

Washington State Register

JANUARY 3, 1996

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This issue contains documents officially
filed not later than December 20, 1995

CITATION

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

PUBLIC INSPECTION OF DOCUMENTS

A copy of each document filed with the code reviser's office, pursuant to chapter 34.05 RCW, is available for public inspection during normal office hours. The code reviser's office is located on the ground floor of the Legislative Building in Olympia. Office hours are from 8 a.m. to 5 p.m., Monday through Friday, except legal holidays. Telephone inquiries concerning material in the Register or the Washington Administrative Code (WAC) may be made by calling (206) 753-7470 (SCAN 234-7470).

REPUBLICATION OF OFFICIAL DOCUMENTS

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CERTIFICATE

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

DENNIS W. COOPER
Code Reviser

STATE MAXIMUM INTEREST RATE

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

The maximum allowable interest rate applicable for the month of January 1996 pursuant to RCW 19.52.020 is twelve point zero percent (12.00%).

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

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

Mary F. Gallagher Dilley
Chair, Statute Law Committee

Dennis W. Cooper
Code Reviser

Gary Reid
Chief Assistant Code Reviser

Kerry S. Radcliff
Editor

Joyce Matzen
Subscription Clerk

STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

1. ARRANGEMENT OF THE REGISTER

The Register is arranged in the following six sections:

- (a) **PREPROPOSAL**-includes the Preproposal Statement of Inquiry that will be used to solicit public comments on a general area of proposed rule making before the agency files a formal notice.
- (b) **PROPOSED**-includes the full text of formal proposals, continuances, supplemental notices, and withdrawals.
- (c) **PERMANENT**-includes the full text of permanently adopted rules.
- (d) **EMERGENCY**-includes the full text of emergency rules and rescissions.
- (e) **MISCELLANEOUS**-includes notice of public meetings of state agencies, rules coordinator notifications, summaries of attorney general opinions, executive orders and emergency declarations of the governor, rules of the state Supreme Court, and other miscellaneous documents filed with the code reviser's office under RCW 34.08.020 and 42.30.075.
- (f) **TABLE**-includes a cumulative table of the WAC sections that are affected in the current year.
- (g) **INDEX**-includes a combined subject matter and agency index.

Documents are arranged within each section of the Register according to the order in which they are filed in the code reviser's office during the pertinent filing period. The three part number in the heading distinctively identifies each document, and the last part of the number indicates the filing sequence with a section's material.

2. PRINTING STYLE—INDICATION OF NEW OR DELETED MATERIAL

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

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

3. MISCELLANEOUS MATERIAL NOT FILED UNDER THE ADMINISTRATIVE PROCEDURE ACT

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

4. EFFECTIVE DATE OF RULES

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

5. EDITORIAL CORRECTIONS

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

1995 - 1996
DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

Issue No.	Closing Dates ¹			Distribution Date	First Agency Hearing Date ³
	Non-OTS & 30 p. or more	Non-OTS & 11 to 29 p.	OTS ² or 10 p. max. Non-OTS		
<i>For Inclusion in--</i>	<i>File no later than 12:00 NOON--</i>			<i>Count 20 days from--</i>	<i>For hearing on or after</i>
95-16	Jul 5	Jul 19	Aug 2	Aug 16	Sep 5
95-17	Jul 26	Aug 9	Aug 23	Sep 6	Sep 26
95-18	Aug 9	Aug 23	Sep 6	Sep 20	Oct 10
95-19	Aug 23	Sep 6	Sep 20	Oct 4	Oct 24
95-20	Sep 6	Sep 20	Oct 4	Oct 18	Nov 7
95-21	Sep 20	Oct 4	Oct 18	Nov 1	Nov 21
95-22	Oct 4	Oct 18	Nov 1	Nov 15	Dec 5
95-23	Oct 25	Nov 8	Nov 22	Dec 6	Dec 26
95-24	Nov 8	Nov 22	Dec 6	Dec 20	Jan 9, 1996
96-01	Nov 22	Dec 6	Dec 20, 1995	Jan 3, 1996	Jan 23
96-02	Dec 6	Dec 20, 1995	Jan 3, 1996	Jan 17	Feb 6
96-03	Dec 27, 1995	Jan 10, 1996	Jan 24	Feb 7	Feb 27
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96-11	Apr 24	May 8	May 22	Jun 5	Jun 25
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96-23	Oct 23	Nov 6	Nov 20	Dec 4	Dec 24
96-24	Nov 6	Nov 20	Dec 4	Dec 18	Jan 7, 1997

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

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.

REGULATORY FAIRNESS ACT

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

Small Business Economic Impact Statements (SBEIS)

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

Mitigation

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

When is an SBEIS Required?

When:

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

When is an SBEIS Not Required?

When:

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

There is less than minor economic impact on business;

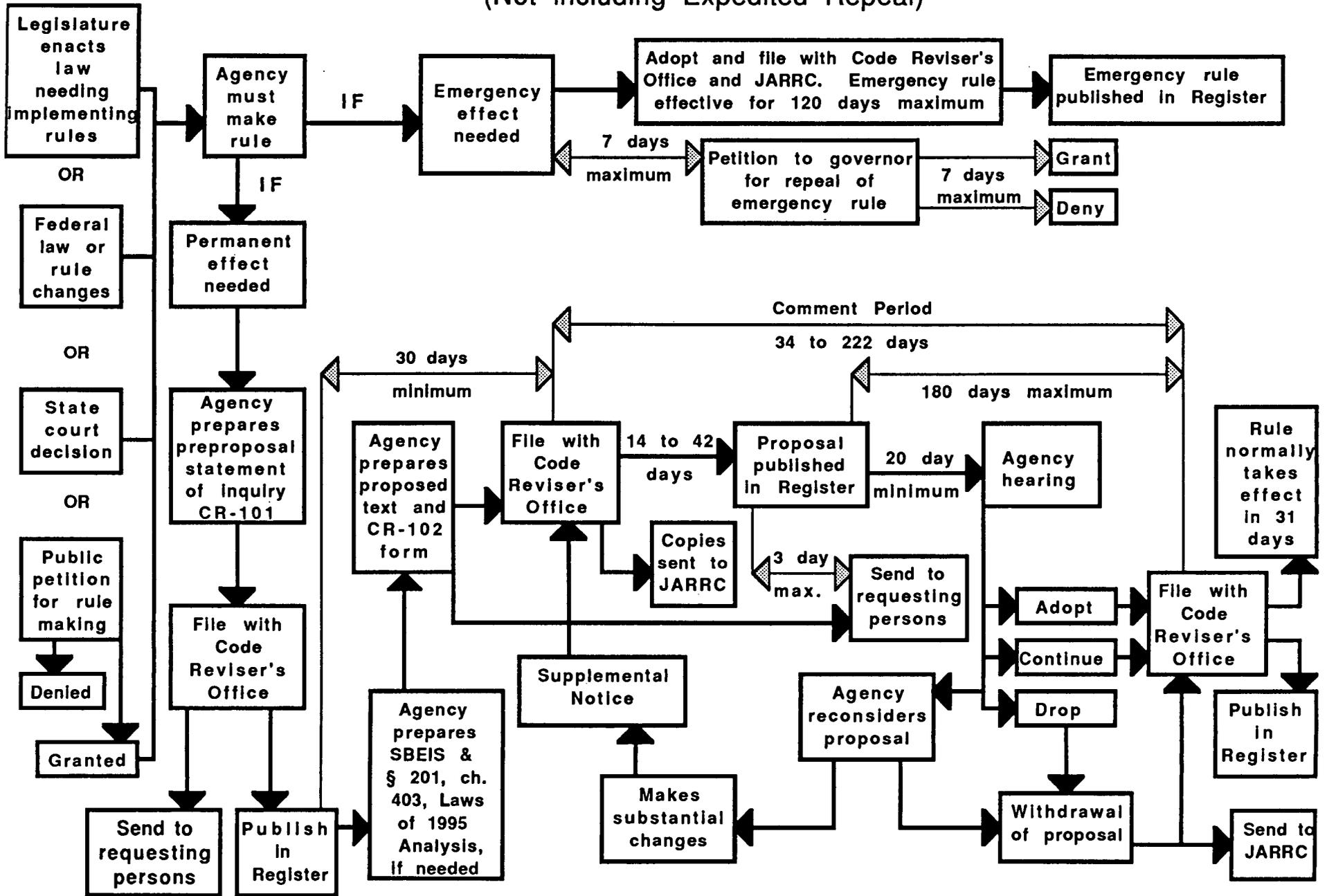
The rule REDUCES costs to business (although an SBEIS may be a useful tool for demonstrating this reduced impact);

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

The rule is pure restatement of state statute.

RULE-MAKING PROCESS

(Not including Expedited Repeal)



WSR 96-01-010
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

(Public Assistance)

[Filed December 6, 1995, 4:46 p.m.]

Subject of Possible Rule Making: WAC 388-507-0710 AFDC-related medical income standards, 388-513-1350 Institutional—Available resources, and 388-513-1380 Institutional—Participation.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 36.25, 36.40, 36.45 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Changes made to the medical income and resource standards, effective January 1, 1996.

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

Process for Developing New Rule: Internal and external review process. Draft is distributed for review and comment. All comments are considered before a final is issued.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Joanie Scotson, Program Manager, P.O. Box 45530, Olympia, WA 98504-5530, phone (360) 753-7462, FAX (360) 753-7315, TDD 1-800-848-5429.

December 6, 1995

Sydney Doré
 for Jeanette Sevedge-App
 Acting Chief
 Office of Vendor Services

WSR 96-01-018
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

(Public Assistance)

[Filed December 8, 1995, 1:30 p.m.]

Subject of Possible Rule Making: WAC 388-245-2020 Monthly reporting—Definitions.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Amendment will clarify the intent of the federal statute which requires that AFDC applicants with recent employment history, not earnings history, must complete monthly reports for two months following the month of opening.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other agency regulates this subject.

Process for Developing New Rule: Agency study, internal (management) and external (field staff) review process whereby draft material is distributed for review and comment. All comments are taken into consideration before the final rule is issued.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Rena Milare, Program Manager,

AFDC/Refugee Assistance Section, Division of Income Assistance, P.O. Box 45400, Olympia, WA 98504-5400, phone (360) 438-8311, FAX (360) 438-8258.

December 8, 1995

Sydney Doré
 for Jeanette Sevedge-App
 Acting Chief
 Office of Vendor Services

WSR 96-01-061
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (General Provisions)

[Filed December 15, 1995, 2:00 p.m.]

Subject of Possible Rule Making: Behavior management and temporary protective holding of chemical dependency treatment patients, especially youth, who present a danger to themselves or others. WAC 440-22-005, 440-22-405, 440-22-406, and 440-22-408.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.96A.090(1): "The department shall adopt rules establishing standards for approved treatment programs...The standard may concern the health standards to be met and standards of services and treatment to be offered patients." Becca Bill legislation was adopted in 1995 to protect runaway youth from victimization. This was converted to language in RCW 70.96A.095 (e)(2) saying, in part: "The consent of the minor child shall not be required for the application or admission" to chemical dependency treatment.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Child Welfare Planning Team of the Department of Social and Health Services instructed the Division of Alcohol and Substance Abuse to develop rules to meet the intent of the Becca Bill, i.e., protect civil rights of youth while preventing harm to runaway youth. Temporary protective holding would slow down the runaway process and allow for intervention with measures to prevent running away.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Becca Bill specifically requires secure crisis residential care facilities to be managed by the Division of Children and Family Services, Department of Social and Health Services.

Process for Developing New Rule: Negotiated rule making; and agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. To participate and review further information on this subject, please contact Fran Moellman, WAC Coordinator, Division of Alcohol and Substance Abuse, P.O. Box 45330, Olympia, WA 98504-5330, phone (360) 438-8054, FAX (360) 438-8057.

December 15, 1995

Jeanette Sevedge-App
 Acting Chief
 Office of Vendor Services

WSR 96-01-068
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Public Assistance)

[Filed December 15, 1995, 4:42 p.m.]

Subject of Possible Rule Making: WAC 388-49-486
 Income—Nonhousehold members.

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

Reasons Why Rules on this Subject may be Needed and
 What They Might Accomplish: To change WAC 388-49-
 485(4) so that proportionate share of the standard utility
 allowance is possible.

Other Federal and State Agencies that Regulate this
 Subject and the Process Coordinating the Rule with These
 Agencies: No other agency regulates this subject.

Process for Developing New Rule: Agency study,
 internal (management) and external (field staff) review
 process whereby draft material is distributed for review and
 comment. All comments are taken into consideration before
 the final rule is issued.

Interested parties can participate in the decision to adopt
 the new rule and formulation of the proposed rule before
 publication by contacting Charles Henderson, Program
 Manager, Food Stamp Program Section, Division of Income
 Assistance, P.O. Box 45400, Olympia, WA 98504-5400,
 phone (360) 438-8325, FAX (360) 438-8258.

December 15, 1995
 Jeanette Sevedge-App
 Acting Chief
 Office of Vendor Services

WSR 96-01-069
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Public Assistance)

[Filed December 15, 1995, 4:43 p.m.]

Subject of Possible Rule Making: WAC 388-49-520
 Prospective income budgeting.

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

Reasons Why Rules on this Subject may be Needed and
 What They Might Accomplish: To delete unnecessary
 language at WAC 388-49-520 (3)(a). This will remove
 "except SSI" from the above citation.

Other Federal and State Agencies that Regulate this
 Subject and the Process Coordinating the Rule with These
 Agencies: No other agency regulates this subject.

Process for Developing New Rule: Agency study,
 internal (management) and external (field staff) review
 process whereby draft material is distributed for review and
 comment. All comments are taken into consideration before
 the final rule is issued.

Interested parties can participate in the decision to adopt
 the new rule and formulation of the proposed rule before
 publication by contacting Charles Henderson, Program
 Manager, Food Stamp Program Section, Division of Income

Assistance, P.O. Box 45400, Olympia, WA 98504-5400,
 phone (360) 438-8325, FAX (360) 438-8258.

December 15, 1995
 Jeannette Sevedge-App
 Acting Chief
 Office of Vendor Services

WSR 96-01-070
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Public Assistance)

[Filed December 15, 1995, 4:44 p.m.]

Subject of Possible Rule Making: WAC 388-49-530
 Retrospective income budgeting.

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

Reasons Why Rules on this Subject may be Needed and
 What They Might Accomplish: To merge rules for prospec-
 tive, retrospective budgeting into one section of WAC.

Other Federal and State Agencies that Regulate this
 Subject and the Process Coordinating the Rule with These
 Agencies: No other agency regulates this subject.

Process for Developing New Rule: Agency study,
 internal (management) and external (field staff) review
 process whereby draft material is distributed for review and
 comment. All comments are taken into consideration before
 the final rule is issued.

Interested parties can participate in the decision to adopt
 the new rule and formulation of the proposed rule before
 publication by contacting Charles Henderson, Program
 Manager, Food Stamp Program Section, Division of Income
 Assistance, P.O. Box 45400, Olympia, WA 98504-5400,
 phone (360) 438-8325, FAX (360) 438-8258.

December 15, 1995
 Jeanette Sevedge-App
 Acting Chief
 Office of Vendor Services

WSR 96-01-071
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Public Assistance)

[Filed December 15, 1995, 4:45 p.m.]

Subject of Possible Rule Making: WAC 388-49-330
 Student.

Statutes Authorizing the Agency to Adopt Rules on this
 Subject: 7 CFR 273.5.

Reasons Why Rules on this Subject may be Needed and
 What They Might Accomplish: 7 CFR 273.5 establishes
 under which circumstances students may be eligible for food
 stamps. Now, food stamp program eligibility is allowed for
 a student who has parental control over a child under age 12
 if the student is not living with his or her spouse and the
 child's natural, adopted, or stepparent is not in the same
 household as the child.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Department of Agriculture, Food and Consumer Service issues regulations, requires conformance, and monitors state rules.

Process for Developing New Rule: Internal (management) and external (field staff) review process whereby draft material is distributed for review and comment. All comments are taken into consideration before the final rule is issued.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Joan Wirth, Program Manager, Food Stamp Program Section, Division of Income Assistance, Mailstop 45400, phone (360) 438-8324, FAX (360) 438-8258.

December 15, 1995
 Jeanette Sevedge-App
 Acting Chief
 Office of Vendor Services

WSR 96-01-072
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

(Public Assistance)
 [Filed December 15, 1995, 4:46 p.m.]

Subject of Possible Rule Making: WAC 388-49-535
 Special circumstances—Income budgeting.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To merge rules for prospective, retrospective and special circumstances budgeting into one section of WAC.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other agency regulates this subject.

Process for Developing New Rule: Agency study, internal (management) and external (field staff) review process whereby draft material is distributed for review and comment. All comments are taken into consideration before the final rule is issued.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Charles Henderson, Program Manager, Food Stamp Program Section, Division of Income Assistance, P.O. Box 45400, Olympia, WA 98504-5400, phone (360) 438-8325, FAX (360) 438-8258.

December 15, 1995
 Jeanette Sevedge-App
 Acting Chief
 Office of Vendor Services

WSR 96-01-118
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed December 20, 1995, 10:49 a.m.]

Subject of Possible Rule Making: Workers' compensation insurance premium rates, chapter 296-17 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 51.16.035.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Title 51 RCW requires labor and industries to set workers' compensation insurance rates at the lowest level necessary to maintain solvency of the accident and medical aid funds. Insurance premiums collected from employers are invested to further reduce the moneys needed to cover losses associated with injured worker claims. The department's investments have outperformed original projections by 200 million dollars. Since these moneys are in excess of what is needed to meet the financial obligations of the workers' compensation trust funds, they should be returned to the rate payers. It is expected that this dividend, which will be returned via 1996 premium rates, will result in a rate reduction of twenty-seven percent for all state fund insured businesses. This dividend should help to produce a healthier business climate for Washington businesses.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other state, local or federal agency regulate this subject.

Process for Developing New Rule: Premium rates are actuarially determine using generally accepted insurance and rate-making principles and are based in part on industry losses, projected inflation, past reporting and economic trends that might affect industry. Title 51 RCW does not provide an alternative method of determining premium rates. The public can participate in the rule-making process by attending a formal public hearing in Tumwater, Washington, or by submitting written comments to labor and industries as specified below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. A public hearing has been scheduled for February 27, 1996, at 1 p.m. at the Labor and Industries Offices, located at 7273 Linderson Way S.W., in Tumwater, WA. Written comments relative to the rate reduction will be accepted until February 23, 1996, and can be sent to Theresa J. Whitmarsh, Assistant Director for Insurance Services, P.O. Box 44100, Olympia, WA or FAXED to (360) 902-4721. Rate information can be obtained by calling the classification section at (360) 902-4776.

December 20, 1995
 Mark O. Brown
 Director

WSR 96-01-119
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed December 20, 1995, 10:50 a.m.]

Subject of Possible Rule Making: Technical assistance consultant lists (lists of organizations providing technical assistance to parties regulated by the Department of Labor and Industries).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.17.060, ESHB 1010.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: ESHB 1010 requires the department to create and maintain lists of technical assistance consultants who provide services intended to help parties avoid noncompliance with department rules. These rules will tell consultants how to request inclusion on a list, and notify the public that the lists exist.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: To my knowledge, no other agency provides lists of consultants providing technical assistance in those areas regulated by labor and industries.

Process for Developing New Rule: The rules will be extensively stakeholdered and a public hearing will be held.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Parties interested in participating may contact Loretta Vosk, Staff Attorney, Department of Labor and Industries, P.O. Box 44270, Olympia, WA 98504-4270, phone (360) 902-4617, FAX (360) 902-4202. A stakeholder list will be compiled from current lists, and additional interested parties will be added.

December 19, 1995
 Mark O. Brown
 Director

WSR 96-01-123
PREPROPOSAL STATEMENT OF INQUIRY
LIQUOR CONTROL BOARD

[Filed December 20, 1995, 11:35 a.m.]

Subject of Possible Rule Making: WAC 314-20-100 and 314-24-190 (beer and wine wholesale price postings) authorizing the board to have the flexibility to permit an additional set of price postings to be made to allow for additional costs for delivery of product. The additional costs associated with delivery could be such charges as ferry tolls, etc.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 66.08.030 and 66.28.180.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Some distributors have asked the board to consider the additional costs of ferry tolls, etc. as costs which should be allowable for recovery when beer/wine is delivered to retail accounts. At the present time, they sell beer/wine to retailers for the same price regardless of the additional costs that might be associated with delivery. The board is responding to the requests from these distributors in considering amendatory language to the two rules.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Bureau of Alcohol, Tobacco and Firearms.

Process for Developing New Rule: Request from distributors and input from industry association.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Rich Raico, Supervisor of Manufacturers, Wholesalers and Importers, Washington State Liquor Control Board, (360) 664-2249 or David Goyette, Assistant Director, Regulatory Services, Washington State Liquor Control Board, (360) 753-2724, P.O. Box 43098, Olympia, WA 98504-3098, FAX (360) 664-4054. Input must be received by February 1, 1996.

December 20, 1995
 Mike Murphy
 Chairman

WSR 96-01-124
PREPROPOSAL STATEMENT OF INQUIRY
LIQUOR CONTROL BOARD

[Filed December 20, 1995, 11:40 a.m.]

Subject of Possible Rule Making: WAC 314-24-220 Licensing and operation of bonded wine warehouses.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 66.08.030 and 66.24.185.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Washington Wine Institute has requested the board consider amending the existing rule to allow wineries to store wine at such warehouses with federal taxes and state taxes (in some instances) prepaid. They have also requested wineries be allowed to remove wine from these warehouses for delivery to retail accounts by agents or representatives of the wineries. Both actions would benefit wineries.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Bureau of Alcohol, Tobacco and Firearms. The recommendations the board has been asked to consider more closely parallel federal guidelines and interpretations.

Process for Developing New Rule: Negotiated rule making (several meetings have already been held with wineries and others in order to reach the current point involving recommendations for changes to be developed).

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Rich Raico, Supervisor of Manufacturers, Importers and Wholesalers Unit of Washington State Liquor Control Board, (360) 664-2249 or David Goyette, Assistant Director, Regulatory Services, Washington State Liquor Control Board, (360) 753-2724, P.O. Box 43098, Olympia, WA 98504-3098, FAX (360) 664-4054. Input needs to be submitted by February 1, 1996.

December 20, 1995
 Mike Murphy
 Chairman

WSR 95-24-093
PROPOSED RULES
FOREST PRACTICES BOARD

[Filed December 5, 1995, 3:25 p.m.]

SMALL BUSINESS ECONOMIC IMPACT
 STATEMENT AND REGULATORY COMPLIANCE
 DOCUMENT for the Northern Spotted Owl and Marbled
 Murrelet

Proposed Forest Practices Rules (Title 222 WAC)

Revised December 1995¹

**Part 1: Background Information
 and Rule Alternatives**

A. Background

The Forest Practices Board has proposed permanent rules to identify critical wildlife habitats (state) for the northern spotted owl and the marbled murrelet. These proposed rules identify forest practices having the potential for a substantial impact on the environment and thus to be reviewed under the State Environmental Policy Act (SEPA). The proposed rules were originally published in the Washington State Register (WSR 94-17-156). Continuances were published February 15, 1995 (WSR 95-04-073) and July 19, 1995 (WSR 95-14-028). Public hearings were held in March 1995. A revised owl proposal, developed via the TFW process and presented to the board in November 1995, was filed as a supplemental rule proposal in December 1995. The supplemental notice also included the two marbled murrelet alternatives; however, no changes were made to them. The proposed rules contain detailed descriptions of habitat, habitat buffers, special emphasis areas, nesting season, the forest practices that may impact each of the threatened species, and requirements to minimize disturbance.

An agency adopting administrative rules is required by the Regulatory Fairness Act (chapter 19.85 RCW) to analyze economic impacts of the rules on businesses. This small business economic impact statement (SBEIS) summarizes the analysis conducted in order to comply with the Regulatory Fairness Act requirements for these proposed rules.

B. Threatened and Endangered Species

The federal Endangered Species Act 16 U.S.C. 1531 et. seq. (ESA) seeks to prevent the extinction of species. When the federal government determines that a species population is perilously low and warrants protection, it "lists" that species as threatened or endangered. The northern spotted owl was federally listed by the United States Fish and Wildlife Service (USFWS) as a threatened species in July 1990. The marbled murrelet was federally listed as a threatened species in October 1992.

Nonfederal lands are affected by the "take" prohibition in the Endangered Species Act (ESA 16 U.S.C. 1538). The USFWS may modify the "take" prohibition by issuing a rule under section 4(d) of the ESA (15 U.S.C. 1533(d)). On February 17, 1995, a proposed (draft) 4(d) rule for the northern spotted owl was published in the Federal Register. A 4(d) rule does not exist for the marbled murrelet.

The ESA includes the following definition: "The term 'take' means to harass, harm, pursue, hunt, shoot, wound, trap, capture, or collect, or to attempt to engage in any such conduct" (16 U.S.C. 1532 (19)). The USFWS believes that

habitat modification below biological thresholds can be considered a "take" unless a plan to mitigate the habitat loss has been approved.²

The USFWS continues to use the biological bases upon which their rescinded guidelines were based; these guidelines maintain the following three habitat-based criteria to ensure that landowners avoid "take" for the northern spotted owl:

- 70 acres surrounding the site center;
- 500 acres within a .7 mile radius circle; and
- For the Olympic Peninsula, 40% of the area within a 2.7 mile radius circle (5708 acres); or
- For the Cascades, 40% of the area within a 1.8 mile radius circle (2663 acres).

The marbled murrelet standard is more difficult to describe and is based on the number of nesting platforms per acre. These considerations comprise the baseline for assessing the economic impacts of the rule alternatives being considered by the Forest Practices Board.

In a separate action, the Washington Fish and Wildlife Commission listed the northern spotted owl as an endangered species within Washington state in 1988. The marbled murrelet was listed as threatened in October 1993. No regulatory authority flows from this state listing process.

While the Forest Practices Board has been developing permanent rules for the northern spotted owl and the marbled murrelet, they have adopted an emergency forest practices rule which requires State Environmental Policy Act (SEPA) review of applications within the critical wildlife habitats (state) of the northern spotted owl and the marbled murrelet. The emergency rule limits harvesting, road construction or aerial application of pesticides on the **most suitable** 500 acres of suitable nesting, breeding and foraging habitat surrounding the activity center of known Status 1, 2, or 3 spotted owls, documented by the Department of Fish and Wildlife. It also places restrictions on forest practices near occupied marbled murrelet sites. Additionally, restrictions are placed on forest practices that disturb either of these species during their nesting seasons.

C. Northern Spotted Owl Rule Alternatives

The Forest Practices Board accepted a revised northern spotted owl rule alternative in November 1995. This alternative was developed via the TFW process and replaced the original three alternatives proposed in June 1994. This alternative has 10 "spotted owl special emphasis areas" (SOSEAs) that include 13 of the original SOSEAs.

The major distinguishing features of the four alternatives originally considered as permanent rules by the Forest Practices Board were:

1. The WASHINGTON FOREST PROTECTION ASSOCIATION (WFPA) PROPOSAL has 6 "spotted owl special emphasis areas" or SOSEAs. Outside of these areas, protection around site centers would be reduced to a 70-acre core.

2. The FOREST PRACTICES BOARD WILDLIFE COMMITTEE ALTERNATIVE has 10 SOSEAs. Outside of these areas, protection around site centers would be reduced to a 70-acre core.

3. THE YAKAMA INDIAN NATION-WASHINGTON ENVIRONMENTAL COUNCIL PROPOSAL (YIN-WEC) has 15 SOSEAs or landscapes. Outside of these areas, protection around site centers would be reduced to a 70-acre core.

4. NO-ACTION. No northern spotted owl forest practices rules would be adopted.

The Forest Practices Board published a Draft Environmental Impact Statement in January 1995, and a Supplemental Draft EIS is scheduled to be published in January 1996.³

D. Marbled Murrelet Rule Alternatives

The major distinguishing features of the three alternatives being considered as permanent rules by the Forest Practices Board are:

1. The OCCUPIED STAND APPROACH defines an "occupied marbled murrelet site," and "suitable marbled murrelet habitat." The latter definition describes habitat as being "within 40 miles of marine waters." This characteristic means that many forest lands of the state (particularly in eastern Washington) are outside the habitat being considered for the marbled murrelet.

2. The MARBLED MURRELET-WATERSHED ADMINISTRATIVE UNIT (MM-WAU) APPROACH defines both the "occupied marbled murrelet site" and the "suitable marbled murrelet habitat" differently from the previous alternative. However, it does include the statement "within 40 miles of marine waters." A forest practices application located within a MM-WAU in suitable habitat is classified as a Class IV-Special forest practice until shown by survey to be unoccupied by the marbled murrelet.⁴

3. NO ACTION which means that no marbled murrelet forest practices rules would be adopted.

The full text of the proposed permanent rule alternatives for marbled murrelets is contained in the Draft Environmental Impact Statement.

Part 2: Regulatory Fairness Act (chapter 19.85 RCW)

A. Requirements

The Regulatory Fairness Act requires preparation of an SBEIS for proposed rules affecting more than 20% of all industries or more than 10% of any one industry. The purpose of this analysis is to look at small businesses as a group, not at individual businesses.

An agency that is adopting administrative rules is required to analyze the compliance costs of the proposed rules. The SBEIS must compare the cost of compliance for small businesses with the costs of compliance for large businesses. For the Forest Practices Board's proposed rules, the relevant questions to the Regulatory Fairness Act are: (1) What are the compliance costs for forest landowners who have a spotted owl or marbled murrelet on or near their property? (2) What are the compliance costs per employee? (3) Do the proposed rules disproportionately impact small businesses as compared to large businesses? An additional question of interest to forest landowners and to the board is: (4) What are the compliance costs per acre? This question is relevant because the typical size classification of forest landowners is by acres owned, rather than by number of employees. Very large landowners can have few employees.

The Regulatory Fairness Act focuses on small businesses (those that have 50 or fewer employees). If there is a disproportionate economic impact on small businesses in comparison with large businesses, the act requires that the economic impacts be reduced or that the agency provide reasonable justification for not doing so. Mitigation measures must be both legal and feasible. The act also says that

an agency may survey a representative sample of affected businesses in order to obtain information about compliance costs.

B. Potentially Affected Industries

The Regulatory Fairness Act defines "industry" as all of the businesses in this state in any one four-digit standard industrial classification (SIC) as published by the United States Department of Commerce (RCW 19.85.020). The SIC code assigned to an industry is based on the primary business for any given company. Only one SIC code is assigned to an individual business.

SIC code 0811 was selected for this study because forest landowners are best identified by "Timber Tracts". Timberland owners become subject to the forest practices rules when they make the decision to harvest their timber. The other SIC codes/businesses listed below depend upon this decision to harvest; their businesses can function only when there is a timber supply available.

The Forest Practices Board's proposed rules will apply to any person preparing to conduct forest practices described in those rules. The industries potentially impacted by the proposed rules could include the following SIC codes:⁵

<u>SIC</u> <u>INDUSTRY</u> <u>NUMBER</u>	<u>INDUSTRY TITLE</u>
0811	Timber tracts
2411	Logging
2421	Sawmills and planing mills, general
2426	Hardwood dimension and flooring mills
2429	Special product sawmills, not elsewhere classified
2435	Hardwood veneer and plywood
2436	Softwood veneer and plywood
2611	Pulp mills

C. Compliance Costs

The forest practices application process already exists and is required on forest lands subject to the Forest Practices Act. Once a forest practices application has been submitted, the legal description is checked against the Washington Department of Fish and Wildlife Threatened and Endangered (T&E) database. If the landowner is preparing to harvest timber or conduct other harvest related activities on lands meeting the definition of "critical habitats (state)" of a listed T&E species, then the forest practices application becomes a Class IV-Special and is subject to additional review under SEPA.

The proposed rules do not require any additional reporting, record keeping or other compliance measure. There are no mandated compliance costs (such as an increase in permitting fee or survey requirement) because of the threatened species. However, if a parcel on which a forest practice is being proposed is determined to be within critical wildlife habitats (state) of a northern spotted owl or marbled murrelet, the forest practices will be classified at Class IV-Special and compliance costs associated with SEPA may be incurred. These could include preparation of a SEPA checklist for the threshold determination process and could include the following costs: A three-year survey, mitigation measures such as larger leave areas, using different harvest techniques, timing restrictions on operations, and/or preparation of an environmental impact statement (EIS). Profes-

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sional services of a wildlife biologist and/or survey crews may be required.

Compliance costs are highly variable because of individual forest land conditions. Access to the forest land may be restricted because of an owl site on the access right-of-way to one's property. Seasonal restrictions on harvesting, road construction, or other forest practices may be imposed during the nesting season.⁶

Compliance costs also include opportunity costs associated with foregone income. To cite an example of opportunity cost, foregoing the harvest of a property with timber valued at \$40,000 per acre could mean a minimum of 5% interest foregone if the harvest is delayed one year (\$2,000 per acre).

Compliance costs may vary widely, depending on which alternatives are adopted by the Forest Practices Board. The broader the restrictions the greater the probability that a business will be impacted.

D. Rule Development Involved Concerned Stakeholders.

The Regulatory Fairness Act requires the SBEIS to include a description of how the agency will involve small businesses in the development of the rule. The Forest Practices Board has held public comment meetings to obtain input from stakeholders, including small businesses, on what should be included in the proposed rule. Additionally, public comment has been taken at the 23 regular and special Forest Practices Board meetings held since January 1993. During the first half of 1994, the Board's Wildlife Committee held weekly meetings as it developed proposed rules. These meetings were also open to the public.

The board has distributed the proposed rules and Draft Environmental Impact Statement to over 1,300 individuals and groups. Additional written and oral comments are being solicited as part of the Administrative Procedure Act (APA) public hearings to be held at four locations in March 1995.

Part 3: Economic Impacts on Small and Large Businesses

A. Survey Groups

No information was available about impacts of the proposed forest practices rules on small and large businesses. After assessing a variety of ways to obtain information, a survey process was selected and developed.

Three owner groups were included in the business survey in an effort to have an adequate sample of large and small businesses. The entire SIC 0811 "Timber Tracts" sector was included in the survey with the assistance of the Washington Department of Employment Security. To assure that small businesses were adequately included, the Washington Farm Forestry Association (WFPA), which represents nonindustrial landowners, was invited to provide a listing of members in affected counties. In an effort to be sure that large businesses were adequately represented and since most industrial, larger landowners are represented by WFPA, the Washington Forest Protection Association was also asked to participate in the survey.

A landowner survey was designed during the fall of 1994 and distributed in early December 1994 (see Attachment D). The survey included questions about forest lands owned, number of employees, the known presence of northern spotted owls and marbled murrelets on the owner's

property or on neighboring forest lands, types of timber stands owned, compliance costs incurred, and large diameter trees.

B. General Survey Responses

Because of the confidentiality associated with SIC codes, the Department of Employment Security mailed questionnaires to all 134 firms in SIC 0811, "Timber Tracts." Recipients mailed their responses directly to DNR. A response of 49% was received (65/134) of which 25 reported no forest land ownership. Many of those reporting no forest land ownership managed Christmas tree plantations. As a result, at least 30% of the sample (40/134) were forest landowners.

Because "small landowners" are assumed to be "small businesses", surveys were sent to members of the Washington Farm Forestry Association (WFFA), which provided mailing labels for 427 members of their organization. In addition, surveys were sent to the seven members who sit on DNR's Small Landowner Advisory Committee. This resulted in a total of 434 surveys being sent to small landowners. Responses were received from 65% (284/434), of which ten reported that they did not own forest land, leaving a net response of 63% (274/434).

A concern in making the study was to have an adequate representation of large businesses in the sample. Since "small businesses" needed to be compared with "large businesses", it was deemed appropriate to try to increase the number of "large businesses." Knowing that the Washington Forest Protection Association (WFPA) would have a number of "large landowners" in their membership, it was decided to invite WFPA to participate in the survey. It was anticipated that some of the respondents would also be large businesses. In fact this did occur. WFPA distributed surveys to 22 of its members. Responses were mailed back to WFPA and tabulated by them. The results were communicated orally to DNR. Five companies, all of which are forest landowners, responded to the survey.

Surveys were tabulated and the general results are displayed in Table 1.

Table 1. SBEIS Survey Groups and Responses.

Survey Group	Number Mailed	Number Returned	Number of Forest Landowners	Other Information
SIC 0811 Timber Tracts	134	65	40	Names & addresses confidential; surveys were returned to DNR.
Washington Farm Forestry Assn and DNR Landowner Advisory Committee	434	284	274	WFFA members participated in survey design; WFFA supplied labels; DNR Small Landowner Advisory Committee has 7 members; Surveys were returned to DNR.
Washington Forest Protection Assn	22	5	5	Survey were returned to WFPA; results supplied orally to DNR.
Total	590	354	319	Total survey group

The questionnaires from the three survey groups were combined so that the broadest based sample could be analyzed (Table 2). The need for combination becomes apparent when the number of large businesses is noted. Out of the base of 319 questionnaires used for the analysis, only eight were classified as large businesses, that is, they had more than 50 employees. These large businesses were 3% of the responses (8 of 319) and they reported 63% (1,000,837 acres of 1,584,461 acres reported) of the forest land base represented by the sample.

Table 2. SBEIS Survey Responses by Business Size

Responses:	From:	Small Businesses (50 employees or less)	Large Businesses (more than 50 employees)	Total
Number owning forest land		311	8	319
Acres owned		583,624	1,000,837	1,584,461
Number of employees		898	5,594	6,492

One of the requirements for preparing an SBEIS is that at least 10% of any SIC sector is impacted in terms of a proposed rule (Table 3). Based on the survey conducted, analyzing the impacts of the entire sample of 319 owners indicates that few have experienced direct impacts. For the owl, about one in five reported impacts (17.9%); for the marbled murrelet, about one in 20 reported impacts (5.3%).

Table 3. Forest Landowners reporting NSO and MM impacts. (Base = 319).

Forest Landowners Reporting Impacts

Species:	Own land	Neighbor's land	Impacted Owners ⁷	Percent
Northern spotted owl	12	56	57	17.9%
Marbled murrelet	1	17	17	5.3%

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For each business category the estimated compliance costs were summed to get some measure of costs incurred by the businesses. Using the base of businesses within each business category, the average cost per employee and per acre were calculated. Compliance costs varied greatly among individual firms. Some of the cost categories cited were professional services for surveys, revenues foregone because of market opportunities missed, and additional road maintenance costs incurred because soils were less stable at the time logging was permitted.

For the 319 respondents, 15 businesses (5 "large" and 10 "small") reported incurring compliance costs because of the spotted owl, and three reported incurring compliance costs because of the marbled murrelet. In total, 16 landowners reported compliance costs for either or both species.

C. Impacts of Proposed Rules for the Northern Spotted Owl

Northern spotted owl compliance costs were summed by the two business size classes (Table 4). For the 311 small businesses, ten reported compliance costs totaling \$1.4 million. Considering this the small business class cost and dividing by the 898 employees in this class, the average cost per employee was \$1,562. Using the same procedure for the eight large businesses, when the \$7.7 million dollars of compliance costs incurred were divided by 5,594 employees, the average cost per employee was \$1,380. (Note: The largest three businesses in terms of employees had a total of 4,900 employees or 88% of the total 5,594 employees reported.)

Table 4. Northern spotted owl financial impacts.
(Average costs are based on 311 small businesses with 898 employees and 583,624 acres; and on eight large businesses with 5,594 employees and 1,000,837 acres.)

	Small Businesses	Large Businesses	Total
Compliance costs reported in dollars	\$1,402,950	\$7,718,000	\$9,120,950
Compliance costs per employee	\$1,562	\$1,380	\$1,405 (avg.)
Compliance costs per acre	\$2.40	\$7.71	\$5.76 (avg.)

Whereas the small businesses tended to be focused at the land base, the large businesses are diversified with manufacturing facilities where many of the employees actually work. For this reason, focusing on the employee cost seems misleading.

Historically, costs associated with forest land management are expressed in terms of costs per acre. Investments at the resource base, the forest land, are more appropriately charged as per acre costs. When viewed in this light, the results reverse the conclusions of the per employee analysis. For the small businesses, the \$1.4 million in compliance costs divided by the 583,624 acres results in a cost of \$2.40 per acre. The calculation for the large businesses is \$7.71 per acre. It is important to note a range of compliance costs exists within each of the two classes of businesses: Small businesses reported \$0 to \$250,000; large businesses reported \$350,000 to \$3.8 million in compliance costs.

Three of the small businesses have a combined forest land base of 467,000 acres and a total of 115 employees. The estimated compliance costs for these three firms totals \$858,400. This leaves a balance for the other 308 firms in the small businesses category as follows: Total forest land = 116,618 acres; total compliance cost estimate = \$544,550; and total employees = 783. These 308 firms represent 99% of the small businesses; they account for 20% of the small business acres; 39% of the compliance costs; and have a compliance cost of \$695 per employee.

D. Impacts of Proposed Rules for the Marbled Murrelet

Earlier in the consideration of the proportion of the businesses impacted by the marbled murrelet it was determined that only about five percent of the owners were impacted. Although it would not be necessary to investigate the marbled murrelet further, data was collected and the results of this investigation are included (Table 5).

The three owners reporting compliance costs reported a total of \$411,350. Two of these were small businesses who reported a total of only \$11,350. In reality, this seems too low a cost. The single large business compliance cost was estimated at \$400,000.

Based on the information provided by the survey and comparing the business size groups, the large businesses were impacted more on both the per employee and per acre bases.

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Table 5. Marbled murrelet financial impacts.

(Average costs are based on 311 small businesses with 898 employees and 583,624 acres; and on 8 large businesses with 5,594 employees and 1,000,837 acres.)

	Small Businesses	Large Businesses	Total
Compliance costs - reported in dollars	\$11,350	\$400,000	\$411,350
Compliance costs per employee	\$12.64	\$71.50	\$63.36 (avg.)
Compliance costs per acre	\$0.02	\$0.40	\$0.26 (avg.)

In summary, based on this survey, the proposed marbled murrelet rules affect less than 10% of those in the forest industry. In addition, large businesses appear to experience greater per employee and per acre costs.

Part 4: Mitigation Measures

The TFW northern spotted owl rule alternative being considered by the Forest Practices Board incorporates several approaches in an attempt to mitigate the impacts on forest landowners. These provisions for mitigation are:

1. Identification of Landscapes: Ten landscapes would have restrictions applied. Outside the landscapes, only the 70 acres surrounding the site center would be protected during the nesting season of the northern spotted owl.

2. Acreage Thresholds: Within the landscapes, acreage thresholds are 5,863 acres of suitable spotted owl habitat for the Hoh-Clearwater/Coastal Link SOSEA; for all other SOSEAs, the threshold is 2,605 acres of suitable spotted owl habitat.

3. Planning Processes: A landowner planning process (LOP) is provided as an alternative method for landowners to reduce the impacts of the rules. A cooperative northern spotted owl enhancement agreement (CHEA) is available to landowners not currently impacted by spotted owls.

4. Small Parcel Exemption: Provision is made for landowners owning or controlling 500 acres or less within a SOSEA to be exempt, if the proposed forest practice is not within 0.7 mile of a northern spotted owl site center.

For the marbled murrelet proposed rules, one of the alternatives provides protection for occupied sites only. If a site is not occupied by a marbled murrelet, the rules do not apply.

Part 5: Conclusions

The SBEIS analysis has been conducted to comply with the Regulatory Fairness Act requirement for the proposed forest practice rules for the northern spotted owl and the marbled murrelet. A total of 590 businesses were sent questionnaires and invited to participate in the survey. Sixty percent (354/590) of the questionnaires were returned; and 319 of those questionnaires were from forest landowners. These were used for the analysis.

The survey showed that about 20% of forest landowners were impacted by the northern spotted owl. The survey results showed a cost of \$2.40 per acre for the small

businesses versus \$7.71 per acre for the large businesses. Small businesses reported compliance costs of \$1,562 per employee, compared with \$1,380 per employee for large businesses. While this appears to be a higher cost for small businesses, two additional considerations would lead to the conclusion that mitigation is not appropriate. First, large businesses had a higher average compliance cost per acre owned. Second, three of the small businesses had a combined ownership base of over 467,000 acres or 80% of the small business forest land base. These three "larger" small businesses account for 61% of the total compliance costs reported by the small business group. Finally, no owners with less than 75 acres reported having the northern spotted owl on or near their property.

For the marbled murrelet, the survey showed that only about 5% of the landowners reported direct impacts. The results of the analysis showed the average compliance cost per acre for marbled murrelets was \$.02 for small businesses and \$.40 for large businesses. When calculated on an employee basis the costs were \$12.64 and \$71.50 respectively. These relatively low costs for small businesses would not require any additional mitigation measures other than those already being considered by the board.

The northern spotted owl and marbled murrelet present a challenging forest practices situation to all concerned. Individual businesses, regardless of size, are potentially heavily impacted if either one of these species is present on their land.

The purpose of this SBEIS has been to look at impacts of the proposed rules on small businesses as a group. The results of the analysis show that small businesses as a group are not disproportionately impacted when compared to large businesses.

Part 6: Public Comment Opportunities

Public Hearing: Per the Administrative Procedure Act (chapter 34.05 RCW), the Forest Practices Board will hold a public hearing on the proposed rules on February 13, 1996, at the Natural Resources Building, Room 172, 1111 Washington Street S.E., Olympia, WA, at 3 p.m.

Written comments are due by February 19, 1996. Send to: Judith Holter, FPB Rules Coordinator, DNR-Forest Practices Division, P.O. Box 47012, Olympia, WA 98504-7012.

Date of Intended Adoption: May 22, 1996.

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- ¹ This statement was originally published in February 1995. This revision includes information in Parts 1, 4 and 6 about the board's supplemental rule proposal.
- ^{1|2} This interpretation is disputed. See Sweet Home Chapter of Communities For a Greater Oregon v. Babbitt, 17 F. 3d 1463 (D.C. cir. 1994), rehearing denied with accompanying opinions, 30 F. 3d 190 (D.C. cir. 1994), cert. granted 63 L. W. 3513 (Jan 6, 1995)(S.Ct No 94-859). The U.S. is appealing. Compare Palila v. Hawaii Dept. of Land and Natural Resources, 852 F. 2d 1106 (9th cir. 1988).
- ³ For the complete text of the original rule alternatives, as well as descriptions and analyses of each alternative, please see the Draft Environmental Impact Statement published in January 1995. Text and analyses of the TFW alternative is available in the Supplemental Draft Environmental Impact Statement, scheduled to be published in January 1996. Copies of these documents can be obtained by calling (360) 902-1413.
- ⁴ Detailed descriptions and analyses of alternatives are contained in the DEIS. Please see footnote 3.
- ^{4|5} This list may not be all inclusive and some industries identified may not actually be impacted.
- ⁶ Even without this rule these costs may be incurred by a landowner in order to comply with the federal Endangered Species Act.
- ⁷ An "owner impacted" by a single listed species was only counted once, no matter how many different sites there were on the owner's property or properties, or on neighboring lands.

WSR 96-01-012
PROPOSED RULES
DEPARTMENT OF TRANSPORTATION
 [Filed December 7, 1995, 10:43 a.m.]

Continuance of WSR 95-21-039.

Title of Rule: Chapter 468-86 WAC, RTPO planning standards and guidelines.

Hearing Location: Department of Transportation, Transportation Building, Room 1D2, Olympia, Washington 98504, on March 4, 1996, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact TDD (360) 705-6980, by February 28, 1996.

Submit Written Comments to: Bill Osterhout, Washington State Department of Transportation, P.O. Box 47370, Olympia, WA 98504, FAX (360) 705-6813, by February 28, 1996.

Date of Intended Adoption: March 4, 1996.

December 6, 1995
 S. A. Moon
 Deputy Secretary
 for Operations

WSR 96-01-019
PROPOSED RULES
DEPARTMENT OF
FINANCIAL INSTITUTIONS
 (Division of Banking)
 [Filed December 8, 1995, 1:31 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 95-19-084.

Title of Rule: Rules setting the semiannual asset charge assessment for in-state and interstate banks.

Purpose: To limit the dollar amount of the semiannual assessment collected from any one bank and to set the amount of the semiannual assessment due from interstate banks.

Statutory Authority for Adoption: RCW 43.320.010, 43.329.040 and 30.04.030.

Statute Being Implemented: Chapter 30.04 RCW.

Summary: The changes to WAC 50-44-020 update the language of the rule by substituting "director" for "supervisor," and limit the amount of the semiannual assessment collected from any one bank. It also eliminates the provisions regarding industrial loan companies because they are now covered under chapter 208-620 WAC. WAC 50-44-025 provides that an interstate bank will pay a semiannual fee proportionate to the percentage of bank's branches which are chartered in Washington.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: G. R. Zachary, 300 General Administration Building, (360) 902-8747.

Name of Proponent: Department of Financial Institutions, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The amendment to WAC 50-44-020 modernizes the language to reflect the creation of the Department of Financial Institutions and the elimination of industrial loans companies from the supervision of the Division of Banks. It also caps the total amount of the semiannual assessment charge which may be collected from any one bank in order to more accurately reflect the cost of regulation. WAC 50-44-025 establishes a new formula for determining the amount of the semiannual assess [assessment] charge for banks with branches in Washington and another state. There has been uncertainty as to whether Washington fees applied to the assets of all branches of an interstate bank or just to that percentage of assets which Washington branches represent. This rule clarifies that the semiannual asset fee will be assessed on that portion of the banks assets which represent the bank's branches in Washington as compared with all branches of the bank. The effect of this rule will be to provide certainty to the banks, which could encourage branching in Washington.

Proposal Changes the Following Existing Rules: The amendments eliminate outdated references to the "supervisor" and to industrial loan companies. It also caps the amount of the semiannual asset fee.

A small business economic impact statement has not been prepared under chapter 19.85 RCW. This proposal will not add any additional costs to the banks to which it applies. It limits the amount that any one bank will pay as a semian-

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nual asset charge. It also clarifies how Department of Financial Institutions will compute semiannual asset charges for banks with branches in more than one state. Currently, Washington may assess the charge on the entire assets of the bank, regardless of location. The new rule, WAC 50-44-025, limits the semiannual asset charge to an amount proportionate to the number of branches in Washington. This limitation will ensure that banks with multistate branches will not pay a disproportionate fee and may encourage branching in Washington.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Section 201 does not apply to these proposals. The Department of Financial Institutions has been working with other states to reduce the regulatory burden on banks with branches in more than one state.

Hearing Location: Room 300, General Administration Building, Olympia, Washington, on Tuesday, January 23, 1996, at 10:30 a.m.

Assistance for Persons with Disabilities: Contact Victoria W. Sheldon by January 16, 1996, (360) 902-8775.

Submit Written Comments to: G. R. Zachary, P.O. Box 41200, Olympia, WA, FAX (360) 753-6070, by January 23, 1996.

Date of Intended Adoption: January 30, 1996.

December 8, 1995

John L. Bley
Director

AMENDATORY SECTION (Amending WSR 91-18-054, filed 8/30/91, effective 9/30/91)

WAC 50-44-020 Semiannual asset charge—Assessment. A semiannual charge for assets will be used to recoup nondirect bank examination related expenses (RCW 30.08.095). The semiannual charge for assets will be computed upon the asset value reflected in the most recent report of condition. The rate of such charge shall be as set forth in the following schedules:

(1) Commercial banks, mutual savings banks, and stock savings banks.

The rate of such charge shall be based on the total asset value as reflected in the report of condition due for that period provided, the ~~((supervisor))~~ director may adjust such rates if the ~~((supervisor))~~ director determines that a disproportionate amount of revenue is being collected by such rate. In no event shall the amount of revenue collected from any one bank exceed one hundred thirty-three thousand four hundred ninety dollars per assessment period.

If the bank's total assets are:

The assessment is:

Over	But not Over	This Amount	Plus	Of Excess Over
Million	Million			Million
0	500	0	.00001408	0
500	1000	7040	.0000135	500
1000	—	13,790	.0000133	1000

(2) Alien banks.

The rate of such charge shall be .000035189 of the total asset value as reflected in the report of condition due for that period provided, the ~~((supervisor))~~ director may adjust such

rate if the ~~((supervisor))~~ director determines that a disproportionate amount of revenue is being collected by such rate.

~~(3) ((Industrial loan companies and, effective January 1, 1992, consumer finance licensees under chapter 208, Laws of 1991.~~

~~The rate of such charge shall be .000084896 of the total asset value as reflected in the consolidated annual report of Washington assets or semiannual notice of assessment of Washington assets (whichever is applicable) due for that period provided, the supervisor may adjust such rate if the supervisor determines that a disproportionate amount of revenue is being collected by such rate.))~~

The ~~((supervisor's))~~ director's office shall forward by United States mail a notice to each financial institution showing the manner of calculating the asset charge due and a worksheet for such purposes. The notices shall be mailed with the blank June and December report of condition ~~((commencing with the June 1990 report of condition applicable to commercial, savings and alien banks and the consolidated annual report and a semiannual notice of assessment applicable to industrial loan companies)).~~ The asset charge shall be calculated by the financial institution and forwarded to the ~~((office of the supervisor of banking))~~ division of banks with the applicable report. A completed copy of the worksheet shall be included with the assessment. An additional two hundred dollar penalty shall be assessed if the amount is not paid by the time such report of condition or notice of assessment is due.

NEW SECTION

WAC 50-44-025 Fees paid by interstate banks. (1) **Semiannual asset charge.** The semiannual asset charge established in WAC 50-44-020 shall be assessed against any state-chartered bank, as defined in 12 U.S.C. sec. 1813(a), that operates branches in Washington and any other state. The assets subject to assessment under WAC 50-44-020(1) shall be determined as follows: Divide the number of branches in Washington by the total number of branches in all states including Washington and multiply the result by the asset value reflected in the most recent report of condition.

(2) **Other fees.** All other fees that normally apply to Washington-chartered banks under WAC 50-44-030 and 50-12-045 shall also be paid by banks chartered in other states.

WSR 96-01-022
PROPOSED RULES
STATE BOARD FOR
COMMUNITY AND TECHNICAL COLLEGES
[Filed December 11, 1995, 10:45 a.m.]

Continuance of WSR 95-22-073.

Preproposal statement of inquiry was filed as WSR 95-19-062.

Title of Rule: Tuition charges for certain ungraded courses.

Statutory Authority for Adoption: Chapters 28B.15 and 28B.50 RCW.

Summary: Amends WAC 131-28-026 as outlined in WSR 95-22-073.

Hearing Location: State Board for Community and Technical Colleges Office, WEA Building, 319 Seventh Avenue, Olympia, WA, on January 11, 1996, at 10 a.m.

Assistance for Persons with Disabilities: Contact C. Krueger by January 2, 1996, TDD (360) 753-3680, or (360) 753-7413.

Submit Written Comments to: C. Krueger, FAX (360) 586-6440, by January 2, 1996.

Date of Intended Adoption: January 11, 1996.

December 7, 1995

Claire Krueger

Executive Assistant

Administrative Rules Coordinator

WSR 96-01-033
PROPOSED RULES
DEPARTMENT OF HEALTH
 [Filed December 12, 1995, 8:50 a.m.]

Original Notice.

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

Title of Rule: WAC 246-810-990 Fees, these changes pertain to registered counselors and hypnotherapists and certified marriage and family therapists, mental health counselors and social workers.

Purpose: To delete fees no longer applicable and to raise fees for registered hypnotherapists to cover costs of the program.

Statutory Authority for Adoption: Chapter 18.19 RCW.

Statute Being Implemented: RCW 18.19.050 and section 222(12), chapter 18, Laws of 1995.

Summary: Raise the application, renewal and late renewal penalty fees for registered hypnotherapists, eliminate assessment fees for all programs and the examination fees for social worker and mental health. The department will no longer collect exam fees for these two programs. They will be paid directly to the testing company.

Reasons Supporting Proposal: The current fee structure does not cover necessary cost of administering registered hypnotherapy program. RCW 43.70.250 requires that each health profession be supported by fees.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Karen S. Burgess, 1300 S.E. Quince Street, (360) 586-8584.

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: To delete fees no longer applicable (assessment fees) and to adjust fees for registered hypnotherapists to cover costs of the program. The current fee structure does not cover the necessary cost of administering the registered hypnotherapist program. By adjusting fees the program will meet their current budget and reduce the current deficit.

Proposal Changes the Following Existing Rules: It adjusts counselor fees, eliminates assessment and examination fees.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule proposal is exempt under RCW 34.05.310(4).

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. This rule does not subject a person to a penalty or sanction; does not establish, alter or revoke a qualification or standard for hypnotherapy registration; and does not make significant amendment to a policy or regulatory program. This rule adjusts fees for registered hypnotherapists and counselors, and certified marriage and family therapists, mental health counselors, and social workers.

Hearing Location: Department of Health, 1st Floor Conference Room, 1100 S.E. Quince Street, Olympia, WA 98504, on January 24, 1996, at 1:30 p.m.

Assistance for Persons with Disabilities: Contact Karen S. Burgess by January 17, 1996, TDD 1-800-833-6388 (relay), or (360) 586-8584.

Submit Written Comments to: Counselor Programs, P.O. Box 47869, Olympia, WA 98504-7869, FAX (360) 586-7774, by January 17, 1996.

Date of Intended Adoption: January 25, 1996.

December 11, 1995

Mimi Fields

for Bruce A. Miyahara
 Secretary

AMENDATORY SECTION (Amending WSR 93-14-011, filed 6/24/93, effective 7/25/93)

WAC 246-810-990 Fees. The following fees shall be charged by the professional licensing services division of the department of health:

Title	Fee
Registered counselor:	
Application and registration	(((\$)) \$ 40.00
((Application assessment	2.00))
Renewal	37.00
((Renewal assessment	1.85))
Late renewal penalty	37.00
Duplicate registration	15.00
Certification/verification	(({50.00} {15.00})) <u>15.00</u>
Registered hypnotherapist:	
Application and registration	((85.00) <u>95.00</u>
((Application assessment	4.25))
Renewal	((35.00) <u>130.00</u>
((Renewal assessment	1.75))
Late renewal penalty	((35.00) <u>65.00</u>
Duplicate registration	15.00
Certification/verification	15.00
Certified marriage and family therapist:	
Application	100.00
((Application assessment	5.00))
Initial certification	125.00
Written examination	250.00
Retake examination—Written	250.00
Renewal	200.00
((Renewal assessment	10.75))
Late renewal penalty	100.00

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Duplicate certification	15.00
Certification/verification	15.00
Wall certificate	15.00
Certified mental health counselor:	
Application	((75.00)) 75.00
(Application assessment)	3.75
Initial certification	60.00
(Examination)	90.00
Retake examination	90.00
Renewal	65.00
(Renewal assessment)	3.25
Late renewal penalty	50.00
Duplicate certification	15.00
Certification/verification	15.00
Wall certificate	15.00
Certified social worker:	
Application	50.00
(Application assessment)	2.50
Initial certification	50.00
(Examination)	115.00
Retake examination	115.00
Renewal	65.00
(Renewal assessment)	3.25
Late renewal penalty	50.00
Duplicate certification	15.00
Certification/verification	15.00
Wall certificate	15.00

**WSR 96-01-062
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

(Public Assistance)
[Filed December 15, 1995, 2:03 p.m.]

Original Notice.
Preproposal statement of inquiry was filed as WSR 95-22-023.

Title of Rule: WAC 388-250-1400 Standards of assistance—Payment standards for aid to families with dependent children, refugee assistance, and general assistance for pregnant women programs.

Purpose: This section of WAC provides the payment amount for recipients for households from one to ten or more person households. The amount for the seven person household is incorrect, it should be \$971 rather than \$941. The department has determined eligibility and made payment on the correct amount, only the WAC is incorrect.

Statutory Authority for Adoption: RCW 74.04.200 and 45 CFR 233.20 (a)(2).

Statute Being Implemented: 45 CFR 233.20 (a)(2) and RCW 74.04.200.

Summary: The current payment amount for recipients of AFDC, RA, and GA-S is incorrect for seven person households.

Reasons Supporting Proposal: The department must publish accurate standards for all household sizes.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Betty Brinkman, Division of Income Assistance, Mailstop 45400, (360) 438-8309.

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

Rule is necessary because of federal law, 45 CFR 233.20 (a)(2).

Explanation of Rule, its Purpose, and Anticipated Effects: The amount of the payment standard for a seven person household for recipients of AFDC, RA, and GA-S is incorrect

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This change in the standard of payment for recipients of various public assistance programs does not impact businesses. There are no new requirements for business as a result of the correction of this payment standard.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. There is no fiscal impact on business. This change only corrects a typographical error in the payment standard for a seven person household.

Hearing Location: OB-2 Auditorium, 1115 Washington Street South, Olympia, WA 98504, on January 23, 1996, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Jeanette Sevedge-App, Acting Chief, by January 9, 1996, TDD (360) 753-4542, or SCAN 753-4524 [234-4542].

Submit Written Comments to: Jeanette Sevedge-App, Acting Chief, Vendor Services, P.O. Box 45811, Olympia, WA 98504, Identify WAC Numbers, FAX (360) 586-8487, by January 16, 1996.

Date of Intended Adoption: January 24, 1996.

December 15, 1995

Sydney Doré

for Jeanette Sevedge-App

Acting Chief

Office of Vendor Services

AMENDATORY SECTION (Amending Order 3729, filed 4/6/94, effective 5/7/94)

WAC 388-250-1400 Standards of assistance—Payment standards for aid to families with dependent children, refugee assistance, and general assistance for pregnant women programs. The statewide monthly payment standard for aid to families with dependent children, refugee assistance, and general assistance for Pregnant women programs shall be as follows:

(1) Effective January 1, 1993, the department shall determine the statewide monthly payment standard for a household with an obligation to pay for shelter to be:

Recipients in Household	Payment Standard
1	\$ 349
2	440
3	546
4	642
5	740
6	841
7	((941)) 971
8	1,075
9	1,180
10 or more	1,283

(2) Effective January 1, 1993, the department shall determine the payment standard for a household with shelter provided at no cost, except as described under WAC 388-250-1200, to be:

Recipients in Household	Payment Standard
1	\$ 212
2	268
3	332
4	391
5	451
6	511
7	591
8	654
9	718
10 or more	780

WSR 96-01-063
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Public Assistance)
 [Filed December 15, 1995, 2:04 p.m.]

Original Notice.
 Preproposal statement of inquiry was filed as WSR 95-22-046.
Title of Rule: Chapter 388-55 WAC, Refugee assistance.
Purpose: Chapter 388-55 WAC governs rules for the administration of the refugee assistance program.
Statutory Authority for Adoption: RCW 43.20A.550, 45 CFR 400 Subparts E, F, and G.
Statute Being Implemented: Same.
Summary: Amendment of the rules reorders sections for clarity and defines specific elements of refugee assistance eligibility including extended refugee medical assistance.
Reasons Supporting Proposal: Provides a logical sequence of rules and program parameters.
Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Rena Milare, Income Assistance, (360) 438-8311.
Name of Proponent: Department of Social and Health Services, governmental.
Rule is necessary because of federal law, 45 CFR 400 Subparts E, F, and G.
Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose, Summary, and Reasons Supporting Proposal above.
Proposal does not change existing rules.
 No small business economic impact statement has been prepared under chapter 19.85 RCW. The department is exempt from regulations under section 201 and chapter 388-55 WAC applies only to refugee status individuals applying for refugee assistance.
 Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. The department is exempt from regulations under section 201 and chapter 388-55 WAC

applies only to refugee status individuals applying for refugee assistance.

Hearing Location: OB-2 Auditorium, 1115 Washington Street South, Olympia, WA 98504, on February 6, 1996, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Jeanette Sevedge-App, Acting Chief, by January 23, 1996, TDD (360) 753-4542, or SCAN 753-4542 [234-4542].

Submit Written Comments to: Jeanette Sevedge-App, Acting Chief, Vendor Services, P.O. Box 45811, Olympia, WA 98504, Identify WAC Numbers, FAX (360) 586-8487, by January 30, 1996.

Date of Intended Adoption: February 7, 1996.

December 15, 1995
 Jeanette Sevedge-App
 Acting Chief
 Office of Vendor Services

NEW SECTION

WAC 388-55-006 Summary of eligibility conditions.
 The department shall grant assistance to refugees who meet the following conditions:

(1) Refugee status as defined in WAC 388-55-008, Eligibility conditions—Refugee status.

(2) Common eligibility conditions as provided under WAC 388-55-010.

(3) Registration for employment as required under WAC 388-55-020, Work and training eligibility conditions.

(4) Income and resource eligibility as provided in chapters 388-216 and 388-218 WAC. Exceptions are provided in WAC 388-55-030, Treatment of income and resources.

NEW SECTION

WAC 388-55-008 Eligibility conditions—Refugee status. Within the provision of P.L. 96-212, the Refugee Assistance Program, the department shall grant assistance to refugees who provide proof, in the form of documentation issued by the Immigration and Naturalization Service (INS), of one of the following statuses:

(1) An individual paroled as a refugee or asylee from any country, admitted under section 212 (d)(5) of the Immigration and Nationality Act (INA); or

(2) A conditional entrant from any country admitted under section 203 (a)(7) of the INA; or

(3) A refugee from any country admitted under section 207 of the INA; or

(4) An asylee admitted under section 208 of the INA; or

(5) An Amerasian immigrant from Vietnam admitted through the orderly departure program, under section 584 of the Foreign Operations Appropriations Act, incorporated in the FY88 Continuing Resolution P.L. 100-212; or

(6) A permanent resident provided the individual previously held one of the statuses described in subsection (1), (2), (3), or (4) of this section; or

(7) A Cuban-Haitian entrant who is admitted as a public interest parolee under section 212 (d)(5) of the INA.

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AMENDATORY SECTION (Amending Order 3299, filed 11/27/91, effective 12/28/91)

WAC 388-55-010 Common eligibility conditions. (1) ~~((The department shall grant assistance to refugees within the provisions of P.L. 96-212, the Refugee Assistance Program to applicants who provide proof, in the form of documentation issued by Immigration and Naturalization Service (INS), of one of the following statuses:~~

(a) ~~Admittance from any country having parole status as a refugee asylee or parolee under Section 212 (d)(5) of the Immigration and Naturalization Act (INA);~~

(b) ~~Admittance from any country as a conditional entrant under Section 203 (a)(7) of the INA;~~

(c) ~~Admittance from any country as a refugee under Section 207 of the INA;~~

(d) ~~Granted asylum under Section 208 of the INA;~~

(e) ~~Admittance with an immigration status that entitled the individual to refugee assistance prior to enactment of the Refugee Act of 1980;~~

(f) ~~Admittance as an Amerasian immigrant from Vietnam admitted through the orderly departure program, under section 584 of the Foreign Operations Appropriations Act, incorporated in the FY88 Continuing Resolution P.L. 100-202; and~~

(g) ~~Admitted for permanent residence, provided the individual previously held one of the statuses described in subsection (1)(a), (b), (c), or (d) of this section.~~

(2) ~~The department shall transfer eligible refugees to the AFDC, FIP, and/or Medicaid programs retroactively effective October 1, 1977, or as of such date as the refugees qualified for refugee assistance, whichever is later. The department shall regard such refugees as recipients rather than new applicants and shall disregard the recipient's income accordingly.~~

(3) ~~The department shall determine eligibility for AFDC and/or Medicaid before determining eligibility for ((the)) refugee cash assistance ((program for applications from refugees not currently receiving refugee cash assistance and/or medical assistance)) or refugee medical assistance (RCA/RMA).~~

(a) ~~If the applicant is not eligible for AFDC ((or FIP)), then the department shall determine eligibility ((under the refugee assistance program)) for RCA.~~

(b) ~~If the applicant is not eligible for Medicaid, then the department shall determine eligibility under the refugee assistance medical program)) for RMA.~~

~~((4) The department shall waive requirements of categorical relatedness of federal assistance programs, except for mandatory monthly reporting, for refugee assistance program. Requirements under WAC 388-24-044 apply.~~

(5) ~~The department shall determine as not eligible for refugee assistance, refugees terminated from the AFDC program because of refusal to comply with eligibility requirements.~~

(6) ~~Except as specified in subsection (7) of this section,)~~

(2) Recipients of refugee cash assistance (RCA) must meet monthly reporting requirements as provided in WAC 388-215-1560, Mandatory monthly reporting—Requirement.

(3) Refugees who have been denied or terminated AFDC are not eligible for RCA/RMA if termination or denial is:

(a) Due to intentional noncompliance with eligibility requirements; or

(b) For refusing or quitting employment without good cause.

(4) The department shall provide cash assistance to all ((refugees)) RCA assistance units, regardless of family composition, ((at the)) using AFDC ((monthly)) standards. ((The department shall treat income and resources according to AFDC standards. The department shall not consider resources which are unavailable, including property remaining in other countries, in determining eligibility for financial assistance.

(7) Applicants for and recipients of refugee assistance are not eligible for the thirty dollar plus one third of the remainder exemption from earned income.

(8) (5) For RCA/RMA the department shall treat the refugee family unit including United States citizen children ((born in this country,)) as a single assistance unit ((under the refugee assistance program under the provisions of WAC 388-24-050)) as provided in WAC 388-215-1600.

(9) (6) Beginning October 1, 1991, for new applicants and beginning December 1, 1991, for current recipients, the department shall consider refugees meeting the criteria in this section as eligible for ((refugee assistance)) RCA/RMA only during the eight-month period beginning the first month the refugee entered the United States.

(10) (7) The department shall not consider full-time students in an institution of higher education eligible for ((refugee assistance,)) RCA/RMA unless ((participating in a department approved job or language training program not to exceed twelve months)) the enrollment in higher education is part of a department-approved employability plan.

(11) The department shall notify the voluntary agency (VOLAG) sponsoring the refugee when the refugee applies for assistance.

(12) (8) Refugees meeting the criteria in this section are eligible for additional requirements for emergent situations ((under chapter 388-29)) as provided in chapter 388-225 WAC.

(9) The department shall redetermine eligibility for RCA/RMA at least once every six months of continuous receipt of assistance.

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 2752, filed 1/6/89)

WAC 388-55-020 Work and training eligibility conditions. (1) The department shall require((s)) all applicants for and recipients of ((a financial grant under the)) refugee cash assistance ((program)) (RCA) and each member of the family group of which the applicants and recipients are a part to register for employment with the state employment service or other designated employment agency. ((Exemptions to employment registration are:

(a) A person sixteen through eighteen years of age attending secondary school or an equivalent level of voca-

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~~tional or technical training full time or any person under sixteen, regardless of school attendance; or~~

~~(b) A person ill, incapacitated, or over sixty five years of age; or~~

~~(e) A person whose presence in the home is required because of illness or incapacity of another member of the household; or~~

~~(d) A mother or other caretaker caring for a child five years of age or under; or~~

~~(e))~~

(2) The department shall exempt the following refugees from work and training requirements:

(a) A refugee fifteen years of age or younger; or

(b) A refugee eighteen years of age or younger and enrolled full-time in high school or vocational/technical training and reasonably expected to complete the program before reaching nineteen years of age; or

(c) A refugee who has an illness or injury serious enough to temporarily prevent participation in work or training; or

(d) A refugee who is incapacitated as determined by a physician or licensed psychologist; or

(e) A refugee who is sixty-five years of age or older; or

(f) A refugee needed in the home as the primary care provider for another ill, injured, or incapacitated household member; or

(g) A single parent or other caretaker relative of a child five years of age or younger;

(h) A ((~~mother~~)) parent or other caretaker of a child, when the nonexempt ((~~father~~)) spouse or other nonexempt adult relative in the home is registered and has not refused to accept employment without good cause; or

~~((f))~~ (i) A ((~~person~~)) refugee employed at least thirty hours per week; or

~~((g))~~ (j) A ((~~person~~)) refugee of any age while enrolled and participating in a ((~~CSO~~)) department-approved employability training program intended to have a definite short-term (less than one year) employment objective.

~~((2))~~ (3) The department shall not exempt from registration or acceptance of employment a refugee solely because of inability to communicate in English.

~~((3))~~ (4) For purposes of this section, "training ((~~shall~~))" means participation in any available and appropriate social service program providing job or language training as approved in the personal employment plan.

~~((4) Refusal of an employable adult refugee to register with the employment service provider without good cause and/or refusal to accept, continue, or participate in a training or employment opportunity or referral, from any source the department determines appropriate shall also result in the following:~~

~~(a) Ineligibility for refugee assistance for thirty days from the date of refusal of work or training opportunity, for an applicant. The dependent family of such an ineligible applicant may apply for and receive assistance if otherwise eligible;~~

~~(b) Termination of assistance the first of the following month after the date of original refusal if an employable refugee recipient continues to refuse an offer of employment or training. The department shall allow the refugee at least ten days written notice of the termination of assistance and the reason therefore;~~

~~(e) The sanction for persons identified in subsection (4)(a) and (b) is applied in the following manner:~~

~~(i) If the assistance unit includes other individuals, the grant is reduced by the amount included on behalf of the refugee for three months after the first occurrence and six months for the second and each subsequent occurrence;~~

~~(ii) If such individual is the only individual in the assistance unit, the department shall terminate the grant for three months after the first occurrence and six months for the second and each subsequent occurrence;~~

~~(iii) The department shall notify the recipient's voluntary agency (VOLAG) if action is taken according to subsection (4)(b)(i) or (ii) of this section, provided the provisions for safeguarding information in chapter 388-320 WAC are met; and~~

~~(iv) A decision by the refugee to accept employment or training, made at any time before the effective date of termination, shall result in the continuation of assistance without interruption if the refugee continues to meet the eligibility requirements for continued assistance.))~~

NEW SECTION

WAC 388-55-024 Noncompliance with work and training requirements. Refusal of an employable adult refugee to register with the employment service provider without good cause and/or refusal to accept, continue, or participate in a training or employment opportunity or referral, from any source the department determines appropriate shall also result in the following:

(1) Ineligibility for refugee assistance for thirty days from the date of refusal of work or training opportunity, for an applicant. The dependent family of such an ineligible applicant may apply for and receive assistance if otherwise eligible;

(2) Termination of assistance the first of the following month after the date of original refusal if an employable refugee recipient continues to refuse an offer of employment or training. The department shall allow the refugee at least ten days written notice of the termination of assistance and the reason therefore;

(3) The sanction for persons identified in subsection (1) and (2) of this section is applied in the following manner:

(a) If the assistance unit includes other individuals, the grant is reduced by the amount included on behalf of the refugee for three months after the first occurrence and six months for the second and each subsequent occurrence;

(b) If such individual is the only individual in the assistance unit, the department shall terminate the grant for three months after the first occurrence and six months for the second and each subsequent occurrence;

(c) The department shall notify the recipient's voluntary agency (VOLAG) if action is taken according to subsection (2)(a) or (b) of this section, provided the provisions for safeguarding information in chapter 388-320 WAC are met; and

(d) A decision by the refugee to accept employment or training, made at any time before the effective date of termination, shall result in the continuation of assistance without interruption if the refugee continues to meet the eligibility requirements for continued assistance.

NEW SECTION

WAC 388-55-027 Good cause determination. The department shall determine whether good cause exists when a nonexempt refugee recipient fails to comply with the department-approved employment and training plan, or when the recipient quits or refuses employment as provided in WAC 388-55-024, Noncompliance with work and training requirements. Good cause is determined by the refugee social service worker assigned in each community services office (CSO). Good cause exists if:

(a) A licensed physician or psychologist has determined there is a physical, mental, or emotional inability of the refugee to satisfactorily perform the work required or to participate in the training being offered; or

(b) The work or training is so remote from the residence of the refugee that they cannot effectively participate. The department considers a work site remote if a round trip is more than two hours by any reasonably available mode of travel, exclusive of travel time to take children to and from a child care facility. If the normal commuting time for an area exceeds two hours round trip, then the round trip commuting time cannot exceed the generally accepted community standards; or

(c) The nature of the work or training violates applicable federal, state, or local health and safety standard; or

(d) The wages do not meet applicable minimum wage requirements and are not customary for such work in the community; or

(e) The work hours exceed those customary to the occupation; or

(f) The job is available because of a labor dispute; or

(g) The refugee is currently participating in on-the-job training or a program of professional recertification as part of his/her employability plan; or

(h) Adequate child care, necessary to the training or employment, is not available to single-parent household.

AMENDATORY SECTION (Amending Order 1969, filed 6/16/83)

WAC 388-55-030 Treatment of income and resources. (1) The department shall treat the income and resources of an applicant or recipient of RCA/RMA in accordance with provisions in chapter 388-216 WAC, AFDC resources, and chapter 388-218 WAC, AFDC income.

(2) With the exception of the thirty dollar and one-third ((exemption)) earned income disregard, adult refugee recipients shall be eligible for earned income exemptions as specified in WAC ((388-28-570)) 388-218-1420, regardless of assistance unit composition.

(3) The department shall not consider resources which are unavailable, including property remaining in other countries, in determining eligibility for RCA/RMA.

((2)) (4) The income of a refugee dependent child shall be treated as specified in WAC ((388-28-535)) 388-218-1410.

((3)) All refugee recipients sixty five years of age or older, or blind or disabled will be referred immediately to the Social Security Administration for SSI benefits. The SSI applicant will be included in the assistance grant at the AFDC standard until payments are received.

AMENDATORY SECTION (Amending Order 3299, filed 11/27/91, effective 12/28/91)

WAC 388-55-040 Refugee medical assistance. (1) ~~((A refugee receiving a continuing assistance grant is eligible for medical assistance as specified in WAC 388-82-010(1).~~

~~(2) The department shall determine the nonrecipient refugee eligibility for medical care as specified in chapter 388-83 WAC. The department shall base eligibility on medical and financial need only; requirements of categorical relatedness are waived.~~

~~(3) The department shall apply WAC 388-55-030(1) in determining the amount of participation in medical costs for refugee medical assistance recipients.~~

~~(4) The refugee financial assistance recipient who becomes ineligible because of increased income from employment shall remain eligible for medical assistance for four calendar months beginning with the month of ineligibility provided:~~

~~(a) In the case of a single individual assistance unit the individual:~~

~~(i) Receives assistance in at least three of the six months immediately preceding the month of ineligibility; and~~

~~(ii) Continues employment.~~

~~(b) In the case of a multiple individual assistance unit:~~

~~(i) The family received assistance in at least three of the six months immediately preceding the month of ineligibility; and~~

~~(ii) A member of the family continues employment.~~

~~(5)) All recipients of refugee cash assistance (RCA) are eligible for refugee medical assistance (RMA).~~

~~(2) A refugee is not required to apply for or receive RCA as a condition of eligibility for RMA.~~

~~(3) A refugee may be eligible for RMA during the eight-month period beginning with the first month the refugee entered the United States.~~

~~(4) Eligibility for RMA is limited to those refugees who:~~

~~(a) Are ineligible for Medicaid but meet AFDC financial eligibility standards as provided in chapter 388-215 WAC, Aid to families with dependent children;~~

~~(b) Meet immigration status and identification requirements as provided in WAC 388-55-010, Common eligibility conditions;~~

~~(c) Have not been denied, or terminated from, RCA for the reasons provided in WAC 388-55-010, Common eligibility conditions;~~

~~(d) Provide the name of the voluntary agency (VOLAG) which resettled the refugee; and~~

~~(e) Are not full-time students in institutions of higher education except where such enrollment is approved as part of an individual employability plan.~~

~~(5) The department shall authorize extended RMA through the eighth month following entry into the United States when eligibility for RCA no longer exists due to a reduction in financial need.~~

~~(6) Medical need is not an eligibility factor for subsection ((4)) (a) or (b)) (5) of this section.~~

~~((6)) (7) Refugee recipients shall have continuing eligibility for financial and medical assistance redetermined at least once in every six months of continuous receipt of assistance.~~

((7)) (8) Effective October 1, 1991, for new applicants and effective December 1, 1991, for current recipients, persons meeting the criteria in this section are eligible for refugee assistance only during the eight-month period beginning in the first month the person entered the United States.

NEW SECTION

WAC 388-55-050 Refugee social service eligibility.

(1) The department shall consider refugees who meet the criteria in WAC 388-55-010 to be eligible for refugee social services without regard to the length of time in which the refugees have resided in the United States.

(2) The department shall consider refugees receiving RCA/RMA to be priority clients for refugee employment and training services.

(3) The department shall consider refugees who have resided in the United States for twelve months or less to be priority clients for refugee social services.

(4) The department shall provide refugees with services as allowed under Title XX of the Social Security Act.

NEW SECTION

WAC 388-55-060 Refugee notification and referral.

(1) The department shall notify the voluntary agency (VOLAG) sponsoring a refugee when the refugee applies for RCA/RMA.

(2) The department shall refer refugee applicants sixty-five years of age or older, blind, or disabled to the Social Security Administration to apply for assistance under the Supplemental Security Income (SSI) program.

(3) The department shall continue to provide RCA/RMA services to eligible RCA/RMA recipients up to eight months or until eligibility for SSI has been determined.

**WSR 96-01-074
PROPOSED RULES
HIGHER EDUCATION
COORDINATING BOARD**
[Filed December 18, 1995, 11:19 a.m.]

Continuance of WSR 95-23-105.

Preproposal statement of inquiry was filed as WSR 95-19-047.

Title of Rule: State need grant.

Purpose: Provide an exception to the rule governing the eligible student definition for the 1995-96 academic year.

Statutory Authority for Adoption: Chapter 28B.80 RCW.

Statute Being Implemented: RCW 28B.10.800 - [28B.10.]822.

Summary: Exempts for the 1995-96 academic year the requirement that the first priority for state need grant awards be the entire body of students whose family incomes are less than sixty-five percent of the state's median.

Reasons Supporting Proposal: This makes permanent an action which previously was adopted as an emergency rule.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: John Klacik, 917 Lakeridge Way, Olympia, (360) 753-7851.

Name of Proponent: Higher Education Coordinating Board, governmental.

Submit Written Comments to: FAX (360) 753-7808, by January 8, 1996.

Date of Intended Adoption: January 26, 1996.

December 18, 1995

John Klacik

Associate Director for
Student Financial Aid

**WSR 96-01-079
PROPOSED RULES
STATE BOARD OF EDUCATION**

[Filed December 18, 1995, 3:49 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 95-21-033.

Title of Rule: Rules for awarding clock hours for participation of certificated personnel in internships with business, industry or government.

Purpose: To implement ESHB 1518 (chapter 284, Laws of 1995).

Statutory Authority for Adoption: RCW 28A.415.020, 28A.415.025.

Statute Being Implemented: ESSB 1518, chapter 284, Laws of 1995.

Summary: Proposed new chapter 180-83 WAC, Internships and amendments to chapter 180-85 WAC will establish rules for internships as described above.

Reasons Supporting Proposal: Rules are required by legislative mandate.

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

Proposal Changes the Following Existing Rules: Adds clock hours earned through a business, industry or government internships to WAC 180-85-025 and 180-85-030.

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

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Not applicable.

Hearing Location: Thurston Room, Educational Service District 113, 601 McPhee Road S.W., Olympia, WA 98502, on January 24, 1996, at 1:30 p.m.

Assistance for Persons with Disabilities: Contact Judy Rus by January 15, 1996, TDD (360) 664-3631, or (360) 753-6715.

Submit Written Comments to: Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, FAX (360) 586-2357, by January 22, 1996.

Date of Intended Adoption: January 26, 1996.

December 18, 1995

Larry Davis

Executive Director

PROPOSED

NEW SECTION

WAC 180-83-010 Authority. The authority for this chapter is RCW 28A.415.020 and 28A.415.025 which authorize the state board of education to define the term "internship" and establish rules for awarding clock hours for the purpose of placement on the state-wide salary allocation schedule for participation of certificated personnel in internships with business, industry, or government.

NEW SECTION

WAC 180-83-020 Definitions. As used in this chapter, the following definitions shall apply:

(1) "Intern" means a certified instructional staff employee of a school district as defined at RCW 28A.150.100.

(2) "Internship" or "approved internship" means the actual paid or unpaid work experience performed by an intern in a business, industry, or government setting that meets the requirements set forth in WAC 180-83-030 and 180-83-040.

NEW SECTION

WAC 180-83-030 Internship requirements. An approved internship with a business, industry, or government agency shall meet the following requirements:

(1) A written plan for the internship experience shall be developed and approved jointly by the intern, a representative on behalf of the school district where the intern is employed, and a representative of the business, industry, or government agency where the internship will take place.

(2) The plan shall:

(a) Provide the intern with the opportunity to learn current practices in business, industry, or government;

(b) Identify the skills and knowledge that will be enhanced and any practical applications of such skills and knowledge in the curriculum they teach; and

(c) Indicate that the internship is directly related to the intern's current education assignment, or to his or her education assignment for the following school year.

NEW SECTION

WAC 180-83-040 Internship report. (1) Upon completion of the internship, the intern shall submit to the school district a report that includes the following information:

(a) Completion of the requirements under WAC 180-83-030;

(b) Summary evaluation by the intern of the internship experience;

(c) Summary evaluation by the business, industry, or government agency representative of the intern's experience; and

(d) Whether the internship will be claimed for purposes of recognition on the salary allocation schedule developed by the legislative evaluation and accountability program committee.

(2) The report shall be signed by the intern and business, industry, or government agency representative.

(3) The school district shall forward annually to the state board of education, on or before December 1, the internship reports for the previous school year.

NEW SECTION

WAC 180-83-050 Employment and compensation. The employment status, if any, of an intern during the internship shall be determined jointly by the intern, school district, and internship provider. Remuneration, and/or benefits, and/or the provision of other employer responsibilities related to the internship shall be established prior to the beginning of the internship. Responsibilities under this section may be shared between the school district and the internship provider.

NEW SECTION

WAC 180-83-060 Clock hours. (1) Pursuant to RCW 28A.415.020 and 28A.415.025, for each forty clock hours of participation in an approved internship with a business, industry, or government agency, the intern shall receive the equivalent of one credit college quarter course on the salary allocation schedule developed by the legislative evaluation and accountability program committee.

(2) An intern may not receive more than the equivalent of two college quarter credits for internships during a calendar-year period.

(3) The total number of credits for approved internships that an individual may earn to advance on the salary schedule developed by the legislative evaluation and accountability program committee or its successor agency is limited to the equivalent of fifteen college quarter credits.

(4) It is the responsibility of the intern to monitor compliance with subsections (2) and (3) of this section. A school district shall not recognize more internship clock hours than those recognized under subsections (2) and (3) of this section for purposes of application to the salary allocation schedule developed by the legislative evaluation and accountability program committee.

NEW SECTION

WAC 180-83-070 Effective date. Approved internship clock hours eligible for application to the salary allocation schedule developed by the legislative evaluation and accountability program committee or its successor agency shall be those hours acquired after December 31, 1995.

AMENDATORY SECTION (Amending WSR 94-01-104, filed 12/16/93, effective 1/16/94)

WAC 180-85-025 Continuing education—Definition. As used in this chapter, the term "continuing education" shall mean:

(1) All college and/or university credit awarded by a regionally accredited institution of higher education, pursuant to WAC 180-78-010(6).

(2) All continuing education credit hours awarded by a vocational-technical institute pursuant to WAC 180-85-030(3) and 180-85-083 and all continuing education credit hours awarded in conformance with the in-service education procedures and standards specified in this chapter by an approved in-service education agency.

(3) For all certificate holders, clock hours earned through a business, industry, or government internship that meet the requirements of WAC 180-83-030, 180-83-040 and 180-83-050.

AMENDATORY SECTION (Amending Order 28-88, filed 12/14/88)

WAC 180-85-030 Continuing education credit hour—Definition. As used in this chapter, the term "continuing education credit hour" shall mean:

(1) For each college or university semester hour credit, fifteen hours of continuing education credit hours shall be granted.

(2) For each college or university quarter hour credit, ten hours of continuing education credit hours shall be granted.

(3) For each sixty minutes of instruction in course work provided by a vocational-technical institute, one continuing education credit hour shall be granted.

(4) For each sixty minutes of approved in-service education including reasonable time for breaks and passing time, one continuing education credit hour shall be granted. In the application of this subsection, the in-service education provider shall determine what is reasonable.

(5) For successful completion of each forty clock hours of participation in an approved internship with a business, industry, or government agency under chapter 180-83 WAC, one continuing credit hour shall be granted.

(6) In the application of this section, approved in-service credit hours shall not include:

(a) Routine staff meetings—such as district, building, or area meetings within an agency, district, or building—to discuss or explain operational policies or administrative practices within the agency, district, or building;

(b) Business meetings of professional associations to discuss operational policies or practices of the association;

(c) Social hours, independent study, or actual meal time.

((6)) (7) In the application of this section, for the purpose of official records of the amount of in-service credit hours, the in-service provider or the superintendent of public instruction shall round continuing education credit hours down to the nearest half hour of credits actually completed—i.e., .50, and .00—and in no case shall an applicant receive credit for an in-service program that was less than a total of three continuing education credit hours.

WSR 96-01-080**PROPOSED RULES****STATE BOARD OF EDUCATION**

[Filed December 18, 1995, 3:51 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 95-21-087.

Title of Rule: WAC 180-79-230 and 180-75-047.

Purpose: To clarify the maximum length of validity for limited certificates for educators.

Statutory Authority for Adoption: RCW 28A.410.010.

Statute Being Implemented: RCW 28A.410.010.

Summary: The proposed amendments to the rules establish a maximum length of validity for limited certificates and clarify the requirements for the certificates.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Larry Davis, State Board of Education, Olympia, (360) 753-6715.

Name of Proponent: State of Board of Education, governmental.

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

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

Proposal Changes the Following Existing Rules: See above.

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

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Not applicable.

Hearing Location: Olympia School District, Board Room, 1113 Legion Way S.E., Olympia, WA 98501, on March 20, 1996, at 1:30 p.m.

Assistance for Persons with Disabilities: Contact Judy Rus by March 10, 1996, TDD (360) 664-3631, or (360) 753-6715.

Submit Written Comments to: Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, FAX (360) 586-2357, by March 18, 1996.

Date of Intended Adoption: March 22, 1996.

December 18, 1995

Larry Davis

Executive Director

AMENDATORY SECTION (Amending WSR 89-22-010, filed 10/20/89, effective 11/20/89)

WAC 180-75-047 Uniform expiration date. All certificates issued for one or more stated years shall expire on August 31 of the stated year and shall be calculated as follows:

(1) Certificates issued prior to October 1 of a calendar year shall have the expiration date of the certificate calculated on the basis such certificate was issued on September 1 of the same calendar year regardless of the date of issuance.

(2) Certificates issued October 1 or later in the calendar year, other than limited certificates issued pursuant to WAC 180-79-230, shall have the expiration date of the certificate calculated on the basis such certificate was issued on September 1 of the next calendar year regardless of the date of issuance.

(3) All such certificates issued prior to the effective date of this section and scheduled to expire prior to August 31 of a given year, regardless of such stated expiration date, shall be valid until August 31 of the stated year of expiration.

AMENDATORY SECTION (Amending WSR 94-24-038, filed 12/2/94, effective 1/2/95)

WAC 180-79-230 Limited certificates. Notwithstanding other requirements prescribed in this chapter for eligibility for certification in the state of Washington, the following certificates shall be issued under specific circumstances set forth below for limited service:

(1) Conditional certificate.

(a) Such certificates are issued upon application by the local school district or educational service district superintendent to persons:

(i) Who meet the age, good moral character, and personal fitness requirements of WAC 180-75-085 (1) and (2); and

(ii) Who are highly qualified and experienced in subject matter to be taught in the common or nonpublic schools; or

(iii) Who qualify to instruct in the traffic safety program as paraprofessionals pursuant to WAC 392-153-020 (2) and (3); or

(iv) Who are assigned instructional responsibility for intramural/interscholastic activities which are part of the district approved program; or

(v) Who possess a state of Washington license for a registered nurse: *Provided*, That the district will be responsible for orienting and preparing individuals for their assignment as described in (c)(ii) of this subsection; or

(vi) Who have completed a baccalaureate degree level school speech pathologist or audiologist certification preparation program, who were eligible for certification at the time of program completion and who have served in the role for three of the last seven years.

