-17-049 |
| 480-09-120 | NEW-P | 89-13-090 | 480-09-450 | NEW-C | 89-17-049 | 480-09-745 | NEW-E | 89-17-050 |
| 480-09-120 | NEW-C | 89-17-049 | 480-09-450 | NEW-E | 89-17-050 | 480-09-745 | NEW | 89-21-036 |
| 480-09-120 | NEW-E | 89-17-050 | 480-09-450 | NEW | 89-21-036 | 480-09-750 | NEW-P | 89-13-090 |
| 480-09-120 | NEW | 89-21-036 | 480-09-460 | NEW-P | 89-13-090 | 480-09-750 | NEW-C | 89-17-049 |
| 480-09-130 | NEW-P | 89-13-090 | 480-09-460 | NEW-C | 89-17-049 | 480-09-750 | NEW-E | 89-17-050 |
| 480-09-130 | NEW-C | 89-17-049 | 480-09-460 | NEW-E | 89-17-050 | 480-09-750 | NEW | 89-21-036 |
| 480-09-130 | NEW-E | 89-17-050 | 480-09-460 | NEW | 89-21-036 | 480-09-760 | NEW-P | 89-13-090 |
| 480-09-130 | NEW | 89-21-036 | 480-09-465 | NEW-P | 89-13-090 | 480-09-760 | NEW-C | 89-17-049 |
| 480-09-135 | NEW-P | 89-17-049 | 480-09-465 | NEW-C | 89-17-049 | 480-09-760 | NEW-E | 89-17-050 |
| 480-09-135 | NEW-E | 89-17-050 | 480-09-465 | NEW-E | 89-17-050 | 480-09-760 | NEW | 89-21-036 |
| 480-09-135 | NEW | 89-21-036 | 480-09-465 | NEW | 89-21-036 | 480-09-770 | NEW-P | 89-13-090 |
| 480-09-140 | NEW-P | 89-13-090 | 480-09-470 | NEW-P | 89-13-090 | 480-09-770 | NEW-C | 89-17-049 |
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| 480-35-110 | NEW-P | 89-20-049 | 480-105-020 | REP-P | 89-12-068 | 480-107-110 | NEW | 89-15-043 |
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