(b) The educational service district or local district superintendent will verify that the following criteria have been met when requesting the conditional certificate:

(i) No person with regular certification in the field is available as verified by the district or educational service district superintendent;

(ii) The district or educational service district superintendent will indicate the basis on which he/she has determined that the individual is competent for the assignment;

(iii) The individual is being certificated for a limited assignment and responsibility in a specified activity/field.

(c) When requesting the conditional certificate for persons who are highly qualified and experienced in fields of knowledge to be taught in the common or nonpublic schools, the educational service district superintendent or local district superintendent will verify that the following additional criteria will be met:

(i) The individual will be delegated primary responsibility for planning, conducting, and evaluating instructional activities with the direct assistance of a school district mentor and will not be serving in a paraprofessional role which would not require certification;

(ii) Personnel so certificated will be oriented and prepared for the specific assignment by the employing district. A written plan of assistance will be developed, in cooperation with the person to be employed within twenty working days from the commencement of the assignment. In addition, prior to service the person will be apprised of any legal liability, the responsibilities of a professional educator, the lines of authority, and the duration of the assignment;

(iii) Within the first sixty working days, personnel so certificated will complete sixty clock hours (six quarter hours or four semester hours) of course work in pedagogy and child/adolescent development appropriate to the assigned grade level(s) as approved by the employing school district.

(d) The certificate is valid for two years or less, as evidenced by the expiration date which is printed on the certificate, and only for the activity specified. The certificate may be reissued for two years and for two year intervals thereafter upon completion of sixty clock hours (six quarter hours or four semester hours) of course work since the

issuance of the most recent certificate as approved by the employing school district.

(2) Substitute certificate.

(a) The substitute certificate entitles the holder to act as substitute during the absence of the regularly certificated staff member for a period not to exceed thirty consecutive school days during the school year in any one assignment. This certificate may be issued to:

(i) Teachers, educational staff associates or administrators whose state of regular Washington certificates have expired, or

(ii) Persons who have completed state approved preparation programs and baccalaureate degrees at regionally accredited colleges and universities for certificates.

(b) The substitute certificate is valid for life:

(c) *Provided*, That if the district has exhausted or reasonably anticipates it will exhaust its list of qualified substitutes who are willing to serve as substitutes, the superintendent of public instruction may issue emergency substitute certificates to persons not fully qualified under this subsection for use in a particular school district once the list of otherwise qualified substitutes has been exhausted. Such emergency substitute certificates shall be valid for three years or less, as evidenced by the expiration date which is printed on the certificate.

(3) Emergency certification.

(a) Emergency certification for specific positions may be issued upon the recommendation of school district and educational service district superintendents to persons who hold the appropriate degree and have substantially completed a program of preparation in accordance with Washington requirements for certification: *Provided*, That a qualified person who holds regular certification is not available or that the position is essential and circumstances warrant consideration of issuance of an emergency certificate: *Provided further*, That a candidate for emergency certification as a school counselor, school psychologist, or social worker shall be the best qualified of the candidates for the position as verified by the employing school district and shall have completed all course work for the required master's degree with the exception of the internship: *Provided further*, That a candidate for emergency certification as a school psychologist shall be enrolled in an approved school psychologist preparation program and shall be participating in the required internship.

(b) The emergency certificate is valid for one year or less, as evidenced by the expiration date which is printed on the certificate.

(4) Nonimmigrant alien exchange teacher. Applicants for certification as a nonimmigrant alien exchange teacher must qualify pursuant to WAC 180-75-089 and be eligible to serve as a teacher in the elementary or secondary schools of the country of residence.

WSR 96-01-081
PROPOSED RULES
STATE BOARD OF EDUCATION
[Filed December 18, 1995, 3:54 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 95-16-073.

Title of Rule: WAC 180-79-340 Early childhood education, regular—Subject area endorsement.

Purpose: To insure that the early childhood endorsement specifically addresses the field of early childhood.

Statutory Authority for Adoption: RCW 28A.410.010.

Statute Being Implemented: RCW 28A.410.010.

Summary: The amendments to this section identify specific components of early childhood education which must be included in course work for the endorsement.

Reasons Supporting Proposal: See Purpose above.

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

Proposal Changes the Following Existing Rules: See above.

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

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Not applicable.

Hearing Location: Olympia School District, Board Room, 1113 Legion Way S.E., Olympia, WA 98501, on March 20, 1996, at 1:30 p.m.

Assistance for Persons with Disabilities: Contact Judy Rus by March 10, 1996, TDD (360) 664-3631, or (360) 753-6715.

Submit Written Comments to: Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, FAX (360) 586-2357, by March 18, 1996.

Date of Intended Adoption: March 22, 1996.

December 18, 1996

Larry Davis

Executive Director

AMENDATORY SECTION (Amending Order 4-87, filed 4/3/87)

WAC 180-79-340 Early childhood education, regular—Subject area endorsement. In order to receive an endorsement in early childhood education, regular, the candidate shall have completed the minimum course work credit hours (twenty-four quarter hours or sixteen semester hours) in the subject area of early childhood/elementary education (~~(—e.g., preschool)~~), provided no less than twelve credit hours must specifically address the field of early childhood (~~(, and elementary)~~) education, including, but not limited to, credit hours in each of the following essential areas of study:

(1) ~~((All essential areas of study for an endorsement in elementary education:~~

~~(2) Issues and trends in early childhood education.~~

~~(3) Instructional methods in early childhood or preschool education.))~~ Understanding the dynamics of family structure and involving parents in early childhood programs.

(2) Methods and curriculum development in early academic skills.

(3) Methods and curriculum development to support growth in communication skills, emerging literacy, and language arts (listening, speaking, reading, writing, and spelling).

(4) Methods and curriculum development in math and science concepts.

(5) Methods and curriculum development in the arts (art and music).

(6) Knowledge of typical and atypical growth and development for early childhood learning.

(7) Strategies for environmental design and management of physical space, equipment, and material to provide maximum opportunities for early childhood learning.

(8) Current issues and trends in early childhood education.

(9) Knowledge of requirements for promoting health, safety, nutrition, and social competence.

WSR 96-01-087

WITHDRAWAL OF PROPOSED RULES

GAMBLING COMMISSION

(By the Code Reviser's Office)

[Filed December 19, 1995, 8:05 a.m.]

WAC 230-48-010 continued in WSR 95-12-048; WAC 230-04-405 continued in WSR 95-12-049; and WAC 230-50-010 continued in WSR 95-12-054, proposed by the Gambling Commission, appearing in issue 95-12 of the State Register, which was distributed on June 21, 1995, is withdrawn by the code reviser's office under RCW 34.05.335(3), since the proposal was not adopted within the one hundred eighty day period allowed by the statute.

Kerry S. Radcliff, Editor
Washington State Register

WSR 96-01-088

WITHDRAWAL OF PROPOSED RULES

OFFICE OF THE

SECRETARY OF STATE

(By the Code Reviser's Office)

[Filed December 19, 1995, 8:06 a.m.]

WAC 434-120-105, 434-120-130 and 434-120-255, proposed by the Office of the Secretary of State in WSR 95-12-017, appearing in issue 95-12 of the State Register, which was distributed on June 21, 1995, is withdrawn by the code reviser's office under RCW 34.05.335(3), since the proposal was not adopted within the one hundred eighty day period allowed by the statute.

Kerry S. Radcliff, Editor
Washington State Register

WSR 96-01-089
PROPOSED RULES
NORTHWEST AIR
POLLUTION AUTHORITY

[Filed December 19, 1995, 8:58 a.m.]

Original Notice.

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

Title of Rule: Northwest Air Pollution Authority regulation.

Purpose: To amend, add and delete subsections of the Northwest Air Pollution Authority regulation to reflect changes in state and federal rules and to clarify requirements that will promote effective air pollution control.

Statutory Authority for Adoption: Chapter 70.94 RCW.

Statute Being Implemented: RCW 70.94.141.

Summary: Subsection 104.2, recently promulgated federal rules will be adopted by reference; subsection 133, maximum civil penalty increased to \$11,225 per day per violation to account for inflation; subsection 200, the following definitions have been deleted as they are ambiguous or they are in conflict with other rules: Alteration, plant source, and unavoidable accident. The following definitions have been added to be consistent with other rules: Emissions unit and unavoidable excess emissions. The following definition has been modified: Order of approval; subsection 300, all references to alteration have been deleted to be consistent with the Washington State Clean Air Act, chapter 70.94 RCW; subsection 302, the phrase "all known, available, and reasonable" has been replaced with Best Available Control Technology; subsection 310, delete all references to registration and replace with wording that addresses only approval to operate; subsection 312.1, wording has been added to specifically exempt SEPA rules as an applicable requirement for the Operating Permit process; subsection 320, add language that exempts operating permit sources from the registration program; subsection 340, for clarity, subsection 340.3 has been reworded and a new subsection, 340.4 has been added to address unavoidable excess emissions; subsection 341, add a new subsection, 341.4, to address unavoidable excess emissions; subsection 342, add a new subsection, 342.4, to address unavoidable excess emissions; subsection 410.1, new language for more consistency with other subsections; subsection 460, delete plant sources for consistency with definition section; subsection 580.1, remove requirement for BACT for VOC sources as it is already required in section 301; subsection 580, definitions, add acetone and perchloroethylene as excluded compounds from VOC definition; subsection 580.26, new subsection that exempts sources from complying with applicable sections of 580 if a federal standard already applies; and subsection 590, new section adopting a local rule for perchloroethylene dry cleaners. The rule is equal in stringency to the federal rule with the exception that transfer machines will be phased out by December 31, 1999. The rule will simplify the understanding of requirements that affect dry cleaning operations.

Reasons Supporting Proposal: Incorporation of changes will simplify enforcement and aid in air pollution control.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: James Randles, 302 Pine

Street, #207, Mount Vernon, WA 98273-3842, (360) 428-1617.

Name of Proponent: Northwest Air Pollution Authority, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Summary above.

Proposal Changes the Following Existing Rules: See Summary above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not required of this organization.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption.

Hearing Location: Skagit County Administration Building, Second and Kincaid Street, Hearing Room C, Mount Vernon, WA 98273, on February 8, 1996, at 1:30 p.m.

Assistance for Persons with Disabilities: Contact Susan Duffy by January 25, 1996, (360) 428-1617 ext. 200.

Submit Written Comments to: FAX (360) 428-1620, by February 7, 1996.

Date of Intended Adoption: February 8, 1996.

December 19, 1995

James B. Randles

Assistant Control Officer

Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 96-02 Issue of the Register.

WSR 96-01-098
PROPOSED RULES

WESTERN WASHINGTON UNIVERSITY

[Filed December 19, 1995, 9:14 a.m.]

Continuance of WSR 95-21-031.

Preproposal statement of inquiry was filed as WSR 95-17-057.

Title of Rule: Use of university facilities—Libraries.

Date of Intended Adoption: February 9, 1996.

December 15, 1995

Wendy Bohlke, Assistant Attorney General

Senior Counsel

WSR 96-01-099
PROPOSED RULES

WESTERN WASHINGTON UNIVERSITY

[Filed December 19, 1995, 9:15 a.m.]

Continuance of WSR 95-21-029.

Preproposal statement of inquiry was filed as WSR 95-17-058.

Title of Rule: Access to university services—Media services.

Date of Intended Adoption: February 9, 1996.

December 15, 1995

Wendy Bohlke, Assistant Attorney General

Senior Counsel

WSR 96-01-100

PROPOSED RULES

TRANSPORTATION IMPROVEMENT BOARD

[Filed December 19, 1995, 9:31 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 95-22-084.

Title of Rule: Housekeeping on existing rules.

Purpose: (1) Correction to WAC 479-12-008 and 479-112-0055 concerning eligibility for the TIA and UATA programs to conform to the RCW and revising the definition of a UATA eligible project to be the same as for the TIA program; (2) amendment to WAC 479-20-013 to allow capital expenditures to be eligible costs for TIB funded projects.

Statutory Authority for Adoption: RCW 47.26.086, 47.26.080 and 82.44.180.

Statute Being Implemented: Same.

Summary: In January 1995 when the TIA and UATA rules were developed a conflict with the RCWs was not detected. In October 1995 when the rules for the transit account were adopted, it was discovered that an existing TIB rule also needed revisions.

Reasons Supporting Proposal: The TIB rules need to be in accordance with the RCWs, which necessitates the subject revisions.

Name of Agency Personnel Responsible for Drafting and Implementation: Dan Rude, Transportation Building, 705-7547; and Enforcement: Jerry Fay, Transportation Building, 705-7301.

Name of Proponent: Transportation Improvement Board, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Amending WAC 479-12-008 Definitions, the revision removes the conflict with the RCWs by stating that UATA eligible agencies are cities within the urban areas and cities with a population of 5000 or above. Also, the location of an eligible project is revised to be in agreement with the definition in the TIA program.

Amending WAC 479-20-013 Direct costs, the revision was necessitated from the new board responsibilities for two transit funding programs where capital equipment acquisition is a fundable project. The need for the revision was overlooked when the initial rules were adopted in October 1995.

Amending WAC 479-112-0055 Definitions, the revision removes the conflict with the RCWs by stating that TIA eligible cities are all cities with a population of 5000 or more.

Proposal Changes the Following Existing Rules: Same as above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. There is no economic impact on small business. TIB funding programs affect state and local transportation agencies.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. The rules being revised are implementing Washington state law and the TIB is not one of the agencies specifically directed to provide additional details.

Hearing Location: Tyee Motel, Tumwater, Washington, on January 26, 1996, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact Jennie Stinbrink by January 19, 1996, (360) 705-7549.

Submit Written Comments to: FAX (360) 705-6830, by January 19, 1996.

Date of Intended Adoption: January 29, 1996.

December 18, 1995

Jerry M. Fay

Executive Director

AMENDATORY SECTION (Amending WSR 95-22-056, filed 10/30/95, effective 11/30/95)

WAC 479-12-008 Definitions. For purposes of implementing the requirements of RCW 47.26.185 relative to the urban arterial trust account, the following definitions shall apply:

(1) Board - when board is used in this chapter, it refers to the transportation improvement board.

(2) UATA - this is the abbreviation for the urban arterial trust account.

(3) Director - the executive director of the transportation improvement board.

(4) Eligible agencies - the urban arterial trust account eligible agencies are the counties with ~~((federal designated))~~ urban areas ~~((and all urban))~~, cities within an urban area, and cities with a population of five thousand or above.

(5) Urban area - the term "urban area" as used for the UATA program refers to the portion of a county within the federal urban area boundary as designated by FHWA.

(6) Eligible projects ~~((improvement on federally classified arterials within the urban area))~~.

(a) Improvements on federally classified arterials.

(b) Improvement involving state highway and transit when they are part of a joint project with eligible agencies.

(c) A project within the federal urban boundary or a project that extends partially or is totally beyond the federal urban boundary and is an extension of a federally classified arterial which connects two other federally classified arterials.

(d) A project that is on the federal functional classification system and in an area that is outside of the federal urban boundary, but has definite urban characteristics as defined by local comprehensive plans.

AMENDATORY SECTION (Amending WSR 95-04-072, filed 1/30/95, effective 3/2/95)

WAC 479-20-013 Direct costs. Direct costs eligible for board participation are those costs which are directly attributable to a specific project and shall include:

(1) Direct labor (engineering and/or construction) including related employee benefits:

(a) Salaries and wages (at actual or average rates) covering productive labor hours of city and county employees (excluding the administrative organization of the operating unit involved) for periods of time, actively or incidentally engaged in (i) predesign engineering, (ii) design engineering, (iii) construction engineering, (iv) acquisition of rights of way, and (v) actual construction activities are considered a direct cost of construction projects. The cost of services rendered by employees generally classified as administrative are considered a direct cost only when such employees are assigned for short periods of time to perform on a full time

basis the types of services described above and when similar procedures are followed for nonboard projects.

(b) Employee benefits relating to direct labor are considered a direct cost of construction projects. The following items may be included as employee benefits:

- (i) F.I.C.A. (Social Security) - employer's share
- (ii) Retirement benefits
- (iii) Hospital, health, dental and other welfare insurance
- (iv) Life insurance
- (v) Industrial and medical insurance
- (vi) Vacation
- (vii) Holiday
- (viii) Sick leave
- (ix) Military leave and jury duty

Employee benefits shall be calculated as a percentage of direct labor dollars. The computation of predetermined percentage rates to be applied to current labor costs shall be based upon the average of total employee benefits and total labor costs for the prior fiscal year and adjusted by known current year variations.

- (2) Contract engineering services
- (3) Right of way acquisition costs including:

(a) Purchase of land and easements acquired for and devoted to the project;

- (b) Purchase of improvements;
- (c) Adjustment or reestablishment of improvements;
- (d) Salaries, expenses or fees of appraisers, negotiators or attorneys;

- (e) Removal or demolition of improvement;
- (f) Other direct costs in connection with the acquisition.

Amounts received from the sale of excess real property or improvements and from any rentals shall be a reduction of the direct cost.

(4) Contract construction work, and/or capital equipment acquisition approved by the board.

(5) Direct vehicle and equipment charges at the actual rental cost paid for the equipment or, in the case of city or county owned equipment, at the rental rates established by the city's or county's "equipment rental and revolving fund" following the methods prescribed by the division of audit: *Provided*, That such costs shall be charged on a uniform basis to equipment used for all projects regardless of the source of funding. Cities with a population of 8,000 or less which may not use this type of fund shall be allowed the same rates as used by the department of transportation.

(6) Direct materials and supplies. The cost of materials used in projects shall be based upon methods prescribed for the "equipment rental and revolving fund" by the division of audit.

(a) An overhead rate or "loading factor" shall not be considered an appropriate additive to the actual cost of materials and supplies used on construction projects unless the factor is readily and properly supportable by the governmental unit's accounting records.

(b) The cost, or reasonable estimate thereof, of materials paid for as contract estimate items, but not used, shall be considered a reduction of direct costs. Any material which may be salvaged in connection with a project shall be assigned a reasonable value and considered a reduction of direct costs.

(7) Interdepartmental charges for work performed by county or city departments, other than the road or street

department, for the benefit of specific construction projects shall be limited to direct costs plus an allocation of indirect costs based upon 10% of direct labor dollars, excluding employee benefits. Such indirect costs shall be determined by a rate which is readily and properly supportable by the governmental unit's accounting records and shall be the same rate as applied to nonboard projects; however, this rate shall not exceed the indirect cost allocation rate established by the board. If individual units of government do not have such an internal indirect cost allocation rate, the rate predetermined by the board shall be used in determining the amount of indirect costs includable in the total interdepartmental charges.

(8) Other direct costs incurred for materials or services acquired for a specific project shall be eligible for participation by board funds and may include, but shall not be limited to, such items as:

- (a) Telephone charges
- (b) Reproduction and photogrammetry costs
- (c) Computer usage
- (d) Printing and advertising.

AMENDATORY SECTION (Amending WSR 95-22-056, filed 10/30/95, effective 11/30/95)

WAC 479-112-0055 Definitions. For purposes of implementing the requirements of RCW 47.26.084 relative to the transportation improvement account, the following definitions shall apply:

(1) Board - when board is used in this chapter, it refers to the transportation improvement board.

(2) Director - the executive director of the transportation improvement board.

(3) Urban area - the term "urban area" as used in this chapter refers to the portion of a county within the federal urban area boundary as designated by FHWA.

(4) Eligible agencies - the transportation improvement account eligible agencies are:

- (a) Counties that have an urban area.
- (b) All cities with a population of five thousand (~~and over~~) or more.

(c) Urban area transportation benefit districts.

(5) Eligible projects.

(a) Improvements on federally classified arterials.

(b) Improvement involving state highway and transit when they are part of a joint project with eligible agencies.

(c) A project within the federal urban boundary or a project that extends partially or is totally beyond the federal urban boundary and is an extension of a federally classified arterial which connects two other federally classified arterials.

(d) A project that is on the federal functional classification system and in an area that is outside of the federal urban boundary, but has definite urban characteristics as defined by local comprehensive plans.

WSR 96-01-102
PROPOSED RULES
POLLUTION LIABILITY
INSURANCE AGENCY
 [Filed December 19, 1995, 9:42 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 95-22-051.

Title of Rule: Amending WAC 374-60-030 Appeals and 374-60-120 Grant management.

Purpose: The purpose of the amendment to WAC 374-60-030 is to define decisions which may be appealed and to establish a time limit for appeals. The purpose of the amendment to WAC 374-60-120 is to eliminate the requirement for annual visits to the UST site of each grant recipient.

Statutory Authority for Adoption: Chapter 70.148 RCW.

Statute Being Implemented: Chapter 70.148 RCW.

Summary: The amendment to WAC 374-60-030 defines decisions which may be appealed and establishes a time limit for appeals. The amendment to WAC 374-60-120 eliminates the requirement for annual visits to the UST site of each grant recipient.

Reasons Supporting Proposal: Amendment to WAC 374-60-030, an amendment is needed to define decisions under the UST community assistance program which may be appealed and to establish a time limit for appeals. This will eliminate frivolous appeals and will prevent submission of an appeal several months or years after the decision.

Amendment to WAC 374-60-120, an amendment is needed to eliminate the requirement for annual visits to grant sites. It has been proven that annual visits to the UST site of grant recipients are not needed because the written reports from grant recipients are satisfactory to determine compliance with the grant agreements. This will reduce the annual travel expenditures for the agency and will reduce staff time spent away from the office.

Name of Agency Personnel Responsible for Drafting: Gerry Geer, 1015 10th Avenue S.E., Olympia, WA 98504, (360) 586-5997; Implementation and Enforcement: James Sims, 1015 10th Avenue S.E., Olympia, WA 98504, (360) 586-5997.

Name of Proponent: Pollution Liability Insurance Agency, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The amendment to WAC 374-60-030 defines decisions under the UST community assistance program which may be appealed and establishes a time limit for appeals. This will eliminate frivolous appeals and will prevent submission of an appeal several months or years after the decision. The amendment to WAC 374-60-120 eliminates the requirement for annual visits to the UST site of each grant recipient. This will reduce the annual travel expenditures for the agency and will reduce staff time spent away from the office.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These amendments do not have any financial impact on small business.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. PLIA is not one of the major agencies addressed in section 201, chapter 403, Laws of 1995.

Hearing Location: Pollution Liability Insurance Agency, 1015 10th Avenue S.E., Olympia, WA 98504, on January 23, 1996, at 2:00 p.m.

Assistance for Persons with Disabilities: Contact Washington Relay Number, TDD (800) 833-6388.

Submit Written Comments to: Pollution Liability Insurance Agency, P.O. Box 40930, Olympia, WA 98504-0930, FAX (360) 586-7187, by January 24, 1996.

Date of Intended Adoption: January 25, 1996.

December 14, 1995

James M. Sims

Director

AMENDATORY SECTION (Amending WSR 91-24-048, filed 11/27/91, effective 12/28/91)

WAC 374-60-030 Appeals. (~~An applicant may appeal a decision made under the UST community assistance program to the director. The director shall conduct an adjudicative hearing proceeding under chapter 34.05 RCW. (1990 c 383, 9; c 383, 9.)~~) (1) An applicant may appeal any of the following listed decisions under the UST community assistance program to the director:

(a) Agency's denial of a grant application;

(b) The amount of the grant contribution allowed by the agency;

(c) Denial by the agency of a request for payment of certain costs related to the grant;

(d) Agency's refusal to sign a subordination agreement;

(e) Agency's refusal to allow an assignment of the grant agreement and deed of trust;

(f) Agency's determination of the amount of the reimbursement due in the case of a forfeiture and/or a buy out agreement; and

(g) Agency's decision to terminate or suspend the grant agreement.

(2) An applicant shall file his or her request for an appeal within thirty calendar days after the date of mailing of the letter containing the decision of the director. The appeal shall be conducted as an adjudicative hearing proceeding under chapter 34.05 RCW.

AMENDATORY SECTION (Amending Order 93-01, filed 1/27/93, effective 2/27/93)

WAC 374-60-120 Grant management. (1) Successful applicants will be notified by letter of the award of a grant. Entitlement to a grant is finalized only after a contract has been finalized between the agency and the grant recipient, and a contract has been finalized between the grant recipient and the contractor performing the replacement or upgrading of the UST(s).

(a) Contracts may be entered only after all program eligibility requirements have been met, funds are available and the application and evaluation process has been completed to the satisfaction of the agency.

PROPOSED

(b) Each contract becomes effective only with the signing of both required contracts. The day of the signing establishes the beginning date of the project. No costs incurred prior to that date are eligible for payment under the grant unless specific provision is made in the grant contract for such costs.

(2) The contract between the agency and a private owner and/or operator shall contain:

(a) An agreement assuring the state of Washington that the business, including the UST site, will be maintained for the retail sale of petroleum products to the public for at least fifteen (15) years after the grant is awarded;

(b) An agreement to sell petroleum products to local governmental entities on a cost-plus basis;

(c) An agreement to comply with all technical and financial responsibility regulations of the U.S. Environmental Protection Agency and the department of ecology;

(d) An agreement awarding the state of Washington a real property lien ensuring repayment of grant funds should any of the above conditions be violated. Such lien is to be binding on all heirs, successors or assignees of the grantee; and

(e) An agreement that should the grantee or any successor fail to adhere to all the terms of the contract through willful act, the amount of the grant shall immediately become due and payable to the state of Washington.

(3) The contract between the agency and a local government shall contain an agreement to comply with all technical and financial responsibility regulations of the U.S. Environmental Protection Agency and the department of ecology.

(4) The contract between the agency and a rural hospital shall contain:

(a) An agreement to comply with all technical and financial responsibility regulations of the U.S. Environmental Protection Agency and the department of ecology; and

(b) An agreement to provide charity care in a dollar amount equivalent to the financial assistance provided under the underground storage tank community assistance program. The period of time for the charity care to be accomplished will be established by the agency in consultation with the department of health, but will not exceed fifteen years.

(5) Contracts between the grantees and contractors shall contain terms covering payments, conditions of work and contaminated soil and water remediation procedures.

(6) If the grantee elects pollution liability insurance as the method for meeting financial responsibility, the insurance policy must name the pollution liability insurance agency as a "loss payee." If another method of demonstrating financial responsibility is selected, there must exist a provision for the agency to place an appropriate encumbrance on that document.

(7) Annually, the local government entity that certified the vital local government, public health, education or safety need of the UST(s) must report, on a form provided by the agency, the status of contracts and services.

(8) Quarterly, a private owner or operator that receives a grant must submit a report, on a form provided by the agency, of petroleum business volume and what local government contracts are currently in effect.

(9) Annually, a rural hospital that has received a grant will report to the agency the amount of charity care provided and the dollar value of that care.

(10) At the conclusion of the fifteen-year agreement, the agency will sign a release of any claim on the real property named in the original contract between the grantee and the agency. The responsibility for removing the lien will rest with the current property owner of record.

~~((11) At least annually, a representative of the agency will visit the UST site of each grantee to verify adherence to contractual obligations.))~~

WSR 96-01-105

PROPOSED RULES

DEPARTMENT OF COMMUNITY, TRADE AND ECONOMIC DEVELOPMENT

(Community Development)

[Filed December 19, 1995, 1:09 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 95-22-011.

Title of Rule: Title 365 WAC, procedural rules for management of the growth management planning and environmental review fund.

Purpose: To adopt procedural rules for application for and distribution of grants to counties and cities from the growth management planning and environmental review fund.

Statutory Authority for Adoption: ESHB 1724, sections 115 and 116.

Statute Being Implemented: ESHB 1724, sections 115 and 116.

Summary: ESHB 1724, section 116 requires the department to establish by rule procedures for management of the growth management planning and environmental review fund.

Name of Agency Personnel Responsible for Drafting: Shane Hope, 9th and Columbia Building, Olympia, Washington, 753-1197; Implementation and Enforcement: Steve Wells, 9th and Columbia Building, Olympia, Washington, 753-2222.

Name of Proponent: Department of Community, Trade and Economic Development, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule contains procedures for application for and distribution of grants from the growth management planning and environmental review fund to cities and counties planning under RCW 36.70A.040. The purpose of this rule is to provide financial assistance to counties and cities to integrate growth management planning and environmental review. The anticipated effect should be establishment of a process for distribution of funds.

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business economic impact statement (SBEIS) is not required pursuant to RCW 19.85.060(2) because this rule is solely directed toward providing funding to local governments. The rule

should have a minor or negligible economic impact on small business.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption.

Hearing Location: 9th and Columbia, 5th Floor, Room 5A, Olympia, Washington 98504, on January 23, 1996, at 1:00 p.m.

Submit Written Comments to: Attention: Shane Hope, Department of Community, Trade and Economic Development, P.O. Box 48300, Olympia, WA 98504-8300, FAX (360) 753-2950, by January 23, 1996.

Date of Intended Adoption: February 2, 1996.

December 18, 1995
Ann D. Bariekman
Rules Coordinator

**Chapter 365-185 WAC
PROCEDURES FOR MANAGEMENT OF GROWTH
MANAGEMENT PLANNING AND ENVIRONMENTAL
REVIEW FUND**

NEW SECTION

WAC 365-185-010 Purpose and authority. (1) The purpose of this chapter is to outline the conditions and procedures by which the department of community, trade, and economic development will make available grants from the growth management planning and environmental review fund to local governments required to plan or have chosen to plan under RCW 36.70A.040 to assist them in complying with RCW 43.21C.240, 36.70B.050, 36.70B.060, and 36.70B.090.

(2) This activity is undertaken pursuant to RCW 36.70A.500 and 43.21C.240.

NEW SECTION

WAC 365-185-020 Definitions. (1) "Applicant" means a local government that has submitted an application for a grant from the growth planning and environmental review fund.

(2) "Contractor" means an applicant which has executed a contract for receipt of growth management planning and environmental review funds with the department.

(3) "Department" means the department of community, trade, and economic development.

(4) "Growth management planning and environmental review fund" means the growth management planning and environmental review fund established pursuant to RCW 36.70A.490.

(5) "Integrated permit process" means a system for integrating environmental review with review of project permits, consistent with RCW 36.70B.050 and 36.70B.060.

(6) "Integrated plan" means a detailed environmental impact statement that is integrated with a comprehensive plan or subarea plan and development regulations.

(7) "Local government" means a city or county that is required or has chosen to plan under RCW 36.70A.040 and 43.21C.240.

NEW SECTION

WAC 365-185-030 Eligibility criteria. (1) A grant may be awarded to a local government that is qualified pursuant to this section.

(2) A grant may be awarded to a county or city that is required to or has chosen to plan under RCW 36.70A.040 and that is qualified pursuant to this section. The grant shall be provided to assist a county or city in paying for the cost of preparing a detailed environmental impact statement that is integrated with a comprehensive plan or subarea plan and development regulations.

(3) In order to qualify for a grant, a county or city shall:

(a) Demonstrate that it will prepare an environmental analysis pursuant to chapter 43.21C RCW that is integrated with a comprehensive plan or subarea plan and development regulations;

(b) Address environmental impacts and consequences, alternatives, and mitigation measures in sufficient detail to allow the analysis to be adopted in whole or in part by subsequent applicants for development permits within the geographic area analyzed in the plan;

(c) Include mechanisms in the plan to monitor the consequences of growth as it occurs in the plan area and provide ongoing data to update the plan and environmental analysis;

(d) Be making substantial progress towards compliance with the requirements of this chapter. A county or city that is more than six months out of compliance with a requirement of this chapter is deemed to not be making substantial progress towards compliance; and

(e) Provide local funding, which may include financial participation by the private sector.

(4) In awarding grants, the department shall give preference to proposals that include one or more of the following elements:

(a) Financial participation by the private sector, or a public/private partnering approach;

(b) Comprehensive and subarea plan proposals that are designed to identify and monitor system capacities for elements of the built environment, and to the extent appropriate, of the natural environment;

(c) Programs to improve the efficiency and effectiveness of the permitting process by greater reliance on integrated plans;

(d) Programs for effective citizen and neighborhood involvement that contribute to greater certainty that planning decisions will be implemented; and

(e) Plans that identify environmental impacts and establish mitigation measures that provide effective means to satisfy concurrency requirements and establish project consistency with the plans.

NEW SECTION

WAC 365-185-040 Grant application process. (1) Applications for growth management planning and environmental review funds shall be filed with the department.

(2) The department will specify the form and manner of application and will set the date and time for receipt of applications.

(3) Applications shall be filed in the form, manner and time specified by the department. Failure of an applicant to

make application in the specified form, manner and time will cause the applicant to be ineligible for grant funds.

(4) Applications for grant funds shall contain a detailed strategy, budget, and timeline for meeting the department's application requirements.

(5) The department will review each application for eligibility under the criteria specified in WAC 365-200-030.

(6) In awarding grants, the department may consider:

(a) An applicant's ability and intent to develop an integrated planning process that will have applicability to jurisdictions with similar characteristics;

(b) A geographic balance of communities;

(c) A balance of urban and rural communities;

(d) A variety of permit processes;

(e) Diversity in population; or

(f) Other criteria that the department considers advisable.

(7) Applicants will be notified in writing of the department's decisions on grants.

(8) The department may offer a contract to an applicant with such reasonable terms and conditions as the department may determine.

NEW SECTION

WAC 365-185-050 Grant evaluation procedure. The department should appoint a committee to assist it in evaluating the applications. The committee may include:

(1) Department staff;

(2) Department of ecology staff;

(3) Representatives of cities and counties; or

(4) A representative of private business.

NEW SECTION

WAC 365-185-060 Method of payment. (1) Grant allocations from the fund will be paid subject to the provisions of the applicable contract.

(2) All grant funds will be disbursed by June 30, 1997.

WSR 96-01-107

PROPOSED RULES

HEALTH CARE AUTHORITY

(Basic Health Plan)

[Filed December 19, 1995, 3:04 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 95-22-072.

Title of Rule: Washington Basic Health Plan.

Purpose: Establishes rules for determining benefits, eligibility, enrollment processes and for administering the Washington Basic Health Plan.

Statutory Authority for Adoption: RCW 70.47.050.

Statute Being Implemented: Chapter 70.47 RCW.

Summary: Updating Basic Health Plan rules and adding new rules for group enrollment, to be consistent with current legislative mandates. Repealing chapter 55-01 WAC and amending Title 182 WAC to include revised Basic Health Plan rules for individual enrollment formerly under chapter 55-01 WAC to reflect the merger of Basic Health Plan and Health Care Authority.

Name of Agency Personnel Responsible for Drafting: Rosanne Reynolds, Lacey, Washington, (360) 923-2948; Implementation and Enforcement: Linda Melton, Lacey, Washington, (360) 923-2996.

Name of Proponent: Health Care Authority, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Relocates Basic Health Plan rules to Health Care Authority rules to reflect the administrative merger with Health Care Authority. Updates Basic Health Plan's rules on individual enrollment to reflect statutory changes from the 1995 legislative session and adds rules for group enrollment in Basic Health Plan to facilitate achieving the legislative goal of enrolling 100,000 adults through their employers by June 30, 1997.

Proposal Changes the Following Existing Rules: Existing rules are updated to reflect current legislative mandates, increase compatibility with the Department of Social and Health Services requirements, and add rules for group enrollment.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not required. The Joint Administrative Rules Review Committee has not requested the filing of a small business economic impact statement, and costs to businesses will be negligible.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Section 201, chapter 403, Laws of 1995 do not apply to Health Care Authority unless requested by the Joint Administrative Rules Review Committee or applied voluntarily.

Hearing Location: Health Care Authority, 676 Woodland Square Loop S.E., Building B, 3rd Floor Conference Room, Lacey, WA 98504, on January 23, 1996, at 1:00 p.m.

Assistance for Persons with Disabilities: Contact Nikki Woehl or Julie Dickinson by January 16, 1996, (360) 923-2805 or (360) 923-2817.

Submit Written Comments to: Rosanne Reynolds, P.O. Box 42683, Olympia, WA 98504-2683, FAX (360) 923-2610, by January 30, 1996.

Date of Intended Adoption: March 11, 1996.

December 19, 1995

Cyndi Presnell

for Elin Meyer

Rules Coordinator

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 55-01-001 Authority.

WAC 55-01-010 Definitions.

WAC 55-01-020 Schedule of benefits.

WAC 55-01-030 Premiums and copayments.

WAC 55-01-040 Eligibility.

WAC 55-01-050 Enrollment in the plan.

WAC 55-01-060 Disenrollment from the plan.

WAC 55-01-070 Hearings and grievances.

WAC 55-01-080 Contracts with managed health care systems.

**Chapter 182-25 WAC
WASHINGTON BASIC HEALTH PLAN**

NEW SECTION

WAC 182-25-001 Authority. The administrator's authority to promulgate and adopt rules is contained in RCW 70.47.050.

NEW SECTION

WAC 182-25-010 Definitions. The following definitions apply throughout these rules.

(1) "Administrator" means the administrator of the Washington state health care authority (HCA) or designee.

(2) "Appeal procedure" means a formal written procedure for resolution of problems or concerns raised by enrollees which cannot be resolved in an informal manner to the enrollee's satisfaction.

(3) "Basic health plan" (or BHP) means the system of enrollment and payment on a prepaid capitated basis for basic health care services administered by the administrator through managed health care systems.

(4) "BHP plus" means the program of expanded benefits available to children through coordination between the department of social and health services (DSHS) and basic health plan. To be eligible for the program children must be under age nineteen, with a family income at or below two hundred percent of federal poverty level, as defined by the United States Department of Health and Human Services. They must be Washington state residents, not eligible for Medicare, and may be required to meet additional DSHS eligibility requirements.

(5) "Insurance broker" or "agent" means a person who is currently licensed as a life and disability insurance broker or agent, according to the laws of the office of the insurance commissioner under chapter 48.17 RCW.

(6) "Co-payment" means a payment indicated in the schedule of benefits which is made by an enrollee to a health care provider.

(7) "Covered services" means those services and benefits in the BHP schedule of benefits (as outlined in the member handbook issued to the enrollee, or to a subscriber on behalf of the enrollee), which an enrollee shall be entitled to receive from a managed health care system in exchange for payment of premium and applicable co-payments.

(8) "Disenrollment" means the termination of covered services in BHP for a subscriber and dependents, if any.

(9) "Effective date of enrollment" means the first date, as established by BHP, on which an enrollee is entitled to receive covered services from the enrollee's respective managed health care system.

(10) "Dependent." The following are eligible as dependents under BHP:

(a) Lawful spouse of the subscriber, if not legally separated, who resides in the same residence.

(b) Dependent child who is an unmarried child and who is:

(i) Younger than age nineteen and is one of the following: A natural child, stepchild or legally adopted child of a subscriber; or a child who has been placed under legal guardianship of a subscriber.

(ii) Younger than age twenty-three and is a registered student in full-time attendance at an accredited secondary school, college, university, technical college or school of nursing. Dependent student eligibility continues year-round, including the quarter or semester following graduation, for those who attend full time (except for school holidays and scheduled spring and summer breaks) provided the subscriber is covered at the same time; the dependent limiting age has not been exceeded; and the dependent meets all other eligibility requirements.

(c) Legal dependent of any age who is incapable of self-support due to disability.

(11) "Eligible full-time employee" means an employee who is regularly scheduled to work thirty or more hours per week for an employer. The term includes a self-employed individual (including a sole proprietor or a partner of a partnership, and may include an independent contractor) if the individual:

(a) Is regularly scheduled to work thirty hours or more per week; and

(b) Derives at least seventy-five percent of his or her income from a trade or business that is licensed to do business in Washington.

Persons covered under a health benefit plan pursuant to the Consolidated Omnibus Budget Reconciliation Act of 1986 shall not be considered eligible employees for purposes of minimum participation requirements.

(12) "Eligible part-time employee" means an employee who meets all the criteria in subsection (11) of this section, but who is regularly scheduled to work fewer than thirty hours per week for an employer.

(13) "Employee" means one who is in the employment of an employer, as defined by RCW 50.04.080.

(14) "Employer" means an enterprise licensed to do business in Washington state, as defined by RCW 50.04.080.

(15) "Enrollee" means a person who meets all eligibility requirements, who is enrolled in BHP, and for whom applicable premium payments have been made.

(16) "Family" means an individual or an individual and spouse, if not legally separated, and dependents. For purposes of eligibility determination and enrollment in the plan, an individual cannot be a member of more than one family.

(17) "Financial sponsor" means a person, organization or other entity, approved by the administrator, that is responsible for payment of all or a designated portion of the monthly premiums on behalf of a subscriber and any dependents.

(18) "Gross family income" means total cash receipts, as defined in (a) of this subsection, before taxes, from all sources, for subscriber and dependents whether or not they are enrolled in BHP, with the exceptions noted in (b) of this subsection.

(a) Income includes:

(i) Money wages, tips and salaries before any deductions;

(ii) Net receipts from nonfarm self-employment (receipts from a person's own unincorporated business, professional enterprise, or partnership, after deductions for business expenses);

PROPOSED

(iii) Net receipts from farm self-employment (receipts from a farm which one operates as an owner, renter, or sharecropper, after deductions for farm operating expenses);

(iv) Regular payments from Social Security, railroad retirement, unemployment compensation, strike benefits from union funds, workers' compensation, veterans' payments, public assistance, alimony, child support, military family allotments, private pensions, government employee pensions (including military retirement pay), and regular insurance or annuity payments;

(v) Work study or training stipends;

(vi) College or university scholarships, grants, fellowships and assistantships, if received as or convertible by the recipient into cash;

(vii) Dividends and interest accessible to the enrollee without a penalty;

(viii) Net rental income, net royalties, periodic receipts from estates or trusts, and net gambling or lottery winnings.

(b) Income does not include the following types of money received:

(i) Capital gains;

(ii) Any assets drawn down as withdrawals from a bank, the sale of property, a house or a car;

(iii) Tax refunds, gifts, loans, lump-sum inheritances, one-time insurance payments, or compensation for injury (except workers' compensation);

(iv) Noncash benefits, such as the employer-paid or union-paid portion of health insurance or other employee fringe benefits, food or housing received in lieu of wages, the value of food and fuel produced and consumed on farms, the imputed value of rent from owner-occupied nonfarm or farm housing, and such noncash benefit programs as Medicare, Medicaid, food stamps, school lunches, and housing assistance;

(v) Income earned by dependent children;

(vi) Income of a family member who resides in another household when such income is not available to the subscriber or dependents seeking enrollment in BHP;

(vii) University scholarships, grants, fellowships and assistantships if not convertible to cash;

(viii) Documented child care expenses (at a rate set by the administrator and consistent with Internal Revenue Service requirements), not paid to a parent or step parent, for the care of an eligible dependent of a subscriber who is currently employed.

(19) "Home care agency" means a private or public agency or organization that administers or provides home care services directly or through a contract arrangement to ill, disabled, or infirm persons in places of temporary or permanent residence, and is licensed by the department of social and health services (DSHS) as a home care agency. In order to qualify, the agency must be under contract with one of the following DSHS programs: Chore, Medicaid Personal Care, Community Options Program Entry System (COPES) or Respite Care (up to level three).

(20) "Managed health care system" (or "MHCS") means any health care organization (including health care providers, insurers, health care service contractors, health maintenance organizations, or any combination thereof) which has entered into a contract with the HCA to provide basic health care services.

(21) "Medicaid" means the Title XIX Medicaid program administered by the department of social and health services, and includes the medical care programs provided to the "categorically needy" and the "medically needy" as defined in chapter 388-503 WAC.

(22) "Medicare" means programs established by Title XVIII of Public Law 89-97, as amended, "Health Insurance for the Aged and Disabled."

(23) "Nonsubsidized enrollee" means an individual who enrolls in BHP, as the subscriber or dependent, and who pays or on whose behalf is paid the full costs for participation in BHP, without subsidy from the HCA.

(24) "Open enrollment" means a time period designated by the administrator during which enrollees may enroll additional dependents or apply to transfer their enrollment from one managed health care system to another. There shall be at least one annual open enrollment period of at least twenty consecutive days.

(25) "Participating employee" means an employee of a participating employer or home care agency who has met all the eligibility requirements and has been enrolled for coverage under BHP.

(26) "Participating employer" means an employer who has been approved for enrollment in BHP as an employer group.

(27) "Preexisting condition" means any illness, injury or condition for which, in the three months immediately preceding an enrollee's effective date of enrollment in BHP:

(a) Treatment, consultation or a diagnostic test was recommended for or received by the enrollee; or

(b) The enrollee was prescribed or recommended medication; or

(c) Symptoms existed which would ordinarily cause a reasonably prudent individual to seek medical diagnosis, care or treatment.

(28) "Premium" means a periodic payment, based upon gross family income and determined under RCW 70.47.060(2), which an individual, their employer or a financial sponsor makes to BHP for subsidized or nonsubsidized enrollment in BHP.

(29) "Provider" or "health care provider" means a health care professional or institution duly licensed and accredited to provide covered services in the state of Washington.

(30) "Rate" means the per capita amount, including administrative charges and any applicable premium and prepayment tax imposed under RCW 48.14.020, negotiated by the administrator with and paid to a managed health care system, to provide BHP health care benefits to enrollees.

(31) "Schedule of benefits" means the basic health care services adopted and from time to time amended by the administrator, which an enrollee shall be entitled to receive from a managed health care system in exchange for payment of premium and applicable co-payments, as described in the member handbook.

(32) "Service area" means the geographic area served by a managed health care system as defined in its contract with BHP.

(33) "Subscriber" is a person who applies to BHP on his/her own behalf and/or on behalf of his/her dependents, if any, who meets all applicable eligibility requirements, is enrolled in BHP, and for whom the monthly premium has been paid. Notices to a subscriber and, if applicable, a

financial sponsor or employer (with the exception of disenrollment notices) shall be considered notice to the subscriber and his/her enrolled dependents. Disenrollment notices will be sent to the subscriber, or to the subscriber's parent or legal guardian and, in the case of group coverage, to both the subscriber and to the employer or financial sponsor.

(34) "Subsidized enrollee" means an individual who enrolls in BHP, either as the subscriber or an eligible dependent, whose current gross family income does not exceed twice the federal poverty level as adjusted for family size and determined annually by the federal Department of Health and Human Services, and who receives a premium subsidy from the HCA.

(35) "Subsidy" means the difference between the amount of periodic payment the HCA makes to a managed health care system on behalf of a subsidized enrollee, and the amount determined to be the subsidized enrollee's responsibility under RCW 70.47.060(2).

NEW SECTION

WAC 182-25-020 BHP benefits. (1) The administrator shall design and from time to time may revise BHP benefits, according to the requirements of chapter 70.47 RCW, as amended. These benefits will include physician services, prescription drugs and medications, and inpatient and outpatient hospital services, limited mental health care services, limited chemical dependency services, limited organ transplant services, and all services necessary for prenatal, postnatal and well-child care, and will emphasize proven preventive and primary care services. Enhanced benefits may be available through coordination with DSHS for children under the age of nineteen, who are found to be Medicaid eligible. BHP benefits may include co-payments, waiting periods, limitations and exclusions which the administrator determines are appropriate and consistent with the goals and objectives of the plan. BHP benefits will be subject to a three-month waiting period for preexisting conditions. Credit toward the waiting period will be given for any continuous period of time for which an enrollee was covered under similar health coverage if that coverage was in effect at any time during the three-month period immediately preceding the date of application for coverage under BHP. A list of BHP benefits, including co-payments, waiting periods, limitations and exclusions, will be provided to the subscriber.

(2) In designing and revising BHP benefits, the administrator will consider the effects of particular benefits, co-payments, limitations and exclusions on access to necessary health care services, as well as the cost to the enrollees and to the state, and will also consider generally accepted practices of the health insurance and managed health care industries.

(3) Prior to enrolling in BHP, each applicant will be given a written description of covered benefits, including all co-payments, waiting periods, limitations and exclusions, and be advised how to access information on the services, providers, facilities, hours of operation, and other information descriptive of the managed health care system(s) available to enrollees in a given service area.

(4) BHP will mail to all subscribers written notice of any changes in the amount and scope of benefits provided under BHP, or policy changes regarding premiums and co-payments at least thirty days prior to the due date of the premium payment for the month in which such revisions are to take effect. The administrator may make available a separate schedule of benefits for children, eighteen years of age and younger, for those dependent children in the plan.

(5) If, for reasons of religion or conscience, an individual, employer or financial sponsor objects to payment of a specific health care service, that individual, employer or financial sponsor must notify BHP in writing of such objection, and BHP will notify the affected managed health care systems selected by the individual or members of that group. The MHCS chosen by the individual or group members will contact the subscribers, employers and/or financial sponsors identified to them by BHP to advise them of their rights under the provisions of RCW 70.47.160.

NEW SECTION

WAC 182-25-030 Eligibility. (1) To be eligible for enrollment in BHP, an individual must:

- (a) Not be eligible for Medicare; and
- (b) Reside within the state of Washington.

Persons not meeting these criteria, as evidenced by information submitted on the application for enrollment or otherwise obtained by BHP, will not be enrolled. An enrollee who subsequently fails to meet these criteria, or who is later determined to have failed to meet the criteria at the time of enrollment, will be disenrolled from the plan as provided in WAC 182-25-090.

(2) To be eligible for subsidized enrollment in BHP, an individual must have a gross family income that does not exceed two hundred percent of federal poverty level as adjusted for family size and determined annually by the U.S. Department of Health and Human Services, and must pay, or have paid on their behalf, the monthly BHP premium.

(3) To be eligible for nonsubsidized enrollment in BHP, an individual may have any income level and must pay, or have paid on their behalf, the full costs for participation in BHP, including the cost of administration, without subsidy from the HCA.

(4) An individual otherwise eligible for enrollment in BHP may be denied enrollment if the administrator has determined that acceptance of additional enrollment would exceed limits established by the legislature, would jeopardize the orderly development of BHP or would result in an overexpenditure of BHP funds. In the event that the administrator closes enrollment, BHP will continue to accept applications for enrollment, but will not process those applications for determination of eligibility. BHP will place the names of applicants on a waiting list in the order in which applications are received, and will so notify the applicants. In the event that enrollment is reopened by the administrator, applicants whose names appear on the waiting list will be notified by BHP of the opportunity to enroll. BHP may require new application forms and documentation from applicants on the waiting list, or may contact applicants to verify continued interest in applying, prior to determining their eligibility.

NEW SECTION

WAC 182-25-040 Enrollment in the plan. (1) Any individual applying for enrollment in BHP must submit a signed, completed BHP application for enrollment. Applications for enrollment of children under the age of eighteen must be signed by the child's parent or legal guardian, who shall also be held responsible for payment of premiums due on behalf of the child. If an applicant is accepted for enrollment, the applicant's signature acknowledges the applicant's obligation to pay the monthly premium in accordance with the terms and conditions identified in the member handbook. Applications for subsidized enrollment on behalf of children under the age of nineteen shall be referred to the department of social and health services for Medicaid eligibility determination, unless the family chooses not to access this option.

(2) Each applicant shall list all eligible dependents to be enrolled and supply other information and documentation as required by BHP and, where applicable, DSHS medical assistance.

(a) Documentation will be required, showing the amount and sources of the applicant's gross family income. Acceptable documentation will include a copy of the applicant's most recently filed federal income tax form, and/or other documentation that shows year-to-date income, or income for the most recent complete calendar month as of the date of application. Income documentation shall be required for the subscriber and dependents, with the exceptions listed under WAC 182-25-010 (18)(b).

(b) Documentation of Washington state residency shall also be required, displaying the applicant's name and address. Other documentation may be accepted if the applicant does not have a physical residence.

(c) BHP may request additional information from applicants for purposes of establishing or verifying eligibility, premium responsibility or managed health care system selection.

(d) Submission of incomplete or inaccurate information may delay or prevent an applicant's enrollment in BHP. Intentional submission of false information may result in disenrollment of the subscriber and all enrolled dependents.

(3) Each family applying for enrollment must designate a managed health care system from which the applicant and all enrolled dependents will receive covered services. All applicants from the same family must receive covered services from the same managed health care system (with the exception of cases in which a subscriber who is paying child support for his/her dependents lives in a different service area). No applicant will be enrolled for whom designation of a managed health care system has not been made as part of the application for enrollment. The administrator will establish procedures for the selection of managed health care systems, which will include conditions under which an enrollee may change from one managed health care system to another. Such procedures will allow enrollees to change from one managed health care system to another during open enrollment, or otherwise upon showing of good cause for the transfer.

(4) Managed health care systems may assist BHP applicants in the enrollment process, but must provide them with the toll-free number for BHP, information on all MHCS

available within the applicant's county of residence and an estimate of the premium the applicant would pay for each available MHCS.

(5) Insurance brokers or agents who have met all statutory and regulatory requirements of the office of the insurance commissioner, are currently licensed through the office of the insurance commissioner, and who have completed BHP's training program, will be paid a commission for assisting eligible applicants to enroll in BHP.

(a) Individual policy commission: Subject to availability of funds, BHP will pay a one-time fee, as established by the administrator, to any currently licensed insurance broker or agent who sells BHP to an eligible individual applicant if that applicant has never been a BHP member in the past.

(b) Group policy commission: Subject to availability of funds, fees established by the administrator for the sale of BHP group coverage to an eligible employer will be based on the number of employees in the group for the first twelve months of the group's enrollment.

(c) Insurance brokers or agents must provide the prospective applicant with the BHP toll-free information number and inform them of BHP benefits, limitations, exclusions, waiting periods, co-payments, all managed health care systems available to the applicant within his/her county of residence and the estimated premium for each of them.

(d) All statutes and regulations of the office of the insurance commissioner will apply to brokers or agents who sell BHP, except they will not be required to be appointed by the MHCS.

(e) BHP will not pay renewal commissions.

(6) Except as provided in WAC 182-25-030(4), applications for enrollment will be reviewed by BHP within thirty days of receipt and those applicants satisfying the eligibility criteria and who have provided all required information, documentation and premium payments will be notified of their effective date of enrollment.

(7) Eligible applicants will be enrolled in BHP in the order in which their completed applications, including all required documentation, have been received by BHP, provided that the applicant also remits full payment of the first premium bill to BHP by the due date specified by BHP.

(8) Not all family members are required to apply for enrollment in BHP; however, any family member for whom application for enrollment is not made at the same time that other family members apply, may not subsequently enroll as a dependent until the next open enrollment period, unless the subscriber has experienced a qualifying change in family status:

(a) The loss of other continuous health care coverage, for dependents who have previously waived coverage, upon proof of continuous medical coverage from the date the subscriber enrolled;

(b) Marriage; or

(c) Birth, adoption or change in dependency or custody of a child or adult dependent.

(9) Any enrollee who disenrolls from BHP may reenroll, subject to portability and preexisting condition policies specified in the member handbook, provided they are determined by BHP to be otherwise eligible for enrollment as of the date of application. However, with the exception of enrollees under group coverage, enrollees who are disenrolled from BHP for nonpayment, in accordance with

WAC 182-25-090(2), more than twice in a twelve-month period, and who have a lapse in coverage of sixty days or more, may not reenroll for a period of twelve months from the effective date of the third disenrollment.

(10) On a schedule approved by the administrator, BHP will request verification of information from all or a subset of enrollees ("recertification"), requiring new documentation of income if the enrollee has had a change in income that would result in a different subsidy level. For good cause, BHP may require recertification on a more widespread or more frequent basis. Enrollees who fail to comply with a recertification request will be disenrolled from BHP. Each enrollee is responsible for notifying BHP within thirty days of any changes which could affect the enrollee's eligibility or premium responsibility. If, as a result of recertification, BHP determines that a subsidized enrollee's income exceeds twice the poverty level according to the federal income guidelines, and that the enrollee knowingly failed to inform BHP of such increase in income, BHP may bill the enrollee for the subsidy paid on the enrollee's behalf during the period of time that the enrollee's income exceeded twice the poverty level.

NEW SECTION

WAC 182-25-050 Employer groups. (1) BHP will accept applications for group enrollment in BHP from business owners, their spouses and eligible dependents, and on behalf of their eligible full-time and/or part-time employees, their spouses and eligible dependents.

(2) With the exception of home care agencies (see WAC 182-25-060(2)), the employer must enroll at least seventy-five percent of all eligible employees within a classification of employees in the basic health plan, and the employer must not offer other health care coverage to the same classification of employees. Employees who have health care coverage from other sources, such as their spouse or a federal program, shall be excluded from the minimum participation calculation. When or if the basic health plan is offered through another alliance or through an association, the minimum participation rules of the other alliance or association shall apply, instead of the rules in this subsection.

(3) BHP may require a minimum financial contribution from the employer for each enrolled employee.

(4) The employer will provide the employees the complete choice of BHP managed health care systems available within the employee's county of residence.

(5) The employer will pay all or a designated portion of the premium, as determined by the administrator, on behalf of the enrollee. It is the employer's responsibility to collect the employee's portion of the premium and remit the entire payment to BHP and to notify BHP of any changes in the employee's account.

(6) Employees enrolling in BHP must meet all BHP eligibility requirements as outlined in WAC 182-25-030.

NEW SECTION

WAC 182-25-060 Home care agencies. BHP will accept applications from home care agencies under contract with the department of social and health services (DSHS) for group enrollment in BHP, with premiums paid by the home

care agency or DSHS or a designee, under the provisions for employer groups, WAC 182-25-050, with the following exceptions or additions:

(1) To qualify for premium reimbursement through DSHS, home care agencies who enroll under the provisions of this section must be under current contract with DSHS as a home care agency, as defined by DSHS.

(2) Home care agencies need not enroll at least seventy-five percent of all eligible employees in the basic health plan, and home care agencies may offer other coverage to the same classification of employees.

(3) Home care agencies need not make a minimum financial contribution for each enrolled employee.

(4) Home care agencies are not subject to WAC 182-25-050(5).

(5) Individual home care providers may enroll in BHP as individuals.

NEW SECTION

WAC 182-25-070 Financial sponsors. (1) A third party may, with the approval of the administrator, become a financial sponsor to BHP enrollees. Eligible financial sponsors may include, but are not limited to, health care providers and facilities, Native American tribes, local (nonstate) governments, religious organizations, family members, or friends. Financial sponsors may not be a state agency or a managed health care system.

(2) The financial sponsor will establish eligibility for participation in that particular financial sponsor group; however, sponsored enrollees must meet all BHP eligibility requirements as outlined in WAC 182-25-030.

(3) The financial sponsor will pay all or a designated portion of the premium on behalf of the sponsored enrollee. It is the financial sponsor's responsibility to collect the enrollee's portion of the premium, if any, and remit the entire payment to BHP and to notify BHP of any changes in the sponsored enrollee's account.

(4) A financial sponsor must inform sponsored enrollees and BHP of the minimum time period for which they will act as sponsor. At least sixty days before the end of that time period, it is the responsibility of the financial sponsor to notify sponsored enrollees and BHP if the sponsorship will or will not be extended.

(5) A financial sponsor must not discriminate for or against potential group members based on health status, race, color, creed, political beliefs, national origin, religion, age, sex or disability.

(6) A financial sponsor may choose the managed health care system available to sponsored enrollees who participate in that financial sponsor group; however, the sponsor must disclose to the sponsored enrollee all the managed health care systems within the enrollee's county of residence, the estimated premiums for each of them, and the BHP toll-free information number.

(7) BHP may periodically conduct a review of the financial sponsor group members to verify the eligibility of all enrollees.

PROPOSED

NEW SECTION

WAC 182-25-080 Premiums and co-payments. (1) Subscribers or their employer or financial sponsor shall be responsible for paying the full monthly premium to BHP, on behalf of the subscriber and all enrolled dependents, according to the most current premium schedule. A third party may, with the approval of the administrator, become a financial sponsor and pay all or a designated portion of the premium on behalf of a subscriber and dependents, if any.

(2) The amount of premium due from or on behalf of a subscriber will be based upon the subscriber's gross family income, the managed health care system selected by the subscriber, rates payable to managed health care systems, and the number and ages of individuals enrolled from the subscriber's family.

(3) Once BHP has determined that an applicant and his/her dependents (if any) are eligible for enrollment, the applicant or employer or financial sponsor will be informed of the amount of the first month's premium for the applicant and his/her enrolled dependents. New enrollees will not be eligible to receive covered services on the effective date of enrollment specified by BHP unless the premium has been paid. Thereafter, BHP will bill each subscriber or employer or financial sponsor monthly.

(4) Full payment for premiums due must be received by BHP by the date specified on the bill. If BHP does not receive full payment of a premium by the date specified on the bill, BHP shall issue a notice of delinquency to the subscriber, at the subscriber's last address on file with BHP or, in the case of group coverage, to the employer or financial sponsor. If full payment is not received by the date specified in the delinquency notice, the subscriber and enrolled family members will be disenrolled effective the first day of the month following the last month for which full premium payment was received, as provided in WAC 182-25-090(2). Partial payment of premiums due or payment by check which is returned due to nonsufficient funds will be regarded as nonpayment.

(5) Enrollees shall be responsible for paying any required co-payment directly to the provider of a covered service at the time of service. Repeated failure to pay co-payments in full on a timely basis may result in disenrollment, as provided in WAC 182-25-090(2).

NEW SECTION

WAC 182-25-090 Disenrollment from BHP. (1) An enrollee or financial sponsor or employer group may disenroll effective the first day of any month by giving BHP at least ten days prior written notice of the intention to disenroll. Reenrollment in BHP shall be subject to the provisions of WAC 182-25-040(9). The administrator shall also establish procedures for notice by an enrollee of a disenrollment decision, including the date upon which disenrollment shall become effective. Nonpayment of premium by an enrollee shall be considered an indication of the enrollee's intention to disenroll from BHP.

(2) BHP may disenroll any enrollee or group from BHP for good cause, which shall include:

- (a) Failure to meet the eligibility requirements set forth in WAC 182-25-030;
- (b) Nonpayment of premium;

(c) Repeated failure to pay co-payments in full on a timely basis;

(d) Fraud or knowingly providing false information;

(e) Abuse or intentional misconduct; and

(f) Refusal to accept or follow procedures or treatment determined by a MHCS to be essential to the health of the enrollee, where the managed health care system demonstrates to the satisfaction of BHP that no professionally acceptable alternative form of treatment is available from the managed health care system, and the enrollee has been so advised by the managed health care system.

In the event that an employer group, a home care agency group or a financial sponsor group is disenrolled under these provisions, the employer or sponsor and all members of that group will be notified of the disenrollment, and the enrollees will be offered coverage under individual accounts. BHP will make every effort to transfer the enrollees to individual accounts without a break in coverage; however, the enrollee will be responsible for ensuring that payment is received by BHP prior to the final disenrollment date for that month.

Enrollees who are disenrolled from BHP in accordance with (c), (d), (e) or (f) of this subsection may not reenroll for a period of twelve months from the effective date of disenrollment. With the exception of enrollees under group coverage, enrollees who are disenrolled from BHP for nonpayment, in accordance with (b) of this subsection, more than twice in a twelve-month period, and who have a lapse in coverage of sixty days or more, may not reenroll for a period of twelve months from the effective date of the third disenrollment.

BHP shall provide the enrollee or the parent, legal guardian or sponsor of an enrolled dependent with advance written notice of its intent to disenroll the enrollee. Such notice shall specify an effective date of disenrollment, which shall be at least ten days from the date of the notice, and shall describe the procedures for disenrollment, including the enrollee's right to appeal the disenrollment decision as set forth in WAC 182-25-100. Prior to the effective date specified, if the enrollee submits an appeal to BHP contesting the disenrollment decision, as provided in WAC 182-25-100 (1)(b), disenrollment shall not become effective until the date, if any, established as a result of BHP's appeal procedure, provided that the enrollee otherwise remains eligible and continues to make all premium payments when due; and further provided that the enrollee does not pose a threat of nonconsensual violent, aggressive or sexually aggressive behavior, assault or battery or purposeful damage to or theft of managed health care system property, or the property of staff or providers, patients or visitors while on the property of the managed health care system or one of its participating providers.

(3) Any enrollee who knowingly provides false information to BHP or to a participating managed health care system may be disenrolled by BHP and may be held financially responsible for any covered services fraudulently obtained through BHP.

NEW SECTION

WAC 182-25-100 Appeals and mediation of grievances. (1) Decisions which are made by BHP regarding eligibility, premium or enrollment may be appealed pursuant to this section.

(2) Appeals under subsection (1) of this section shall be conducted as brief adjudicative proceedings pursuant to RCW 34.05.482 through 34.05.494 and WAC 182-16-030 through 182-16-050.

(3) Disputes arising between enrollees and the managed health care system in which they are enrolled are considered to be contractual disputes between those parties. Every MHCS is required to establish an appeals process for enrollees. Information on this process will be made available to their enrollees through the MHCS's customer service department. The enrollee must exhaust the appeals process through the MHCS; however, if an issue cannot be resolved through that process, or if the MHCS has not replied in writing to the enrollee within thirty days of receiving the written appeal, assistance from the HCA may be requested. The HCA offers a mediation service aimed at resolving those disputes as quickly, efficiently and fairly as possible. Both enrollees and managed health care systems are expected, as a condition of participation in BHP, to participate fully and cooperatively in this mediation process once invoked by either party to such dispute. In the event the dispute cannot be resolved by mediation, if both the enrollee and the managed health care system agree, the HCA will designate a person to act as binding arbitrator of the dispute.

**WSR 96-01-108
PROPOSED RULES**

PUBLIC DISCLOSURE COMMISSION

[Filed December 19, 1995, 4:05 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 95-22-102.

Title of Rule: New WAC 390-16-190 Electronic filing.

Purpose: To establish requirements for filer participation in the Public Disclosure Commission's electronic filing program.

Statutory Authority for Adoption: RCW 42.17.080(7).

Statute Being Implemented: RCW 42.17.080, 42.17.090.

Summary: The rule would require major party candidates for the office of governor who use the full reporting option to participate in any electronic filing program implemented by the Public Disclosure Commission.

Reasons Supporting Proposal: Electronic filing will simplify the reporting process for filers, reduce the time in which information is made available to the public, and result in cost and time savings for the Public Disclosure Commission.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Melissa Warheit, 711 Capitol Way, Room 403, Olympia, (360) 753-1111.

Name of Proponent: Public Disclosure Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The Public Disclosure Commission is charged with collecting and making available to the public reports from candidates, political committees, state and local political parties, lobbyists, lobbyist employers grass roots lobbying sponsors, state agencies, elected officials and appointed state officials. Thirty different types of forms are filed with the Public Disclosure Commission.

Filers are located statewide. Currently, reports are filed on paper, and original reports are mailed or hand-delivered to the Public Disclosure Commission.

The Public Disclosure Commission received 59,086 multi-page reports in 1994. The volume of reports is expected to increase in the advent of contribution limits since the intended result is to have more people making (smaller) contributions.

Select information is entered into computerized databases, which serve at the basis for an extended access system for the public and help staff monitor compliance. However, limited data entry resources prevent the commission from entering all information of interest into the databases.

The commission has been funded to implement a system whereby candidates will be able to file their required reports with the Public Disclosure Commission electronically. An electronic filing system is expected to meet the needs of the public, filers and the Public Disclosure Commission by:

- Reducing the amount of time it takes filers to prepare and file reports.
- Reducing paper flow.
- Standardizing data coming from campaigns.
- Permitting additional information to be entered into the databases.
- Ensuring greater accuracy of information entered into the databases.
- Reducing the time for reports and the information therein to be made available to the public.
- Resulting in cost savings to the Public Disclosure Commission.

While the commission had initially considered implementing a voluntary system, an attempt to initiate a pilot program failed, since filers who were asked to participate generally declined, fearing that their opponents would enjoy an advantage if their own filings were available for inspection more quickly than their opponents. Thus, the Public Disclosure Commission sought and received legislative authority to adopt rules mandating filer participation. By requiring all candidates or committees of the same type to file electronically, participants will not be penalized for utilizing the new system.

The Public Disclosure Commission recognizes that electronic filing represents a major shift in the way the commission and its filers "do business" and that gradual implementation will best ensure success. The commission will be able to work closely with a small number of campaigns, provide detailed assistance and monitor any potential issues and problems. Therefore, the Public Disclosure Commission proposed to have a limited number of candidates participate for the 1996 election, specifically, those

PROPOSED

major party candidates for the office of governor who use the "full" reporting option.

These campaigns represent the highest level of paper flow and workload for data entry (one report for a major gubernatorial candidate can exceed 400 pages) and are most likely to have the technological resources available to easily adapt to electronic filing.

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Rule would affect only candidates for governor.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. The Public Disclosure Commission is not an agency listed in subsection (5)(a)(i) of section 201. Further, the Public Disclosure Commission does not voluntarily make section 201 applicable to this rule pursuant to subsection (5)(a)(ii) of section 201 and to date, JARRC has not made section 201 applicable to this rule.

Hearing Location: Evergreen Plaza Building, 2nd Floor Conference Room, 711 Capitol Way, Olympia, WA 98504, on January 23, 1996, at 9:00 a.m.

Submit Written Comments to: Melissa Warheit, Public Disclosure Commission, P.O. Box 40908, Olympia, WA 98504-0908, FAX (360) 753-1112, by January 12, 1996.

Date of Intended Adoption: January 23, 1996.

December 19, 1996 [1995]

Melissa Warheit
Executive Director

NEW SECTION

WAC 390-16-190 Electronic filing. (1) All major political party candidates who are candidates for the office of governor and who are not using abbreviated or mini campaign reporting pursuant to WAC 390-16-105 or 390-16-150 are required to participate in any electronic filing program implemented by the commission.

(2) Participants in the electronic filing program are not required to re-file reports already submitted on paper forms, but only those reports due after the implementation of the program.

WSR 96-01-109

PROPOSED RULES

PUBLIC DISCLOSURE COMMISSION

[Filed December 19, 1995, 4:07 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 95-22-103.

Title of Rule: New WAC 390-05-400 Changes in dollar amounts; and amending WAC 390-16-105 Abbreviated campaign reporting—Eligibility and 390-16-150 Mini campaign reporting.

Purpose: To revise dollar amounts in chapter 42.17 RCW, the public disclosure law, to reflect changes in economic conditions.

Statutory Authority for Adoption: RCW 42.17.370 (1)(8) and (11), 42.17.690.

Statute Being Implemented: RCW 42.17.370 (8) and (11), 42.17.690.

Summary: The proposal would revise dollar amounts in the public disclosure law, such as reporting thresholds, reporting code values, and contribution limits, in order to reflect changes in economic conditions since the values were enacted or last amended.

Reasons Supporting Proposal: An examination, and where appropriate, a revision of reporting thresholds and code values helps ensure that the information required to be reported is relevant and useful to the public. A periodic review of the dollar amounts enacted in the years since 1972 ensures that the amounts continue to be appropriate as economic conditions change.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Melissa Warheit, 711 Capitol Way, Room 403, Olympia, (360) 753-1111.

Name of Proponent: Public Disclosure Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: RCW 42.17.690, enacted as part of Initiative 134, requires the Public Disclosure Commission, at the beginning of each even-numbered calendar year, to increase or decrease all dollar amounts, including contribution limits, based on an inflationary index recommended by the Office of Financial Management.

Similarly, RCW 42.17.370(11) authorizes the Public Disclosure Commission to revise the monetary reporting thresholds and reporting code values in the public disclosure law, again, based on an inflationary index recommended by the Office of Financial Management. The revisions must equally affect all thresholds within each of the following categories: Reports of campaign finance, reports of lobbyist activity, and reports of the financial affairs of elected and appointed officials.

Revisions to contribution limits and reporting thresholds may be made only to recognize changes in economic conditions. An examination, and where appropriate, a revision of reporting thresholds and code values helps ensure that the information required to be reported is relevant and useful to the public.

Similarly, in enacting contribution limits as part of I-134, the public made a determination that the amounts set forth therein were appropriate and meaningful, as they stood in 1992. The biennial review of those amounts ensures that they continue to be appropriate as economic conditions change.

The proposed rule WAC 390-05-400 includes a table showing, by code section, the dollar amounts as they stand at this time and the proposed revisions.

Proposal Changes the Following Existing Rules: WAC 390-16-105 permits candidates and political committees to use the "abbreviated" reporting option if neither their aggregate contributions nor aggregate expenditures exceed \$2,000 and no one person (except the candidate) contributes more than \$200 in the aggregate. The change would permit candidates and political committees to use the "abbreviated" reporting option if aggregate contributions and expenditures do not exceed \$3,000 and no one person contributes more than \$300.

WAC 390-16-150 permits candidates to use the "mini" reporting option if aggregate expenditures do not exceed

\$500 and no one person (except the candidate) contributes more than \$200 in the aggregate. The change would permit candidates to use the "mini" option if aggregate expenditures do not exceed \$750 and no one person contributes more than \$300.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposals would affect persons who file with the Public Disclosure Commission—Candidates for office, political committees, public officials, and lobbyists. They would not affect businesses in an industry. Also, the proposals would, if anything, result in cost savings for filers.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. The Public Disclosure Commission is not an agency listed in subsection (5)(a)(i) of section 201. Further, the Public Disclosure Commission does not voluntarily make section 201 applicable to this rule adoption pursuant to subsection (5)(a)(ii) of section 201, and to date JARRC has not made section 201 applicable to this rule adoption.

Hearing Location: Evergreen Plaza Building, 2nd Floor Conference Room, 711 Capitol Way, Room 403, Olympia, WA 98504, on January 23, 1996, at 9:00 a.m.

Submit Written Comments to: Melissa Warheit, Public Disclosure Commission, P.O. Box 40908, Olympia, WA 98504-0908, FAX (360) 753-1112, by January 12, 1996.

Date of Intended Adoption: January 23, 1996.

December 19, 1995
Melissa Warheit
Executive Director

NEW SECTION

WAC 390-05-400 Changes in dollar amounts. Pursuant to the authority granted the commission in RCW 42.17.370(11) and RCW 42.17.690 to periodically revise the dollar amounts found in RCW Chapter 42.17 to reflect changes in economic conditions, the following revisions are made:

DEFINITIONS

Code Section	Subject Matter	Amount Enacted or Last Revised	1/96 Amendment
.020(14)	Exclusion from definition of "contribution"-incidental, personal expenses incurred by volunteer workers	\$50	\$55
.020(24)	Definition of "Independent Expenditure"	\$500	\$550

ADMINISTRATION AND ENFORCEMENT

Code Section	Subject Matter	Amount Enacted or Last Revised	1/96 Amendment
.370(8)	Powers of PDC- PDC can relieve candidate or pol. comm. of reporting if received contrib. or made expenditures below certain amount	\$1,000	\$3,500

CAMPAIGN FINANCE

Code Section	Subject Matter	Amount Enacted or Last Revised	1/96 Amendment
.060(4)	Anonymous Contributions-Limit	\$300	\$1,000
.060(5)	Cash Contributions-Receipt Required	\$50	\$75
.065(2)	Continuing political committees-level of activity triggers report	\$200	\$300
.067 (2)(a)(iii)	Low cost fund raising activities-Food and beverages-Price of Admission or cost of food & beverages	\$25	\$30
.067 (2)(a)(iv)	Low cost fund raising activities-Entertainment Event-Price of Admission	\$25	\$30

.067 (2)(a)(v)	Low cost fundraising activities- Auctions- Fair market value of donated items	\$50	\$60
.067 (2)(b)	Low-cost fundraising activities- Limitation on accepting payment unless contributor identified	\$50	\$60
.067 (4)(c)	Low-cost fundraising activities- Reporting cash contributions w/out identifying contributor	\$50	\$60
.067 (6)(a)	Low-cost fundraising activities- Reporting detailed information about contributors of goods and services	\$50	\$60
.067 (6)(b)	Low-cost fundraising activities- Reporting detailed information of contributors of payments	\$50	\$60
.070	Cash Expenditures- Receipt required	\$50	\$75
.080 (2)(c)	Monthly report of contributions and expenditures- Level of activity triggers report	\$200	\$300
.080(3)	Reports during last 4 months Contributor need not be identified	\$25	\$40
.090 (1)(b)	Pledges need not be reported	\$100	\$120
.090 (1)(b)	Contributor need not be identified	\$25	\$40
.090 (1)(f)	Detailed information for expenditures	\$50	\$85
.090 (1)(h)	Reporting Liabilities If outstanding over 30 days	\$250 \$50	\$300 \$60
.090 (1)(vi)	Nonreporting Committees- Names of In-state contributors	\$25	\$40
.090 (1)(vii)	Nonreporting Committees- Names of in-state recipients of expenditures	\$50	\$60
.100(1)	Independent Expenditure- Exclusion from definition Incidental expenses incurred by volunteer	\$50	\$55
.100(2)	Independent Expenditures- Threshold for reporting	\$100	\$350
.100 (5)(b)	Independent Expenditures- Reporting- Recipient of Independent Expenditure	\$50	\$60
.105 (1) & (3)	Special Reports- Receipt of contribution from single person Pol. comm. making contribution	\$500 \$500	\$800 \$800

.105(8)	21-Day Rule-prohibition against receipt of contributions		
	State-wide office	\$50,000	\$70,000
	Other campaigns	\$5,000	\$7,000
.125	Reimbursement of candidate for loan to own campaign	\$3,000	\$3,500
.180(1)	Report- Applicability of provisions		
	Persons who made contributions	\$10,000	\$11,000
	Persons who made ind. exp.	\$500	\$550
.640(1)	Contribution Limits- Candidates for state leg. office	\$500	\$550
	Candidates for other state office	\$1,000	\$1,100
.640(2)	Contribution Limits- State office up for recall or pol comm. supporting recall-		
	State Legislative Office	\$500	\$550
	Other State Office	\$1,000	\$1,100
.640(3)	Contribution Limits- Contributions made by political parties and caucus committees		
	State parties and caucus committees	.50 per voter	.55
	County and leg. district parties	.25 per voter	.28
	Limit for all county and leg. district parties to a candidate	.25 per voter	.28
.640(4)	Contribution Limits- Contributions made by pol. parties & caucus committees to state official up for recall or committee supporting recall		
	State parties and caucuses	.50 per voter	.55
	County and leg. district parties	.25 per voter	.28
	Limit for all county & leg. district parties to state official up for recall or pol. comm. supporting recall	.25 per voter	.28
.640(5)	Limits on contributions to political parties and caucus committees		
	To caucus committee	\$500	\$550
	To political party	\$2,500	\$2,750
.640(10)	Political committee must receive contribution from at least 10 voters during proceeding 180 days	\$10	\$11
.740	Contribution must be by written instrument	\$50	\$55

FINANCIAL AFFAIRS

Code Section	Subject Matter	Amount Enacted or Last Revised	1/96 Amendment
.241 (1)(b)	Bank Accounts	\$10,000	\$15,000
.241 (1)(b)	Other Intangibles	\$1,000	\$1500
.241 (1)(c)	Creditors	\$1,000	\$1500
.241 (1)(f)	Compensation	\$1,000	\$1500
.241 (1)(g)	Business' compensation	\$5,000	\$7000
.241 (1)(g)	Interest	\$1,200	\$1,750

.241 (1)(h)	Real Property-Acquired	\$5,000	\$7000
.241 (1)(i)	Real Property-Divested	\$5,000	\$7000
.241 (1)(j)	Real Property-Held	\$5,000	\$7000
.241 (1)(k)	Real Property-Business	\$10,000	\$15,000
.241 (1)(l)	Food and Beverages	\$50	\$50
.242(2)	Reporting Codes	Up to \$1,999	Up to 2,999
		\$2,000-9,999	\$3,000-14,999
		\$10,000-19,999	\$15,000-29,999
		\$20,000-49,999	\$30,000-69,999
		\$50,000 and over	\$70,000 and up

LOBBYIST REPORTS

Code Section	Subject Matter	Amount Enacted or Last Revised	1/96 Amendment
.150 (1)(i)	Lobbyist Registration- Payments to membership organizations	\$500	\$1650
.160(4)	Exemptions Occasional Lobbying- Expenditures	\$25	\$40
.170 (2)(a)	Reporting- Entertainment	\$25	\$55
.170 (2)(f)	Reporting- Food & Beverages	\$50	\$50
.175	Special Report- Contributions by lobbyist or lob. employer	\$500	\$750
.180 (1)(a)	Report- Contents- Officials, candidates to whom compensation paid	\$1,000	\$1,500
.180 (2)(a)	Special Report- Lobbyist Employer- Contributions in a month	\$100	\$120
.190 (5)(d)(v)(B)	Public Agency Lobbying Exclusion- Expenditure of nonpublic funds (over 3-month period)	\$15	\$30
.200(1)	Grass Roots Lobbying Expenditures- 3 month period 1-month period	\$1,000 \$500	\$1500 \$750
.200 (2)(c)	Grass Roots Lobbying Report of contributions	\$25	\$40

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AMENDATORY SECTION (Amending Order 86-01, filed 2/5/86)

WAC 390-16-105 Abbreviated campaign reporting—Eligibility. (1) No candidate and no political committee, as those terms are defined in RCW 42.17.020, shall be required to comply with the provisions of RCW 42.17.060-42.17.090 except as otherwise prescribed in WAC 390-16-038, 390-16-115, 390-16-120 and 390-16-125 when neither the aggregate contributions nor the aggregate expenditures exceed (~~two~~) three thousand dollars and no contribution or contributions from any person other than the candidate's personal resources within such aggregate exceeds (~~two~~) three hundred dollars.

(2) No continuing committee as that term is defined in RCW 42.17.020, shall be required to comply with the provisions of RCW 42.17.060-42.17.090 except as otherwise prescribed in WAC 390-16-038, 390-16-115, 390-16-120 and 390-16-125 when neither the aggregate contributions nor the aggregate expenditures during a calendar year exceed (~~two~~) three thousand dollars and no contributions or contributions from any person exceed (~~two~~) three hundred dollars.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 86-01, filed 2/5/86)

WAC 390-16-150 Mini campaign reporting. No candidate as that term is defined in RCW 42.17.020(~~(5)~~) and no political committee whose principal purpose is the support of one candidate and whose organization is known to and countenanced by that candidate (hereafter candidate's committee) shall be required to comply with the provisions of RCW 42.17.060-42.17.090 except as otherwise prescribed in this rule in any election campaign for public office in which the aggregate expenditures in the campaign will not exceed the amount of the filing fee provided by law plus a sum not to exceed (~~five~~) seven hundred and fifty dollars.

(1) Any candidate or candidate's committee shall register and file the C-1 registration statement with the commission and county elections officer of the county wherein the candidate resides within fourteen days of the time he publicly announces his candidacy, files for office or the committee is formed, whichever is earliest. The C-1 shall state his intent to use the mini campaign reporting system.

(2) No person except the candidate may contribute more than (~~two~~) three hundred dollars to a campaign using the mini reporting option.

**WSR 96-01-117
PROPOSED RULES**

PUBLIC DISCLOSURE COMMISSION

[Filed December 20, 1995, 10:32 a.m.]

Original Notice.

Proposal is exempt under RCW 34.05.310(4).

Title of Rule: Definition—Candidates for public office; Definition of term "consumable"; Optional format for requests for lists of individuals; Additional reporting requirements; Purpose of campaign expenditures—Reporting; Filing reports for nonreporting committees; Limitations on contributions; Facilities—Definition; Sample ballots; Exempt activities—Definitions, reporting; Recordkeeping and reporting of exempt contributions accounts; Doing business in Washington; Political committees—Qualifications to contribute; Contributions from corporations, businesses, unions and political committees; and Application of RCW 42.17.190—Reports of agency lobbying.

Purpose: Amend statutory references in rules.

Statutory Authority for Adoption: RCW 42.17.370(1).

Statute Being Implemented: RCW 42.17.020, [42.17].090, [42.17].100, [42.17].105, [42.17].190, [42.17].260, and [42.17].640.

Summary: Chapter 42.17 RCW was significantly changed by chapter 397, Laws of 1995. Many statutory references in Title 390 WAC are no longer current. The proposed amendments only change the statutory citations in the rules to reflect current sections of law and correct typographical errors.

Reasons Supporting Proposal: No substantive changes are being proposed to the fifteen administrative rules. The changes are necessary to correspond to the law as amended by chapter 397, Laws of 1995.

Name of Agency Personnel Responsible for Drafting and Implementation: Vicki Rippie, Public Disclosure Commission, Olympia, 586-4838; and Enforcement: Susan Harris, Public Disclosure Commission, Olympia, 753-1981.

Name of Proponent: Public Disclosure Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Housekeeping changes amending administrative rules to show current statutory section references.

Proposal Changes the Following Existing Rules: Technically, the amendments alter existing rules; however, the changes are technical in nature and do not modify the substance or the effect of the rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Amendment has no new impact on the public or any filer.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. The Public Disclosure Commission is not specified in section 201, chapter 403, Laws of 1995, as being subject to this section nor has it been brought under the section as otherwise provided in the chapter law.

Hearing Location: Evergreen Plaza Building, 2nd Floor Conference Room, 711 Capitol Way, Olympia, WA, on January 23, 1996, at 9:00 a.m.

Submit Written Comments to: Vicki Rippie, Assistant Director, Public Disclosure Commission, P.O. Box 40908, Olympia, WA 98504-0908, FAX (360) 753-1112, by January 19, 1996.

Date of Intended Adoption: January 23, 1996.

December 20, 1995
Melissa Warheit
Executive Director

PROPOSED

AMENDATORY SECTION (Amending WSR 93-16-064, filed 7/30/93)

WAC 390-05-200 Definition—Candidates for public office—Time of filing. The following circumstances shall give rise to presumption that an individual is a "candidate" as that term is defined in RCW 42.17.020(~~((5))~~)(8) (~~and RCW 42.17.630(3)~~):

- (1) The existence of a political committee promoting the election of such individual for public office with the knowledge and consent of that individual; or
- (2) A public declaration of candidacy by an individual even if the candidacy is conditioned on a future occurrence; or
- (3) Meeting the requirements set forth in WAC 390-16-230 (1) or (2).

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending WSR 93-16-064, filed 7/30/93)

WAC 390-05-205 Definition of term "consumable." For the purpose of RCW 42.17.020(~~((10))~~) (14)(a)(iv) (~~and RCW 42.17.630 (5)(d)~~) the term "consumable" includes the amount paid for food, beverages, preparation, catering or entertainment cost furnished at the event.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 83-01, filed 5/6/83)

WAC 390-13-010 Optional format for requests for lists of individuals. The use of a list of individuals obtained from an agency for commercial purposes is prohibited by RCW 42.17.260(~~((5))~~)(9). The commission finds that the term "commercial purposes" has been interpreted by different agencies in inconsistent ways resulting in confusion and a lack of uniform administration of that statute. Therefore, the following format is adopted by the commission and authorized for use by agencies, at their option, to bring uniformity to the administration of that statute.

(Name of Agency) PUBLIC RECORDS ACCESS

STATE OF WASHINGTON	} ss. AFFIDAVIT TO RELEASE PUBLIC RECORDS
COUNTY OF	

(Name and Address)

having been duly sworn, deposes and says:

- 1. I have requested copies of the following public records:
- 2. I understand that Washington state law, RCW 42.17.260(~~((5))~~)(9), prohibits the use of lists of individuals for commercial purposes.

3. I understand that the use for commercial purposes of said records may also violate the rights of the individuals named therein and may subject me to liability for such commercial use.

4. I understand that section 2 or 3 herein apply when I use said records for commercial purposes and when others use said records or copies of same for commercial purposes. I understand that I may be liable in either case.

5. I understand that "commercial purposes" means that the person requesting the record intends that the list will be used to communicate with the individuals named in the record for the purpose of facilitating profit expecting activity.

6. Therefore, I do hereby swear and affirm on oath and under penalty of law that I will not use said records for commercial purposes and that further, it is my affirmative duty to prevent others from using said records for commercial purposes.

7. I do further swear and affirm on oath and under penalty of law that I will protect and hold harmless, including the cost of defending, the agency and its agents and employees from which I have obtained said records from any and all claims arising either directly or indirectly from the commercial use of said records.

.....
Signature

SUBSCRIBED AND SWORN to before me this day of
....., 19. . .

.....
Notary Public in and for the state
of the State of Washington residing
at

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending WSR 93-24-003, filed 11/18/93)

WAC 390-16-034 Additional reporting requirements. Pursuant to RCW 42.17.090 (1)(~~((j))~~)(k), each report required under RCW 42.17.080 (1) and (2) shall disclose, in addition to the name and address of each person who has made one or more contributions in the aggregate amount of one hundred dollars or more, the occupation and the name and address of the person's employer.

AMENDATORY SECTION (Amending Order 82-01, filed 2/4/82)

WAC 390-16-037 Purpose of campaign expenditures—Reporting. Any person required to report the "purpose" of an expenditure under RCW 42.17.090 (1)(f) and (~~((k)(viii))~~)(l), or 42.17.100 (~~((1)(e)(ii))~~)(5)(b) shall (1) specifically identify any candidate(s) or ballot proposition(s) that are supported or opposed by the expenditure unless such candidate(s) or ballot proposition(s) have been previously identified in a statement of organization of the person required to be filed under RCW 42.17.040 (2)(f) and (g), and

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(2) Whenever an expenditure is made to a candidate or a political committee pursuant to an agreement or understanding of any kind regarding how the recipient will use the expenditure, specifically describe that agreement or understanding, and

(3) Specifically describe the goods and/or services to be provided by the recipient of the expenditure.

AMENDATORY SECTION (Amending WSR 89-20-068, filed 10/4/89)

WAC 390-16-055 Filing reports for nonreporting committees. (1) Each candidate or political committee receiving funds from a nonreporting committee as described in RCW 42.17.090 (1)(~~(k)~~)(l), shall determine whether such committee has complied with that subsection. If the nonreporting committee has not filed the required report the funds shall not be forfeited or reportable as having been received if they are returned to the nonreporting committee within three business days after receipt. Any retention or other action taken with such funds, if there is not a complete and timely report on file, shall result in the forfeiture of such funds to the state of Washington and shall be deemed a violation of chapter 42.17 RCW.

(2) Any subsequent report by a nonreporting committee of its contributions which is required by RCW 42.17.090 (1)(~~(k)~~)(l) during the same calendar year may update its initial report by letter showing, in addition to its name and address, only reportable information which is new or changed since its last report.

AMENDATORY SECTION (Amending WSR 94-11-016, filed 5/5/94)

WAC 390-16-310 Limitations on contributions. The limitations on contributions as provided in RCW 42.17-105(8) and RCW 42.17.640 shall be as follows:

(1)(a) The limitation on contributions in RCW 42.17.640 shall not apply to a "candidate" as that term is defined in RCW 42.17.020(~~(5)~~)(8) (~~and 42.17.630(3)~~) when the candidate is contributing to his or her own campaign using his or her own personal funds as defined in WAC 390-17-305.

(b) The limitation on contributions in RCW 42.17.640 shall apply to contributions to the candidate from the candidate's spouse or other immediate family members.

(2) The limitations on contributions shall apply separately to the contributions made by each spouse.

(3) Emancipated minor children (children under 18 years of age) may make contributions which do not exceed the limitations on contributions and the contribution is properly attributed to the emancipated minor child if;

(a) The decision to contribute is made knowingly and voluntarily by the emancipated minor child;

(b) The funds, goods, or services contributed are owned or controlled exclusively by the emancipated minor child, such as income earned by the child, the proceeds of a trust for which the child is the beneficiary, or a savings account opened and maintained exclusively in the child's name; and

(c) The contribution is not made from the proceeds of a gift, the purpose of which was to provide funds to be contributed, or is not in any other way controlled by another person.

Contributions by emancipated minor children which do not meet these requirements and contributions by unemancipated minor children shall be considered contributions by the child's parents. Fifty percent of the contributions will be attributed to each parent, or in the case of a single custodial parent, the total amount is attributed to the parent.

(4) Contributions from a business organized as a sole proprietorship and contributions from the owner of the sole proprietorship shall be aggregated for purposes of determining the limitations of contributions under to RCW 42.17-105(8) and 42.17.640.

(5) The limitations on contributions shall apply separately to the contributions made by a partnership from the contributions made by an individual partner except that;

Contributions made from or charged against the capital account of an individual partner shall be aggregated with the partner's individual contributions for purposes of determining the limitations on contributions under RCW 42.17.105(8) and 42.17.640.

(6) The limitations on contributions shall apply separately to the contributions made by an entity (corporation, subsidiary or branch, national union and local unions, collective bargaining organizations and local units, membership organizations and local units and other organizations and their local units) pursuant to the standards set forth in WAC 390-16-309.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending WSR 93-16-064, filed 7/30/93)

WAC 390-17-017 Facilities—Definition. "Facilities," as that term is used in RCW 42.17.~~((630(3)))~~020(8), means that which facilitates or makes some campaign activity possible, including but not limited to: use of stationary, postage, machines and equipment, use of employees of an entity during working hours, vehicles, office space, room or building, publications of an entity or client list of an entity.

AMENDATORY SECTION (Amending WSR 93-16-064, filed 7/30/93)

WAC 390-17-030 Sample ballots. (1) Sample ballot, as that term is used in RCW 42.17.~~((630(5)(b)(iv)))~~640(14)(a), means a printed list that includes a majority of all of the partisan offices on the ballot and that also may include ballot measures and nonpartisan races to be voted on at a particular primary, general or special election; all without promotion of or political advertising for specifically named individual candidates.

(2) A sample ballot shall not indicate the sponsor's preference for any specific candidate or candidates listed on the ballot.

(3) A sample ballot may contain a list of candidates, limited to the identification of the candidates (pictures may be used), the office or position currently held, the elective office sought and the party affiliation, as long as the same category of information is given for all candidates listed. The list shall not include additional biographical data on

candidates, their positions on political issues or statements on party philosophy.

(4) A sample ballot which meets the above criteria is not considered a contribution to any of the candidates listed in the ballot.

AMENDATORY SECTION (Amending WSR 93-24-003, filed 11/18/93)

WAC 390-17-060 Exempt activities—Definitions, reporting. (1)(a) "Exempt Contributions" are contributions made to a political committee which are earmarked for exempt activities as described in RCW 42.17.~~((630-5)(b)(iv) and (vi))~~ 640 (14)(a) and (b). Such contributions are required to be reported under RCW 42.17.090, are subject to the restrictions in RCW 42.17.105(8), but are not subject to the contribution limits in RCW 42.17.640. Any written solicitation for exempt contributions must be so designated. Suggested designations are "not for individual candidates" or "for exempt activities."

(b) Contributions made to a caucus of the state legislature, to a candidate or candidate's authorized committee which are earmarked for voter registration, absentee ballot information, get-out-the-vote campaigns, sample ballots are presumed to be for the purpose of promoting individual candidates and are subject to the contribution limits in RCW 42.17.640.

(c) Contributions made to a caucus of the state legislature, to a candidate or candidate's authorized committee which are earmarked for internal organization expenditures or fundraising are presumed to be with direct association with individual candidates and are subject to the contribution limits in RCW 42.17.640.

(2) "Exempt Contributions Account" is the separate bank account into which only exempt contributions are deposited and out of which only expenditures for exempt activities shall be made.

(3) "Exempt activities" are those activities described in RCW 42.17.~~((630-5)(b))~~ 640(14), expenditures for which are exempt from the contribution limits of RCW 42.17.640. However, only those activities described in RCW 42.17.~~((630-5)(b)(iv) and (vi))~~ 640(14) as further defined in subsection (4) and (5) of this rule are eligible for payment with exempt contributions.

(4)(a) If activities described in RCW 42.17.~~((630-5)(b)(iv))~~ 640 (14)(a) promote clearly identified candidate(s), the activities are a contribution to those candidate(s). Expenditures for these activities may not be made with exempt contributions. If more than one clearly identified candidate is promoted, the amount expended shall be allocated proportionally among those candidates. The amount expended for such activities shall be reported as a contribution to that candidate(s). Candidate(s) shall be notified in writing of the contribution within five (5) business days of the expenditure.

(b) A candidate is deemed to be clearly identified if: the name of the candidate is used; a photograph or drawing of the candidate appears; or the identity of the candidate is apparent by unambiguous reference.

(c) An activity that benefits or opposes fewer than three (3) individual candidates shall be presumed to be for the purpose of promoting individual candidates whether or not

they are clearly identified. Such an activity does not constitute a contribution to any candidate who is not clearly identified, but the activity shall not be paid with exempt funds.

(5)(a) "Internal Organization Expenditures" described in RCW 42.17.~~((630-5)(b)(vi))~~ 640 (14)(b) are expenditures for organization purposes, including legal and accounting services, rental and purchase of equipment and office space, utilities and telephones, postage and printing of newsletters for the organization's members or contributors or staff when engaged in organizational activities such as those previously listed, all without direct association with individual candidates.

(b) "Fundraising Expenditures" described in RCW 42.17.~~((630-5)(b)(vi))~~ 640 (14)(b) are expenditures for fundraising purposes, including: facilities for fundraisers, consumables furnished at the event and the cost of holding social events and party conventions, all without direct association with individual candidates.

(c) If expenditures made pursuant to subsections (5)(a) and (b) above are made in direct association with individual candidates, they shall not be paid with exempt contributions.

(6) For purposes of RCW 42.17.~~((630-5)(b)(iv))~~ 640 (14)(a) and this section, activities that oppose one or more clearly identified candidates are presumed to promote the opponent(s) of the candidate(s) opposed.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending WSR 93-24-003, filed 11/18/93)

WAC 390-17-065 Recordkeeping and reporting of exempt contributions accounts. (1) Any political committee that receives exempt contributions as defined by RCW 42.17.~~((630-5)(b)(iv) or (vi))~~ 640 (14)(a) or (b) and WAC 390-17-060 shall keep the contributions in a separate bank account. Exempt contributions commingled with contributions subject to contribution limits are presumed to be subject to the limits. Expenditures to promote candidates or which are made for purposes other than those specified in RCW 42.17.~~((630-5)(b)(iv) or (vi))~~ 640 (14)(a) or (b) shall not be made with funds from the exempt contributions account.

(2)(a) Separate campaign disclosure reports shall be completed and filed for an exempt contributions account.

(b) Political committees maintaining an exempt contributions account shall make known the existence of the account by filing a statement of organization for the account pursuant to RCW 42.17.040.

(c) Political committees maintaining an exempt contributions account shall be subject to the provisions of chapter 42.17 RCW and file the disclosure reports required by this chapter for the account pursuant to RCW 42.17.080.

(3) Contributors shall not use a single written instrument to make simultaneous contributions to an exempt contributions account and any other committee account; separate written instruments must be used to make contributions to an exempt contributions account.

AMENDATORY SECTION (Amending WSR 93-16-064, filed 7/30/93)

WAC 390-17-310 Doing business in Washington. (1) A corporation or business entity is "doing business in Washington state" for purposes of RCW 42.17.640(~~((10))~~) (11) if it conducts continuous and substantial activities in Washington state of such character as to give rise to a legal obligation. Such things as registering as a foreign corporation in Washington, operating business locations in Washington, hiring employees to work in Washington or purchasing supplies or services from other businesses in Washington may be considered in determining whether a corporation or business entity is doing business in Washington state.

(2) Prior to making contributions reportable under RCW 42.17, a corporation or business entity shall appoint an agent for service of process in Washington state.

AMENDATORY SECTION (Amending WSR 94-07-141, filed 3/23/94)

WAC 390-17-315 Political committees—Qualifications to contribute. In order to make contributions as permitted by RCW 42.17.640(~~((10))~~) (11), a political committee shall, within 180 days prior to making the contribution, have received contributions of \$10 or more from at least ten individuals registered to vote in Washington state at the time they contributed to the political committee. Upon written request of the commission or other person seeking this information, the political committee shall provide within 14 days a list of these ten individuals, identified by name, address, amount of contribution and date contribution was received.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending WSR 94-11-016, filed 5/5/94)

WAC 390-17-320 Contributions from corporations, businesses, unions and political committees. Pursuant to RCW 42.17.640(~~((10))~~) (11), entities prohibited from contributing to a candidate for state office, a state official against whom recall charges have been filed or a political committee having the expectation of making expenditures in support of the recall of the official shall not earmark or otherwise direct a contribution to one of these recipients through a political committee.

AMENDATORY SECTION (Amending WSR 94-11-016, filed 5/5/94)

WAC 390-20-052 Application of RCW 42.17.190—Reports of agency lobbying. Pursuant to the authority granted in RCW 42.17.190(8), the commission adopts the following interpretations regarding the reporting of lobbying by public agencies pursuant to RCW 42.17.190:

(1) The phrase "in-person lobbying" contained in RCW 42.17.190 (5)(d)(v)(B) includes activity which is intended to influence the passage or defeat of legislation, such as testifying at public hearings, but does not include activity

which is not intended to influence legislation, such as attending a hearing merely to monitor or observe testimony and debate.

(2) The phrase "a legislative request" contained in RCW 42.17.190 (5)(d)(ii) includes an oral request from a member of the legislature or its staff.

(3) Pursuant to RCW 42.17.190(6), certain local agencies may elect to have lobbying activity on their behalf reported by their elected officials, officers and employees in the same manner as lobbyists who register and report under RCW 42.17.150 and 42.17.170:

(a) When any subagency (i.e. department, bureau, board, commission or agency) within a state agency, county, city, town, municipal corporation, quasi-municipal corporation or special purpose district (i.e. primary agency) has independent authority to expend public funds for lobbying, that subagency may file a separate L-5 reporting the information required by RCW 42.17.190(5).

(b) When a subagency elects to file its own, separate L-5, it shall notify the commission and the administrative head of the primary agency of its intentions in writing. The primary agency shall not thereafter include information for the subagency in its L-5, and shall have no legal obligation for the filings of the subagency.

(c) Whenever such a local agency makes such an election, it shall provide the commission with a written notice.

(d) After such an election, those who lobby on behalf of such local agency shall register and report all lobbying activity reportable under RCW 42.17.190(5) in the same manner as lobbyists who are required to register and report under RCW 42.17.150 and 42.17.170. Such a local agency shall report pursuant to RCW 42.17.180.

(e) In order to terminate such an election, such a local agency shall provide the commission with a written notice and it shall report pursuant to RCW 42.17.190(5) thereafter.

(f) The exemptions from reportable lobbying activity contained in RCW 42.17.190 (5)(d) apply to all agencies, whether or not they have exercised the election to report in the same manner as lobbyists who report under RCW 42.17.150, 42.17.170 and 42.17.180. The exemptions contained in RCW 42.17.160 (1), (~~((3) and)~~) (4), and (5) do not apply to any agency.

(4) Unless an agency has elected to report its lobbying pursuant to RCW 42.17.190(6) and subsection (3) of this section, an agency shall include the reportable lobbying activity on its behalf by an elected official in its quarterly report. Such an elected official does not file any separate report of that activity.

(5) Reportable in-person lobbying by elected officials, officers and employees:

(a) An elected official does not engage in reportable in-person lobbying on behalf of this agency unless and until that elected official has expended in excess of fifteen dollars of nonpublic funds in connection with such lobbying for or on behalf of any one or more members of the legislature or state elected officials or public officers or employees of the state of Washington during any three-month period as provided in RCW 42.17.190 (5)(d)(v)(B).

(b) Other officers and employees do not engage in reportable in-person lobbying on behalf of their agency unless and until they have, in the aggregate, expended in

excess of fifteen dollars of nonpublic funds in connection with such lobbying for or on behalf of any one or more members of the legislature or state elected officials or public officers or employees of the state of Washington or they have, in the aggregate, engaged in such lobbying for more than four days or parts thereof during any three month period as provided in RCW 42.17.190 (5)(d)(v)(B).

(c) When limits in (a) or (b) of this subsection have been exceeded, the agency shall report such elected official, officer, or employee as a "person who lobbied this quarter" on the front of PDC Form L-5 and include a listing of those excess expenditures as noted on that form.

PROPOSED

**WSR 95-23-053
PERMANENT RULES
YAKIMA COUNTY
CLEAN AIR AUTHORITY**

[Filed November 14, 1995, 12:30 p.m.]

Date of Adoption: November 8, 1995.

Purpose: Amending sections 1.03, 4.01, 4.02, 5.01, 5.02, 5.03, 5.04, 5.05, 5.06, 5.07, 5.08, 5.09, 5.11, 6.02, 8.02, 8.05, 9.05 and 12.01 of the Restated Regulation I of the Yakima County Clean Air Authority.

Citation of Existing Rules Affected by this Order: Amending Restated Regulation I of the Yakima County Clean Air Authority.

Statutory Authority for Adoption: Chapter 70.94 RCW.

Adopted under notice filed as WSR 95-17-092 on August 22, 1995.

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

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 7, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.
November 13, 1995
Les Ormelas
Director

**RESTATED REGULATION I
OF THE
YAKIMA COUNTY CLEAN AIR AUTHORITY**

~~EFFECTIVE DATE
NOVEMBER 18, 1993~~

YAKIMA COUNTY CLEAN AIR AUTHORITY
YAKIMA, WASHINGTON 98901

**RESTATED REGULATION I
OF THE
YAKIMA COUNTY CLEAN AIR AUTHORITY**

~~As originally adopted by the Board of Directors of the Yakima County Clean Air Authority on October 13, 1993 (effective date November 18, 1993) and as amended as follows:~~

PERMANENT

Hearing/ Adoption Date	Effective Date		Sections
<u>10-13-94</u>	<u>11-18-93</u>	<u>Adopted</u>	<u>1.01, 1.02, 1.03, 2.01, 2.02, 2.03, 2.04, 2.05, 3.01, 3.02, 3.03, 3.04, 4.01, 4.02, 4.03, 5.01, 5.02, 5.03, 5.04, 5.05, 5.06, 5.07, 5.08, 5.09, 5.10, 5.11, 5.12, 6.01, 6.02, 7.01, 8.01, 8.02, 8.03, 8.04, 8.05, 9.01, 9.02, 9.03, 9.04, 9.05, 10.01, 12.01, 12.02, Attachment 1, Attachment 2</u>
12-08-93	01-13-94	Revised	4.01, 4.02, 5.01, 5.09, 6.09
12-08-93	01-13-94	Adopted	13.01, 13.02, 13.03, 13.04, 13.05
05-11-94	06-20-94	Revised	5.03, 5.04, 5.10, 5.11, 8.02, 9.05, 13.02, 13.03
09-14-94	10-20-94	Revised	2.01, 6.01, 6.02, 6.03, 6.04, 6.05, 6.06, 6.07, 6.08, 6.09, 12.01, 12.02
<u>11-08-95</u>	<u>12-23-95</u>	<u>Revised</u>	<u>1.01, 1.03, 4.01, 4.02, 5.01, 5.02, 5.03, 5.04, 5.05, 5.06, 5.07, 5.08, 5.09, 5.11, 6.02, 8.02, 8.05, 9.05, 12.01</u>

YAKIMA COUNTY CLEAN AIR AUTHORITY

BOARD OF DIRECTORS:

Pat Berndt
 Glen Chandler
 Tom Gasseling
Bettie Ingham Bill Flower
 Jim Lewis

EXECUTIVE DIRECTOR:

Tom T. Silva Les Ornelas

RESTATED REGULATION OF THE
 YAKIMA COUNTY CLEAN AIR AUTHORITY

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RESTATED

YAKIMA COUNTY CLEAN AIR AUTHORITY

REGULATION I

WHEREAS, the Yakima County Clean Air Authority was created pursuant to the provisions of the Washington Clean Air Act, RCW 70.94; and

WHEREAS, the 1991 legislature has substantially revised the provisions of the Washington Clean Air Act; and

WHEREAS, pursuant to the provisions of said Washington Clean Air Act, the Board of Directors of the Yakima County Clean Air Authority is empowered to adopt, amend and repeal its own ordinances, resolutions, or rules and regulations, as the case may be, implementing the provisions of RCW 70.94; and

WHEREAS, these Regulations are necessary for the health, safety and welfare of the people of Yakima County;

NOW, THEREFORE, the Board of Directors of the Yakima County Clean Air Authority hereby adopt the following Rules and Regulations.

ARTICLE I

POLICY, SHORT TITLE AND DEFINITIONS

SECTION 1.01 - POLICY

It is declared to be the public policy of the Yakima County Clean Air Authority to secure and maintain such levels of air quality as will protect human health and safety; and to the greatest degree practical, prevent injury to plant and animal life and property, foster the comfort and convenience of the inhabitants of Yakima County, promote the economic and social development of Yakima County and facilitate the enjoyment of the natural attractions therein, and further, to cooperate with the ~~Yakima~~ Yakama Indian Nation in achieving the policy objectives as set forth herein through out the whole of Yakima County.

SECTION 1.02 - SHORT TITLE

These rules and Regulations shall be known and cited as the "Restated Regulation I of the Yakima County Clean Air Authority".

SECTION 1.03 - DEFINITIONS

PERMANENT

Unless a different meaning is plainly required by the context, the following words and phrases as hereinafter used in these Regulations shall have the following meanings:

(1) "Actual Emissions": - The actual rate of emissions of a pollutant from an emission unit, as determined in accordance with (a) through (c) of this subsection.

(a) In general, actual emissions as of a particular date shall equal the average rate, in tons per year, at which the emissions unit actually emitted the pollutant during a two-year period which precedes the particular date and which is representative of normal source operation. Ecology or an authority shall allow the use of a different time period upon a determination that it is more representative of normal source operation. Actual emissions shall be calculated using the emissions unit's actual operating hours, production rates, and types of materials processed, stored, or combusted during the selected time period.

(b) Ecology or an authority may presume that source-specific allowable emissions for the unit are equivalent to the actual emissions of the emissions unit.

(c) For any emissions unit which has not begun normal operations on the particular date, actual emissions shall equal the potential to emit of the emissions unit on that date.

(+) (2) "Adequate Source of Heat" - The ability to maintain 70 degrees Fahrenheit at a point three (3) feet above the floor in all normally inhabited areas of the dwelling.

(3) "Adverse Impact on Visibility" - Visibility impairment which interferes with the management, protection, preservation, or enjoyment of the visitor's visual experience of the Federal Class I area. This determination must be made on a case by case basis taking into account the geographic extent, intensity, duration, frequency, and time of visibility impairment, and how these factors correlate with (a) times of visitor use of the Federal Class I area, and (b) the frequency and timing of natural conditions that reduce visibility. This term does not include effects on integral vistas.

(2) (4) "Agricultural Operation" - The growing of crops, the raising of fowl, animals or bees as a gainful occupation.

(3) (5) "Air Contaminant" - Dust, fumes, mist, smoke, other particulate matter, vapor, gas, odorous substance, or any combination thereof.

(4) (6) "Air Pollution" - The presence in the outdoor atmosphere of one or more contaminants in sufficient quantities and of such characteristics and duration as is, or is likely to be, injurious to human health, plant or animal life, or property, or which unreasonably interfere with enjoyment of life and property. For the purpose of this Regulation, air pollution shall not include air contaminants emitted in compliance with Chapter 17.21 RCW.

(5) (7) "Air Pollution Episode" - A period of impaired air quality as determined by the Director of the Yakima County Clean Air Authority, or the Washington State Department of Ecology.

~~(6) "Air Quality Standard" - An established concentration, exposure time and frequency of occurrence of a contaminant or multiple contaminants in the ambient air which shall not be exceeded.~~

(8) "Allowable Emissions" - The emission rate of a stationary source calculated using the maximum rated capacity of the stationary source (unless the stationary source

is subject to federally enforceable limits which restrict the operating rate, or hours of operation, or both) and the most stringent of the following:

(a) The applicable standards as set forth in 40 CFR Part 60 or 61;

(b) Any applicable state implementation plan emissions limitation including those with a future compliance date; or

(c) The emissions rate specified as a federally enforceable permit condition, including those with a future compliance date.

(7) (9) "Ambient Air" - The surrounding outside air.

(10) "Ambient Air Quality Standard" - An established concentration, exposure time, and frequency of occurrence of air contaminant(s) in the ambient air which shall not be exceeded.

(8) (11) "Authority" - The Yakima County Clean Air Authority.

(9) (12) "Best Available Control Technology" (BACT) - That term as defined in WAC 173-400.

(+) (13) "Board" - The Board of Directors of the Yakima County Clean Air Authority.

(+) (14) "Combustible Refuse" - Any burnable waste material containing carbon in a free or combined state other than liquid or gases.

(15) "Combustion and Incineration Sources" - Units using combustion for waste disposal, steam production, chemical recovery or other process requirements; but excludes open burning.

(16) "Commenced Construction: - The owner or operator has all the necessary preconstruction approvals or permits and either has:

(a) Begun, or caused to begin, a continuous program of actual on-site construction of the source, to be completed within a reasonable time; or

(b) Entered into binding agreements or contractual obligations, which cannot be canceled or modified without substantial loss to the owner or operator, to undertake a program of actual construction of the source to be completed within a reasonable time.

(17) "Concealment" - Any action taken to reduce the observed or measured concentrations of a pollutant in a gaseous effluent while, in fact, not reducing the total amount of pollutant discharged.

(+) (18) "Control Apparatus" - Any device which prevents or controls the emission of any air contaminant.

(+) (19) "Control Officer" - The Air Pollution Control Officer of the Yakima County Clean Air Authority, or his duly authorized agents.

(+) (20) "Director" - Executive Director and Control Officer.

(+) (21) "Emission" - A release of air contaminants into the ambient air.

(22) "Emission Reduction Credit (ERC)" - A credit granted pursuant to WAC 173-400-131. This is a voluntary reduction in emissions.

(+) (23) "Emission Standards" - A limitation on the release of a contaminant or multiple contaminants into the ambient air.

(24) "Emissions Unit" - Any part of a stationary source or source which emits or would have the potential to emit any pollutant subject to regulation under the FCAA, chapter 70.94 or 70.98 RCW.

(17) (25) "Equipment" - Any stationary or portable device or any part thereof capable of causing the emission of any air contaminant into the ambient air.

(26) "Excess Emissions" - emissions of an air pollutant in excess of any applicable emissions standard.

(27) "Federal Clean Air Act (FCAA)" - The Federal Clean Air Act, also known as Public Law 88-206, 77 Stat. 392, December 17, 1963, 42 U.S.C. 7401 et seq., as last amended by the Clean Air Act amendments of 1990, P.L. 101-549, November 15, 1990.

(28) "Federal Land Manager" - With respect to any lands in the United States, the Secretary of the department with authority over such lands.

(18) (29) "Fire Department" - Fire control agency such as city fire departments, local fire districts or the Washington State Department of Natural Resources.

(49) (30) "First Stage of Impaired Air Quality" - When particulates ten microns and smaller in aerodynamic diameter are at an ambient level of seventy-five micrograms per cubic meter of air measured on a twenty-four hour average, or when carbon monoxide is at an ambient level of eight parts of contaminant per million parts of air by volume measured on an eight-hour average.

(31) "Fossil Fuel-fired Steam Generator" - A device, furnace, or boiler used in the process of burning fossil fuel for the primary purpose of producing steam by heat transfer.

(32) "Fugitive Dust" - A Particulate emission made airborne by forces of wind, man's activity, or both. Unpaved roads, construction sites, and tilled land are examples or areas that originate fugitive dust. Fugitive dust is a type of fugitive emission.

(33) "Fugitive Emissions" - Emissions which do not pass and which could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening.

(20) (34) "Friable Asbestos" - Any material containing more than 1% asbestos and capable of being crushed by hand pressure.

(24) (35) "Garbage" - Putrescible animal and vegetable wastes resulting from the handling, preparation, cooking or serving of food.

(36) "General Process Unit" - An emissions unit using a procedure or a combination of procedures for the purpose of causing a change in material by either chemical or physical means, excluding combustion.

(37) "Good Engineering Practice (GEP)" - A calculated stack height based on the equation specified in WAC 173-400-200 (2)(a)(ii).

(22) (38) "Hearings Board" - Hearings Boards as established by RCW 43.21B.

(23) (39) "Incinerator" - A furnace for the destruction of waste, or oxidizing a waste to facilitate disposal.

(25) (40) "Land Clearing Burning" - Outdoor fires consisting of residue of a natural character such as trees, stumps, shrubbery or other natural vegetation arising from land clearing projects and burned on the lands on which such materials originated.

(24) (41) "Lowest Achievable Emission Rate (LAER)" - That term as defined in WAC 173-400.

(42) "Major Modification" - Any physical change in or change in the method of operation of a major stationary source that would result in a significant net emissions increase of any pollutant subject to regulation under the

FCAA. Any net emissions increase that is considered significant for volatile organic compounds or nitrogen oxides shall be considered significant for ozone. a physical change or change in the method of operation shall not include:

(a) Routine maintenance, repair, and replacement;

(b) Use of an alternative fuel or raw material by reason of an order under Sections 2 (a) and (b) of the Energy Supply and Environmental Supply Coordination Act of 1974 (or any superseding legislation) or by reason of a natural gas curtailment plan pursuant to the Federal Power Act;

(c) Use of an alternative fuel by reason of an order or rule under section 125 of the FCAA, 42 U.S.C. 7425;

(d) Use of an alternative fuel at a steam generating unit to the extent that the fuel is generated from municipal solid waste;

(e) Use of an alternative fuel or raw material by a stationary source which:

(i) The stationary source was capable of accommodating before December 21, 1976, unless such change would be prohibited under any federally enforceable permit condition which was established after December 12, 1976, in a prevention of significant deterioration permit or notice of construction approval; or

(ii) The stationary source is approved to use under any federally-enforceable notice of construction approval or a PSD permit issued by the environmental protection agency;

(f) An increase in the hours of operation or in the production rate, unless such change is prohibited under any federally enforceable permit condition which was established after December 21, 1976, in a prevention of significant deterioration permit or a notice of construction approval;

(g) Any change in ownership at a stationary source.

(43) "Major Stationary Source"

(a) Any stationary source which:

(i) Emits or has the potential to emit one hundred tons per year or more of any air contaminant regulated by the state of Federal Clean Air Acts; or

(ii) Is located in a "marginal" or "moderate" ozone nonattainment area and which emits or has the potential to emit one hundred tons per year or more of volatile organic compounds or oxides of nitrogen.

(b) Any stationary source (or group of stationary sources) which:

(i) Is located in a "serious" carbon monoxide nonattainment area where stationary sources contribute significantly to carbon monoxide levels and which emits or has the potential to emit fifty tons per year or more of carbon monoxide; or

(ii) Is located in a "serious" particulate matter (PM₁₀) nonattainment area and which emits or has the potential to emit seventy tons per year or more of PM₁₀ emissions.

(c) Any physical change that would occur at a stationary source not qualifying under (a) or (b) of this subsection as a major stationary source, if the change would constitute a major stationary source by itself;

(d) A major stationary source that is major for VOCs or NO_x shall be considered major for ozone;

(e) The fugitive emissions of a stationary source shall not be included in determining whether it is a major stationary source, unless the stationary source belongs to one of the following categories of stationary sources or the source is a major stationary source due to (b) of this subsection;

- (i) Coal cleaning plants (with thermal dryers);
 (ii) Kraft pulp mills;
 (iii) Portland cements plants;
 (iv) Primary zinc smelters;
 (v) Iron and steel mills;
 (vi) Primary aluminum ore reduction plants;
 (vii) Primary copper smelters;
 (viii) Municipal incinerators capable of charging more than two hundred fifty tons of refuse per day;
 (ix) Hydrofluoric, sulfuric, or nitric acid plants;
 (x) Petroleum refineries;
 (xi) Lime plants;
 (xii) Phosphate rock processing plants;
 (xiii) Coke oven batteries;
 (xiv) Sulfur recovery plants;
 (xv) Carbon Black plants (furnace process)
 (xvi) Primary lead smelters;
 (xvii) Fuel conversion plants;
 (xviii) Sintering plants;
 (xix) Secondary metal production plants;
 (xx) Chemical process plants;
 (xxi) Fossil-fuel boilers (or combination thereof) totaling more than two hundred fifty million British thermal units per hour heat input;
 (xxii) Petroleum storage and transfer units with a total storage capacity exceeding three hundred thousand barrels;
 (xxiii) Taconite ore processing plants;
 (xxiv) Glass fiber processing plants;
 (xxv) Charcoal production plants;
 (xxvi) Fossil fuel-fired steam electric plants of more than two hundred fifty million British thermal units per hour heat input; and
 (xxvii) Any other stationary source category which, as of August 7, 1970, was being regulated under sections 111 or 112 of the Federal Clean Air Act.

(f) For purposes of determining whether a stationary source is a major stationary source, the term "building, structure, facility, or installation" means all the pollutant-emitting activities which belong to the same industrial grouping, are located on one or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control). Pollutant-emitting activities shall be considered as part of the same industrial grouping if they belong to the same major group (i.e., which have the same two digit code) as described in the *Standard Industrial Classification Manual, 1972*, as amended by the *1977 Supplement*.

(26) (44) "Modification" - Any physical change in or change in the method of operation of a stationary source that increases the amount of any air contaminant emitted by such source or that results in the emission of any air contaminant not previously emitted. The term modification shall be construed consistent with the definition of modification in Section 4411 7411, Title 42, United State Code and with rules implementing that section.

(27) (45) "Multiple Chamber Incinerator" - Any incinerator consisting of three or more refractory-lined combustion chambers in series, physically separated by refractory walls, interconnected by gas passage ports or ducts and employing adequate design parameters necessary for maximum combustion of the material to be burned.

(28) (46) "National Emission Standards for Hazardous Air Pollutants (NESHAPS)" - The federal regulations set forth in 40 CFR Part 61.

(47) "Net Emissions increase".

(a) The amount by which the sum of the following exceeds zero:

- (i) Any increase in actual emissions from a particular change or change in method of operation at a source; and
 (ii) any other increases and decreases in actual emissions at the source that are contemporaneous with the particular change and are otherwise creditable.

(b) An increase or decrease in actual emissions is contemporaneous with the increase from the particular change only if it occurs between the date ten years before construction on the particular change commences and the date that the increase from the particular change occurs.

(c) An increase or decrease in actual emissions is creditable only if:

(i) It occurred no more than one year prior to the date of submittal of a complete notice of construction application for the particular change, or it has been documented by an emission reduction credit, in which case the credit shall expire ten years after the date of original issue of the ERC. Any emissions increases occurring between the date of issuance of the ERC and the date when a particular change becomes operational shall be counted against the ERC.

(ii) Ecology or the authority has not relied on it in issuing any permit or order of approval for the source under regulations approved pursuant to 40 CFR 51 Subpart I or the EPA has not relied on it in issuing a PSD permit pursuant to 40 CFR 52.21, which order or permit is in effect when the increase in actual emissions from the particular change occurs.

(d) An increase in actual emissions is creditable only to the extent that the new level of actual emissions exceeds the old level.

(e) A decrease in actual emissions is creditable only to the extent that:

(i) The old level of actual emissions or the old level of allowable emissions, whichever is lower, exceeds the new level of actual emissions;

(ii) It is federally enforceable at and after the time that actual construction on the particular change begins;

(iii) It has approximately the same qualitative significance for public health and welfare as that attributed to the increase from the particular change; and

(iv) Ecology or the authority has not relied on it in issuing any permit or order of approval under regulations approved pursuant to 40 CFR 51 Subpart I, the EPA has not relied on it in issuing a PSD permit pursuant to 40 CFR 52.21, or ecology or the authority has not relied on it in demonstrating attainment or reasonable further progress.

(f) An increase that results from a physical change at a source occurs when the emission unit on which construction occurred becomes operational and begins to emit a particular pollutant. Any replacement unit that requires shakedown becomes operational only after a reasonable shakedown period, not to exceed one hundred eighty days.

(29) (48) "New Source" - Means:

(a) The construction or modification of a stationary source that increases the amount of any air contaminant

emitted by such source or that results in the emission of any air contaminant not previously emitted, and;

(b) Any other project that constitutes a new source under the Federal Clean Air Act.

(30) (49) "New Source Performance Standards (NSPS)" - The federal regulations set forth in 40 CFR Part 60.

(50) "Nonattainment Area" - A clearly delineated geographic area which has been designated by EPA promulgation as exceeding a national ambient air quality standard or standards for one or more of the criteria pollutants.

(31) (51) "Notice of Construction" - A written application to permit construction of a new source, modification of an existing source or replacement or substantial alteration of control technology at an existing stationary source. Replacement or substantial alteration of control technology does not include routine maintenance, repair, or parts replacement.

(52) "Opacity" - The degree to which an object seen through a plume is obscured, stated as a percentage.

(32) (53) "Open Fire" - A fire where any material is burned in the open or in a receptacle other than a furnace, incinerator, or other equipment connected to a stack or chimney.

(54) "Order of Approval" or "Approval Order" - A regulatory order issued by ecology or the authority to approve the notice of construction application for a proposed new source or modification, or the replacement or substantial alteration of control technology at an existing stationary source.

(33) (55) "Outdoor Burning" - The combustion of material of any type in an open fire or in an outdoor container without providing for the control of combustion or the control of emissions from the combustion.

(34) (56) "Owner" - Includes the person who leases, supervises or operates the equipment or control apparatus.

(35) (57) "Particle" - A small discrete mass of solid or liquid matter. (General size range from submicron to 2000 micron).

(58) "Particulate Matter or "Particulates" - any airborne finely divided solid or liquid material with an aerodynamic diameter smaller than 100 micrometers.

(59) "Particulate Matter Emissions" - All finely divided solid or liquid material, other than uncombined water, emitted to the ambient air as measured by applicable reference methods, or an equivalent or alternative method specified in 40 CFR Part 60 or by a test method specified in the Washington state implementation plan.

(60) "Parts Per Million (ppm)" - Parts of a contaminant per million parts of gas, by volume, exclusive of water or particulates.

(36) (61) "Person" - Includes any individual, firm, public or private corporation, association, partnership, political subdivision, municipality or governmental agency.

(62) "PM-10" - Particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers as measured by a reference method based on 40 CFR Part 50 Appendix J and designated in accordance with 40 CFR Part 53 or by an equivalent method designated in accordance with 40 CFR Part 53.

(63) "PM-10 Emissions" - Finely divided solid or liquid material, including condensible particulate matter, with an aerodynamic diameter less than or equal to a nominal 10 micrometers emitted to the ambient air as measured by an

applicable reference method, or an equivalent or alternate method, specified in appendix M of 40 CFR Part 51 or by a test method specified in the Washington state implementation plan.

(64) "Potential to Emit" - The maximum capacity of a stationary source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design only if the limitation or the effect it would have on emissions is federally enforceable. Secondary emissions do not count in determining the potential to emit of a stationary source.

(65) "Prevention of Significant Deterioration (PSD)" - the program set forth in WAC 173-400-141.

(66) "Reasonably Available Control Technology (RACT)" - The lowest emission limit that a particular source or source category is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility. RACT is determined on a case-by-case basis for an individual source or source category taking into account the impact of the source upon air quality, the availability of additional controls, the emission reduction to be achieved by additional controls, the impact of additional controls on air quality, and the capital and operating costs of the additional controls. RACT requirements for any source or source category shall be adopted only after notice and opportunity for comment are afforded.

(37) (67) "Regulation" - Any regulation and subsequently adopted additions or amendments thereto of the Restated Regulation I of Yakima County Clean Air Authority.

(38) (68) "Residential Burning" - Burning consisting of leaves, clippings and prunings and other yard and gardening refuse originating on lands immediately adjacent and in close proximity to a human dwelling and burned on such lands by property owner or their designee.

(39) (69) "Salvage Operation" - An operation conducted in whole, or in part, for the salvaging or reclaiming of any product or material.

(40) (70) "Seasoned Wood" - Wood of any species that has been sufficiently dried so as to contain twenty percent (20%) moisture by weight.

(41) (71) "Second Stage of Impaired Air Quality" - When particulates ten microns and smaller in aerodynamic diameter are at an ambient level of one hundred and five micrograms per cubic meter of air measured on a twenty-four hour average.

(72) "Significant" - In reference to a net emissions increase or the potential of a source to emit any of the following pollutants, a rate of emission equal to or greater than any one of the following rates:

Pollutant	Tons/Year
Carbon monoxide	100
Nitrogen oxides	40
Sulfur dioxide	40
Particulate matter(PM)	25
Fine particulate matter (PM ₁₀)	15
Volatile organic compounds (VOC)	40

PERMANENT

Lead	0.6
Flourides	3
Sulfuric acid mist	7
Hydrogen sulfide (H ₂ S)	10
Total reduced sulfur (including H ₂ S)	10
Municipal waste combustor organics	0.0000035
<u>(measured as total tetra-through octa-chlorinated dibenzo-p-dioxins and dibenzofurans</u>	
Municipal waste combustor metals (measured as PM)	15
Municipal waste combustor acid gases (measured as SO ₂ and hydrogen chloride)	

(73) "Significant Visibility Impairment" - Visibility impairment which interferes with the management, protection, preservation, or enjoyment of visitor visual experience of the Class I area. The determination must be made on a case-by-case basis, taking into account the geographic extent, intensity, duration, frequency, and time of the visibility impairment, and how these factors correlate with the time of visitor use of the Class I area and frequency and timing of natural conditions that reduce visibility.

(42) (74) "Silvicultural Burning" - Burning on any land the Department of Natural Resources protects per Chapter 70.94 RCW and pursuant to Chapter 76.04 RCW.

(43) (75) "SIP" - State Implementation Plan.

(44) (76) "Small Business" - Any business enterprise employing twenty (20) or less persons; the operation of which does not present any potential hazard to public health.

(45) (77) "Solid Fuel Burning Device" - A device that burns wood, coal, or other nongaseous or nonliquid fuels, which includes any device burning any solid fuel except those prohibited by WAC 173-433-120. This also includes devices used for aesthetic or space heating purposes in a private residence or commercial establishment which has a heat input less than one million Btu per hour.

(46) (78) "Source" - All of the emissions units, including quantifiable fugitive emissions, that are located on one or more contiguous or adjacent properties and are under the control of the same person or persons under common control whose activities are ancillary to the production of a single product or functionally related group of products.

(79) "Stack" - Any point in a source designed to emit solids, liquids, or gases into the air, including a pipe or duct.

(80) "Stack Height" - The height of an emission point measured from the ground-level elevation at the base of the stack.

(81) "Standard Conditions" - A temperature of 20°C (68°F) and a pressure of 760 mm (29.92 inches) of mercury.

(47) (82) "Stationary Source" - Any building, structure, facility or installation that emits or may emit any air contaminant.

(83) "Volatile Organic Compound (VOC)" includes:

(a) Any such organic compound other than the following, which have been determined to have negligible photochemical reactivity: methane; ethane; methylene chloride (dichloromethane); 1,1,1-trichloroethane (methylchloroform); 1,1,1-trichloro 1,2,2-trifluoroethane (CFC-113); trichlorofluoromethane (CFC-11); dichlorodifluoromethane (CFC-12); chlorodifluoromethane (HCFC-22); trifluoromethane (HFC-23); 1,2-dichloro 1,1,2,2-tetrafluoroethane (CFC-114); chloropentafluoroethane (CFC-115); 1,1,1-trifluoro 2,2-dichloroethane (HCFC-123); 1,1,1,2-

tetrafluoroethane (HFC-134a); 1,1-dichloro 1-fluoroethane (HCFC-141b); 1-chloro 1,1-difluoroethane (HCFC-142b); 2-chloro 1,1,1,2-tetrafluoroethane (HCFC-124); pentafluoroethane (HFC-125); 1,1,2,2-tetrafluoroethane (HFC-134); 1,1,1-trifluoroethane (HFC-143a); 1,1-difluoroethane (HFC-152a); parachlorobenzotrifluoride (PCBTF); cyclic, branched, or linear completely met; hylated siloxanes; acetone; and perfluorocarbon compounds which fall into these classes:

(i) Cyclic, branched, or linear completely flourinated alkanes;

(ii) Cyclic, branched, or linear completely flourinated ethers with no unsaturations; and

(iii) Sulfur containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine.

(b) For the purpose of determining compliance with emission limits, VOC will be measured by the appropriate methods in 40 CFR Part 60 Appendix A. Where such a method also measures compounds with negligible photochemical reactivity, these negligibly-reactive compounds may be excluded as VOC if the amount of such compounds is accurately quantified, and such exclusion is approved by ecology or the authority.

(c) As a precondition to excluding these negligibly-reactive compounds as VOC or at any time thereafter, ecology or the authority may require an owner or operator to provide monitoring or testing methods and results demonstrating, to the satisfaction of ecology or the authority, the amount of negligibly-reactive compounds in the source's emissions.

(48) (84) "Woodsmoke Control Zone" - An area located in Yakima County, Washington, as shown in Attachment 1, which is legally described as follows:

Beginning at a point on a line which is herein called the Western boundary, and which line is a straight line drawn through the following points:

Point A - Where the South right-of-way line of Highway 410 intersects with the North right-of-way line of Highway 12.

Point B - Where the South right-of-way line of the North Fork of Ahtanum Road intersects with the North right-of-way line of the South Fork of Ahtanum Road.

Which line further extends in a Southwesterly direction to a point where it intersects with the South boundary line of Sections 19, 20, 21, 22, 23, 24 or Township 12 North, Range 16, E.W.M. as such boundary line is extended both Easterly and Westerly, and thence Easterly along said South boundary line of said Sections as extended to the Southeast corner of Section 19, Township 12 North, Range 18, E.W.M.; thence North along the East boundary line of said section to the Northeast corner thereof; thence East along the North boundary line of Sections 20, 21, 22, 23, 24, of Township 12 North, Range 18, E.W.M. as extended Easterly to the Northeast corner of Section 21, Township 12 North, Range 20, E.W.M.; thence North along the East boundary line of Sections 16, 9 and 4 of Township 12 North, Range 20, E.W.M.: thence East to the Southeast corner of Section 34, Township 13 North, Range 20, E.W.M.; thence North along the Easterly boundary line of said Section to the intersection with the U.S. Military Reservation, Yakima Firing Center; thence Northerly and Westerly along the boundary line of

the U.S. Military Reservation to the Southern boundary of Kittitas County; thence West to the Southeast corner of Section 36, Township 15 North, Range 18, E.W.M.; thence North to the Northeast corner of Section 24, Township 15 North, Range 18, E.W.M.; thence West to the Southeast corner of Section 18, Township 15 North, Range 18, E.W.M. thence West to the intersection of the West boundary line as herein described; thence Southwesterly along said West boundary line to the point of beginning.

(49) (85) "Yakima Urban Area" - An area located in Yakima County, Washington, as shown in Attachment 2, which is legally described (Yakima City Code-Title 15A, Ord. # 10-1985) as follows:

Beginning at the southwest corner of Government Lot 5, Section 17, Township 12 North, Range 19 East W.M.; thence north along the west line of said Section 17 to the southeast corner of Section 7. Township 12 North, Range 19 East W.M., thence west along the south line of said Section 7 to the southwest corner of the southeast quarter of said Section 7; thence north along the west line of the east half of said Section 7 to Ahtanum Creek, thence following Ahtanum Creek in a generally westerly direction to the west line of the southwest quarter of the south-east quarter of Section 2, Township 12 North, Range 18 E.M.W; thence north along said west line to the northwest corner of the southwest quarter of the southeast quarter of said Section 2; thence west along the east-west centerline of the south half of said Section 2 to the west line of said Section 2; thence continuing west along the east-west centerline of the south half of Section 3, Township 12 North, Range 18 East W.M. to South 34th Avenue; thence north along South 34th Avenue to Ahtanum Road - thence west along Ahtanum Road to 38th Avenue; thence north along 38th Avenue to the north line of Section 3. Township 12 North, Range 18 East W.M.; thence west along said north line to the northeast corner of Section 4, Township 12 North. Range 18 East W.M.; thence continuing west along the north line of said Section 4 to the southeast corner of Section 33, Township 13 North, Range 18 East W.M.; thence continuing west along the south line of said Section 33 to 64th Avenue; thence north along 64th Avenue to the east-west centerline of Sections 32 and 33, Township 13 North. Range 18 East W.M.; thence west along said east-west centerline to the north-south centerline of the west half of said Section 32; thence north along said north-south centerline to Zier Road; thence west along Zier Road to South 80th Avenue; thence north along South 80th Avenue to Wide Hollow Road; thence west along Wide Hollow Road to the north-south centerline of the east half of Section 30, Township 13 North, Range 18 East W.M.; thence north along said north-south centerline to the east-west centerline of said Section 30; thence west along said east-west centerline to the north-south centerline of the west half of said Section 30; thence north along said north-south centerline to the Yakima Valley Canal; thence following the Yakima Valley Canal in a generally westerly direction to its intersection with Tieton Drive; thence west on Tieton Drive to 96th Avenue; thence north on 96th Avenue to the northwest corner of the southwest quarter of Section 19, Township 13 North, Range 18 East W.M.; thence north along the west section line of said Section 19 to a point 250 feet south of the northwest corner of the southwest quarter of the northwest quarter of said

Section 19; thence north 89°33' East to the Tieton Canal; thence following the Tieton Canal in a generally northeasterly direction to the north-south centerline of the east half of said Section 19; thence north along said north-south centerline to the north-south centerline of the east half of Section 18, Township 13 North, Range 18 East W.M.; thence north along said north-south centerline of said Section 18 to the east-west centerline of the south half of said Section 18; thence east along said east-west centerline to the west line of Section 17, Township 13 North, Range 18 East W.M.; thence north along said west line to the east-west centerline of said Section 17; thence east along said east-west centerline to the east line of said Section 17; thence north along said east line to the south right-of-way line of the Burlington Northern Railroad, Cowiche Branch; thence following said south right-of-way line in a generally northeasterly direction to the north right-of-way line of State Route 12; thence following said north right-of-way line in a generally southeasterly direction to Cowiche Creek; thence following Cowiche Creek in a generally northeasterly direction to its confluence with the Naches River; thence following the south bank of the Naches River and the south bank of the Yakima River in a generally easterly direction to the north-south centerline of the east half of Section 12, Township 13 North, Range 18 East W.M.; thence north along said north-south centerline to Rest Haven Road; thence following Rest Haven Road in a generally southeasterly direction to the south line of Section 8, Township 13 North, Range 19 East W.M.; thence east along the south line of Sections 8 and 9 to the southwest corner of Lot 3 of that certain short plat recorded in Volume 81, Page 133, Short Plat Records of Yakima County; thence continuing east 260 feet along said south section line; thence North 0°022'34" east 270.51 feet; thence north 38°30'50" east 146.66 feet; thence north 47°30'24" east 63.80 feet; thence north 77°58'20" east 1,026.46 feet; thence north 71°00' east 255.38 feet; thence north 59°00' east to the north line of the southwest quarter of the southwest quarter of Section 10, Township 13 north, Range 19 E.W.M., thence easterly along said north line to the Northeast corner of said subdivision; thence southerly along the east line of the south-west quarter of the southwest quarter of said Section 10 to the south-east corner of said subdivision; thence westerly along the south line of said Section 10 to the northwest corner of Section 15, Township 13 North, Range 19 E.W.M., thence southerly along the west line of said Section 15 to the southwest corner of the northwest quarter of said Section 15; thence easterly along said east-west centerline to the southeast corner of the northeast quarter of said Section 15; thence easterly along the east-west centerline of Section 14, Township 13 North, Range 19 E.W.M. to the northeast corner of the northwest quarter of the southwest quarter of said Section 14; thence southerly along the north-south centerline of the west half of said Section 14 to the southeast corner of the southwest quarter of the southwest quarter of said Section 14; thence easterly along the south line of said Section 14 to the northeast corner of Section 23, Township 13 North, Range 19 E.W.M.; thence southerly along the east line of said Section 23 to the southeast corner of said Section 23; thence westerly along the south lines of Sections 23, 22, 21 and 20, Township 13 North, Range 19 E.W.M. to the west bank of the Yakima River; thence following said west bank in a

generally southerly direction to a point where it intersects the east right-of-way line of Interstate Highway 82; thence westerly to the point where the west right-of-way line of said interstate highway intersects the south line of Government Lot 2 of Section 17, Township 12 North, Range 19 E.W.M.; thence westerly along the south line of said Government Lot 2 and of Government Lot 5 of said Section 17 to the southwest corner of said Government Lot 5 and the point of beginning.

ARTICLE II GENERAL PROVISIONS

SECTION 2.01 - CAUSING OR PERMITTING AIR POLLUTION UNLAWFUL - EXCEPTION

Except where specified in a variance permit, as provided herein, it shall be unlawful for any person to cause air pollution or permit it to be caused in violation of these rules and Regulations.

SECTION 2.02. - CONTROL OFFICER - POWERS AND DUTIES

A. The Control Officer shall observe and enforce the provisions of state law and all orders, ordinances, resolutions or rules and regulations of the Authority pertaining to control and prevention of air pollution.

B. The Control Officer or his duly authorized agent may make any reasonable investigation or study which is necessary for the purpose of enforcing this Regulation or any amendment hereto or controlling or reducing the amount of or kind of air contaminant. The Control Officer shall be required to maintain appropriate records and prepare periodic reports to the Board.

C. For the purpose of investigating conditions specific to the control, recovery or release of air contaminants into the atmosphere, the Control Officer, or his duly authorized representative, shall have the power to enter at reasonable times upon any private or public property, excepting non-multiple unit private dwellings housing two (2) families, or less. No person shall refuse entry or access to the Control Officer or his duly authorized representatives who request entry for the purpose of inspection, and who present appropriate credentials; nor shall any person obstruct, hamper or interfere with such inspection.

D. If an authorized employee of the Authority, during the course of an inspection, desires to obtain a sample of air contaminant, fuel, process material or other material which affects or may affect the emission of air contaminants, he shall notify the owner or lessee of the time and place of obtaining a sample so the owner or lessee has the opportunity to take a similar sample at the same time and place and the authorized employee of the Authority shall give a receipt to the owner or lessee for the sample obtained.

E. The Control Officer and assistants, in the performance of their duties, shall in all respects be subject to the direction of the Board, and shall take no action that has been prohibited by the Board.

SECTION 2.03 - MISCELLANEOUS PROVISIONS

A. No person shall willfully make a false or misleading statement to the Board as to any matter within the jurisdiction of the Board.

B. No person shall reproduce or alter or cause to be reproduced or altered any order, registration certificate, or other paper issued by the Authority if the purpose of such reproduction or alteration is to evade or violate any provision of this Regulation or any other law.

C. Any order, or registration certificate required to be obtained by this Regulation, shall be available on the premises designated on the order or certificate.

D. In the event that the Authority requires a notice to be displayed, it shall be posted. No person shall mutilate, obstruct or remove any notice unless authorized to do so by the Board.

SECTION 2.04 - CONFIDENTIALITY

Whenever any records or other information, other than ambient air quality data or emission data, are furnished to or obtained by the Yakima County Clean Air Authority under this regulation relates to processes or production unique to the owner or operator, or is likely to adversely affect the competitive position of such owner or operator of said processes or production, and the owner or operator of such processes or production so certifies, such records or information shall be only for the confidential use of the Board. Nothing herein shall be construed to prevent the use of records or information by the Board in compiling or publishing analysis or summaries relating to the general condition of the outdoor atmosphere, provided, that such analyses or summaries do not reveal any information otherwise confidential under the provisions of this section and, provided further, that emission data furnished to or obtained by the Board shall be correlated with applicable emission limitations and other control measures and shall be available for public inspection during normal business hours at the office of the Board.

SECTION 2.05 - ADVISORY COUNCIL

The Board of the Authority may in its discretion appoint an Advisory Council to advise and consult with the Board and with the Control Officer in effectuating the purposes of the Regulation. The Board may submit to the Advisory Council recommendations for the adoption or modification or regulations or emission standards or other matters that it considers appropriate, but shall not be required to do so.

ARTICLE III

VIOLATIONS - ORDERS AND HEARINGS

SECTION 3.01 - NOTICE OF VIOLATION - CORRECTIVE ACTION - HEARINGS

Whenever the Board or the Control Officer has reason to believe that any provision of this Regulation has been violated, the Board or Control Officer may, at least thirty days prior to the commencement of any formal enforcement action under Sections 8.01 and 8.02 of this Regulation, cause written notice to be served upon alleged violator or violators. The notice shall specify the provision of this Regulation alleged to be violated, and facts alleged to constitute a

violation thereof, and may include an order directing that necessary corrective action be taken within a reasonable time. In lieu of an order, the Board or the Control Officer may require that the alleged violator or violators appear before the Board for a Hearing.

SECTION 3.02 - FINALITY OR ORDER - APPEAL

Any order issued by the Board or Control Officer shall become final, unless such order is appealed to the Pollution Control Hearings board, as provided in RCW 43.21B.

SECTION 3.03 - STAY OF ORDER PENDING APPEAL

Any order of the Control Officer or Board shall be stayed pending final determination of any hearing or appeal taken in accordance with the provisions herein, unless after notice and hearing, the Superior Court shall determine that an emergency exists which is of such nature as to require that such order be in effect during the pendency of such hearing or appeal.

SECTION 3.04 - VOLUNTARY COMPLIANCE

Nothing in this article shall prevent the Control Officer or Board from making efforts to obtain voluntary compliance through warning, conference or any other appropriate means.

ARTICLE IV

REGISTRATION AND NOTICE OF CONSTRUCTION

SECTION 4.01 - REGISTRATION

A. The owner or operator of each source within the following source categories, that does not hold an operating permit, shall register the source with the Authority:

1. Agricultural drying and dehydrating operations;
2. Asphalt plants;
3. Beverage can surface coating operations;
4. Bulk gasoline terminals;
5. Cattle feed lots; for the purposes of registration a cattle feed lot is a place with facilities for 1,000 or more head of cattle which are kept closely confined for commercial purposes and substantially all feed used is delivered to them;
6. Chemical plants;
7. Ferrous foundries;
8. Fertilizer plants;
9. Flexible vinyl and urethane coating and printing operations;
10. Grain handling, seed processing, pea and lentil processing;
11. Metallic mineral processing plants;
12. Mineralogical processing plants;
13. Nonferrous foundries;
14. Other metallurgical processing plants;
15. Petroleum refineries;
16. Power boilers;
17. Pressure sensitive tape and label surface coating operations;

- 17 ~~18~~. Rendering plants;
- 18 ~~19~~. Scrap metal operations;

- 19 ~~20~~. Synthetic organic chemical manufacturing industries;
- 20 ~~21~~. Sulfuric acid plants;
- 21 ~~22~~. Synthetic fiber production facilities;
- 22 ~~23~~. Veneer dryers;
- 23 ~~24~~. Wood waste incinerators including wigwam burners;
- 24 ~~25~~. Other incinerators designed for a capacity of 100 lbs per hour or more;
- 25 ~~26~~. Stationary internal combustion engines rated at 500 h.p. or more;
- 26 ~~27~~. Sawmills, including processing for lumber, plywood, shake, shingle, pulp wood, insulating board, or any combination thereof.
- 27 ~~28~~. Any category of stationary sources to which a New Source Performance Standard (NSPS) applies. The categories as identified in the federal regulations 40 CFR Part 60 (January 1, 1993) are as follows:

- Subpart D Fossil fuel fired steam generators for which construction commenced after August 17, 1971, and prior to September 19, 1978, which have a heat input greater than 73 megawatts but not greater than 250 megawatts
- Subpart Da Electric utility steam generating units for which construction commenced after September 18, 1978, which have a heat input greater than 73 megawatts but not greater than 250 megawatts
- Subpart Db Industrial-commercial-institutional steam generating units for which construction commenced after June 19, 1984, and prior to June 19, 1986, which have a heat input greater than 29 megawatts but less than 73 megawatts
- Subpart Dc Small industrial-commercial-institutional steam generating units
- Subpart E Incinerators
- Subpart Ea Municipal waste combustors
- Subpart F Portland cement plants
- Subpart G Nitric acid plants
- Subpart H Sulfuric acid plants
- Subpart I Asphalt concrete plants
- Subpart J Petroleum refineries which produce less than 25,000 barrels per day of refined products
- Subpart K Storage vessels for petroleum liquid constructed after June 11, 1973, and prior to May 19, 1978, which have a capacity greater than 40,000 gallons
- Subpart Ka Storage vessels for petroleum liquids constructed after May 18, 1978, which have a capacity greater than 40,000 gallons
- Subpart Kb Volatile organic liquid storage vessels (including petroleum liquid storage vessels) constructed, reconstructed, or modified after July 23, 1984
- Subpart L Secondary lead smelters

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Subpart M	Brass and bronze ingot production plants
Subpart N	Iron and steel plants
Subpart O	Sewage treatment plants
Subpart P	Primary copper smelters
Subpart Q	Primary zinc smelters
Subpart R	Primary lead smelters
Subpart S	Primary aluminum reduction plants
Subpart T	Phosphate fertilizer industry: Wet process phosphoric acid plants
Subpart U	Phosphate fertilizer industry: Superphosphoric acid plants
Subpart V	Phosphate fertilizer industry: Diammonium phosphate plants
Subpart W	Phosphate fertilizer industry: Triple superphosphate plants
Subpart X	Phosphate fertilizer industry: Granular triple superphosphate storage facilities
Subpart Y	Coal preparation plants
Subpart Z	Ferroalloy production facilities
Subpart AA	Steel plants: Electric arc furnaces
Subpart AAa	Steel plants: Electric arc furnaces and argon-oxygen decarburization vessels
Subpart BB	Kraft pulp mills
Subpart CC	Glass manufacturing plants
Subpart DD	Grain elevators
Subpart EE	Industrial surface coating: Metal furniture
Subpart GG	Stationary gas turbines
Subpart HH	Lime manufacturing plants
Subpart KK	Lead-acid battery plants
Subpart LL	Metallic mineral processing plants
Subpart MM	Automobile and light duty truck surface coating operations
Subpart NN	Phosphate rock plants
Subpart PP	Ammonium sulfate manufacture
Subpart QQ	Publication rotogravure printing
Subpart RR	Pressure sensitive tape and label surface coating operations
Subpart SS	Industrial surface coating: Large appliances
Subpart TT	Industrial surface coating: Metal coils
Subpart UU	Asphalt processing and asphalt roofing manufacture
Subpart VV	SOCMI equipment leaks (VOC)
Subpart WW	Beverage can surface coating operations
Subpart XX	Bulk gasoline terminals
Subpart BBB	Rubber tire manufacturing industry
Subpart DDD	VOC emissions from the polymer manufacturing industry
Subpart FFF	Flexible vinyl and urethane coating and printing
Subpart GGG	Petroleum refineries - compressors and fugitive emission sources
Subpart HHH	Synthetic fiber production facilities
Subpart III	VOC emissions from SOCMI air oxidation unit processes
Subpart JJJ	Petroleum dry cleaners

Subpart KKK	Equipment leaks of VOC from onshore natural gas processing plants
Subpart LLL	Onshore natural gas processing; SO ₂ emissions
Subpart NNN	VOC emissions from SOCMI distillation operations
Subpart PPP	Wool fiberglass insulation manufacturing plants
Subpart QQQ	VOC emissions from petroleum refinery wastewater emissions
Subpart SSS	Magnetic tape coating facilities
Subpart TTT	Industrial surface coating: Surface coating of plastic parts for business machines
Subpart VVV	Polymeric coating of supporting substrates facilities:

Note: For fossil fuel fired steam generators referenced by Subpart D and Da above, units greater than 250 megawatts are governed by the energy facility site.

28 29. Any source which emits a contaminant subject to a National Emission Standard for Hazardous Air Pollutants (NESHAPS);

29 30.. Any major stationary source as defined below; "Major source" means any stationary source (or any group of stationary sources) that are located on one or more contiguous or adjacent properties, and are under common control of the same person (or persons under common control) belonging to a single major industrial grouping and that are described in (a), (b), or (c) of this subsection. For the purposes of defining "major source," a stationary source or group of stationary sources shall be considered part of a single industrial grouping if all of the pollutant emitting activities at such source or group of sources on contiguous or adjacent properties belong to the same major group (i.e., all have the same two-digit code) as described in the *Standard Industrial Classification Manual*, 1987.

(a) A major source under section 112 of the FCAA, which is defined as any stationary source or group of stationary sources located within a contiguous area and under common control that emits or has the potential to emit, in the aggregate, ten tons per year (tpy) or more of any hazardous air pollutant which has been listed pursuant to section 112(b) of the FCAA, twenty-five tpy or more of any combination of such hazardous air pollutants, or such lesser quantity as the Administrator may establish by rule. Notwithstanding the preceding sentence, emissions from any oil or gas exploration or production well (with its associated equipment) and emissions from any pipeline compressor or pump station shall not be aggregated with emissions from other similar units, whether or not such units are in a contiguous area or under common control, to determine whether such units or stations are major sources; or

(b) A major stationary source of air pollutants, as defined in section 302 of the FCAA, that directly emits or has the potential to emit, one hundred tpy or more of any air pollutant (including any major source of fugitive emissions of any such pollutant, as determined by rule by the Administrator).

(c) A major stationary source as defined in part D of title I of the FCAA, including:

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(i) For ozone nonattainment areas, sources with the potential to emit one hundred tpy or more of volatile organic compounds or oxides of nitrogen in areas classified as "marginal" or "moderate," fifty tpy or more in areas classified as "serious," twenty-five tpy or more in areas classified as "severe," and ten tpy or more in areas classified as "extreme"; except that the references in this paragraph to one hundred, fifty, twenty-five, and ten tpy of nitrogen oxides shall not apply with respect to any source for which the Administrator has made a finding, under section 182 (f)(1) or (2) of the FCAA, that requirements under section 182(f) of the FCAA do not apply;

(ii) For ozone transport regions established pursuant to section 184 of the FCAA, sources with the potential to emit fifty tpy or more of volatile organic compounds;

(iii) For carbon monoxide nonattainment areas (A) that are classified as "serious," and (B) in which stationary sources contribute significantly to carbon monoxide levels, sources with the potential to emit fifty tpy or more of carbon monoxide; and

(iv) For particulate matter (PM-10) nonattainment areas classified as "serious," sources with the potential to emit seventy tpy or more of PM-10.

30 31. Any of the following categories of sources which are listed in WAC 173-460-030(1):

Standard industrial classifications:

Major group 10-Metal mining.

Major group 12-Bituminous coal and lignite mining.

Major group 13-Oil and gas extraction.

Manufacturing industries major groups 20-39.

Major group 49-Electric, gas, and sanitary services except 4971 irrigation systems.

Dry cleaning plants, 7216.

General medical surgical hospitals, 8062.

Specialty hospitals, 8069.

National Security, 9711.

Any Source category listed in WAC 173-490-030(1) except WAC 173-490-030 (1)(e) Gasoline dispensing facilities.

WAC 173-490-030(1) categories:

- a. Petroleum refineries.
- b. Petroleum liquid storage tanks.
- c. Gasoline loading terminals.
- d. Bulk gasoline plants.
- f. Surface coaters.
- g. Open top vapor degreasers.
- h. Conveyerized degreasers.
- i. Gasoline transport tanks.
- j. Vapor collection systems.
- k. Perchloroethylene dry cleaning systems.
- l. Graphic arts systems.
- m. Surface coaters of miscellaneous metal parts and products.
- n. Synthesized pharmaceutical manufacturing facilities.
- o. Flatwood panel manufacturers and surface finishing facilities.

Any of the following sources:
Landfills.

Sites subject to chapter 173-340 WAC Model Toxics Control Act—Cleanup regulation.

B. A special report of closure shall be filed with the Authority whenever operations producing emissions are permanently ceased for any source listed in Section 4.01(A) above.

C. It shall be the duty of all persons, firms or corporations engaged in the business of selling combustion type orchard heating devices to report to the Authority the sale of such devices to be installed or used anywhere within the jurisdiction of the Yakima County Clean Air Authority.

The report herein provided for shall be in writing and shall be delivered to or mailed to the Authority within ten (10) days after such sale and shall contain the name and address of the purchaser and the location of the property at which such devices are to be installed or used.

D. The owner or operator of any proposed new source shall register the source with the Authority.

E. Initial registration and reporting shall be on forms supplied by the Authority within the time specified thereon. The forms will provide for the submission of information concerning locations, size and height of contaminant outlets, processes employed, nature of the contaminant emission and such other information relevant to air pollution as the Authority may require.

After initial registration and reporting, subsequent general reports shall be filed annually during January on forms supplied by the Authority in accordance with the terms of the Pollution Disclosure Act of 1971, Chapter 160, Laws of 1971, Extraordinary Session.

F. A separate registration shall be required for each source of contaminant provided that an owner or lessee has the option to register a process with a detailed inventory of contaminant sources and emissions related to said process and provided further than an owner need not make a separate registration for identical units or equipment or control apparatus installed, altered or operated in an identical manner on the same premises.

G. Each registration shall be signed by the owner or lessee or agent for such owner or lessee. The owner or the lessee of the source shall be responsible for the registration and the correctness of the information submitted.

H. All registrants shall pay a fee for registration in accordance with the registration fee schedule in Article XIII, Section 13.01 of this regulation.

SECTION 4.02 - NOTICE OF CONSTRUCTION

A. General Requirement.

No person shall construct, install, ~~or~~ establish or modify a new air contaminant source, except those sources excluded in Section 4.03 of this Regulation, without first filing with the Authority a "Notice of Construction, Installation or Establishment of New Air Contaminant Source", on forms prepared and furnished by the Authority.

For the purpose of this section, addition to or enlargement or replacement of an air contaminant source, or any major alteration therein, shall be construed as construction, installation or establishment of a new air contaminant source.

B. Completeness Determination.

Within thirty (30) days after the receipt of Notice of Construction application the Authority shall either notify the

applicant in writing that the application is complete or that additional information is necessary. The Authority may require the submission of plans, specifications and such other information as it deems necessary concerning the proposed construction, installation and establishment of such source.

C. Final Approval.

Within sixty (60) days of receipt by the Authority of a complete Notice of Construction application the Authority shall either:

1. Issue a final decision on the application, or

2. For those Notice of Construction application reviews subject to public notice initiate notice and comment on a proposed decision and issue thereafter, as promptly as possible, a final decision.

D. Conditions.

Every order of approval issued pursuant to this section shall:

1. Be reviewed prior to issuance by a professional engineer in the employ of the Authority or the Washington State Department of Ecology.

2. Include a determination of whether the operation of the new air contaminant source at the location proposed will cause any ambient air quality standard to be exceeded or cause a potential hazard to public health.

3. Include a determination that the proposed new source will comply with all applicable New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants.

Any Notice of Construction review of a modification shall be limited to the emission unit or units proposed to be modified and the air contaminants whose emissions would increase as the result of the modification.

Nothing in this Regulation shall be construed to authorize the Board to require the use of emission control equipment or other equipment, machinery or devices of any particular type from any particular supplier or produced by any particular manufacturer.

Any features, machines and devices constituting parts of or called for by plans, specifications or other information submitted pursuant to this section shall be maintained and operated in good working order.

The absence of any ordinance, resolution, rule or regulation or the failure to issue an order pursuant to this section shall not relieve a person from his or her obligation to comply with applicable emission control requirements or with any other provision of the law.

E. Control Technology Requirements.

For new sources in nonattainment areas, Best Available Control technology (BACT) will be employed, except that if the new source is a major stationary source or the proposed modification is a major modification it will achieve the Lowest Achievable Emission Rate (LAER) for the contaminants for which the area has been designated nonattainment.

For new sources in attainment or nonclassifiable areas, Best Available Control Technology (BACT) will be employed for all pollutants not previously emitted or whose emissions would increase as a result of the new source or modification.

For an existing stationary source for which the emission control technology is replaced or substantially altered, but does not constitute a major modification, Best Reasonably Available Control Technology (~~RACT~~) (BACT) and reason-

able operation and maintenance conditions for the control equipment may be required by the Authority.

F. Notice of Completion - Notice of Violation.

The owner or applicant shall notify the Board or Control Officer of the completion of construction, installation or establishment and the date upon which operation will commence. The Board or Control Officer may, within thirty (30) days of receipt of notice of completion, inspect the construction, installation, or establishment, and the Board or Control Officer may issue a Notice of Violation, if he finds that the construction, installation, or establishment is not in accord with the plans, specifications or other information submitted to the Authority.

G. Temporary Sources.

For sources such as asphalt batch plants with multiple locations which locate temporarily at particular sites, the owner or operator shall be permitted to operate at a temporary location without filing a notice of construction, providing that the owner or operator notifies the Authority of intent to operate at the new location at least thirty (30) days prior to starting the operation, and supplies sufficient information to enable the Authority to determine that the operation will comply with the emission standards for a new source and the applicable ambient air standards, and if in a non-attainment area, will not interfere with scheduled attainment of ambient standards. The permission to operate shall be for a limited period of time (one year or less) and the Authority may set specific conditions for operation during said period which shall include a requirement to comply with all applicable emission standards.

H. Public Notice.

1. Notice of Construction applications shall be subject to public notice under the following conditions:

a. If otherwise required by state or federal laws or regulations; or

b. If the proposed source would cause an annual increase of ten tons of any air contaminant for which the ambient air quality standards have been established; or

c. If the Yakima County Clean Air Authority determines that such public comment would be appropriate.

2. Within fifteen days of receipt of a complete application for a Notice of Construction the Authority shall determine whether public notice is required, and if so it shall publish notice to the public of an opportunity to submit written comments during a thirty (30) day period. Such public notice shall contain the following information:

a. The name and address of the owner;

b. A brief description of the proposed construction;

c. The location at which a copy of the preliminary determination and a summary of the information considered in making such preliminary determination are available to the public.

I. Fee Assessment.

Any person submitting a Notice of Construction pursuant to the terms of this Regulation shall be assessed a fee by the Authority in accordance with the fee schedule in Article XIII, Section 13.02 of this regulation.

SECTION 4.03 - EXCEPTIONS TO ARTICLE IV

Neither registration nor notice of construction shall be required for the following air contaminant sources:

A. Air conditioning or ventilating systems not designed to remove contaminant generated by or released from equipment.

B. Blast cleaning equipment which uses a suspension of abrasive in liquid water.

C. Fuel burning equipment if used solely for a private dwelling serving three (3) families or less.

D. Insecticide and herbicide spray equipment.

E. Non-stationary internal combustion engines, including gas turbine and jet engines.

F. Laboratory equipment used exclusively for chemical or physical analysis.

G. Laundry driers, extractors or tumblers used exclusively for the removal of water from fabric.

H. Application of surface coatings by use of an aqueous solution or suspension if used on external or internal walls of residential, commercial or industrial facilities.

I. Steam cleaning equipment used exclusively for that purpose.

J. Vacuum producing devices used in laboratory operations, and vacuum producing devices which do not remove or convey air contaminant from or to another source.

K. Vents used exclusively for:

1. Sanitary or storm drainage systems; or

2. Safety valves; or

3. Washing or drying equipment used for products fabricated from metal or glass, if no volatile organic material is used in the process.

L. Construction of single family or duplex dwellings.

ARTICLE V

EMISSION STANDARDS AND PREVENTATIVE MEASURES

SECTION 5.01 - OUTDOOR BURNING

Outdoor burning in Yakima County shall, unless specifically exempted in Section 5.03(D), be conducted only by permit issued by the local responsible jurisdiction and shall be subject to the limitations set forth herein.

A. The issuance of outdoor burning permits for the following activities shall be governed by the Authority, local city, town or fire protection district in which such fire or fires are being conducted.

1. Residential Burning;

2. Outdoor burning of less than 500 tons of residue of natural character such as trees, stumps, shrubbery or other natural vegetation arising from land clearing projects.

3. Agricultural burning as defined in WAC 173-430-030.

B. The issuance of permits for the following outdoor burning shall be governed by the Washington State Department of Natural Resources or by federal authorities for lands under federal control:

1. Abating of forest fire hazard;

2. Prevention of fire hazard;

3. Instruction of public officials in the method of forest fire fighting;

4. Any silviculture operation to improve the forest lands of the state;

5. All silvicultural burning used to promote regeneration of rare and endangered plants found within natural area preserves, as identified under Chapter 79.70 RCW or used to

maintain fire dependent ecosystems for rare plants or animals within the state, federal and private natural park area preserves, natural resource conservation areas, parks and other wildlife areas.

C. Except as set forth in subsection 5.03(D) hereof, ~~a~~All other outdoor burning will be governed by permits issued by the Yakima County Clean Air Authority.

D. Except as set forth in subsection 5.03(D) hereof, ~~it~~ is a violation of these Regulations for any person to conduct outdoor burning without obtaining a permit from the responsible jurisdiction as set forth above.

E. Any person requesting a permit from a local responsible jurisdiction, such as local city, town, fire protection district, conservation district or the Authority, for an outdoor burning permit shall pay a fee as governed by the fee schedule of that agency then in effect. The fee schedule in effect for the Yakima County Clean Air Authority is as shown in Article XIII, Section 13.03 of this regulation.

SECTION 5.02 - REGULATIONS APPLICABLE TO ALL OUTDOOR BURNING

A. The Regulations in this Section are applicable to all outdoor burning whether conducted under the jurisdiction of the Yakima County Clean Air Authority, local cities, towns, fire protection districts or conservation districts, or the Department of Natural Resources.

1. It shall be unlawful for any person to ignite, cause or permit to be ignited or to suffer, allow or maintain any outdoor burning within the jurisdiction of any of the above authorities as provided in Section 5.01 and in addition thereto, it shall be unlawful and not within any of the exemptions of subsection 5.03(D), ~~(E)~~ and Section 5.04 for any person to ignite, cause or permit or suffer to be ignited or allow or maintaining any outdoor burning within any of the jurisdictions described above as follows:

a. Containing garbage, dead animals, asphalt, petroleum products, paints, rubber products, plastics, paper (other than what is necessary to start a fire), cardboard, treated wood, construction debris, metal, or any substance other than natural vegetation that normally emits dense smoke or obnoxious odors.

b. During any forecast, alert, warning or emergency condition as defined in RCW 70.94.715.

c. During any impaired air quality condition as defined in RCW 70.94.473.

B. It shall be prima facie evidence that the person who owns or controls property on which outdoor burning occurs has allowed or caused such open fire.

SECTION 5.03 - REGULATIONS APPLICABLE TO ALL OUTDOOR BURNING WITHIN THE JURISDICTION OF THE YAKIMA COUNTY CLEAN AIR AUTHORITY, LO- CAL CITIES, TOWNS, FIRE PROTECTION DISTRICTS AND CONSERVATION DISTRICTS

A. The Yakima County Clean Air Authority finds that it is consistent with its policy of reducing outdoor burning to the greatest extent possible to prohibit outdoor burning in certain areas subject to the exceptions as set forth in subsection 5.03(D) hereof.

B. Except as set forth in subsection 5.03(D) hereof, no outdoor burning shall be allowed in any area of Yakima County, Washington which exceeds federal or state ambient air quality standards for pollutants emitted by outdoor burning which includes the Yakima Urban Area and the city limits of the city of Selah, Washington.

C. Except as provided in ~~sub~~Section 5.03(D) hereof, outdoor burning shall not be allowed in any urban growth area as defined in RCW 36.70(a).030 and RCW 36.70(a).110, or in any city in the Authority's jurisdiction having a population greater than 10,000 persons if:

1. Such areas threaten to exceed state or federal air quality standards, and;

2. Alternative disposal practices consisting of a good solid waste management plan are reasonably available or practices eliminating production of organic refuse are reasonably available.

~~D. Outdoor burning shall be allowed upon permit obtained from the Authority for the following purposes:~~

~~1. Weed abatement along ditch banks and fence lines;~~
~~2. Agricultural burning as defined in WAC 173-425-030;~~

~~3. Instruction in methods of fire fighting conducted by fire districts or city fire departments or any government controlled fire fighting agency;~~

~~All such permits issued pursuant to this provision shall be subject to the conditions and limitations as are set forth in Section 5.04 hereof.~~

~~E. (D) Outdoor burning shall be allowed without permit for:~~

~~1. Small outdoor fires on an occasional basis for ceremonial, religious, or cooking purposes or like social purposes;~~

~~2. Fires from barbecues, flares, torches, gas burners, incense burners and insect pots.~~

~~3. Structure fires for instruction in methods of fire fighting, conducted by fire districts or city fire department or any government controlled fire fighting agency, and outside any urban growth area as defined in RCW 36.70(a).030 and RCW 36.70(a).110, if all of the following conditions are met:~~

~~a. The fire conforms with any other permits, licenses, or approvals that are required;~~

~~b. The fire is not located in an area that is declared to be in an air pollution episode or any state of an impaired air quality as defined in RCW 70.94.715 and 70.94.473;~~

~~c. Nuisance laws are applicable to the fire, including nuisances related to the unreasonable interference with the enjoyment of life and property and the depositing of particulate matter or ash on other property;~~

~~d. Notice of the fire is provided to the owners of property adjoining the property where the fire will occur, to the persons who potentially will be impacted by the fire;~~

~~e. Each structure that is proposed to be set on fire must be identified specifically as a structure to be set on fire. Each other structure on the same parcel of property that is not proposed to be set on fire must be identified specifically as a structure that is not proposed to be set on fire; and~~

~~f. Before setting a structure on fire, a good faith inspection is conducted to determine if materials containing asbestos are present, the inspection is documented in writing~~

and forwarded to the Authority, and asbestos that is found is removed prior to the burning.

SECTION 5.04 - REGULATIONS APPLICABLE TO PERMITS ISSUED BY THE YAKIMA COUNTY CLEAN AIR AUTHORITY FOR ALL OTHER OUTDOOR BURNING

A. Outdoor burning permits will be issued by the Yakima County Clean Air Authority pursuant to restrictions and limitations on outdoor burning as set forth in these Regulations as follows:

1. Except as set forth in Section 5.03(D) hereof, Weed abatement, agricultural burning to control diseases and insects or developments of physiological conditions conducive to increase crop yield.

a. All applications for permits to set fire for such agricultural burning shall be acted upon by the Authority within seven (7) days from the date such application is filed.

b. When burning is necessary to control disease or insect infestation and alternative methods are not available and the Yakima County Agricultural Extension Agency so certifies.

2. Except as set forth in Section 5.03(D) hereof, Instruction in methods of fire fighting conducted by fire districts or city fire departments or any government controlled fire fighting agency.

B. Permits issued for burning under this Section shall be drafted to minimize emissions, including denial of permission to burn during periods of adverse meteorological conditions.

C. All permits issued by the Authority will contain conditions to insure that public interest in air, water and land pollution and safety to life and property is fully considered and will be designed to minimize air pollution as practicable.

D. All applications for permits must demonstrate that the setting of fires as requested is the most reasonable procedure to follow in safeguarding life and property and no other reasonable alternative (as defined in the WAC 173-425) is available to successfully carry out the enterprise in which the applicant is engaged.

SECTION 5.05 - ADDITIONAL RESTRICTIONS ON OUTDOOR BURNING

All outdoor burning conducted pursuant to this Regulation shall be conducted between the hours of sunrise and sunset, except that burning for pest or disease control or for land clearing purposes, and of which the combustible material consists primarily of wood more than twelve (12) inches in diameter, may be conducted after sunset, but such fires shall not be ignited or fed after 12:00 noon on any day they are ignited. For the purpose of this provision a fire shall be deemed to be out and extinguished when there is not a visible flame coming from the fire.

A. No open burning shall be conducted when the Control Officer, acting on guidelines for air quality control which are hereafter established by the Board, has prohibited such burning by a curtailment call or Ecology has declared an Air Pollution Episode.

~~B. No open burning shall be conducted during any stage of an Air Pollution Episode and~~

1. ~~Any~~ person or entity responsible for an open fire shall immediately proceed to extinguish such fire to prevent visible smoke when notified of the existence of an air pollution episode by any of the means set forth hereafter. Notice will be deemed sufficient to the public for all purposes of these Regulations after ~~twelve (12)~~ three (3) hours have elapsed from the time such notice has been delivered to and published by a newspaper of general circulation in the area where such limitation applies, or has been delivered to and broadcasted by a radio or television station serving the area, for a small fire and 10 hours for the remaining fires.

~~C~~ B. Any person responsible for fires set in accordance with this Section must abide by all rules and procedures set by other agencies having any jurisdiction over the practice of open burning.

SECTION 5.06 - GENERAL STANDARDS FOR MAXIMUM PERMISSIBLE EMISSIONS

All sources and emissions units are required to meet the emission standards of this chapter. Where an emission standard listed in another chapter is applicable to a specific emissions unit, such standard will take precedent over a general emission standard listed in this chapter. When two or more emissions units are connected to a common stack and the operator elects not to provide the means or facilities to sample emissions from the individual emissions units, and the relative contributions of the individual emissions units to the common discharge are not readily distinguishable, then the emissions of the common stack must meet the most restrictive standard of any of the connected emissions units. Further, all emissions units are required to use reasonably available control technology (RACT) which may be determined for some sources or source categories to be more stringent than the applicable emission limitations of any chapter of Title 173 WAC. Where current controls are determined to be less than RACT, ecology or the authority shall, on a case-by-case basis, define RACT for each source or source category and issue a regulatory order to the source or sources for installation of RACT.

A. Visible Emissions.

No person shall cause or permit visible plume from any source that exceeds twenty percent (20%) opacity for three minutes in any one hour period except:

1. When the emissions occur due to soot blowing/grate cleaning and the operator can demonstrate that the emissions will not exceed twenty percent (20%) opacity for more than fifteen minutes in any eight consecutive hours. The intent of this provision is to permit the soot blowing and grate cleaning necessary to the operation of boiler facilities. This practice, except for testing and trouble shooting, is to be scheduled for the same approximate times each day and the Authority be advised of the schedule.

2. When the owner or operator of the source supplies valid data to show that the opacity exceeds twenty percent (20%) as the result of the presence of condensed water droplets. The concentration of particulate matter as shown by a source test approved by the Authority must be less than one-tenth (0.1) grains per dry standard cubic foot. For combustion emissions the exhaust gas volume shall be corrected to seven percent (7%) oxygen.

3. As provided for in WAC 173-433-110 "Opacity Standards For Solid Fuel Burning Devices".

B. Preventing particulate matter from becoming airborne.

No person shall cause or permit the emission of particulate matter from any source which is transported or becomes deposited beyond the property under direct control of the owner or operator of the source in sufficient quantity to interfere unreasonably with the use and enjoyment of the property upon which the material was transported or deposited.

C. Material handling.

No person shall cause or permit materials handling without taking reasonable precautions to prevent the release of contaminants to the ambient air.

D. Odor.

Any person who shall cause or allow the generation of any odor from any source which may unreasonably interfere with an adjoining property owner's use and enjoyment of his property must use recognized good practice and procedure to reduce these odors to a reasonable minimum.

E. Air contaminants or water vapor detrimental to persons or property.

No person shall cause or permit the emission of any air contaminant or water vapor from any source, including any air contaminant whose emission is not otherwise prohibited by this Regulation, if the air contaminant or water vapor causes detriment to the health, safety, or welfare of any person, or causes damage to property or business.

F. Sulfur dioxide.

1. No person shall cause or permit the emission of a gas containing sulfur dioxide in excess of 1,000 parts per million (ppm). ~~except when the owner or operator supplies emission data and can demonstrate to the Authority that there is no feasible method of reducing the concentration to less than 1,000 ppm and that the ambient air quality standard for sulfur dioxide has not been and will not be exceeded. In such cases, the Authority may require the owner or operator to equip, operate and maintain as many as three (3) continuous ambient air monitoring stations at locations and using equipment approved by the Authority. All sampling results will be made available upon request and a monthly summary will be submitted to the Authority.~~

2. All concentrations of sulfur dioxide referred to above are by volume, dry standard conditions, and for combustion emissions the exhaust gas volume shall be corrected to seven percent (7%) oxygen and based on the average of any period of sixty consecutive minutes.

G. Concealment and masking.

No person shall cause or permit the installation or use of any device, or the use of any means which, without resulting in a reduction in the total amount of air contaminant emitted, conceals an emission of an air contaminant which would otherwise violate any provisions of this chapter.

H. Fugitive dust sources.

1. The owner or operator of a source of fugitive dust shall take reasonable precautions to prevent fugitive dust from becoming airborne and shall maintain and operate the source to minimize emissions.

2. The owner(s) or operator(s) of any existing source(s) of fugitive dust that has been identified as a significant contributor to a Category I PM-10 area shall be required to

use reasonably available control technology to control emissions. Significance will be determined by the definition found in 40 CFR Part 51, Appendix S, as amended July 1, 1990.

H I. No person shall hereafter sell or install within the jurisdiction of the Yakima County Clean Air Authority any continuous, stationary air contaminant source in which the air contaminant emitted therefrom cannot be restricted to the standards as set forth in Sections 5.06(A) and 5.08.

I J. The density or opacity of an air contaminant shall be measured at the point of its emission, except when the point of emission cannot be readily observed it may be measured at an observable point on a plume nearest the point of emission.

SECTION 5.07 - MINIMUM EMISSION STANDARDS FOR COMBUSTION AND INCINERATION SOURCES

A. No person shall cause or permit visible plume from any combustion or incineration source that exceeds twenty percent (20%) opacity for three minutes in any one hour period or cause or permit an emission of particulate matter in excess of the standard set forth in Section 5.08.

B. For all incinerator sources no person shall cause or permit emissions in excess of 100 ppm of total unburned hydrocarbons as measured by applicable EPA methods or acceptable procedures contained in "Source Test Manual Procedure for Compliance Testing", State of Washington, Department of Ecology on file with the Authority or Ecology. Incinerators shall be operated only during daylight hours unless written permission to operate at other times is received from the Authority.

C. Stated concentrations for combustion and incineration sources will be determined after the volumes are corrected to seven percent (7%) oxygen.

D. All incinerators designed to burn twelve tons per day of materials shall be subject to the standards set forth in WAC 173-434.

E. No person shall cause or permit emissions in excess of Section 5.08.

SECTION 5.08 - MINIMUM EMISSION STANDARDS FOR GENERAL PROCESS SOURCES

General Process Units are required to meet all applicable provisions of Section 5.06 No person shall cause or permit the emission of particulate matter from any general process operation in excess of one tenth (0.10) grains per standard cubic foot of dry exhaust gas as tested in accordance with 40 CFR Part 60 Appendix A, Method 5, "Determination of Particulate Emissions from Stationary Sources".

SECTION 5.09 - MINIMUM STANDARDS OR PROCEDURES FOR CERTAIN SOURCE CATEGORIES

The Authority finds that reasonable regulation of sources within certain categories requires separate standards applicable to such categories. The standards set forth in this section shall be the minimum standards for sources within the categories listed and except as specifically provided in this Section, such sources shall be required to meet the provisions of Section 5.06, Section 5.07, and Section 5.08.

A. Asphalt Batch Plants.

1. All batch plants shall meet all requirements of Title 40 CFR 60.90 Subpart I, "Standards of Performance for Hot Mix Asphalt Facilities".

2. Asphalt batch plants shall utilize Best Available Control Technology and shall be maintained and operated to minimize emissions.

B. Hogged Fuel Boilers.

1. No person shall operate a hogged fuel boiler that will cause or permit an emission for more than three (3) minutes in any one (1) hour of an air contaminant from any source which, at the emission point or within a reasonable distance of the emission point, exceeds twenty percent (20%) opacity or which causes an emission of particulate matter in excess of one-fifth (0.20) grains per standard dry cubic foot. Particulate matter emissions shall be measured by EPA Method 5 or approved procedures contained in "Source Test Manual Procedure for Compliance Testing", State of Washington Department of Ecology on file at the Authority or Ecology. Provided that emissions may exceed twenty percent opacity for up to fifteen consecutive minutes once in any eight hours. The intent of this provision is to permit the soot blowing and grate cleaning necessary to the operation of these units. This practice is to be scheduled for the same specific times each day and the Authority shall be notified of the schedule or any changes.

2. All hogged fuel boilers shall utilize Reasonably Available Control Technology and shall be maintained and operated to minimize emissions.

3. The Authority may establish additional requirements for hogged fuel boilers located in or proposed for location in sensitive areas. These additional requirements may include, but shall not be limited to:

- a. A requirement to meet provisions of Section 5.07.
- b. A requirement to utilize Best Available Control Technology.

c. A requirement to reduce or eliminate emissions if the Authority establishes that such emissions unreasonably interfere with the use or enjoyment of the property of others or if such reductions or eliminations are necessary to meet ambient air quality standards.

C. Orchard Heating.

1. Burning of rubber material, asphaltic products, crankcase oil or petroleum wastes, plastic, or garbage is prohibited.

2. It shall be unlawful to burn any material or operate any orchard heating device that causes visible emissions exceeding twenty percent (20%) opacity, except during the first thirty (30) minutes after such device or material is ignited.

D. Grain Elevators.

1. Any grain elevator which is primarily classified as a materials handling operation shall meet all the provisions of Section 5.06, B, C, D, and E.

2. The Authority may establish additional requirements for grain elevators located, or proposed for location, in sensitive areas. These requirements may include, but shall not be limited to:

- a. A requirement to meet the provisions of Section 5.06 and Section 5.08.

E. Asbestos.

No person shall remove or otherwise disturb asbestos, to the extent that asbestos fibers may become airborne,

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without notifying the Authority ten (10) business days prior to removal. If removal is necessary due to an emergency, the ten day waiting period may be waived by the Authority.

1. Private Residents.

Private homeowners, when removing friable asbestos materials from their normally occupied or will be normally occupied homes, may be required to remove the asbestos materials according to the National Emission Standard for Hazardous Air Pollutants (NESHAPS) as set forth in Title 40 Code of Federal Regulations part 61, as the same now exists or may be amended. Removal and disposal of non-friable asbestos materials shall be conducted in accordance with practices and procedures approved by the Authority.

2. Small Quantity Asbestos Material.

Asbestos Materials in quantities less than 160 square feet or 260 linear feet must be removed and disposed of according to practices and procedures approved by the Authority.

3. Commercial, Industrial or other sources.

No person shall demolish any commercial, institutional, or industrial building, or any residential facility constructed to house four (4) or more families without first performing a thorough inspection, to be conducted by a qualified expert to determine the quantities and types of asbestos materials present. If it is determined that such building contains asbestos, no person shall commence the demolition of such facility without complying with the requirements of NESHAPS, the Federal Rule stated in E (1) above.

4. Fees or Administrative Charges.

Fees associated with this subsection (5.09(E)) shall be in accordance with Article XIII, Section 13.04 of this regulation.

F. Wigwam Burners.

1. All wigwam burners shall meet all provisions of Section 5.06 (B), (C), (D), (E), (F) and (G).

2. All wigwam burners shall use RACT. All emissions units shall be operated and maintained to minimize emissions. These requirements may include a controlled tangential vent over fire air system, an adequate under fire system, elimination of all unnecessary openings, a controlled feed and other modifications determined necessary by ecology or the authority.

3. It shall be unlawful to install or increase the existing use of any burner that does not meet all requirements for new sources including those requirements specified in Section 5.06 and Section 5.07, except operating hours.

4. Ecology may establish additional requirements for wigwam burners located in sensitive areas as defined by chapter 173-440 WAC. These requirements may include but shall not be limited to:

(a) A requirement to meet all provisions of Section 5.06 and Section 5.07. Wigwam burners will be considered to be in compliance if they meet the requirements contained in Section 5.06(A). An exception is made for a startup period not to exceed thirty minutes in any eight consecutive hours.

(b) A requirement to apply BACT.

(c) A requirement to reduce or eliminate emissions if ecology establishes that such emissions unreasonably interfere with the use and enjoyment of the property of others or are a cause of violation of ambient air standards.

G. Catalytic cracking units.

1. All existing catalytic cracking units shall meet all provisions of Sections 5.06 (B), (C), (D), (E) and (G) and:

(a) No person shall cause or permit the emission for more than three minutes, in any one hour, of an air contaminant from any catalytic cracking unit which at the emission point, or within a reasonable distance of the emission point, exceeds forty percent opacity.

(b) No person shall cause or permit the emission of particulate material in excess of 0.46 grams per dry cubic meter of standard conditions (0.20 grains/dscf) of exhaust gas.

2. All new catalytic cracking units shall meet all provisions of WAC 173-400-115.

H. Other wood waste burners.

1. Wood waste burners not specifically provided for in this section shall meet all provision of Section 5.06.

2. Such wood waste burners shall utilize RACT and shall be operated and maintained to minimize emissions.

SECTION 5.10 - SENSITIVE AREA DESIGNATION

In order to control the emission of air contaminants in a manner which takes into account the severity of the air pollution problem in the different areas in which the sources are, or may be located, the Authority, after public hearing upon due notices to all interested parties, may designate sensitive areas. Designation of such areas shall be based on a consideration of present and predicted ambient air quality; population density and trends; distance of sources from public roads; recreational areas and areas of human habitation; topographic and meteorological conditions and other pertinent variables. Sources within a designated sensitive area shall be subject to more stringent standards or compliance schedule than sources located outside such areas. This section applies only to those geographical areas and source categories under the direct jurisdiction of the Authority.

SECTION 5.11 - MONITORING AND SPECIAL REPORTING

A. Monitoring.

The Authority shall conduct a continuous surveillance program to monitor the quality of the ambient atmosphere as to concentrations of air contaminants as approved by the Board.

As part of this program, the Authority or its authorized representative may require any source under the jurisdiction of the Authority to conduct stack and/or ambient air monitoring, and to report the results to the Authority.

B. Investigation of conditions.

The Control Officer or an authorized representative shall have authority to investigate conditions as set forth in Section 2.02(C). Investigation shall be for the purpose of determining the control, recovery or release of air contaminants into the atmosphere.

C. Source testing.

In order to demonstrate compliance with this Regulation, the Authority or its authorized representative may require that a test be conducted of the source using approved EPA methods from 40 CFR 60 Appendix A on file at the Authority or Ecology, made of the source in a manner approved by the Authority. The operator of a source may be required to provide the necessary platform and sampling ports to

perform a test of the source. The Authority shall be allowed to obtain a sample from any source. The operator of the source shall be given an opportunity to observe the sampling and to obtain a sample at any time.

D. Report of breakdown or upset condition.

If an equipment breakdown or upset condition occurs resulting in emissions in excess of applicable limits set by this Regulation or resulting in emissions which violate an applicable compliance schedule, the owner or operator of the affected source shall take immediate corrective action and shall report such breakdown to the Authority by the next working day after the breakdown occurs.

An initial breakdown or upset condition shall not be subject to penalties for emissions in excess of the limits set by this chapter, providing the owner or operator complies with the provisions of this subsection and providing the breakdown or upset was not the result of gross negligence. If an extended time period is required to complete the corrective action, the Authority or its authorized representative may require that the operation be curtailed or shutdown. Repeated breakdowns may be subject to all penalties authorized by law. The Authority or its authorized representative may issue regulatory orders specifying maintenance and operating procedures.

E. Continuous Monitoring and Recording.

Owners and operators of the following categories of stationary sources shall install, calibrate, maintain and operate equipment for continuously monitoring and recording those emissions specified. The exceptions listed for the following categories do not apply if the continuous emission monitoring is required by the SIP.

1. Fossil fuel-fired steam generators.

a. Opacity, except where:

(1) Steam generator capacity is less than 250 million BTU per hour heat input, or

(2) Only gaseous fuel is burned.

~~(3) Only oil or a mixture of oil and gas is burned and opacity and particulate regulations can be met without using particulate collection equipment; and, the source has never, through any administration or judicial procedure, been found in violation of any visible emission standard.~~

b. Sulfur dioxide, except where:

(1) Steam generator capacity is less than 250 million BTU per hour heat input, or

(2) Sulfur dioxide control equipment is not required.

c. Percent oxygen or carbon dioxide where such measurements are necessary for the conversion of sulfur dioxide continuous emission monitoring data.

d. General exception.

These requirements do not apply to a fossil fuel-fired steam generator with an annual average capacity factor of less than thirty percent (30%), as reported to the Federal Power Commission for the calendar year 1974, or as otherwise demonstrated to the Authority by the owner or operator.

2. Sulfuric acid plants.

Sulfur dioxide where production capacity is more than three hundred (300) tons per day, expressed as one hundred percent (100%) acid, except for those facilities where conversion to sulfuric acid is utilized primarily as a means of preventing emissions to the atmosphere of sulfur dioxide or other sulfur compounds.

3. Fluid bed catalytic cracking units catalyst regenerators at petroleum refineries.

a. Opacity where fresh feed capacity is more than 20,000 barrels per day.

4. Wood residue fuel-fired steam generators.

a. Opacity, except where:

(1) Steam generator capacity is less than 100 million BTU per hour heat input.

b. Continuous monitoring equipment.

The requirements of Section 5.11 (E)(5) do not apply to wood residue fuel-fired steam generators, but continuous monitoring equipment shall be subject to approval by the Authority.

5. Owners and operators of those sources required to install continuous monitoring equipment under this Regulation or the SIP shall demonstrate to the Authority compliance with the equipment and performance specifications, and observe the reporting requirements, contained in Title 40, Code of Federal Regulations, Part 51, Appendix P, Section 3, 4, and 5, promulgated on October 6, 1975, which is by this reference adopted and incorporated herein.

F. All sources subject to this Regulation shall procure and install equipment and commence monitoring and recording activities no later than eighteen (18) months after adoption of this Regulation by the Authority. Any extension to this time requirement shall be negotiated through the variance procedure of WAC 173-400-150.

G. Special considerations.

If for reason of physical plant limitations or extreme economic situations, the Authority determines that continuous monitoring is not a reasonable requirement, alternative monitoring and reporting procedures will be established on an individual basis. These will generally be of the form of stack tests conducted at a frequency sufficient to establish the emission levels over time and to monitor deviations in these levels.

H. Exemptions.

Subsection 5.11(E) does not apply to any source which is:

1. Subject to a New Source Performance Standard.

2. Not subject to an applicable Emission Standard.

~~3. Scheduled for retirement within five (5) years after inclusion of monitoring equipment requirements in this Regulation, provided that adequate evidence and guarantees are provided that clearly show that the source will cease operations prior to that date.~~

I. Monitoring system malfunctions.

A source may be temporarily exempted from the monitoring and reporting requirements of this Regulation during periods of monitoring system malfunctions provided that the source owner or operator shows to the satisfaction of the Authority that the real malfunction was unavoidable and is being repaired as expeditiously as practicable.

J. Emission inventory.

The owner(s) or operator(s) of any air contaminant source shall submit an inventory of emissions from the source each year. The inventory may include stack and fugitive emissions of particulate matter, PM-10, sulfur dioxide, carbon monoxide, total reduced sulfur compounds (TRS), flourides, lead, VOCs, and other contaminants, and shall be submitted (when required) no later than one hundred five days after the end of the calendar year., The owner(s)

or operator(s) shall maintain records of information necessary to substantiate any reported emissions, consistent with the averaging times for the applicable standards.

K. Change in raw materials or fuels. Any change or series of changes in raw material or fuel which will result in a cumulative increase in emissions of sulfur dioxide of forty tons per year or more over that stated in the initial inventory required by WAC 173-400-105(1) shall require the submittal of sufficient information to ecology or the authority to determine the effect of the increase upon ambient concentrations of sulfur dioxide. Ecology or the authority may issue regulatory orders requiring controls to reduce the effect of such increases. Cumulative changes in raw material or fuel of less than 0.5 percent increase in average annual sulfur content over the initial inventory shall not require such notice.

SECTION 5.12 - PREVENTIVE MEASURES

A. No person shall cause, let, allow or permit or suffer particulate matter to be stored, handled, or transported without taking reasonable precautions to prevent air pollution.

B. No person shall cause, let, allow, permit, or suffer a building or its appurtenances or road to be constructed, altered, repaired or demolished without taking reasonable precautions to prevent air pollution.

C. Nothing in this Regulation shall be construed to impair any cause of action or legal remedy therefore of any person, or the public, or the injury or damage arising from the emission from any air contaminant in such place, manner or concentration as to constitute air pollution or a common law nuisance.

D. Any person engaged in the construction, repair, remodeling or demolishing of any building, or engaging in any road construction or repair within any incorporated town or city in Yakima County, Washington, or within an area of one (1) mile of the city limits of the city of Yakima, Washington, or within one-quarter (1/4) of a mile of the city limits of any other town or city in Yakima County, Washington, shall take such measures as are reasonably necessary to reduce air pollution, including the use of water and the sprinkling of water to control dust so that the same is not emitted and deposited upon the property of others in quantities which unreasonably interfere with the enjoyment of their property. No work as above defined shall be commenced without having water available at the job site in sufficient quantities to control air pollution at the time of commencement of such work.

ARTICLE VI

OPERATING PERMITS

SECTION 6.01 - POLICY

The Yakima County Clean Air Authority shall administer an air operating permit program upon approval of its delegation request, pursuant to Chapter 173-401 WAC. Under this program any air contaminant source subject to Chapter 173-401-300 WAC shall be required to have an air operating permit.

SECTION 6.02 - FEE ASSESSMENT

Pursuant to RCW 70.94.161(14), the Authority shall allocate its fiscal 1994 air operating permit program development costs among the sources under its jurisdiction emitting one hundred tons or more per year of a regulated pollutant during calendar year 1992 and shall collect interim fees from these sources. Interim air operating permit fees collected by the Authority on behalf of the Department of Ecology shall be remitted to the Department by March 1, 1994.

Pursuant to RCW 70.94, (Bill 1089), the Authority shall determine, assess, and collect annual fees sufficient to cover the Authority's direct and indirect costs of implementing its air operating permit program.

Upon receiving delegation authority ~~per Section 6.03 of this article~~, air operating permit fees collected by the Authority on behalf of the Department of Ecology shall be collected from each source in two equal payments and shall be remitted to the Department by March 1 and June 30, respectively, of each year.

All air operating permit fees collected by the Authority on its own behalf shall be deposited into an air operating permit account dedicated exclusively to the support of its Air Operating Permit Program. The payment schedule for all air operating permit fees collected by the Authority on its own behalf shall be four equal payments with each payment due at the beginning of the respective fiscal quarter. The fiscal year for the Authority begins July First.

All air operating permit fees collected by the Authority on behalf of itself shall be calculated according to Article XIII, Section 13.05 of this regulation.

ARTICLE VII

VARIANCES

SECTION 7.01 - VARIANCES

A. Any person who owns or is in control of any plant, building, structure, establishment, process or equipment, may apply to the Board for a variance from the provisions of these Regulations governing the quality, nature, duration or extent of discharge of air contaminants in accordance with the provisions of RCW 70.94.181. The application shall be accompanied by such information and data as the Board may require. The Board may grant such variance, but only after public hearing or due notice if the Board finds that:

1. The emissions occurring or proposed to occur do not endanger public health or safety or the environment; and

2. Compliance with the rules and regulations from which variance is sought would produce serious hardship without equal or greater benefits to the public.

3. Provided, however, that the Board will not grant variances to state rules unless the same have been approved by the Washington State Department of Ecology prior to being issued by the Yakima County Clean Air Authority.

4. Total time period for a variance and a renewal of such variance shall not exceed one year.

B. No variance shall be granted pursuant to this section until the Board has considered the relative interest of the applicant, other owners of property likely to be affected by the emissions, and the general public.

C. Any variance or renewal thereof shall be granted within the requirements of subsection A and for time periods

and under conditions consistent with the reasons therefore, and within the following limitations:

1. If the variance is granted on the ground that there is no practicable means known or available for the adequate prevention, abatement or control of the pollution involved, it shall be only until the necessary means for prevention, abatement or control become known and available, and subject to the taking of any substitute or alternative measures that the Department of Ecology or Board may prescribe.

2. If the variance is granted on the ground that compliance with the particular requirements or requirement from which variance is sought will require the taking of measures which, because of their extent or cost, must be spread over a considerable period of time, it shall be for a period not to exceed such reasonable time, as in the view of the Department of Ecology or Board is requisite for the taking of the necessary measures. A variance granted on the ground specified herein shall contain a timetable for the taking of action in an expeditious manner and shall be conditioned on adherence to such timetable.

3. If the variance is granted on the ground that it is justified to relieve or prevent hardships of a kind, other than that provided for in Subsections 7.01 (A)(1), (2), and (3), it shall be for not more than one (1) year.

D. If renewal is made to the Board on account of the variance, no renewal thereof shall be granted unless, following a public hearing on the complaint on due notice, the Board finds that renewal is justified. No renewal shall be granted except on application therefor. Any such application shall be made at least sixty (60) days prior to the expiration of the variance. Immediately upon the receipt of the application for renewal the Board shall give public notice of such application in accordance with the rules and regulations of the Board.

E. A variance or renewal shall not be a right of the applicant or holder thereof but shall be granted at the discretion of the Board. However, any applicant adversely affected by the denial or the terms and conditions of the granting of an application for variance or renewal of a variance by the Board, may obtain judicial review thereof under the provisions of Chapter 34.05 of RCW as now or hereafter amended.

F. Nothing in this section and no variance or renewal granted pursuant hereto shall be construed to prevent or limit the applications of the emergency provisions and procedures of RCW 70.94.710 through 70.94.730 to any person or their property.

G. An application for variance or for the renewal thereof submitted to the Department of Ecology or Board pursuant to this section, shall be approved or disapproved by the Board within sixty (60) days of receipt, unless the applicant and the Board agree to a continuance.

ARTICLE VIII

PENALTY AND SEVERABILITY

SECTION 8.01 - PENALTY FOR VIOLATION

A. Any person who knowingly violates any of the provisions of these Regulations or any ordinance, resolution, statute or regulation in force pursuant thereto shall be guilty of a crime and upon conviction thereof shall be punished by a fine of not more than Ten Thousand Dollars (\$10,000) or

by imprisonment in the county jail for not more than one (1) year, or both.

B. Any person who negligently releases into the ambient air any substance listed by the Department of Ecology as a hazardous air pollutant other than in compliance with the terms of an applicable permit or emission limit, and who at the time negligently places another person in imminent danger of death or substantial bodily harm shall be guilty of a crime and shall, upon conviction, be punished by a fine of not more than Ten Thousand Dollars (\$10,000) or by imprisonment for not more than one (1) year, or both.

C. Any person who knowingly releases into the ambient air any substance listed by the Department of Ecology as a hazardous air pollutant, other than in compliance with the terms of an applicable permit or emission limit, and who knows at the time that he or she thereby places another person in imminent danger of death or substantial bodily harm shall be guilty of a crime and shall, upon conviction, be punished by a fine of not more than Fifty Thousand Dollars (\$50,000) or by imprisonment for not more than five (5) years, or both.

D. Any person who knowingly fails to disclose a potential conflict of interest under RCW 70.94.100 shall be guilty of a gross misdemeanor and upon conviction thereof shall be punished by a fine of not more than Five Thousand Dollars (\$5,000).

SECTION 8.02 - ADDITIONAL OR ALTERNATIVE PENALTIES

A. In addition to or as an alternate to any other penalty provided by law, any person who violates the provisions of Chapter 70.94 RCW, Chapter 70.120 RCW, or any of the rules and regulations the Yakima County Clean Air Authority may enforce under such Chapters of the Revised Code of Washington may incur a civil penalty in an amount not to exceed Ten Thousand Dollars (\$10,000) per day for each violation. Each such violation shall be a separate and distinct event, and, in the case of a continuing violation, each days continuance shall be a separate and distinct violation.

Any person who fails to take action as specified by an order issued pursuant to this Chapter shall be liable for a civil penalty of not more than Ten Thousand Dollars (\$10,000) per day for each day of continued noncompliance.

B. Penalties incurred but not paid shall accrue interest beginning on the ninety-first (91st) day following the date that the penalty becomes due and payable at the highest rate allowed by RCW 19.52.020 on the date that the penalty becomes due and payable. If violations or penalties are appealed interest shall not begin to accrue until the thirty-first (31st) day following the final resolution of the appeal.

C. Each act of commission or omission which procures, aids or abets the violation described herein shall be considered a violation under the provisions of this section and subject to the same penalty. The penalties provided in this section shall be imposed pursuant to RCW 43.12(B).300.

D. In addition to the other penalties provided above, any person knowingly under-reporting emissions or other information used to set fees or persons required to pay emissions or permit fees who are more than ninety (90) days late with such payments may be subject to a penalty equal to three (3) times the amount of the original fee owed.

E. All penalties recovered under this section by the Authority shall be paid into the treasury of the Authority and rendered into its funds.

F. In addition to the other provisions of this Section, a specific Civil Penalty may be imposed in violation of other Sections of this Regulation in accordance to the following

schedule:

G. Public or private entities that are recipients or potential recipients of department grants, whether for air quality related activities or not, may have such grants rescinded or withheld by the department for failure to comply with provisions of this chapter.

Section Violated	Civil Penalty per Written Notices Issued			
	First	Second *	Third *	Subsequent
SECTION 2.03 - Miscellaneous Provisions	\$100 to \$1,000	\$2,000 to \$3,000	go to Subsequent	Up to \$10,000
SECTION 4.01 - Registration	\$50 to \$500	\$1,000 to \$3,000	go to Subsequent	Up to \$10,000
SECTION 4.02 - Notice of Construction	\$50 to \$500	\$1,000 to \$3,000	go to Subsequent	Up to \$10,000
SECTION 5.01 - Outdoor Burning	Warning to \$25	\$25 to \$50	\$50 to \$100	Up to \$10,000
SECTION 5.02 - Regulations Applicable to All Outdoor Burning	\$25 to \$500	Up to \$1,000	Up to \$2,000	Up to \$10,000
SECTION 5.03 - Regulations Applicable to All Outdoor Burning within the Jurisdiction of the YCCAA, Local Cities, Towns, Fire Protection Districts and Conservation Districts	Warning to \$25	\$25 to \$50	\$50 to \$100	Up to \$10,000
SECTION 5.04 - Regulations Applicable to Permits Issued by YCCAA for All Other Outdoor Burning	\$25 to \$500	Up to \$1,000	Up to \$2,000	Up to \$10,000
SECTION 5.05 - Additional Restrictions on Outdoor Burning	\$25 to \$500	Up to \$1,000	Up to \$2,000	Up to \$10,000
SECTION 5.06 - General Standards for Maximum Permissible Emissions	\$50 to \$500 or Warning to \$25	Up to \$1,000 or \$25 to \$50	Up to \$2,000 or \$50 to \$100	Up to \$10,000
SECTION 5.07 - Minimum Emission Standards for Combustion and Incineration Sources	\$50 to \$500	Up to \$1,000	Up to \$2,000	Up to \$10,000
SECTION 5.09 - Minimum Standards or Procedures for Certain Source Categories	\$50 to \$500 or Warning to \$25	Up to \$1,000 or \$25 to \$50	Up to \$2,000 or \$50 to \$100	Up to \$10,000
SECTION 5.12 - Preventive Measures	\$50 to \$500	Up to \$1,000	Up to \$2,000	Up to \$10,000
ARTICLE IX - Woodstoves and Fireplaces	\$50 to \$500 or Warning to \$25	Up to \$1,000 or \$25 to \$50	Up to \$2,000 or \$50 to \$100	Up to \$10,000

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* Civil Penalty suspended from the previous Written Notice may be added.

SECTION 8.03 - ASSURANCE OF DISCONTINUANCE

As an additional means of enforcing these Regulations, the Board may accept an assurance of discontinuance of any act or practice deemed in violation of this Regulation, from any person engaging in, or who has engaged in, such act or practice. Any such assurance shall specify a time limit during which such discontinuance is to be accomplished. Failure to perform the terms of any such assurance shall constitute prima facie proof of a violation of these Regulations, or order issued pursuant hereto, which make the alleged act or practice unlawful for the purpose of securing any injunction or other relief from the Superior Court as provided in RCW 70.94.425.

SECTION 8.04 - RESTRAINING ORDER - INJUNCTIONS

Notwithstanding the existence or use of any other remedy, whenever any person has engaged in, or is about to engage in, any acts or practices which constitute or will constitute a violation of any provision of these Regulations or order issued thereunder, the Board, after providing notice to such person and an opportunity to comply, may petition the Superior Court of the county wherein the violation is alleged to be occurring or to have occurred for a restraining order or a temporary or permanent injunction or other appropriate order.

SECTION 8.05 - SEVERABILITY

If any phrase, clause, subsection, or section of this Regulation shall be declared unconstitutional or invalid by any court of competent jurisdiction ~~to any person~~ shall be conclusively presumed that the Board of Directors would have enacted this Regulation without the phrase, clause, subsection, or section so held unconstitutional or invalid and the remainder of the Regulation shall not be affected as a result of said part being held unconstitutional or invalid, nor shall that provision be affected by other persons or circumstances.

ARTICLE IX

WOODSTOVES AND FIREPLACES

SECTION 9.01 - POLICY

Without limiting the power of the Yakima County Clean Air Authority or its Director or Agents, the Authority states that it shall be its policy, to the extent that it is compatible with the enforcement of the regulations, to instruct and educate the public and violators of the hazards to health caused by woodsmoke, and to authorize educational materials concerning those dangers.

SECTION 9.02 - OPACITY

No person owning, operating or in control of a residential solid fuel burning device shall cause, allow or discharge to the ambient air any emissions from such device which are of an opacity greater than twenty percent (20%) except for the purposes of public education, then the opacity level shall not be greater than ten percent (10%).

SECTION 9.03 - PROHIBITIVE FUEL TYPES

A person shall not cause or allow any of the following materials to be burned in a solid fuel burning device:

- A. Garbage;
- B. Treated Wood;
- C. Plastic Products;
- D. Rubber Products;
- E. Animals;
- F. Asphaltic Products;
- G. Waste Petroleum Products;
- H. Paints, or;

I. Any substance other than Seasoned Wood Fuel which normally emits dense smoke or obnoxious odors.

SECTION 9.04 - LIMITATIONS OF SALES OF SOLID FUEL BURNING DEVICES

A. After January 1, 1992, no used solid fuel burning devices shall be installed in new or existing buildings unless such device is either Oregon Department of Environment Quality Phase II or EPA certified, or a pellet stove either certified or exempt from certification by the EPA or a fireplace furnace with a letter of exemption from the Washington State Department of Ecology and the United States Environmental Protection Agency.

B. Solid Fuel Burning Devices.

After January 1, 1995, a person shall not advertise to sell, offer to sell, sell, bargain, exchange, or give away a solid fuel burning device unless it has been certified and labeled in accordance with procedures and criteria specified in "40 CFR 60 Subpart AAA - Standards of Performance for Residential Wood Heaters" as amended through July 1, 1990, and meets the following particulate air contaminant emission standards and the test methodology of the EPA in effect on January 1, 1991, or an equivalent standard under any test methodology adopted by the EPA subsequent to such date:

1. Two and one-half (2 1/2) grams per hour for catalytic woodstoves; and
2. Four and one-half (4 1/2) grams per hour for all other solid fuel burning devices.

3. For purposes of this subsection, "equivalent" shall mean the emissions limits specified in this subsection multiplied by a statistically reliable conversion factor determined by ecology that relates the emission test results from the methodology established by the EPA prior to May 15, 1991, to the tests results from the methodology subsequently adopted by that agency.

C. Fireplaces.

After January 1, 1997, a person shall not advertise to sell, offer to sell, sell, bargain, exchange, or give away a factory built fireplace unless it meets the 1990 EPA standards for woodstoves or equivalent standard that may be established by the state building code council by rule. Subsection 9.04(A) shall not apply to fireplaces, including factory built fireplaces, and masonry fireplaces.

D. Persons selling new solid fuel heating devices shall distribute and verbally explain educational materials to customers purchasing new wood stoves describing when a stove can and cannot be legally used.

E. Exemptions

The following solid fuel devices shall be exempt from the requirements of Section 9.04(B):

- Boilers;
- Furnaces;
- Cookstoves.

SECTION 9.05 - PROHIBITION OF VISIBLE EMISSIONS DURING AIR POLLUTION EPISODES

A. Any person in a residence or commercial establishment which has an adequate source of heat other than a solid fuel burning device shall:

1. Not use any solid fuel burning device whenever the Department of Ecology or the Authority has determined under RCW 70.94.715 that any Air Pollution Episode exists in that area.

2. Not use any solid fuel burning device except those which are either Oregon Department of Environmental Quality Phase II or United States Environmental Protection Agency certified or certified by the Department of Ecology under RCW 70.94.457(1) or a pellet stove either certified or issued an exemption by the United States Environmental Protection Agency in accordance with Title 40, Part 60 of the Code of Federal Regulations in the geographic area and for the period of time that a first stage of impaired air quality has been determined by the Department of Ecology or by the Yakima County Clean Air Authority. The geographic area affected by a first stage of impaired air quality is the Woodsmoke Control Zone as defined in Section 1.03(84). A first stage of impaired air quality is reached when particulates ten microns and greater in diameter are at an ambient level of 75 micrograms per cubic meter measured on a 24 hour average or when CO is at an ambient level of 8 parts of contaminant per million parts of air by volume measured on an 8 hour average.

3. Not use any solid fuel burning device, including those that meet the standards set forth in RCW 70.94.457, in any geographic area for the period of time that a second stage of impaired air quality has been determined by the Department of Ecology or the Yakima County Clean Air Authority. The geographic area affected by a second stage of impaired air quality is the Woodsmoke Control Zone as defined in Section 1.03(84). A second stage of impaired air quality is reached when particulates ten microns and smaller in diameter are at an ambient level of 90 micrograms per cubic meter measured on a 24 hour average or when CO is at an ambient level of 8 parts of contaminant per million parts of air by volume measured on an 8 hour average.

ARTICLE X

CHLOROFLUOROCARBONS

SECTION 10.01 - POLICY

The Board recognizes that the release of chlorofluorocarbons into the atmosphere contributes to the destruction of stratospheric ozone and such destruction threatens plant and animal life. The Board further recognizes that unnecessary release of chlorofluorocarbons should be eliminated when such times as chlorofluorocarbon extraction equipment are readily available to local businesses and the Department of Ecology has adopted rules to control chlorofluorocarbon

emission sources including performance specifications for chlorofluorocarbon extraction and/or recycling equipment.

ARTICLE XI

EFFECTIVE DATE

The effective date of these Regulations shall be ~~November 18, 1993~~ November 8, 1995.

ARTICLE XII

ADOPTION OF STATE AND FEDERAL REGULATIONS

SECTION 12.01 - STATE REGULATIONS

The Yakima County Clean Air Authority hereby adopts by reference and incorporates herein, as if specifically set forth herein, all of the terms and provisions of the Washington State Administrative Code as identified below, except as the same may be less stringent than the provisions of this Regulation of the Yakima County Clean Air Authority:

- Chapter 173-400 WAC General Regulations for Air Pollution Sources;
- Chapter 173-401 WAC Operating Permit Regulation;
- Chapter 173-425 WAC Open Burning;
- Chapter 173-430 WAC ~~Burning of Field and Turf Grasses Grown for Seed; Agricultural Burning;~~
- Chapter 173-433 WAC Solid Fuel Burning Device Standards;
- Chapter 173-434 WAC Solid Waste Incineration Facilities;
- Chapter 173-435 WAC Emergency Episode Plans;
- Chapter 173-470 WAC ~~Suspended Particulate (ambient Standards); Ambient Air Quality Standards For Particulate Matter;~~
- Chapter 173-474 WAC Sulphur Oxide Standards;
- Chapter 173-475 WAC Photochemical Oxidant, Hydrocarbons, Nitrogen Dioxide (Ambient Standards);
- Chapter 173-460 WAC Controls for New Sources of Toxic Air Pollutants;
- Chapter 173-490 WAC Emission Standards and Controls for Sources Emitting Volatile Organic Compounds (VOC);
- Chapter 173-491 WAC emission Standards and Controls for Sources Emitting Gasoline Vapors.

SECTION 12.02 - FEDERAL REGULATIONS

The Yakima County Clean Air Authority hereby adopts by reference and incorporates herein, as if specifically set forth herein, all of the terms and provisions of the Code of Federal Regulations as identified below:

- Title 40 CFR Part 60, New Source Performance Standards (NSPS);
- Title 40 CFR Part 61, National Emissions Standards for Hazardous Air Pollutants (NESHAPS).

PERMANENT

**ARTICLE XIII
FEE SCHEDULES AND OTHER CHARGES**

SECTION 13.01 - REGISTRATION FEE SCHEDULE

Sources required to register according to the requirements of Article IV of this regulation shall pay annual registration fees according to the following schedule:

Criteria	Class	Fee
Potential Controlled Emissions > 100 tons per year	A-1	\$550
Potential Uncontrolled Emissions > 100 tons per year	A-2	\$550
Potential Uncontrolled Emissions < 100 tons per year	B	\$75
Potential Controlled Toxic Emissions > 10/25* tons per year	A-1 toxic	\$550
Potential Uncontrolled Toxic Emissions > 10/25* tons per year	A-2 toxic	\$550
Potential Uncontrolled Toxic Emissions < 10/25* tons per year	B toxic	\$75

*10 tons of a single toxic pollutant or a combined total of 25 tons of two or more toxic pollutants.

SECTION 13.02 - NOTICE OF CONSTRUCTION FEE SCHEDULE

Sources required to file a "Notice of Construction, Installation or Establishment of New Air Contaminant Source" shall pay a fee according to the following schedule:

Filing Fee (for all sources):	\$50
Air Handling or Air Pollution Control Equipment (ACFM)	
0 < 200	\$25
200 < 5,000	\$100
5,000 < 20,000	\$200
20,000 < 50,000	\$300
50,000 < 100,000	\$400
100,000 < 250,000	\$500
250,000 < 500,000	\$650
> 500,000	\$800
Fuel Burning Equipment Installation (MMBTU/H):	
<5	\$25

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5<10	\$100
10<20	\$150
20<50	\$250
50<100	\$350
100<250	\$500
250<500	\$1,000
>500	\$1,500
Fuel Burning Equipment Fuel Change (MMBTU/H):	
<5	\$15
5<10	\$40
10<20	\$60
20<50	\$80
50<100	\$100
100<250	\$150
250<500	\$200
>500	\$250
Refuse Burning Equipment (tons per day Rated Capacity):	
<5(w/o HCl controls)	\$100
5<12(w/o HCl controls)	\$200
<12(w/ HCl controls)	\$500
12<250(w/ HCl controls)	\$2,000
>250(w/ HCl controls)	\$4,000
Other Incinerators (pounds/hour):	
<100	\$0
100<200	\$300
200<500	\$500
500<1,000	\$750
>1,000	\$1,500
Volatile Material Storage Tanks (gals):	
<4,000	\$0
4,000<20,000	\$0
20,000<40,000	\$65

40,000<100,000	\$200
100,000<500,000	\$750
500,000<1,000,000	\$1,200
>1,000,000	\$1,200
Significant Emissions Surcharge:	\$250
Gasoline Stations:	
Stage I	\$50
Stage II	\$50
Temporary Source:	\$75
Odor Source:	\$200
SEPA:	\$50

PERMANENT

SECTION 13.03 - OUTDOOR BURNING PERMIT FEES

The Authority shall assess fees for each outdoor burning permit it issues under the requirements of Article V of this regulation in accordance with the following fee schedule:

PERMIT TYPE OR ACTIVITY	QUANTITY OF MATERIAL	FEE	EXPIRATION DATE
Residential	Any Amount	\$5	31 Dec of Current Year
Agricultural	Per WAC 173-430		
Fire Dept. Training	Any Amount	\$100	30 Days After Issuance
All Others ¹	10 Acres Or Less	\$25	30 Days After Issuance
	More Than 10 Acres	\$2.50 Per Acre	30 Days After Issuance
	10 Cubic Yards Or Less	\$50	30 Days After Issuance
	More Than 10 Cubic Yards	\$8.50 Per Cubic Yard	30 Days After Issuance
Re-inspection ²	-	\$25	-
Application ³	-	\$25	-

1. Fees will be assessed on a volume basis when the material to be burned is consolidated into piles. Fees will be assessed on an acreage basis when the material is to be burned in place (e.g. weeds burned along ditch banks or fence lines).
2. If required.
3. Required for all non-residential outdoor burning permits.

SECTION 13.04 - ASBESTOS NOTIFICATION FEE SCHEDULE

Any person applying for a Notification of Demolition or Renovation from the Authority or private homeowners, prior to removing asbestos materials from their homes, may be assessed a fee by the Authority in accordance with the following fee schedule:

Amount to be removed:		Fee
lineal feet	square feet	
>50,000	>10,000	\$500
<50,000	<10,000	\$250
<5,000	<1,000	\$100
<260	<160	\$25
<11	<10	\$25
Residential		\$25
Surcharges/Other Fees:		
Emergency		\$50
Demolition		\$0
Amendment		\$25
Annual Notices		\$100
Encapsulation		\$0

PERMANENT

SECTION 13.05 - AIR OPERATING PERMIT FEE DETERMINATION

A. Workload Analysis.

The Authority shall conduct an annual workload analysis of its air operating permit program to determine the adequacy and fairness of the air operating permit fees. The workload analysis shall identify all permit administration activities that the Authority will perform during that year. Permit Administration activities included all activities listed in RCW 70.94.162 (2)(a). The workload analysis shall be based on the Authority's historical record of time and resource expenditures attributable to the air operating permit program.

B. Budget Development.

The Authority shall prepare an annual operating permit program budget. The budget shall included both the direct and indirect costs of the permit administration activities identified in the workload analysis, and shall take into account projected fund balances at the start of each fiscal year.

C. Fee Allocation.

Fees sufficient to cover the costs of the Authority's air operating permit program shall be assessed such that each source shall pay an amount equal to that source's portion of the total annual emissions (determined from the previous year's emission inventory) of the fee applicable pollutants from all the permit program source's within the Authority's jurisdiction. The fee applicable pollutants shall be as follows:

- 1) Total Suspended Particulate (TSP)

- 2) Sulfur Oxides (SOx)
- 3) Nitrogen Oxides (NOx)
- 4) Volatile Organic Compounds (VOC)
- 5) Hazardous Air Pollutants (HAPs)

The air operating permit fee for an individual source shall be calculated according to the following formula:

$$F = B \times SE/TE,$$

where:

- F = Source's annual air operating permit fee;
- B = The Authority's budget for the air operating permit program;
- SE = The sum of the annual emissions of fee applicable pollutants in tons per year from the source;
- TE = The sum of annual emissions of fee applicable pollutants in tons per year from all permit program sources.

D. Public Notice.

The workload analysis budget and fee allocations shall be made available upon request. Any proposed revisions to the annual fee schedule shall be presented to the Board for adoption after public notice has been given.

DULY ADOPTED THIS _____ day of _____, 1995.

SIGNED YAKIMA COUNTY CLEAN AIR AUTHORITY BY:

_____ (Chairperson)

Reviser's note: The typographical errors in the above sections 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 spelling errors in the above sections occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

**WSR 96-01-005
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

(Public Assistance)

[Order 3932, #100268—Filed December 6, 1995, 4:35 p.m.]

Date of Adoption: December 6, 1995.

Purpose: Provide by rule, regulations concerning the treatment and availability of resources.

Citation of Existing Rules Affected by this Order: Amending WAC 388-505-0580 Resources.

Statutory Authority for Adoption: RCW 74.08.090.

Adopted under notice filed as WSR 95-22-041 on October 25, 1995.

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

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

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

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 1, repealed 0.

Effective Date of Rule: Thirty-one days after filing.
December 6, 1995

Jeanette Sevedge-App
Acting Chief
Office of Vendor Services

AMENDATORY SECTION (Amending Order 3817, filed 12/28/94, effective 1/28/95)

WAC 388-505-0580 Resources. (1) To be eligible for a medical care program, a person's resources shall not exceed the specified limits of the appropriate eligibility standards for the appropriate medical care programs.

(2) The department shall consider resources available when the client or spouse:

- (a) Owns the resource; and
- (b) Has the authority to convert the resource to cash;

and

(c) Is not legally restricted from using the resource for the person's support and maintenance.

(3) The department shall exempt noncash resources when the client:

(a) Applies for categorically needy or medically needy medical assistance; and

(b) Cannot convert the noncash resource to cash within twenty work days; and

(c) Makes an ongoing attempt to convert the noncash resources to cash.

(4) The department shall consider the availability of a sales contract under WAC 388-511-1160(2) for an SSI-related client.

(5) The department shall not consider the transfer of a resource when determining Medicaid eligibility for a person who is not institutionalized. For an institutionalized client, refer to WAC 388-513-1365.

(6) The department shall consider a client's resource as available on the first moment of the first month following receipt for an SSI-related client.

(7) The department shall consider income received in one month as a resource the first of the following month, unless specifically exempted for a longer period.

**WSR 96-01-006
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**
(Public Assistance)

[Order 3931—Filed December 6, 1995, 4:40 p.m.]

Date of Adoption: December 6, 1995.

Purpose: Add denturists as eligible Medicaid providers.

Citation of Existing Rules Affected by this Order: Add new chapter 388-535 WAC; repealing WAC 388-86-020, 388-86-021 and 388-87-050; and amending WAC 388-87-005.

Statutory Authority for Adoption: Initiative 607, ESHB 1410.

Other Authority: RCW 74.08.090.

Adopted under notice filed as WSR 95-21-050 on October 11, 1995, and WSR 95-21-064 on October 12, 1995.

Changes Other than Editing from Proposed to Adopted Version: Changed the wording in WAC 388-535-1000 (2)(d) to eliminate the word list. Adds "dental." WAC 388-535-1100(1) changed the word "shall" to "may."

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

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 12, amended 1, repealed 3.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 12, amended 1, repealed 3.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making:

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New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 1, repealed 0.

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

December 6, 1995

Jeanette Sevedge-App

Acting Chief

Office of Vendor Services

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-86-020 Dental services.
WAC 388-86-021 Dentures.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-87-050 Payment—Dental services.

AMENDATORY SECTION (Amending Order 3620, filed 8/11/93, effective 9/11/93)

WAC 388-87-005 Payment—Eligible providers defined. (1) The following providers shall be eligible for enrollment to provide medical care to eligible clients:

(a) Persons currently licensed by the state of Washington to practice medicine, osteopathy, dentistry, optometry, podiatry, midwifery, nursing, dental hygiene, denturism, chiropractic, or physical, occupational, speech, or respiratory therapy;

(b) A hospital currently licensed by the department of health;

(c) A facility currently licensed and classified by the department as a nursing facility or an intermediate care facility for the mentally retarded (ICF-MR);

(d) A licensed pharmacy;

(e) A home health services agency licensed under chapter 70.127 RCW;

(f) A hospice care agency licensed under chapter 70.127 RCW;

(g) An independent (outside) laboratory certified to participate under Title XVIII or determined currently to meet the Medicare requirements for such participation;

(h) A company or person, not excluded in subsection (3) of this section, supplying items vital to the provision of medical services such as ambulance service, oxygen, eyeglasses, other appliances, or approved services not otherwise covered under this section;

(i) A provider of screening services having a signed agreement with the department to provide such services to eligible persons in the early and periodic screening and diagnosis and treatment (EPSDT) program;

(j) A qualified and approved center for the detoxification of acute alcohol or other drug intoxication conditions;

(k) A qualified and approved outpatient clinical community mental health center, an approved inpatient psychiatric facility, or Indian health service clinic;

(l) A chemical dependency facility:

(i) Certified by the division of alcohol and substance abuse under chapter 275-19 WAC, or its successor; and

(ii) Included in a coordinated continuum of chemical dependency services per a county plan under chapter 275-25 WAC or its successor.

(m) A Medicare-certified rural health clinic;

(n) A federally qualified health care center;

(o) Licensed or certified agencies or persons having a signed agreement with the department to provide coordinated community AIDS service alternatives program services:

(i) Home care agency personal care providers or self-employed independent contractors providing hourly attendant or respite care;

(ii) Facilities or agencies providing therapeutic-home-delivered meals;

(iii) Dietitians or nutritionists; and

(iv) Social workers, mental health counselors, or psychologists who are self-employed independent contractors or employed by various licensed or certified agencies.

(p) Approved prepaid health maintenance, prepaid health plans, or health insuring organizations;

(q) An out-of-state provider of services listed under subsection (1)(a) through (l) of this section subject to conditions specified under WAC 388-87-105;

(r) A Washington state school district or educational service district;

(s) A licensed birthing center; and

(t) A Medicare-certified ambulatory surgical center.

(2) The department shall not pay for services performed by the following practitioners:

(a) Acupuncturists;

(b) Sanipractors;

(c) Naturopaths;

(d) Homeopaths;

(e) Herbalists;

(f) Masseurs or manipulators;

(g) Christian Science practitioners or theological healers; and

(h) Any other licensed or unlicensed practitioners not otherwise specifically provided for under the rules of this chapter.

(3) Conditions of provider enrollment.

(a) Nothing in this section shall bind the department to enroll all eligible providers capable of delivering covered services. The department shall demonstrate the department's plan for service delivery creates adequate access to covered services.

(b) When a provider has a restricted professional license or has been terminated, excluded, or suspended from the Medicare/Medicaid programs, the department shall not enroll the provider unless the department determines the violations leading to the sanction or license restriction are not likely to be repeated. In the department's determination, the department shall consider whether the provider has been convicted of offenses related to the delivery of professional or other medical services not considered during the development of the previous sanction.

(c) The department shall not reinstate in the medical assistance program, a provider suspended from Medicare or suspended by the United States Department of Health and Human Services (DHHS) until DHHS notifies the department that the provider may be reinstated.

(d) Nothing in this subsection shall preclude the department from denying provider enrollment if, in the

opinion of the medical director, medical assistance administration, the provider constitutes a danger to the health and safety of clients.

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.

Chapter 388-535 WAC DENTAL-RELATED SERVICES

NEW SECTION

WAC 388-535-1000 Dental-related services—Scope of coverage. (1) The medical assistance administration (MAA) shall pay only for covered medical and dental services, equipment, and supplies listed in MAA published issuances, including billing instructions, numbered memoranda, and bulletins.

(2) MAA shall pay for covered dental services, equipment and supplies when they are:

- (a) Within the scope of an eligible client's medical care program;
- (b) Medically necessary;
- (c) Within accepted medical or dental practice standards and are:

- (i) Consistent with a diagnosis; and
- (ii) Reasonable in amount and duration of care, treatment, or service.

(d) Not noncovered services as described under WAC 388-535-1100, Noncovered dental services; and

(e) Billed according to the conditions of payment under WAC 388-87-010 and 388-87-015.

(3) MAA shall cover the following dental-related services:

(a) Oral health evaluations/assessments, including oral health screening by providers of early and periodic screening, diagnoses and treatment (EPSDT) screening services authorized by MAA to provide screening.

(i) Oral health evaluation or assessment services shall be covered every six months, and an oral health evaluation of a child shall include an indicator of the child's oral health status.

(ii) The screening services shall, at a minimum, include:

- (A) A comprehensive oral health and developmental history;

- (B) An assessment of physical and oral health development and nutritional status;

- (C) Health education, including anticipatory guidance; and

- (D) Oral health status.

(b) Dental services necessary for the identification of dental problems or the prevention of dental disease subject to limitations of this chapter;

(c) Coronal polishing and scaling, provided that coronal polishing shall not be covered for children seven years old or younger, unless prior authorized, see WAC 388-535-1200(1)(e);

(d) Dental services or treatment necessary for the relief of pain and infections, including removal of wisdom teeth, except that routine removal of wisdom teeth without justifiable medical indications shall not be covered;

(e) Dental services or treatment necessary for the restoration of teeth and maintenance of dental health subject to limitations of this chapter;

(f) Orthodontic treatment, which is defined as the use of any appliance, intraoral or extraoral, removable or fixed, or any surgical procedure designed to move teeth. The following limitations apply:

- (i) Orthodontic coverage is limited to clients who are eligible for the EPSDT/healthy kids services;

- (ii) Prior approval is required; and

- (iii) Treatment is limited to conditions specified in WAC 388-535-1250.

(g) Complete and partial dentures, and necessary modifications, repairs, rebasing, relining and adjustments of dentures. Cast base partial dentures are covered with prior authorization.

(4) For children identified as high risk through oral health evaluation/assessment or clients identified by the department as developmentally disabled, the following preventive services may be allowed more frequently than the limits listed in (3) of this section:

- (a) Fluoride application;

- (b) Root planing, if a developmentally disabled client; and

- (c) Prophylaxis scaling and coronal polishing, if eight years of age and over, or developmentally disabled.

(5) Panoramic radiographs are allowed only for oral surgical or orthodontic purposes.

(6) The department shall cover medically necessary services provided in a hospital for the care or treatment of teeth, jaws, or structures directly supporting the teeth if the procedure requires hospitalization. Services covered under this subsection shall be furnished under the direction of a physician or dentist.

(7) For clients residing in nursing facilities or group homes, the following additional requirements shall apply:

- (a) Dental services shall be requested by the client or a referral for services made by the attending physician, facility nursing supervisor, or the client's legal guardian;

- (b) Mass screening for dental services of clients residing in a facility is not permitted, except for the EPSDT/healthy kids services as described under WAC 388-86-027;

- (c) Nursing facilities shall provide medically necessary dental services in accordance with WAC 388-97-225.

(8) If eligibility for dental services ends before the conclusion of the dental treatment, payment for any remaining treatment shall be the client's responsibility. The client shall be responsible for payment of any dental treatment or service received during any period of ineligibility for medical care, even if the treatment was started when the client was eligible.

NEW SECTION

WAC 388-535-1050 Definitions. This section contains definitions of words and phrases the department uses in rules for the medical assistance administration dental program.

(1) "Access to baby and child dentistry (ABCD)" is a Spokane County pilot initiative to increase access to dental services for Medicaid eligible infants, toddlers, and preschoolers.

(2) "**Arch**" means the curving structure formed by the crowns of the teeth in their normal position, or by the residual ridge after loss of the teeth.

(3) "**Banding**" means the application of orthodontic brackets to the teeth and/or face for the purpose of correcting dentofacial abnormalities.

(4) "**Behavior management**" means managing the behavior of a client during treatment using the assistance of additional professional staff, and restraints such as a papoose board or sedative agent, to protect the client from self-injury.

(5) "**Buccal**" means pertaining to or directed toward the cheek.

(6) "**By report**" - A method of payment for a covered service, supply, or equipment for which the medical assistance administration has not established a maximum allowable, either because the service or supply is new and its use is not yet considered standard, or it is a variation on a standard practice, or is rarely provided. Payment for a "by report" service or item is made on a case-by-case basis.

(7) "**Caries**" means a disease of the calcified tissues of the teeth resulting from the action of microorganisms on carbohydrates, characterized by a decalcification of the inorganic portion of the tooth and accompanied or followed by disintegration of the organic portion.

(8) "**Child**" - For purposes of the dental program, a child is defined as a person zero through eighteen years of age.

(9) "**Cleft**" means a longitudinal opening or fissure, especially one occurring in the embryo. Also see "facial cleft."

(10) "**Comprehensive oral evaluation**" means a thorough evaluation and recording of the extraoral and intraoral hard and soft tissues. Includes the evaluation and recording of the patient's dental and medical history and a general health assessment.

(11) "**Corona**" is the portion of a tooth that is covered by enamel, and is separated from the root or roots by a slightly constricted ring, known as the neck.

(12) "**Craniofacial anomalies**" means abnormalities of the head and face, either congenital or acquired.

(13) "**Current dental terminology (CDT), second edition (CDT-2)**," a systematic listing of descriptive terms and identifying codes for reporting dental services and procedures performed by dental practitioners. CDT is published by the Council on Dental Benefit Programs of the American Dental Association (ADA).

(14) "**Dental analgesia**" means the use of agents to induce insensibility to or relief from dental pain without loss of consciousness.

(15) "**Dental anesthesia**" means the use of agents to induce loss of feeling or sensation in order to allow dental services to be rendered to the client. The term is applied especially to the loss of sensation of pain through general anesthesia.

(16) "**Dentin**" is the chief substance or tissue of the teeth, which surrounds the tooth pulp and is covered by enamel on the crown and by cementum on the roots of the teeth.

(17) "**Dental prosthesis**" means a replacement for one or more of the teeth or other oral structure, ranging from a single tooth to a complete denture.

(18) "**Dentures**" are a set of natural or artificial teeth; ordinarily used to designate an artificial replacement for the natural teeth.

(19) "**Dysplasia**" means an abnormality of development of the teeth.

(20) "**Enamel**" is the white, compact, and very hard substance that covers and protects the dentin of the crown of a tooth.

(21) "**Facial clefts**" are the clefts between the embryonic processes which normally unite to form the face. Failure of such union, depending on its site, causes such developmental defects as cleft lip (harelip), cleft mandible, oblique facial cleft, and transverse facial cleft (macrostomia).

(22) "**High risk**" child means any child who has been identified through an oral evaluation or assessment as having a high risk for dental disease because of caries in the child's dentin; or a child identified by the department as developmentally disabled.

(23) "**Hypoplasia**" means the incomplete or defective development of the enamel of the teeth.

(24) "**Limited oral evaluation**" means an evaluation or reevaluation limited to a specific oral health situation or problem.

(25) "**Limited visual oral assessment**" - A service performed by dentists which involves assessing the need for sealants to be placed by dental hygienists; screening children in Head Start or ECEAP programs; providing triage services; or in circumstances referring a child to another dentist for treatment. These assessments are also used by dental hygienists performing intraoral screening of soft and hard tissues to assess the need for prophylaxis, sealants, fluoride varnish, or refers to a dentist for other dental treatment.

(26) "**Low risk**" child means any child who has been identified through an oral evaluation or assessment as having a low risk for dental disease because of the absence of white spots or caries in the enamel or dentin. This category includes children with restorations who are otherwise without disease.

(27) "**Macrostomia**" means a greatly exaggerated width of the mouth, resulting from failure of union of the maxillary and mandibular processes, with extension of the oral orifice to the ear. The defect may be unilateral or bilateral.

(28) "**Malocclusion**" means the contact between the maxillary and mandibular teeth as will interfere with the highest efficiency during the excursive movements of the jaw that are essential to mastication. The abnormality is categorized into four classes, graded by angle.

(29) "**Moderate risk**" child means a child who has been identified through an oral evaluation or assessment as having a moderate risk for dental disease, based on presence of white spots, enamel caries or hypoplasia.

(30) "**Occlusion**" means the relation of the maxillary and mandibular teeth when in functional contact during activity of the mandible.

(31) "**Oral evaluation**" is an evaluation performed on a client, new or established, to determine the patient's dental and/or medical health status, or changes to that status.

(32) "**Oral health assessment or screening**" is a comprehensive oral health and developmental history; an assessment of physical and oral health development and nutritional status; and health education, including anticipatory guidance.

(33) "**Oral health status**" refers to the client's risk or susceptibility to dental disease at the time an oral evaluation is done by a dental practitioner. This risk is designated as low, moderate or high based on the presence or absence of certain indicators.

(34) "**Oral sedation**" means the use of oral agents to produce a sedative or calming effect.

(35) "**Orthodontia**" is a treatment involving the use of any appliance, intraoral or extraoral, removable or fixed, or any surgical procedure designed to move teeth.

(35) "**Partial dentures**" means a prosthetic appliance replacing one or more missing teeth in one jaw, and receiving its support and retention from both the underlying tissues and some or all of the remaining teeth.

(36) "**Prophylaxis**" is a preventive intervention which includes the scaling and polishing of teeth to remove coronal plaque, calculus, and stains.

(37) "**Rebase**" means to replace the base material of a denture without changing the occlusal relations of the teeth.

(38) "**Reline**" means to resurface the tissue side of a denture with new base material in order to achieve a more accurate fit.

(39) "**Restorative services**" means services or treatments to restore a tooth to its original condition by the filling of a cavity and replacement of lost parts, or the material used in such a procedure.

(40) "**Root planing**" is a procedure designed to remove microbial flora, bacterial toxins, calculus, and diseased cementum or dentin from the teeth's root surfaces and pockets.

(41) "**Scaling**" means the removal of calculous material from the exposed tooth surfaces and that part of the teeth covered by the marginal gingiva.

(42) "**Sealant**" is a material applied to teeth to prevent dental caries.

(43) "**Space management therapy**" is a treatment to hold space for missing first and/or second primary molars and maintain position for permanent teeth.

(44) "**Usual and customary charge**" means the fee that the provider usually charges his or her non-Medicaid customers for a service or item. This is the maximum amount that the provider may bill MAA for the same service or item.

NEW SECTION

WAC 388-535-1100 Noncovered dental services. (1) Unless required as a result of a EPSDT/Healthy Kids screen, included as part of a managed care plan service package; included in a waived program; or part of one of the Medicare programs for the qualified Medicare beneficiaries; the MAA may exclude from the scope of covered dental-related services:

(a) Services, procedures, treatment, devices, drugs, or application of associated services which MAA or the Health Care Financing Administration (HCFA) consider investigative or experimental on the date the services are provided;

(b) Cosmetic treatment or surgery, except for medically necessary reconstructive surgery to correct defects attributable to an accident, birth defect, or illness;

(c) Orthodontia for adults, except that Medicaid eligible clients nineteen and twenty years of age who meet the criteria in WAC 388-535-1250 shall be covered;

(d) Orthodontia for children who do not meet the criteria in WAC 388-535-1250, or who request orthodontia for cosmetic reasons;

(e) Any service specifically excluded by statute;

(f) More costly services when less costly equally effective services as determined by the department are available;

(g) Nonmedical equipment, supplies, personal or comfort items and/or services;

(h) Prophylaxis, for children seven years of age or younger, unless developmentally disabled;

(i) Root planing for children eighteen years of age or younger;

(j) Molar endodontics for clients nineteen years of age or older;

(k) Endodontic services for anterior primary teeth, except that new therapeutic pulpotomy shall be covered; and

(l) For a persons nineteen years of age and older, unless developmentally disabled:

(i) Routine fluoride treatments;

(ii) Molar endodontics; or

(iii) Orthognathic surgery.

(2) MAA does not pay for the following services/supplies:

(a) Missed or canceled appointments;

(b) Provider mileage or travel costs;

(c) Take-home drugs;

(d) Dental supplies such as toothbrushes, manual or automatic, electric, toothpaste, floss, or whiteners;

(e) Educational supplies;

(f) Reports, client charts, insurance forms, copying expenses;

(g) Service charges/delinquent payment fees;

(h) Dentists writing prescriptions or calling in prescriptions or prescription refills to a pharmacy; and

(i) Medical supplies used in conjunction with an office visit.

NEW SECTION

WAC 388-535-1150 Eligible dental providers defined. (1) The following providers shall be eligible for enrollment to provide and be reimbursed for dental-related medical services to eligible clients:

(a) Persons currently licensed by the state of Washington to practice medicine and osteopathy, for oral surgery procedures;

(b) Persons currently licensed by the state of Washington to practice dentistry;

(c) Persons currently licensed by the state of Washington to practice as dental hygienists;

(d) Persons currently licensed by the state of Washington to provide denture services (denturists);

(e) Hospitals currently licensed by the department of health;

(f) Federally-qualified health centers;

(g) Participating health departments;

(h) Medicare-certified ambulatory surgical centers;

(i) Medicare-certified rural health clinics;

(j) Public health providers of dental screening services who have a signed agreement with the department to provide such services to persons eligible for EPSDT/healthy kids services; and

(k) Border area or out-of-state providers of dental-related services qualified in their states to provide these services.

(2) A licensed provider participating in the MAA dental program may be reimbursed only for those services that are within his or her scope of practice.

(3) The provider shall bill the department and its clients according to WAC 388-87-010 and WAC 388-87-015.

NEW SECTION

WAC 388-535-1200 Prior authorization. (1) The following services require prior approval:

(a) Nonemergent surgical procedures as described under WAC 388-86-095;

(b) Nonemergent hospital admissions as described under WAC 388-86-050 and 388-87-070;

(c) Orthodontic treatment as described under WAC 388-535-1000 (3)(f);

(d) Cast base partial dentures;

(e) Coronal polishing and scaling for children seven years of age and under; or

(f) Selected procedures determined by the department.

(2) When requesting prior approval, the department shall require the dental provider to submit, in writing, sufficient objective clinical information to establish medical necessity including, but not limited to:

(a) A physiological description of the disease, injury, impairment, or other ailment;

(b) Pertinent laboratory findings;

(c) X-ray reports; and

(d) Patient profiles.

(3) The department shall approve a request when the requested service meets the criteria in WAC 388-535-1000(2), Scope of coverage.

(4) The department shall deny a request for dental services when the requested service is:

(a) Not medically necessary as defined under WAC 388-500-0005; or

(b) A service, procedure, treatment, device, drug, or application of associated service which MAA or the Health Care Financing Administration (HCFA) consider investigative or experimental on the date the service is provided.

(5) The department may require a second opinion and/or consultation before the approval of any elective oral surgical procedure.

NEW SECTION

WAC 388-535-1250 Orthodontic coverage for DSHS clients. The department shall cover orthodontia care when:

(1) Prior authorized;

(2) A client is eligible for EPSDT/healthy kids services; and

(3) A client meets one of the following categories:

(a) A child with clefts and congenital or acquired craniofacial anomalies:

(i) Cleft lip and palate, cleft palate, and cleft lip with alveolar process involvement;

(ii) Craniofacial anomalies, including but not limited to:

(A) Hemifacial microsomia;

(B) Craniosynostosis syndromes;

(C) Cleidocranial dysplasia;

(D) Arthrogyrosis;

(E) Marfans syndrome; or

(F) Other syndromes by review;

(iii) Other diseases/dysplasia with significant facial growth impact, e.g., Juvenile Rheumatoid Arthritis (JRA); or

(iv) Post traumatic, post radiation, or post burn jaw deformity.

(b) A child with severe malocclusions which include one or more of the following:

(i) A severe skeletal disharmony;

(ii) A severe overjet resulting in functional impairment;

(iii) A severe vertical overbite resulting in palatal impingement; and/or damage to the mandibular labial tissues.

(c) A child with other malformations resulting in severe functional impairment shall be reviewed for medical necessity.

NEW SECTION

WAC 388-535-1300 Access to baby and child dentistry (ABCD) program. (1) The access to baby and child dentistry (ABCD) program is a demonstration project in Spokane County, established to increase access to dental services for Medicaid eligible infants, toddlers, and preschoolers.

(2) Children eligible for the ABCD program shall be four years of age and under and residing in Spokane County.

(3) Dental providers certified by the University of Washington continuing education program shall provide ABCD services.

(4) In addition to services provided under the medical assistance administration (MAA) dental care program, the following services are provided:

(a) Family oral health education; and

(b) Case management services.

(5) Clients who do not comply with program requirements may be disqualified from the ABCD program. The client remains eligible for regular MAA dental coverage.

(6) MAA pays enhanced fees to ABCD-certified participating providers for the targeted services.

NEW SECTION

WAC 388-535-1350 Payment methodology—Dental services. (1) For covered services provided to eligible clients, MAA shall reimburse dentists and related providers on a fee-for-service or contract basis, subject to the exceptions and restrictions listed under WAC 388-535-1100, Noncovered dental services and WAC 388-535-1400 Dental payment limits.

(2) In general maximum allowable fees (MAFs) for dental services provided to adult clients are based on the department's historical reimbursement rates, updated for legislatively authorized vendor rate increases.

(3) MAA may pay providers a higher reimbursement rate for selected dental services provided to children eighteen years and younger in order to increase children's access to dental services.

(4) Maximum allowable fees (MAFs) for dental services provided to children are set as follows:

(a) The department's historical reimbursement rates for various procedures are compared to usual and customary charges.

(b) The department consults with and seeks input from representatives of the provider community to identify program areas/concerns that need to be addressed.

(c) The department consults with dental experts and public health professionals to identify and prioritize dental services/ procedures in terms of their effectiveness in improving and/or promoting children's dental health.

(d) Legislatively authorized vendor rate increases and/or earmarked appropriations for children's dental services are allocated to specific procedures based on this priority list and considerations of access to services.

(e) Larger percentage increases are given to those procedures which have been identified as most effective in improving and/or promoting children's dental health.

(f) Budget-neutral rate adjustments are made as appropriate based on the department's evaluation of utilization trends, effectiveness of interventions, and access issues.

(5) Dental anesthesia services for all eligible clients are reimbursed on the basis of base anesthesia units (BAU) plus time. Payment for dental anesthesia is calculated as follows:

(a) Dental procedures are assigned five base anesthesia units;

(b) Twelve minutes constitute one unit of time. When a dental procedure requiring anesthesia results in multiple time units and a remainder (less than twelve minutes), the remainder or fraction shall be considered as one time unit;

(c) Time units are added to the five base anesthesia units and multiplied by the anesthesia conversion factor;

(d) The formula for determining reimbursement for dental anesthesia is: $(5.0 \text{ base anesthesia units} + \text{time units}) \times \text{conversion factor} = \text{payment}$.

(6) Dental hygienists shall be paid at the same rate as dentists for services allowed under The Dental Hygienist Practice ACT.

(7) Licensed denturists or dental laboratories billing independently shall be paid at MAA's allowance for prosthodontics.

(8) Fee schedule changes are made whenever vendor rate increases or decreases are authorized by the legislature.

(9) The department uses the American Dental Association's Current Dental Terminology, Second Edition (CDT-2) as the basis for identification of dental services. The department supplements this list with state-assigned procedure codes to identify services which do not fit exactly into the CDT-2 descriptions.

(10) The department may adjust maximum allowable fees to reflect changes in the services or procedure code descriptions.

NEW SECTION

WAC 388-535-1400 Dental payment limits. (1) Provision of covered services to a client eligible for a medical care program constitutes acceptance by the provider of the department's rules and fees.

(2) Participating providers shall bill the department their usual and customary fees.

(3) Payment for dental services is based on the department's schedule of maximum allowances. Fees listed in the MAA fee schedule are the maximum allowable fees.

(4) Payment to the provider will be the lesser of the billed charge (usual and customary fee) or the department's maximum allowable fee.

(5) If a covered service is performed for which no fee is listed, the service shall be paid "By Report."

(6) Clients shall be responsible for payment as described under WAC 388-087-010 for services not covered under the client's medical care program.

NEW SECTION

WAC 388-535-1450 Payment—Denture laboratory services. (1) A dentist using the services of an independent denture laboratory shall request services for an MAA client in the same manner he or she requests services for his or her private patient.

(2) An independently practicing denturist may bill the department directly. No reimbursement shall be made to a dentist for services performed and billed by an independent denturist.

NEW SECTION

WAC 388-535-1500 Payment—Dental-related hospital services. The department shall pay for medically necessary dental-related hospital inpatient and outpatient services according to WAC 388-87-070 and WAC 388-87-072.

NEW SECTION

WAC 388-535-1550 Dental care provided out-of-state. (1) The department shall authorize and provide comparable dental care services to clients who are temporarily outside of the state to the same extent that such dental care services are furnished to clients in the state, subject to the same exceptions and limitations as in-state clients.

(2) The department shall not provide out-of-state dental care to clients receiving medical care services as defined under WAC 388-500-0005. The department shall cover dental services in designated bordering cities for eligible clients.

(3) Out-of-state dental providers shall meet the same criteria for payment as in-state providers.

WSR 96-01-008
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3934—Filed December 6, 1995, 4:44 p.m.]

Date of Adoption: December 6, 1995.

Purpose: Amendment will clarify language to state that the process of suspension does not affect the budgeting process unless a significant change occurs during the suspense month. If no change occurs, then income will continue to be retrospectively budgeted.

Citation of Existing Rules Affected by this Order:
Amending WAC 388-218-1830 Treatment of income—
Suspension of a grant.

Statutory Authority for Adoption: RCW 74.04.050.

Other Authority: 45 CFR 233.34 (c) and (d).

Adopted under notice filed as WSR 95-22-075 on
October 31, 1995.

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

Number of Sections Adopted at Request of a Nongov-
ernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own
Initiative: New 0, amended 1, repealed 0.

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

Number of Sections Adopted using Negotiated Rule
Making: New 0, amended 0, repealed 0; Pilot Rule Making:
New 0, amended 0, repealed 0; or Other Alternative Rule
Making: New 0, amended 1, repealed 0.

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

December 6, 1995

Jeanette Sevedge-App

Acting Chief

Office of Vendor Services

AMENDATORY SECTION (Amending Order 3732, filed
5/3/94, effective 6/3/94)

WAC 388-218-1830 Treatment of income—Suspension of a grant. (1) See chapter 388-245 WAC for effective dates of ineligibility.

(2) The department shall suspend rather than terminate if:

(a) The department has knowledge of or reason to believe ineligibility would be only for one payment month; and

(b) Ineligibility for that one payment month was caused by income or other circumstances in the corresponding budget month.

(3) The department shall ~~((treat a person acquiring income during suspended status as a recipient in terms of eligibility, not as an applicant))~~ continue the budgeting process regardless of suspension unless a significant change (i.e., loss of employment) occurs in the suspense month. See WAC 388-218-1910, Retrospective budgeting.

WSR 96-01-017

PERMANENT RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Public Assistance)

[Order 3935—Filed December 8, 1995, 1:26 p.m.]

Date of Adoption: December 8, 1995.

Purpose: To add the referral of a client to the Washington telephone assistance program before approving additional requirements for telephone service.

Citation of Existing Rules Affected by this Order:
Amending WAC 388-255-1200 Additional requirement—
Telephone.

Statutory Authority for Adoption: RCW 74.08.090.

Adopted under notice filed as WSR 95-22-043 on
October 26, 1995.

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

Number of Sections Adopted at Request of a Nongov-
ernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own
Initiative: New 0, amended 1, repealed 0.

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

Number of Sections Adopted using Negotiated Rule
Making: New 0, amended 0, repealed 0; Pilot Rule Making:
New 0, amended 0, repealed 0; or Other Alternative Rule
Making: New 0, amended 1, repealed 0.

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

December 8, 1995

Sydney Doré

for Jeanette Sevedge-App

Acting Chief

Office of Vendor Services

AMENDATORY SECTION (Amending Order 3729, filed
4/6/94, effective 5/7/94)

WAC 388-255-1200 Additional requirement—Telephone. (1) The department may authorize additional requirements for telephone assistance for clients eligible for AFDC grants, refugee cash assistance, general assistance grants, or SSI benefits.

(2) The department shall authorize telephone services as an additional requirement when the department determines:

(a) The lack of a telephone would endanger the clients life or make a more expensive type of care necessary; ~~((and))~~

(b) The function of a telephone cannot be performed by other means, including the help of neighbors, relatives or other community services; and

(c) The client has requested participation through their local telephone company in the Washington Telephone Assistance Program.

(3) The monthly standard for telephone is described under WAC 388-250-1750.

WSR 96-01-029

PERMANENT RULES

PARKS AND RECREATION

COMMISSION

[Filed December 11, 1995, 3:18 p.m.]

Date of Adoption: December 8, 1995.

Purpose: The Washington legislature has changed portions of chapter 43.21C RCW which required the Department of Ecology to adopt/alter/repeal various sections of

chapter 197-11 WAC. This, in turn requires Washington state parks to revise agency procedures implementing SEPA (agency rules, chapter 352-11 WAC).

Citation of Existing Rules Affected by this Order: Amending WAC 352-11-020, 352-11-040, 352-11-055, 352-11-665, 352-11-905, 352-11-908, and 352-11-910.

Statutory Authority for Adoption: RCW 43.21C.120.

Adopted under notice filed as WSR 95-22-077 on October 31, 1995.

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

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 7, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 7, repealed 0.

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

December 8, 1995

Bruce Hilyer
Chair

AMENDATORY SECTION (Amending Order 84, filed 10/3/84)

WAC 352-11-020 Adoption by reference. The Washington state parks and recreation commission adopts the following sections or subsections of chapter 197-11 WAC by reference.

WAC

- 197-11-040 Definitions.
- 197-11-050 Lead agency.
- 197-11-060 Content of environmental review.
- 197-11-070 Limitations on actions during SEPA process.
- 197-11-080 Incomplete or unavailable information.
- 197-11-090 Supporting documents.
- 197-11-100 Information required of applicants.
- 197-11-210 SEPA/GMA integration.
- 197-11-220 SEPA/GMA definitions.
- 197-11-228 Overall SEPA/GMA integration procedures.
- 197-11-230 Timing of an integrated GMA/SEPA process.
- 197-11-232 SEPA/GMA integration procedures for preliminary planning, environmental analysis, and expanded scoping.
- 197-11-235 Documents.
- 197-11-250 SEPA/Model Toxics Control Act integration.
- 197-11-253 SEPA lead agency for MTCA actions.
- 197-11-256 Preliminary evaluation.
- 197-11-259 Determination of nonsignificance for MTCA remedial action.
- 197-11-262 Determination of significance and EIS for MTCA remedial actions.
- 197-11-265 Early scoping for MTCA remedial actions.

- 197-11-268 MTCA interim actions.
- 197-11-300 Purpose of this part.
- 197-11-305 Categorical exemptions.
- 197-11-310 Threshold determination required.
- 197-11-315 Environmental checklist.
- 197-11-330 Threshold determination process.
- 197-11-335 Additional information.
- 197-11-340 Determination of nonsignificance (DNS).
- 197-11-350 Mitigated DNS.
- 197-11-360 Determination of significance (DS)/initiation of scoping.
- 197-11-390 Effect of threshold determination.
- 197-11-400 Purpose of EIS.
- 197-11-402 General requirements.
- 197-11-405 EIS types.
- 197-11-406 EIS timing.
- 197-11-408 Scoping.
- 197-11-410 Expanded scoping. (Optional)
- 197-11-420 EIS preparation.
- 197-11-425 Style and size.
- 197-11-430 Format.
- 197-11-435 Cover letter or memo.
- 197-11-440 EIS contents.
- 197-11-442 Contents of EIS on nonproject proposals.
- 197-11-443 EIS contents when prior nonproject EIS.
- 197-11-444 Elements of the environment.
- 197-11-448 Relationship of EIS to other considerations.
- 197-11-450 Cost-benefit analysis.
- 197-11-455 Issuance of DEIS.
- 197-11-460 Issuance of FEIS.
- 197-11-500 Purpose of this part.
- 197-11-502 Inviting comment.
- 197-11-504 Availability and cost of environmental documents.
- 197-11-508 SEPA register.
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 197-11-960 Environmental checklist.
 197-11-965 Adoption notice.
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AMENDATORY SECTION (Amending Order 84, filed 10/3/84)

WAC 352-11-040 Additional definitions. In addition to the definitions contained in WAC 197-11-700 through 197-11-799, the following terms shall have the listed meanings:

(1) "Agency" means the entire staff and appointed commission members constituting the Washington state parks and recreation commission.

(2) "Authorized public use" means that a particular parcel of real property has developed facilities which have been subject to public use or has been specifically designated and classified for such public use without developed facilities. No "authorized public use" shall be construed to have occurred on parcels of real property being held for future use and development nor on portions of existing park lands remote from existing public use facilities, including developed trail systems.

(3) "Commission" means the Washington state parks and recreation commission.

(4) "Director" means the director of the Washington state parks and recreation commission.

(5) "Program" means any of the headquarters' sections or divisions of the Washington state parks and recreation commission that administers a program, such as, but not limited to, boating safety, winter recreation, and youth programs.

(6) "Regions" means any of the ((five)) regional offices of the Washington state parks and recreation commission.

(7) "Section" means any section within the divisional structure of the Washington state parks and recreation commission.

AMENDATORY SECTION (Amending Order 84, filed 10/3/84)

WAC 352-11-055 Timing of the SEPA process. (1) Integrating SEPA and agency activities. The SEPA process shall be integrated with agency activities at the earliest possible time to ensure that planning and decisions reflect environmental values, to avoid delays later in the process, and to seek to resolve potential problems.

(2) Timing of review of proposals. The agency shall prepare its threshold determination and environmental impact statement (EIS), if required, at the earliest possible point in the planning and decision-making process, when the principal features of a proposal and its environmental impacts can be reasonably identified.

(a) A proposal exists when the agency is presented with an application or has a goal and is actively preparing to make a decision on one or more alternative means of accomplishing that goal and the environmental effects can be meaningfully evaluated.

(i) The fact that proposals may require future agency approvals or environmental review shall not preclude current consideration, as long as proposed future activities are specific enough to allow some evaluation of their probable environmental impacts.

(ii) Preliminary steps or decisions are sometimes needed before a proposal is sufficiently definite to allow meaningful environmental analysis.

(b) Environmental reviews will normally begin when sufficient information is available for agency staff to make preliminary decisions. The agency may also organize environmental review in phases, as specified in WAC 197-11-060(5).

(c) Appropriate consideration of environmental information shall be completed before the agency commits to a particular course of action under WAC 197-11-070.

(3) Applications and rule making. The timing of environmental review for applications and for rule making shall be as follows:

(a) At the latest, the agency shall begin environmental review, if required, when an application is complete. The agency may initiate review earlier and may have informal conferences with applicants. A final threshold determination or final environmental impact statement (FEIS) shall normally precede or accompany the final staff recommendation, if any, in a quasi-judicial proceeding on an application. The substance of an ex parte communication of parties with any member of the commission concerning the decision of action will be placed on the record and subject to public announcement and opportunity for rebuttal at public hearings as required by RCW 42.36.060.

(b) For rule making, the DNS or DEIS shall normally accompany the proposed rule. A FEIS, if any, shall be issued at least seven days before adoption of a final rule under WAC 197-11-460(4).

(4) Additional timing considerations.

(a) Commission staff receiving a completed application and environmental checklist shall forward such application and checklist to the responsible official who will determine whether the commission or another agency is the SEPA lead agency under WAC 197-11-050 and 197-11-922 through 197-11-940 within five working days. If the commission is

not the lead agency, the responsible official shall send the completed environmental checklist and a copy of the application, together with an explanation of the determination to the identified lead agency.

(b) Commission staff receiving an application will forward it to the responsible official who will determine whether the proposal is an "action" and, if so, whether it is "categorically exempt" from SEPA. If the proposal is an "action" and is not exempt, the responsible official will ask the applicant to complete an environmental checklist. A checklist is not needed if the responsible official and applicant agree that an EIS is required, SEPA compliance has been completed, SEPA compliance has been initiated by another agency, or a checklist is included with the application.

(c) If the only nonexempt action is commission approval of detailed project plans and specifications, an applicant may request that the commission complete SEPA compliance before the applicant submits the detailed plans and specifications.

(d) The commission staff and applicants may hold preliminary discussions or exploration of ideas and options prior to commencing formal environmental review, under provisions of this chapter and chapter 197-11 WAC, subject to RCW 42.36.060.

(5) An overall decision to proceed with a course of action may involve a series of actions or decisions by one or more agencies. If several agencies have jurisdiction over a proposal, they shall coordinate their SEPA processes wherever possible. The agencies shall comply with lead agency determination requirements in WAC 197-11-050 and 197-11-922 through 197-11-948.

(6) To meet the requirement to insure that environmental values and amenities are given appropriate consideration along with economic and technical considerations, environmental documents and analysis shall be circulated and reviewed with other planning documents to the fullest extent possible.

(7) For its own public proposals, the responsible official may extend the time limits prescribed in this chapter.

(8) When the commission staff has prepared a commission agenda item for approval by the commission, the FEIS, DNS, or exemption statement shall accompany the agenda item to the commission for its review.

AMENDATORY SECTION (Amending Order 84, filed 10/3/84)**WAC 352-11-665 Policies and procedures for conditioning or denying permits or other approvals.**

(1)(a) The overriding policy of the Washington state parks and recreation commission is to avoid or mitigate adverse environmental impacts which may result from the agency's decisions.

(b) The commission shall use all practicable means, consistent with other essential considerations of state policy, to improve and coordinate plans, functions, programs, and resources to the end that the state and its citizens may:

(i) Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;

(ii) Assure for all people of Washington safe, healthful, productive, and aesthetically and culturally pleasing surroundings;

(iii) Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;

(iv) Preserve important historic, cultural, and natural aspects of our national heritage;

(v) Maintain, wherever possible, an environment which supports diversity and variety of individual choice;

(vi) Achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities; and

(vii) Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

(c) The agency recognizes that each person has a fundamental and inalienable right to a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment.

(d) The agency shall ensure that presently unquantified environmental amenities and values will be given appropriate consideration in decision making along with economic and technical considerations.

(2) Policies - specific. The commission is responsible for the following approvals, permits, or rulemaking and for the acquisition of land suitable for parks, for repair, maintenance and new construction of park facilities which have potential to impact the environment and which are subject to the provisions of this chapter:

(a) Authority to acquire and develop parks and parkways (chapter 43.51 RCW);

(b) Grant concessions or leases in state parks and parkways (RCW 43.51.040(5));

~~((b))~~ (c) Grant franchises and easements for any legitimate purpose on parks and parkways (RCW 43.51.060(5));

~~((e))~~ (d) Enter into agreements whereby individuals or companies may rent undeveloped parks or parkway land for grazing, agricultural, or mineral development (RCW 43.51.060(7));

~~((d))~~ (e) Lease park land for television stations (RCW 43.51.062 and 43.51.063);

~~((e))~~ (f) Grant permits for improvement of parks (RCW 43.51.130 through 43.51.160);

~~((f))~~ (g) Administer the seashore conservation area including:

(i) Establish reasonable regulations for the use and control of vehicular traffic on or along the ocean beach highways (RCW 43.51.680, 79.94.340 and 79.94.360);

(ii) Sale of sand from accretions to supply the needs of cranberry growers (RCW 43.51.685); and or

~~((g))~~ (iii) ~~Grant mining leases for the removal of "black sands" (minerals) (RCW 43.51.685); and or~~

~~((v))~~ (iv) Grant leases and permits for the removal of sands for construction purposes (RCW 43.51.685).

~~((g))~~ (h) Stewardship, management and development of resources, including land acquisition in accordance with the State Wildlife and Recreation Lands Management Act (chapter 43.98B RCW);

(i) Administration, acquisition, development, operation and maintenance of snowmobile facilities (RCW 46.10.080);

(j) Acquisition, development and maintenance of scenic and recreational highways, and rest areas, including landscaping and signing (chapter 47.39 RCW);

(k) Review and approval or disapproval of plans for acquisition and operation of parks and recreation facilities by any port district (RCW 53.08.270);

(l) Acquisition, development, operation and maintenance of recreational trails (chapter 67.32 RCW);

(m) Development of a state-wide scenic rivers program plan, including proposals for acquisition and development of public access sites and facilities (chapter 79.72 RCW);

(n) Grant approvals for the construction, operation and maintenance of winter recreational devices, including but not limited to ski lifts, ski tows, j-bars, t-bars, ski mobiles, chair lifts and similar devices and equipment (RCW 70.88.010 through 70.88.040).

~~((h))~~ (o) Any other approval authority which may be granted to the commission in the future.

(3)(a) SEPA procedures. When the environmental document for a proposal for approval by the agency shows it will cause significant adverse impacts that the proponent does not plan to mitigate, the responsible official shall consider whether:

(i) The environmental document identified mitigation measures that are reasonable and capable of being accomplished;

(ii) Other local, state, or federal requirements and enforcement would mitigate the significant adverse environmental impacts; and

(iii) Reasonable mitigation measures are sufficient to mitigate the significant adverse impacts.

(b) The responsible official may:

(i) Condition the approval for a proposal if mitigation measures are reasonable and capable of being accomplished and the proposal is inconsistent with the policies in subsection (1) of this section.

(ii) Deny the permit or approval for a proposal if reasonable mitigation measures are insufficient to mitigate significant adverse environmental impacts and the proposal is inconsistent with the policies in subsection (1) of this section.

(c) The procedures in WAC 197-11-660 must also be followed when conditioning or denying permits or other approvals.

AMENDATORY SECTION (Amending Order 84, filed 10/3/84)

WAC 352-11-905 Responsibilities of individuals and work units within the agency. (1) The environmental ~~((coordination))~~ programs section of the agency shall be responsible for the following:

(a) Coordinating agency activities to comply with SEPA, encouraging consistency in SEPA compliance among all regions, sections, and programs.

(b) Providing information and guidance on SEPA and the SEPA rules to commission, staff, agencies, groups, and citizens.

(c) Receiving all SEPA documents sent to the commission for review and comment, distributing documents and coordinating review with appropriate regions, programs and sections, preparing the agency's response, ensuring a timely

response, and requesting extensions to the comment period of an EIS, when needed.

(d) Maintaining the agency's files for EISs, DNSs, scoping notices, and notices of action prepared for commission approvals and other agency actions and which are sent to the department of ecology under SEPA and the SEPA rules.

(e) Maintaining files for the city/county SEPA procedures designating (~~environmentally sensitive~~) critical areas and flexible thresholds and making the information available to agency staff.

(f) Writing and/or coordinating EIS preparation, including scoping and the scoping notice, making sure to work with appropriate regions, programs, and sections.

(g) Preparing the agency's SEPA rules and amendments to the SEPA rules as necessary.

(h) Fulfilling the agency's other general responsibilities under SEPA and the SEPA rules.

(i) Determining whether a decision on a permit or other approval, program, policy, plan, or regulation is an "action" under SEPA and, if so, whether it is exempt from SEPA's requirements.

(j) Determining whether the commission or another agency is SEPA lead agency.

(k) Making the threshold determination. This shall be made by the responsible official under WAC 352-11-910.

(l) Issuing a determination of nonsignificance, if appropriate (issued by responsible official) and ensuring compliance with the public notice requirements of WAC 352-11-510;

(2) Other staff of the commission in regions, programs, and sections shall be responsible for the following:

(a) Reviewing SEPA documents and submitting comments to the environmental (~~coordination~~) programs section in a timely fashion, recognizing that SEPA and the SEPA rules impose strict time limits on commenting.

(b) Working with the environmental (~~coordination~~) programs section on preparation of EISs, DNSs, and environmental checklists.

(c) Ensuring that permit decisions are consistent with the final EIS and DNS.

AMENDATORY SECTION (Amending Order 84, filed 10/3/84)

WAC 352-11-908 (~~Environmentally sensitive~~) Critical areas. (1) The agency's responsible official shall obtain maps of all designated "~~environmentally sensitive~~) critical areas" on existing state park lands which have been prepared by counties/cities under WAC 197-11-908.

(2) In determining whether a proposal is exempt from SEPA, the agency shall respect "~~environmentally sensitive~~) critical area" designations made by counties/cities under WAC 197-11-908.

AMENDATORY SECTION (Amending Order 84, filed 10/3/84)

WAC 352-11-910 Designation of responsible official. (1) The ultimate responsible official is the commission. Normally, the operational responsibility shall be delegated via the director to the (~~chief~~) (manager), environmental (~~coordination~~) programs. The manager, environmental

programs may delegate this authority to the assistant manager, environmental programs and to the regional environmental specialists.

(2) Depending upon the size and scope of the proposed action, consideration may be given to establishing the responsible official at the level of assistant director, resources development, Washington state parks and recreation commission, or at the level of director.

**WSR 96-01-030
PERMANENT RULES
PARKS AND RECREATION
COMMISSION**

[Filed December 11, 1995, 3:20 p.m.]

Date of Adoption: December 8, 1995.

Purpose: To clarify the authority of the commission to close certain state park areas to the harvest of fish, including shellfish. It will also allow the director to close state park areas in emergencies and enter into agreements with the Department of Fish and Wildlife.

Citation of Existing Rules Affected by this Order: Amending WAC 352-32-150.

Statutory Authority for Adoption: RCW 43.51.180(3). Adopted under notice filed as WSR 95-22-066 on October 30, 1995.

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

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

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

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 1, repealed 0.

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

December 8, 1995

Bruce Hilyer

Chair

AMENDATORY SECTION (Amending Order 19, filed 2/1/74)

WAC 352-32-150 Fishing. (~~(1) All laws, rules, and regulations of the state game commission relating to season, limits, and methods of fishing are applicable to fishing for game fish in state park areas. No person may fish for, or possess any fish taken from any dam, dike, bridge, dock, boat landing, or beach, which is conspicuously posted with a sign prohibiting fishing.~~

(2) ~~All laws, rules, and regulations of the state department of fisheries relating to season, limits, and methods of taking are applicable to the taking of shellfish or food fish in state park areas, except that, in addition to such laws, the~~

~~Washington state parks and recreation commission may, upon its finding and for good cause, close certain state park beaches for specified periods of time, to the taking of shellfish. Such closed areas shall be posted with appropriate signs.~~

~~(3) No person shall remove or cause to be removed any sea life from any state park beaches except for edible varieties as defined by the department of fisheries.)) (1) For the purposes of this section, the following definition applies: Fish are defined as all marine and freshwater fish and shellfish species including all species of aquatic invertebrates.~~

~~(2) Except for those state park areas in which harvest has been prohibited pursuant to subsection (3), (4), or (5) of this section, all state park areas are open for the harvest of fish, subject to all laws, rules, and regulations of the state department of fish and wildlife relating to seasons, limits, and methods of harvest. The director may develop or amend a memorandum of agreement with the state department of fish and wildlife to guide management of state park fishing areas.~~

~~(3) No person shall remove or cause to be removed any fish from any state park area except for food fish as defined by WAC 220-12-010, shellfish as defined by WAC 220-12-020, and game fish as defined by RCW 77.08.020 and WAC 232-12-019.~~

~~(4) The commission may, after consultation with the state department of fish and wildlife and local tribes, close state park areas to the harvest of some or all species of fish. Such state park areas shall be conspicuously posted as closed to harvest.~~

~~(5) The director may temporarily close any state park area to the harvest of some or all species of fish. Any such closure may be for only so long as is necessary to bring the issue before the commission at its next scheduled regular meeting. Such state park areas shall be conspicuously posted as closed to harvest.~~

~~(a) Prior to closing any park area pursuant to this subsection, the director or the director's designee shall hold a public hearing in the general vicinity of the park area to be closed. Prior notice of the public hearing shall be published in a newspaper of general circulation in the vicinity.~~

~~(b) In the event the director determines that an immediate harvest closure is necessary to protect against an imminent and substantial threat to the health, safety, and welfare of the public, park visitors or staff or commission property, the director may take emergency action to close a park to the harvest of fish without first complying with the publication and hearing requirements of this subsection. Such emergency closures may be effective for only so long as is necessary for the director to comply with the publication and hearing requirements of this subsection.~~

~~(6) A list of the state park areas closed pursuant to subsection (4) or (5) of this section shall be maintained by the director or the director's designee and be available to the public upon request.~~

~~(7) No person shall harvest or possess any fish from within a state park area posted as closed to harvest pursuant to subsection (4) or (5) of this section, except as necessary for scientific research authorized in writing by state parks.~~

WSR 96-01-032
PERMANENT RULES
DEPARTMENT OF HEALTH
 (Board of Pharmacy)
 [Filed December 12, 1995, 8:50 a.m.]

Date of Adoption: October 27, 1995.

Purpose: WAC 246-887-160 Schedule III. Adding anabolic steroid to Schedule III list.

Citation of Existing Rules Affected by this Order: Amending chapter 69.50 RCW.

Statutory Authority for Adoption: RCW 18.64.005.

Adopted under notice filed as WSR 95-18-091 on September 6, 1995.

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

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

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

November 27, 1995
 Suann Bond, Chair
 Board of Pharmacy

AMENDATORY SECTION (Amending WSR 94-08-098, filed 4/6/94, effective 5/7/94)

WAC 246-887-160 Schedule III. The board finds that the following substances have a potential for abuse less than the substances listed in Schedules I and II, and have currently accepted medical use in treatment in the United States and that the abuse of the substances may lead to moderate or low physical dependency or high psychological dependency. The board, therefore, places each of the following substances in Schedule III.

(a) The drugs and other substances listed in this section, by whatever official name, common or usual name, chemical name, or brand name designated, are included in Schedule III.

(b) Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers (whether optical, position, or geometric), and salts of such isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Those compounds, mixtures, or preparations in dosage unit form containing any stimulant substances listed

in Schedule II which compounds, mixtures, or preparations are referred to as excepted compounds in Schedule III as published in 21 CFR 1308.13 (b)(1) as of April 1, 1984, and any other drug of the quantitative composition shown in that list for those drugs or which is the same except that it contains a lesser quantity of controlled substances;

- (2) Benzphetamine;
- (3) Chlorphentermine;
- (4) Clortermine;
- (5) Phendimetrazine.

(c) Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system:

- (1) Any compound, mixture, or preparation containing:
 - (i) Amobarbital;
 - (ii) Secobarbital;
 - (iii) Pentobarbital;

or any salt thereof and one or more other active medicinal ingredients which are not listed in any schedule;

- (2) Any suppository dosage form containing:
 - (i) Amobarbital;
 - (ii) Secobarbital;
 - (iii) Pentobarbital;

or any salt of any of these drugs and approved by the Food and Drug Administration for marketing only as a suppository;

(3) Any substance which contains any quantity of a derivative of barbituric acid, or any salt of a derivative of barbituric acid;

- (4) Chlorhexadol;
- (5) Lysergic acid;
- (6) Lysergic acid amide;
- (7) Methyprylon;
- (8) Sulfondiethylmethane;
- (9) Sulfonethylmethane;
- (10) Sulfonmethane;

(11) Tiletamine and zolazepam or any salt thereof—some trade or other names for a tiletamine-zolazepam combination product: Telazol some trade or other names for tiletamine: 2-(ethylamino)-2-(2-thienyl) cyclohexanone—some trade or other names for zolazepam: 4-(2-fluorophenyl)-6,8-dihydro-1,3,8-trimethylpyrazolo-[3,4-e][1,4] diazepin 7 (1H)-one flupyzapone.

(d) Nalorphine.

(e) Anabolic steroids. The term "anabolic steroid" means any drug or hormonal substance, chemically and pharmacologically related to testosterone (other than estrogens, progestins, and corticosteroids) that promotes muscle growth, and includes:

- (1) Boldenone;
- (2) Chlorotestosterone;
- (3) Clostebol;
- (4) Dehydrochlormethyltestosterone;
- (5) Dehydroepiandrosterone;
- (6) Dihydrotestosterone;
- ~~((6))~~ (7) Drostanolone;
- ~~((7))~~ (8) Ethylestrenol;
- ~~((8))~~ (9) Fluoxymesterone;
- ~~((9))~~ (10) Formebolone (Formebolone);
- ~~((10))~~ (11) Mesterolone;

- ~~((11))~~ (12) Methandienone;
- ~~((12))~~ (13) Methandranone;
- ~~((13))~~ (14) Methandriol;
- ~~((14))~~ (15) Methandrostenolone;
- ~~((15))~~ (16) Methenolone;
- ~~((16))~~ (17) Methyltestosterone;
- ~~((17))~~ (18) Mibolerone;
- ~~((18))~~ (19) Nandrolone;
- ~~((19))~~ (20) Norethandrolone;
- ~~((20))~~ (21) Oxandrolone;
- ~~((21))~~ (22) Oxymesterone;
- ~~((22))~~ (23) Oxymetholone;
- ~~((23))~~ (24) Stanolone;
- ~~((24))~~ (25) Stanozolol;
- ~~((25))~~ (26) Testolactone;
- ~~((26))~~ (27) Testosterone;
- ~~((27))~~ (28) Trenbolone; and
- ~~((28))~~ (29) Any salt, ester, or isomer of a drug or

substance described or listed in this paragraph, if that salt, ester, or isomer promotes muscle growth. Except such term does not include an anabolic steroid which is expressly intended for administration through implants to cattle or other nonhuman species and which has been approved by the secretary of health and human services for such administration. If any person prescribes, dispenses, or distributes such steroid for human use such person shall be considered to have prescribed, dispensed, or distributed an anabolic steroid within the meaning of this paragraph.

The following are implants or pellets which are exempt:

Ingredients	Trade Name	Company
Testosterone Propionate, Estradiol Benzoate	F-TO	Animal Health Div. Upjohn International Kalamazoo, MI
Trenbolone Acetate	Finaplix-H	Hoechst-Roussel Agri-Vet Co., Somerville, NJ
Trenbolone Acetate	Finaplix-S	Hoechst-Roussel Agri-Vet Co., Somerville, NJ
Testosterone Propionate, Estradiol Benzoate	Heifer-oid	Anchor Division Boehringer Ingelheim St. Joseph, MO
Testosterone Propionate, Estradiol Benzoate	Heifer-oid	Bio-Ceutic Division Boehringer Ingelheim St. Joseph, MO
Testosterone Propionate, Estradiol Benzoate	Heifer-oid	Ivy Laboratories, Inc. Overland Park, KS
Testosterone Propionate, Estradiol Benzoate	Implus	The Upjohn Co. Kalamazoo, MI
Trenbolone Acetate, Estradiol	Revalor-s	Hoechst-Roussel Agri-Vet Co., Somerville, NJ
Testosterone Propionate, Estradiol Benzoate	Synovex H	Syntex Laboratories Palo Alto, CA

(f) The following anabolic steroid products containing compounds, mixtures, or preparations are exempt from the recordkeeping, refill restrictions, and other Controlled Substances Act requirements:

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Ingredients	Trade Name	Company
Testosterone enanthate 90 mg/ml Estradiol valerate 4 mg/ml	Androgyn L.A.	Forest Pharmaceuticals St. Louis, MO
Testosterone enanthate 90 mg/ml Estradiol valerate 4 mg/ml	Andro-Estro 90-4	Rugby Laboratories Rockville Centre, NY
Testosterone cypionate 50 mg/ml Estradiol cypionate 2 mg/ml	depANDROGYN	Forest Pharmaceuticals St. Louis, MO
Testosterone cypionate 50 mg/ml Estradiol cypionate 2 mg/ml	DEPO-T.E.	Quality Research Laboratories Carmel, IN
Testosterone cypionate 50 mg/ml Estradiol cypionate 2 mg/ml	depTESTROGEN	Martica Pharmaceuticals Phoenix, AZ
Testosterone enanthate 90 mg/ml Estradiol valerate 4 mg/ml	Duomone	Wintec Pharmaceutical Pacific, MO
Testosterone cypionate 50 mg/ml Estradiol cypionate 2 mg/ml	DURATESTRIN	W.E. Hauck Alpharetta, GA
Testosterone cypionate 50 mg/ml Esterified cypionate 2 mg/ml	DUO-SPAN II	Primedics laboratories Gardena, CA
Esterified estrogens 1.25 mg. Methyltestosterone 2.5 mg.	Estratest	Solvay Pharmaceuticals Marietta, GA
Esterified estrogens 0.525 mg. Methyltestosterone 1.25 mg.	Estratest HS	Solvay Pharmaceuticals Marietta, GA
Testosterone cypionate 50 mg/ml Estradiol cypionate 2 mg/ml	PAN ESTRA TEST	Pan American Labs Covington, LA
Conjugated estrogens 1.25 mg. Methyltestosterone 10 mg.	Premarin with Methyltestosterone	Ayerst Labs, Inc. New York, NY
Conjugated estrogens 0.625 mg. Methyltestosterone 5 mg.	Premarin with Methyltestosterone	Ayerst Labs, Inc. New York, NY
Testosterone propionate 25 mg Estradiol benzoate 2.5 mg	Synovex H Pellets in process	Syntex Animal Health Palo Alto, CA
Testosterone propionate 10 parts Estradiol benzoate 1 part	Synovex H Pellets in process, granulation	Syntex Animal Health Palo Alto, CA

Testosterone cypionate 50 mg/ml Estradiol cypionate 2 mg/ml	Testagen	Clint Pharmaceutical Nashville, TN
Testosterone cypionate 50 mg/ml Estradiol cypionate 2 mg/ml	TEST-ESTRO Cypionates	Rugby Laboratories Rockville Centre, NY
Testosterone cypionate 50 mg/ml Estradiol cypionate 2 mg/ml	Testosterone Cyp 50 Estradiol Cyp 2	I.D.E.-Interstate Amityville, NY
Testosterone cypionate 50 mg/ml Estradiol cypionate 2 mg/ml	Testosterone Cypion- ate-Estradiol Cypion- ate Injection	Best Generics No. Miami Beach, FL
Testosterone cypionate 50 mg/ml Estradiol cypionate 2 mg/ml	Testosterone Cypion- ate-Estradiol Cypion- ate Injection	Goldline Labs Ft. Lauderdale FL
Testosterone cypionate 50 mg/ml Estradiol cypionate 2 mg/ml	Testosterone Cypion- ate-Estradiol Cypionate Injection	Schein Pharmaceuticals Port Washington, NY
Testosterone cypionate 50 mg/ml Estradiol cypionate 2 mg/ml	Testosterone Cypion- ate-Estradiol Cypion- ate Injection	Steris Labs, Inc. Phoenix, AZ
Testosterone enanthate 90 mg/ml Estradiol valerate 4 mg/ml	Testosterone Enanth- ate-Estradiol Valer- ate Injection	Goldline Labs Ft. Lauderdale FL
Testosterone enanthate 90 mg/ml Estradiol valerate 4 mg/ml	Testosterone Enan- thate-Estradiol Valerate Injection	Schein Pharmaceuticals Port Washington, NY
Testosterone enanthate 90 mg/ml Estradiol valerate 4 mg/ml	Testosterone Enan- thate-Estradiol Valerate Injection	Steris Labs, Inc. Phoenix, AZ

(g) Narcotic drugs. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs, or any salts thereof calculated as the free anhydrous base or alkaloid, in limited quantities as set forth in paragraph (e) of this section:

(1) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium;

(2) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(3) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium;

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(4) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(5) Not more than 1.8 grams of dihydrocodeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(6) Not more than 300 milligrams of ethylmorphine per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(7) Not more than 500 milligrams of opium per 100 milliliters or per 100 grams, or not more than 25 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(8) Not more than 50 milligrams of morphine per 100 milliliters or per 100 grams with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

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.

WSR 96-01-036
PERMANENT RULES
EXECUTIVE ETHICS BOARD
[Filed December 13, 1995, 9:34 a.m.]

Date of Adoption: November 17, 1995.

Purpose: To provide limited exceptions to the prohibition against using state resources for the private benefit of state officers and employees.

Statutory Authority for Adoption: RCW 42.52.160(3).

Adopted under notice filed as WSR 95-15-116 on July 19, 1995.

Changes Other than Editing from Proposed to Adopted Version: (1) WAC 292-110-010(3) includes additional examples of permitted and prohibited uses of state resources.

(2) WAC 292-110-010 (4)(c), this change clarifies that the agency must find that the use of state resources results in some benefit to the public in addition to the private benefit to a state officer or employee and that the public benefit of improving the skills of an officer or employee must be work related job skills.

(3) WAC 292-110-010(5), this is a new section which deals with limitations and qualifications on the use of state resources. It includes the following qualifications and limitations that were not included in the proposed rule:

(a) This is a new provision that makes it clear that WAC 292-110-010 does not authorize or permit use of state resources for the purpose of assisting a campaign for election of a person to an office or for the promotion or opposition to a ballot proposition.

(b) As originally proposed, WAC 292-110-010(2) prohibited private use of state property which had been removed from state facilities. This new section continues this restriction, but recognizes an exception when equipment is removed from a state facility and is taken to an official duty station away from a state facility. This section also includes two new examples.

(d) This is a new section which sets out limitations on the use of state computers and other equipment to access electronic databases including electronic bulletin boards and electronic mail. This section includes two new examples.

(e) This is a new section that deals with the question of reimbursement to agencies for the cost of state resources used for private benefit.

All of these changes were made in response to comments received by the Executive Ethics Board at the public hearing on the proposed rule held on September 8, 1995.

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

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.
December 11, 1995
Barbara Cook
Secretary to the Board

EXECUTIVE ETHICS BOARD

CHAPTER 292-110 WAC

AGENCY SUBSTANTIVE RULES

NEW SECTION

WAC 292-110-010 Use of state resources. (1) No state officer or state employee may use state resources including any person, money, or property under the officer's or employee's official control or direction or in his or her custody for private benefit or gain of the officer or employee or any other person; PROVIDED, that this prohibition does not apply to the use of public resources to benefit another person as part of the officer's or employee's official duties.

(2) Under circumstances described in sections three and four of this rule, a state officer or employee may make occasional but limited use of state resources for his or her private benefit if there is no actual cost to the state or the cost to the state is de minimis. The cost to the state is de minimis if the actual expenditure of state funds is so small as to be insignificant or negligible.

(3) Notwithstanding the prohibition in section one of this rule, a state officer or employee may make occasional but limited use of state resources for his or her private benefit, if:

- (a) there is no cost to the state; and
- (b) the use of state resources does not interfere with the performance of the officer's or employee's official duties.

Example 1: An employee makes a local telephone call to his home every afternoon on his break to

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make sure his children have arrived home safely from school. This is not an ethical violation. There is no cost to the state and since the call takes place on the employee's break it will not interfere with the performance of the employee's duties.

Example 2: An employee operates an outside business. Everyday she makes or receives five to ten business calls on her state telephone. All of the calls are local calls. This is an ethical violation. Although there is no cost to the state, making and receiving private calls throughout the day interferes with the performance of the employee's official duties because she is conducting private business during working hours.

Example 3: An employee posts a notice to sell a used car on the office bulletin board. The notice gives his home telephone number for those interested in inquiring about the car. This is not an ethical violation. There is no cost to the state and posting the notice will not interfere with the performance of his official duties since those who want to inquire about the car can call the employee at home.

Example 4: Once a year, during a two week period, an employee sells candy bars to support a youth soccer team. She leaves the candy bars in the break room and employees may buy the bars on their breaks. This is not an ethical violation. There is no cost to the state and since the transactions are conducted during breaks the activity does not interfere with the performance of her official duties.

Example 5: Every spring a group of employees meet at lunch time to organize an agency softball team. The meeting is held in a conference room that is not needed for agency business during the lunch hour. This is not an ethical violation. There is no cost to the state and since the meeting takes place during the lunch hour it does not interfere with the performance of the employees' official duties.

(4) Notwithstanding the prohibition in section one of this rule, a state officer or employee may make occasional use of state resources for his or her private benefit, if:

(a) the cost to the state is de minimis;
(b) the use of state resources does not interfere with the performance of the officer's or employee's official duties; and

(c) the agency finds that there is some benefit to the public in addition to the private benefit to the officer or employee; A public benefit under this rule may be direct or indirect, such as improving employee morale or activities that improve the work related job skills of an officer or employee.

Example 6: An employee is taking a night school class and after working hours uses her computer to do her homework. She prints her homework using the office printer and her own paper. The agency has determined that the class will enhance the

employee's job skills. This is not an ethical violation. The use of the office computer and printer will result in some cost to the state. However, the cost is negligible and the employee is using her own paper. Since the class will enhance the employee's job skills there is a public benefit and, since the activity takes place after working hours it will not interfere with the performance of the employee's official duties.

Example 7: After working hours an employee uses the office computer and printer to compose and print reports for his private business using his own paper. This is an ethical violation. The use of the office computer and printer will result in some cost to the state. Although the cost is negligible, there is no public benefit to the state from the employee's conducting his private business.

(5) Use of state resources pursuant to sections three and four of this rule is subject to the following qualifications and limitations:

(a) A state officer or employee may not use state resources for the purpose of assisting a campaign for election of a person to an office or for the promotion of or opposition to a ballot proposition. Such a use of state resources is not authorized by this rule and is specifically prohibited by RCW 42.52.180, subject to the exceptions in RCW 42.52.180(2).

(b) A state officer or employee may not make private use of any state property which has been removed from state facilities or other official duty stations, even if there is no cost to the state.

Example 8: Agency equipment includes a video tape player. One night an employee takes the machine home to watch videos of her family vacation. This is an ethical violation. Although there is no cost to the state an employee may not make private use of state equipment removed from state facilities or other official duty station.

Example 9: An employee is assigned to do temporary work in another city away from his usual duty station. To perform his official duties the employee takes an office laptop computer which he has checked out for this purpose from the agency. The agency has previously approved the employee's use of the computer to do homework for a class that will enhance his job skills after working hours. While the employee is on this temporary duty assignment he uses the laptop computer to do his homework after working hours. This is not an ethical violation. The use of the computer for homework in this situation is not an ethical violation (Example 7). Although the employee has removed his laptop computer from the state facility its use is permissible because he is using it at a temporary official duty station.

(c) A state officer or employee may not make private use of any state property which is consumable such as paper, envelopes or spare parts, even if the actual cost to the state is de minimis.

(d) A state officer or employee may not make private use of state computers or other equipment to access computer networks or other databases including, but not limited to, electronic mail and electronic bulletin boards for personal use unrelated to an official business purpose.

Example 10: An employee uses her agency computer to send electronic mail to another employee regarding the agenda for an agency meeting that both will attend. She also wishes the other employee a happy birthday. This is not an ethical violation. Although there is personal communication in the message, the message was sent for an official business purpose.

Example 11: Two employees use their agency computers to play a game of chess via electronic mail. This is an ethical violation because this use of electronic mail to play chess is not an official business purpose.

(e) In general, a state officer or employee may not make private use of state resources and then reimburse the agency so there is no actual cost to the state. However, the board recognizes that in some limited situations, such as officers or employees working at remote locations, a system of reimbursement may be appropriate. Any system of reimbursement must be established by the agency in advance and must result in no cost to the state. To be valid under this rule a reimbursement system must be approved by the board.

(6) State agencies are encouraged to adopt policies applying these principles to their unique circumstances. Nothing in this rule is intended to limit the ability of an agency to adopt policies that are more restrictive. However, violation of a more restrictive agency policy will not constitute a violation of RCW 42.52.160 but would constitute a violation of agency policy.

WSR 96-01-040
PERMANENT RULES
DEPARTMENT OF AGRICULTURE

[Filed December 13, 1995, 12:30 p.m.]

Date of Adoption: December 11, 1995.

Purpose: To repeal device inspection fees; to establish commercial device registration procedures for the state using the Department of Licensing, master license system, and to provide this as an option for city weights and measures jurisdictions; to repeal city weights and measures inspection and fee report forms; to establish "special inspection fees"; to establish annual service agent registration under WSDA; and to clarify selected language, as required.

Citation of Existing Rules Affected by this Order: Repealing WAC 16-674-060, 16-674-070 and 16-674-100; and amending WAC 16-674-010, 16-674-080, and 16-674-090.

Statutory Authority for Adoption: Sections 1, 2, 3, 4, 9, 10, 15 and 16, chapter 355, Laws of 1995.

Adopted under notice filed as WSR 95-21-098 on October 18, 1995.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal

Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 3, amended 0, repealed 3.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 3, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 3, amended 3, repealed 3.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 3, amended 3, repealed 3.

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

December 11, 1995

Jim Jesernig
Director

AMENDATORY SECTION (Amending WSR 93-03-079, filed 1/19/93, effective 2/19/93)

WAC 16-674-010 Exemptions and definitions. (1) The weighing or measuring instruments or devices listed below shall be specifically exempted from the sealing or marking inspection and testing requirements of (~~RCW 19.94.250~~) section 2, chapter 355, Laws of 1995, because they are of such character or size that such sealing or marking inspection and testing would be inappropriate, impractical, or damaging to the apparatus in question:

- (a) Measure containers
- (b) Milk bottles
- (c) Lubricating oil bottles
- (d) Berry baskets and boxes.

(2) The classes of weighing or measuring instruments or devices listed below shall be specifically exempted from section 6, of chapter 237, Laws of 1992 because they are of such character that periodic testing is unnecessary to ensure continued accuracy:

- (a) Vehicle tanks used as measures*
- (b) Farm milk tanks*
- (c) Liquid measures*
- (d) Glass graduates
- (e) Measures containers
- (f) Milk bottles
- (g) Lubricating oil bottles
- (h) Linear measures*
- (i) Dry measures*
- (j) Berry baskets and boxes.

*Whenever an item of this class is damaged, repaired or modified in any way that affects the accuracy of measurement, it shall not thereafter be used for measurement until it has been officially inspected and reapproved.

(3) Unless the context clearly requires otherwise, the definitions provided for in chapter 19.94 RCW and in this section shall apply to this chapter.

(a) "Commercial weighing or measuring device" shall be construed to include any weighing or measuring device commercially used or employed in establishing the size, quantity, extent, area, or measurement of quantities, things, produce, or articles for distribution or consumption, purchased, offered, or submitted for sale, hire, or award, or in

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computing any basic charge or payment for services rendered on the basis of weight or measure. It shall also include any accessory attached to or used in connection with a commercial weighing or measuring device when such accessory is so designed or installed that its operation affects the accuracy of the device.

(b) "Owner" shall be construed to mean the individual or business actually using a weighing or measuring device for commercial purposes, regardless of who is the legal owner or lien holder of such device.

NEW SECTION

WAC 16-674-065 Special inspection and testing fees.

(1) The following fees shall be charged for the inspection and testing of weighing or measuring instruments or devices specially requested to be inspected or tested by the device owner:

- (a) Weighing devices:
 - (i) Small scales "zero to four hundred pounds capacity" \$15.00
 - (ii) Intermediate scales "four hundred pounds to five thousand pounds capacity" \$50.00
 - (iii) Large scales "over five thousand pounds capacity" \$125.00
 - (iv) Large scales with supplemental devices \$150.00
- (b) Railroad track scales \$1,000.00
- (c) Liquid fuel metering devices:
 - (i) Fuel meters with flows of less than twenty gallons per minute \$15.00
 - (ii) Fuel meters with flows of twenty but not more than one hundred fifty gallons per minute \$50.00
 - (iii) Fuel meters with flows over one hundred fifty gallons per minute \$150.00
- (d) Liquid petroleum gas meters:
 - (i) With one inch diameter or smaller dispensers \$50.00
 - (ii) With greater than one inch diameter dispensers \$150.00

(2) The fees to be charged for the inspection of any device used in an agency or institution to which moneys are appropriated by the legislature or of the federal government shall be the same fees as those that are listed above.

(3) For inspection services not covered under the above special inspection fee schedule, the department shall charge a fee of thirty-three dollars seventy-five cents per hour for labor and travel time.

AMENDATORY SECTION (Amending WSR 93-03-079, filed 1/19/93, effective 2/19/93)

WAC 16-674-080 Fees for federal grain elevator scales. Scales in use in grain elevators which are licensed by the Federal Grain Inspection Service shall be subject to random and necessary inspections. The fees for such inspections shall be ~~((thirty-one dollars fifty))~~ thirty-three dollars seventy-five cents per hour, as adopted under WAC 16-212-060 (15)(d), and shall be payable to the ((commodity inspection)) laboratory services division of the state department of agriculture, which has entered into a cooperative agreement with the weights and measures program.

AMENDATORY SECTION (Amending WSR 93-03-079, filed 1/19/93, effective 2/19/93)

WAC 16-674-090 Fees for railroad track scales. All railroad track scale owners in this state shall provide suitable facilities for testing track scales. Track scale owners shall provide a suitable car or other device or facility to be used in testing track scales. The cost of providing and maintaining the car, device, or facility shall be equitably and reasonably apportioned by the department among all track scale owners. The car, device, or facility shall be used by the department to test the accuracy of all track scales and the railroad companies shall, without charge, move the car, device, or facility to locations designated by the department.

NEW SECTION

WAC 16-674-092 Service agent registration. (1) Any service agent who intends to provide the examination that permits a commercial weighing or measuring device to be placed back into commercial service shall register with the department. Requests for an initial registration or renewal shall be submitted on a form provided by the department and shall include a fee in the amount of eighty dollars per individual as per section 16, chapter 355, Laws of 1995.

(2) The department shall issue an official registration certificate for each individual whose application is approved. For requests that are denied, the department will provide reasons, in writing, for the denial and refund any payments made by the individual in connection with the request. Official service agent registration certificates are valid for a period of one year from time of registration.

NEW SECTION

WAC 16-674-095 Device registration. (1) All weighing or measuring devices used for commercial purposes in the state shall be registered annually. Devices in commercial use within a city having a city sealer and a weights and measures program that has adopted registration fees shall be registered with the city. Devices used commercially outside of such city shall register with the department. If the commercial use of the device is within such city that has not adopted fees, the device shall be registered with the department.

(2) The device registration fees established in RCW 19.94.175 shall apply unless a city jurisdiction has adopted separate registration fees for devices used within its jurisdiction. Cities may establish separate annual registration fees for devices within city jurisdictions; however, they may not exceed the fees in RCW 19.94.175 for registering the use of a similar instrument or device. Payment of the device registration fee constitutes registration. Cities shall notify the department of agriculture regarding the adoption of fee levels and any changes in fees.

(3) All device registrations with the department shall be accomplished as part of the department of licensing, master license system under chapter 19.02 RCW. Devices shall be initially registered at the time the owner applies for a master license for a new business or at the first renewal of the license that occurs after the device is first placed into commercial use. Device registrations with a city may be accomplished through the master licensing system with a

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letter of request for implementation assistance from the city to the department of agriculture.

(4) The department of licensing shall remit to the department of agriculture all registration fees collected less reasonable collection expenses. The department of agriculture shall forward to the city that portion of fees attributable to city registrations.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 16-674-060 Inspection and testing fees.
- WAC 16-674-070 Late fees.
- WAC 16-674-100 City sealers report forms prescribed.

WSR 96-01-041
PERMANENT RULES
DEPARTMENT OF AGRICULTURE
 [Filed December 13, 1995, 3:53 p.m.]

Date of Adoption: December 11, 1995.

Purpose: To establish annual renewal date for food storage warehouse licenses.

Statutory Authority for Adoption: RCW 69.10.015.

Adopted under notice filed as WSR 95-21-044 on October 11, 1995.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 2, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 2, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.
 December 11, 1995
 Jim Jesernig
 Director

Chapter 16-145 WAC
FOOD STORAGE WAREHOUSES

NEW SECTION

WAC 16-145-010 Purpose. These rules are promulgated under section 10, chapter 374, Laws of 1995. The purpose of these rules is to establish a renewal date for the annual food storage warehouse license.

NEW SECTION

WAC 16-145-020 Food storage warehouse license. The license period for food storage warehouses shall begin on April 1 and run through the following March 31. All food storage warehouse licenses shall expire on March 31 of each year.

WSR 96-01-045
PERMANENT RULES
DEPARTMENT OF
RETIREMENT SYSTEMS
 [Filed December 14, 1995, 9:14 a.m.]

Date of Adoption: December 13, 1995.

Purpose: To codify the department's definition of "uniformed firefighter."

Citation of Existing Rules Affected by this Order: Amending WAC 415-104-225.

Statutory Authority for Adoption: RCW 41.50.050.

Adopted under notice filed as WSR 95-22-082 on October 31, 1995.

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

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 1, repealed 0.

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

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.
 December 13, 1995
 Sheryl Wilson
 Director

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

WAC 415-104-225 Am I a member? If you are employed by an employer as a full-time, fully compensated law enforcement officer or fire fighter, you are required to be a LEOFF member.

(1) **Law enforcement officers.**

(a) You are a law enforcement officer only if you are commissioned and employed on a full-time, fully compensated basis as a:

- (i) City police officer;
- (ii) Town marshal or deputy marshal;
- (iii) County sheriff;
- (iv) Deputy sheriff, if you passed a civil service exam for deputy sheriff and you possess all of the powers, and may perform any of the duties, prescribed by law to be performed by the sheriff;

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(b) Effective January 1, 1994, "law enforcement officer" also includes commissioned persons employed on a full-time, fully compensated basis as a:

(i) General authority Washington peace officer under RCW 10.93.020(3);

(ii) Port district general authority law enforcement officer and you are commissioned and employed by a port district general authority law enforcement agency;

(iii) State university or college general authority law enforcement officer; or

(c) Effective January 1, 1993, "law enforcement officer" also includes commissioned persons employed on a full-time, fully compensated basis as a public safety officer or director of public safety of a city or town if, at the time you first became employed in this position, the population of the city or town did not exceed ten thousand. See RCW 41.26.030(3).

(d) If you meet the requirements of (a), (b) or (c) of this subsection, you qualify as a law enforcement officer regardless of your rank or status as a probationary or permanent employee.

(e) You are not a law enforcement officer if you are employed in either:

(i) A position that is clerical or secretarial in nature and you are not commissioned; or

(ii) A corrections officer position and the only training required by the Washington criminal justice training commission for your position is basic corrections training under WAC 139-10-210.

(2) **Fire fighters.** You are a fire fighter if you are employed in a uniformed fire fighter position by an employer on a full-time, fully compensated basis, and as a consequence of your employment, you have the legal authority and responsibility to direct or perform fire protection activities that are required for and directly concerned with preventing, controlling or extinguishing fires.

(a) "Fire protection activities" may include incidental functions such as housekeeping, equipment maintenance, grounds maintenance, fire safety inspections, lecturing, performing community fire drills and inspecting homes and schools for fire hazards. These activities qualify as fire protection activities only if the primary duty of your position is preventing, controlling or extinguishing fires.

(b) You are a fire fighter if you qualify as supervisory fire fighter personnel.

(c) If your employer requires fire fighters to pass a civil service examination, you must be actively employed in a position that requires passing such an examination in order to qualify as a fire fighter unless you qualify as supervisory fire fighter personnel.

(d) You are a fire fighter if you meet the requirements of this section regardless of your rank or status as a probationary or permanent employee or your particular specialty or job title.

(e) You do not qualify for membership as a fire fighter if you are a volunteer fire fighter or resident volunteer fire fighter.

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

(a) "Commissioned" - WAC 415-104-0111.

(b) "Director of public safety" - WAC 415-104-0112.

(c) "Employer" - RCW 41.26.030.

(d) "Fire fighter" - RCW 41.26.030.

(e) "Full time" - WAC 415-104-0114.

(f) "Fully compensated" - WAC 415-104-0115.

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

(h) "Member" - RCW 41.26.030.

(i) "Public safety officer" - WAC 415-104-0120.

(j) "Uniformed fire fighter position" - WAC 415-104-0125.

WSR 96-01-046
PERMANENT RULES
DEPARTMENT OF
RETIREMENT SYSTEMS
[Filed December 14, 1995, 9:16 a.m.]

Date of Adoption: December 13, 1995.

Purpose: To repeal administrative rules which were rendered invalid by subsequent amendment to RCW 41.40.010 by section 3, chapter 244, Laws of 1995.

Citation of Existing Rules Affected by this Order: Repealing WAC 415-108-461 and 415-108-462.

Statutory Authority for Adoption: RCW 41.50.050.

Adopted under notice filed as WSR 95-22-080 on October 31, 1995.

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

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

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

December 13, 1995

Sheryl Wilson

Director

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 415-108-461 Standby pay—Location restricted compensation.

WAC 415-108-462 Location restricted compensation—Employer policy.

PERMANENT

WSR 96-01-047
PERMANENT RULES
DEPARTMENT OF
RETIREMENT SYSTEMS
 [Filed December 14, 1995, 9:21 a.m.]

Date of Adoption: December 13, 1995.

Purpose: To adopt new survivor options that provide for (1) a joint and two-thirds survivor benefit and (2) a pop-up of the benefit if the survivor beneficiary predeceases the retiree.

Citation of Existing Rules Affected by this Order: Repealing WAC 415-112-720, 415-104-201, 415-104-205, 415-108-320, 415-108-322 and 415-100-041; and amending WAC 415-112-725, 415-112-727, 415-104-211, 415-104-215, 415-108-324, 415-108-326, 415-100-045, 415-100-051, and 415-100-055.

Statutory Authority for Adoption: RCW 2.10.146, 41.26.460, 41.32.530, 41.50.050, 41.32.785, 41.40.188, 41.40.660.

Adopted under notice filed as WSR 95-22-081 on October 31, 1995.

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

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 9, amended 9, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 9, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

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

December 13, 1995

Sheryl Wilson

Director

AMENDATORY SECTION (Amending WSR 91-03-016, filed 1/7/91, effective 2/7/91)

WAC 415-112-725 Married member's benefit selection—Spousal consent required. ~~((The))~~ A member, if married, must provide the spouse's written consent ((of his or her spouse)) to the option selected under WAC 415-112-727. If a married member does not provide spousal consent, the department will pay the retired member a joint and fifty percent survivor benefit allowance and record the member's spouse as the ((beneficiary)) survivor, in compliance with RCW 41.32.530(2) and 41.32.785(2), ((as amended)). Spousal consent means that the married member's spouse consents to the retirement option selected by the member. The spouse's notarized signature on a completed retirement application constitutes spousal consent.

AMENDATORY SECTION (Amending WSR 91-03-013, filed 1/7/91, effective 2/7/91)

WAC 415-100-045 Definition ~~((s for purposes of WAC 415-100-040 through 415-100-055))~~ of member. ~~(("Eligible member" or))~~ "Member" means:

(a) A judge as defined in RCW 2.10.030(2), who elected to exchange survivor benefits ((and who))₂ filed the requisite documents with the department pursuant to RCW 2.10.140(2)((-

~~(2) "Survivor" means a person who has an insurable interest in the member's life. Such person shall be nominated by the member by written designation duly executed and filed with the department at the time of retirement. Concurrently, "survivor" may include a surviving spouse as defined in RCW 2.10.030(4).~~

~~(3) "Duly executed" means that all required forms or documents have been completed, signed and notarized, and filed with the department.~~

~~(4) "Spousal consent" means written evidence that the married member's spouse consents to the retirement option selected by the member. The spouse's notarized signature on the retirement application, when such application is duly executed and filed with the department, shall constitute "spousal consent."~~

~~(5) "Insurable interest" means (a) a reasonable expectation of monetary benefit from the continued life of the eligible member; or (b) a relation of the parties to each other by blood or marriage.~~

~~(6) "Single life annuity" means an annuity based solely on the expected remaining life of the member, without regard to any benefits for the member's designated beneficiary or spouse), and is making contributions to the system; or~~

~~(b) A former judge as defined in RCW 2.10.030(2), who elected to exchange survivor benefits, filed the requisite documents with the department pursuant to RCW 2.10.140(2), and left accumulated contributions in the system; or~~

~~(c) A retiree.~~

~~(2) A retiree means any judge, as defined in RCW 2.10.030(2), in receipt of a retirement allowance or other benefit provided by chapter 2.10 RCW resulting from service rendered to an employer.~~

AMENDATORY SECTION (Amending WSR 91-03-013, filed 1/7/91, effective 2/7/91)

WAC 415-100-051 Married member's benefit selection—Spousal consent required. The member, if married, must provide the spouse's written consent ((of his or her spouse)) to the option selected under WAC 415-100-055. If a married member does not provide spousal consent, the department will pay the retired member a joint and ((fifty percent)) one-half survivor benefit allowance and record the member's spouse as the ((beneficiary)) survivor, in compliance with RCW 2.10.146(2)((-as amended)). "Spousal consent" means that the married member's spouse consents to the retirement option selected by the member. (The spouse's notarized signature on a completed retirement application constitutes spousal consent.)

AMENDATORY SECTION (Amending WSR 91-03-013, filed 1/7/91, effective 2/7/91)

WAC 415-100-055 Retirement benefit options. ((RCW 2.10.146, as amended by chapter 249, Laws of 1990, provides three benefit options for eligible members retiring under the provisions of RCW 2.10.100 or 2.10.120. The choice of option is to be made by the member upon application for either service or disability retirement.

(1) Standard allowance. A retired member shall receive a monthly retirement allowance computed as provided in RCW 2.10.110 or 2.10.130, based solely on the single life of the member. Upon the retired member's death, all continuing benefits cease. The remaining balance, if any, of the member's accumulated contributions shall be paid to the member's designated survivor, or to the member's surviving spouse, or to the member's legal representative, in accordance with RCW 2.10.146 (1)(a).

(2) Joint and one hundred percent allowance. A retired member shall receive a reduced monthly retirement allowance based on the joint life expectancy of the member and the designated survivor nominated by written designation duly executed and filed with the department at the time of retirement. Upon the retired member's death, the survivor shall receive the same monthly retirement allowance for the duration of the survivor's life.

(3) Joint and fifty percent allowance. A retired member shall receive a reduced monthly retirement allowance based on the joint life expectancy of the member and the designated survivor nominated by written designation duly executed and filed with the department at the time of retirement. Upon the retired member's death, the survivor shall receive one-half of the amount of the retired member's monthly retirement allowance for the duration of the survivor's life.)
RCW 2.10.146, enables the department to provide retiring members with four retirement benefit options. The member must choose an option when applying for service or disability retirement.

(1) Option One (standard allowance). The department pays the retiree a monthly retirement allowance based solely on the single life of the member, in accordance with RCW 2.10.146. When the retiree dies, all benefits cease. Any remaining balance of the retiree's accumulated contributions, will be paid to:

- (a) The member's designated beneficiary; or if none, to
- (b) The member's surviving spouse; or if none, to
- (c) The member's legal representative.

The member must designate a beneficiary at the time of retirement by filing a completed and notarized form provided by the department.

(2) Benefit options with a survivor feature. A retiring member is allowed to select from several retirement options which create an actuarially equivalent benefit that includes a survivor feature. The survivor feature entitles the survivor to receive a monthly allowance after the retiree dies. If the member chooses one of the survivor options, the monthly benefit the member will receive is actuarially reduced to offset the cost of the survivor feature. After the retiree dies, the department pays the survivor an allowance for the duration of his or her life. If the retiree and the survivor both die before the retiree's accumulated contributions are

exhausted, the remaining balance is retained in the retirement fund.

(a) Option Two (joint and whole allowance). When the retiree dies, the department pays the survivor a monthly retirement allowance equal to the gross monthly allowance received by the retiree.

(b) Option Three (joint and one-half allowance). When the retiree dies, the department pays the survivor one-half of the amount of the retiree's gross monthly retirement allowance.

(c) Option Four (joint and two-thirds allowance).

(i) This subsection applies to members retiring on or after January 1, 1996.

(ii) When the retiree dies, the department pays the survivor two-thirds (66.667%) of the member's gross monthly retirement allowance.

(3) Benefit increases when survivor predeceases retiree (pop-up provision).

(a) This section applies to members retiring on or after January 1, 1996, who selected Option Two, Three, or Four.

(b) If the survivor dies before the retiree, the retiree's monthly retirement allowance will increase, effective the first day of the following month, to:

(i) The amount that would have been received had the retiree chosen Option One described in subsection (1) of this section; plus

(ii) Any cost-of-living adjustments received prior to the survivor's death based on original selection.

(c) Pop-up recalculation example.

Agnes retires in 1996 (Year 0). She would like Beatrice, her daughter, to receive a monthly allowance after Agnes dies. Therefore, Agnes selects a retirement benefit option with a survivor feature. As a result her monthly allowance is reduced from \$2,000 (standard allowance) to \$1,750. Unfortunately, Beatrice dies in January 2001 (Year 5). Under the pop-up provision, Agnes' monthly benefit will increase to the amount she would have received had she chosen Option One (standard allowance) plus her accumulated COLA's:

<u>Year</u>	<u>Option One (Standard Allow.)</u>	<u>Survivor Option (2,3,4) plus COLAs</u>	<u>COLA incr. (3% max)</u>	<u>\$ Increase</u>
<u>0 (1996)</u>	<u>2,000.00</u>	<u>1,750.00</u>	<u>(ineligible)</u>	<u>0.00</u>
<u>1 (1997)</u>		<u>1,750.00</u>	<u>.02</u>	<u>35.00</u>
<u>2 (1998)</u>		<u>1,785.00</u>	<u>.03</u>	<u>53.55</u>
<u>3 (1999)</u>		<u>1,838.55</u>	<u>.025</u>	<u>45.96</u>
<u>4 (2000)</u>		<u>1,884.51</u>	<u>.03</u>	<u>56.54</u>
<u>5 (2001)</u>	<u>2,000.00</u>	<u>1,941.05</u>	<u>—</u>	<u>—</u>
			<u>Total COLA's</u>	<u>191.05</u>

Original Option One Benefit Amount + Total COLA's = New Benefit Amount
\$2000 + \$191.05 = \$2,191.05*

* In the future (i.e., Year 5), Agnes' COLA will be based on the increased benefit amount (\$2,191.05).

(d) If the survivor dies and the retiree's benefit increases under this section, and thereafter the retiree also dies before all contributions are exhausted, the remaining balance is retained by the retirement fund.

(4) Survivor. For the purposes of this provision, "survivor" means a person nominated by the member to receive a monthly benefit allowance after the member dies. A member nominates the survivor at the time of retirement by filing a completed and notarized form provided by the department.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 415-100-041 Background and purpose.

AMENDATORY SECTION (Amending WSR 91-03-014, filed 1/7/91, effective 2/7/91)

WAC 415-104-211 Married member's benefit selection—Spousal consent required. ~~((The))~~ A member, if married, must provide the spouse's written consent ~~((of his or her spouse))~~ to the option selected under WAC 415-104-215. If a married member does not provide spousal consent, the department will pay the retired member a joint and ~~((fifty percent))~~ one-half survivor benefit allowance and record the member's spouse as the ~~((beneficiary))~~ survivor, in compliance with RCW 41.26.460(2) ~~((, as amended))~~. "Spousal consent" means that the married member's spouse consents to the retirement option selected by the member. The spouse's notarized signature on a completed retirement application constitutes spousal consent.

AMENDATORY SECTION (Amending WSR 91-03-014, filed 1/7/91, effective 2/7/91)

WAC 415-104-215 Retirement benefit options. ~~((RCW 41.26.460, as amended by chapter 249, Laws of 1990, provides three benefit options for members retiring~~

~~under the provisions of RCW 41.26.430 or 41.26.470. The choice of option is to be made by the member upon application for either service or disability retirement.~~

~~(1) Standard allowance. A retired member shall receive the monthly retirement allowance provided by RCW 41.26.460 (1)(a) based solely on the life of the member. Upon the retired member's death, all continuing benefits cease. The remaining balance, if any, of the member's accumulated contributions shall be paid to the member's designated survivor, or to the member's surviving spouse, or to the member's legal representative, in accordance with RCW 41.26.460 (1)(a).~~

~~(2) Joint and one hundred percent allowance. A retired member shall receive a reduced monthly retirement allowance based on the joint life expectancy of the member and the designated survivor nominated by written designation duly executed and filed with the department at the time of retirement. Upon the retired member's death, the survivor shall receive the same monthly retirement allowance for the duration of the survivor's life.~~

~~(3) Joint and fifty percent allowance. A retired member shall receive a reduced monthly retirement allowance based on the joint life expectancy of the member and the designated survivor nominated by written designation duly executed and filed with the department at the time of retirement. Upon the retired member's death, the survivor shall receive one half of the amount of the retired member's monthly retirement allowance for the duration of the survivor's life.)~~ RCW 41.26.460 enables the department to provide retiring members with four retirement benefit options. The member must choose an option when applying for service or disability retirement.

(1) Option One (standard allowance). The department pays the retiree a monthly retirement allowance actuarially based solely on the single life of the member, in accordance with RCW 41.26.430 (service) or 41.26.470 (disability). When the retiree dies, all benefits cease. Any remaining balance of the retiree's accumulated contributions will be paid to:

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- (a) The retiree's designated beneficiary; or if none, to
- (b) The retiree's surviving spouse; or if none, to
- (c) The retiree's legal representative.

The member must designate a beneficiary at the time of retirement by filing a completed and notarized form provided by the department.

(2) **Benefit options with a survivor feature.** A retiring member is allowed to select from several retirement options which create an actuarially equivalent benefit that includes a survivor feature. The survivor feature entitles the survivor to receive a monthly allowance after the retiree dies. If the member chooses one of the survivor options, the monthly benefit the member will receive is actuarially reduced to offset the cost of the survivor feature. After the retiree dies, the department pays the survivor an allowance for the duration of his or her life. If the retiree and the survivor both die before the retiree's accumulated contributions are exhausted, the remaining balance is retained in the retirement fund.

(a) **Option Two (joint and whole allowance).** When the retiree dies, the department pays the survivor a monthly retirement allowance equal to the gross monthly allowance received by the retiree.

Plan Two:

Agnes retires in 1996 (Year 0). She would like Beatrice, her daughter, to receive a monthly allowance after Agnes dies. Therefore, Agnes selects a retirement benefit option with a survivor feature. As a result her monthly allowance is reduced from \$2,000 (standard allowance) to \$1,750. Unfortunately, Beatrice dies in January 2001 (Year 5). Under the "pop-up" provision, Agnes' monthly benefit will increase to \$2,191.05, the amount she would have received had she chosen Option One (standard allowance) plus her accumulated COLA's:

Year	Option One (Standard Allow.)	Survivor Option (2,3,4) plus COLAs	COLA incr. (3% max)	\$ Increase
0 (1996)	2,000.00	1,750.00	(inelig.)	0.00
1 (1997)		1,750.00	.02	35.00
2 (1998)		1,785.00	.03	53.55
3 (1999)		1,838.55	.025	45.96
4 (2000)		1,884.51	.03	56.54
5 (2001)	2,000.00	1,941.05	—	—
			Total COLA's	191.05

<u>Original Option One Benefit Amount</u>	<u>+ Total COLA's</u>	<u>= New Benefit Amount</u>
\$2000	+ \$191.05	= \$2,191.05*

* In the future (i.e., Year 5), Agnes' COLA will be based on the increased benefit amount (\$2,191.05).

(d) If the survivor dies and the retiree's benefit increases under this section, and thereafter the retiree also dies before all contributions are exhausted, the remaining balance is retained by the retirement fund.

(4) **Survivor.** For the purposes of this provision, "survivor" means a person nominated by the member to receive a monthly benefit allowance after the member dies. A member nominates the survivor at the time of retirement by filing a completed and notarized form provided by the department.

(b) **Option Three (joint and one-half allowance).** When the retiree dies, the department pays the survivor one-half of the amount of the retiree's gross monthly retirement allowance.

(c) **Option Four (joint and two-thirds allowance).**

(i) This subsection applies to members retiring on or after January 1, 1996.

(ii) When the retiree dies, the department pays the survivor two-thirds (66.667%) of the retiree's gross monthly retirement allowance.

(3) **Benefit increases when survivor predeceases retiree (pop-up provision).**

(a) This section applies to members retiring on or after January 1, 1996, who select Option Two, Three, or Four.

(b) If the survivor dies before the retiree, the retiree's monthly retirement allowance increases, effective the first day of the following month, to:

(i) The amount that would have been received had the retiree chosen Option One; plus

(ii) Any cost-of-living adjustments the retiree received prior to the survivor's death based on the original option selection.

(c) **Pop-up recalculation example:**

PERMANENT

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 415-104-201 Background and purpose.
- WAC 415-104-205 Definitions for purposes of WAC 415-104-200 through 415-104-215.

AMENDATORY SECTION (Amending WSR 91-03-015, filed 1/7/91, effective 2/7/91)

WAC 415-108-324 Married member's benefit selection—Spousal consent required. The member, if married, must provide the spouse's written consent (~~of his~~

or her spouse)) to the option selected under WAC 415-108-326. If a married member does not provide spousal consent, the department will pay the retired member a joint and ((fifty percent)) one-half survivor benefit allowance and record the member's spouse as the ((beneficiary,)) survivor in compliance with chapter 41.40 RCW and RCW 41.40.660(2)((, as amended)). "Spousal consent" means that the married member's spouse consents to the retirement option selected by the member. The spouse's notarized signature on a completed retirement application constitutes spousal consent.

AMENDATORY SECTION (Amending WSR 91-03-015, filed 1/7/91, effective 2/7/91)

WAC 415-108-326 Retirement benefit options.

((Chapter 249, Laws of 1990 (SHB 2643), as it amends RCW 41.40.185, 41.40.190, 41.40.230, 41.40.235, 41.40.250, 41.40.660 and 41.40.670, provides three benefit options for retiring eligible members of either Plan I or Plan II. In addition, each Plan I option has a cost of living adjustment (COLA) option. The choice of option is to be made upon application for retirement, either for service or for disability.

(1) Standard allowance. A retired member shall receive a monthly retirement allowance computed as provided by RCW 41.40.185, 41.40.190, 41.40.230, 41.40.235, 41.40.250, 41.40.660 or 41.40.670 based solely on the single life of the member. Upon the retired member's death, all benefits cease. The remaining balance, if any, of the member's accumulated contributions shall be paid to the member's designated survivor, or to the member's surviving spouse, or to the member's legal representative, in accordance with RCW 41.40, as amended.

(2) Joint and one hundred percent allowance. A retired member shall receive a reduced monthly retirement allowance based on the joint life expectancy of the member and the designated survivor nominated by written designation duly executed and filed with the department at the time of retirement. Upon the retired member's death, the survivor shall receive the same monthly reduced retirement allowance for the duration of the survivor's life.

(3) Joint and fifty percent allowance. A retired member shall receive a reduced monthly retirement allowance based on the joint life expectancy of the member and the designated survivor nominated by written designation duly executed and filed with the department at the time of retirement. Upon the retired member's death, the survivor shall receive one half of the amount of the retired member's monthly retirement allowance for the duration of the survivor's life.)) RCW 41.40.188 (Plan 1) and RCW 41.40.660 (Plan 2) enable the department to provide retiring members with four retirement benefit options. In addition, retiring Plan I members may select the COLA (cost-of-living adjustment) option. The retiring member must choose an option(s) when applying for service or disability retirement:

(1) Option One (standard allowance). The department will pay a monthly retirement allowance based solely on the single life of the member, as provided by RCW 41.40.185, 41.40.190, 41.40.230, 41.40.235, 41.40.250, 41.40.660, or 41.40.670. When the retiree dies all benefits cease. Any remaining balance of the retiree's accumulated contributions will be paid to:

(a) The retiree's designated beneficiary; or if none, to

(b) The retiree's surviving spouse; or if none, to

(c) The retiree's legal representative.

The member must designate a beneficiary at the time of retirement by filing a completed and notarized form provided by the department.

(2) Benefit options with a survivor feature. A retiring member is allowed to select from several retirement options which create an actuarially equivalent benefit that includes a survivor feature. The survivor feature entitles the survivor to receive a monthly allowance after the retiree dies. If the member chooses one of the survivor options, the monthly benefit the member will receive is actuarially reduced to offset the cost of the survivor feature. After the retiree dies, the department pays the survivor an allowance for the duration of his or her life. If the retiree and the survivor both die before the retiree's accumulated contributions are exhausted, the remaining balance is retained in the retirement fund.

(a) Option Two (joint and whole allowance). When the retiree dies, the department pays the survivor an allowance equal to the gross monthly allowance received by the retiree.

(b) Option Three (joint and one-half allowance). When the retiree dies, the department pays the survivor an allowance equal to one-half of the retiree's gross monthly retirement allowance.

(c) Option Four (joint and two-thirds allowance).

(i) This subsection applies to members retiring on or after January 1, 1996.

(ii) When the retiree dies, the department pays the survivor an allowance equal to two-thirds (66.667%) of the retiree's gross monthly retirement allowance.

(3) Supplemental COLA option for Plan I members. Retiring Plan I members may select an annual cost-of-living adjustment (COLA) option, in addition to their choice of retirement benefit options listed in subsections (1) and (2) of this section. Retiring members who choose this supplemental option will have their monthly retirement allowance actuarially reduced to offset the cost of annual adjustment.

(4) Benefit increases when survivor predeceases retiree (pop-up provision).

(a) This section applies to members retiring on or after January 1, 1996, who select Option Two, Three, or Four.

(b) If the survivor dies before the retiree, the retiree's monthly retirement allowance increases, effective the first day of the following month, to:

(i) The amount that would have been received had the retiree chosen Option One; plus

(ii) Any cost-of-living adjustments the retiree received prior to the survivor's death based on the original option selection.

(c) Pop-up recalculation examples.

Plan One:

Lucinda retires from PERS Plan I in 1996 (Year 0). She would like Garth, her husband, to receive a monthly allowance when she dies. Therefore, Lucinda chooses one of the benefit options with a survivor feature. As a result, her monthly allowance is actuarially reduced from \$2,000 (standard allowance) to \$1,750. Unfortunately, Garth dies in January 2001 (Year 5). Under the "pop-up" provision, Lucinda's monthly benefit will increase to \$2,000, the amount she would have received had she chosen the Option One (standard allowance) plus any COLA's Lucinda had received based on her prior benefit allowance:

<u>Original Option 1 Benefit Amount</u>	<u>±</u>	<u>Total COLA's</u>	<u>≡</u>	<u>New Benefit Amt.</u>
\$2,000.00	±	0 (None accrued)	≡	\$2,000.00*

Plan Two:

Agnes retires from PERS Plan II in 1996 (Year 0). Agnes would like Beatrice, her daughter, to receive a monthly allowance after Agnes dies. Therefore, Agnes selects a retirement benefit option with a survivor feature. As a result, her monthly allowance is reduced from \$2,000 (standard allowance) to \$1,750. Unfortunately, Beatrice dies in 2001 (Year 5). Under the "pop-up" provision, Agnes' monthly benefit will increase to \$2,191.05, the amount she would have received had she chosen Option One (standard allowance) plus her accumulated COLA's:

<u>Year</u>	<u>Option One (Standard Allow.)</u>	<u>Survivor Option (2,3,4) plus COLAs</u>	<u>COLA incr. (3% max)</u>	<u>\$ Increase</u>
0 (1996)	2,000.00	1,750.00	(ineligible)	0.00
1 (1997)		1,750.00	.02	35.00
2 (1998)		1,785.00	.03	53.55
3 (1999)		1,838.55	.025	45.96
4 (2000)		1,884.51	.03	56.54
5 (2001)	2,000.00	1,941.05	—	—
			<u>Total COLA's</u>	<u>191.05</u>

<u>Original Option One Benefit Amount</u>	<u>+ Total COLA's</u>	<u>= New Benefit Amount</u>
\$2000	+ \$191.05	= \$2,191.05*

*In the future (i.e. Year 4), COLAs will be based on the increased benefit amount.

(d) If the survivor dies and the retiree's benefit increases under this section, and thereafter the retiree also dies before all contributions are exhausted, the remaining balance is retained by the retirement fund.

(5) **Survivor.** For the purposes of this provision, "survivor" means a person nominated by the member to receive a monthly benefit allowance after the member dies. A member nominates the survivor at the time of retirement by filing a completed and notarized form provided by the department.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 415-108-320 Background and purpose.
- WAC 415-108-322 Definitions for purposes of WAC 415-108-320 through 415-108-326.

AMENDATORY SECTION (Amending WSR 91-03-016, filed 1/7/91, effective 2/7/91)

WAC 415-112-727 Retirement benefit options. ((Chapter 249, Laws of 1990 (SHB 2643), as it amends RCW 41.32.498, 41.32.530, 41.32.785 and 41.32.790, provides benefit options for retiring eligible members of either Plan I or Plan II. In addition, each Plan I option has a cost of living adjustment (COLA) option. The choice of

option is to be made upon application for either service or disability retirement.

(1) ~~Maximum benefit allowance.~~ The retired member elects to receive the maximum benefit to which they are entitled, with no survivor or beneficiary allowance. Upon the retired member's death, any remaining balance in employee contributions is retained by the retirement system.

(2) ~~Standard allowance.~~ A retired member shall receive a monthly retirement allowance computed as provided in RCW 41.32.530 (Plan I) or 41.32.785 (Plan II) based solely on the single life of the member. Upon the retired member's death, all benefits cease. The remaining balance, if any, of the member's accumulated contributions shall be paid to the member's designated survivor, or to the member's surviving spouse, or to the member's legal representative, in accordance with RCW 41.32.530 and 41.32.785.

(3) ~~Joint and one hundred percent allowance.~~ A retired member shall receive a reduced monthly retirement allowance based on the joint life expectancy of the member and the designated survivor nominated by written designation duly executed and filed with the department at the time of retirement. Upon the retired member's death, the survivor shall receive the same monthly reduced retirement allowance for the duration of the survivor's life.

(4) ~~Joint and fifty percent allowance.~~ A retired member shall receive a reduced monthly retirement allowance based on the joint life expectancy of the member and the designated survivor nominated by written designation duly executed and filed with the department at the time of retirement. Upon the retired member's death, the survivor shall receive

PERMANENT

one half of the member's monthly retirement allowance for the duration of the survivor's life.) RCW 41.32.530 (Plan I) and RCW 41.32.785 (Plan II) enable the department to provide retiring members with four retirement benefit options. In addition, retiring Plan I members may select the COLA (cost-of-living adjustment) option. The retiring member must choose an option(s) when applying for service or disability retirement.

(1) Benefit options without survivor feature.

(a) Maximum benefit allowance. Plan I retirees may elect to receive the maximum benefit possible which is based on a single life annuity. The maximum benefit allowance does not include a survivor allowance or beneficiary payment. When the retiree dies, all benefits cease. Any remaining balance in employee contributions is retained by the retirement system.

(b) Option One (standard allowance). The department pays a monthly retirement allowance based on a reduced single life annuity of the member, as provided in RCW 41.32.480 (Plan I - Service), RCW 41.32.550 (Plan I - Disability), RCW 41.32.765 (Plan II - Service), or RCW 41.32.790 (Plan II - Disability). When the retiree dies, all benefits cease. Any remaining balance of the member's accumulated contributions will be paid to:

- (i) The retiree's designated beneficiary; or if none, to
- (ii) The retiree's surviving spouse; or if none, to
- (iii) The retiree's legal representative.

A member selecting Option One must designate a beneficiary at the time of retirement by filing a completed and notarized form provided by the department.

(2) Benefit options with a survivor feature. A retiring member is allowed to select from several retirement options which create an actuarially equivalent benefit that includes a survivor feature. The survivor feature entitles the survivor to receive a monthly allowance after the retiree dies. If the member chooses one of the survivor options, the monthly benefit the member will receive is actuarially reduced to offset the cost of the survivor feature. After the retiree dies, the department pays the survivor an allowance for the duration of his or her life. If the retiree and the survivor both die before the retiree's accumulated contributions are exhausted, the remaining balance is retained in the retirement fund.

(a) Option Two (joint and whole allowance). When the retiree dies, the department pays the survivor a retirement allowance equal to the gross monthly allowance received by the retiree.

(b) Option Three (joint and one-half allowance). When the retiree dies, the department pays the survivor an allowance equal to one-half of the retiree's gross monthly retirement allowance.

(c) Option Four (joint and two-thirds allowance).

(i) This subsection applies to members retiring on or after January 1, 1996.

(ii) When the retiree dies, the department pays the survivor an allowance equal to two-thirds (66.667%) of the retiree's gross monthly retirement benefit allowance.

(3) Supplemental COLA option for Plan I members. Retiring Plan I members may select an annual cost-of-living adjustment (COLA) option in addition to their choice of retirement benefit options listed above in subsections (1) and (2) of this section. Retiring members who choose this

supplemental option will have their monthly retirement allowance actuarially reduced to offset the cost of annual adjustment.

(4) Benefit increases when survivor predeceases retiree (pop-up provision).

(a) This section applies to members retiring on or after January 1, 1996, who select Option Two, Three, or Four.

(b) Plan I members. If the survivor dies before the retiree, the retiree's monthly retirement allowance increases, effective the first day of the following month, to:

(i) The amount that would have been received had the retiree chosen the maximum benefit, minus;

(ii) Any reduction in the maximum allowance resulting from a withdrawal of contributions, plus;

(iii) Any cost-of-living adjustments the retiree received prior to the survivor's death based on the original option selection.

(c) Plan II members. If the survivor dies before the retiree, the retiree's monthly retirement allowance increases, effective the first day of the following month, to:

(i) The amount that would have been received had the retiree chosen the standard allowance; plus

(ii) Any cost-of-living adjustments the retiree received prior to the survivor's death based on the original option selection.

(d) Pop-up recalculation example.

Plan One:

Lucinda retires from TRS Plan I in 1996 (Year 0) with \$55,000 in accumulated contributions. As a TRS I member she is allowed to withdraw some or all of her contributions when she retires. She decides to withdraw \$5,000 so she and Garth, her husband, can take a cruise. This will actuarially reduce Lucinda's maximum benefit from \$2,000 per month to \$1,963.86. Lucinda would also like Garth to receive a monthly allowance after she dies. Therefore, Lucinda chooses one of the benefit options with a survivor feature. As a result, her monthly allowance is further actuarially reduced from \$1,963.86 to \$1,846.03. Unfortunately, Garth dies in January 2001 (Year 5). Under the "pop-up" provision, Lucinda's monthly benefit will increase to \$1,963.86, the amount she would have received had she chosen the maximum benefit (after reduction for her withdrawals). If Lucinda selected the COLA option or if she has otherwise become eligible for a COLA, the accumulated COLAs (based on the prior benefit allowance) will be added to the \$1,963.86*.

Plan Two:

Agnes retires from TRS Plan II in 1996 (Year 0). She would like Beatrice, her daughter, to receive a monthly allowance after Agnes dies. Therefore, Agnes selects a retirement benefit option with a survivor feature. As a result her monthly allowance is reduced from \$2,000 (standard allowance) to \$1,750. Unfortunately, Beatrice dies in January 2001 (Year 5). Under the "pop-up" provision, Agnes' monthly benefit will increase to the amount she would have received had she chosen Option One (standard allowance) plus her accumulated COLA's:

Year	Option One (Standard Allowance)	Survivor Option (2,3,4) plus COLAs	COLA incr. (3% max)	\$ Increase
0 (1996)	2,000.00	1,750.00	(inelig.)	0.00
1 (1997)		1,750.00	.02	35.00
2 (1998)		1,785.00	.03	53.55
3 (1999)		1,838.55	.025	45.96
4 (2000)		1,884.51	.03	56.54
5 (2001)	2,000.00	1,941.05	=	=
			Total COLA's	191.05
<u>Original Option One Benefit Amount</u>		<u>+ Total COLA's</u>	<u>= New Benefit Amount</u>	
<u>\$2000</u>		<u>+ \$191.05</u>	<u>= \$2,191.05*</u>	

*In the future (i.e., 2001 or Year 5), COLAs will be based on the increased benefit amount.

(e) If the survivor dies and the retiree's benefit increases under this section, and thereafter the retiree also dies before all contributions are exhausted, the remaining balance is retained by the retirement fund.

(5) **Survivor.** For the purposes of this provision, "survivor" means a person nominated by the member to receive a monthly benefit allowance after the member dies. A member nominates the survivor at the time of retirement by filing a completed and notarized form provided by the department.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 415-112-720 Background and purpose.

WSR 96-01-056

PERMANENT RULES

BELLEVUE COMMUNITY COLLEGE

[Filed December 15, 1995, 12:52 p.m.]

Date of Adoption: December 13, 1995.

Purpose: To amend college refund policy to bring it into compliance with SSB 6002.

Citation of Existing Rules Affected by this Order: Amending WAC 132H-160-182.

Statutory Authority for Adoption: RCW 28B.50.140.
Adopted under notice filed as WSR 95-21-092 on October 18, 1995.

Changes Other than Editing from Proposed to Adopted Version: Under subsection (7) tuition and fees will be refunded through calendar day eleven of the quarter rather than through calendar day ten. Under subsection (8) calendar day ten should be changed to day eleven.

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

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 1, repealed 0.

Effective Date of Rule: Thirty-one days after filing.
December 13, 1995
Elise J. Erickson
Rules Coordinator

PERMANENT

AMENDATORY SECTION [(Amending WSR 94-01-181, filed 12/22/93)]

WAC 132H-160-182 Student schedule changes — Refund policy and administrative fees. Community College District VIII board of trustees has authorized the registrar to collect an administrative fee when a student adds or drops course(s) or withdraws from the college. In addition, the registrar is also authorized to refund fees when a student withdraws from college or a course(s). The registrar has the authority to make judgments regarding refunds in extraordinary circumstances. A student who is requested to withdraw for disciplinary reasons will not be eligible for a refund. Refund provisions for students receiving Title IV Federal aid are described in WAC 132H-160-185, Refund for Title IV Federal Aid Recipients.

Tuition and related fees for fall, winter, and spring quarters are refunded upon withdrawal from college or a course(s) as follows:

(1) Tuition and fees will be refunded at 100% prior to the third instructional day of the quarter for complete withdrawal from college, withdrawal from a course(s) (reduction of class load below 10 credits), and for classes the college has cancelled.

(2) Tuition and fees will be refunded at ~~50%~~ 80% beginning with instructional ~~from~~ day three through the ~~fourth week~~ instructional day five of the quarter for complete withdrawal from college or withdrawal from a course(s) (reduction of class load below 10 credits).

(3) Tuition and fees will ~~not~~ be refunded ~~after the fourth week of the quarter~~ at 50% beginning with instructional day six of the quarter through calendar day twenty of the quarter for complete withdrawal from college, withdrawal from a course(s) (reduction of class load below 10 credits).

(4) Tuition and fees will ~~not~~ be refunded after calendar day twenty of the quarter. Tuition and related fees for summer quarter are refunded upon withdrawal from college or a course(s) as follows:

Tuition and related fees for summer quarter are refunded upon withdrawal from college or a course(s) as follows:

(5) Tuition and fees will be refunded at 100% prior to the second instructional day of the quarter for withdrawal from college, withdrawal from a course(s) (reduction of class load below 10 credits), and for classes the college has canceled.

(6) Tuition and fees will be refunded at 80% beginning with instructional day two of the quarter through instructional day three of the quarter for withdrawal from college, or withdrawal from a course(s) (reduction of class load below 10 credits).

(7) Tuition and fees will be refunded at 50% beginning with instructional day four of summer quarter through calendar day eleven of the quarter for withdrawal from college, or withdrawal from a course(s) (reduction of class load below 10 credits).

(8) Tuition and fees will ~~not~~ be refunded after calendar day eleven of the quarter.

~~(4)~~ (9) If an insurance claim has been filed, no refund will be granted for insurance fees.

~~(5)~~ (10) Self support programs may develop different refund policies based upon programmatic reasons, with

institutional approval. Policies pertaining to these programs will be listed in the quarterly schedule.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

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 96-01-057
PERMANENT RULES
BELLEVUE COMMUNITY COLLEGE**

[Filed December 15, 1995, 12:55 p.m.]

Date of Adoption: December 13, 1995.

Purpose: Provides an avenue to resolve complaints concerning any type of discrimination and repeals outdated rules which have been superseded.

Citation of Existing Rules Affected by this Order: Repealing WAC 132H-152-100 through 132H-152-130.

Statutory Authority for Adoption: RCW 28B.50.140.

Adopted under notice filed as WSR 95-21-093 on October 18, 1995.

Changes Other than Editing from Proposed to Adopted Version: Section I: Process overview, paragraph 3, in sentence 2 add after witnesses involved, including the right to protection from any retaliating behavior by the alleged discriminator or any college employee.

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

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 1.

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

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 1, amended 0, repealed 1.

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

December 13, 1995

Elise J. Erickson

Rules Coordinator

NEW SECTION

WAC 132H-152-135 Discrimination complaint procedure. Introduction. Bellevue Community College, through its Affirmative Action Policy and General Policy on Sexual Harassment, and in accordance with state and federal regulations, prohibits discrimination against students and employees on the basis of race or ethnicity, creed, color, national origin, sex, marital status, sexual orientation, age, religion, the presence of sensory, mental or physical disability, or status as a disabled or Vietnam-era veteran.

All members of Bellevue Community College are responsible for ensuring that their conduct does not discriminate against any other member of the college community. If administrators or supervisors become aware that discrimination is occurring, receive a complaint, or obtain other information indicating possible discrimination, they must notify the vice president of human resources as soon as reasonably possible, to ensure that the matter is addressed, even if the problem or alleged problem is not within their area of responsibility and authority.

These procedures pertain to currently registered students, college employees, and applicants for admission and employment. Complaints should be filed within one year after the incident(s) which form(s) the basis of the complaint occurred. This procedure takes precedence over all other student complaint procedures whenever the complaint alleges discrimination or sexual harassment.

Section I: Process overview. Any Bellevue Community College student, employee, or applicant who feels that he/she has been discriminated against, is encouraged to bring his/her concerns to the attention of the college for assistance.

Complaints may be filed with the dean of student services or the vice president of human resources. All allegations of sexual harassment will be referred to the vice president of human resources. All allegations of discrimination related to employment or promotion will be referred to the dean of student services.

The college will act promptly to investigate any complaint. Such action will attempt to protect the rights of the individual bringing the complaint (the complainant), the alleged discriminator, and any witnesses involved, including the right to protection from any retaliating behavior by the alleged discriminator or any college employee. All complaints shall be kept as confidential as is reasonably possible during the investigation/resolution process. However, all complaints may be subject to public disclosure under the state's Public Disclosure Act, and therefore the college cannot assure confidentiality to any participant in the process.

An individual who seeks assistance because he/she believes he/she is being discriminated against may choose to begin with the informal or formal complaint procedure. Use of the informal procedure is not required prior to initiating a formal complaint.

Both complainants and individuals charged may be represented by an individual of their selection throughout the complaint process. The individual charged will be informed that his/her bargaining unit representative will be notified that a complaint has been filed against her/him, unless she/he requests that no notification be made.

Section II: Informal complaint procedure. The purpose of the informal procedure is to resolve the complaint by achieving a resolution that both the complainant and the accused discriminator agree upon.

An informal complaint may be filed with the dean of student services or the vice president of human resources, as indicated in Section I. That college administrator will investigate the complaint or will appoint a designee to investigate the complaint. Within five working days after the complaint is filed, the investigator will discuss the complaint with the individual charged, that person's supervisor and area dean/vice president, and initiate action to protect

the complainant from harm or reprisal. The investigator will meet separately with the complainant and the individual charged to outline the proposed resolution process.

The investigator, after consultation with the appropriate area dean/vice president, will attempt to obtain a resolution of the problem between the parties and will inform the complainant of any proposed resolution. The complainant may either accept the resolution or initiate a formal complaint. If the investigator has not been able to achieve a resolution, he/she will inform the complainant of this and advise the complainant of the option of filing a formal complaint.

Reasonable efforts will be made to complete the informal process within thirty working days after the complaint is filed.

If the investigation and/or resolution indicate that disciplinary action is warranted, the investigator will recommend appropriate disciplinary action which is consistent with college procedure and collective bargaining agreements, as appropriate.

Section III: Formal complaint procedure. The complainant may choose to file a formal complaint instead of first filing an informal complaint. In addition, the complainant may choose to file a formal complaint if a satisfactory resolution cannot be obtained through the informal process. The formal complaint must be made in writing and should include the times, dates, places, and circumstances surrounding the allegation of discrimination. The formal complaint should be filed with the vice president of human resources. Within five working days after the formal complaint has been filed, the individual charged in the complaint, his/her immediate supervisor and area dean/vice president will be notified that a complaint has been filed. Complainants, individuals charged, and any witnesses are entitled to representation throughout the complaint process.

The dean of student services/vice president of human resources will investigate the complaint or assign a designee to investigate the complaint as follows:

(1) The investigator will conduct an interview with the complainant and any witnesses to the complainant's allegations. Reasonable efforts will be made to complete such interviews within ten working days.

(2) After the completion of step 1 above, the investigator will interview the alleged discriminator and any witnesses to the alleged discriminator's allegations. Reasonable efforts will be made to complete such interviews within ten working days after the completion of step 1.

(3) After the completion of the investigation, a preliminary report summarizing the findings of the investigation and the investigator's determination as to whether or not discrimination has occurred shall be produced, after consultation with the appropriate area dean/vice president. Reasonable efforts will be made to complete the preliminary report within ten working days after completion of the investigation. Copies of this draft report shall be given to the complainant and the alleged discriminator who shall have ten working days to prepare responses to the report. Once each of them has prepared a response, or declined to take advantage of the opportunity to respond to the draft report, the investigator shall prepare the final report. Copies of the final report shall be provided the complainant, the alleged discriminator, the alleged discriminator's supervisor and area

dean/vice president, the dean of student services if the alleged discriminator is a student, the vice president of human resources, and the college president.

(4) The decision regarding what action to take on the complaint, including, but not limited to, appropriate corrective measures and/or disciplinary action, remanding the complaint for further investigation, appointing an alternate investigator, shall be made by the president or his/her designee. Reasonable efforts will be made to take action on the complaint within thirty days after receipt of the report.

(5) If a decision is made to take disciplinary action, such action shall be taken in accordance with appropriate college procedures and collective bargaining agreements.

Section IV: Appeal process.

(1) Appeal of disciplinary action. Appeals of any disciplinary action, including any finding that discrimination occurred, may be made through college procedures, as defined by the appropriate employee contract or student policy.

(2) Complainant appeal. If the complainant is not satisfied with the disposition of the complaint, s/he may file a written request for reconsideration to the president within ten working days after notification of the disposition of the complaint. This request should include any and all additional information s/he wants the president to consider.

The decision regarding what action to take regarding the request for reconsideration, including appropriate corrective measures, shall be made in writing by the president within fifteen working days after receipt of a request for reconsideration.

Section V: External complaint process. Any registered student, employee, or applicant for admission or employment, who believes he/she has been discriminated against has the right to bypass the internal college process (Sections I through III, above) and file a discrimination complaint with one of the agencies listed below or any other agency with the jurisdiction to hear such complaints. Other individuals who believe they have been discriminated against by college action may file a discrimination complaint with one of the agencies listed below or any other agency with the jurisdiction to hear such complaints:

Equal Employment Opportunity Commission
909 First Avenue, Suite 400
Seattle, WA 98104-1061

Human Rights Commission
1511 Third Avenue, Suite 921
Seattle WA 98101

U.S. Office of Civil Rights
Department of Education
915 Second Avenue
Seattle WA 98174-1099

Individuals seeking assistance from state and federal agencies need to be aware that many agencies have strict timelines regarding the filing of complaints.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 132H-152-100 Special grievance procedures for Community College District VIII
- WAC 132H-152-110 Preamble
- WAC 132H-152-120 Grievance procedure
- WAC 132H-152-130 Appeals beyond institutional level

WSR 96-01-058

PERMANENT RULES

WESTERN WASHINGTON UNIVERSITY

[Filed December 15, 1995, 12:57 p.m.]

Date of Adoption: December 8, 1995.

Purpose: Housekeeping changes.

Citation of Existing Rules Affected by this Order: Amending chapter 516-60 WAC.

Statutory Authority for Adoption: RCW 28B.35.120(12).

Adopted under notice filed as WSR 95-21-030 on October 9, 1995.

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

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

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

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 1, repealed 0.

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

December 14, 1995

Wendy Bohlke

Assistant Attorney General

Senior Counsel

AMENDATORY SECTION (Amending WSR 90-10-042, filed 4/27/90, effective 5/1/90)

WAC 516-60-004 Refund of tuition and fees. Each student who is admitted shall be required to confirm his or her intention to enroll by submitting a nonrefundable admission fee.

(1) Ordinarily, a student who withdraws prior to the sixth day of general instruction in a quarter will receive a full refund of tuition and services and activities fees.

(2) A refund of one-half of tuition and services and activities fees (less prepayment) is made to a student who withdraws on or after the sixth day of general instruction, subject to the provisions of subsection (4) of this section.

(3) Nonresident fees paid by a student who, subsequent to the first day of general instruction, is reclassified a resident student shall not be refunded, nor shall refunds be granted when reclassification is based upon a petition which is filed after registration.

(4) No refunds of tuition or fees shall in any case be made after the 30th day of general instruction except the period is extended for students who withdraw for medical reasons or who are called into the military service of the United States.

(5) For courses or programs that begin after the start of the regular quarter, a student may receive a full refund of fees if the student withdraws ~~((after))~~ prior to the third day of instruction.

AMENDATORY SECTION (Amending WSR 90-10-042, filed 4/27/90, effective 5/1/90)

WAC 516-60-005 Residency classification. Determination of residency status for fees and tuition purposes shall be made at the time of admission or readmission to Western Washington University. A student tentatively classified as a nonresident shall be notified of such classification. Should the student contest the classification, he or she may submit a petition to the ~~((director of admissions))~~ registrar containing such information as the latter may require. If based on the evidence contained in this petition, the ~~((director))~~ registrar denies the petition, the student shall be notified. Should the student desire a further review, the ~~((director))~~ registrar shall reconsider the petition and consider it to be a request for a brief adjudicative hearing under WAC 516-108-050 and RCW 34.05.482 through 34.05.494.

AMENDATORY SECTION (Amending WSR 90-10-042, filed 4/27/90, effective 5/1/90)

WAC 516-60-017 Changes in registration and withdrawal. Students who wish to change their registration or withdraw from a particular course or the university after having completed their registration must do so on or before the dates established for such changes or withdrawal by the board of trustees or president as set forth in the university's catalog. Students may not enter new classes after the first week of instruction. Students who leave the university without formally withdrawing shall receive failing grades. ~~((Any withdrawal after the sixth week of instruction will normally result in failing grades provided that the registrar may grant an exception where withdrawal is requested by the university, in cases of serious illness or call to extended active military duty or in other highly extenuating circumstances.))~~

AMENDATORY SECTION (Amending WSR 90-10-042, filed 4/27/90, effective 5/1/90)

WAC 516-60-030 Admission of nonmatriculated students. A nonmatriculated student does not enroll in the university to follow the requirements for the bachelor's degree or any other program leading to a degree, credential, or certificate. A nonmatriculated student is one whose educational goals are limited and who has been granted permission by the director of admissions or university extended programs to enroll for credit in university courses.

Such permission implies no commitment on the part of the university in regard to later admission as a matriculated student.

WSR 96-01-066
PERMANENT RULES
STATE BOARD OF EDUCATION

[Filed December 15, 1995, 3:56 p.m.]

Date of Adoption: November 17, 1995.

Purpose: To update rules to reflect current practice and law.

Citation of Existing Rules Affected by this Order:
Amending WAC 180-10-003 and 180-10-005.

Statutory Authority for Adoption: RCW 28A.305.010 and 28A.305.130.

Adopted under notice filed as WSR 95-20-091 on October 4, 1995.

Changes Other than Editing from Proposed to Adopted Version: Where appropriate, the word "agency" was changed to either "board" or "state board."

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

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 10, amended 2, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 10, amended 2, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 10, amended 2, repealed 0.

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

December 15, 1995

Larry Davis

Executive Director

AMENDATORY SECTION (Amending WSR 90-17-009, filed 8/6/90, effective 9/6/90)

WAC 180-10-003 Description of organization. The state board of education is created by law in chapter 28A.305 RCW. The board consists of ~~((two))~~ one voting member~~((s))~~ from each congressional district in the state ~~((who are))~~ elected by the members of school district boards of directors ~~((and))~~ thereof who serve staggered ~~((six))~~ four-year terms; the superintendent of public instruction, who serves as an ex officio member and chief executive officer of the board and votes only to break ties; and, ~~((a nonvoting))~~ one member elected at large by members of the boards of directors of approved private schools who serves a ~~((six))~~ four-year term. A secretary (executive director) ~~((to the state board))~~ is appointed by the board ~~((and maintains the record of board proceedings))~~. General powers of the board affect teacher training and certification programs, high school graduation requirements, school accreditation, school

building assistance, school district organization and classification, general government of the schools, approval of basic education programs, approval of private schools, and other matters which include the discipline of pupils and instructional program improvement.

AMENDATORY SECTION (Amending Order 6-80, filed 5/29/80)

WAC 180-10-005 Operations and procedures. The state board is required by law to hold an annual meeting and other meetings as it deems necessary to conduct its business. Pursuant to the Washington State Register Act of 1977, the ((state)) board publishes a schedule of its meetings and notices of proposed ((permanent)) rule-making actions in the Washington State Register. ((Places for)) The meetings ((are)) may be scheduled in various locations across the state. The secretary (executive director) to the state board of education maintains a complete record of all board proceedings and supporting materials ((developed by staff of the superintendent of public instruction)).

NEW SECTION

WAC 180-10-007 Definitions. (1) Public records. As used in this chapter, "public record" includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by the state board of education regardless of physical form or characteristics: *Provided, however,* That the personal and other records cited in RCW 42.17.310 are exempt from the definition of public record.

(2) Writing. As used in this chapter, "writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including letters, words, pictures, sounds, symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture, film and video recordings, magnetic or punched cards, disks, drums, diskettes, sound recordings, and other documents including existing data compilations from which data may be obtained or translated.

(3) State board of education. The state board of education is an agency created by law in chapter 28A.305 RCW. The state board of education shall hereafter be referred to as the "board" or "state board."

AMENDATORY SECTION (Amending Order 6-80, filed 5/29/80)

WAC 180-10-010 ~~((Administrative practice regarding))~~ Access to public records. ~~((It is recognized by the state board of education that the superintendent of public instruction and his or her staff maintain and administer the public records of the board. Accordingly, the records of the state board of education shall be subject to public access in accordance with the applicable rules in chapter 392-105 WAC as now or hereafter adopted and codified. *Provided,* That prior to the amendment or repeal of such rules the superintendent or his or her designee shall review such changes as pertain to records of the board with the board.))~~ (1) All public records of the state board, as defined in RCW

42.17.020 (27) and (29), prepared, owned, used, or retained by the board, shall be available for public inspection and copying during normal office hours except for records or information in records exempted from public disclosure by or pursuant to the terms of chapter 42.17 RCW including, but not limited to, the following:

(a) Personal information in files maintained by the board to the extent that disclosure would violate any individual's right to privacy.

(b) Preliminary drafts, notes, recommendations, and intra-agency memorandums in which opinions are expressed or policies formulated or recommended, except that a specific record shall not be exempt when publicly cited by the board in connection with any board action.

(c) Records which are relevant to a controversy to which the board is a party but which records would not be available to another party under the rules of pretrial discovery for causes pending in the superior courts.

(d) Any other information which is exempt from public inspection under RCW 42.17.310 where disclosure would violate personal privacy or vital government interests.

(2) The exemptions of this section shall be inapplicable to the extent that information, the disclosure of which would violate personal privacy or vital government interest, can be deleted from the specific records sought. No exception shall be construed to permit the nondisclosure of statistical information when such information is not descriptive of any readily identifiable person or persons.

NEW SECTION

WAC 180-10-015 Public records officer. The state board's public records shall be in the charge of the board's secretary (executive director), the board's designated public records officer. The person so designated shall be located in the administrative office of the board located in the Old Capitol Building, 600 South Washington, Olympia, Washington 98504-7206. The secretary (executive director) shall be responsible for the following: Implementation of the board's rules and regulations regarding release of public records, and generally ensuring compliance by staff with the public records disclosure requirements in chapter 42.17 RCW.

NEW SECTION

WAC 180-10-020 Office hours. Public records shall be available for inspection and copying during the customary office hours of the administrative office of the board. For the purposes of this chapter, the customary office hours shall be from 8:00 a.m. to noon and from 1:00 p.m. to 5:00 p.m., Monday through Friday, excluding legal holidays.

NEW SECTION

WAC 180-10-025 Requests for public records. In accordance with the requirements of RCW 42.17.290 that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records are only obtainable by members of the public when those members of the public comply with the following procedures:

(1) A request shall be made in writing. The written request shall be presented to the secretary (executive director) or designee at the administrative office of the board during customary office hours or may also be mailed. The request shall include the following information:

- (a) The name of the person requesting the record;
- (b) The time of day and calendar date on which the request was made;
- (c) The nature of the request;
- (d) If the matter requested is referenced within the current index maintained by the secretary (executive director), a reference to the requested information as it is described in such current index;
- (e) If the requested matter is not identifiable by reference to the current index, an appropriate description of the record requested.

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the secretary (executive director), or person to whom the request is made, to assist the member of the public in succinctly identifying the public record requested.

NEW SECTION

WAC 180-10-030 Copying. No fee shall be charged for the inspection of public records. The board may impose a charge for providing copies of public records and for the use by any person of agency equipment to copy public records; such charges shall not exceed fifteen cents per page for photocopies of public records or for use of agency equipment to photocopy public records and the actual postage or delivery charge and the cost of any container or envelope used to mail the public records to the requester. No person shall be released a record so copied until and unless the person requesting the copied public record has tendered payment for such copying to the appropriate official. All charges must be paid by money order, check, or cash in advance.

NEW SECTION

WAC 180-10-035 Determination regarding exempt records. (1) The board reserves the right to determine that a public record requested in accordance with WAC 180-10-025 is exempt under the provisions of RCW 42.17.310 and 42.17.315. Such determination may be made in consultation with the secretary (executive director) or an assistant attorney general assigned to the board.

(2) Pursuant to RCW 42.17.260, the board reserves the right to delete identifying details when it makes available or publishes any public record when there is reason to believe that disclosure of such details would be an unreasonable invasion of personal privacy: *Provided, however,* In each case, the justification for the deletion shall be explained fully in writing.

(3) Response to requests for a public record must be made promptly. Within five business days of receiving a public record request, the board shall respond by either:

- (a) Providing the record;
- (b) Acknowledging that the board has received the request and providing a reasonable estimate of the time the board will require to respond to the request; or
- (c) Denying the public record request.

Additional time required to respond to a request may be based upon the need to clarify the intent of the request, to locate and assemble the information requested, to notify third persons or agencies affected by the request, or to determine whether any of the information requested is exempt and that a denial should be made as to all or part of the request. In acknowledging receipt of a public record request that is unclear, the agency may ask the requester to clarify what information the requester is seeking. If the requester fails to clarify the request within five working days of being asked for said clarification, the board need not respond to it.

(4) All denials of request for public records must be accompanied by a written statement, signed by the secretary (executive director) or designee, specifying the reason for the denial, a statement of the specific exemption authorizing the withholding of the record, and a brief explanation of how the exemption applies to the public record withheld.

NEW SECTION

WAC 180-10-040 Review of denials of public record requests. (1) Any person who objects to the denial of a request for a public record may petition for prompt review of such decision by tendering a written request for review. The written request shall specifically refer to the written statement which constituted or accompanied the denial.

(2) The written request by a person petitioning for prompt review of a decision denying a public record shall be submitted to the board's secretary (executive director) or designee.

(3) Within two business days after receiving a written request by a person petitioning for a prompt review of a decision denying a public record, the secretary (executive director) or designee shall complete such review.

(4) During the course of the review the secretary (executive director) or designee shall consider the obligations of the board to comply fully with the intent of chapter 42.17 RCW insofar as it requires providing full public access to official records, but shall also consider both the exemptions provided in RCW 42.17.310 through 42.17.315, and the provisions of the statute which require the agency to protect public records from damage or disorganization, prevent excessive interference with essential functions of the agency, and prevent any unreasonable invasion of personal privacy by deleting identifying details.

NEW SECTION

WAC 180-10-045 Protection of public records. Public records and a facility for their inspection will be provided by the secretary (executive director) or designee. Such records shall not be removed from the place designated for their inspection. Copies of such records may be arranged for according to the provisions of WAC 180-10-030.

WSR 96-01-077

PERMANENT RULES

SKAGIT VALLEY COLLEGE

[Filed December 18, 1995, 1:08 p.m.]

Date of Adoption: December 4, 1995.

PERMANENT

Purpose: Adopting WAC 132D-305-005 Sexual harassment policy, 132D-310-005 Skagit Valley College antidiscrimination policy, and 132D-315-005 Students with disabilities policy.

Citation of Existing Rules Affected by this Order: Repealing WAC 132D-300-010, 132D-300-020, 132D-300-030, and 132D-300-040.

Statutory Authority for Adoption: RCW 28B.50.140.

Adopted under notice filed as WSR 95-19-080 on September 19, 1995.

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

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 3, amended 0, repealed 4.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

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

December 6, 1995

Dr. Brinton Sprague

Vice-President

Educational Services

that sexual harassment of students and/or staff by any member of the district community will not be tolerated.

(2) **Definition.** For purposes of this policy, sexual harassment will be defined as any behavior or action, either physical or verbal, which is sexual in nature, is uninvited, unwanted, or nonreciprocal, and:

(a) Submission to sexual harassment is either an implicit or explicit condition of employment or educational opportunity; or

(b) Submission to, or rejection of, sexual harassment is used as a basis for employment or educational decisions; or

(c) Sexual harassment has the purpose or effect of negatively interfering with the individual's work or educational performance or of creating an intimidating, hostile, or offensive work or educational environment. Sexual harassment may include, but is not limited to the following:

(i) Unwelcome or repeated sexual advances.

(ii) Offensive, disparaging remarks about one's gender, marital status, sexual orientation, or appearance.

(iii) Jokes about gender-specific traits.

(iv) Remarks about one's physical appearance which imply sexual interest.

(v) Subtle pressure for sexual activity, including sexual propositions.

(vi) Unnecessary brushes or touches, including pinching, patting, or grabbing.

(vii) Displayed offensive sexual graffiti, gestures, cartoons, or materials.

(viii) Sexual innuendos or obscene gestures.

(ix) Written communications with sexual overtones.

(x) Sexually offensive remarks disguised as humor.

(xi) Unwanted gifts, staring, leering, or unwanted attention.

(d) Skagit Valley College will investigate allegations of sexual harassment which may include, but is not limited to the following:

(i) The conduct of a faculty member in a faculty-student relationship.

(ii) The conduct of an individual in the paid employment of the district who may grant or withhold benefits to students and employees.

(iii) The conduct of any college supervisory employee.

(iv) The conduct between fellow employees of the college.

(v) The conduct of college agents.

(vi) The conduct of employees when it occurs related to college-sanctioned activities on or off campus and/or hampers the educational or college work environment.

(vii) The conduct of nonemployees when it occurs related to college sanctioned activities on or off campus and/or hampers the educational or college work environment.

(viii) The conduct of students in daily classes and activities.

(3) **In-district procedural guidelines.** When a person believes that she/he has been sexually harassed, the claimant may contact one of the district's ombudspersons. Faculty and staff shall assist the claimant in contacting an ombudsperson. The ombudsperson will provide the claimant with procedures and suggestions to enable the claimant to resolve the problem or to initiate the appropriate complaint process. All complaints shall be initiated no later than one hundred eighty days from the most recent incident.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 132D-300-010 Statement of policy.

WAC 132D-300-020 Jurisdiction.

WAC 132D-300-030 Grievance procedure.

WAC 132D-300-040 Definition—Sexual harassment.

Chapter 132D-305 WAC SEXUAL HARASSMENT POLICY

NEW SECTION

WAC 132D-305-005 Sexual harassment policy. (1)

Preamble. Sexual harassment is an illegal activity and will not be tolerated at Skagit Valley College. Therefore, it shall be the policy of Skagit Valley College that harassment directed at any individual or group on the basis of gender, marital status, or sexual orientation is in violation of the mission and purpose of Skagit Valley College and shall not be condoned. Any employee or student who feels that she/he has been sexually harassed is encouraged to deal with the situation as outlined in the following procedure.

In recognition of the fact that sex discrimination in the form of sexual harassment is a violation of section 703, Title VII of the Civil Rights Act of 1964, Title IX of the 1972 Education Amendments, and chapter 49.60 RCW, which prohibits discrimination on the basis of race, color, religion, national origin, or sex, Skagit Valley College hereby declares

The district shall have four ombudspersons: A female and male shall be appointed for both the Mount Vernon and Whidbey campuses. Appointment will be by the president, on the advice of the vice-president, educational services, the dean for administrative and student services, the dean of Whidbey campus (for Whidbey personnel), the president of the SVCEA, the president of the CSA, and the president of ASSVC. Appointment shall be for staggered three-year terms.

Ombudspersons shall report directly to the vice-president - educational services who shall be directly responsible for the implementation of this policy. The ombudspersons shall be responsible for receiving complaints, for receiving and giving training to all members of the college community on sexual harassment as directed by the vice-president - educational services, and for conducting awareness activities for all college groups. They will be assisted in their efforts by the affirmative action officer. The college will carry out any investigation in such a way as to protect the rights of both the claimant and the respondent. The college recognizes that in some circumstances a change of environment may be appropriate during the investigation. If during the mediation process the ombudsperson deems the complaint without merit, it shall be immediately dismissed. Further, if the ombudsperson finds the complaint to be false and malicious, the claimant shall be referred to the designated college officer. Maximum confidentiality and support for both parties shall be maintained at each step of the procedure.

(4) **Advising process.** In the event that an individual feels he or she has been the victim of sexual harassment, the individual may discuss the matter with an ombudsperson on campus. The responsibility of the ombudsperson is to inform the individual of the policy and procedures about sexual harassment. The advising process itself is designed to promote free and open discussions between the individual seeking information and the advisor. An incident report will be generated to record the number of the different types of incidents reported in a given year. The incident reports will be forwarded to the affirmative action officer to be used for tracking purposes only. Names of individuals involved will not be designated on the incident report and no record of the advising conversations will be kept. The college will insure the privacy of all individuals involved in a sexual harassment case. If an individual feels that he or she has a warranted complaint, that individual may choose to proceed to the mediation process or directly to the formal process, step one.

(5) **Mediation.** When an ombudsperson receives a complaint, either verbally or in writing, of sexual harassment, he/she shall discuss the complaint with the respondent within three working days. Such complaints may come from an individual who was the target of the action or a third party. The purpose of the mediation process is to encourage both parties to communicate in an attempt to resolve the conflict. If a meeting occurs during this phase, both the claimant and the respondent may bring a support person. If the complaint appears valid, the ombudsperson shall complete a written report including the complaint and any action taken including the nature of the resolution if one is reached. This report shall be forwarded to the claimant, respondent, and the affirmative action officer who will keep it in a confidential manner for five years.

The mediation process shall be completed within thirty working days of receipt of complaint by the ombudsperson. If a satisfactory resolution is reached, the claimant and respondent will acknowledge resolution in writing.

(6) **Formal complaint; step one.** In the event that the mediation process does not occur or does not resolve the conflict to the satisfaction of both parties, the following process will be used:

(a) The claimant, within ten working days of the conclusion of the mediation process or the event itself, shall file a written complaint with the ombudsperson stating the times, dates, places, and circumstances surrounding the allegations. The ombudsperson will forward a copy of the complaint to the respondent within five working days. In turn, the respondent shall submit a written response concerning the complaint to the ombudsperson within five working days of receiving the written complaint. Within three working days of the complaint, the ombudsperson will forward all information to the AAO whether or not a response has been received.

The affirmative action officer may also file a formal complaint about any alleged offender who has had repeated claims filed against them. This will be done in collaboration with the receiving ombudspersons.

(b) Within five working days of receiving materials from the ombudsperson, the affirmative action officer will review all forms received and check for completeness and detail. Any concerns about procedure and forms will be discussed with the overseeing ombudsperson and corrections made.

Within the same five working day period, the affirmative action officer will then forward appropriate forms received by the ombudsperson to the appropriate supervisor who will speak informally with the respondent. The affirmative action officer shall also provide a copy of the written complaint and the respondent's response to: The vice-president, educational services when the respondent is faculty; dean responsible for student grievances if respondent is a student; appropriate dean when respondent is classified staff; president when the respondent is an administrator; chair of board of trustees if respondent is the president.

The ombudsperson shall keep a written record of all actions taken in an effort to resolve the complaint. If resolution is reached, the ombudsperson shall complete a written report of this resolution and submit copies to all parties involved.

(c) If a resolution has not been reached, and the parties were not able to mediate together, joint mediation will now take place. The mediation session will include both parties involved in the complaint and a representative for each of them. The ombudsperson and the affirmative action officer will also be present. While the parties may not want to speak to each other, in this session they will hear each other describe the events they believed to have taken place through the facilitation of the ombudsperson. If no resolution is agreed to, the case will now proceed to formal complaint, step two.

If a resolution can be achieved, the ombudsperson shall complete a written report of this resolution and submit copies to all parties involved. The claimant and respondent will acknowledge resolution in writing. Forms involved in the case will be kept by the affirmative action officer in a

confidential manner for five years after which time this information will be destroyed.

(d) The entire formal procedure, step one, will be completed within thirty working days.

(7) **Formal complaint; step two.** If no satisfactory resolution can be achieved through formal complaint, step one, a team will be formed to conduct a fact-finding investigation as follows:

(a) The affirmative action officer;

(b) A member of the standing grievance committee selected by the claimant;

(c) A member of the standing grievance committee selected by the respondent;

(d) In the case of presidential involvement, a member of the board of trustees.

The team will hear findings from all parties. Within fifteen days of the completion of formal complaint, step one, the team will be charged with submitting a decision to the designated college officer.

The appropriate designated college officer shall be:

(i) The vice-president, educational services when the claimant of infractions of this policy is an employee of the college or when a student is complaining against an employee. When a student is involved, the dean responsible for student grievances will co-chair the investigation. However, the vice-president, educational services will assume the ultimate responsibility to see the process to conclusion.

(ii) The dean responsible for student grievances when the claimant of infractions of this policy is a student complaining against another student.

(iii) In the event the respondent is the vice-president, educational services or the dean responsible for student grievances, the designated college officer shall be the president. In the event the respondent is the president, the designated college officer shall be the chair of the board of trustees.

(8) **Appropriate disciplinary action.** Should the team find (unanimously) discrimination in the form of sexual harassment, the result will be immediate and appropriate action as determined by the designated college officer, which may include, but is not limited to the following order of actions:

(a) Findings placed in personnel or student file;

(b) Reprimand;

(c) Suspension;

(d) Dismissal.

In cases of suspension or employment termination, existing procedures for students, administrative, faculty or classified staff shall be followed. Administrators, paraprofessionals, vendors and other college employees and agents shall be subject to discipline as deemed appropriate by the panel and the designated college officer. The affirmative action officer shall be responsible for ensuring that disciplinary actions are carried out.

(9) **Repeated offenses.** When a complaint is made against someone who has been found in the past to have been in violation of the sexual harassment policy, the normal procedure will commence. Disciplinary measures chosen for repeat offenders should take into account the repeated lack of compliance by the offender and should be moved to the next level.

(10) **Nondistrict options.** At any point during these proceedings, the claimant may file concurrently with an outside agency. Claimants are encouraged to use the internal complaint procedures first. Students may file complaints with the Office of Civil Rights, U.S. Department of Education, 2901 Third Ave., M/S 106, Seattle, WA 98121. Employees may file complaints with the Equal Employment Opportunity Commission (EEOC), 1321 Second Avenue, 7th Floor, Arcade Plaza, Seattle, WA 98101, or the Human Rights Commission, 1515 Second Avenue, Columbia Bldg. Suite 400, Seattle, WA 98101.

Chapter 132D-310 WAC ANTIDISCRIMINATION POLICY

NEW SECTION

WAC 132D-310-005 Skagit Valley College antidiscrimination policy. (1) **Preamble.** In March of 1992, the Skagit Valley College board of trustees adopted the dignity statement relating to an environment of equity. This statement said, in part, "A most important policy of the board of trustees of Skagit Valley College is to provide a work place in which all individuals can achieve success in a climate of equality for all people. Equity must be the guiding principle in all college matters. Because the college seeks diversity in all of its services and relationships, the dignity and rights of all people involved must be respected and preserved."

As an academically centered community, Skagit Valley College highly values and respects diversity as a necessary foundation for a healthy learning and working community. A stable, positive and collegial environment is prerequisite to the success of its members.

Adverse treatment on the basis of group or categorical membership has no value or place in the mission of Skagit Valley College. Fostering and developing values which promote open-mindedness, awareness, sensitivity and respect for differences are encouraged and will be supported.

Employees, students, visitors, vendors, and agents of the college must adhere to the following policy. Responsibility for achieving a nondiscriminatory academic and working environment lies with each member of the college community.

(2) **Policy.** It is the policy of Skagit Valley College to prohibit discrimination on the basis of race, ethnicity, national origin, ancestry, creed, color, gender*, marital/parental status, sexual orientation, age, religion, and sensory, mental or physical disability. In recognition of the fact that discrimination in any form is in violation of the mission and purpose of Skagit Valley College, the following federal guidelines will be applied to issues of discrimination: Title IX of the 1972 Education Amendments and chapter 49.60 RCW (which prohibits discrimination on the basis of race, color, religion, national origin, or sex); Title VII of the Civil Rights Act of 1964; the Rehabilitation Act of 1973; Title VI of the Civil Rights Act of 1964; the Vocational Education Act of 1963-1976; and the Americans with Disabilities Act. For the purposes of this policy, discrimination is defined as:

(a) Exclusionary forms of conduct;

(b) Creation of an intolerant environment; and

(c) Malicious harassment.

- * Sex discrimination in the form of sexual harassment is covered under Skagit Valley College's sexual harassment policy.

(3) **An exclusionary form of conduct** is any disparate treatment of, or adverse impact on, an individual(s) by a person(s) or a structure(s) which excludes and denies access to participation in services, programs, and activities of the college. Some types of differential treatment, such as separate toilets and locker room facilities for men and women, are considered socially acceptable.

(4) **Creation of an intolerant environment** is the result of the willful or intentional conduct of an individual or group of individuals who engage in threats, expressions (either verbal or nonverbal), physical abuse or harassment that threatens or endangers the health, safety or welfare of a member of the college community. An intolerant environment is also likely to provoke or cause an immediate breach of the peace and interfere with an individual's ability to effectively pursue his or her education or otherwise participate fully in college programs and activities.

(5) **Malicious harassment** is conduct or behavior which is maliciously and intentionally committed because of the claimant's race, ethnicity, national origin, ancestry, creed, color, gender, marital/parental status, sexual orientation, age, religion, or sensory, mental or physical disability. This conduct may include injury to the claimant or another person, damage or destruction of the property of the claimant or another person, or threats to a specific person or group of persons which places that person, or members of the specific group of persons, in reasonable fear of harm to themselves or their property.

In this policy, claimant is defined as the individual bringing forth the complaint; respondent is defined as the individual to whom the claim is directed.

If any provision of this policy is adjudged by a court to be unconstitutional or otherwise illegal, the remaining provisions shall continue in effect.

Skagit Valley College will investigate allegations of discrimination which may include, but is not limited to the following:

- (a) The conduct of a faculty member in a faculty-student relationship.
- (b) The conduct of an individual in the paid employment of the district who may grant or withhold benefits to students and employees.
- (c) The conduct of any college employee in a supervisory position.
- (d) The conduct between fellow employees of the college.
- (e) The conduct of college agents.
- (f) The conduct of employees when it occurs related to college sanctioned activities on or off campus and/or hampers the educational or college work environment.
- (g) The conduct of nonemployees when it occurs related to college sanctioned activities on or off campus and/or hampers the educational or college work environment.
- (h) The conduct of students in daily classes and college sanctioned activities on or off campus.

(6) **Procedures.** When a person believes that she/he has been discriminated against, the claimant may contact one of the district's ombudspersons. Faculty and staff, if

requested, shall assist the claimant in contacting an ombudsperson. The ombudsperson will provide the claimant with procedures and suggestions to enable him/her to resolve the problem or to initiate the appropriate informal or formal complaint process. All complaints shall be initiated no later than one hundred eighty days from the most recent incident. However, if a claimant can demonstrate exceptional circumstances to the appropriate designated college officer, the one hundred eighty-day reporting period limit may be waived.

The district shall have a total of two ombudspersons who shall be chosen from the protected classifications related in this policy and shall be appointed for both the Mount Vernon and Whidbey campuses. Appointment will be by the president, on the advice of the vice-president of educational services, the dean responsible for student grievances, the dean of Whidbey campus (for Whidbey personnel), the president of the Skagit Valley College education association, the president of the classified staff association, and the president of the associated students of Skagit Valley College. Appointment shall be for staggered three-year terms.

Ombudspersons shall report directly to the vice-president of educational services who shall be directly responsible for the implementation of this policy. The ombudspersons shall be responsible for receiving complaints and advising the cultural pluralism committee regarding educational efforts needed on critical discrimination issues. The ombudspersons will make every effort to ensure that neutrality is maintained throughout the process. For the purpose of this policy, the ombudsperson will act solely as a resource person and mediator and specifically will not act as an advocate for either party.

The college will carry out any investigation in such a way as to protect the rights of both the claimant and the respondent. The college recognizes that in some circumstances a change of environment may be appropriate during the investigation. If the respondent is the affirmative action officer, an ombudsperson will perform the affirmative action officer's responsibilities throughout the process. Confidentiality shall be maintained to the extent allowed by law.

(7) **Advising process.** In the event that an individual feels he or she has been the victim of discrimination, the individual may discuss the matter with an ombudsperson. The responsibility of the ombudsperson is to inform the individual of the policy and procedures regarding antidiscrimination. The advising process itself is designed to promote free and open discussion between the individual seeking information and the ombudsperson.

If an individual feels that he or she has a warranted complaint, that person may choose to proceed to the mediation process or directly to the formal process, step one.

At the conclusion of the advising process, the ombudsperson will generate an incident report. If the ombudsperson finds the complaint without merit, he/she will not generate a report nor notify the respondent. The identity of individuals involved will not be designated on the report and no record of the advising conversation will be kept. The incident reports will be forwarded to the affirmative action officer to be used to record the number and types of incidents. The college will ensure the privacy of all individuals in the generation and maintenance of incident reports.

(8) **Mediation.** When an ombudsperson receives an informal complaint of discrimination, either verbally or in

writing, he/she shall discuss the informal complaint with the respondent within three working days. The purpose of the mediation process is to encourage both parties to communicate in an attempt to resolve the conflict. If a meeting occurs during this phase, both the claimant and the respondent may bring a support person. If the informal complaint appears valid, the ombudsperson shall complete a written report together with the informal complaint and any action taken including the nature of the resolution if one is reached. This report shall be forwarded to the claimant, respondent, and the affirmative action officer. The affirmative action officer will keep the report confidential for five years from the date of final decision on the complaint, after which time it is destroyed.

The mediation process shall be completed within thirty working days of receipt of the informal complaint by the ombudsperson. If a satisfactory resolution is reached, the claimant and respondent will acknowledge resolution in writing to the ombudsperson who will forward a copy of the acknowledgement to the affirmative action officer.

(9) **Formal complaint; step one.** In the event that the mediation process does not occur or does not resolve the conflict to the satisfaction of both parties, the following process will be used:

(a) If the claimant decides to pursue the complaint, he/she shall file a formal complaint in writing with the ombudsperson within ten working days of the conclusion of the mediation process or within one hundred eighty days of the event itself for those claimants who have elected to bypass the mediation process. This formal complaint must state the times, dates, places, and circumstances surrounding the allegations. The ombudsperson will forward a copy of the formal complaint to the respondent within five working days. In turn, the respondent shall forward a written response concerning the formal complaint to the ombudsperson within five working days of receiving the written formal complaint. The ombudsperson shall forward all information to the affirmative action officer in a timely manner. Materials shall be forwarded without a response if a timely response is not received.

The affirmative action officer may also begin the formal complaint; step one process, against any alleged offender who has had repeated claims filed against him or her after the person has had an opportunity to respond in an informal manner. This will be done in collaboration with the ombudsperson.

If the affirmative action officer finds that the factual allegations of the formal complaint do not present a prima facie case of discrimination, as defined under this policy, he/she shall dismiss the complaint. In making this decision, the affirmative action officer should assume that the facts alleged in the complaint are true.

If the affirmative action officer finds the complaint to be false and malicious, he/she shall dismiss the complaint. The affirmative action officer will notify the ombudsperson why the complaint has been dismissed and the ombudsperson shall file that information with the incident report. In addition to dismissing the complaint, the affirmative action officer will refer the claimant to the designated college officer for possible disciplinary action.

(b) Within five working days of receiving materials from the ombudsperson, the affirmative action officer will

review all information received and check for completeness and detail. Any concerns about procedure and documentation will be discussed with the ombudsperson, with a possible request for clarification from claimant and/or respondent.

Within the same five working day period, the affirmative action officer will forward documentation to the appropriate authority (as listed below) who will speak informally with the respondent:

Respondent	Appropriate Authority
Faculty	Associate dean or dean depending upon reporting relationships
Classified	Director/associate dean/dean depending on reporting relationships
Administrator	Immediate supervisor
Student	Dean of guidance & special populations
President	chair of board of trustees
Visitor, Vendor, Agent	Vice-president, administrative & business services

The affirmative action officer shall also provide a copy of the written formal complaint and the respondent's response to:

Respondent	Receives Copy
Faculty	Vice-president, educational services
Classified	Appropriate dean
Administrator	President
Student	Dean responsible for student grievances
President	Chair of board of trustees
Visitor, Vendor, Agent	Vice-president, administrative & business services

The ombudsperson shall keep a written record of all actions taken in an effort to resolve the formal complaint. If resolution is reached, the ombudsperson shall complete a written report of this resolution and submit copies to all parties involved.

(c) If resolution is not reached and the parties have not engaged in mediation, joint mediation will now take place. The mediation session will include both parties involved in the formal complaint and a support person or representative for each of them. The ombudsperson and the affirmative action officer will also be present (except when the affirmative action officer is the initiator of the complaint in which case the dean responsible for student grievances will serve). An ombudsperson will facilitate this session where both parties will hear each other describe the events they believe have taken place. If resolution is not reached, the case will now proceed to formal complaint; step two.

If a resolution is achieved, the ombudsperson shall complete a written report and submit copies to all parties involved. The claimant and respondent will acknowledge the resolution in writing. Documents involved in the case will be kept confidential by the affirmative action officer for five years after which time this information will be destroyed.

(d) The entire formal complaint; step one, procedure will be completed within thirty working days.

(10) **Formal complaint; step two.** If the complaint has not been dismissed and a satisfactory resolution is not achieved through formal complaint; step one, a team will be formed to conduct a fact-finding investigation as follows:

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(a) The affirmative action officer (except when the affirmative action officer is the initiator, claimant, or respondent of the complaint in which case the dean responsible for student grievances will serve).

(b) A member of the standing grievance committee selected by the claimant.

(c) A member of the standing grievance committee selected by the respondent.

(d) In the case of presidential involvement, a member of the board of trustees.

The team will hear evidence and argument from all parties. In conducting a fact-finding hearing, it is important to recognize that many times potential witnesses will not be available to testify at the time of the hearing. This is particularly true for former students of this institution. Alleged acts of discrimination will often arise in settings where there may be no other direct witnesses besides the claimant and the respondent. Evidence which may be available from former complainants, or others, who are no longer available to testify is likely to be helpful to the fact-finding team in weighing the credibility of the witnesses and in evaluating alleged acts of discrimination. Liberal admissibility of evidence at the fact-finding hearing is, therefore, anticipated and encouraged with the exception of information offered during the mediation process for the purpose of resolving the complaint. Evidence admitted should be accorded whatever weight is deemed appropriate under the circumstances by the fact-finding team.

Within fifteen days of the completion of formal complaint; step two, the team will be charged with submitting a report outlining their findings to the designated college officer.

The appropriate designated college officer shall be:

(i) The vice-president, educational services, when the claimant is an employee of the college or when a student is complaining against an employee. When a student is involved, the dean responsible for student grievances will join the vice-president in determining appropriate action. However, the vice-president, educational services, will assume the ultimate responsibility in seeing the process to conclusion.

(ii) The dean responsible for student grievances when the claimant is a student complaining against another student.

(iii) In the event the respondent is the vice-president, educational services, or the dean responsible for student grievances, the designated college officer shall be the president. In the event the respondent is the president, the designated college officer shall be the chair of the board of trustees.

(11) **Disciplinary/further action.** Where discrimination has been determined to have occurred based on the results of the fact-finding team's report, the designated college officer will determine appropriate action, which may include:

- (a) Findings placed in personnel or student file;
- (b) Reprimand;
- (c) Suspension;
- (d) Dismissal.

In cases of suspension or employment termination, existing procedures for students, faculty, administrative or classified staff shall be followed. Administrators, paraprofessionals, and other college employees and agents shall be subject to discipline as deemed appropriate by the designated

college officer. The affirmative action officer shall be responsible for ensuring that disciplinary actions are complied with and will report back to the designated college officer.

If the fact-finding team determines that discrimination has not occurred and that the claim is false and malicious, the claimant shall be referred to the designated college officer for possible disciplinary action.

(12) **Repeat offenses.** When an informal or formal complaint is made against someone who has been found in the past five years to have been in violation of the antidiscrimination policy, the initial procedures of this policy will commence. However, disciplinary measures chosen for repeat offenders will take into account the repeated lack of compliance by the offender and should be moved to the next level of disciplinary action.

(13) **External options.** At any point during these proceedings, the claimant may file concurrently with an outside agency. Claimants are encouraged to use the internal complaint procedures first. Students may file complaints with the Office of Civil Rights, U.S. Department of Education, 2901 Third Ave., M/S 106, Seattle, WA 98121. Employees may file complaints with the Equal Employment Opportunity Commission (EEOC), 1321 Second Avenue, 7th Floor, Arcade Plaza, Seattle, WA 98101, or the Human Rights Commission, 1515 Second Avenue, Columbia Bldg., Suite 400, Seattle, WA 98101.

Chapter 132D-315 WAC STUDENTS WITH DISABILITIES POLICY

NEW SECTION

WAC 132D-315-005 Students with disabilities policy.

(1) **Policy statement.** No student shall, on the basis of his or her disability, be excluded from participation in, be denied the benefits of, or otherwise be subject to discrimination under any college program or activity. Skagit Valley College is committed to providing qualified students with a disability an equal opportunity to access the benefits, rights, and privileges of college services, programs and activities, in the most integrated setting appropriate to the student's needs, in compliance with the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, and chapter 105, Laws of 1994.

Skagit Valley College is committed to providing reasonable accommodations, including core services, to qualified students with disabilities. The purpose of this policy is to identify the rights and responsibilities of students under ADA/504 and to establish clear guidelines for seeking and receiving reasonable accommodations.

To receive reasonable accommodations, students are responsible for requesting accommodations and documenting the nature and extent of their disability in a timely manner. This policy establishes the scope of and the procedures for requesting those accommodations.

(2) **Scope.** Reasonable accommodations under this policy include, but are not limited to:

(a) Academic adjustments, such as modification of academic requirements and flexibility in test-taking arrangements;

(b) Adjustments in nonacademic services and other rules; and

(c) Auxiliary aids and services.

Skagit Valley College will make those modifications to its academic requirements that:

(i) Are necessary to ensure that those requirements do not discriminate, or have the effect of discriminating, against a qualified student with a disability based on that disability; and

(ii) Do not impose an undue hardship on the college or require alteration of essential program requirements.

Appropriate academic adjustments/reasonable accommodations will be provided to qualified students with disabilities for recruitment, the application process, enrollment, registration, financial aid, course work, academic counseling, nonacademic programs and services.

Section 202 of the 1990 Americans with Disabilities Act states:

No qualified individual with a disability shall, by reason of such disability, be excluded from the participation in or be denied the benefits of the services, programs or activities of any public entity, or be subject to discrimination by any such entity.

Section 504 of the Rehabilitation Act states:

No otherwise qualified, handicapped individual in the United States shall solely, by reasons of his/her handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

(3) **Definitions.** "Reasonable accommodations" in college programs and services, are modifications of those programs, policies, practices, and procedures that enable qualified students with a disability to have an equal opportunity to benefit from and have access to college programs and services and providing auxiliary aids and services.

"Student" is a person enrolled at the college.

A "qualified student with a disability" is one who, with or without reasonable accommodations, meets the academic and technical standards required for admission to, participation in, and/or fulfilling the essential requirements of college programs or activities.

A "student with a disability" is a student who:

(a) Has a physical, mental or sensory impairment that substantially limits one or more of his/her major life activities;

(b) Has a record of such an impairment; or

(c) Is perceived to have such an impairment.

A "learning disability specialist" is a person with a masters degree in special education/learning disabilities.

"Undue hardship" is any excessively costly, extensive, substantial or disruptive modification or one that would substantially alter the nature or operation of the institution or any of its programs or services or threaten the health or safety of the college community.

"Program accessibility" means that all programs and services, when viewed in their entirety, are accessible to persons with a disability.

"Core services" are those services listed in chapter 105, Laws of 1994, that are necessary to ensure students with disabilities are reasonably accommodated at the college.

"Course substitution" is the replacement of a specific course required for a degree program with another course

that measures the same learning objectives/skills as the required course.

Disabled student services office and disabled student services coordinator serve district-wide functions.

(4) **Obligations of the college.** Skagit Valley College shall:

(a) Comply with Section 504 of the Rehabilitation Act of 1973 and Section 202 of the Americans with Disabilities Act of 1990, as amended.

(b) Notify students of the college's policy of nondiscrimination on the basis of disability and of steps the student may take if he/she believes discrimination has taken place. This notice shall be included in all formal correspondence that communicates decisions or policies adversely affecting the student's status or rights with the institution of higher education. This notice shall include the phone numbers of the United States Department of Education, U.S. Office of Civil Rights, and the Washington state human rights commission.

(c) Make available to all students information on the services available to disabled students, including the name and location of the disabled student services coordinator, and the process for accessing those services.

(d) Work with the student, faculty, and staff on a case-by-case basis, to select and provide those accommodations/core services appropriate for each qualified student with a disability.

(e) Develop procedures to protect the confidentiality of information regarding the nature and extent of the documented disability.

(f) Maintain the academic integrity of its program.

(g) Not make preadmission inquiry as to whether the applicant has a disability, except as provided by law.

(h) Work collaboratively with eligible students to determine what accommodations are reasonable and appropriate. The college may require specific documentation from the student's physician to identify the accommodations that are reasonable based on the nature and extent of a student's disability.

(5) **Obligations and rights of students.** The college is obligated to provide reasonable accommodation to a qualified student with known disability. What is appropriate for a student is a case-by-case determination. A student who seeks accommodation under this policy is responsible for documenting the nature and extent of the disability. The college will work collaboratively with the student in determining the appropriate accommodations.

To ensure that needed accommodations are provided in a timely manner, the student shall:

(a) Provide timely notice and documentation of the nature and extent of the disability, and the accommodations requested, to the disabled student services coordinator. Some accommodations may require some time to arrange. Requests for accommodations should be received by the college six weeks prior to the beginning of the quarter for which the request is made, when possible. Lack of advance notice may delay the availability of an accommodation.

(b) Provide such additional documentation on the nature and extent of their disability as the college may require to determine appropriate accommodations. Such documentation may include, but is not limited to, identification of tests

administered, test results, description of the covered disability, and recommended accommodations.

(c) Cooperate with the disabled student services coordinator to develop an appropriate curriculum plan and reasonable accommodations.

(d) Promptly notify the disabled student services coordinator of any problems encountered in receiving the agreed-upon accommodations.

(6) **Disabled student services office.** The disabled student services office is responsible for the coordination of services to qualified students with disabilities requiring reasonable accommodations.

The disabled student services office is committed to a reasonable approach in the identification of students with disabilities, including contacting all students who voluntarily self-identify during the college admission or orientation process.

Information regarding a disability will be kept confidential unless the student signs a release of information form.

The office will assist and advise each qualified student with a disability who requests accommodations under this policy in developing an instructional plan, identifying those reasonable accommodations appropriate for the student, and ensuring that the agreed-upon accommodations are provided.

(7) **Reasonable accommodations—Examples by categories.** The process of selecting reasonable accommodations for each qualified student with a disability shall be made on a case-by-case basis, appropriate to the nature and extent of the student's disability.

(8) **Academic modifications.** Academic modifications may include, but are not limited to:

(a) Flexibility in timeliness for completion of courses, certification, and degree requirements;

(b) Substitution of specific courses required for the completion of degrees;

(c) Adaptation of the manner in which specific courses are conducted;

(d) Flexibility in teaching methods and test-taking arrangements;

(e) Flexibility in credits required to satisfy institutional eligibility.

(9) **Auxiliary aids and services.**

(a) Flexible procedures in the admissions process, (early registration or priority registration);

(b) Qualified sign language, oral and tactile interpreters, or other technological alternatives;

(c) Access to adaptive equipment including, but not limited to TDDs, FM communicators, closed caption devices, amplified telephone receivers, closed circuit televisions, low-vision reading aids, player/recorders for 15/16 4-track tapes, photocopy machine able to use eleven-by-seventeen inch paper, braille devices and computer enhancements;

(d) Textbooks and other educational materials in alternative media, including, but not limited to large print, braille, electronic format, and audio tape;

(e) Provision of readers, notetakers, and/or proofreaders; and

(f) Release of syllabi, study guides, and other appropriate instructor-produced materials in advance of general distribution and access beyond the regular classroom session to slides, films, overheads, and other media, and taping of lectures.

(10) **Access.**

(a) Ongoing review and coordination of efforts to ensure campus accessibility, including barrier-free design, signage, identification of hazards of mobility barriers, maintenance of access during construction, snow and ice clearance, and adequate disability parking for all facilities;

(b) Facilitating physical access to programs and services including relocating classes, activities, and services to accessible facilities;

(c) Referral to appropriate on-campus and off-campus resources, services and agencies; and

(d) Accessibility to tutoring, mentoring, peer counseling, and academic advising, if available on campus, for students with disabilities.

(11) **Procedures for course substitutions and waivers.**

Policy. Skagit Valley College recognizes that certain disabilities may preclude a student from successfully completing a specific course requirement for a degree (for example, math) even with appropriate accommodations. Skagit Valley College recognizes its obligation to accommodate disabled students without compromising the integrity of the academic program.

Under the ADA, the college is not required to waive essential requirements of a student's program of instruction. Therefore, every student enrolled in a degree program at the college is required to meet the essential requirements of the degree program.

Skagit Valley College recognizes that altered methods of course delivery and/or providing core services will enable most disabled students to successfully complete course requirements, except in unusual circumstances. Therefore, disabled students will attempt to successfully complete required courses with accommodations.

If a student is unsuccessful in completing a course, that student may request course substitution under this policy. Waivers of degree program requirements will be rarely given, and then only after students have attempted, with appropriate reasonable accommodations, to meet those requirements.

(12) **Procedure for requesting course substitution.**

(a) Course substitutions will be approved only when such substitution is consistent with the essential degree requirements.

(b) Requests for substitution for a required course shall be considered only when a qualified student with a disability has demonstrated that, even with academic adjustments and auxiliary aids/services provided by the college, he or she is unable to successfully complete the course solely because of his/her disability.

(c) All requests for course substitution shall be submitted to the disabled student services coordinator in a timely manner and shall include the following information:

(i) A description of the accommodations previously provided to the student for the course;

(ii) An explanation of the relationship of the student's disability to the lack of success in completing the course;

(iii) The proposed substitute course, if known;

(iv) A statement by the student that he/she has made a good faith effort to complete the required course with appropriate accommodations;

(v) A statement from a medical, psychological or learning disabilities specialist who works in the field of the

disability which makes this request for substitution necessary; and

(vi) A release signed by the student, authorizing the department chair, appropriate dean or associate dean, and vice-president of educational services to review the documentation on the student's disability and to contact the evaluating doctor, psychologist, or learning disabilities specialist.

(d) The disabled student services coordinator shall forward the request, with documentation through the appropriate approval process as designated below.

(13) Waiver/substitution committee.

(a) All requests for course substitutions/waivers shall be submitted through Skagit Valley College's formal waiver process. This process consists of obtaining approval from the appropriate department chair, dean or associate dean and the vice-president of educational services.

(b) Request for a course substitution shall be approved if the proposed substitution meets the learning objective of the degree requirement.

(c) The appropriate dean or associate dean shall respond in writing to all requests for course substitutions within two weeks of receiving the request. The response shall include a brief summary of the basis for the decision.

(14) **Waiver of degree requirements.** Requests for waiver of a program requirement will only be considered when the course substitution is not successful. The waiver request shall be considered in the same manner as provided above.

(15) Reasonable accommodation—disputes.

(a) If a student believes that the disabled student services coordinator has not identified or provided reasonable academic adjustments or auxiliary aids, that student may seek review of the coordinator's actions by the dean of guidance and special populations.

(b) The student will submit the appeal to the dean of guidance and special populations. The dean will review the student's position, and respond within five days.

(c) If resolution is not reached the dean will refer the appeal to the formal grievance process.

(d) The decision of the grievance committee is the final decision of the institution.

**WSR 96-01-078
PERMANENT RULES
PARKS AND RECREATION
COMMISSION**

[Filed December 18, 1995, 2:45 p.m.]

Date of Adoption: December 8, 1995.

Purpose: Revise the land classification system to provide a more effective tool for the commission to set use policy within state parks.

Citation of Existing Rules Affected by this Order: Amending WAC 352-16-010, 352-16-020, 352-28-005, 352-28-010, 352-32-060, 352-32-070, 352-32-075, 352-32-200, and 352-32-290.

Statutory Authority for Adoption: RCW 43.51.040(1), [43.51.]045, [43.51.]050, [43.51.]060(1), [43.51.]061, [43.51.]395.

Adopted under notice filed as WSR 95-22-065 on October 30, 1995.

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

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 9, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, amended 9, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 1, amended 9, repealed 0.

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

December 8, 1995

Bruce Hilyer
Chair

**Chapter 352-16 WAC
NAMING OF ((SITES)) STATE PARK AREAS AND
THE LAND CLASSIFICATION SYSTEM**

AMENDATORY SECTION (Amending Order 7, filed 4/1/70)

WAC 352-16-010 Naming ((of sites)) and classification of state park areas—Commission action. (1) All areas dedicated for public park purposes, excluding separately located administrative areas, and under the ownership and/or management of the Washington state parks and recreation commission, shall be defined as state park areas.

(2) The official name of any state park area shall generally include in it the term "state park."

(3) The official naming of any state park((s-site)) area shall be the function of the commission((—In addition, the commission may consider suggestions made by its individual members, or by members of the interested public made at a regular or special meeting)); *Provided*, That the commission may not change any name established by the legislature, including specified conservation areas, seashore conservation areas and other recreation and open space areas.

(4) The official land classification, or reclassification, of any state park area, pursuant to WAC 352-16-020, shall be the function of the commission: *Provided*, That the director shall have authority to manage, on an interim basis, state park areas in accordance with any appropriate land classification prior to final commission action.

(5) Any named or unnamed state park area may have one or more land classifications within its boundary.

(6) Land classifications defined in this chapter shall apply throughout Title 352 WAC.

AMENDATORY SECTION (Amending Resolution No. 74, filed 3/27/84)

WAC 352-16-020 Land classification system. State park((s)) areas are of state-wide natural, cultural and/or recreational significance and/or outstanding scenic beauty.

PERMANENT

They provide ~~((for active and passive, low and high density))~~ varied facilities serving low-intensity, medium-intensity, and high-intensity outdoor recreation activities, areas reserved for preservation, scientific research, education, public assembly, and/or environmental interpretation, and support facilities. They ~~((also))~~ may be classified in whole or part as follows:

(1) Recreation areas are ~~((land and/or water sites that are))~~ suited and/or developed for ~~((high density))~~ high-intensity outdoor recreational use, conference, cultural and/or educational centers, or other uses serving large numbers of people.

(2) ~~((Natural areas are sites obligated to conserving a natural environment in a nearly undeveloped state for passive low density outdoor recreation activities. These areas may be found in all types of environments.~~

~~((3))~~ Resource recreation areas are suited and/or developed for natural and/or cultural resource-based medium-intensity and low-intensity outdoor recreational use.

(3) Natural areas are designated for preservation, restoration, and interpretation of natural processes and/or features of significant ecological, geological or paleontological value while providing for low-intensity outdoor recreation activities as subordinate uses.

(4) Heritage areas are ~~((sites which preserve and interpret))~~ designated for preservation, restoration, and interpretation of unique or unusual ~~((geological, paleontological,))~~ archaeological, historical, scientific, and/or cultural features ~~((of the state which transcend local interest and)),~~ and traditional cultural properties, which are of state-wide or national significance.

~~((4))~~ Launch areas are sites solely developed for boating ingress and egress.

~~((5))~~ Conservation areas are aggregates of recreationally developed and undeveloped open space sites legally dedicated to sustained recreational use. They may contain any combination of state park, recreation area, natural area, heritage area, launch area, or other open space area under public ownership or administration.

~~((6))~~ Ocean beach access areas are sites of limited acreage along the Washington coastline which provide public access to waters, shore, and recreational opportunities of the Pacific Ocean.

~~((7))~~ Environmental learning center sites are resident camping facilities made available to interested groups to provide their members with the opportunity to live, work, study and play in the outdoor environment.

~~((8))~~ (5) Natural forest areas are ~~((certain forest sites which are natural ecosystems))~~ designated for preservation, restoration, and interpretation of natural forest processes ~~((pursuant to RCW 43.51.045))~~ while providing for low-intensity outdoor recreation activities as subordinate uses, and~~((;))~~ which contain:

(a) Old-growth forest communities that have developed for ~~((approximately))~~ one hundred fifty ~~((to two hundred fifty))~~ years or longer and have the following structural characteristics: Large old-growth trees, large snags, large logs on land, and large logs in streams; or

(b) Mature forest communities that have developed for ~~((approximately))~~ ninety ~~((to one hundred fifty))~~ years or longer; or

(c) Unusual forest communities and/or interrelated vegetative communities of significant ecological value.

~~((9))~~ (6) Natural area preserves are ~~((sites which are considered important in preserving))~~ designated for preservation of rare or vanishing flora, fauna, geological, natural historical or similar features of scientific or educational value and which are registered and committed as a natural area preserve through a cooperative agreement with ~~((the department of))~~ an appropriate natural resource~~((s))~~ agency pursuant to chapter 79.70 RCW and chapter 332-60 WAC.

NEW SECTION

WAC 352-16-030 Management within land classifications. (1) The director shall develop management guidelines for each land classification listed in WAC 352-16-020. The guidelines shall provide specific direction for each classification, outlining the philosophy of each classification, its appropriate physical features, location, allowed and prohibited activities, and allowed and prohibited developments.

(2) Nothing in this section shall be construed to allow uses that are otherwise prohibited, nor prohibit uses that are otherwise expressly allowed, by the commission, this code or by statute.

Chapter 352-28 WAC

TREE, PLANT AND FUNGI CUTTING, REMOVAL AND/OR DISPOSAL

AMENDATORY SECTION (Amending WSR 94-10-012, filed 4/25/94, effective 5/26/94)

WAC 352-28-005 Definitions. When used in this chapter the following words and phrases shall have the meanings designated in this section unless a different meaning is expressly provided or unless the context clearly indicates otherwise.

(1) "Catastrophic forest event" means a natural or accidental devastation of major proportions that results in drastic alteration of the natural environment by, but not limited to, wind, fire, insect infestation, forest disease, flooding, or landslide.

(2) "Commission" means the Washington state parks and recreation commission.

(3) "Director" means the director of the Washington state parks and recreation commission.

(4) "Endangered species" means each plant, fungus and lichen species identified as endangered on the list of such species prepared by the department of natural resources Washington natural heritage program and each wildlife species identified as endangered by the Washington department of fish and wildlife in WAC 232-12-014.

(5) ~~(("Environmental learning center" means resident camping facilities made available to interested groups to provide their members with the opportunity to live, work, study, and play in the outdoor environment.~~

~~((6))~~ "Heritage area" means the parts of a park which are maintained for preservation and interpretation, and, which contain unique or unusual geological, paleontological, archaeological, historical, scientific, and cultural features of the state which transcend local interest and are of state wide or national significance.

(7) "Launch area" means the parts of a park which are solely developed for boating ingress and egress.

~~(8) "Natural area" means the parts of a park which are maintained for the conservation of a natural environment in a nearly undeveloped state for passive low density outdoor recreation activities.~~

~~(9) "Natural area preserve" means the parts of a park which are considered important in preserving rare or vanishing flora, fauna, geological, natural historical or similar features of scientific or educational value and which are registered and committed as a natural area preserve through a cooperative agreement with the department of natural resources pursuant to chapter 79.70 RCW and chapter 332-60 WAC.~~

~~(10) "Natural forest area" means certain forest areas which are natural ecosystems designated for preservation and interpretation of natural forest processes pursuant to RCW 43.51.045, and, which contain:~~

~~(a) Old growth forest communities that have developed for approximately one hundred fifty to two hundred fifty years or longer and have the following structural characteristics: Large old growth trees, large snags, large logs on land, and large logs in streams; or~~

~~(b) Mature forest communities that have developed for approximately ninety to one hundred fifty years; or~~

~~(c) Unusual forest communities.~~

~~(11) "Ocean beach access area" means sites of limited acreage along the Washington coastline which provide public access to waters, shore, and recreational opportunities of the Pacific Ocean.~~

~~(12) "Recreation area" means the parts of a park which are land and/or water sites that are suited and/or developed for high density outdoor recreational use.~~

~~(13)) "Sensitive species" means each plant, fungus and lichen species identified as sensitive on the list of such species prepared by the department of natural resources Washington natural heritage program and each wildlife species identified as sensitive on the list of such species prepared by the Washington department of fish and wildlife.~~

~~((14)) (6) "Threatened species" means each plant, fungus and lichen species identified as threatened on the list of such species prepared by the department of natural resources Washington natural heritage program and each wildlife species identified as threatened on the list of such species prepared by the Washington department of fish and wildlife.~~

AMENDATORY SECTION (Amending WSR 94-10-012, filed 4/25/94, effective 5/26/94)

WAC 352-28-010 ((Free)) Cutting and removal criteria. (1) Significant trees:

(a) Significant trees in any area under the jurisdiction and/or management of the commission shall, except in fire, weather, or other natural emergencies, be cut or removed only upon the written approval of the director or the assistant directors of the operations and resources development divisions when so designated by the director. Except in emergencies and when feasible, significant trees shall be removed only after they have been marked or appraised by a professional forester. Significant trees include all old-growth trees, mature trees, and all other younger trees of ten inches or greater in diameter at four and one-half feet in height. In case of fire, weather, or other natural emergen-

cies, the director or the designee of the director may declare that an emergency exists and thereby authorize the cutting or removal of damaged or down significant trees that are an imminent threat to persons and/or property.

(b) The cutting or removal of any significant trees in a natural area, natural forest area or a natural area preserve shall, except in emergencies as defined in subsection (1)(a) of this section, be approved only by the director and only after consultation with the Washington department of fish and wildlife and the department of natural resources Washington natural heritage program, the preparation of a mitigation plan for affected resources, and a public hearing on each such proposed cutting or removal conducted in the county/ counties in which the cutting or removal is to take place as determined by the director. Prior notice of a hearing shall be published in a newspaper of general circulation in the county/counties in which the park is located. Any person who requests notification of such proposed cutting or removal shall be sent prior notice of a hearing by mail. A summary of the testimony presented at a hearing or received in writing shall be presented to the director.

~~((e))~~ **(2) Protected species:** The cutting or removal of trees, other plants, or dead organic matter in any area known to be inhabited by endangered, threatened, or sensitive species shall, except in emergencies as defined in subsection (1)(a) of this section, follow requirements of the department of fish and wildlife for animals and of the department of natural resources for plants and be approved only by the director after consultation with ~~((the Washington department of fish and wildlife and the department of natural resources Washington natural heritage program))~~ those agencies, and the preparation of a mitigation plan for affected species.

~~((2) Cutting and removal)~~ **(3) Land classification criteria:** Trees or other plants may be cut and/or removed from the areas listed below for the following reasons only:

(a) Natural area preserves:

(i) Maintenance or construction of service roads, boundary fences, ~~((and interpretive))~~ or trails, or modification of conditions only as may be required to maintain a native plant community, species population, or ecological process as specified in a natural area preserve management plan prepared in consultation with the department of natural resources Washington natural heritage program.

(ii) Correction of conditions hazardous to persons, properties, and/or facilities on or adjacent to park land.

(iii) Control of forest diseases and insect infestations where adjacent forests are severely jeopardized or where a drastic alteration of the natural environment is expected to occur, after consultation with the natural heritage program and other agencies and groups with expertise in forest health as deemed appropriate by the director.

(iv) Prevent the deterioration or loss of historical/ cultural resources.

(v) Maintenance or construction of fire lanes for abatement of fires.

(b) Natural areas and natural forest areas:

(i) Maintenance or construction of trails, trail structures, trail head facilities, interpretive sites, or service roads.

(ii) Correction of conditions hazardous to persons, properties, and/or facilities on or adjacent to park land.

(iii) Control of forest diseases and insect infestations where adjacent forests are severely jeopardized or where a drastic alteration of the natural environment is expected to occur, after consultation with the natural heritage program and other agencies and groups with expertise in forest health as deemed appropriate by the director.

(iv) Prevent the deterioration or loss of historical/cultural resources.

~~((e))~~ Natural areas:

~~(i) Construction and maintenance of passive low density outdoor recreation facilities such as, but not limited to, trails, trail head facilities, and interpretive sites, and/or to achieve visual aspects appropriate to a natural or historical setting.~~

~~(ii) Construction and maintenance for road and utility easements authorized by the commission or mandated by condemnation.~~

~~(iii) Correction of conditions hazardous to persons, properties, and/or facilities on or adjacent to park land.~~

~~((v))~~ (v) Maintenance or construction of service roads for abatement of fires.

~~((v))~~ Control of forest diseases and insect infestations where adjacent forests are severely jeopardized or where a drastic alteration of the natural environment is expected to occur.

~~(vi) Prevent the deterioration or loss of historical/cultural resources.~~

~~(vii) Improve wildlife habitat after consulting with the department of fish and wildlife.~~

~~((d))~~ (vi) Modification of conditions only as may be required to maintain or restore a native plant community, species population, or ecological process.

~~(c) Recreation areas, resource recreation areas, and heritage areas(, launch areas, ocean beach access areas, and environmental learning centers):~~

~~(i) Area clearing necessary for park maintenance, and/or park development projects for day use and overnight recreation facilities, road and utility easements, and administrative facilities.~~

~~(ii) Correction of conditions hazardous to persons, properties, and/or facilities on or adjacent to park land.~~

~~(iii) Cleanup of trees fallen, tipped, or damaged by the weather, fire, or other natural causes.~~

~~(iv) Creation of diversity of tree size, age, and species to achieve visual aspects that resemble a formal landscape, natural or historical setting, or to improve wildlife habitat.~~

~~(v) Daylighting as appropriate to the site.~~

~~(vi) Maintenance or creation of a regenerating natural environment that will sustain low ground cover, shrubs, and understory and overstory trees to provide screening, wind, and sun protection.~~

~~(vii) Control of forest diseases and insect infestations where adjacent forests are severely jeopardized or where a drastic alteration of the natural environment is expected to occur.~~

~~(viii) Prevent the deterioration or loss of historical/cultural resources.~~

~~((z))~~ (ix) Maintenance or construction of service roads for abatement of fires.

(x) Modification of conditions to maintain or restore a desired plant community, species population, or ecological process.

(xi) Grazing, hay removal, or other similar activities when performed under authority of a permit from the commission or director.

(4) Harvest of edibles: Nonmarine edible plants and edible fruiting bodies, including fungi, shall be managed in accordance with subsections (1) through (3) of this section, except as follows and solely for the purpose of personal consumption or scientific or educational purposes:

(a) Within a natural area preserve, no harvesting of edible plants or edible fruiting bodies, including fungi, is permitted, other than for scientific or educational purposes.

(b) Within a recreation area, resource recreation area, natural area, natural forest area, or heritage area harvesting of edible plants and edible fruiting bodies, including mushrooms, berries and nuts is permitted: *Provided*, That the director or designee may close, temporarily close or condition such harvesting upon a finding that the activity is degrading or threatens to degrade the park's natural or cultural resources.

(c) Prior to enforcement of any harvest restrictions pursuant to this subsection, state park areas so restricted shall be conspicuously posted with appropriate signs.

(5) Hazard tree review: At least two persons, one being a qualified professional in forestry or arboriculture, shall examine potentially hazardous trees and rate such trees in accordance with department of natural resources, report number 42, detection and correction of hazard trees in Washington's recreation areas. The rating of each tree examined shall be recorded on a hazard tree form by each of the two persons who examine such trees. For trees identified as hazardous and when feasible, action such as, but not limited to, pruning, topping, crown reduction, and relocation of a target facility, shall be taken prior to tree cutting or removal.

((4)) (6) Tree cutting and removal operations: Tree cutting or removal shall be done by park personnel, unless the personnel lack necessary expertise. If tree cutting or removal work is done by a contractor, park personnel shall provide daily on-site supervision to ensure that work and safety standards are met to prevent harm or damage to persons, trees, shrubbery, soils, and other park resources. When feasible, trees shall be felled in sections with the tops and limbs lowered first by guy wires and ropes in order to protect adjacent old-growth trees and the integrity of the remaining stand. Only skid trails premarked by park personnel may be used and equipment shall be kept on existing roads and parking areas to the fullest extent possible. When feasible, all trees damaged during cutting or removal shall be repaired.

((5)) (7) Use of fallen trees: Except where they may create safety hazards and/or interfere with the normal operation of a park, fallen trees shall be left on the ground when deemed environmentally beneficial or used for park purposes such as, but not limited to, approved building projects, trail mulching, and firewood. In natural forest areas and natural areas first consideration shall be given to leaving trees on the ground for natural purposes.

AMENDATORY SECTION (Amending WSR 92-19-098, filed 9/17/92, effective 10/18/92)

WAC 352-32-060 Pets. (1) All ~~((dogs or other))~~ pets or domestic animals must be kept on leash no greater than eight feet in length, or otherwise physically restrained, and under control at all times while in a state park((s)) area.

(2) Pets and domestic animals may not be allowed to dig or otherwise disturb or damage the natural or cultural features of any state park area.

(3) In any state park area, ~~((dogs,))~~ pets~~((,))~~ or domestic animals, except for guide dogs, are not permitted on any designated swimming beach; ~~((or))~~ within a natural area preserve; during the skiing season on any designated alpine ski site or cross country ski trail in which the track has been prepared, set, or groomed; or in any public building unless so posted.

~~((3))~~ (4) In any state park area, pets or domestic animals, except for guide dogs, may be prohibited for the protection of wildlife, sensitive natural systems, special cultural areas, or for other purposes, if approved by the director or designee and so posted.

(5) No person shall allow his ~~((dog or other))~~/her pet or domestic animal to bite or in any way molest or annoy other park visitors. No person shall permit his ~~((dog or other))~~/her pet or domestic animal to bark or otherwise disturb the peace and tranquillity of the park.

~~((4))~~ (6) Any person bringing a ~~((dog))~~ pet or domestic animal into a state park area shall dispose of ~~((any))~~ animal feces ~~((deposited by the dog, by placing the feces))~~ in a plastic or paper sack. The sack shall then be deposited in a solid waste container.

~~((5))~~ (7) Except as provided in WAC 352-32-310, any violation of this section is an infraction under chapter 7.84 RCW.

(8) This section shall not apply to the recreational use of horses, llamas, sled dogs, or similar animals as authorized by WAC 352-32-070.

AMENDATORY SECTION (Amending WSR 92-19-098, filed 9/17/92, effective 10/18/92)

WAC 352-32-070 ~~((Horseback riding-))~~ Use of horses, llamas, sled dogs or similar animals for recreation. (1) No horses, llamas, sled dogs or similar animals for recreation shall be permitted in any state park~~((s))~~ area, except where designated and posted to specifically permit, or conditionally permit, such activity.

(2) Horses, llamas, sled dogs or similar animals for recreation shall not be permitted ~~((or))~~ in any designated swimming areas, campgrounds - except designated horse- or pack-oriented camping areas - or picnic areas, nor within a natural area preserve.

(3) Horses, llamas, sled dogs or similar animals for recreation shall not be permitted within natural areas or natural forest areas, except that relocation of existing equestrian or other similar trails into natural areas or natural forest areas may be permitted upon a finding by the director that such relocation is for the purpose of reducing overall resource impacts to a state park area.

(4) No person shall ride any horse or other animal in such a manner that might endanger life or limb of any

person or animal, and no person shall allow a horse or other animal to stand unattended or insecurely tied.

~~((4))~~ (5) Except as provided in WAC 352-32-310, any violation of this section is an infraction under chapter 7.84 RCW.

AMENDATORY SECTION (Amending WSR 92-19-098, filed 9/17/92, effective 10/18/92)

WAC 352-32-075 Use of nonmotorized cycles or similar devices ~~((in state parks))~~. (1) Whenever used in this section, nonmotorized cycle or similar device shall ~~((be defined as))~~ mean any wheeled, operator-propelled equipment ~~((which))~~ that transports the operator on land, ~~((except all))~~ including cycles, roller blades and skateboards, but not including wheelchairs~~((, to include but not be limited to unicycles, bicycles, triecycles, quadeycles, scooters, and skateboards))~~ or other devices utilized by persons with disabilities.

(2) Operation of nonmotorized cycles or similar devices shall be permitted upon roads and trails in ~~((state parks or))~~ state park areas, except:

(a) Where posted with prohibitory signing by approval of the director or designee. Prior to such posting, a public meeting shall be advertised and conducted in the region where the park is located. A closure decision shall be based on an evaluation of the degree of conflict with other park users, public safety, or damage to park resources and/or facilities related to these devices.

(b) ~~((Off public roads))~~ Within designated ~~((n))~~ natural areas, ~~((n))~~ natural forest areas, ~~((n))~~ or ~~((n))~~ natural area preserves~~((n))~~: Provided, That relocation of existing nonmotorized trails into natural areas or natural forest areas may be permitted upon a finding by the director that such relocation is for the purpose of reducing overall resource impacts to a state park area.

(c) Upon designated special use trails such as interpretive or exercise trails.

(d) Upon docks, piers, floats, and connecting ramps.

(3) Persons operating such devices in ~~((state parks and))~~ state park areas shall:

(a) Obey regulatory signs, including those permanently or temporarily erected, that govern the timing, location, speed, type and/or manner of operation, designed to promote visitor health and safety.

(b) Restrict speed and manner of operation to reasonable and prudent practices relative to terrain, prevailing conditions, equipment, personal capabilities, personal safety, and the safety of all other park visitors.

(c) Yield the right of way to pedestrians.

(d) Dismount and walk in congested areas and posted walk zones.

(e) Slow down, make presence known well in advance, and use courtesy and caution when approaching or overtaking other persons.

(f) Display adequate lighting during hours of darkness.

(g) Use caution when approaching turns or areas of limited sight distance.

(h) Not disturb or harass wildlife.

(i) When on public roads within a state park area, operate in compliance with any additional requirements of RCW 46.61.750, Effect of regulations—Penalty.

(4) The director or designee may designate trails for preferential use by cyclists and may specifically authorize use of any facilities for special cycling recreation events, excluding roads or trails specified in subsection (2) of this section.

(5) Except as provided in WAC 352-32-310, any violation of this section is an infraction under chapter 7.84 RCW.

AMENDATORY SECTION (Amending WSR 91-07-014, filed 3/12/91, effective 4/12/91)

WAC 352-32-200 Penalties. (1) In addition to the penalty provided in RCW 43.51.180, or any other existing or future law of the state of Washington, failure to comply with any section of this chapter, or of any other chapter of this title, or any other rule or regulation of the commission, or with any other federal, state, or local law, rule, or regulation applicable under the circumstances, shall subject the person so failing to comply to ejection from any state park area.

(2) All drug or alcohol related misconduct for which a citation is issued shall additionally subject the individual to expulsion from all lands administered by the commission for the following periods:

(a) One incident shall result in a twenty-four-hour expulsion.

(b) Two incidents shall result in a thirty-day expulsion.

(c) Three incidents shall result in a one-year expulsion.

(3) It shall be a civil infraction, under chapter 7.84 RCW, to fail to abide by a prominently posted restriction on the public use of park property.

AMENDATORY SECTION (Amending Order 83 [WSR 95-22-067], filed 10/2/84 [10/30/95])

WAC 352-32-290 Wood debris collection permit—Fee. (1) As used in this section "wood debris" means down and dead tree material (~~(which)~~ that may be removed without significantly adversely impacting the environment of the park at which it is located (~~(significantly)~~) and (~~(which)~~ that is surplus to the needs of such park.

(2) A person may collect and remove wood debris from a state park area only when a park (~~(manager or)~~) ranger has issued the person a wood debris collection permit.

(3) A wood debris collection permit is valid only at the state park at which the permit is issued (~~(and only during the calendar year when the permit is issued)~~).

(4) Subject to availability, for each wood debris collection permit issued, a person may collect and remove from a state park area not more than five cords of wood debris. Wood debris may be collected only for personal firewood use and only from sites and during time periods designated by a park (~~(manager or)~~) ranger.

(5) The nonrefundable fee for a wood debris collection permit shall be (~~ten dollars, except for persons sixty five years of age or over who shall be exempt from the fee~~) established by the director consistent with limitations identified in RCW 4.24.210, 43.51.045 and 43.52.065.

(6) This section shall be implemented in compliance with chapter 352-28 WAC.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

WSR 96-01-082
PERMANENT RULES
STATE BOARD OF EDUCATION

[Filed December 18, 1995, 3:56 p.m.]

Date of Adoption: November 17, 1995.

Purpose: The amendment specifies that completion of course work in literature from diverse cultures is a requirement for an English endorsement on a Washington teaching certificate.

Citation of Existing Rules Affected by this Order: Amending WAC 180-79-350.

Statutory Authority for Adoption: RCW 28A.410.010. Adopted under notice filed as WSR 95-20-044 on September 29, 1995.

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

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 1, repealed 0.

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

December 18, 1995

Larry Davis

Executive Director

AMENDATORY SECTION (Amending Order 4-87, filed 4/3/87)

WAC 180-79-350 English—Subject area endorsement. In order to receive an endorsement in English, the candidate shall have completed the minimum course work credit hours in the subject area of English, including, but not limited to, credit hours in each of the following essential areas of study:

(1) Writing/composition.

(2) American literature.

~~((2) English literature.))~~

(3) ~~((Comparative))~~ World literature representing a variety of diverse cultures, including British literature.

(4) Linguistics or structure of language.

~~((5) Writing/composition.))~~

WSR 96-01-083
PERMANENT RULES
DEPARTMENT OF HEALTH
 [Filed December 18, 1995, 4:38 p.m.]

Date of Adoption: August 18, 1995.

Purpose: To repeal chapters 246-816 and 246-818 WAC. Create a new chapter 246-817 WAC to reflect changes to the Dental Quality Assurance Commission and to the examination process.

Citation of Existing Rules Affected by this Order: Repealing chapters 246-816 and 246-818 WAC, complete chapters.

Statutory Authority for Adoption: RCW 18.32.035.

Adopted under notice filed as WSR 95-12-068 on June 6, 1995.

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

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 0.

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

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 1, amended 0, repealed 0.

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

December 14, 1995

John M. Berwind, DDS
 Chairperson
 Dental Quality
 Assurance Commission

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 246-816-015 Adjudicative proceedings—
Procedural rules for the dental disciplinary board.
- WAC 246-816-020 Display of licenses.
- WAC 246-816-030 Maintenance and retention of patient records.
- WAC 246-816-040 Report of patient injury or mortality.
- WAC 246-816-050 Recording requirements for all prescription drugs.
- WAC 246-816-060 Recording requirement for scheduled drugs.
- WAC 246-816-070 Prescribing, dispensing or distributing drugs.
- WAC 246-816-075 Nondiscrimination.
- WAC 246-816-080 Patient abandonment.
- WAC 246-816-090 Representation of care, fees, and records.
- WAC 246-816-100 Disclosure of provider services.

- WAC 246-816-110 Disclosure of membership affiliation.
- WAC 246-816-120 Specialty representation.
- WAC 246-816-130 Maintenance of records.
- WAC 246-816-140 Prescriptions.
- WAC 246-816-150 A rule applicable to dental technicians.
- WAC 246-816-201 Purpose.
- WAC 246-816-210 Definitions for WAC 246-816-201 through 246-816-260.
- WAC 246-816-220 Acts that may be performed by unlicensed persons.
- WAC 246-816-225 An act that may be performed by unlicensed persons outside the treatment facility.
- WAC 246-816-230 Acts that may not be performed by unlicensed persons.
- WAC 246-816-240 Acts that may be performed by licensed dental hygienists under general supervision.
- WAC 246-816-250 Acts that may be performed by licensed dental hygienists under close supervision.
- WAC 246-816-260 Acts that may not be performed by dental hygienists.
- WAC 246-816-301 Purpose.
- WAC 246-816-310 Definitions for WAC 246-816-301 through 246-816-410.
- WAC 246-816-320 Basic life support requirements.
- WAC 246-816-330 Local anesthesia.
- WAC 246-816-340 Nitrous oxide/oxygen sedation.
- WAC 246-816-350 Conscious sedation with an oral agent.
- WAC 246-816-360 Conscious sedation with parenteral or multiple oral agents.
- WAC 246-816-370 General anesthesia (including deep sedation).
- WAC 246-816-380 Mandatory reporting of death or significant complication.
- WAC 246-816-390 Applications—Permits—Renewals for the administration of conscious sedation with multiple oral or parenteral agents or general anesthesia (including deep sedation).
- WAC 246-816-400 Application of chapter 18.130 RCW.
- WAC 246-816-410 Effective date.
- WAC 246-816-501 Intent.
- WAC 246-816-510 Terms used in WAC 246-816-501 through 246-816-530.
- WAC 246-816-520 Approval of substance abuse monitoring programs.
- WAC 246-816-530 Participation in approved substance abuse monitoring program.
- WAC 246-816-701 Purpose.
- WAC 246-816-710 Definitions.
- WAC 246-816-720 Use of barriers and sterilization techniques.
- WAC 246-816-730 Management of single use items.

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WAC 246-816-740 Effective date.
 WAC 246-816-990 Dental anesthesia permit fees.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 246-818-015 Adjudicative proceedings—Procedural rules for the board of dental examiners.
- WAC 246-818-020 Examination eligibility and application.
- WAC 246-818-030 Examination content.
- WAC 246-818-040 Dismissal from examination.
- WAC 246-818-050 Examination results.
- WAC 246-818-060 Practical examination review procedures.
- WAC 246-818-070 Written examination review procedures.
- WAC 246-818-080 Application for licensure—AIDS education requirements.
- WAC 246-818-090 Graduates of nonaccredited schools.
- WAC 246-818-100 Licenses—Persons licensed or qualified out-of-state who are faculty at school of dentistry—Conditions.
- WAC 246-818-120 Licensure without examination for dentists—Eligibility.
- WAC 246-818-130 Licensure without examination for dentists—Application procedure.
- WAC 246-818-140 Licensure without examination for dentists—Licensing examination standards.
- WAC 246-818-142 Temporary practice permits—Eligibility.
- WAC 246-818-143 Temporary practice permits—Issuance and duration.
- WAC 246-818-150 Renewal of licenses.
- WAC 246-818-991 Dentist fees.

**WSR 96-01-084
 PERMANENT RULES
 DEPARTMENT OF HEALTH**

[Filed December 18, 1995, 4:40 p.m., effective January 1, 1996]

Date of Adoption: December 13, 1995.

Purpose: To adapt [adopt] the department's procedural rules to coincide with minimum health and safety rules adopted by the Board of Health as mandated by ESSB 5503.

Citation of Existing Rules Affected by this Order: Amending WAC 246-358-025 and 246-358-030.

Statutory Authority for Adoption: RCW 43.70.340.

Adopted under notice filed as WSR 95-20-074 on October 4, 1995.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or

Recently Enacted State Statutes: New 0, amended 2, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 2, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 2, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: An earlier effective date is necessary because of the imminent peril to public health, safety or welfare as declared in ESSB 5503: "An act relating to health and safety regulation...and declaring an emergency."

Effective Date of Rule: January 1, 1996.

December 15, 1995
 Bruce Miyahara
 Secretary

AMENDATORY SECTION (Amending Order 324, filed 1/12/93, effective 2/12/93)

WAC 246-358-025 Operating license. (1) An operator shall ~~((have an operating license before allowing the use of housing except as specified in subsection (3) of this section))~~ notify the department or contracted health officer to request licensure when:

(a) Housing consists of:

(i) Five or more dwelling units;

(ii) Any combination of dwelling units, or spaces that house ten or more occupants; or

(b) Compliance with MSPA requires licensure.

(2) An operator shall apply for an operating license at least forty-five days prior to either the use of housing or the expiration of an existing operating license by submitting to the department or contracted health officer:

(a) A completed application on a form provided by the department or contracted health officer;

(b) Proof of satisfactory results of a bacteriological water quality test as required by WAC 246-358-055(2), or proof housing is connected to a community water system; and

(c) A fee as specified in WAC 246-358-990.

(3) An operator may allow the use of housing without a ~~((permit))~~ license when all of the following conditions exist:

(a) The operator applied for an operating license in accordance with subsection (2) of this section at least forty-five days before occupancy, as evidenced by the post mark;

(b) The department or contracted health officer has not inspected the housing or issued an operating license;

(c) Other local, state, or federal laws, rules, or codes do not prohibit use of the housing; and

(d) The operator provides and maintains housing in compliance with this chapter.

(4) An operator shall:

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- (a) Post the operating license in a place readily accessible to workers;
- (b) Notify the department or contracted health officer in the event of a transfer of ownership; and
- (c) Cooperate with the department or contracted health officer during on-site inspections.
- (5) An operator may appeal decisions of the department in accordance with chapter 34.05 RCW and chapter 246-08 WAC.

AMENDATORY SECTION (Amending Order 324, filed 1/12/93, effective 2/12/93)

WAC 246-358-030 Department authority. (1) The department may establish an agreement with a health officer whereby the health officer assumes responsibility for inspections, issuing operating licenses, and enforcing this chapter.

(2) The department or contracted health officer shall issue an operating license when the department or contracted health officer determines the operator has met the minimum requirements in this chapter.

(3) The department or contracted health officer shall specify on the operating license the:

- (a) Operator's name;
- (b) Number of approved units;
- (c) Maximum (~~occupancies approved for operator supplied, basic worker supplied, and fully self contained worker supplied housing~~) occupancy; and
- (d) Expiration date (~~(, which shall be one calendar year from the date of issuance)~~).

(4) The department or contracted health officer shall determine the maximum occupancy for:

- (a) Operator-supplied housing based on the square footage and the number of bathing, foodhandling, handwashing, laundry, and toilet facilities;
- (b) (~~Basic~~) Worker-supplied housing based on:
- (i) The number of spaces designated by the operator (~~(for basic worker supplied housing)~~); and
- (ii) The number of bathing, foodhandling, handwashing, laundry, and toilet facilities, in excess of those facilities required for operator-supplied housing (~~(, and~~
- (c) ~~Fully self contained worker supplied housing based on the number of spaces:~~
- (i) ~~Designated by the operator for fully self contained worker supplied housing; and~~
- (ii) ~~Meeting the requirements in WAC 246-358-085(2)).~~

(5) The department or contracted health officer may issue a provisional operating license when housing fails to meet the standards in this chapter when:

- (a) The operator agrees to comply with a written corrective action plan and compliance schedule; or
- (b) An exemption request by the operator is pending action by the board.

(6) The department or contracted health officer shall survey each housing site to ensure standards of this chapter are met, including inspection:

- (a) Before issuing an annual operating license;
- (b) Upon request of an operator or occupant; and
- (c) At least once each year or as determined by the department or contracted health officer.

(7) The department or contracted health officer shall respond to complaints.

(8) The department or contracted health officer shall take appropriate enforcement action which may include any one or combination of the following:

- (a) Develop, with the operator, a corrective action plan including a compliance schedule;
- (b) Notify the operator concerning violations;
- (c) Suspend or revoke the operating license; or
- (d) Other action deemed necessary to bring housing into compliance with this chapter.

(9) The department shall confer with local health, fire, safety, and building agencies to understand each party's responsibilities for housing complaints, on-site sewage, drinking water, solid waste, food service, and other related environmental health issues.

WSR 96-01-085
PERMANENT RULES
DEPARTMENT OF HEALTH
 [Filed December 18, 1995, 4:45 p.m.]

Date of Adoption: November 13, 1995.

Purpose: Chapter 246-780 WAC, the farmers market nutrition program rule provides clarity to federal regulations to make it easier to comply with the requirements of participation in the program. Since the Administrative Procedure Act says a rule is necessary if violations result in imposition of a sanction, we need to establish this rule.

Statutory Authority for Adoption: RCW 43.70.120.

Adopted under notice filed as WSR 95-20-076 on October 4, 1995.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 8, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

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

December 15, 1995

Bruce Miyahara
 Secretary

Chapter 246-780 WAC
FARMERS' MARKET NUTRITION PROGRAM

NEW SECTION

WAC 246-780-001 Description of farmers' market nutrition program. (1) The purpose of the farmers' market nutrition program is to:

(a) Provide locally grown fresh fruits and vegetables to nutritionally at-risk low-income women, infants over six months of age, and children, who participate in the special supplemental nutrition program for women, infants, and children (WIC); and

(b) Expand the awareness and use of and sales at farmers' markets.

(2) Funding is provided by the Washington state department of health and the Washington state department of agriculture who contribute funds meeting the match required to receive federal funding.

(3) The farmers' market nutrition program is administered by the Washington state departments of health and agriculture.

NEW SECTION

WAC 246-780-010 Definitions. (1) "Brokers" shall mean those individuals or businesses who exclusively sell produce grown by others.

(2) "Contractor" shall mean a farmers' market who has a signed contract with the department to participate in the farmers' market nutrition program.

(3) "Department" shall mean the Washington state departments of agriculture and health.

(4) "FMNP" shall mean the farmers' market nutrition program.

(5) "Disqualification" shall mean the act of ending the participation of an authorized food grower and/or market from the farmers' market nutrition program.

(6) "Locally grown" shall mean Washington grown or grown in an adjacent county in a border state.

(7) "Eligible foods" shall mean locally grown, unprocessed (except for washing), fresh fruits and vegetables.

(8) "Farmers' market" shall mean an association of five or more local growers who assemble for the purpose of selling their produce directly to consumers.

(9) "Grower" shall mean any individual or business who grows a portion of the produce that they sell and exchange for farmers' market nutrition program checks at Washington state authorized farmers' markets.

(10) "Trafficking" shall mean the prohibited buying or exchanging of farmers' market nutrition program checks for cash, drugs, and/or alcohol.

(11) "WIC" shall mean the supplemental nutrition program for women, infants, and children.

(12) "FMNP abuse" shall include but not be limited to:
(a) Providing cash, unauthorized food, nonfood items, drugs, alcohol or other items to WIC customers in lieu of or in addition to authorized FMNP foods;

(b) Charging the FMNP or WIC/FMNP customer for foods not received by the customer;

(c) Charging the FMNP more for authorized foods than other customers are charged for the same food item;

(d) Providing rain checks or credit to customers in a FMNP transaction;

(e) Charging WIC customers cash or giving change to customers in a FMNP transaction;

(f) Validating and/or redeeming FMNP checks without having authorization from the department;

(g) Collecting a sales tax on FMNP purchases;

(h) Seeking restitution from FMNP WIC program clients for checks not paid by the department;

(i) Accepting and/or validating checks outside of the program dates.

NEW SECTION

WAC 246-780-020 Contractor responsibilities. (1) The department shall authorize contractors who may validate and authorize growers to accept FMNP checks. Unauthorized contractors who validate FMNP checks are subject to the penalties specified in WAC 246-780-040, Sanctions.

(2) Contractors shall submit an application to the department.

(3) The contractor shall:

(a) Allow only growers selling locally grown produce to accept FMNP checks.

(b) Agree to designate a program coordinator to validate and/or mark checks with a market/grower identifier.

(c) Agree to provide the department any information it has available which the department deems necessary to track the impact of the FMNP on the farmers' market or on WIC/FMNP clients participating in the FMNP.

(d) Accept training on FMNP procedures, assist the department in training participating growers, and safeguard client information.

(e) Provide such information as the department may require for annual reports to the United States Department of Agriculture, Food and Consumer Services.

(f) Ensure that checks are redeemed only by eligible growers.

(g) Sell eligible foods to FMNP clients at the same price as charged to other customers.

(h) Agree to allow the department to monitor the farmers' market for compliance with FMNP procedures.

(i) Act as a liaison to obtain signed grower agreements from growers who have agreed to sell at the farmers' market before they accept FMNP checks.

(j) Ensure that FMNP clients receive the same courtesies as other customers.

(k) Notify the department immediately if and when market operations cease.

(l) Refuse to validate any FMNP checks from ineligible growers.

(4) The contractor shall not allow growers to:

(a) Collect sales tax on FMNP check purchases.

(b) Seek payment from FMNP clients for checks not paid by the department.

(c) Give cash back for purchases that are in an amount less than the value of the checks.

(5) Neither the department nor the contractor have an obligation to renew a contract.

NEW SECTION

WAC 246-780-030 Authorized foods. (1) The contractor and growers shall ensure that only unprocessed, locally grown fresh fruits and vegetables are sold to WIC/FMNP clients participating in the FMNP.

(2) Ineligible items are those items as defined by the department. The ineligible items include but are not limited to honey, jam/jellies, cider, nuts, flowers and baked goods. The list of eligible items shall be provided to growers and contractors upon request.

NEW SECTION

WAC 246-780-040 Sanctions. (1) The department may disqualify a grower and/or contractor for reasons of FMNP abuse for one year from the date of offense. At the end of the disqualification period, the grower and/or contractor shall be required to reapply to be considered for authorization.

(2) Growers and contractors may be subject to sanctions in addition to, or in lieu of, disqualification. Prior to disqualifying a grower or contractor, the department shall consider whether the disqualification would create undue hardships for WIC participants.

(3) The department may set the period of disqualification from program participation. In no instance shall this period of disqualification exceed one year.

(4) The department shall recover funds due the FMNP and may impose a fine on growers and/or contractors for the offenses in this subsection. The department shall deposit these funds into the FMNP account in accordance with federal regulations.

Money shall be paid to the department within the time period specified in the notice of adverse action, or the grower and/or contractor may be suspended from the FMNP for a period of at least one program year, or the remainder of the calendar year. Offenses include but are not limited to:

(a) Providing cash, unauthorized food, nonfood items, drugs, alcohol or other items to WIC customers in lieu of or in addition to authorized FMNP foods;

(b) Charging the FMNP or WIC/FMNP customer for foods not received by the customer;

(c) Charging the FMNP more for authorized foods than other customers are charged for the same food item;

(d) Providing rain checks or credit to customers in a FMNP transaction;

(e) Charging WIC customers cash or giving change to customers in a FMNP transaction;

(f) Validating and/or redeeming FMNP checks without having authorization from the department;

(g) Collecting a sales tax on FMNP purchases;

(h) Seeking restitution from FMNP WIC program clients for checks not paid by the department;

(i) Accepting and/or validating checks outside of the program dates; and

(j) Violation of the rules of this chapter or the provisions of the contract.

(5) Any instances of trafficking in FMNP checks (in any amount) shall result in disqualification as an authorized contractor or grower for the FMNP.

(6) A contractor who commits fraud or abuse of the FMNP is liable for prosecution under Part 7 CFR 246.12 (f)(2)(xiv).

NEW SECTION

WAC 246-780-050 Notice of adverse action to a FMNP contractor and/or grower. (1) When the department denies an application to participate in the FMNP or denies an application to renew the contract, the denial shall be in writing. The notice shall state the basis for the denial.

(2) When the department proposes to take an adverse action against a contractor or grower with whom the department has a contract, the department shall give the respective contractor or grower a written notice. The notice shall:

(a) State the cause for the action;

(b) State the effective date of the action;

(c) State the procedure for requesting an appeal; and

(d) Be provided to the contractor or grower not less than fifteen days in advance of the effective date of the action.

NEW SECTION

WAC 246-780-060 Dispute appeals. Contractors and growers have a right to appeal an action by the department denying the application, imposing a sanction or disqualifying it from the FMNP. Expiration of a contract is not subject to appeal.

(1) A contractor or grower whose application is denied to participate or to continue to participate in the FMNP has the right to an appeal pursuant to the procedures set out in chapter 246-10 WAC. At the appeal, the contractor or grower may discuss the reasons for the denial.

(2) A request for an appeal shall be in writing and shall:

(a) State the issue raised;

(b) State the grounds for contesting the aggrieving department action;

(c) State the law, facts and conditions on which the appeal relies;

(d) Contain the appellant's current address and telephone number, if any; and the name and address of the appellant's attorney or other representative, if any;

(e) Have a copy of the adverse department notice attached.

(3) A request for an appeal shall be made by personal service or by regular mail to the Department of Health, Office of Professional Standards, 2413 Pacific Avenue, P.O. Box 47872, Olympia, WA 98504-7872. The request shall be made within twenty-eight days of the date the contractor/grower received the department notice of adverse action.

(4) The dispute appeals process is the sole administrative remedy the department offers a contractor or grower.

NEW SECTION

WAC 246-780-070 Contractor/grower-continued participation pending dispute resolution. (1) If the action being appealed is a disqualification of an authorized FMNP contractor, that contractor shall cease validating FMNP checks for all grower(s) participating in the market effective the date specified in the sanction notice. If the action being appealed is a disqualification of an authorized grower, the contractor shall cease validating checks for the grower who has been notified of the adverse action effective on the date specified in the sanction notice. Payments shall not be made for any FMNP checks submitted by a grower for payment during a period of disqualification.

(2) The department may, at its discretion, permit the contractor or grower to continue participating in the FMNP pending the proceeding's outcome of the contract dispute resolution if implementing the disqualification action would, in the opinion of the department, unduly inconvenience WIC participants.

WSR 96-01-090

PERMANENT RULES

DEPARTMENT OF TRANSPORTATION

[Order 159—Filed December 19, 1995, 9:00 a.m.]

Date of Adoption: December 19, 1995.

Purpose: To comply with OFM regulation 2.2.4.3.3f

(2)(a) to establish the handling fee of NSF checks by rule.

Statutory Authority for Adoption: RCW 62A.3-515 [62A.3-515].

Adopted under notice filed as WSR 95-22-057 on October 30, 1995.

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

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

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

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 1, repealed 0.

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

December 19, 1995

S. A. Moon

Deputy Secretary
for Operations

AMENDATORY SECTION (Amending Order 126, filed 12/21/90, effective 1/21/91)

WAC 468-20-900 (~~Appendix 1.~~) Dishonored checks.

Checks dishonored by nonacceptance or nonpayment; handling fee; liability for interest and collection costs; attorney's fees.

(1) Whenever a check, as defined in RCW 62A.3-104, is dishonored by either nonacceptance or nonpayment for any reason other than by a justifiable stop payment order, the department shall collect from the drawer or maker, in addition to the face amount of the check, a reasonable handling fee ((of fifteen dollars)),₁ per check ((from the drawer or maker)),₂ in an amount consistent with current commercial practices but not less than the handling fee authorized in the then current state purchase contract for dishonored check collection services.

(2) When the dishonored check and handling fee have not been paid within fifteen days of the mailing of a notice of dishonor to the drawer or maker at his or her last known

address, the drawer or maker shall also be liable for the payment of interest ((at the rate of twelve percent per annum from the date of dishonor)) as well as the costs of collection ((equal to the face amount of the check, not to exceed forty dollars)) as authorized in statute.

(3) Should the department have to pursue collection of the check through the courts, the drawer or maker may also be liable for reasonable attorneys' fees plus damages ((equal to the lesser of three times the face amount of the check or one hundred dollars)) as authorized in statute.

WSR 96-01-093

PERMANENT RULES

DEPARTMENT OF REVENUE

[Filed December 19, 1995, 9:05 a.m., effective January 1, 1996]

Date of Adoption: December 19, 1995.

Purpose: To update rule so it reflects the current rate of interest that will be included when property taxes are refunded in 1996.

Citation of Existing Rules Affected by this Order: Amending WAC 458-18-220 Refunds—Rates of interest.

Statutory Authority for Adoption: RCW 84.69.100.

Other Authority: RCW 84.08.010, 84.08.070.

Adopted under notice filed as WSR 95-22-095 on November 1, 1995.

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

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 1, repealed 0.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: RCW 84.69.100 requires the department to adopt the rate of interest by rule and this rate must be [in] effect by January 1, 1996, so that county officials may calculate the appropriate amount of property tax refunds after that date.

Effective Date of Rule: January 1, 1996.

December 19, 1995

Russell W. Brubaker

Assistant Director

Legislation and Policy Division

AMENDATORY SECTION (Amending WSR 95-06-044, filed 2/24/95, effective 3/27/95)

WAC 458-18-220 Refunds—Rate of interest. The following rates of interest shall apply on refunds of taxes made pursuant to RCW 84.69.010 through 84.69.090 in accordance with RCW 84.69.100. The following rates shall

also apply to judgments entered in favor of the plaintiff pursuant to RCW 84.68.030. The interest rate is derived from the equivalent coupon issue yield of the average bill rate for twenty-six week treasury bills as determined at the first bill market auction conducted after June 30th of the calendar year preceding the date the taxes were paid or the claim for refund is filed, whichever is later. The rate thus determined shall be applied to the amount of the judgment or the amount of the refund, until paid:

Year tax paid (chapter 84.68 RCW); Year tax paid or claim filed (whichever is later) (chapter 84.69 RCW)

Auction Year	Rate
1985	11.27%
1986	7.36%
1987	6.11%
1988	5.95%
1989	7.04%
1990	8.05%
1991	8.01%
1992	5.98%
1993	3.42%
1994	3.19%
1995	4.92%
1996	5.71%

WSR 96-01-094
PERMANENT RULES
DEPARTMENT OF REVENUE

[Filed December 19, 1995, 9:07 a.m., effective January 1, 1996]

Date of Adoption: December 19, 1995.

Purpose: To provide a rate of inflation that will be used by county officials to calculate interest in certain circumstances in 1996.

Citation of Existing Rules Affected by this Order: Amending WAC 458-30-590 Rates of inflation.

Statutory Authority for Adoption: RCW 84.34.360.

Other Authority: RCW 84.34.310.

Adopted under notice filed as WSR 95-22-094 on November 1, 1995.

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

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 1, repealed 0.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: RCW

84.34.310(6) directs the department to determine a rate of inflation and to publish this rate prior to January 1st each year.

Effective Date of Rule: January 1, 1996.

December 19, 1995

Russell W. Brubaker

Assistant Director

Legislation and Policy Division

AMENDATORY SECTION (Amending WSR 95-06-043, filed 2/24/95, effective 3/27/95)

WAC 458-30-590 Rates of inflation. (1) **Introduction.** This section sets forth the rates of inflation discussed in WAC 458-30-550.

(2) **Rates of inflation.** The rates of inflation to be used for calculating the interest as required by WAC 458-30-550 are as follows:

((~~YEAR PERCENT YEAR PERCENT YEAR PERCENT~~

1976	5.6	1982	6.2	1988	4.1
1977	6.5	1983	3.2	1989	4.8
1978	7.6	1984	4.3	1990	5.4
1979	11.3	1985	3.5	1991	4.2
1980	13.5	1986	1.9	1992	3.3
1981	10.3	1987	3.7	1993	2.7
				1994	2.2)

YEAR	PERCENT	YEAR	PERCENT
<u>1976</u>	<u>5.6</u>	<u>1977</u>	<u>6.5</u>
<u>1978</u>	<u>7.6</u>	<u>1979</u>	<u>11.3</u>
<u>1980</u>	<u>13.5</u>	<u>1981</u>	<u>10.3</u>
<u>1982</u>	<u>6.2</u>	<u>1983</u>	<u>3.2</u>
<u>1984</u>	<u>4.3</u>	<u>1985</u>	<u>3.5</u>
<u>1986</u>	<u>1.9</u>	<u>1987</u>	<u>3.7</u>
<u>1988</u>	<u>4.1</u>	<u>1989</u>	<u>4.8</u>
<u>1990</u>	<u>5.4</u>	<u>1991</u>	<u>4.2</u>
<u>1992</u>	<u>3.3</u>	<u>1993</u>	<u>2.7</u>
<u>1994</u>	<u>2.2</u>	<u>1995</u>	<u>2.3</u>

WSR 96-01-095
PERMANENT RULES
DEPARTMENT OF REVENUE

[Filed December 19, 1995, 9:10 a.m., effective January 1, 1996]

Date of Adoption: December 19, 1995.

Purpose: To provide county assessors with the rate of interest and property tax component that will be used in valuing farm and agricultural land classified under chapter 84.34 RCW during assessment year 1996.

Citation of Existing Rules Affected by this Order: Amending WAC 458-30-262 Agricultural land valuation—Interest rate—Property tax component.

Statutory Authority for Adoption: RCW 84.34.065, 84.34.141.

Other Authority: RCW 84.08.010, 84.34.070.

Adopted under notice filed as WSR 95-22-093 on November 1, 1995.

Changes Other than Editing from Proposed to Adopted Version: The rate of interest was changed because the rate of interest on operating loans, instead of farm and agricultural loans, was mistakenly used in calculating the rate of interest. After corrective information was received from

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several financial institutions, the five year average used to calculate the rate of interest was recomputed. The rate of interest in the proposed rule was 9.31 percent and the rate of interest in the adopted rule is 9.27 percent.

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

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 1, repealed 0.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: RCW 84.34.065 directs the department to annually determine and publish a rate of interest prior to January 1st each year for use in that assessment year.

Effective Date of Rule: January 1, 1996.

December 19, 1995
 Russell W. Brubaker
 Assistant Director
 Legislation and Policy Division

AMENDATORY SECTION (Amending WSR 95-09-041, filed 4/14/95, effective 5/15/95)

WAC 458-30-262 Agricultural land valuation—Interest rate—Property tax component. For assessment year ((1995)) 1996, the interest rate and the property tax component that are to be used to value classified farm and agricultural lands are as follows:

- (1) The interest rate is ((9.53)) 9.27 percent; and
- (2) The property tax component for each county is:

COUNTY	PERCENT	COUNTY	PERCENT
Adams	1.45	Lewis	1.36
Asotin	1.67	Lincoln	1.59
Benton	1.49	Mason	1.44
Chelan	1.50	Okanogan	1.57
Clallam	1.22	Pacific	1.39
Clark	1.34	Pend Oreille	1.45
Columbia	1.58	Pierce	1.62
Cowlitz	1.23	San Juan	0.85
Douglas	1.46	Skagit	1.15
Ferry	1.13	Skamania	1.02
Franklin	1.66	Snohomish	1.32
Garfield	1.55	Spokane	1.57
Grant	1.53	Stevens	1.22
Grays Harbor	1.48	Thurston	1.51
Island	0.88	Wahkiakum	1.24
Jefferson	1.25	Walla Walla	1.57
King	1.26	Whatecom	1.30

Kitsap	1.32	Whitman	1.56
Kittitas	1.23	Yakima	1.39
Klickitat	1.24		
<u>COUNTY</u>	<u>PERCENT</u>	<u>COUNTY</u>	<u>PERCENT</u>
<u>Adams</u>	<u>1.48</u>	<u>Lewis</u>	<u>1.33</u>
<u>Asotin</u>	<u>1.70</u>	<u>Lincoln</u>	<u>1.54</u>
<u>Benton</u>	<u>1.45</u>	<u>Mason</u>	<u>1.34</u>
<u>Chelan</u>	<u>1.42</u>	<u>Okanogan</u>	<u>1.43</u>
<u>Clallam</u>	<u>1.25</u>	<u>Pacific</u>	<u>1.35</u>
<u>Clark</u>	<u>1.38</u>	<u>Pend Oreille</u>	<u>1.34</u>
<u>Columbia</u>	<u>1.50</u>	<u>Pierce</u>	<u>1.63</u>
<u>Cowlitz</u>	<u>1.19</u>	<u>San Juan</u>	<u>0.84</u>
<u>Douglas</u>	<u>1.35</u>	<u>Skagit</u>	<u>1.26</u>
<u>Ferry</u>	<u>1.23</u>	<u>Skamania</u>	<u>1.09</u>
<u>Franklin</u>	<u>1.57</u>	<u>Snohomish</u>	<u>1.28</u>
<u>Garfield</u>	<u>1.39</u>	<u>Spokane</u>	<u>1.55</u>
<u>Grant</u>	<u>1.50</u>	<u>Stevens</u>	<u>1.16</u>
<u>Grays Harbor</u>	<u>1.49</u>	<u>Thurston</u>	<u>1.38</u>
<u>Island</u>	<u>0.93</u>	<u>Wahkiakum</u>	<u>1.17</u>
<u>Jefferson</u>	<u>1.26</u>	<u>Walla Walla</u>	<u>1.49</u>
<u>King</u>	<u>1.30</u>	<u>Whatcom</u>	<u>1.28</u>
<u>Kitsap</u>	<u>1.19</u>	<u>Whitman</u>	<u>1.66</u>
<u>Kittitas</u>	<u>1.22</u>	<u>Yakima</u>	<u>1.53</u>
<u>Klickitat</u>	<u>1.14</u>		

WSR 96-01-101
PERMANENT RULES
POLLUTION LIABILITY
INSURANCE AGENCY

[Filed December 19, 1995, 9:40 a.m.]

Date of Adoption: December 12, 1995.

Purpose: This rule is being adopted to implement chapter 70.149 RCW. Chapter 70.149 RCW established the Heating Oil Pollution Liability Insurance Program to address a solution to the threat posed to human health and the environment by accidental releases of heating oil from active heating oil tanks. This program is to assist owners/operators of active tanks.

Statutory Authority for Adoption: Chapter 70.149 RCW.

Adopted under notice filed as WSR 95-22-085 on November 1, 1995.

Changes Other than Editing from Proposed to Adopted Version: WAC 374-70-020, added definition for "property damage restoration." "Property damage restoration" means the restoration of property to a similar condition to that of the property prior to the accidental release. Restoration includes the replacement of sod, plants, or concrete driveway or walkway, or the cleaning or replacement of carpet in the case of a basement tank; WAC 374-70-060, changed the second sentence in subsection (1) to read "Thereafter, individual heating oil tank coverage shall become effective upon receipt, by PLIA, of the completed registration form."; WAC 374-70-070, added a sentence at the end of subsection (5). The sentence reads "If no contamination requiring corrective action is discovered during the investigation, all costs associated with the investigation will be the responsibility of the heating oil tank owner."; WAC 374-70-080, added a sentence at the end of subsection (6). The sentence reads "If no contamination requiring corrective action is discovered during the investigation, all costs associated with the investigation will be the responsibility of the heating oil tank owner."; WAC 374-70-080, added subsection (18) to read "In the case of an emergency, the director may autho-

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size deviation from this procedure to the extent necessary to adequately respond to the emergency."; WAC 374-70-090, changed "covered corrective action" in the first sentence to "covered corrective action costs."; WAC 374-70-090, deleted subsection (3) and renumbered the rest of the section accordingly; WAC 374-70-090, added a sentence at the end of what was originally subsection (6), and is now subsection (5) after renumbering due to the deletion of subsection (3). The sentence reads "If no contamination requiring corrective action is discovered during the investigation, all costs associated with the investigation will be the responsibility of the heating oil tank owner."; WAC 374-70-090, added subsection (17) to read "In the case of an emergency, the director may authorize deviation from this procedure to the extent necessary to adequately respond to the emergency."; and WAC 374-70-120, in subsection (l)(d), deleted the word "liability."

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 13, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 13, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.
December 15, 1995
James M. Sims
Director

Chapter 374-70 WAC HEATING OIL POLLUTION LIABILITY INSURANCE PROGRAM

NEW SECTION

WAC 374-70-010 Purpose and authority. (1) The purpose of this chapter is to address a solution to the threat posed to human health and the environment by accidental releases of heating oil from active heating oil tanks. It is in the best interest of all citizens for heating oil tanks to be operated safely, and for accidental releases or spills to be dealt with expeditiously in order to ensure that the environment, particularly ground water, is protected. It is also in the best interest of individual heating oil tank owners to protect them from the unexpected liability and potential financial hardship associated with an accidental release from a heating oil tank.

(2) The pollution liability insurance agency is directed by chapter 70.149 RCW to establish the heating oil pollution liability insurance program to assist owners and operators of active heating oil tanks.

NEW SECTION

WAC 374-70-020 Definitions. Unless the context requires otherwise, the definitions in this section shall apply throughout this chapter.

(1) "Abandoned heating oil tank" means a heating oil tank system that has been abandoned or decommissioned and is no longer active and in use.

(2) "Accidental release" means a sudden or nonsudden release of heating oil from an active heating oil tank that results in bodily injury, property damage, or a need for corrective action, neither expected nor intended by the owner or operator.

(3) "Active" heating oil tank means a heating oil tank that:

(a) Is in use at the time of registration for the heating oil pollution liability insurance program;

(b) Has been in continuous use for a period of eighteen months prior to registration; and

(c) Has been continuously in use between registration and submission of a notice of claim.

(4) "Agency" means the Washington state pollution liability insurance agency established pursuant to chapter 70.148 RCW. For purposes of chapter 70.149 RCW, agency shall also mean staff or employees of the pollution liability insurance agency.

(5) "Bodily injury" means bodily injury, sickness, or disease sustained by a person, including death at any time, resulting from the injury, sickness, or disease.

(6) "Claim" means a demand made by a named insured, or the insured's representative, for payment of the benefits provided under the heating oil pollution liability insurance program.

(7)(a) "Corrective action" means those actions reasonably required to be undertaken by the insured to remove, treat, neutralize, contain, or clean up an accidental release in order to comply with a statute, ordinance, rule, regulation, directive, order, or similar legal requirement, in effect at the time of an accidental release, of the United States, the state of Washington, or a political subdivision of the United States or the state of Washington. "Corrective action" includes, where agreed to in writing, in advance by the insurer, action to remove, treat, neutralize, contain, or clean up an accidental release to avert, reduce, or eliminate the liability of the insured for corrective action, bodily injury, or property damage. "Corrective action" also includes actions reasonably necessary to monitor, assess, and evaluate an accidental release.

(b) "Corrective action" does not include:

(i) Replacement or repair of heating oil tanks or other receptacles; or

(ii) Replacement or repair of piping, connections, and valves of tanks or other receptacles.

(8) "Director" means the director of the Washington state pollution liability insurance agency or the director's appointed representative.

(9) "Heating oil" means any petroleum product used for space heating in oil-fired furnaces, heaters, and boilers, including stove oil, diesel fuel, or kerosene. "Heating oil" does not include petroleum products used as fuels in motor vehicles, marine vessels, trains, buses, aircraft, or any off-

highway equipment not used for space heating, or for industrial processing or the generation of electrical energy.

(10) "Heating oil tank" means an active tank and its connecting pipes, whether above or below ground, or in a basement, with pipes connected to the tank for space heating of human living or working space on the premises where the tank is located. "Heating oil tank" does not include a decommissioned or abandoned heating oil tank, or a tank used solely for industrial process heating purposes or generation of electrical energy.

(11) "Heating oil tank service provider" is an independent contractor responsible for all aspects of corrective action including excavation, tank/line removal, sampling and testing, remedial actions, site restoration, and submittal of required reports to PLIA.

(12) "MTCA" means the Model Toxics Control Act (chapter 70.105D RCW).

(13) "Named insured" means the individual insureds who are heating oil tank owners registered for coverage under the heating oil pollution liability insurance program.

(14) "Occurrence" means an accident, including continuous or repeated exposure to conditions, that results in an accidental release from an active heating oil tank.

(15) "Owner" means the person, or his or her authorized representative, legally responsible for a heating oil tank, its contents, and the premises upon which the heating oil tank is located.

(16) "Owner or operator" means a person in control of, or having responsibility for, the daily operation of a heating oil tank.

(17) "Per occurrence, per site, per year" means one accidental release per site, per year.

(18) "Pollution liability insurance agency" (PLIA) means the Washington state pollution liability insurance agency established pursuant to chapter 70.148 RCW. For purposes of chapter 70.149 RCW, pollution liability insurance agency shall also mean staff or employees of the pollution liability insurance agency.

(19) "Pollution liability insurance agency trust account" means the pollution liability insurance agency trust account established under chapter 70.148 RCW and established in the custody of the state treasurer. Expenditures from the account are used for the purposes of chapter 70.148 RCW including the payment of costs of administering the pollution liability insurance program, and payment of reinsurance claims.

(20) "Property damage" means:

(a) Physical injury to, destruction of, or contamination of tangible property, including the loss of use of the property resulting from the injury, destruction, or contamination; or

(b) Loss of use of tangible property that has not been physically injured, destroyed, or contaminated but has been evacuated, withdrawn from use, or rendered inaccessible because of an accidental release.

(21) "Property damage restoration" means the restoration of property to a similar condition to that of the property prior to the accidental release. Restoration includes the replacement of sod, plants or concrete driveway or walkway, or the cleaning or replacement of carpet in the case of a basement tank.

(22) "Release" means a spill, leak, emission, escape, or leaching into the environment.

(23) "Third-party claimant" means a person alleged to have suffered property damage requiring corrective action or bodily injury as a direct result of a leak or spill from the heating oil tank of a named insured.

(24) "Third-party liability" means the liability of a heating oil tank owner to another person due to property damage requiring corrective action or bodily injury that results from a leak or spill from an active heating oil tank.

NEW SECTION

WAC 374-70-030 Responsibility. (1) The director of the pollution liability insurance agency is directed by chapter 70.149 RCW to establish the heating oil pollution liability insurance program to assist owners and operators of active heating oil tanks. The agency implements and administers the pollution liability insurance program established by chapter 70.148 RCW and the heating oil pollution liability insurance program established by chapter 70.149 RCW.

(2) The location of the principal office and the mailing address of the agency is:

Pollution Liability Insurance Agency
State of Washington
1015 10th Avenue, S.E.
P.O. Box 40930
Olympia, WA 98504-0930

(3) The principal administrative and appointing officer of the agency is the director. The director may designate other employees of the agency to act in his or her behalf in the director's absence or with respect to those matters in which so doing would enhance the efficiency of the agency's operations.

NEW SECTION

WAC 374-70-040 Insurance program. The director, as the heating oil pollution liability insurance program administrator, is responsible for obtaining pollution liability insurance coverage on behalf of the named insureds: All registered owners of active heating oil tanks. The pollution liability insurance policy will provide sixty thousand dollars coverage, including reinsurance, per occurrence and shall be in excess of other valid insurance and warranties. The policy will be reinsured through the pollution liability insurance agency trust account.

NEW SECTION

WAC 374-70-050 Eligibility. Owners and operators of active heating oil tanks in the state of Washington are eligible for coverage under the heating oil pollution liability insurance program.

(1) Participation in the heating oil pollution liability insurance program is optional for heating oil tank owners. If a heating oil tank owner wishes to participate in the heating oil pollution liability insurance program, the heating oil tank owner must register the active heating oil tank by submitting to PLIA a completed registration form to be provided by PLIA. Heating oil tank owners choosing to participate in the heating oil pollution liability insurance program established by this chapter must comply with the following criteria:

(a) The owner must submit proof, by one or more of the following methods, that the heating oil tank is active at the time of registration with the agency (PLIA) and that the heating oil tank has remained active eighteen months prior to registration:

(i) The owner must submit to PLIA a statement from a heating oil supplier attesting to deliveries of heating oil to the heating oil tank for eighteen months prior to registration; and/or

(ii) The owner must submit to PLIA a copy of invoices, or canceled checks, for receipt of heating oil at the heating oil tank reflecting purchases or deliveries for eighteen months prior to registration;

(b) Abandoned or decommissioned heating oil tank systems are not eligible for coverage under the heating oil pollution liability insurance program;

(c) At the discretion of the director, the following circumstances dictate individual consideration for eligibility for coverage under the heating oil pollution liability insurance program:

(i) If a heating oil tank has been recently installed (new construction) or reactivated (conversion to oil heat); or

(ii) If a heating oil tank has not been active for eighteen months prior to registration due to unusual or extenuating circumstances;

(d) In the event of a property transfer, heating oil pollution liability insurance coverage of a registered heating oil tank ceases. The new owner must submit a new registration form if the owner wishes to participate in the heating oil pollution liability insurance program. If the new owner does not submit a new registration form, the active heating oil tank will not be covered under the heating oil pollution liability insurance program; and

(e) PLIA reserves the right to perform an independent investigation to verify the eligibility of a heating oil tank. All investigative costs will be the responsibility of PLIA.

(2) Accidental releases occurring prior to heating oil tank registration are not eligible for coverage under the heating oil pollution liability insurance program.

(3) Owners and operators of active heating oil tanks, or sites containing active heating oil tanks where an accidental release has been identified or where the owner or operator knows of an accidental release prior to heating oil tank registration are eligible for coverage under the heating oil pollution liability insurance program subject to the following conditions:

(a) The owner or operator must have a plan for proceeding with corrective action; and

(b) If the owner or operator files a claim with PLIA, the owner or operator has the burden of proving, to the satisfaction of the director, that the claim is not related to an accidental release occurring prior to the heating oil tank registration.

NEW SECTION

WAC 374-70-060 Coverage. (1) The effective date of coverage under the heating oil pollution liability insurance program is January 1, 1996. Thereafter, individual heating oil tank coverage shall become effective upon receipt, by PLIA, of the completed registration form.

(2) The heating oil pollution liability insurance program provides coverage for corrective action costs up to sixty thousand dollars per occurrence, per site, per year, exclusive of other valid insurance or warranties.

(3) Corrective action costs covered under the heating oil pollution liability insurance program include:

(a) Corrective action if the accidental release occurs after the registration of an active heating oil tank;

(b) Actions necessary to determine the extent and severity of an accidental release;

(c) Costs, not to exceed sixty thousand dollars per occurrence, per site, per year;

(d) Costs in excess of other valid insurance or warranties;

(e) First-party property damage restoration, including landscaping, limited to one thousand five hundred dollars per occurrence, per site, per year;

(f) Third-party property damage restoration, including landscaping, limited to one thousand five hundred dollars for each third-party claimant per occurrence, per site, per year;

(g) Excavation, treatment and/or removal and proper disposal of any soil or water contaminated by the accidental release and removal and proper disposal of nonrepairable heating oil tank or tanks; and

(h) Required soil and water sampling and testing to determine if corrective action standards have been met.

(4) Corrective action costs not covered under the heating oil pollution liability insurance program include:

(a) Corrective action if the accidental release occurred prior to the registration of an active heating oil tank;

(b) Costs covered by other valid insurance or warranties;

(c) Costs in excess of sixty thousand dollars per occurrence, per site, per year, exclusive of other valid insurance or warranties;

(d) Cleanup of contamination from other sources;

(e) Repair or replacement of the heating oil tank, lines, or furnace;

(f) Emergency heat restoration procedures;

(g) Cleanup of a site beyond the MTCA cleanup levels;

(h) Corrective action associated with an abandoned or decommissioned heating oil tank or site;

(i) First-party property damage restoration, including landscaping, in excess of one thousand five hundred dollars per occurrence, per site, per year;

(j) Third-party property damage restoration, including landscaping, in excess of one thousand five hundred dollars for each third-party claimant per occurrence, per site, per year; and

(k) Defense costs, including the costs of legal representation, expert fees, and related costs and expenses incurred in defending against claims or actions brought by or on behalf of:

(i) The United States, the state of Washington, or a political subdivision of the United States or state of Washington to require corrective action or to recover costs of corrective action; or

(ii) A third party for bodily injury or property damage caused by an accidental release.

(5) If a claim exceeds sixty thousand dollars in total damages, coverage within the sixty thousand dollar policy limit shall be on a pro rata basis between the insured heating oil tank owner and third-party claimant(s).

NEW SECTION

WAC 374-70-070 Parties involved with an accidental release and corrective action. Among the potential parties involved when an accidental release is suspected from a heating oil tank or line are the heating oil tank owner or operator, adjacent property owners, heating oil supplier, PLIA, third-party administrator, department of ecology, and heating oil tank service providers.

(1) Heating oil tank owner or operator. All liabilities caused by an accidental release originating from a heating oil tank are the sole responsibility of the heating oil tank owner. **The pollution liability insurance agency and/or the state of Washington accepts no liability, nor portion of the liability, from the heating oil tank owner.** The heating oil tank operator may submit forms to PLIA on behalf of the owner, however, no corrective action may be performed without the specific written consent of the heating oil tank owner. The heating oil tank owner or operator is responsible for selecting a heating oil tank service provider from the prequalified list supplied by PLIA, working with that service provider to file the appropriate forms and reports with PLIA, and for approving the completed corrective action.

(2) Adjacent property owners. If an accidental release migrates off-site, or is suspected to have migrated, the adjacent property owner may be involved in the corrective action. In this situation, the heating oil tank owner or operator shall notify PLIA of the occurrence and provide the adjacent property owner's name, address and telephone number.

(3) Heating oil supplier. Some heating oil suppliers provide customer services which may be a resource to evaluate a suspected accidental release to the environment. If after investigating a heating system malfunction, a heating oil supplier determines that an accidental release may have occurred, the heating oil supplier should inform the owner or operator of the accidental release.

(4) PLIA. PLIA registers heating oil tanks, purchases insurance and provides reinsurance, provides a list of prequalified heating oil tank service providers, manages claims, investigates sites and provides certification that a claim is closed.

(5) Third-party administrator. PLIA will appoint a third-party administrator to perform all initial investigations and site assessments. Investigation will include, but not necessarily be limited to, verification that the accidental release is from an active, registered heating oil tank, investigation of the existence of any other valid insurance or warranties providing coverage for the heating oil tank and/or property, and determination of the extent and severity of the accidental release. The heating oil tank owner or operator shall cooperate fully with the third-party administrator and supply any information necessary for the third-party administrator to complete the initial investigation and site assessment, including, but not limited to, a copy of any homeowner, pollution liability, or environmental impairment insurance policy(ies). A report of the investigation will be submitted to PLIA. If no contamination requiring corrective action is discovered during the investigation, all costs associated with the investigation will be the responsibility of the heating oil tank owner.

(6) Department of ecology. The department of ecology administers state-wide laws and rules detailing MTCA cleanup standards for both soil and ground water. To be eligible for coverage under the heating oil pollution liability insurance program, corrective action must satisfy MTCA and pertinent local government requirements.

(7) Heating oil tank service provider. A heating oil tank service provider is an independent contractor responsible for all aspects of corrective action including excavation, tank/line removal, sampling and testing, remedial actions, site restoration, and submittal of required reports to PLIA.

NEW SECTION

WAC 374-70-080 Claims procedures. To receive payment from the heating oil pollution liability insurance program for covered corrective action costs, the following actions are required:

(1) The claim must be for corrective action resulting from an accidental release from an active heating oil tank which has been registered with PLIA prior to the accidental release;

(2) The claim must satisfy all requirements and restrictions established by chapter 70.149 RCW and this chapter. Any failure to satisfy all requirements and restrictions may be a basis for denial of claim;

(3) The heating oil tank owner or operator must provide notice to PLIA that a potential claim exists within seven days of discovery that an accidental release may have occurred;

(4) Upon receipt of notice of a potential claim, PLIA will commence completion of the notice of claim, and will provide the heating oil tank owner or operator with a list of prequalified heating oil tank service providers;

(5) The heating oil tank operator may submit reports and forms on behalf of the heating oil tank owner; however, no corrective action will be initiated or performed without the specific written consent of the heating oil tank owner;

(6) Initial investigation and site assessment will be performed by a third-party administrator appointed by PLIA. Investigation will include, but not necessarily be limited to, verification that the accidental release is from an active, registered heating oil tank, investigation of the existence of any other valid insurance or warranties providing coverage for the heating oil tank and/or property, and determination of the extent and severity of the accidental release. The heating oil tank owner or operator shall cooperate fully with the third-party administrator and supply any information necessary for the third-party administrator to complete the initial investigation and site assessment, including, but not limited to, a copy of any homeowner, pollution liability, or environmental impairment insurance policy(ies). A report of the investigation will be submitted to PLIA. If no contamination requiring corrective action is discovered during the investigation, all costs associated with the investigation will be the responsibility of the heating oil tank owner;

(7) If the claim is determined by PLIA to be valid, the heating oil tank owner or operator will be notified by PLIA to select a heating oil tank service provider, from the list of prequalified heating oil tank service providers, to perform corrective action. PLIA's list of prequalified heating oil tank service providers will be updated quarterly. The heating oil

tank owner or operator must contact PLIA, prior to selecting a heating oil tank service provider, to confirm that the heating oil tank service provider is still included on the agency's list of prequalified heating oil tank service providers;

(8) The prequalified heating oil tank service provider will notify PLIA of selection by the heating oil tank owner or operator. PLIA will then forward to the heating oil tank service provider the following forms:

(a) Scope of work proposal. This form will provide the heating oil tank owner or operator and PLIA a proposal of the extent and elements of corrective action, as well as a specific cost proposal;

(b) Change order. This form provides a proposal for change or deviation from the scope of work proposal;

(c) Project field report. This form provides a record of all corrective action and work elements, as well as a record of detailed costs. The project field report must include color photographs of the project at commencement, completion, and any significant steps in between, as well as appropriate project sketches and/or plans; and

(d) Claim report. This form will include a project closeout report, final cleanup report, and corrective action cost claim;

(9) The prequalified heating oil tank service provider will submit for approval to the heating oil tank owner or operator and to PLIA a scope of work proposal for corrective action at the heating oil tank site;

(10) Upon receipt of approval by the heating oil tank owner or operator and PLIA of the scope of work proposal, the heating oil tank service provider may commence work to accomplish corrective action in compliance with MTCA independent remedial action;

(11) All work performed by the heating oil tank service provider on behalf of the heating oil tank owner or operator and PLIA must be within the terms of the contract and the approved scope of work proposal and shall not exceed costs included in the scope of work proposal. Any change(s) or deviation(s) from the approved scope of work proposal must be accomplished through a change order request which must be approved in advance by the heating oil tank owner or operator and PLIA. Any work performed by the heating oil tank service provider that has not been approved, prior to performance, by the heating oil tank owner or operator and PLIA, or is beyond the terms of the scope of work proposal or change order(s), or is in excess of costs approved in the scope of work proposal or change order(s), will not be paid or reimbursed under the heating oil pollution liability insurance program. Such work or excess costs will be the responsibility of the heating oil tank owner and/or heating oil tank service provider;

(12) Corrective action activities and costs must be recorded by the heating oil tank service provider on the project field report form provided by PLIA. The project field report must include color photographs of the project at commencement, completion and any significant steps between, as well as appropriate project sketches and/or plans;

(13) Upon completion of all corrective action, the heating oil tank owner or operator must sign the project closeout report indicating approval of and satisfaction with all work performed by the heating oil tank service provider;

(14) Upon completion of all corrective action and approval by the heating oil tank owner or operator, the heating oil tank service provider must submit to PLIA a complete claim report. The claim report will include the project closeout report, project field report, final cleanup report and corrective action cost claim. After review and approval of the claim report by PLIA, the heating oil tank service provider will receive payment;

(15) Upon completion of corrective action that appears to satisfy the requirements of all applicable state and local statutes, the director will certify that the claim has been closed;

(16) Approval of claims and payment of covered costs are contingent upon the availability of revenue. The director reserves the right to defer payment at any time that claim demands exceed the revenue available for the heating oil pollution liability insurance program. Payment will commence with sufficient revenue;

(17) PLIA will maintain all records associated with a claim for a period of ten years; and

(18) In the case of an emergency, the director may authorize deviation from this procedure to the extent necessary to adequately respond to the emergency.

NEW SECTION

WAC 374-70-090 Third-party claims procedures.

For a third party to receive payment from the heating oil pollution liability insurance program for covered corrective action costs, the following actions are required:

(1) The claim must be for corrective action resulting from a leak or spill from an active heating oil tank which has been registered with PLIA prior to the leak or spill;

(2) The claim must satisfy all requirements and restrictions established for third-party claims by chapter 70.149 RCW and this chapter. Any failure to satisfy all requirements and restrictions may be a basis for denial of claim;

(3) The third-party claimant must provide notice to PLIA that a potential third-party claim may exist within ten days of discovery that damage may have occurred from a leak or spill from a named insured's active heating oil tank;

(4) Upon receipt of notice of a potential claim, PLIA will commence completion of the notice of claim;

(5) Initial investigation and site assessment will be performed by a third-party administrator appointed by PLIA. Investigation will include, but not necessarily be limited to, verification that the leak or spill is from an active, registered heating oil tank, investigation of the existence of any other valid insurance or warranties providing coverage for the heating oil tank and/or property, and determination of the extent and severity of the leak or spill. The third-party claimant shall cooperate fully with the third-party administrator and supply any information necessary for the third-party administrator to complete the initial investigation and site assessment. A report of the investigation will be submitted to PLIA. If no contamination requiring corrective action is discovered during the investigation, all costs associated with the investigation will be the responsibility of the heating oil tank owner;

(6) If the claim is determined by PLIA to be valid, the third-party claimant will be notified by PLIA to select a heating oil tank service provider, from the list of prequalified

heating oil tank service providers, to perform corrective action. PLIA's list of prequalified heating oil tank service providers will be updated quarterly. The third-party claimant must contact PLIA, prior to selecting a heating oil tank service provider, to confirm that the heating oil tank service provider is still included on the agency's list of prequalified heating oil tank service providers;

(7) The prequalified heating oil tank service provider will notify PLIA of selection by the third-party claimant. PLIA will then forward to the heating oil tank service provider the following forms:

(a) Scope of work proposal. This form will provide the third-party claimant and PLIA a proposal of the extent and elements of corrective action, as well as a specific cost proposal;

(b) Change order. This form provides a proposal for change or deviation from the scope of work proposal;

(c) Project field report. This form provides a record of all corrective action and work elements, as well as a record of detailed costs. The project field report must include color photographs of the project at commencement, completion, and any significant steps in between, as well as appropriate project sketches and/or plans; and

(d) Claim report. This form will include a project closeout report, final cleanup report, and corrective action cost claim;

(8) The prequalified heating oil tank service provider will submit for approval to the third-party claimant and to PLIA a scope of work proposal for corrective action;

(9) Upon receipt of approval by the third-party claimant and PLIA of the scope of work proposal, the heating oil tank service provider may commence work to accomplish corrective action in compliance with MTCA independent remedial action;

(10) All work performed by the heating oil tank service provider on behalf of the third-party claimant and PLIA must be within the terms of the contract and the approved scope of work proposal and shall not exceed costs included in the scope of work proposal. Any change(s) or deviation(s) from the approved scope of work proposal must be accomplished through a change order request which must be approved in advance by the third-party claimant and PLIA. Any work performed by the heating oil tank service provider that has not been approved, prior to performance, by the third-party claimant and PLIA, or is beyond the terms of the scope of work proposal or change order(s), or is in excess of costs approved in the scope of work proposal or change order(s), will not be paid or reimbursed under the heating oil pollution liability insurance program. Such work or excess costs will be the responsibility of the third-party claimant and/or heating oil tank service provider;

(11) Corrective action activities and costs must be recorded by the heating oil tank service provider on the project field report form provided by PLIA. The project field report must include color photographs of the project at commencement, completion and any significant steps between, as well as appropriate project sketches and/or plans;

(12) Upon completion of all corrective action, the third-party claimant must sign the project closeout report indicating approval of and satisfaction with all work performed by the heating oil tank service provider;

(13) Upon completion of all corrective action and approval by the third-party claimant, the heating oil tank service provider must submit to PLIA a complete claim report. The claim report will include the project closeout report, project field report, final cleanup report and corrective action cost claim. After review and approval of the claim report by PLIA, the heating oil tank service provider will receive payment;

(14) Upon completion of corrective action that appears to satisfy the requirements of all applicable state and local statutes, the director will certify that the claim has been closed;

(15) Approval of claims and payment of covered costs are contingent upon the availability of revenue. The director reserves the right to defer payment at any time that claim demands exceed the revenue available for the heating oil pollution liability insurance program. Payment will commence with sufficient revenue;

(16) PLIA will maintain all records associated with a claim for a period of ten years; and

(17) In the case of an emergency, the director may authorize deviation from this procedure to the extent necessary to adequately respond to the emergency.

NEW SECTION

WAC 374-70-100 Service provider requirements and procedures. (1) All corrective action shall be performed by prequalified heating oil tank service providers. A heating oil tank service provider is an independent contractor responsible for all aspects of corrective action including excavation, tank/line removal, sampling and testing, remedial actions, site restoration, and submittal of required reports to PLIA. PLIA will maintain a list of prequalified heating oil tank service providers. This list will be made available to heating oil tank owners and operators. PLIA will continually monitor the performance of the prequalified heating oil tank service providers.

(2) To qualify as a prequalified heating oil tank service provider, a contractor must submit to PLIA the following documents:

(a) Certificates of insurance covering general liability, vehicles, and workers' compensation, including limits of coverage;

(b) Copy of state general contractor's license; and

(c) A signed agreement to terms and conditions, established by PLIA, for prequalified heating oil tank service providers.

(3) Once retained, the heating oil tank service provider works with PLIA, the heating oil tank owner or operator and/or the third-party claimant to perform the following:

(a) Perform the corrective action;

(b) Document the costs of the corrective action; and

(c) File the forms required to receive payment from the heating oil pollution liability insurance program.

(4) All prequalified heating oil tank service providers must follow claims procedures as outlined in WAC 374-70-070.

(5) All corrective action activities must meet the criteria established by MTCA and any pertinent local ordinances or requirements.

NEW SECTION

WAC 374-70-110 Quality assurance. (1) PLIA shall maintain a detailed record of any quality assurance issues. Whenever the agency documents a violation of the agency's standards and procedures, the agency shall notify the heating oil tank service provider and explain the agency's procedures as set forth in this section.

(2)(a) After the agency has documented one violation of the agency's standards and procedures, the agency shall prepare a written summary of events;

(b) The director shall inform the affected heating oil tank service provider in writing of the violation. The heating oil tank service provider may respond in writing to the violation or change its practice within twenty days.

(3) If the heating oil tank service provider does not change its practice or respond in writing within twenty days, the agency may delete the heating oil tank service provider from the agency's list of prequalified heating oil tank service providers, and the heating oil tank service provider will not be eligible for payments, either directly or indirectly of corrective action costs.

NEW SECTION

WAC 374-70-120 Appeals. (1) A person may appeal any of the following decisions made under the heating oil pollution liability insurance program to the director:

- (a) A denial of eligibility for coverage;
- (b) Amount of payment allowed for corrective action;
- (c) Amount of payment allowed for property damage;
- (d) Amount of payment allowed for a third-party claim;
- (e) A determination that cleanup does not meet MTCA standards;

(f) A denial of inclusion on the agency's list of prequalified heating oil tank service providers; and

(g) Removal of a heating oil tank service provider from the agency's list of prequalified heating oil tank service providers.

(2) A person has forty-five days after the decision to file a written request for a hearing.

(3) If the written request for a hearing is received within forty-five days, the director shall conduct an adjudicative hearing proceeding under chapter 34.05 RCW.

(4) If the written request for a hearing is not received within forty-five days after the decision, no further consideration will be given to the appeal.

NEW SECTION

WAC 374-70-130 Confidentiality of information. (1) All information obtained during heating oil tank registration shall be confidential and may not be made public or otherwise disclosed to any person, firm, corporation, agency, association, government body, or other entity.

(2) All examination and proprietary reports and information obtained in soliciting bids from insurers and in monitoring the selected insurer shall be confidential and may not be made public or otherwise disclosed to any person, firm, corporation, agency, association, government body, or other entity.

WSR 96-01-103**PERMANENT RULES****PUBLIC DISCLOSURE COMMISSION**

[Filed December 19, 1995, 11:00 a.m.]

Date of Adoption: December 5, 1995.

Purpose: Amending WAC 390-17-400 Time limit to solicit or accept contributions, 390-20-020 Forms for lobbyist reports of expenditures, and 390-20-110 Forms for lobbyist employers report.

Citation of Existing Rules Affected by this Order: Amending WAC 390-17-400, 390-20-020, and 390-20-110.

Statutory Authority for Adoption: RCW 42.17.370(1). Adopted under notice filed as WSR 95-22-104 on November 1, 1995, WSR 95-21-007 on October 6, 1995, and WSR 95-21-008 on October 6, 1995.

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

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

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

December 19, 1995

Melissa Warheit

Executive Director

AMENDATORY SECTION (Amending WSR 93-16-064, filed 7/30/93)

WAC 390-17-400 Time limit (~~for state officials~~) to solicit or accept contributions. For purposes of complying with RCW 42.17.710:

(1) (~~A successful candidate for state office does not have to comply with RCW 42.17.710 until sworn into office.~~) "Campaign debt," as used in RCW 42.17.710, means any debt incurred by a candidate seeking election to a non-federal public office, including campaigns for state, county, city, town, school district, special district or other state political subdivision elective office.

(2) (~~An unsuccessful incumbent state official must comply with RCW 42.17.710 until his or her term expires.~~) "Legislative caucus" means the caucus of members of a major political party in the state house of representatives or in the state senate.

(3) "Legislative session freeze period" (~~as used in this rule~~) means the period of time in RCW 42.17.710 within which (~~a state official cannot accept or solicit~~) contributions shall not be solicited or accepted by a state official or a person employed by or acting on behalf of a state official.

(a) The freeze period begins at 12:01 a.m. on the thirtieth day before the start of the regular legislative session

and ends at 11:59 p.m. on the thirtieth day following adjournment of the regular legislative session.

(b) If a special session is held immediately following the end of the regular legislative session, this period ends on the day the special session adjourns or at 11:59 p.m. on the thirtieth day following adjournment of the regular legislative session, whichever is later.

(c) If a special session is held other than within 30 days before or after a regular legislative session, the freeze period begins at 12:01 a.m. on the first day of the special session and ends at 11:59 p.m. on the final day of the special session.

(4) ~~((A state official may solicit or accept contributions during the freeze period to assist his or her campaign for a non-state office.))~~ A successful candidate for state office who does not already hold a state office is not required to comply with RCW 42.17.710 until sworn into office.

(5) ~~((A state official may accept gifts valued at over \$50 during the freeze period so long as the gift is not (a) to be used to defray nonreimbursed public office related expenses, (b) as a contribution to a candidate or authorized committee, or (c) used to retire a campaign debt.))~~ An unsuccessful incumbent state official must comply with RCW 42.17.710 until his or her term expires.

(6) A state official may solicit or accept contributions during the legislative session freeze period to assist his or her campaign for a federal office.

(7) A state official is not prohibited from accepting gifts and other items permitted under chapter 42.52 RCW during the legislative session freeze period so long as the gift or other item is not (a) used to defray non-reimbursed public office related expenses, (b) a contribution to a candidate or authorized committee, or (c) used to retire a campaign debt.

(8) During the legislative session freeze period, no person shall solicit or accept contributions on behalf of or for the benefit of a state official for the purpose of retiring a campaign debt of the state official or raising funds for a state official's future election to a non-federal public office.

(9) During the legislative session freeze period, a bona fide political party shall not solicit or accept contributions on behalf of or for the benefit of a state official for the purpose of retiring a campaign debt of the state official or raising funds for a state official's future election to a non-federal public office. However, a bona fide political party may solicit or accept contributions for its own fundraising purposes.

(10) During the legislative session freeze period, a state official may sponsor, speak at or attend a fundraising event held by or on behalf of a bona fide political party as long as no contributions raised in conjunction with the event are earmarked or otherwise designated for one or more candidates for non-federal office.

(11) During the legislative session freeze period, no person shall solicit or accept contributions to a caucus political committee or any other political committee financed, controlled or operated by the legislative caucus as a whole or the officers of the caucus political committee, unless the purpose of the other political committee is to support or oppose a ballot measure.

(12) RCW 42.17.710 does not apply to the solicitation or acceptance of a contribution from a member of a legislative caucus using his or her personal funds as defined in

WAC 390-17-305 or surplus funds as defined in RCW 42.17.020(41) by a caucus political committee or any other political committee financed, controlled or operated by the legislative caucus as a whole or by the officers of the caucus political committee.

(13) RCW 42.17.710 does not apply to a candidate's acceptance or use of his or her personal funds as defined in WAC 390-17-305 or his or her surplus funds as defined in RCW 42.17.020(41).

(14) During the legislative session freeze period, a state official is not prohibited from soliciting or accepting contributions on behalf of a nonprofit charitable organization.

AMENDATORY SECTION (Amending WSR 93-04-072, filed 1/29/93)

WAC 390-20-020 Forms for lobbyist report of expenditures. The official form for the lobbyist report of expenditures is designated "L-2," revised ~~((11/92))~~ 11/95. Copies of this form are available at the commission office, Room 403, Evergreen Plaza Building, Olympia, Washington 98504. Any attachments shall be on 8-1/2" x 11" white paper.



PUBLIC DISCLOSURE COMMISSION
711 CAPITOL WAY RM 403 FJ42
PO BOX 40908
OLYMPIA WA 98504-0908
(206) 753-1111

Form L2 12/92

PDC OFFICE USE

LOBBYIST MONTHLY EXPENSE REPORT

1. Lobbyist Name
Mailing Address
City State Zip + 4

2. This report is for the period (Month) (Year)
This report corrects or amends the report for (Month) (Year)
Business Telephone ()

Table with columns: EXPENSE CATEGORY, TOTAL AMOUNT THIS MONTH, Amounts paid from lobbyist's own funds, Employer No. (Columns B, C, D)

(Attach additional page(s) if you lobby for more than three employers.)

10. EMPLOYERS' NAMES
No. (B)
No. (C)
No. (D)

11. Subject matter of proposed legislation or other legislative activity or rulemaking the lobbyist was supporting or opposing.
Subject Matter, Issue or Bill No. Legislative Committee or State Agency Considering Matter Employer Represented

Information continued on attached pages

Estimate the percentage of your time or lobbying effort devoted to: the Legislature % State Agencies %.

12. TERMINATION: (COMPLETE THIS ITEM ONLY IF YOU WISH TO TERMINATE YOUR REGISTRATION)
Date registration ends: Employer's name:
I understand that an L-2 report is required for any month or portion thereof in which I am a registered lobbyist. I also understand that once I have terminated my registration, I must file a new registration report prior to lobbying for that employer in the future. All registrations terminate automatically on the second Monday in January of each odd numbered year.

CERTIFICATION
I certify that this report is a true and complete account of all information attributable directly or indirectly to lobbying activities for the period specified.
LOBBYIST DATE

PDC FORM L-2 12/92-1

CONTINUE ON REVERSE SIDE

PERMANENT

13. Show all of the following expenditures that were incurred by lobbyist or lobbyist employer(s):
- Entertainment expenditures exceeding \$25 per occasion (including lobbyist's expense) for meals, beverages, tickets, passes, transportation and any travel-related expenses or for other forms of entertainment provided to legislators, state officials, state employees and members of their immediate families.
 - Receptions; If a reception cost more than \$100 per participant, show the pro rata cost of the reception as a gift to state elected officials and state executive officers who attended in space below or on Memo Report.
 - Entertainment Gifts (except receptions): If more than \$50 per occasion was spent on a state elected official (including family) or a state executive officer (including family), itemize the gift, including the amount attributable to the official and family, below or on a Memo Report.
 - Other expenditures exceeding \$50 for gifts benefiting state elected officials, state executive officers and/or members of their immediate families.

Date	Names of all Persons Entertained or Provided Gifts	Description, Place, Etc.	Sponsoring Employer	Amount
N/A	Total gift expense itemized on attached Memo Reports			

Continued on attached pages.

14. If a monetary or in-kind contribution exceeding \$25 was given to any of the following, itemize the contribution below or on a Memo Report: local, state and federal candidates or elected officials; local and state officers and employees; political committees supporting or opposing any candidate, elected official, officer or employee or any local or state ballot proposition. If a contribution exceeding \$25 was given to the following, itemize the contribution below: a legislative caucus fund; a political party; or a grass roots lobbying campaign.

Date	Name of Individual or Committee Receiving Benefit	Employer for Whom Contribution was Made	Amount
Total contributions itemized on attached Memo Reports			

If contributions were made by a political action committee associated, affiliated or sponsored by your employer, show name of the PAC below. (Information reported by PAC on C-4 report need not be again included in this L-2 report.)

Continued on attached pages. PAC Name: _____

15. Payments by the lobbyist for other lobbying expenses and services, including payments to subcontract lobbyists, expert witnesses and others retained to provide lobbying services or assistance in lobbying and payments for grass roots lobbying campaigns (except advertising/printing costs listed in Item 7).

Recipient's Name and Address	Employer for Whom Expense was Incurred or Lobbying Done	Amount
Total contributions itemized on attached Memo Reports		

Continued on attached page.

PERMANENT



L-2 Memo Report

Lobbyist Contributions and Gifts

Instructions: This Memo Report may be used by a lobbyist to notify designated recipients of contributions and gifts given during the reporting period. The positions of potential recipients are listed after "Contributions and Gifts" below. If this detailed information does not also appear on the lobbyist's L-2 Report, a copy of this Memo Report must accompany the L-2. See L-2 instructional manual.

TO: _____
(Recipient's Name)

FROM: _____
(Lobbyist's Name)

(Address)

This report is for the period _____ This report corrects or amends the report for _____ Business Telephone _____
(Month) (Year) (Month) (Year)

CONTRIBUTIONS to any candidate, elected official, state employee, legislative staff and caucus or ballot issue committee

Date Made	Amount or Value	Description (if in-kind)	Source of Contribution (Employer's Name or Own Funds)

GIFTS to any state elected official, including legislators, or member of the official's immediate family*

Date Given	Amount or Value	Description	Source of Gift (Employer's Name or Own Funds)	Recipient (if family member)

Lobbyist's Signature Date

*Gifts given to executive state officers and members of their families must be itemized on the L-2, but notification is not required.

11/92

PERMANENT



L2 11/95

PDC OFFICE USE

LOBBYIST MONTHLY EXPENSE REPORT (as required by Chapter 397, 1995 Session Laws)

1. Lobbyist Name
Mailing Address
City State Zip + 4
2. This report is for the period (Month) (Year) This report corrects or amends the report for (Month) (Year)
New Address? Yes No
Business Telephone

Table with columns: EXPENSE CATEGORY, TOTAL AMOUNT THIS MONTH, Amounts paid from lobbyist's own funds, and three Employer No. columns (B, C, D). Rows include Compensation, Personal Expenses, Entertainment, Contributions, Advertising, Political Ads, and Other Expenses.

(Attach additional page(s) if you lobby for more than three employers.)

11. EMPLOYERS' NAMES
No. (B)
No. (C)
No. (D)

12. Subject matter of proposed legislation or other legislative activity or rulemaking the lobbyist was supporting or opposing.
Subject Matter, Issue or Bill No.
Legislative Committee or State Agency Considering Matter
Employer Represented

Continued on attached pages

13. Of the time spent lobbying, what percentage was devoted to lobbying: the Legislature % State Agencies %

14. TERMINATION: (COMPLETE THIS ITEM ONLY IF YOU WISH TO TERMINATE YOUR REGISTRATION)
Date registration ends: Employer's name:
I understand that an L-2 report is required for any month or portion thereof in which I am a registered lobbyist. I also understand that once I have terminated my registration, I must file a new registration prior to lobbying for that employer in the future. All registrations terminate automatically on the second Monday in January of each odd numbered year.

CERTIFICATION

I certify that this report is true and complete to the best of my knowledge.
LOBBYIST SIGNATURE
DATE

PERMANENT

15. Itemize all of the following expenditures that were incurred by lobbyist or lobbyist employer(s) for legislators, state officials, state employees and members of their immediate families. Show the actual amount incurred for each individual or the amount fairly attributed to each.

- Entertainment expenditures exceeding \$25 per occasion (including lobbyist's expense) for meals, beverages, tickets, passes, or for other forms of entertainment.
- Travel, lodging and subsistence expenses in connection with a speech, presentation, appearance, trade mission, seminar or educational program.
- Enrollment and course fees in connection with a seminar or educational program.

Lobbyists must provide an elected official with a copy of the L-2 or Memo Report if the lobbyist reports: 1) spending on one occasion over \$50 for food or beverages for the official and/or his or her family member(s); or 2) providing travel, lodging, subsistence expenses or enrollment or course fees for the official and, if permitted, the official's family.

Date	Names of all Persons Entertained or Provided Travel, etc.	Description, Place, etc.	Sponsoring Employer	Amount
N/A	Total expenses itemized on attached Memo Reports			

Continued on attached pages.

16. If a monetary or in-kind contribution exceeding \$25 was given or transmitted by the lobbyist to any of the following, itemize the contribution below or on a Memo Report: local and state candidates or elected officials; local and state officers or employees; political committees supporting or opposing any candidate, elected official, officer or employee or any local or state ballot proposition. If a contribution exceeding \$25 was given to the following, itemize the contribution below: a caucus political committee; a political party; or a grass roots lobbying campaign.

Date	Name of Individual or Committee Receiving Contribution	Source of Contribution	Amount
N/A	Total contributions itemized on attached Memo Reports		

If contributions were made directly by a political action committee associated, affiliated or sponsored by your employer, show name of the PAC below. (Information reported by PAC on C-4 report need not be again included in this L-2 report.)

Continued on attached pages. PAC Name: _____

17. Expenditures for: a) political advertising supporting or opposing a state or local candidate or ballot measure; or b) public relations, telemarketing, polling or similar activities that directly or indirectly are lobbying-related must be itemized by amount, vendor or person receiving payment, and a brief description of the activity. Itemize each expenditure on an attached page that also shows lobbyist name and report date. Put the aggregate total of these expenditures on line 8.

18. Payments by the lobbyist for other lobbying expenses and services, including payments to subcontract lobbyists, expert witnesses and others retained to provide lobbying services or assistance in lobbying and payments for grass roots lobbying campaigns (except advertising/printing costs listed in Item 7).

Date	Recipient's Name and Address	Employer for Whom Expense was Incurred	Amount
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Continued on attached page.

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L-2 Memo Report 9/95

Instructions: This Memo Report may be used by a lobbyist to notify a state elected official or other recipient of contributions, meals, travel expenses or educational benefits that have been provided during the preceding calendar month. The specific list of persons to whom a copy of this report must be delivered is shown below in the "Contributions" and "Meals, Travel, Seminars" sections. If the expenditures disclosed on this Memo Report do not also appear on the lobbyist's L-2 Report, a copy of this Memo Report must accompany the L-2 filing. See L-2 instruction manual for further details.

<p>TO: _____ Recipient's Name*</p> <p>FROM: _____ Lobbyist's Name</p> <p>_____</p> <p>Mailing Address</p> <p>_____</p> <p>City State Zip + 4</p>	<p>PDC OFFICE USE</p>	
<p>This report is for the period _____ (Month) _____ (Year)</p>	<p>This report corrects or amends the report for _____ (Month) _____ (Year)</p>	<p>Business Telephone () _____</p>

CONTRIBUTIONS to state or local candidate, elected official, or employee, legislative staff person or ballot issue committee.

Date Made	Amount or Value	Description (if in-kind)	Source of Contribution (Employer's Name or Own Funds)

MEALS, TRAVEL, SEMINARS to a state elected official, including a legislator, or members of the official's immediate family. Disclose: a) expenditures totaling over \$50 on one occasion for food or beverages for the official and/or the official's family; or b) expenditures for providing permissible travel, lodging, subsistence expenses or enrollment or course fees for the official and the official's family.

Date Given	Amount or Value	Description	Source of Gift (Employer's Name or Own Funds)	Recipient (if family member)

Lobbyist's Signature Date

*Recipients of contributions will report receipt of a cash donation on a C-3 report or in-kind on a Schedule B to the C-4 report; recipients of meals, travel and seminars will report receipt of these items on their annual F-1 statement.

PDC FORM L-2 MEMO REPORT 8/95 * 1

PERMANENT

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending WSR 95-01-074A, filed 12/16/94)

WAC 390-20-110 Forms for lobbyist employers report. The official form for statement by employers of registered lobbyists as required by RCW 42.17.180 is designated "L-3," revised ((12/94)) 11/95. Copies of this form are available at the commission office, Room 403, Evergreen Plaza Building, Olympia, Washington, 98504. Any attachments shall be on 8-1/2" x 11" white paper.

STATE OF WASHINGTON

EMPLOYER'S LOBBYING EXPENSES

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1. Employer's Name (Use complete company, association, union or entity name.)

Attention (Identify person to whom inquiries about the information below should be directed; NOT the lobbyist.)

Mailing Address Telephone

City State Zip + 4

THIS REPORT MUST BE FILED BY THE LAST DAY OF FEBRUARY. Include expenditures made and accrued during the previous calendar year for lobbying the Washington State Legislature and/or any state agency. Complete all sections. Use "none" or "0" when applicable.

2. Identify each of your lobbyists/lobbying firms below. In column 1, show the full amount of salary or fee each earned for lobbying. In column 2, show the full amount paid (plus obligated) for other lobbying related expenses that were made by or through the lobbyist and reported by the lobbyist on the monthly L-2 report (e.g., contributions to legislative candidates, gifts for public officials, reimbursement for entertainment expenses, etc.). Compute the subtotals across and down the columns; put the grand total of expenses incurred by or through lobbyists in the space designated.

Names of Registered Lobbyists (if payments were to lobbying firm, list firm name)	Col 1-Salary	Col 2-Other	Total Amount
Total From Attached Page			

Information continued on attached pages

Total Expenses By or Through Lobbyists

DO NOT INCLUDE EXPENDITURES ALREADY ACCOUNTED FOR IN ITEM 2 ABOVE when completing items 3 through 7 below.

3. Other expenditures made by the employer for lobbying purposes. Show total expenditures made/accrued:
- a. to vendors on behalf of or in support of registered lobbyists (e.g., entertainment credit card purchases);
 - b. to or on behalf of expert witnesses or others retained to provide lobbying services who offer specialized knowledge or expertise that assists the employer's lobbying effort;
 - c. for entertainment, gifts, tickets, passes, transportation and travel expenses (including meals, lodging and related expenses) provided to legislators, state officials, state employees and members of their immediate families; (Also complete Item 9.)
 - d. for composing, designing, producing and distributing informational materials for use primarily to influence legislation; and
 - e. for grass roots lobbying expenses, including those previously reported by employer on Form L-6, and payments for lobbying communications to clients/customers (other than to corporate stockholders and members of an organization or union).
4. Political contributions to candidates for legislative or statewide executive office, committees supporting or opposing these candidates, or committees supporting or opposing statewide ballot measures. (Also complete Item 10.)
- a. Contributions made directly by the employer, including those previously reported on PDC Form L-3c.
 - b. If contributions were made by a political committee associated, affiliated or sponsored by the employer, show the PAC name below. (Information reported by the PAC on C-4 reports need not be again included as part of this L-3 report.)
 Name of PAC _____
5. Independent expenditures supporting or opposing a candidate for legislative or statewide executive office or a statewide ballot measure. (Also complete Item 11.)
6. Expenditures to or on behalf of legislators, state officials, their spouses and dependents for the purpose of influencing, honoring or benefiting the legislator or official. (Normal course of business payments are not reportable.) (Also complete Item 14.)
7. Other lobbying-related expenditures, whether through or on behalf of a registered lobbyist. Attach list itemizing each expense (i.e., show date, recipient, purpose and amount). Do not include payments accounted for above.

Total Lobbying Expenses (Items 2 thru 7)

8. This report must be certified by the president, secretary-treasurer or similar officer of lobbying employer.

Certification: I certify that this report is true, complete and correct to the best of my knowledge.

Signature of Employer Officer

Printed Name and Title of Officer:

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PERMANENT

PERMANENT

9. Entertainment, gifts, tickets, passes, transportation and travel expenses (including meals, lodging and related expenses) provided to legislators, state officials, state employees and members of their immediate families. See instruction manual for details.

Name and Title	Cost or Value	Date and Description of Entertainment, Gift or Travel
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Information continued on attached pages

10. Contributions (not reported by the lobbyist) totaling over \$25 to a legislative or statewide executive office candidate, a committee formed to support or oppose one of these candidates or a committee supporting or opposing a statewide ballot measure. Do not list employer-affiliated PAC contributions.

Name of Recipient	Amount	Date (and, if In-Kind, Description)
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Information continued on attached pages

11. Independent expenditures totaling \$500 or more in support of or opposition to a) a legislative or statewide executive office candidate or b) a statewide ballot proposition. See instruction manual for definition of "independent expenditure" and correct way to determine if threshold has been met.

Candidate's Name, Office Sought & Party or Ballot Proposition Number & Brief Description	Amount	Date and Description of Expense (Note if Support or Oppose)
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Information continued on attached pages

12. Compensation of \$1,000 or more during the preceding calendar year for employment or professional services paid to state elected officials, successful candidates for state office and each member of the immediate families.

Name	Relationship to Candidate or Elected Official if Member of Family	Amount (Code)	Description of Consideration or Services Exchanged for Compensation
------	---	---------------	---

DOLLAR CODE	AMOUNT
A	\$1 to \$1,999
B	\$2,000 to \$9,999
C	\$10,000 to \$49,999
D	\$50,000 to \$99,999
E	\$100,000 or more

Information continued on attached pages

13. Compensation of \$1,000 or more during the preceding calendar year for professional services paid to any corporation, partnership, joint venture, association or other entity in which state elected official, successful state candidate or member of their immediate family holds office, partnership, directorship or ownership interest of 10% or more.

Firm Name	Person's Name	Amount (Code)	Description of Consideration or Services Exchanged for Compensation
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Information continued on attached pages

14. Any expenditure, not otherwise reported, made directly or indirectly to a state elected official, successful candidate for state office or member of the immediate family, if made to honor, influence or benefit the person because of his or her official position.

Name	Amount	Purpose
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Information continued on attached pages

Public Disclosure Commission, 711 Capitol Way, Room 403, PO Box 40908, Olympia, WA 98504-0908



EMPLOYER'S LOBBYING EXPENSES

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1. Employer's Name (Use complete company, association, union or entity name.)

11/85

Attention (Identify person to whom inquiries about the information below should be directed; NOT the lobbyist.)

Mailing Address

Telephone

City

State

Zip + 4

THIS REPORT MUST BE FILED BY THE LAST DAY OF FEBRUARY. Include expenditures made and accrued during the previous calendar year for lobbying the Washington State Legislature and/or any state agency. Complete all sections. Use "none" or "0" when applicable.

2. Identify each of your lobbyists/lobbying firms below. In column 1, show the full amount of salary or fee each earned for lobbying. In column 2, show the full amount paid (plus obligated) for other lobbying related expenses that were made by or through the lobbyist and reported by the lobbyist on the monthly L-2 report (e.g., contributions to legislative candidates, reimbursement for entertainment expenses, etc.). Compute the subtotals across and down the columns; put the grand total of expenses incurred by or through lobbyists in the space designated.

Names of Registered Lobbyists (if payments were to lobbying firm, list firm name)	Col 1-Salary	Col 2-Other	Total Amount
Total From Attached Page			
<input type="checkbox"/> Information continued on attached pages			Total Expenses By or Through Lobbyists

DO NOT INCLUDE EXPENDITURES ALREADY ACCOUNTED FOR IN ITEM 2 ABOVE when completing Items 3 through 7 below.

- 3. Other expenditures made by the employer for lobbying purposes. Show total expenditures made/accrued:
 - a. to vendors on behalf of or in support of registered lobbyists (e.g., entertainment credit card purchases);
 - b. to or on behalf of expert witnesses or others retained to provide lobbying services who offer specialized knowledge or expertise that assists the employer's lobbying effort;
 - c. for entertainment, tickets, passes, travel expenses (e.g., transportation, meals, lodging, etc.) and enrollment or course fees provided to legislators, state officials, state employees and members of their immediate families; (Also complete Item 9.)
 - d. for composing, designing, producing and distributing informational materials for use primarily to influence legislation; and
 - e. for grass roots lobbying expenses, including those previously reported by employer on Form L-6, and payments for lobbying communications to clients/customers (other than to corporate stockholders and members of an organization or union).
- 4. Political contributions to candidates for legislative or statewide executive office, committees supporting or opposing these candidates, or committees supporting or opposing statewide ballot measures. (Also complete Item 10.)
 - a. Contributions made directly by the employer, including those previously reported on PDC Form L-3c.
 - b. If contributions were made by a political committee associated, affiliated or sponsored by the employer, show the PAC name below. (Information reported by the PAC on C-4 reports need not be again included as part of this L-3 report.)
Name of PAC _____
- 5. Independent expenditures supporting or opposing a candidate for legislative or statewide executive office or a statewide ballot measure. (Also complete Item 11.)
- 6. Expenditures to or on behalf of legislators, state officials, their spouses and dependents for the purpose of influencing, honoring or benefiting the legislator or official. (Normal course of business payments are not reportable.) (Also complete Item 14.)
- 7. Other lobbying-related expenditures, whether through or on behalf of a registered lobbyist. Attach list itemizing each expense (i.e., show date, recipient, purpose and amount). Do not include payments accounted for above.

Total Lobbying Expenses (Items 2 thru 7)

8. This report must be certified by the president, secretary-treasurer or similar officer of lobbying employer.

Certification: I certify that this report is true, complete and correct to the best of my knowledge.

Signature of Employer Officer

Date

Printed Name and Title of Officer:

CONTINUED ON REVERSE

PDC - L3 **1

PERMANENT

9. Entertainment, tickets, passes, travel expenses (including transportation, meals, lodging, etc.) and enrollment or course fees provided to legislators, state officials, state employees and members of their immediate families. See instruction manual for details.

Name and Title	Cost or Value	Date and Description of Expense
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Information continued on attached pages

10. Contributions (not reported by the lobbyist) totaling over \$25 to a legislative or statewide executive office candidate, a committee formed to support or oppose one of these candidates or a committee supporting or opposing a statewide ballot measure. Do not list employer-affiliated PAC contributions.

Name of Recipient	Amount	Date (and, if In-Kind, Description)
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Information continued on attached pages

11. Independent expenditures totaling \$500 or more in support of or opposition to a) a legislative or statewide executive office candidate or b) a statewide ballot proposition. See instruction manual for definition of "Independent expenditure" and correct way to determine if threshold has been met.

Candidate's Name, Office Sought & Party or Ballot Proposition Number & Brief Description	Amount	Date and Description of Expense (Note if Support or Oppose)
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Information continued on attached pages

12. Compensation of \$1,000 or more during the preceding calendar year for employment or professional services paid to state elected officials, successful candidates for state office and each member of their immediate family.

Name	Relationship to Candidate or Elected Official if Member of Family	Amount (Code)	Description of Consideration or Services Exchanged for Compensation
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DOLLAR CODE	AMOUNT
A	\$1 to \$1,999
B	\$2,000 to \$9,999
C	\$10,000 to \$19,999
D	\$20,000 to \$49,999
E	\$50,000 or more

Information continued on attached pages

13. Compensation of \$1,000 or more during the preceding calendar year for professional services paid to any corporation, partnership, joint venture, association or other entity in which state elected official, successful state candidate or member of their immediate family holds office, partnership, directorship or ownership interest of 10% or more.

Firm Name	Person's Name	Amount (Code)	Description of Consideration or Services Exchanged for Compensation
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Information continued on attached pages

14. Any expenditure, not otherwise reported, made directly or indirectly to a state elected official, successful candidate for state office or member of their immediate family, if made to honor, influence or benefit the person because of his or her official position.

Name	Amount	Date and Purpose
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Information continued on attached pages

PERMANENT

WSR 96-01-120
PERMANENT RULES
BUILDING CODE COUNCIL

[Filed December 20, 1995, 11:04 a.m., effective January 1, 1997]

Date of Adoption: November 16, 1995.

Purpose: To adopt regulations in accordance with the Washington Clean Air Act (RCW 70.94.457) that limit particulate emissions for certified factory-built fireplaces and new masonry or concrete fireplaces.

Statutory Authority for Adoption: RCW 19.27.074(1).

Other Authority: Washington Clean Air Act, RCW 70.94.457 (1)(b), (c).

Adopted under notice filed as WSR 95-16-125 on August 2, 1995.

Changes Other than Editing from Proposed to Adopted Version: Testing starting and stopping of collecting particulate emissions was changed to 25 degrees F above ambient temperature, rather than 100 degrees F.

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

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 11 amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: January 1, 1997.

December 19, 1995

Gene J. Colin
Council Chair

SPECIAL CONSTRUCTION

NEW SECTION

WAC 51-30-3102 Section 3102.5.4.

3102.5.4 Emission Standards for Factory-built Fireplaces.

After January 1, 1997, no new or used factory-built fireplace shall be installed in Washington State unless it is certified and labeled in accordance with procedures and criteria specified in the UBC Standard 31-2.

To certify an entire fireplace model line, the internal assembly shall be tested to determine its particulate matter emission performance. Retesting and recertifying is required if the design and construction specifications of the fireplace model line internal assembly change. Testing for certification shall be performed by a Washington State Department of Ecology (DOE) approved and U. S. Environmental Protection Agency (EPA) accredited laboratory.

3102.7.14 Emission Standards for Certified Masonry and Concrete Fireplaces. After January 1, 1997, new certified masonry or concrete fireplaces installed in Washington State

shall be tested and labeled in accordance with procedures and criteria specified in the UBC Standard 31-2.

To certify an entire fireplace model line, the internal assembly shall be tested to determine its particulate matter emission performance. Retesting and recertifying is required if the design and construction specifications of the fireplace model line internal assembly change. Testing for certification shall be performed by a Washington State Department of Ecology (DOE) approved and U. S. Environmental Protection Agency (EPA) accredited laboratory.

NEW SECTION

WAC 51-30-31200 Section 31.200.

UNIFORM BUILDING CODE STANDARD 31-2 STANDARD TEST METHOD FOR PARTICULATE EMISSIONS FROM FIREPLACES

See Sections 3102.5.4 and 3102.7.14, *Uniform Building Code*

SECTION 31.200 - TITLE and SCOPE.

SECTION 31.200.1 - TITLE. This Appendix Chapter 31-2 shall be known as the "Washington State Standard Test Method for Particulate Emissions from Fireplaces" and may be cited as such; and will be referred to herein as "this Standard".

SECTION 31.200.2 - SCOPE. This Standard covers emissions performance, approval/certification procedures, test laboratory accreditation, record keeping, reporting requirements, and the test protocol for measuring particulate emissions from fireplaces.

All testing, reporting and inspection requirements of this Standard shall be conducted by a Washington State Department of Ecology (DOE) approved testing laboratory. In order to qualify for DOE approval, the test laboratory must be a U. S. Environmental Protection Agency (EPA) accredited laboratory (40 CFR Part 60, Subpart AAA). DOE may approve a test laboratory upon submittal of the following information:

1. A copy of their U. S. EPA accreditation certificate, and
2. A description of their facilities, test equipment, and test-personnel qualifications including education and work experience.

DOE may revoke a test laboratory approval when the test laboratory is no longer accredited by the U. S. EPA or if DOE determines that the test laboratory does not adhere to the testing requirements of this Chapter.

NEW SECTION

WAC 51-30-31201 Section 31.201—Definitions. For the purpose of this Standard certain terms are defined as follows:

ANALYZER CALIBRATION ERROR is the difference between the gas concentration exhibited by the gas analyzer and the known concentration of the calibration gas when the calibration gas is introduced directly to the analyzer.

BURN RATE is the average rate at which test-fuel is consumed in a fireplace measured in kilograms of wood (dry basis) per hour (kg/hr) during a test-burn.

CALIBRATION DRIFT is the difference in the analyzer reading from the initial calibration response at a mid-range calibration value after a stated period of operation during which no unscheduled maintenance, repair, or adjustment took place.

CALIBRATION GAS is a known concentration of Carbon Dioxide (CO₂), Carbon Monoxide (CO), or Oxygen (O₂) in Nitrogen (N₂).

CERTIFICATION or AUDIT TEST is the completion of at least one, three-fuel-load test-burn cycle in accordance with Section 31.202.

FIREBOX is the chamber in the fireplace in which a test-fuel charge(s) is placed and combusted.

FIREPLACE is a wood burning device which is exempt from U. S. EPA 40 CFR Part 60, Subpart AAA and:

1. is not a cookstove, boiler, furnace, or pellet stove as defined in 40 CFR Part 60, Subpart AAA, and
2. is not a masonry heater as defined in Section 31.201, and
3. see Section 3102, Uniform Building Code for definitions of masonry and factory-built fireplaces as used in this Standard.

FIREPLACE DESIGN is the construction and/or fabrication specifications including all dimensions and materials required for manufacturing or building fireplaces with identical combustion function and particulate emissions factors.

FIREPLACE MODEL LINE is a series of fireplace models which all have the same internal assembly. Each model in a model line may have different facade designs and external decorative features.

FIREPLACE, CERTIFIED, is a fireplace that meets the emission performance standards when tested according to UBC Standard 31-2.

FIREPLACE, NON-CERTIFIED, (masonry or concrete) is any fireplace that is not a certified fireplace. A non-certified fireplace will be subject to applicable burn ban restrictions.

INTERNAL ASSEMBLY is the core construction and firebox design which produces the same function and emissions factor for a fireplace model line.

MASONRY HEATER is a wood burning device designed and intended for domestic space heating or domestic water heating, which meets the following criteria:

1. An appliance whose core is constructed primarily of manufacturer-built, supplied or specified masonry materials (i.e., stone, cemented aggregate, clay, tile, or other non-combustible non-metallic solid materials) which weigh at least 1,760 pounds (800 kg);
2. The firebox effluent travels horizontally and/or downward through one or more heat absorbing masonry

duct(s) for a distance at least the length of the largest single internal firebox dimension before leaving the masonry heater;

Where, for the purposes of this subparagraph:

2.1 Horizontal or downward travel distance is defined as the net horizontal and/or downward internal duct length, measured from the top of the uppermost firebox door opening(s) to the exit of the masonry heater as traveled by any effluent on a single pathway through duct channel(s) within the heater (or average net internal duct length for multiple pathways of different lengths, if applicable). Net internal duct length is measured from center of the internal side or top surface of a duct, horizontally or vertically to the center of the opposite side or the bottom surface of the same duct, and summed for multiple ducts or directions on a single pathway, if applicable. For duct channel(s) traversing horizontal angles of less than ninety degrees from vertical, only the net actual horizontal distance traveled is included in the total duct length.

2.2 The largest single internal firebox dimension is defined as the longest of either the length or the width of the firebox hearth and the height of the firebox, measured from the floor of the combustion chamber (hearth) to the top of the uppermost firebox door opening(s).

3. The appliance has one or more air-controlling doors for fuel-loading which are designed to be closed during the combustion of fuel loads, and which control the entry of the combustion air (beyond simple spark arresting screen(s)) to one or more inlet(s) as prescribed by the masonry heater manufacturer. Manufacturer means a person who is engaged in the business of designing and constructing masonry heaters;

4. The appliance is assembled in conformance with the Underwriters' Laboratories-listed and/or manufacturer's specifications for its assembly and, if the core is constructed with a substantial proportion of materials not supplied by the manufacturer, and is certified by a representative of the manufacturer to be substantially in conformance with those specifications; and

5. The appliance has a label permanently affixed to the appliance stating that the appliance meets the criteria of this section and identifying its manufacturer and model.

RESPONSE TIME is the amount of time required for the measurement system to display 95 percent of a step change in gas concentration.

SAMPLING SYSTEM BIAS is the difference between the gas concentrations exhibited by the analyzer when a known concentration gas is introduced at the outlet of the sampling probe and when the sample gas is introduced directly to the analyzer.

SPAN is the upper limit of the gas concentration measurement range (25 percent for CO₂, O₂, and 5 percent for CO).

TEST FACILITY is the area in which the fireplace is installed, operated, and sampled for emissions.

TEST FUEL LOADING DENSITY is the weight of the as-fired test-fuel charge per unit area of usable firebox floor (or hearth).

TEST-BURN is an individual emission test which encompasses the time required to consume the mass of three consecutively burned test-fuel charges.

TEST-FUEL CHARGE is the collection of test fuel pieces placed in the fireplace at the start of certification test.

USABLE FIREBOX AREA is the floor (or hearth) area, within the fire chamber of a fireplace upon which a fire may be, or is intended to be built. Usable firebox area is calculated using the following definitions:

1. **Length.** The longest horizontal fire chamber dimension along the floor of the firebox that is parallel to a wall of the fire chamber.

2. **Width.** The shortest horizontal fire chamber dimension along the floor of the firebox that is parallel to a wall of the fire chamber.

3. For angled or curved firebox walls and/or sides, the effective usable firebox area shall be determined by calculating the sum of standard geometric areas or sub-areas of the firebox floor.

If a fireplace has a floor area within the fire chamber which is larger than the area upon which it is intended that fuel be placed and burned, the usable firebox area shall be calculated as the sum of standard geometric areas or sub-areas of the area intended for fuel placement and burning. For fireplace grates which elevate the fuel above the firebox floor, usable firebox area determined in this manner shall be multiplied by a factor of 1.5. The weight of test-fuel charges for fireplace-grate usable-firebox-area tests, shall not exceed the weight of test-fuel charges determined for the entire fireplace floor area.

ZERO DRIFT is the difference in the analyzer reading from the initial calibration response at the zero concentration level after a stated period of operation during which no unscheduled maintenance, repair, or adjustment took place.

NEW SECTION

WAC 51-30-31202 Section 31.202—Testing.

31.202.1 Applicability. This method is applicable for the certification and auditing of fireplace particulate emission factors. This method describes the test facility, fireplace installation requirements, test-fuel charges, and fireplace operation as well as procedures for determining burn rates and particulate emission factors.

31.202.2 Principle. Particulate matter emissions are measured from a fireplace burning prepared test-fuel charges in a test facility maintained at a set of prescribed conditions.

31.202.3 Test Apparatus.

31.202.3.1 Fireplace Temperature Monitors. Device(s) capable of measuring flue-gas temperature to within 1.5 percent of expected absolute temperatures.

31.202.3.2 Test Facility Temperature Monitor. A thermocouple located centrally in a vertically oriented pipe shield 6 inches (150 mm) long, 2 inches (50 mm) diameter that is open at both ends, capable of measuring air temperature to within 1.5 percent of expected absolute temperatures.

31.202.3.3 Balance. Balance capable of weighing the test-fuel charge(s) to within 0.1 lb (0.05 kg).

31.202.3.4 Moisture Meter. Calibrated electrical resistance meter for measuring test-fuel moisture to within 1 percent moisture content (dry basis).

31.202.3.5 Anemometer. Device capable of detecting air velocities less than 20 ft/min (0.10 m/sec), for measuring air velocities near the fireplace being tested.

31.202.3.6 Barometer. Mercury, aneroid or other barometer capable of measuring atmospheric pressure to within 0.1 inch Hg (2.5 mm Hg).

31.202.3.7 Draft Gauge. Electromanometer or other device for the determination of flue draft (i.e., static pressure) readable to within 0.002 inches of water column (0.50 Pa).

31.202.3.8 Combustion Gas Analyzer. Combustion gas analyzers for measuring Carbon Dioxide (CO₂), Carbon Monoxide (CO), and Oxygen (O₂) in the fireplace exhaust-gas stream must meet all of the following measurement system performance specifications:

1. **Analyzer Calibration Error.** Shall be less than \pm 2 percent of the span value for the zero, mid-range, and high-range calibration gases.

2. **Sampling System Bias.** Shall be less than \pm 5 percent of the span value for the zero, mid-range, and high-range calibration gases.

3. **Zero Drift.** Shall be less than \pm 3 percent of the span over the period of each run.

4. **Calibration Drift.** Shall be less than \pm 3 percent of the span value over the period of each run.

5. **Response Time.** Shall be less than 1.5 minutes.

31.202.4 Emissions Sampling Method. Use the emission sampler system (ESS) as described in Section 31.203.12 or an equivalent method as determined by the application of the U. S. EPA Method 301 Validation Procedure (Federal Register, December 12, 1992, Volume 57, Number 250, page 11998) and upon approval of DOE.

31.202.5 Fireplace Installation and Test Facility Requirements. The fireplace being tested must be constructed, if site-built, or installed, if manufactured, in accordance with the designer's/ manufacturer's written instructions. The chimney shall have a total vertical height above the base of the fire chamber of not less than 15 feet (4 600 mm). The fireplace chimney exit to the atmosphere must be freely communicating with the fireplace combustion makeup-air source. There shall be no artificial atmospheric pressure differential imposed between the chimney exit to the atmosphere and the fireplace makeup-air inlet.

31.202.6 Fireplace Aging and Curing. A fireplace of any type shall be aged before certification testing begins. The aging procedure shall be conducted and documented by the testing laboratory.

31.202.6.1 Catalyst-Equipped Fireplaces. Operate the catalyst-equipped fireplace using fuel described in Section 31.203. Operate the fireplace with a new catalytic combustor in place and in operation for at least 50 hours.

Record and report hourly catalyst exit temperatures, the hours of operation, and the weight of all fuel used.

31.202.6.2 Non-Catalyst-Equipped Fireplaces. Operate the fireplace using the fuel described in Section 31.203 for at least 10 hours. Record and report the hours of operation and weight of all fuel used.

31.202.7 Pretest Preparation. Record the test-fuel charge dimensions, moisture content, weights, and fireplace (and catalyst if equipped) descriptions.

The fireplace description shall include photographs showing all externally observable features and drawings showing all internal and external dimensions needed for fabrication and/or construction. The drawings must be verified as representing the fireplace being tested and signed by an authorized representative of the testing laboratory.

31.202.8 Test Facility Conditions. Locate the test facility temperature monitor on the horizontal plane that includes the primary air intake opening for the fireplace. Locate the temperature monitor 3 to 6 feet (1 000 to 2 000 mm) from the front of the fireplace in the 90° sector in front of the fireplace. Test facility temperatures shall be maintained between 65° and 90°F (18° and 32°C). Use an anemometer to measure the air velocity. Measure and record the room-air velocity within 2 feet (600 mm) of the test fireplace before test initiation and once immediately following the test-burn completion. Air velocity shall be less than 50 feet/minute (250 mm/second) without the fireplace operating.

NEW SECTION

WAC 51-30-31203 Section 31.203—Test protocol.

31.203.1 Test Fuel. Fuel shall be air dried Douglas fir dimensional lumber or cordwood without naturally associated bark. Fuel pieces shall not be less than 1/2 nor more than 5/6 of the length of the average fire chamber width. Fuel shall be split or cut into pieces with no cross-sectional dimension greater than 6 inches (152 mm). Spacers, if used, shall not exceed 3/4 inches (19 mm) in thickness and 15 percent of the test-fuel charge weight. Fuel moisture shall be in the range of 16 to 20 percent (wet basis) or 19 to 25 percent (dry basis) meter reading.

31.203.2 Test-Fuel Loading Density. The wet (with moisture) minimum weight of each test-fuel charge shall be calculated by multiplying the hearth area in square feet by 7.0 pounds per square foot (square meters x 0.30 kg/m²) (± 10 percent). Three test-fuel charges shall be prepared for each test-burn.

31.203.3 Kindling. The initial test-fuel charge of the three test-fuel charge test-burn shall be started by using a kindling-fuel charge which is up to 50 percent of the first test-fuel charge weight. Kindling-fuel pieces can be any size needed to start the fire or whatever is recommended in the manufacturer's (builder's) instructions to consumers. The kindling-fuel charge weight is not part of the initial test-fuel charge weight but is in addition to it.

31.203.4 Test-Burn Ignition. The fire can be started with or without paper. If used, the weight of the paper must be included in test-fuel charge weight. The remainder of the

test-fuel charge may be added at any time after kindling ignition except that the entire first test-fuel charge must be added within 10 minutes after the start of the test (i.e., the time at which the flue-gas temperature at the 8-foot (2 440 mm) level is over 25°F (14°C) greater than the ambient temperature of the test facility).

31.203.5 Test Initiation. Emissions and flue-gas sampling are initiated immediately after the kindling has been ignited and when flue-gas temperatures in the center of the flue at an elevation of 8 feet (2 440 mm) above the base (floor) of the fire chamber reach 25°F (14°C) greater than the ambient temperature of the test facility.

31.203.6 Sampling Parameters. Sampling (from the 8-foot (2 440 mm) flue-gas temperature measurement location) must include:

1. Particulate Emissions
2. Carbon Dioxide (CO₂)¹
3. Carbon Monoxide (CO)¹
4. Oxygen (O₂)¹
5. Temperature(s)

¹ These gases shall be measured on-line (real-time) and recorded at a frequency of not less than once every 5 minutes. These 5-minute readings are to be arithmetically averaged over the test-burn series or alternatively, a gas bag sample can be taken at a constant sample rate over the entire test-burn series and analyzed for the required gases within one hour of the end of the test-burn.

If a fireplace is equipped with an emissions control device which is located downstream from the 8-foot (2 440 mm) flue-gas temperature measurement location, a second temperature, particulate, and gaseous emissions sampling location must be located downstream from the emissions control device but not less than 4 flue diameters upstream from the flue exit to the atmosphere. The two sampling locations must be sampled simultaneously during testing for each fireplace configuration being tested.

31.203.7 Test-Fuel Additions and Test Completion. The second and third test-fuel charges for a test-burn may be placed and burned in the fire chamber at any time deemed reasonable by the operator or when recommended by the manufacturer's and/or builder's instructions to consumers.

No additional kindling may be added after the start of a test-burn series and the flue-gas temperature at the 8-foot (2 440 mm) level above the base of the hearth must always be 25°F (14°C) greater than the ambient temperature of the test facility for a valid test-burn series. Each entire test-fuel charge must be added within 10 minutes from the addition of the first piece.

A test (i.e., a three test-fuel charge test-burn series) is completed and all sampling and measurements are stopped when all three test-fuel charges have been consumed (to more than 90 percent by weight) in the firebox and the 8-foot (2 440 mm) level flue-gas temperature drops below 25°F (14°C) greater than the ambient temperature of the test facility. Within 5 minutes after the test-burn is completed and all measurements and sampling has stopped, the remaining coals and/or unburned fuel, shall be extinguished with a carbon dioxide fire extinguisher. All of the remaining coals, unburned fuel, and ash shall be removed from the firebox

and weighed to the nearest 0.1 pound (0.05 kg). The weight of these unburned materials and ash shall be subtracted from the total test-burn fuel weight when calculating the test-burn burn rate. A test-burn is invalid if less than 90 percent of the weight of the total test-fuel charges plus the kindling weight have been consumed in the fireplace firebox.

31.203.8 Test-Fuel Charge (Load) Adjustments. Test-fuel charges may be adjusted (i.e., repositioned) once during the burning of each test-fuel charge. The time used to make this adjustment shall be less than 15 seconds.

31.203.9 Air Supply Adjustment. Air supply controls, if the fireplace is equipped with controls, may not be adjusted during any test-burn series after the first 10 minutes of startup of each fuel load. All air supply settings must be set to the lowest level at the start of a test and shall remain at the lowest setting throughout a test-burn.

31.203.10 Auxiliary Fireplace Equipment Operation. Heat exchange blowers (standard or optional) sold with the fireplace shall be operated during all test-burns following the manufacturer's written instructions. If no manufacturer's written instructions are available, operate the heat exchange blower in the "high" position. (Automatically operated blowers shall be operated as designed.) Shaker grates, bypass controls, afterburners, or other auxiliary equipment may be adjusted only once per test-fuel charge following the manufacturer's written instructions. Record and report all adjustments on a fireplace operational written-record.

31.203.11 Fireplace Configurations. One, 3 test-fuel charge test-burn shall be conducted for each of the following fireplace operating configurations:

1. Door(s) closed, with hearth grate;
2. Door(s) open, with hearth grate;
3. Door(s) closed, without hearth grate;
4. Door(s) open, without hearth grate; and
5. With no doors, and draft inducer on.

No test-burn series is necessary for any configuration the appliance design cannot or is not intended to accommodate. If a configuration is not tested, the reason must be submitted with the test report and the appliance label must state that the appliance cannot be used in that configuration by consumer users.

One emission factor result, or one emission factor average, as provided in paragraph 31.203.11.2, from each fireplace configuration tested shall be compiled into an arithmetic average of all the configurations tested for determining compliance with the requirements of paragraph 31.204.2.

31.203.11.1 Closed-Door(s) Testing. For all closed-door test configurations, the door(s) must be closed within 10 minutes from the addition of the first test-fuel piece of each test-fuel charge in a test-burn. During a test-burn, the door(s) cannot be re-opened except during test-fuel reload and adjustment as referenced in Sections 31.203.7 and 31.203.8.

31.203.11.2 Additional Test-Burn. The testing laboratory may conduct more than one test-burn series for each of the

applicable configurations specified in Section 31.203.11. If more than one test-burn is conducted for a specified configuration, the results from at least 2/3 of the test-burns for that configuration shall be used in calculating the arithmetic average emission factor for that configuration. The measurement data and results of all tests conducted shall be reported regardless of which values are used in calculating the average emission factor for that configuration.

31.203.12 Emissions Sampling System (ESS).

31.203.12.1 Principle. Figure 31-2-1 shows a schematic of an ESS for sampling solid-fuel-fired fireplace emissions. Except as specified in Section 31.202.4, an ESS in this configuration shall be used to sample all fireplace emissions. The ESS shall draw flue gases through a 15 inch (380 mm) long, 3/8 inch (10 mm) O.D. stainless steel probe which samples from the center of the flue at an elevation which is 8 feet (2 440 mm) above the floor of the firebox (i.e., the hearth). A flue-gas sample shall then travel through a 3/8 inch (10 mm) O.D. Teflon® tube, and a heated U. S. EPA Method 5-type glass-fiber filter (40 CFR Part 60, Appendix A) for collection of particulate matter. The filter shall be followed by an in-line flow-through cartridge containing 20 grams of XAD-2 sorbent resin for collecting semi-volatile hydrocarbons. Water vapor shall then be removed from the sampled gas by a silica-gel trap. Flue-gas oxygen concentrations, which shall be used to determine the ratio of flue-gas volume to the amount of fuel burned, are measured within the ESS system by an electrochemical cell meeting the performance specifications presented in Section 31.202.3.8 (1).

The ESS shall use a critical orifice to maintain a nominal flue-gas sampling rate of 0.035 cfm (0.0167 liters per second). The actual flow rate through each critical orifice shall be determined to within 0.000354 cubic feet (0.01 liters) per second before and after each test-burn with a bubble flow meter to document exact sampling rates. The post-test-burn critical-orifice flow-rate determinations shall be performed before the ESS is dismantled for sample recovery and clean-up. Pre-test-burn and post-test-burn critical-orifice flow-rate measurements shall be within 0.0000117 cubic feet (0.00033 liters) per second of each other or the test-burn emissions results shall be invalid. Temperatures shall be monitored using type K ground-isolated, stainless-steel-sheathed thermocouples.

The ESS unit shall return particle-free and dry exhaust gas to the flue via a 1/4 inch (6 mm) Teflon® line and a 15 inch (380 mm) stainless steel probe inserted into the flue. A subsample aliquot of the flue-gas sample-gas stream exiting the ESS unit, shall be pumped into a 1 cubic foot (29 liter) Tedlar® bag for measuring the average carbon dioxide, carbon monoxide, and confirmation of average oxygen concentrations for the test period. Flow to the subsample gas bag shall be controlled by a solenoid valve connected to the main pump circuit and a fine-adjust needle-controlled flow valve. The solenoid valve shall be open only when the pump is activated, allowing the subsample gas to be pumped into the gas bag at all times when the ESS pump is on. The rate of flow into the bag shall be controlled by the fine-adjust metering needle-valve which is adjusted at setup so that 4.7 to 5.2 gal (18 to 20 liters) of gas is collected over

the entire 3 test-fuel charge test-burn without over-pressurizing the gas sample bag.

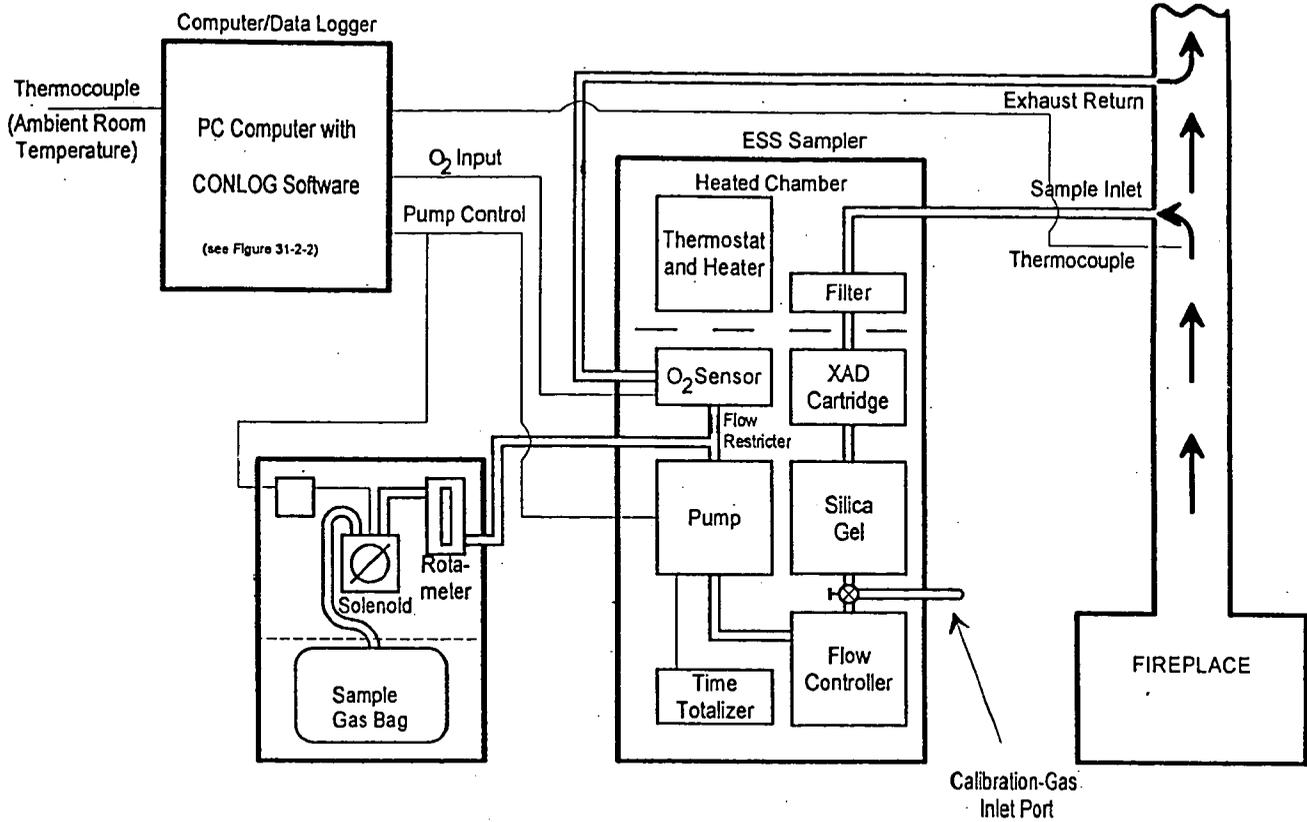


Figure 31-2-1. Schematic of ESS/Data Logger system.

31.203.12.2 The Data Acquisition and Control System. The data acquisition and control system for the ESS is shown in Figure 31-2-2. This system consists of a personal computer (PC) containing an analog-to-digital data processing board (12-bit precision), a terminal (connection) box, and specialized data acquisition and system control software (called CONLOG).

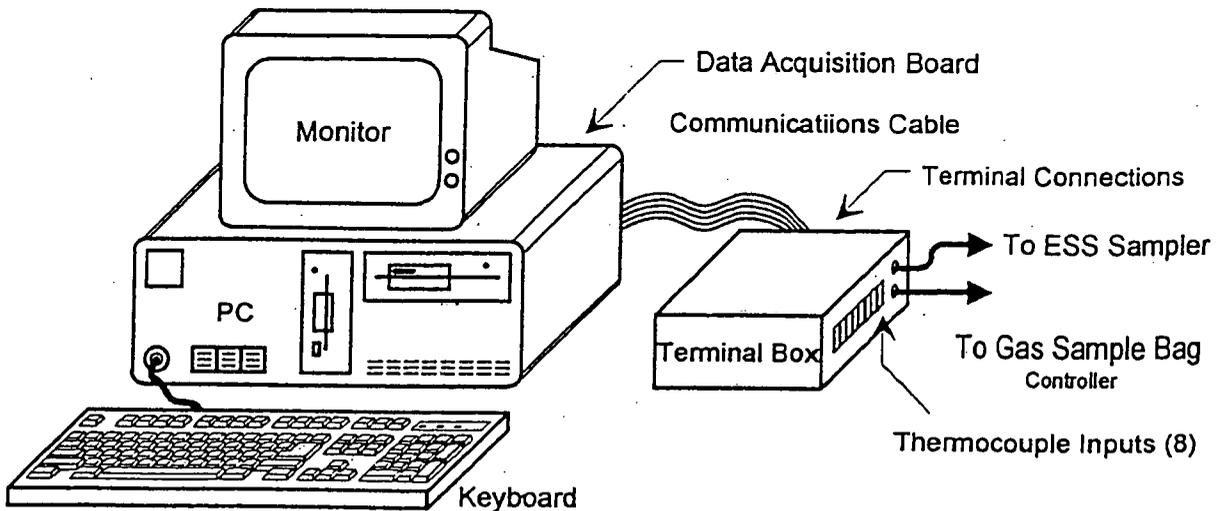


Figure 31-2-2. ESS data logger system.

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For fireplace testing, the CONLOG software is configured to control, collect, and store the following data:

1. Test-period starting and ending times and dates, and total length of sampling period,
2. Pump-cycle on/off, cycle length and thermocouple (TC) cycle recording interval (frequency),
3. Temperature records, including flue-gas and ambient temperatures, averaged over pre-selected intervals,
4. Date, times, and weights of each added fuel load, and
5. Flue-gas oxygen measurements taken during each sample cycle.

During testing, instantaneous readings of real-time data shall be displayed on the system status screen. These data shall include the date, time, temperatures for each of the TCs, and flue-gas oxygen concentrations. The most recent 15 sets of recorded data shall also be displayed.

Flue-gas sampling and the recording of flue-gas oxygen concentrations shall only occur when flue-gas temperatures are above 25°F (14°C) greater than the ambient temperature of the test facility. Temperatures and fueling shall always be recorded at five-minute intervals regardless of flue-gas temperature. The ESS sampling-pump operating cycle shall be adjustable as described in Section 31.203.12.3.

31.203.12.3 ESS Sampling-Pump Operating Cycle. The ESS sampling-pump operating cycle shall be adjusted to accommodate variable test-fuel charge sizes, emission factors, and the length of time needed to complete a test-burn series. The sampler-pump operation shall be adjustable from 1 second to 5 minutes (100 percent) "on" for every 5-minute test-burn data-recording interval. This will allow adjustment for the amount of anticipated emissions materials that will be sampled and deposited on the ESS filter, XAD-2, and the other system components. It is recommended that the minimum sample quantities stipulated in Section 31.203.12.4 be used to calculate the appropriate pump cycle "on" and "off" periods. It should be noted that if the sampler collects too much particulate material on the filter and in the XAD-2 cartridge, the unit may fail the sample flow calibration check required at the end of each test-burn.

31.203.12.4 Minimum Sample Quantities. For each complete 3 test-fuel charge test-burn, the ESS must catch a minimum total particulate material mass of at least 0.231 grains (15 mg). Alternatively, the ESS must sample a minimum of 10 cubic feet (283 liters) during each 3 test-fuel charge test-burn. If this volume cannot be sampled in the test-burn time period, two ESS samplers must be utilized to sample fireplace emissions simultaneously during each test-burn. If emissions results from the two ESSs are different by more than 10 percent of the lower emissions-factor result, the test-burn results are invalid. An arithmetic average is calculated for test-burn results when two ESSs are utilized.

31.203.12.5 Equipment Preparation and Sample Processing Procedures.

31.203.12.5.1. Prior to emissions testing, the ESS unit shall be prepared with a new, tared glass-fiber filter and a clean XAD-2 sorbent-resin cartridge. Within 3 hours after testing

is completed, the stainless steel sampling probe, Teflon® sampling line, filter holder, and XAD-2 cartridge(s) shall be removed from the test site and transported to the laboratory for processing. Each component of the ESS sampler shall be processed as follows:

1. Filter: The glass fiber filter (4 inches (102 mm) in diameter) shall be removed from the ESS filter housing and placed in a petri dish for desiccation and gravimetric analysis.

2. XAD-2 sorbent-resin cartridge: The sorbent-resin cartridge shall be extracted in a Soxhlet extractor with dichloromethane for 24 hours. The extraction solution shall be transferred to a tared glass beaker and evaporated in an ambient-air dryer. The beaker with dried residue shall then be desiccated to constant weight (less than ± 0.5 mg change within a 2-hour period), and the extractable residue shall be weighed.

3. ESS hardware: All hardware components which are in the flue-gas sample stream (stainless steel probe, Teflon® sampling line, stainless steel filter housing, and all other Teflon® and stainless steel fittings) through the top of the sorbent-resin cartridge, shall be cleaned with a solvent mixture of 50 percent dichloromethane and 50 percent methanol. The cleaning solvent solutions shall be placed in tared glass beakers, evaporated in an ambient-air dryer, desiccated to constant weight (less than ± 0.5 mg change within a 2-hour period), and weighed.

EPA Method 5H procedures (40 CFR Part 60, Appendix A) for desiccation and weighing time intervals shall be followed for steps 1 through 3 above.

31.203.12.5.2 The ESS shall be serviced both at the start and end of a fireplace testing period. During installation, leak checks shall be performed; the thermocouples, fuel-weighting scale, and oxygen-cell shall be calibrated, and the data logger shall be programmed. At the end of the test period, final calibration, and leak-check procedures shall again be performed, and the ESS sampling line, filter housing, XAD-2 cartridge, sampling probe, and Tedlar® bag shall be removed, sealed, and transported to the laboratory for analysis. If the pre-test and post-test leak checks of the ESS system exceed 0.00033 liters per second, the test-burn emission results shall be invalid.

31.203.12.6 Data Processing and Quality Assurance.

31.203.12.6.1 Upon returning to the laboratory facilities, the data file (computer disk) shall be reviewed to check for proper equipment operation. The data-logger data files, log books, and records maintained by field staff shall be reviewed to ensure sample integrity.

The computer-logged data file shall be used in conjunction with the ESS particulate samples and sample-gas bag analyses to calculate the emission factor, emission rate, and fireplace operational parameters. An example ESS results report is presented in Table 31-2-A.

31.203.12.6.2 Burning Period. The total burning period is calculated by:

Total Burning Period = (Length of each sample cycle) x (Number of flue temperature readings over 25°F (14°C) greater than the ambient temperature of the test facility).

WHERE:

1. Length of each sample cycle: The time between each temperature recording as configured in the CONLOG software settings (standardized at 5 minutes).
2. Number of flue temperature readings during fireplace

use: The total number of temperature readings when the calibrated temperature value was more than 25°F (14°C) greater than the ambient temperature of the test facility.

31.203.12.6.3 Particulate Emissions.

31.203.12.6.3.1 ESS Particulate Emission Factor. The equation for the total ESS particulate emission factor for each test-burn presented below produces reporting units of grams per dry kilogram of fuel burned (g/kg):

$$\text{Particulate emission factor (g/kg)} = \frac{(\text{Particulate Catch}) \times (\text{Stoichiometric Volume}) \times (\text{Flue-gas Dilution Factor})}{(\text{Sampling Time}) \times (\text{Sampling Rate})}$$

WHERE:

1. Particulate Catch: The total mass, in grams, of particulate material caught on the filter, in the XAD-2 resin cartridge (semi-volatile compounds); and in the probe clean-up and rinse solutions.
2. Stoichiometric Volume: Stoichiometric volume is the volume of dry air needed to completely combust one dry kilogram of fuel with no "excess air". This value is determined by using a chemical reaction balance between the specific fuel being used and the chemical components of air.

The stoichiometric volume for Douglas fir is 86.78 cubic feet per pound (5 404 liters per dry kilogram) at 68°F (20°C) and 29.92 inches (760 mm) of mercury pressure.

3. Flue-gas Dilution Factor: The degree to which the sampled combustion gases have been diluted in the flue by air in excess of the stoichiometric volume (called excess air). The dilution factor is obtained by using the average sampled carbon dioxide and carbon monoxide values obtained from the sample gas bag analyses and the following equation.

$$18.53 + \left(\left(1 - \left(\frac{(\text{CO}_2 + 1/2 \text{ CO})}{18.53} \right) \right) \right) \times 2.37$$

$$\text{Flue-Gas Dilution Factor} = \frac{\text{_____}}{(\text{CO}_2 + 1/2 \text{ CO})}$$

Note: Multiplying the g/kg emission factor by the burn rate (dry kg/hr) yields particulate emissions in grams per hour (g/hr). Burn rate is calculated by the following equation:

$$\text{Burn Rate (kg/hr)} = \frac{\text{_____}}{\text{_____}}$$

Total Fuel (kg)

Total

Burn Period (hours)

WHERE:

Total Fuel is the total fuel added during the entire test-burn minus the remaining unburned materials at the end of the test-burn.

4. Sampling Time: The number of minutes the sampler pump operated during the total test-burn period.
5. Sampling Rate: Sampling rate is controlled by the critical orifice installed in the sampler. The actual calibrated sampling rate is used here.

31.203.12.6.3.2 EPA Method 5H Particulate Emissions. ESS-measured emissions factors submitted to DOE for approval must first be converted to U. S. EPA Method 5H equivalents. The ESS particulate emissions factor results obtained in Section 31.203.12.6.1 are converted to be equivalent to the U. S. EPA Method 5H emissions factor results by the following equation:

$$1.254 + (0.302 \times \text{PEF}) + (1.261 \times 10^{-\text{PEF}})$$

WHERE:

PEF is the ESS-measured particulate emission factor for a test-burn.

31.203.12.6.4 CO Emissions. The carbon monoxide (CO) emission factor equation produces grams of CO per dry kilogram of fuel burned. The grams per kilogram equation includes some equation components described above.

$$\text{CO emission factor (g/kg)} = \frac{(\text{Fraction CO}) \times (\text{Stoich. Volume}) \times (\text{Dilution Factor}) \times (\text{Molecular Weight of CO})}{(24.45 \text{ L/mole})}$$

WHERE:

1. Fraction CO: The fraction of CO measured in the gas sampling bag.

Note: Percent CO divided by 100 gives the fraction CO.

2. Molecular Weight of CO: The gram molecular weight of CO, 28 pounds per pound-mole (28.0 g/g-mole).

Multiplying the results of the above equation by the burn rate (dry kg/hr) yields the grams per hour (g/hr) CO emission rate.

PERMANENT

Table 31-2-A Example ESS Data Results Format

ESS Emission Results

Test Facility Location: xxxx
 Test Laboratory: xxxx
 Test-Burn Number: xxxx
 Start Time/Date: xxxx
 End Time/Date: xxxx
 Fireplace Model: xxxx

TIME

Total Test Period 152.3 hours
 Total Burn Time 64.6 hours
 Flue >25 Degrees F
 above ambient temperature 42.4 %

CARBON MONOXIDE EMISSIONS

Gram / Kilogram 48.0 g/kg
 Gram / Hour 64.0 g/hr
 Gram / Cubic Meter 1.25 g/m³

ESS SETTINGS

ESS Sample Rate 1.004 l/min
 Sample Cycle 5.0 min
 Sample Time / Sample Cycle 0.443 min

AVERAGE TEMPERATURES

Fuel-Gas Temperatures 275 °F
 135 °C
 Flue Exit Temperature 308 °F
 154 °C
 Test Facility Ambient Temperature 66 °F
 19 °C

TEST FUEL

Total Fuel Used (wet weight) 101.3 kg
 Ave. Fuel Moisture (dry basis) 17.7 %
 Total Fuel Used (dry weight) 86.1 kg
 Average Test-Fuel Charge 14.5 kg
 Average Burn Rate 1.33 dry
 kg/hr

AVERAGE FLUE-GAS CONCENTRATIONS

Flue Oxygen (SE) 18.15 %
 Flue Oxygen (gas bag or analyzer) 18.05 %
 Flue CO (gas bag or analyzer) 0.10 %
 Flue CO₂ (gas bag or analyzer) 2.60 %

**PARTICULATE EMISSIONS (EPA Method 5H
 Equivalents)**

Gram / Kilogram 2.6 g/kg
 Gram / Hour 3.4 g/hr
 Gram / Cubic Meter 0.06 g/m³

BREAKDOWN OF ESS PARTICULATE SAMPLE

Rinse 25.5 mg
 XAD 6.3 mg
 Filter 15.7 mg
 Blank 0.0 mg
TOTAL 47.4 mg

Notes:

NM = Not Measured, NA = Not Applicable, NU = Not Used
 Total time flue temperature greater than 25 °F over ambient temperature.

TEST PERFORMED BY: XYZ Testing International, Olympia Washington, 98504

PERMANENT

31.203.13 Calibrations.

31.203.13.1 Balance. Before each certification test, the balance used for weighing test-fuel charges shall be audited by weighing at least one calibration weight (Class F) that corresponds to 20 percent to 80 percent of the expected test-fuel charge weight. If the scale cannot reproduce the value of the calibration weight within 0.1 lb (0.05 kg) or 1 percent of the expected test-fuel charge weight, whichever is greater, re-calibrate the scale before use with at least five calibration weights spanning the operational range of the scale.

31.203.13.2 Temperature Monitor. Calibrate the temperature monitor before the first certification test and semiannually thereafter.

31.203.13.3 Fuel Moisture Meter. Calibrate the fuel moisture meter as per the manufacturer's instructions before each certification test.

31.203.13.4 Anemometer. Calibrate the anemometer as specified by the manufacturer's instructions before the first certification test and semiannually thereafter.

31.203.13.5 Barometer. Calibrate the barometer against a mercury barometer before the first certification test and semiannually thereafter.

31.203.13.6 Draft Gauge. Calibrate the draft gauge as per the manufacturer's instructions; a liquid manometer does not require calibration.

31.203.13.7 ESS. The ESS shall be calibrated as specified in Section 31.203.12.1.

31.203.14 Reporting Criteria. Submit both raw and reduced data for all fireplace tests. Specific reporting requirements are as follows:

31.203.14.1 Fireplace Identification. Report fireplace identification information including manufacturer, model, and serial number. Include a copy of fireplace installation and operation manuals.

31.203.14.2 Test Facility Information. Report test facility location, temperature, and air velocity information.

31.203.14.3 Test Equipment Calibration and Audit Information. Report calibration and audit results for the test-fuel balance, test-fuel moisture meter, analytical balance, and sampling equipment including volume metering systems and gaseous analyzers.

31.203.14.4 Pretest Information and Conditions. Report all pretest conditions including test-fuel charge weight, fireplace temperatures, and air supply settings.

31.203.14.5 Particulate Emission Data. Report a summary of test results for all test-burns conducted and the arithmetically averaged emission factor for all test-burns used for certification. Submit copies of all data sheets and other records collected during the testing. Submit examples of all calculations.

31.203.14.6 Required Test Report Information and Suggested Format. Test report information requirements to be provided to DOE for approval/certification of fireplaces are presented in this Standard. The requirements are presented here in a recommended report format.

31.203.14.6.1 Introduction.

1. Purpose of test: Certification or audit.
2. Fireplace identification: Manufacturer, model number, catalytic/non-catalytic, and options. Include a copy of fireplace installation and operation manuals.
3. Laboratory: Name, location, and participants.
4. Test information: Date fireplace was received, date of tests, sampling methods used, and number of test-burns.

31.203.14.6.2 Summary and Discussion of Results.

1. Table of results: Test-burn number, burn rate, particulate emission factor (in U. S. EPA Method 5H equivalents), efficiency (if determined), and averages (indicate which test-burns are used).
2. Summary of other data: Test facility conditions, surface temperature averages, catalyst temperature averages, test-fuel charge weights, and test-burn times.
3. Discussion: Specific test-burn problems and solutions.

31.203.14.6.3 Process Description.

1. Fireplace dimensions: Volume, height, width, lengths (or other linear dimensions), weight, and hearth area.
2. Firebox configuration: Air supply locations and operation, air supply introduction location, refractory location and dimensions, catalyst location, baffle and by-pass location and operation (include line drawings and photographs).
3. Process operation during test: Air supply settings and adjustments, fuel bed adjustments, and draft.
4. Test fuel: Test fuel properties (moisture and temperature), test fuel description (include line drawing or photograph), and test fuel charge density.

31.203.14.6.4 Sampling Locations. Describe sampling location relative to fireplace. Include linedrawings and photographs.

31.203.14.6.5 Sampling and Analytical Procedures.

1. Sampling methods: Brief reference to operational and sampling procedures, and optional and alternative procedures used.
2. Analytical methods: Brief description of sample recovery and analysis procedures.

31.203.14.6.6 Quality Control and Assurance Procedures and Results.

1. Calibration procedures and results: Certification, sampling, and analysis procedures.
2. Test method quality control procedures: Leak-checks, volume-meter checks, stratification (velocity) checks, and proportionality results.

31.203.14.6.7 Appendices.

1. **Results and Example Calculations.** Include complete summary tables and accompanying examples of all calculations.

2. **Raw Data.** Include copies of all uncorrected data sheets for sampling measurements, temperature records, and sample recovery data. Include copies of all burn rate and fireplace temperature data.

3. **Sampling and Analytical Procedures.** Include detailed description of procedures followed by laboratory personnel in conducting the certification test, emphasizing particularly, parts of the procedures differing from the prescribed methods (e.g., DOE approved alternatives).

4. **Calibration Results.** Summary of all calibrations, checks, and audits pertinent to certification test results including dates.

5. **Participants.** Test personnel, manufacturer representatives, and regulatory observers.

6. **Sampling and Operation Records.** Copies of uncorrected records of activities not included on raw data sheets (e.g., fireplace door open times and durations).

7. **Additional Information.** Fireplace manufacturer's written instructions for operation during the certification test and copies of the production-ready (print-ready) temporary and permanent labels required in Section 31.208 shall be included in the test report prepared by the test laboratory.

31.203.14.7 References.

1. Code of Federal Regulations, U. S. EPA Title 40, Part 60, Subpart AAA and Appendix A (40 CFR Part 60).

2. Barnett, S. G. and P. G. Fields, 1991, "In-Home Performance of Exempt Pellet Stoves in Medford, Oregon," prepared for U. S. Department of Energy, Oregon Department of Energy, Tennessee Valley Authority, and Oregon Department of Environmental Quality, July 1991.

3. Barnett, S. G. and R. R. Roholt, 1990, "In-Home Performance of Certified Pellet Stoves in Medford and Klamath Falls, Oregon," prepared for the U. S. Department of Energy, 1990.

4. Barnett, S. G., 1990, "Field Performance of Advanced Technology Woodstoves in Glens Falls, New York, 1988-1989," for New York State Energy Research and Development Authority, U. S. EPA, Coalition of Northeastern Governors, Canadian Combustion Research Laboratory, and the Wood Heating Alliance, December 1989.

NEW SECTION

WAC 51-30-31204 Section 31.204—Approval procedure for fireplaces. On or after the effective date of this regulation, a manufacturer or builder of a fireplace who wishes to have a fireplace model line or fireplace design designated as an approved (or certified) fireplace, shall submit to DOE for its review the following information:

31.204.1 Manufacturer name and street address, model or design identification, construction specifications, and drawings of the firebox and required chimney system.

31.204.2 A test report prepared in accordance with Section 31.203.14.6 showing that testing has been conducted by a DOE approved and U. S. EPA accredited laboratory, and that the arithmetically averaged particulate emission factors for that fireplace model line or design, tested in accordance

with UBC Standard Section 31.202, does not exceed 7.3 g/kg (U. S. EPA Method 5H equivalent as determined in Section 31.203.12.6.3.2) for a factory-built fireplace model lines or designs or 12.0 g/kg (U. S. EPA Method 5H equivalent as determined in Section 31.203.12.6.3.2) for new certified masonry fireplace model lines or designs. After January 1, 1999, particulate emission factors for factory-built and new certified masonry fireplace model lines or designs shall not exceed 7.3 g/kg (U. S. EPA Method 5H equivalents as determined in Section 31.203.12.6.3.2).

NEW SECTION

WAC 51-30-31205 Section 31.205—Approval of non-tested fireplaces. On or after the effective date of this regulation, DOE may grant approval for a fireplace model line or design that has not been tested pursuant to Section 31.204 upon submission of the following by the applicant:

31.205.1 Manufacturer name and street address, model or design identification, construction specifications, and drawings of the internal assembly system.

31.205.2 Documentation from an EPA accredited laboratory that the model is a fireplace within the definition of this regulation, has substantially the same core construction as a model already tested by a DOE approved and EPA accredited laboratory, and is substantially similar to the approved model in internal assembly design, combustion function, and probable emissions performance as listed in Section 31.204.2.

NEW SECTION

WAC 51-30-31206 Section 31.206—Approval through alternative test protocol. As provided in Section 31.202.4, an alternative testing protocol may be submitted by a DOE approved and EPA accredited laboratory for acceptance by DOE as equivalent to Uniform Building Code Standard 31-2.

NEW SECTION

WAC 51-30-31207 Section 31.207—Approval termination. All fireplace model line or design approvals shall terminate five years from the approval date. Previously approved fireplace model line and/or design may be granted re-approval (re-certification) upon application to and review by DOE. No testing shall be required for fireplace model line or design re-approvals unless DOE determines that design changes have been incorporated into the fireplace that could adversely affect the emissions factor, or testing is otherwise stipulated by DOE.

DOE may revoke a fireplace model line or design approval certification if it is determined that the fireplaces being produced in a specific model line do not comply with the requirements of Section 31.200. Such a determination shall be based on all available evidence, including:

1. Test data from a retesting (audit test) of the original unit on which the certification test was conducted or a sample unit from the current model line,

2. A finding that the certification test was not valid,

3. A finding that the labeling of the fireplace does not comply with the requirements of Section 31.200,

4. Failure by the fireplace manufacturer (builder) to comply with reporting and record keeping requirements under Section 31.200,

5. Physical examination showing that a significant percentage of production units inspected are not similar in all material respects to the fireplace submitted for testing, or

6. Failure of the manufacturer to conduct a quality assurance program in conformity with Section 31.208.

Revocation of certification under this section shall not take effect until the manufacturer (builder) concerned has been given written notice by DOE setting forth the basis for the proposed determination and an opportunity to request a hearing.

NEW SECTION

WAC 51-30-31208 Section 31.208—Quality control. Once within 30 days of each annual anniversary after the initial approval/certification, a DOE approved and U. S. EPA accredited laboratory shall inspect the most recently produced fireplace of an approved model line or design at its manufacturing location (site, if site-built) to document adherence to the approved/certified fireplace design specifications. If no fireplaces of an approved model line or design were produced (built) during the previous 12 months, no inspection is required.

An inspection report for each approved fireplace model line or design must be submitted to DOE within 30 days after the inspection date. The inspection report shall include, as a minimum, the model identification and serial number of the fireplace inspected, the location where the model was inspected, the names of the manufacturer's and/or builder's representatives present, the date of inspection, and a description of any changes made to the approved fireplace model line or design since the last inspection. The U. S. EPA accredited laboratory which conducts the annual quality control inspection is responsible for auditing the content and format of all labels to be applied to approved fireplaces as stipulated in Section 31.209.

A fireplace model line or design shall be re-tested in accordance with Section 31.202 if it is determined during inspection that design changes have been incorporated into the approved/certified fireplace design which adversely affect the fireplace particulate emissions factor. Design elements which can affect fireplace particulate emissions include:

1. Grate placement and height,
2. Air supply minimum and maximum controls,
3. Usable hearth area, and
4. Firebox height, width, and length dimensions.

NEW SECTION

WAC 51-30-31209 Section 31.209—Permanent label, temporary label and owner's manual.

31.209.1 Labels and the Owner's Manual. Labels and owner's manual shall be prepared and installed in all

certified "For Sale" fireplaces as specified in U. S. EPA 40 CFR Part 60, Section 60.536. Information that shall be presented on all labels includes:

1. Manufacturer's or builder's name, address, and phone number,
2. Model number and/or name,
3. Month and year of manufacture,
4. Starting and ending dates for the 5-year approval period,

5. If a fireplace was tested and approved with an emissions control device which is not an integral part of the fireplace structure, the label shall state that "The fireplace can not be sold or installed without the specified emissions control device in place and operational."

6. On certified fireplaces the statement: "This appliance has been tested and has demonstrated compliance with Washington State amendment to the UBC Standard, Chapter 31-2 requirements."

NEW SECTION

WAC 51-30-31210 Section 31.210—List of approved fireplaces. DOE shall maintain a list of approved fireplace model lines and designs, and that list shall be available to the public.



**WSR 96-01-002
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE
(Fisheries)**

[Order 95-179—Filed December 6, 1995, 2:55 p.m., effective December 13, 1995]

Date of Adoption: December 5, 1995.
Purpose: Amend commercial fishing rules.
Citation of Existing Rules Affected by this Order:
Amending WAC 220-52-040.

Statutory Authority for Adoption: RCW 75.08.080.
Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This rule is necessary to administer the State-Tribal Management Plan for the Coastal Dungeness Crab Fishery 1995-96 season between the Washington Department of Fish and Wildlife and the Quinault Indian Nation. The Quinault Tribe adopted a corresponding regulation.

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

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: December 13, 1995.
December 5, 1995
Judith Freeman
Deputy
for Robert Turner
Director

NEW SECTION

WAC 220-52-04000A Crab fishery - Lawful gear
Notwithstanding the provisions of WAC 220-52-040 effective December 13, 1995 until further notice it shall be unlawful for any person to use more than 200 crab pots to take or fish for Dungeness crab for commercial purposes in Grays Harbor.

**WSR 96-01-004
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE
(Wildlife)**

[Order 95-181—Filed December 6, 1995, 3:13 p.m.]

Date of Adoption: December 6, 1995.
Purpose: Closes Canada goose.
Citation of Existing Rules Affected by this Order:
Amending WAC 232-28-419.

Statutory Authority for Adoption: RCW 77.12.040.
Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The season for Western Washington Goose Management Area 2 was set by the Fish and Wildlife Commission on August 12, 1995. At that time, the Fish and Wildlife Commission authorized the department to close the season in established hunting subareas within Management Area 2 when harvest of dusky Canada geese met predetermined quotas for each subarea. The quota for the subarea consisting of Cowlitz County south of the Kalama River was set at thirteen dusks. This quota was met on December 2, 1995. The closure is necessary to conserve dusky Canada geese for future production and recovery of the population.

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

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.
Effective Date of Rule: Immediately.

December 6, 1995
Judith Freeman
Deputy
Robert Turner
Director

NEW SECTION

WAC 232-28-41900B Canada goose season—Emergency closure. Notwithstanding the provisions of WAC 232-28-419, effective immediately until further notice it is unlawful to hunt for or retain Canada geese taken from the following area: Cowlitz County south of the Kalama River.

EMERGENCY

**WSR 96-01-007
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

(Public Assistance)

[Order 3933—Filed December 6, 1995, 4:42 p.m., effective December 10, 1995, 12:01 a.m.]

Date of Adoption: December 6, 1995.

Purpose: WAC 388-290-135(2) is amended to allow recipients of JOBS and income assistance child care to receive continued child care benefits pending the outcome of a fair hearing.

Citation of Existing Rules Affected by this Order: Amending WAC 388-290-135(2) JOBS, income assistance, and transitional child care—Hearings.

Statutory Authority for Adoption: RCW 74.04.050.

Other Authority: 45 CFR 255.4(f).

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

Reasons for this Finding: Chapter 388-47 WAC, JOBS opportunities and basic skills training program was written and adopted at the same time as chapter 388-290 WAC. Chapter 388-47 WAC provides for continued child care benefits for JOBS and income assistance recipients pending a fair hearing. The discrepancy between the chapters was not noticed until after adoption.

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

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

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

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 1, repealed 0.

Effective Date of Rule: December 10, 1995, 12:01 a.m.

December 6, 1995

Jeanette Sevedge-App

Acting Chief

Office of Vendor Services

AMENDATORY SECTION (Amending Order 3916, filed 11/8/95, effective 12/9/95)

WAC 388-290-135 JOBS, income assistance, and transitional child care—Hearings. (1) Applicants or recipients shall be entitled to fair hearings under chapter 388-08 WAC on any action affecting child care benefits except for changes resulting from a change in policy or law.

(2) Recipients of JOBS and income assistance child care payments shall ~~(not)~~ be eligible for continued child care benefits pending the outcome of a fair hearing.

(3) Recipients of transitional child care benefits are eligible for continued benefits pending the outcome of a fair hearing. Continued benefits may not extend beyond the family's twelve-month eligibility period.

**WSR 96-01-009
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

(Public Assistance)

[Order 3930—Filed December 6, 1995, 4:45 p.m.]

Date of Adoption: December 6, 1995.

Purpose: Provide an appeal process for persons disqualified from employment in a child care facility because of findings or allegations of child abuse or neglect. New WAC 388-330-035 Appeal of disqualification.

Citation of Existing Rules Affected by this Order: Amending WAC 388-73-030, 388-150-090, 388-151-090, 388-155-090, 388-160-090, and 388-330-010.

Statutory Authority for Adoption: RCW 74.15.030.

Under RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: The Attorney General's Office has determined that such persons have a constitutional right to a hearing.

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

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 1, amended 6, repealed 0.

Effective Date of Rule: Immediately.

December 6, 1995

Sydney Doré

for Jeanette Sevedge-App

Acting Chief

Office of Vendor Services

AMENDATORY SECTION (Amending WSR 92-08-056, filed 3/26/92, effective 4/26/92)

WAC 388-73-030 General qualifications of licensee, adoptive applicant, and persons on the premises. (1) The adoptive applicant, licensee, staff, and other person on the premises shall be a person of good character.

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(2) The licensee or adoptive applicant shall demonstrate that the licensee or adoptive applicant, child care staff, volunteer, and other person having access to a person under care have the understanding, ability, physical health, emotional stability, and personality suited to meet the physical, mental, emotional, and social needs of the person under care.

(3) The licensee, adoptive applicant, staff, and other persons on the premises shall not ~~((have been))~~:

~~(a) ((Convicted of, found to be a perpetrator of, or have a charge pending of child abuse and/or any crime involving physical harm to another person; nor~~

~~(b) Found to:~~

~~(i) Be a perpetrator of substantiated or founded child abuse; nor~~

~~(ii) Have been an alleged perpetrator of an incident of child abuse where the department found the evidence supports the allegation))~~ Be ineligible to provide care because of a criminal history under chapter 388-330 WAC;

or

(b) Have committed child abuse, neglect, or exploitation as defined in RCW 26.44.020 and WAC 388-15-130.

(4) The department may, at any time, require the licensee or person on the premises to provide additional information so the department can determine whether the licensee, adoptive applicant, child care staff, volunteer, and other person having access to children in care meet the qualifications in subsections (1), (2), and (3) of this section. This information may include, but is not limited to:

- (a) Sexual deviancy evaluations;
- (b) Substance and alcohol abuse evaluations;
- (c) Psychiatric evaluations;
- (d) Psychological evaluations; and
- (e) Medical evaluations.

AMENDATORY SECTION (Amending Order 3745, filed 6/22/94, effective 7/23/94)

WAC 388-150-090 License denial, suspension, or revocation. (1) Before granting a license and as a condition for continuance of a license, the department shall consider the ability of the applicant and licensee to meet the requirements of this chapter. If more than one person is the applicant or licensee, the department:

(a) Shall consider the persons' qualifications separately and jointly; and

(b) May deny, suspend, revoke, or not renew the license based on the failure of one of the persons to meet the requirements.

(2) The department shall deny, suspend, revoke, or not renew the license of a person who:

~~(a) ((Is a perpetrator of child abuse, or has been convicted of a crime involving child abuse or physical harm to another person))~~ Has committed child abuse, neglect, or exploitation as defined in RCW 26.44.020 and WAC 388-15-130, is ineligible to provide care because of a criminal history under chapter 388-330 WAC, or allows such a person on the premises;

(b) Commits or was convicted of a felony reasonably related to the competency of the person to meet the requirements of this chapter;

(c) Engages in illegal use of a drug or excessive use of alcohol;

(d) Commits, permits, aids, or abets the commission of an illegal act on the premises;

(e) Commits, permits, aids, or abets the abuse, neglect, exploitation, or cruel or indifferent care to a child in care;

(f) Refuses to permit an authorized representative of the department, state fire marshal, state auditor's office, or department of health to inspect the premises; or

(g) Refuses to permit an authorized representative of the department, the department of health, or state auditor's office access to records related to operation of the center or to interview staff or a child in care.

(3) The department may deny, suspend, revoke, or not renew a license of a person who:

(a) Seeks to obtain or retain a license by fraudulent means or misrepresentation, including, but not limited to:

(i) Making a materially false statement on the application; or

(ii) Omitting material information on the application.

(b) Provides insufficient staff in relation to the number, ages, or characteristics of children in care;

(c) Allows a person unqualified by training, experience, or temperament to care for or be in contact with a child in care;

(d) Violates any condition or limitation on licensure including, but not limited to:

(i) Permitting more children on the premises than the number for which the center is licensed; or

(ii) Permitting on the premises a child of an age different from the ages for which the center is licensed.

(e) Fails to provide adequate supervision to a child in care;

(f) Demonstrates an inability to exercise fiscal responsibility and accountability with respect to operation of the center;

(g) Misappropriates property of a child in care;

(h) Knowingly permits on the premises an employee or volunteer who has made a material misrepresentation on an application for employment or volunteer service;

(i) Refuses or fails to supply necessary, additional department-requested information; or

(j) Fails to comply with any provision of chapter 74.15 RCW or this chapter.

(4) The department shall not issue a license to a person who has had denied, suspended, revoked, or not renewed a license to operate a facility for the care of children or adults, in this state or elsewhere, unless the person demonstrates by clear, cogent, and convincing evidence the person has undertaken sufficient corrective action or rehabilitation to warrant public trust and to operate the center in accordance with the rules of this chapter.

(5) The department's notice of a denial, revocation, suspension, or modification of a license and the applicant's or licensee's right to a hearing is governed under RCW 43.20A.205.

AMENDATORY SECTION (Amending Order 3493, filed 12/30/92, effective 1/30/93)

WAC 388-151-090 License denial, suspension, or revocation. (1) Before granting a license and as a condition for continuance of a license, the department shall consider the ability of the applicant and licensee to meet the require-

ments of this chapter. If more than one person is the applicant or licensee, the department:

(a) Shall consider their qualifications separately and jointly; and

(b) May deny, suspend, revoke, or not renew the license based on the failure of one of the persons to meet the requirements.

(2) The department shall deny, suspend, revoke, or not renew the license of a person who:

(a) ~~((Is a perpetrator of child abuse, or has been convicted of a crime involving child abuse or physical harm to another person))~~ Has committed child abuse, neglect, or exploitation as defined in RCW 26.44.020 and WAC 388-15-130, is ineligible to provide care because of a criminal history under chapter 388-330 WAC, or allows such a person on the premises;

(b) Commits or was convicted of a felony reasonably related to the competency of the person to meet the requirements of this chapter;

(c) Engages in illegal use of a drug or excessive use of alcohol;

(d) Commits, permits, aids, or abets the commission of an illegal act on the premises;

(e) Commits, permits, aids, or abets the abuse, neglect, exploitation, or cruel or indifferent care to a child in care;

(f) Refuses to permit an authorized representative of the department, state fire marshal's office, or department of health to inspect the premises; or

(g) Refuses to permit an authorized representative of the department or the department of health access to records related to operation of the center or to interview staff or a child in care.

(3) The department may deny, suspend, revoke, or not renew a license of a person who:

(a) Seeks to obtain or retain a license by fraudulent means or misrepresentation including, but not limited to:

(i) Making a materially false statement on the application; or

(ii) Omitting material information on the application.

(b) Provides insufficient staff in relation to the number, ages, or characteristics of children in care;

(c) Allows a person unqualified by training, experience, or temperament to care for or be in contact with a child in care;

(d) Violates any condition or limitation on licensure including, but not limited to:

(i) Permitting more children on the premises than the number for which the center is licensed; or

(ii) Permitting on the premises a child of an age different from the ages for which the center is licensed.

(e) Fails to provide adequate supervision to a child in care;

(f) Demonstrates an inability to exercise fiscal responsibility and accountability with respect to operation of the center;

(g) Misappropriates property of a child in care;

(h) Knowingly permits on the premises an employee or volunteer who has made a material misrepresentation on an application for employment or volunteer service;

(i) Refuses or fails to supply necessary, additional department requested information; or

(j) Fails to comply with any provision of chapter 74.15 RCW or this chapter.

(4) The department shall not issue a license to a person who has been denied, suspended, revoked, or not renewed a license to operate a facility for the care of the children or adults, in this state or elsewhere, unless the person demonstrates by clear, cogent, and convincing evidence the person has undertaken sufficient corrective action or rehabilitation to warrant public trust and to operate the center in accordance with the rules of this chapter.

(5) The department's notice of a denial, revocation, suspension, or modification of a license and the applicant's or licensee's right to a hearing, shall be governed under RCW 43.20.205.

AMENDATORY SECTION (Amending Order 3745, filed 6/22/94, effective 7/23/94)

WAC 388-155-090 License denial, suspension, or revocation. (1) Before granting a license and as a condition for continuance of a license, the department shall consider the ability of the applicant and licensee to meet the requirements of this chapter. If more than one person is the applicant or licensee, the department:

(a) Shall consider the persons' qualifications separately and jointly; and

(b) May deny, suspend, revoke, or not renew the license based on the failure of one of the persons to meet the requirements.

(2) The department shall deny, suspend, revoke, or not renew the license of a person who:

(a) ~~((Is a perpetrator of child abuse, or has been convicted of a crime involving child abuse or physical harm to another person))~~ Has committed child abuse, neglect, or exploitation as defined in RCW 26.44.020 and WAC 388-15-130, is ineligible to provide care because of a criminal history under chapter 388-330 WAC, or allows such a person on the premises;

(b) Commits or was convicted of a felony reasonably related to the competency of the person to meet the requirements of this chapter;

(c) Engages in illegal use of a drug or excessive use of alcohol;

(d) Commits, permits, aids, or abets the commission of an illegal act on the premises;

(e) Commits, permits, aids, or abets the abuse, neglect, exploitation, or cruel or indifferent care to a child in care;

(f) Refuses to permit an authorized representative of the department, state fire marshal, department of health, or state auditor's office to inspect the premises; or

(g) Refuses to permit an authorized representative of the department, the department of health, or the state auditor's office access to records related to operation of the home or to interview an assistant or a child in care.

(3) The department may deny, suspend, revoke, or not renew a license of a person who:

(a) Seeks to obtain or retain a license by fraudulent means or misrepresentation, including, but not limited to:

(i) Making a materially false statement on the application; or

(ii) Omitting material information on the application.

- (b) Provides insufficient staff in relation to the number, ages, or characteristics of children in care;
- (c) Allows a person unqualified by training, experience, or temperament to care for or be in contact with a child in care;
- (d) Violates any condition or limitation on licensure including, but not limited to:
 - (i) Permitting more children on the premises than the number for which the home is licensed; or
 - (ii) Permitting on the premises a child of an age different from the ages for which the home is licensed.
- (e) Fails to provide adequate supervision to a child in care;
- (f) Demonstrates an inability to exercise fiscal responsibility and accountability with respect to operation of the home;
- (g) Misappropriates property of a child in care;
- (h) Knowingly permits on the premises an employee or volunteer who has made a material misrepresentation on an application for employment or volunteer service;
- (i) Refuses or fails to supply necessary, additional department-requested information; or
- (j) Fails to comply with any provision of chapter 74.15 RCW or this chapter.

(4) The department shall not issue a license to a person who has had denied, suspended, revoked, or not renewed a license to operate a facility for the care of children or adults, in this state or elsewhere, unless the person demonstrates by clear, cogent, and convincing evidence the person has undertaken sufficient corrective action or rehabilitation to warrant public trust and to operate the home in accordance with the rules of this chapter.

(5) The department's notice of a denial, revocation, suspension, or modification of a license and the applicant's or licensee's right to a hearing shall be governed under RCW 43.20A.205.

AMENDATORY SECTION (Amending Order 3541, filed 7/21/93, effective 8/21/93)

WAC 388-160-090 General qualifications of licensee, applicant, and persons on the premises. (1) The applicant, licensee, staff, and other person on the premises shall be a person of good character.

(2) The licensee or applicant shall demonstrate that the licensee or applicant, child care staff, volunteer, and other person having access to a person under care have the understanding, ability, physical health, emotional stability, and personality suited to meet the physical, mental, emotional, and social needs of the person under care.

(3) The licensee, applicant, staff, and other persons on the premises shall not ~~((have been))~~:

(a) ~~((Convicted of, found a perpetrator of, or have a charge pending of child abuse and/or any crime involving physical harm to another person; or~~

(b) Found to:

- (i) ~~Be a perpetrator of substantiated or founded child abuse; or~~

(ii) ~~Have been an alleged perpetrator of an incident of child abuse where the department found the evidence supports the allegation))~~ Be a person who has been found to

be ineligible to provide care because of a criminal history under chapter 388-330 WAC; or

(b) Have committed child abuse, neglect, or exploitation as defined in RCW 26.44.020 and WAC 388-15-130.

(4) The department may, at any time, require the licensee or person on the premises to provide additional information so the department can determine whether the licensee, adoptive applicant, child care staff, volunteer, and other person having access to a child in care meet the qualifications under subsections (1), (2), and (3) of this section. The department may require the licensee or person on the premises to provide additional information including, but not limited to:

- (a) Sexual deviancy evaluations;
- (b) Substance and alcohol abuse evaluations;
- (c) Psychiatric evaluations;
- (d) Psychological evaluations; and
- (e) Medical evaluations.

AMENDATORY SECTION (Amending Order 3534, filed 7/13/93, effective 8/13/93)

WAC 388-330-010 Purpose and authority. This chapter establishes policy within the department of social and health services for conducting ~~((criminal history portions of))~~ background inquiries and checks of Washington state ~~((patrol's))~~ child abuse information files on those licensed or authorized by the department to care for children or developmentally disabled persons. Such inquiries are required under RCW 74.15.030.

NEW SECTION

WAC 388-330-035 Appeal of disqualification. (1) Whenever a person in good faith desires employment in an agency licensed under chapter 74.15 RCW, the person, prior to applying for employment, upon request, may receive from the department an informal meeting on whether the person is disqualified from employment for not meeting the minimum requirements pursuant to chapter 74.15 RCW or rules promulgated thereunder. If the department during employment or at the time of employment, determines that a person is disqualified from employment with a child care agency for not meeting minimum requirements under chapter 74.15 RCW or rules promulgated thereunder, the department shall give written notice of disqualification to the person. The notice shall state what the person is disqualified from doing, the reasons for the disqualification, and the applicable law under which the person is disqualified.

(2) The procedures in RCW 43.20A.205 shall apply whenever the department issues a notice of disqualification to a person. If the disqualified person requests an adjudicative proceeding, the department shall have the burden of proving disqualification by a preponderance of the evidence.

(3) A licensee under chapter 74.15 RCW may not allow a person disqualified under subsection (1) of this section to be employed by or associate with the licensee's agency. Disqualification of a person may not be contested by a licensee.

(4) The provisions of this section do not preclude the department from taking any action against a licensee in accordance with chapter 74.15 RCW or rules promulgated thereunder.

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(5) If a notice of disqualification is based on a prior department finding of abuse or neglect, and after a fair hearing it is determined that the allegations are not supported by a preponderance of the evidence, the department's records shall be supplemented to so state.

(6) The department in accordance with WAC 388-330-030 may remove a disqualification based on conviction of a crime.

The department may remove a disqualification based on a reason other than conviction of a crime if the disqualified person demonstrates by clear, cogent, and convincing evidence that the person is sufficiently rehabilitated to warrant public trust and to comply with the requirements of chapter 74.15 RCW or the rules promulgated thereunder.

WSR 96-01-011
EMERGENCY RULES
DEPARTMENT OF
GENERAL ADMINISTRATION

[Filed December 7, 1995, 8:20 a.m.]

Date of Adoption: December 6, 1995.

Purpose: To effect interim rules stating the process and penalties for traffic infractions on the state capitol campus as the enforcement responsibilities for such infractions are transferred to the Washington State Patrol.

Citation of Existing Rules Affected by this Order: Repealing WAC 236-12-362; and amending WAC 236-12-015, 236-12-360, 236-12-361, 236-12-370, 236-12-371, and 236-12-351.

Statutory Authority for Adoption: RCW 46.08.150.

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

Reasons for this Finding: The role of the Washington State Patrol in preserving the safety and accessibility of the state capitol campus for the general public and for state employees is essential. Traffic control and parking enforcement are an integral part of this role. These emergency rules clarify Washington State Patrol's authority to safeguard public health and safety through issuance of traffic infractions, and other enforcement mechanisms.

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

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 5, repealed 1.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 5, repealed 1.

Effective Date of Rule: Immediately.

December 6, 1995

Marygrace G. Jennings
Legislative Program Manager

AMENDATORY SECTION (Amending WSR 95-16-107, filed 8/1/95, effective 9/1/95)

WAC 236-12-015 Definitions. As used in this chapter, the following terms shall mean:

(1) (~~"Barrel"/"barrelling"~~) defined. ~~A large cylindrical container that is attached to a motor vehicle in order to prevent movement of that motor vehicle.~~

(2) ~~"Campus security patrol" defined. The Washington state patrol as provided under chapter 43.43 RCW.~~

(3) "Director" defined. The director of the department of general administration.

(4) (2) "Impound"/"impoundment" defined. To take and hold an unauthorized vehicle in legal custody at the direction of the director or designee, subject to the procedures outlined in this chapter and in chapter 46.55 RCW. Such definition includes towing of an unauthorized vehicle.

(5) (3) "Presiding officer" defined. Pursuant to RCW 34.05.485, a "presiding officer" is an individual(s) who is appointed by the director to preside over administrative hearings and render a decision regarding the (~~imposition of parking fees, barrelling of vehicles,~~) suspension or revocation of parking privileges and removal, suspension, or revocation from parking waiting list under this chapter.

(6) (4) "Reviewing officer" defined. Pursuant to RCW 34.05.491, a "reviewing officer" is an individual(s) who is appointed by the director to review the decisions by the presiding officer and is authorized to grant appropriate administrative relief upon review.

(7) (5) "State capitol grounds" defined. Those grounds owned by the state and otherwise designated as state capitol grounds, including the west capitol campus, the east capitol campus, Sylvester Park, the Old Capitol Building and Capitol Lake, ways open to the public and specified adjoining lands and roadways.

(8) (6) "Unauthorized vehicle defined." An "unauthorized vehicle" is a vehicle which is parked for any length of time on state capitol grounds and:

(a) Does not display the permit required for that area; and/or

(b) Is not otherwise authorized to park in that area; and/or

(c) Is parked in a metered parking area for a consecutive period longer than the time permitted for parking in that area; and/or

(d) Is parked in a metered parking area with insufficient payment to use the space it occupies; and/or

(e) Is parked in a parking space designated for disabled individuals and such vehicle does not display a valid special license plate or placard; and/or

(f) Is parked in a parking space reserved for use by another vehicle; and/or

(g) Is parked in an area not designated for parking.

(9) (7) "Vehicle" defined. All mechanical transportation devices defined as vehicles in the motor vehicle laws and of the state of Washington including motorcycles and motor-driven cycles.

~~((10))~~ (8) "Way open to the public defined." Any road, alley, lane, parking area, parking structure, path, or any place private or otherwise adapted to and fitted for travel that is in common use by the public with the consent expressed or implied of the owner or owners, and further shall mean public play grounds, school grounds, recreation grounds, parks, park ways, park drives, park paths.

~~((11))~~ (9) "Employee defined." Any person assigned to a state facility, including state employees and the staff of vendors, concessionaires, contractors and consultants, who are performing duties that are similar to the duties of state employees or that are in direct support of the state agency functions performed at the facility.

~~((12))~~ (10) "Disabled defined." Any person who has made application to the department of licensing in accordance with WAC 308-96A-310, and displays a valid permit in accordance with WAC 308-96A-310 and 308-96A-315.

~~((13))~~ (11) "Visitor defined." Any person parking at a state facility who is not employed at that facility.

AMENDATORY SECTION (Amending WSR 92-04-036, filed 1/30/92, effective 3/1/92)

WAC 236-12-351 Impoundment without prior notice. A vehicle may be impounded without prior notice having been made to notify the owner of the possibility of this action in the following circumstances:

(1) When in the judgment of the ~~((campus security))~~ Washington state patrol the vehicle is obstructing or may impede the flow of traffic; or

(2) When in the judgment of the ~~((campus security))~~ Washington state patrol the vehicle poses an immediate threat to public safety.

AMENDATORY SECTION (Amending WSR 95-16-107, filed 8/1/95, effective 9/1/95)

WAC 236-12-360 Parking ~~((fees, barrelling, and/or))~~ infractions and fines—Towing. Any unauthorized vehicle, as defined in this chapter, shall be ~~((subject to parking fees, barrelling, and/or towing, as described below:))~~ cited for a traffic infraction in accordance with RCW 46.08.170. Repeat offenders are those receiving more than three notices of traffic infractions within a twelve-month period. Repeat offenders are subject to towing in accordance with chapter 46.55 RCW.

~~((1))~~ For parking a motor vehicle without a valid special license plate or placard in a parking place reserved for physically disabled persons shall be: ~~\$175 parking fee, except that if a person produces the required special license plate or placard within 20 days of receiving the notice, the person shall not be determined to have committed an infraction.~~

~~(2)~~ All other unauthorized vehicles:

- First occurrence — \$8.00 parking fee
- Second occurrence within a 12-month period — \$8.00 parking fee

~~Third occurrence within a 12-month period — Vehicle barrellled with \$50.00 removal charge and payment of all outstanding parking fees.~~

~~Fourth and subsequent occurrences within a 12-month period — Vehicle may be immediately towed. Registered owner or authorized person must pay towing costs and all outstanding parking fees.~~

AMENDATORY SECTION (Amending WSR 95-16-107, filed 8/1/95, effective 9/1/95)

WAC 236-12-361 Suspension and/or revocation of parking privileges. Repeated use of assigned parking spaces by unauthorized vehicles or for nonofficial purposes or for the storage of personal property and/or the repeated transfer of parking permits from one vehicle to another and/or being a repeat offender as defined in WAC 236-12-360 may result in the suspension or revocation of parking privileges. ~~((Fees for parking by unauthorized vehicles shall be paid within twenty days of notice or within ten days of final disposition of any appeals. Failure to pay within these periods))~~ Violations may result in suspension and/or revocation of any permits issued to the violator and/or removal, suspension, and/or revocation from the parking waiting list for parking on state capitol grounds.

AMENDATORY SECTION (Amending WSR 92-04-036, filed 1/30/92, effective 3/1/92)

WAC 236-12-370 Hearing rights—~~((Parking fees, barrelling,))~~ Suspension~~((s))~~ and/or revocation of parking privileges or removal, suspension, or revocation from parking waiting list. Any person or entity seeking to contest ~~((an assessment of parking fees, barrelling,))~~ suspension~~((s))~~ and/or revocation of parking privileges or removal, suspension, or revocation from parking waiting list has a right to a hearing to contest the validity of those ~~((fees or))~~ actions. Such request must be made in writing and received in the office of parking services within twenty days of the date of ~~((parking fee))~~ notice or effective date of action or such right to a hearing is forfeited. Hearing requests must be submitted to:

~~((Parking Enforcement))~~
Office of Parking Services
Department of General Administration
P.O. Box 41025
Olympia, WA 98504-1025

AMENDATORY SECTION (Amending WSR 92-04-036, filed 1/30/92, effective 3/1/92)

WAC 236-12-371 Hearing procedure—~~((Parking fees, barrelling,))~~ Suspension~~((s))~~ and/or revocation of parking privileges and removal, suspension, or revocation from parking waiting list. (1) Contested hearings held pursuant to WAC 236-12-370 shall be conducted as brief

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adjudicative proceedings according to RCW 34.05.482, 34.05.485, 34.05.488, 34.05.491 and 34.05.494.

(2) Upon receipt of a written request for a hearing, the presiding officer shall provide the contesting party an opportunity to be informed of the agency's view of the matter and an opportunity to explain the contesting party's view of the matter.

(3) Within ten days of this opportunity, the presiding officer shall serve upon the contesting party and the agency, a brief written statement of the reasons for the decision. Such statement shall include notice that the contesting party may request an agency administrative review of that decision. The contesting party must request such review either orally or in writing within twenty-one days of service of the written statement. Service is deemed to be completed upon deposit in the United States mail as evidenced by the postmark.

(4) If no agency review is so requested by the contesting party, the agency may, on its own motion, review the brief written statement of the presiding officer. Action less favorable to the contesting party may not be taken by the reviewing officer without notice to that party and an opportunity to explain that party's view of the matter.

(5) If no review is taken by the agency or by the contesting party, then the brief written statement of the presiding officer becomes the final order and no further administrative or judicial review is available.

(6) If review is requested, the reviewing officer shall give the contesting party and the agency an opportunity to present their respective views of the matter. Within twenty-one days of receipt of the request for review, the reviewing officer shall issue a final order which includes a brief statement of the reasons for the decision. The final order shall include notice of any judicial review available under the Administrative Procedure Act, chapter 34.05 RCW.

(7) Any of the time limits set forth in this hearing process may be waived by the contesting party.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 236-12-362 Parking fee and barrel removal payments for unauthorized vehicles—Method of payment.

**WSR 96-01-013
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE
(Fisheries)**

[Order 95-180—Filed December 7, 1995, 1:44 p.m.]

Date of Adoption: December 6, 1995.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-32-05500U; and amending WAC 220-32-055.

Statutory Authority for Adoption: RCW 75.08.080.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is

necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Harvestable numbers of chinook and coho salmon are available.

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

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Immediately.

December 6, 1995
Judith Freeman
Deputy
for Robert Turner
Director

NEW SECTION

WAC 220-32-05500U Columbia River tributaries—Commercial. Notwithstanding the provisions of WAC 220-32-055, effective immediately it is unlawful for a person possessing treaty rights under the Yakima treaty to take or possess salmon taken for commercial purposes from the Klickitat River, except under the following provisions:

(1) The Klickitat River from the Swinging Bridge (river mile 1.5) to Fishway No. 5 (River mile 2.2) is open:

Noon Mondays, to 6:00 p.m. Saturdays, weekly from December 4, 1995 to December 16, 1995.

(2) Allowable gear:

Dipnets, setbag net, or rod and reel with bait or lures. All other fishing gear and methods, including snagging are unlawful.

(3) Only chinook and coho salmon taken within the fishing area may be sold.

(4) All fish must be sold within one mile of the Klickitat Falls fishing area.

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

REPEALER

The following section of the Washington Administrative Code is repealed effective December 17, 1995:

WAC 220-32-05500U Commercial River tributaries—Commercial

EMERGENCY

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

**WSR 96-01-014
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE
(Wildlife)**

[Order 95-182—Filed December 7, 1995, 4:13 p.m.]

Date of Adoption: December 7, 1995.

Purpose: Canada geese closure.

Citation of Existing Rules Affected by this Order:

Amending WAC 232-28-419.

Statutory Authority for Adoption: RCW 77.12.040.

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

Reasons for this Finding: The season for Western Washington Goose Management Area 2 was set by the Fish and Wildlife Commission on August 12, 1995. At that time, the Fish and Wildlife Commission authorized the department to close the season in established hunting subareas within Management Area 2 when harvest of dusky Canada geese met predetermined quotas for each subarea. The quota for the subarea consisting of Pacific County was set at ten dusks. This quota will be met on December 9, 1995. The closure is necessary to conserve dusky Canada geese for future production and recovery of the population.

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

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Immediately.

December 7, 1995

Judith Freeman

Deputy

for Robert Turner

Director

NEW SECTION

WAC 232-28-41900C Canada goose—Emergency closure. Notwithstanding the provisions of WAC 232-28-419, effective immediately, until further notice it is unlawful

to hunt for or retain Canada geese taken from the following area: Pacific County

**WSR 96-01-031
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE
(Wildlife)**

[Order 95-183—Filed December 11, 1995, 4:31 p.m., effective December 16, 1995]

Date of Adoption: December 9, 1995.

Purpose: To protect dusky Canada geese and address goose damage concerns.

Citation of Existing Rules Affected by this Order: Repealing WAC 232-12-41900A; and amending WAC 232-28-419.

Statutory Authority for Adoption: RCW 77.12.040, chapter 7.84 RCW, RCW 77.16.020.

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

Reasons for this Finding: To address anticipated goose damage concerns for private landowner interest.

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

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: December 16, 1995, except repealer which is effective immediately.

December 9, 1995

Mitch S. Johnson, Chair

Fish and Wildlife Commission

NEW SECTION

WAC 232-28-41900D Goose seasons - Western Washington Goose Management Area 2. Notwithstanding the provisions of WAC 232-28-419, effective December 16, 1995, through January 21, 1996, the following provisions apply to goose hunting in Clark County (except Ridgefield National Wildlife Refuge), Cowlitz County north of the Kalama River, and Wahkiakum County:

(1) Open only on the following dates between 8:00 a.m. and 4:00 p.m.:

December 16, 18, 20, 23, 27, and 30, 1995

January 3, 6, 8, 10, 13, 17, and 20, 1996

(2) Closed to the taking of dusky Canada geese in Clark County (except Ridgefield National Wildlife Refuge), Cowlitz County north of the Kalama River, and Wahkiakum County. If a hunter takes a dusky Canada goose, written authorization will be revoked, and the hunter will not be able to hunt geese in Western Washington Goose Management Area 2 for the remainder of the seasons provided for in WAC 232-28-419. During the season provided for herein, the taking of a dusky Canada goose from an open subarea is declared not to be a criminal offense, but instead a natural resource infraction, punishable under Chapter 7.84 RCW. If a subarea is closed to the hunting of all geese, the taking of any goose, including a dusky Canada goose, is a misdemeanor under RCW 77.16.020. Upon closure of a subarea to all goose hunting because of attainment of the dusky Canada goose subarea quota, the remaining subarea(s) which have not attained dusky Canada goose quotas will remain open.

(3) Any provision of WAC 232-28-419 not inconsistent with the provisions herein remains in effect.

REPEALER

The following section of the Washington Administrative Code is repealed effective immediately:

WAC 232-12-41900A Southwest Washington
Canada goose season.

Reviser's note: WAC 232-12-41900A was adopted by the Fish and Wildlife Commission, but was not filed with the code reviser's office.

REPEALER

The following section of the Washington Administrative Code is repealed effective 11:59 p.m., January 21, 1996:

WAC 232-28-41900D Goose seasons—Western
Washington Goose Management Area 2.

**WSR 96-01-048
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE
(Fisheries)**

[Order 95-184—Filed December 14, 1995, 2:52 p.m.]

Date of Adoption: December 15 [14], 1995.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:
Repealing WAC 220-52-07300Z; and amending WAC 220-52-073.

Statutory Authority for Adoption: RCW 75.08.080.

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

Reasons for this Finding: The harvestable quota of green sea urchins will have been taken in Marine Fish/

Shellfish Management and Catch Reporting Areas 26D and 28A.

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

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Immediately.

December 15 [14], 1995

Judith Freeman

Deputy

for Robert Turner

Director

NEW SECTION

WAC 220-52-07300A Sea urchins. Notwithstanding the provisions of WAC 220-52-073, effective immediately until further notice it is unlawful to take or possess sea urchins taken for commercial purposes except as provided for in this section:

(1) Red sea urchins: Sea Urchin Districts 1, 2, 3, and 4 are open only on December 18, 19, 22, 23, 26, and 27, 1995, and January 2, 3, 8, and 9, 1996. It is unlawful to harvest red sea urchins larger or smaller than the following (size in diameter exclusive of the spines):

(a) Districts 1 and 2 - 4.0 minimum to 5.5 maximum inches.

(b) Districts 3 and 4 - 3.25 minimum to 5.0 maximum inches.

(2) Green sea urchins: Sea Urchin Districts 1, 2, 3, 4, and Marine Fish/Shellfish Management and Catch Reporting Areas 24A, 24B, 24C, 24D, and 26A are open only on December 18, 19, 22, 23, 26, and 27, 1995, and January 2, 3, 8, and 9, 1996. The minimum size for green sea urchins is 2.25 inches in diameter exclusive of the spines.

(3) Sea Urchin Districts:

(a) Sea Urchin District 2 (Southern San Juan Islands and Port Townsend) is defined as those waters of Marine Fish/Shellfish Management and Catch Reporting Area 22A south of a line projected east-west one-quarter mile north of Lime Kiln Light on San Juan Island and east of a line projected true north from Limestone Point on San Juan Island, and Areas 21A, 21B, 22B, 23A, 23B, 25A and 25B. The following areas within Sea Urchin District 2 are closed to the harvest of sea urchins at all times.

(1) Those waters of Haro Strait north of a line projected east-west one-half mile south of Eagle Point on San Juan Island and south of a line projected east-west one-quarter mile north of Lime Kiln Light on San Juan Island.

(ii) Those waters of San Juan Channel and Upright Channel within the following lines: North of a line from Cattle Point on San Juan Island to Davis Point on Lopez Island; south of a line projected from Flat Point on Lopez Island true west to Shaw Island; west of a line from Neck Point on Shaw Island to Steep Point on Orcas Island; south of a line from Steep Point on Orcas Island to Limestone Point on San Juan Island.

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 220-52-07300Z Sea urchins. (95-175)

**WSR 96-01-054
EMERGENCY RULES
DEPARTMENT OF
FINANCIAL INSTITUTIONS
(Division of Banking)**

[Filed December 15, 1995, 9:02 a.m., effective December 29, 1995]

Date of Adoption: December 15, 1995.

Purpose: To limit the dollar amount of the semi-annual asset charge assessment for in-state and interstate banks and to avoid double assessments on banks with branches in Washington and another state.

Citation of Existing Rules Affected by this Order: Amending WAC 50-44-020.

Statutory Authority for Adoption: RCW 43.320.010, 43.329.040, and 30.04.030.

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

Reasons for this Finding: The current asset assessment schedule of the Division of Banks does not distinguish between those state-chartered financial institutions whose operations are interstate and those whose operations are wholly in-state. The schedule requires interstate financial institutions to pay assessments on their total assets, even though some of those assets may be held in other states. There is question whether this application of the current assessment schedule runs afoul of the Commerce Clause of the United States Constitution. Because of recent federal legislation authorizing interstate banking activity, it is anticipated that more financial institutions will consider interstate operations in the near term.

The emergency rule is necessary to avoid an unconstitutional application of the current assessment schedule and to avoid double assessment on assets held by a Washington financial institution that does business in another state. The division began the rule-making process by filing a CR-101 for a permanent rule on September 19, 1995. The CR-102 was filed on December 8, to be published on January 3,

1996. The division has not received any comments in opposition to the permanent rule.

In addition, the amendment to WAC 50-44-020 limits the total amount of assessment paid by any bank to \$133,490.

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

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: December 29, 1995.

December 15, 1995

John L. Bley

Director

AMENDATORY SECTION (Amending WSR 91-18-054, filed 8/30/91, effective 9/30/91)

WAC 50-44-020 Semiannual asset charge—Assessment. A semiannual charge for assets will be used to recoup nondirect bank examination related expenses (RCW 30.08.095). The semiannual charge for assets will be computed upon the asset value reflected in the most recent report of condition. The rate of such charge shall be as set forth in the following schedules:

(1) Commercial banks, mutual savings banks, and stock savings banks.

The rate of such charge shall be based on the total asset value as reflected in the report of condition due for that period provided, the ~~((supervisor))~~ director may adjust such rates if the ~~((supervisor))~~ director determines that a disproportionate amount of revenue is being collected by such rate. In no event shall the amount of revenue collected from any one bank exceed one hundred thirty-three thousand four hundred ninety dollars per assessment period.

If the bank's total assets are: The assessment is:

Over	But not Over	This Amount	Plus	Of Excess Over
Million	Million			Million
0	500	0	.00001408	0
500	1000	7040	.0000135	500
1000	---	13,790	.0000133	1000

(2) Alien banks.

The rate of such charge shall be .000035189 of the total asset value as reflected in the report of condition due for that period provided, the ~~((supervisor))~~ director may adjust such rate if the ~~((supervisor))~~ director determines that a disproportionate amount of revenue is being collected by such rate.

EMERGENCY

(3) ~~((Industrial loan companies and, effective January 1, 1992, consumer finance licensees under chapter 208, Laws of 1991.~~

~~The rate of such charge shall be .00084896 of the total asset value as reflected in the consolidated annual report of Washington assets or semiannual notice of assessment of Washington assets (whichever is applicable) due for that period provided, the supervisor may adjust such rate if the supervisor determines that a disproportionate amount of revenue is being collected by such rate.)~~

The ~~((supervisor's))~~ director's office shall forward by United States mail a notice to each financial institution showing the manner of calculating the asset charge due and a worksheet for such purposes. The notices shall be mailed with the blank June and December report of condition ~~((commencing with the June 1990 report of condition applicable to commercial, savings and alien banks and the consolidated annual report and a semiannual notice of assessment applicable to industrial loan companies))~~. The asset charge shall be calculated by the financial institution and forwarded to the ~~((office of the supervisor of banking))~~ division of banks with the applicable report. A completed copy of the worksheet shall be included with the assessment. An additional two hundred dollar penalty shall be assessed if the amount is not paid by the time such report of condition or notice of assessment is due.

NEW SECTION

WAC 50-44-025 Fees paid by interstate banks. (1) **Semiannual asset charge.** The semiannual asset charge established in WAC 50-44-020 shall be assessed against any state-chartered bank, as defined in 12 U.S.C. sec. 1813(a), that operates branches in Washington and any other state. The assets subject to assessment under WAC 50-44-020(1) shall be determined as follows: Divide the number of branches in Washington by the total number of branches in all states including Washington and multiply the result by the asset value reflected in the most recent report of condition.

(2) **Other fees.** All other fees that normally apply to Washington-chartered banks under WAC 50-44-030 and 50-12-045 shall also be paid by banks chartered in other states.

WSR 96-01-055

EMERGENCY RULES

DEPARTMENT OF LICENSING

[Filed December 15, 1995, 11:29 a.m., effective January 1, 1996]

Date of Adoption: December 15, 1995.

Purpose: To adopt rules to carry out the purposes of chapter 19.138 RCW.

Statutory Authority for Adoption: RCW 19.138.170 and 43.24.086.

Under RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: Chapter 19.138 RCW establishing a new program for the registration of sellers of travel becomes effective January 1, 1996. Rules must be in

place to implement registration at the Department of Licensing.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 4, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 1, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 5, amended 0, repealed 0.

Effective Date of Rule: January 1, 1996.

December 15, 1995

John Swannack

Deputy Director

GENERAL

NEW SECTION

WAC 308-129-011 Organization. The sellers of travel program of the Department of Licensing administers the Washington Sellers of Travel Registration Act, chapter 19.138 RCW. Information regarding sellers of travel registrations or the sellers of travel program may be obtained by writing to the Program Manager, Sellers of Travel Program, Department of Licensing, P.O. Box 9045, Olympia, Washington 98507.

NEW SECTION

WAC 308-129-021 Definitions. (1) "Registration number" means the unified business identifier number (UBI) assigned to the registered seller of travel.

(2) "Main office" means the first registered business location for a seller of travel.

(3) "Branch office" means each additional business location for a seller of travel after the first location has been registered.

NEW SECTION

WAC 308-129-031 Registration. Registration as a seller of travel will be accomplished through the master license system under chapter 19.02 RCW. The fees established by or under chapter 19.138 RCW for registering as a seller of travel shall be paid to the department of licensing concurrently with an application for a master license or with the annual renewal of a master license under chapter 19.02 RCW.

NEW SECTION

WAC 308-129-041 Seller of travel registration fees. The following fees shall be charged by the business and professions division of the department of licensing during emergency implementation.

Title of Fee	Fee
Initial registration	\$150.00
Branch office initial registration (each office)	25.00
Service of process 19.138.160 RCW subsection (2)	20.00

WSR 96-01-065
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE
(Fisheries)

[Order 95-186—Filed December 15, 1995, 2:30 p.m.]

Date of Adoption: December 15, 1995.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:
Repealing WAC 220-52-07300A; and amending WAC 220-52-073.

Statutory Authority for Adoption: RCW 75.08.080.

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

Reasons for this Finding: The harvestable quota of red sea urchins will have been taken in Sea Urchin District 3.

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

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Immediately.

December 15, 1995

Judith Freeman

Deputy

for Robert Turner

Director

WSR 96-01-064
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE
(Fisheries)

[Order 95-185—Filed December 15, 1995, 2:28 p.m.]

Date of Adoption: December 15, 1995.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:
Amending WAC 220-52-046.

Statutory Authority for Adoption: RCW 75.08.080.

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

Reasons for this Finding: This rule is necessary to administer the state-tribal management plan for the coastal Dungeness crab fishery 1995-96 season between the Washington Department of Fish and Wildlife and the Makah Indian Tribe.

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

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Immediately.

December 15, 1995

Judith Freeman

Deputy

for Robert Turner

Director

NEW SECTION

WAC 220-52-04600K Crab seasons and areas. Notwithstanding the provisions of WAC 220-52-046, effective immediately through 11:59 p.m. December 27, 1995, it is unlawful for any fisher except enrolled members of the Makah Tribe to set or deploy commercial crab gear within Washington territorial waters (0-3 miles) north of 48.01.15 North latitude and west of the Bonilla-Tatoosh line.

NEW SECTION

WAC 220-52-07300B Sea urchins. Notwithstanding the provisions of WAC 220-52-073, effective immediately until further notice it is unlawful to take or possess sea urchins taken for commercial purposes except as provided for in this section:

(1) Red sea urchins: Sea Urchin Districts 1, 2, and 4 are open only on December 18, 19, 22, 23, 26, and 27, 1995, and January 2, 3, 8, and 9, 1996. Sea Urchin District 3 is open only from one half hour after sunrise to noon on December 18, 1995. It is unlawful to harvest red sea urchins larger or smaller than the following (size in diameter exclusive of the spines):

(a) Districts 1 and 2 - 4.0 minimum to 5.5 maximum inches.

(b) Districts 3 and 4 - 3.25 minimum to 5.0 maximum inches.

EMERGENCY

(2) Green sea urchins: Sea Urchin Districts 1, 2, 3, 4, and Marine Fish/Shellfish Management and Catch Reporting Areas 24A, 24B, 24C, 24D, and 26A are open only on December 18, 19, 22, 23, 26, and 27, 1995, and January 2, 3, 8, and 9, 1996. The minimum size for green sea urchins is 2.25 inches in diameter exclusive of the spines.

(3) Sea Urchin Districts:

(a) Sea Urchin District 2 (Southern San Juan Islands and Port Townsend) is defined as those waters of Marine Fish/Shellfish Management and Catch Reporting Area 22A south of a line projected east-west one-quarter mile north of Lime Kiln Light on San Juan Island and east of a line projected true north from Limestone Point on San Juan Island, and Areas 21A, 21B, 22B, 23A, 23B, 25A and 25B. The following areas within Sea Urchin District 2 are closed to the harvest of sea urchins at all times.

(i) Those waters of Haro Strait north of a line projected east-west one-half mile south of Eagle Point on San Juan Island and south of a line projected east-west one-quarter mile north of Lime Kiln Light on San Juan Island.

(ii) Those waters of San Juan Channel and Upright Channel within the following lines: North of a line from Cattle Point on San Juan Island to Davis Point on Lopez Island; south of a line projected from Flat Point on Lopez Island true west to Shaw Island; west of a line from Neck Point on Shaw Island to Steep Point on Orcas Island; south of a line from Steep Point on Orcas Island to Limestone Point on San Juan Island.

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 220-52-07300A Sea urchins. (95-184)

**WSR 96-01-086
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE
(Fisheries)**

[Order 95-187—Filed December 18, 1995, 4:50 p.m.]

Date of Adoption: December 18, 1995.

Purpose: Amend personal use rules.

Statutory Authority for Adoption: RCW 75.08.080.

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

Reasons for this Finding: Harvestable numbers of chinook are available and there is insufficient time to adopt permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or

Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Immediately.

December 18, 1995

Robert Turner

Director

NEW SECTION

WAC 220-57A-09700A Long Lake (Spokane and Stevens counties) Effective immediately until further notice, Bag Limit I.

WSR 96-01-104

EMERGENCY RULES

PUBLIC DISCLOSURE COMMISSION

[Filed December 19, 1995, 11:02 a.m.]

Date of Adoption: December 5, 1995.

Purpose: Amending WAC 390-24-010 Forms for statement of financial affairs and 390-24-020 Forms for amending statement of financial affairs.

Citation of Existing Rules Affected by this Order: Amending WAC 390-24-010 and 390-24-020.

Statutory Authority for Adoption: RCW 42.17.370(1).

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

Reasons for this Finding: The reporting forms are required to be filed by elected and appointed officials prior to April 15, 1996. Changes to the statute require that these forms be changed and distributed to those who are required to file.

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

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making:

EMERGENCY

New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Immediately.

December 19, 1995
Melissa Warheit
Executive Director

AMENDATORY SECTION (Amending WSR 91-20-153 [91-24-011], filed 10/2/91 [11/22/91])

WAC 390-24-010 Forms for statement of financial affairs. The official form for statements of financial affairs as required by RCW 42.17.240 is designated "F-1", revised ~~((10/91))~~ 11/95. Copies of this form are available at the commission office, Room 403, Evergreen Plaza Building, Olympia, Washington 98504. Any attachments must be on 8-1/2" x 11" white paper.

EMERGENCY



PUBLIC DISCLOSURE COMMISSION

711 CAPITOL WAY RM 403
PO BOX 40908
OLYMPIA WA 98504-0908
(360) 753-1111

PDC FORM
F-1
(10/91)

PERSONAL FINANCIAL
AFFAIRS STATEMENT

P
M
A
S
R
K

R
E
C
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I
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PDC OFFICE USE

Refer to instruction manual for detailed assistance and examples.

Deadlines: Incumbent elected and appointed officials—by April 15.
Candidates and others—within two weeks of becoming a candidate or being newly appointed to a position.

SEND REPORT TO PUBLIC DISCLOSURE COMMISSION.

DOLLAR CODE	AMOUNT
A	\$1 to \$1,999
B	\$2,000 to \$9,999
C	\$10,000 to \$19,999
D	\$20,000 to \$49,999
E	\$50,000 or more

Last Name	First	Middle Initial	Names of Spouse and Dependents	Political Party If partisan office or pertinent to appointment
Mailing Address				
City	County	Zip + 4		

Filing Status (Check only one box.)	Office Held or Sought
<input type="checkbox"/> An elected or state appointed official filing annual report	Office title _____
<input type="checkbox"/> Final report as an elected official. Term expired _____	County, city, district or agency of the office, name and number: _____
<input type="checkbox"/> Candidate running in an election: month _____ year _____	Position number _____
<input type="checkbox"/> Newly appointed to an elective office	Term begins: _____ ends: _____
<input type="checkbox"/> Newly appointed to a state appointive office	

1 INCOME: List each employer, or other source of income (Pension, social security, legal judgment) from which you or a family member received \$1,000 or more during the period. (Report interest and dividends in Item 3 on reverse)

Owner: Self (S) Spouse (SP) Dependent (D)	Name and Address of Employer or Source of Compensation	Occupation or How Compensation Was Earned	Amount: (Use Code)

Check here if continued on attached sheet

2 REAL ESTATE: List street address, assessor's parcel number, or legal description AND county for each parcel of Washington real estate with value of over \$5,000 in which you or a family member had a personal financial interest during the reporting period. (Show partnership, company, etc. real estate on PDC supplement.)

Property Sold or Interest Divested	Assessed Value (Use Code)	Name and Address of Purchaser	Nature and Amount (Use Code) of Payment or Consideration Received		
Property Purchased or Interest Acquired		Creditor's Name/Address	Payment Terms	Security Given	Mortgage Amount—(Use Code) Original Current
All Other Property Entirely or Partially Owned					

Check here if continued on attached sheet

PDC FORM F-1 (REV. 10/91)-1

CONTINUE ON REVERSE

EMERGENCY

3 ASSETS / INVESTMENTS—INTEREST / DIVIDENDS: List bank and savings accounts, insurance policies, stock, bonds and other intangible property held during the reporting period.

Name and address of each bank or financial institution in which you or a family member had an account over \$10,000 any time during the report period.	Type of Account or Description of Asset	Asset Value (Use Code)	Income Amount: (Use Code)
B. Name and address of each insurance company where you or a family member had a policy with a cash or loan value over \$10,000 during the period.			
C. Name and address of each company, association, government agency, etc. in which you or a family member owned or had a financial interest worth over \$1,000. Include stocks, bonds, ownership, retirement plan, IRA, notes and other intangible property.			

Check here if continued on attached sheet

4 CREDITORS: List each creditor you or a family member owed \$1,000 or more any time during the period. Don't include retail charge accounts, credit cards, or mortgages or real estate reported in Item 2.

Creditor's Name and Address	Terms of Payment	Security Given	AMOUNT (USE CODE)	
			Original	Present

Check here if continued on attached sheet

5 All filers answer questions A thru D below. If the answer is YES to any of these questions, the F-1 Supplement must also be completed as part of this report. If all answers are NO and you are a non-incumbent candidate or a state executive officer filling your initial report after appointment, no F-1 Supplement is required. Incumbent elected officials and state executive officers filling annual financial affairs report also answer question E. An F-1 Supplement is required of these officeholders unless all answers to questions A thru E are NO.

- A. Were you, your spouse or dependents an officer, director, general partner or trustee of any corporation, company, union, association, joint venture or other entity at any time during the reporting period? _____ If yes, complete supplement, Part A.
- B. Did you, your spouse or dependents have an ownership of 10% or more in any company, corporation, partnership, joint venture or other business at any time during the reporting period? _____ If yes, complete supplement, Part A.
- C. Did you, your spouse or dependents own your own business at any time during the reporting period? _____ If yes, complete supplement, Part A.
- D. Did you, your spouse or dependents prepare, promote or oppose state legislation, rules, rates or standards for current or deferred compensation (other than pay for your currently-held public office) at any time during the reporting period? _____ If yes, complete supplement, Part B.
- E. (Incumbent officeholders only.) Did you, your spouse or dependents receive during the previous calendar year any gift valued at over \$50 that may have been intended to gain or maintain influence with you or the governmental entity you serve? (See F-1 manual for definition of "gift.") _____ If yes, complete Part C.

Dollar Code	Amount
A	\$1 to \$1,999
B	\$2,000 to \$9,999
C	\$10,000 to \$19,999
D	\$20,000 to \$49,999
E	\$50,000 or more

HAVE YOU ????

Answered each item?

Put your name on each attached page?

Kept a copy for your records?

Certification: I hereby certify under penalty of perjury that the information contained in this report is true and correct to the best of my knowledge.

Signature _____ Date _____

Daytime Telephone () _____

EMERGENCY



PDC FORM F-1 SUPPLEMENT (10/91)	SUPPLEMENT PAGE PERSONAL FINANCIAL AFFAIRS STATEMENT
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PROVIDE INFORMATION FOR YOURSELF, SPOUSE, DEPENDENT CHILDREN AND OTHER DEPENDENTS IN YOUR HOUSEHOLD

LAST NAME	FIRST	MIDDLE INITIAL	DATE
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A OFFICES HELD, BUSINESS INTERESTS: For each corporation, non-profit organization, association, union, partnership, joint venture or other entity in which you, your spouse or dependents are an officer, director, general partner, trustee, or 10 percent or more owner—provide the following information:

- **Legal Name:** Report name used on legal documents establishing the entity.
- **Trade or Operating Name:** Report name used for business purposes if different from the legal name.
- **Position or Percent of Ownership:** The office, title and/or percent of ownership held.
- **Brief Description of the Business/Organization:** Report the purpose, product(s), and/or the service(s) rendered.
- **Payments from Governmental Unit:** If the governmental unit in which you hold or seek office made payments to the business entity concerning which you're reporting, show the purpose of each payment and the actual amount received.
- **Payments from Business Customers and Other Government Agencies:** List each corporation, partnership, joint venture, sole proprietorship, union, association, business or other commercial entity and each government agency (other than the one you seek/hold office) which paid compensation of \$5,000 or more during the period to the entity. Briefly say what property, goods, services or other consideration was given or performed for the compensation.
- **Washington Real Estate:** Identify real estate owned by the business entity if the qualifications referenced below are met.

ENTITY NO. 1 LEGAL NAME: TRADE OR OPERATING NAME: ADDRESS:	Reporting for: Self _____ Spouse _____ Dependent _____ POSITION OR PERCENT OF OWNERSHIP
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BRIEF DESCRIPTION OF THE BUSINESS/ORGANIZATION:

PAYMENTS ENTITY RECEIVED FROM GOVERNMENTAL UNIT IN WHICH YOU SEEK/HOLD OFFICE:

Purpose of payments	Amount (actual dollars)
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PAYMENTS ENTITY RECEIVED FROM BUSINESS CUSTOMERS AND OTHER GOVERNMENT AGENCIES OVER \$5,000:

Customer name:	Purpose of payment (amount not required)
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WASHINGTON REAL ESTATE IN WHICH ENTITY HELD A DIRECT FINANCIAL INTEREST (Complete only if ownership in the ENTITY is 10% or more and assessed value of property is over \$10,000. List street address, assessor parcel number, or legal description, and county for each parcel):

Check here if continued on attached sheet

PDC FORM F-1 SUPPLEMENT (REVISED 10/91)—4

CONTINUE PARTS B AND C ON REVERSE

EMERGENCY

ENTITY NO. 2

Reporting for: Self _____ Spouse _____ Dependent _____
POSITION OR PERCENT OF OWNERSHIP

LEGAL NAME:

TRADE OR OPERATING NAME:

ADDRESS:

BRIEF DESCRIPTION OF THE BUSINESS/ORGANIZATION:

PAYMENTS ENTITY RECEIVED FROM GOVERNMENTAL UNIT IN WHICH YOU SEEK/HOLD OFFICE:

Purpose of payments

Amount (actual dollars)

PAYMENTS ENTITY RECEIVED FROM BUSINESS CUSTOMERS AND OTHER GOVERNMENT AGENCIES OVER \$5,000:

Customer name:

Purpose of payment (amount not required)

WASHINGTON REAL ESTATE IN WHICH ENTITY HELD A DIRECT FINANCIAL INTEREST (Complete only if ownership in the ENTITY is 10% or more and assessed value of property is over \$10,000. List street address, assessor parcel number, or legal description and county for each parcel):

Check here if continued on attached sheet

B

LOBBYING: List persons for whom you or any immediate family member lobbied or prepared state legislation or state rules, rates or standards for current or deferred compensation. Do not list pay from government body in which you are an elected official or professional staff member.

Person to Whom Services Rendered

Description of Legislation, Rules, Etc.

Compensation (Use Code)

Check here if continued on attached sheet

C

GIFTS: List the date, source, brief description, and value of each gift of entertainment, travel, goods, services economic advantage, etc. valued at more than \$50 (entertainment at receptions where pro-rata share exceeds \$100). Exclude gifts that, without doubt, were clearly not intended to gain or maintain influence with respect to your governmental entity (e.g., most intra-family and private sector business related gifts). See Gift section of F-1 manual for details.

Date Received

Donor's Name, City and State

Brief Description

Approx. Dollar Value

Check here if continued on attached sheet

EMERGENCY



PDC FORM F-1 (11/95)	PERSONAL FINANCIAL AFFAIRS STATEMENT	P M O A R S T K R E C E I V E D	PDC OFFICE USE
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Refer to instruction manual for detailed assistance and examples.
 This form includes changes made by Chapter 397, 1995 Session Laws.

Deadlines: Incumbent elected and appointed officials—by April 15.
 Candidates and others—within two weeks of becoming a candidate or being newly appointed to a position.

DOLLAR CODE	AMOUNT
A	\$1 to \$1,999
B	\$2,000 to \$9,999
C	\$10,000 to \$19,999
D	\$20,000 to \$49,999
E	\$50,000 or more

SEND REPORT TO PUBLIC DISCLOSURE COMMISSION.

Last Name	First	Middle Initial	Names of Spouse and Dependents	Political Party <small>If partisan office or pertinent to appointment</small>
Mailing Address				
City	County	Zip + 4		
Filing Status (Check only one box.) <input type="checkbox"/> An elected official or state appointed official filing annual report <input type="checkbox"/> Final report as an elected official. Term expired _____ <input type="checkbox"/> Candidate running in an election: month _____ year _____ <input type="checkbox"/> Newly appointed to an elective office <input type="checkbox"/> Newly appointed to a state appointive office			Office Held or Sought Office title _____ County, city, district or agency of the office, name and number: _____ Position number _____ Term begins: _____ ends: _____	

1 INCOME List each employer, or other source of income (Pension, social security, legal judgment) from which you or a family member received \$1,000 or more during the period. (Report interest and dividends in Item 3 on reverse)

<small>Show: Self (S) Spouse (SP) Dependent (D)</small>	Name and Address of Employer or Source of Compensation	Occupation or How Compensation Was Earned	Amount: (Use Code)

Check here if continued on attached sheet

2 REAL ESTATE List street address, assessor's parcel number, or legal description AND county for each parcel of Washington real estate with value of over \$5,000 in which you or a family member held a personal financial interest during the reporting period. (Show partnership, company, etc. real estate on F-1 supplement.)

Property Sold or Interest Divested	Assessed Value (Use Code)	Name and Address of Purchaser	Nature and Amount (Use Code) of Payment or Consideration Received		

Check here if continued on attached sheet

PDC FORM F-1 (REV. 11/95)

CONTINUE ON REVERSE

EMERGENCY

3 ASSETS / INVESTMENTS—INTEREST / DIVIDENDS List bank and savings accounts, insurance policies, stock, bonds and other intangible property held during the reporting period.

A. Name and address of each bank or financial institution in which you or a family member had an account over \$10,000 any time during the report period.	Type of Account or Description of Asset	Asset Value (Use Code)	Income Amount: (Use Code)
B. Name and address of each insurance company where you or a family member had a policy with a cash or loan value over \$10,000 during the period.			
C. Name and address of each company, association, government agency, etc. in which you or a family member owned or had a financial interest worth over \$1,000. Include stocks, bonds, ownership, retirement plan, IRA, notes, and other intangible property.			

Check here if continued on attached sheet

4 CREDITORS List each creditor you or a family member owed \$1,000 or more any time during the period. Don't include retail charge accounts, credit cards, or mortgages or real estate reported in Item 2. AMOUNT (USE CODE)

Creditor's Name and Address	Terms of Payment	Security Given	AMOUNT (USE CODE)	
			Original	Present

Check here if continued on attached sheet

5 All filers answer questions A thru D below. If the answer is YES to any of these questions, the F-1 Supplement must also be completed as part of this report. If all answers are NO and you are a candidate for state or local office, an appointee to a vacant elective office, or a state executive officer filing your initial report, no F-1 Supplement is required. Incumbent elected officials and state executive officers filing an annual financial affairs report also must answer question E. An F-1 Supplement is required of these officeholders unless all answers to questions A thru E are NO.

- A. Were you, your spouse or dependents an officer, director, general partner or trustee of any corporation, company, union, association, joint venture or other entity at any time during the reporting period? _____ If yes, complete Supplement, Part A.
- B. Did you, your spouse or dependents have an ownership of 10% or more in any company, corporation, partnership, joint venture or other business at any time during the reporting period? _____ If yes, complete Supplement, Part A.
- C. Did you, your spouse or dependents own a business at any time during the reporting period? _____ If yes, complete Supplement, Part A.
- D. Did you, your spouse or dependents prepare, promote or oppose state legislation, rules, rates or standards for current or deferred compensation (other than pay for a currently-held public office) at any time during the reporting period? _____ If yes, complete Supplement, Part B.
- E. Only for Persons Filing Annual Report. Regarding the receipt of items not provided or paid for by your governmental agency during the previous calendar year: 1) Did you, your spouse or dependents (or any combination thereof) accept a gift of food or beverages costing over \$50 per occasion? _____ or 2) Did any source other than your governmental agency provide or pay in whole or in part for you, your spouse and/or dependents to travel or to attend a seminar or other training? _____ If yes to either or both questions, complete Supplement, Part C.

ALL FILERS EXCEPT CANDIDATES. Check the appropriate box.

I hold a state elected office or am an executive state officer. I have read and am familiar with RCW 42.52.180 regarding the use of public resources in campaigns.

I hold a local elected office. I have read and am familiar with RCW 42.17.130 regarding the use of public facilities in campaigns.

CERTIFICATION: I certify under penalty of perjury that the information contained in this report is true and correct to the best of my knowledge.

Signature _____ Date _____

Daytime Telephone: () _____

EMERGENCY



PDC FORM F-1 SUPPLEMENT (11/95)	SUPPLEMENT PAGE PERSONAL FINANCIAL AFFAIRS STATEMENT
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PROVIDE INFORMATION FOR YOURSELF, SPOUSE, DEPENDENT CHILDREN AND OTHER DEPENDENTS IN YOUR HOUSEHOLD

LAST NAME	FIRST	MIDDLE INITIAL	DATE
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A OFFICES HELD, BUSINESS INTERESTS: For each corporation, non-profit organization, association, union, partnership, joint venture or other entity in which you, your spouse or dependents are an officer, director, general partner, trustee, or 10 percent or more owner—provide the following information:

- Legal Name: Report name used on legal documents establishing the entity.
- Trade or Operating Name: Report name used for business purposes if different from the legal name.
- Position or Percent of Ownership: The office, title and/or percent of ownership held.
- Brief Description of the Business/Organization: Report the purpose, product(s), and/or the service(s) rendered.
- Payments from Governmental Unit: If the governmental unit in which you hold or seek office made payments to the business entity concerning which you're reporting, show the purpose of each payment and the actual amount received.
- Payments from Business Customers and Other Government Agencies: List each corporation, partnership, joint venture, sole proprietorship, union, association, business or other commercial entity and each government agency (other than the one you seek/hold office) which paid compensation of \$5,000 or more during the period to the entity. Briefly say what property, goods, services or other consideration was given or performed for the compensation.
- Washington Real Estate: Identify real estate owned by the business entity if the qualifications referenced below are met.

ENTITY NO. 1	Reporting for: Self _____ Spouse _____ Dependent _____
LEGAL NAME:	POSITION OR PERCENT OF OWNERSHIP
TRADE OR OPERATING NAME:	
ADDRESS:	

BRIEF DESCRIPTION OF THE BUSINESS/ORGANIZATION:

PAYMENTS ENTITY RECEIVED FROM GOVERNMENTAL UNIT IN WHICH YOU SEEK/HOLD OFFICE:

Purpose of payments	Amount (actual dollars)
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PAYMENTS ENTITY RECEIVED FROM BUSINESS CUSTOMERS AND OTHER GOVERNMENT AGENCIES OVER \$5,000:

Customer name:	Purpose of payment (amount not required)
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WASHINGTON REAL ESTATE IN WHICH ENTITY HELD A DIRECT FINANCIAL INTEREST (Complete only if ownership in the ENTITY is 10% or more and assessed value of property is over \$10,000. List street address, assessor parcel number, or legal description and county for each parcel):

Check here if continued on attached sheet

PDC FORM F-1 SUPPLEMENT (REVISED 11/95)—I

CONTINUE PARTS B AND C ON REVERSE

EMERGENCY

ENTITY NO. 2

Reporting for: Self _____ Spouse _____ Dependent _____

LEGAL NAME:

POSITION OR PERCENT OF OWNERSHIP

TRADE OR OPERATING NAME:

ADDRESS:

BRIEF DESCRIPTION OF THE BUSINESS/ORGANIZATION:

PAYMENTS ENTITY RECEIVED FROM GOVERNMENTAL UNIT IN WHICH YOU SEEK/HOLD OFFICE:

Purpose of payments

Amount (actual dollars)

PAYMENTS ENTITY RECEIVED FROM BUSINESS CUSTOMERS AND OTHER GOVERNMENT AGENCIES OVER \$5,000:

Customer name:

Purpose of payment (amount not required)

WASHINGTON REAL ESTATE IN WHICH ENTITY HELD A DIRECT FINANCIAL INTEREST (Complete only if ownership in the ENTITY is 10% or more and assessed value of property is over \$10,000. List street address, assessor parcel number, or legal description and county for each parcel):

Check here if continued on attached sheet

B LOBBYING

List persons for whom you or any immediate family member lobbied or prepared state legislation or state rules, rates or standards for current or deferred compensation. Do not list pay from government body in which you are an elected official or professional staff member.

Person to Whom Services Rendered	Description of Legislation, Rules, Etc.	Compensation (Use Code)
Check here <input type="checkbox"/> if continued on attached sheet		

C FOOD TRAVEL SEMINARS

Complete this section if a source other than your own governmental agency paid for or otherwise provided all or a portion of the following items to you, your spouse or dependents, or a combination thereof: 1) Food and beverages costing over \$50 per occasion; 2) Travel occasions; or 3) Seminars, educational programs or other training.

Date Received	Donor's Name, City and State	Brief Description	Actual Dollar Amount	Value (Use Code)
Check here <input type="checkbox"/> if continued on attached sheet				

PDC FORM F-1 SUPPLEMENT (REVISED 11/95)

EMERGENCY

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending WSR 91-20-153 [91-24-011], filed 10/2/91 [11/22/91])

WAC 390-24-020 Forms for amending statement of financial affairs. (1) The official form for amending statements of financial affairs as required by RCW 42.17.240 for all persons who have previously filed the Form F-1 is designated Form "F-1A," revised (~~(+0/9+)~~) 11/95.

(2) No more than three F-1A forms may be filed to amend a previously submitted statement of financial affairs (Form F-1). The form can be used only to update information required on an F-1.

(3) The commission reserves the right to reject amendatory forms and require a new statement of financial affairs (Form F-1) at any time the amendments are confusing or create misunderstandings. Authority is delegated to the commission's executive director to make this determination.

(4) Copies of Form F-1A are available at the commission office, Room 403, Evergreen Plaza Building, Olympia, Washington 98504. Any attachments must be on 8 1/2" x 11" white paper.

EMERGENCY

PUBLIC DISCLOSURE COMMISSION



711 CAPITOL WAY RM 403
PO BOX 40908
OLYMPIA WA 98504-0908
(360) 753-1111

PDC FORM
F-1A
(10/91)

**PERSONAL FINANCIAL
AFFAIRS STATEMENT
Short Form**

P
M
A
R
K

R
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PDC OFFICE USE

The F-1A form is designed to simplify reporting for persons who have no changes or only minor changes to an F-1 report previously filed. A complete F-1 form must be filed at least every four years; an F-1A form may be used for no more than three consecutive reports. **Deadlines:** Incumbent elected and appointed officials—by April 15. Candidates and others—within two weeks of becoming a candidate or being newly appointed to a position.

DOLLAR CODE	AMOUNT
A	\$1 to \$1,999
B	\$2,000 to \$9,999
C	\$10,000 to \$19,999
D	\$20,000 to \$49,999
E	\$50,000 or more

Last Name	First	Middle Initial	Names of Spouse and Dependents	Political Party If partisan office or pertinent to appointment
Mailing Address				
City	County	Zip + 4		

Filing Status (Check only one box.)	Office Held or Sought
<input type="checkbox"/> An elected or state appointed official filing annual report	Office title _____
<input type="checkbox"/> Final report as an elected official. Term expired _____	County, city, district or agency of the office, name and number: _____
<input type="checkbox"/> Candidate running in an election: month _____ year _____	Position number _____
<input type="checkbox"/> Newly appointed to an elective office	Term begins: _____ ends: _____
<input type="checkbox"/> Newly appointed to a state appointive office	

Select either "No Change Report" or "Minor Change Report," whichever reflects your situation. Supply all the requested information.

- NO CHANGE REPORT.** I have reviewed my last complete F-1 report dated _____ and F-1A reports (if any) dated (1) _____ and (2) _____. The information disclosed on those reports is accurate for the current reporting period.
- MINOR CHANGE REPORT.** I have reviewed my last complete F-1 report dated _____. The changes listed below have occurred during the reporting period. Specify F-1 Form item numbers when describing changes. Provide all information required on F-1 report.

GIFTS: (This information required of incumbent elected and appointed officials only.) List the date, source, brief description and value of each gift of entertainment, travel, goods, services, economic advantage, etc. valued at more than \$50 (entertainment receptions where pro-rata share exceeds \$100). Exclude gifts that, without doubt, were clearly not intended to gain or maintain influence with respect to your governmental entity (e.g., most intra-family and private sector business related gifts). See Gift section of F-1 manual for details.

Date Received	Donor's Name, City and State	Brief Description	Approx. Dollar Value

Check here if continued on attached sheet.

CERTIFICATION: I certify under penalty of perjury that the information contained in this report is true and correct to the best of my knowledge.

Signature _____ Date _____

Daytime Telephone: () _____

Report Not Acceptable Without Filer's Signature

EMERGENCY



PDC FORM F-1A (11/95)	PERSONAL FINANCIAL AFFAIRS STATEMENT Short Form	P M O S R K R E C E I V E D	POC OFFICE USE
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The F-1A form is designed to simplify reporting for persons who have no changes or only minor changes to an F-1 report previously filed.
 A complete F-1 form must be filed at least every four years; an F-1A form may be used for no more than three consecutive reports.
 Deadlines: Incumbent elected and appointed officials—by April 15.
 Candidates and others—within two weeks of becoming a candidate or being newly appointed to a position.

DOLLAR CODE	AMOUNT
A	\$1 to \$1,999
B	\$2,000 to \$9,999
C	\$10,000 to \$19,999
D	\$20,000 to \$49,999
E	\$50,000 or more

Last Name		First	Middle Initial	Names of Spouse and Dependents	Political Party If partisan office or pertinent to appointment
Mailing Address					
City	County	Zip + 4			
Filing Status (Check only one box.)				Office Held or Sought	
<input type="checkbox"/> An elected official or state appointed official filing annual report <input type="checkbox"/> Final report as an elected official. Term expired _____ <input type="checkbox"/> Candidate running in an election: month _____ year _____ <input type="checkbox"/> Newly appointed to an elective office <input type="checkbox"/> Newly appointed to a state appointive office				Office title _____	
				County, city, district or agency of the office, name and number: _____	
				Position number _____	
				Term begins: _____ ends: _____	

Select either "No Change Report" or "Minor Change Report," whichever reflects your situation. Supply all the requested information.

NO CHANGE REPORT. I have reviewed my last complete F-1 report dated _____ and F-1A reports (if any) dated (1) _____ and (2) _____. The information disclosed on those reports is accurate for the current reporting period.

MINOR CHANGE REPORT. I have reviewed my last complete F-1 report dated _____. The changes listed below have occurred during the reporting period. Specify F-1 Form item numbers when describing changes. Provide all information required on F-1 report.

Check here if continued on attached sheet

FOOD TRAVEL SEMINARS

Complete this section if a source other than your own governmental agency paid for or otherwise provided all or a portion of the following items to you, your spouse or dependents, or a combination thereof:
 1) Food and beverages costing over \$50 per occasion; 2) Travel occasions; or 3) Seminars, educational programs or other training.

Date Received	Donor's Name, City and State	Brief Description	Actual Dollar Amount	Value (Use Code)

Check here if continued on attached sheet

ALL FILERS EXCEPT CANDIDATES. Check the appropriate box.

I hold a state elected office or am an executive state officer. I have read and am familiar with RCW 42.52.180 regarding the use of public resources in campaigns.

I hold a local elected office. I have read and am familiar with RCW 42.17.130 regarding the use of public facilities in campaigns.

CERTIFICATION: I certify under penalty of perjury that the information contained in this report is true and correct to the best of my knowledge.

Signature _____ Date _____

Daytime Telephone: () _____

PDC FORM F-1A (REVISED 11/95)—I

REPORT NOT ACCEPTABLE WITHOUT FILER'S SIGNATURE

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

EMERGENCY

AGENCY RULES COORDINATORS

Designations as of 12/20/95

AGENCY	RULES COORDINATOR	PHONE	ADDRESS
Accountancy, Board of	Carey L. Rader	(360) 753-2585	P.O. Box 43110 Olympia, WA 98504-3110
Administrative Hearings, Office of	Pauline Corthell	(360) 664-8717	P.O. Box 42488 Olympia, WA 98504-2488
Agriculture, Department of	Dannie M. McQueen	(360) 902-1809	P.O. Box 42560 Olympia, WA 98504-2560
Arts Commission	Karen Kamara Gose	(360) 753-3860	P.O. Box 42675 Olympia, WA 98504-2675
Asian American Affairs, Commission on	Patricia M. Lee	(206) 464-5820	P.O. Box 40925 Olympia, WA 98504-0925
Attorney General's Office	Jane Halligan	(360) 753-6207	P.O. Box 40115 Olympia, WA 98504-0115
Auditor, State	Chuck Pfeil	(360) 753-5273	P.O. Box 40021 Olympia, WA 98504-0021
Basic Health Plan	Leslie Thorpe	(360) 586-5332	P.O. Box 42535 Olympia, WA 98504-2535
Bates Technical College	John G. Thorpe		1101 South Yakima Avenue Tacoma, WA 98405
Bellevue Community College	Elise Erickson	(206) 641-2301	3000 Landerholm Circle S.E. Bellevue, WA 98007
Bellingham Technical College	Jody McBee	(360) 738-3105 ext. 334	3028 Lindbergh Avenue Bellingham, WA 98225
Big Bend Community College	Ken Turner	(509) 762-5351	7662 Chanute Street Moses Lake, WA 98837-3299
Blind, Washington State School for the	Larry W. Drotz	(360) 254-9062	611 Grand Boulevard, S-26 Vancouver, WA 98661
Blind, Department of Services for the	Bonnie Jindra	(360) 586-0275	P.O. Box 40933 Olympia, WA 98504-0933
Building Code Council	William E. O'Neil, Jr.	(360) 586-0486	P.O. Box 48300 Olympia, WA 98504-8300
Cascadia Community College	Margaret H. Flanagan	(206) 402-3870	c/o Northshore Center 22002 26th Avenue S.E., Suite 101 Bothell, WA 98021
Central Washington University	Jill M. Orcutt	(509) 963-2111	400 East 8th Avenue Ellensburg, WA 98926-7502
Centralia College	Stephen L. Ward	(360) 736-9391	600 West Locust Street Centralia, WA 98531
Clark College	Janelle K. Farley	(360) 699-0101	1800 East McLoughlin Boulevard Vancouver, WA 98663

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Clover Park Technical College	Cathleen M. Reid	(206) 589-5558	4500 Steilacoom Boulevard S.W. Tacoma, WA 98499
Code Reviser	Kerry Radcliff	(360) 753-7470	P.O. Box 40551 Olympia, WA 98504-0551
Columbia River Gorge Commission	Jan Brending	(509) 493-3323	P.O. Box 730 White Salmon, WA 98672
Columbia Basin College	Louise Meyers	(509) 547-0511 ext. 202	2600 North 20th Avenue Pasco, WA 99301
Community, Trade and Economic Development, Department of	Ann D. Bariekman	(360) 586-8966	P.O. Box 48300 Olympia, WA 98504-8300
Community and Technical Colleges, State Board for	Claire Krueger	(360) 753-7413	P.O. Box 42495 Olympia, WA 98504-2495
Conservation Commission	Robert P. Bottman	(360) 459-6229	P.O. Box 47721 Olympia, WA 98504-7721
Corrections, Department of	Kay Wilson-Kirby	(360) 753-5770	P.O. Box 41114 Olympia, WA 98504-1114
County Road Administration Board	Jacob Armstrong	(360) 753-5989	P.O. Box 40913 Olympia, WA 98504-0913
Criminal Justice Training Commission	Ruthie Hillenbrand	(360) 459-6342	P.O. Box 40905 Olympia, WA 98504-0905
Deaf, Washington State School for the	Larry W. Drotz	(360) 696-6525 ext. 327	611 Grand Boulevard, S-26 Vancouver, WA 98661-4918
Deferred Compensation, Committee for	Anne Holdren	(360) 753-1829	P.O. Box 40931 Olympia, WA 98504-0931
Eastern Washington University	Ann M. Kienholz	(509) 359-6299	MS-114, SHW 302 Cheney, WA 99004
Eastern Washington State Historical Society	Glenn Mason	(509) 456-3932	2316 West First Avenue Spokane, WA 99204
Ecology, Department of	Paige Boule	(360) 407-6161	P.O. Box 47600 Olympia, WA 98504-7600
Edmonds Community College	Barbara Patterson	(206) 640-1535	20000 68th Avenue West Lynnwood, WA 98036
Education, State Board of	Larry Davis	(360) 753-6715	P.O. Box 47206 Olympia, WA 98504-7206
Employment Security Department	John D. Nemes	(360) 438-4002	P.O. Box 46000 Olympia, WA 98504-6000
Energy Facility Site Evaluation Council	David W. Sjoding	(360) 956-2004	P.O. Box 43172 Olympia, WA 98504-3172
Environmental Hearings Office	Suzanne Skinner	(360) 459-6327	P.O. Box 40903 Olympia, WA 98504-0903

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Everett Community College	Juli Boyington	(206) 388-9202	801 Wetmore Avenue Everett, WA 98201-1327
Evergreen State College, The	Lee Hoemann	(360) 866-6000 ext. 6116	TA-00 Olympia, WA 98505
Executive Ethics Board	Barbara Cook	(360) 664-0871	P.O. Box 40100 Olympia, WA 98504-0100
Financial Institutions, Department of	Susan Putzier	(360) 664-3508	P.O. Box 41200 Olympia, WA 98504-1200
Financial Management, Office of	Cam Dightman	(360) 664-3420	P.O. Box 43127 Olympia, WA 98504-3127
Fish and Wildlife, Department of	Evan Jacoby	(360) 902-2930	P.O. Box 43147 Olympia, WA 98504-3147
Forest Practices Board	Judith M. Holter	(360) 902-1412	P.O. Box 47012 Olympia, WA 98504-7012
Gambling Commission	Michael R. Aoki-Kramer	(360) 438-7654 ext. 310	P.O. Box 42400 Olympia, WA 98504-2400
General Administration, Depart- ment of	Marygrace G. Jennings	(360) 902-7208	P.O. Box 41000 Olympia, WA 98504-1000
Grays Harbor College	Sandy Zelasko	(360) 538-4000	1620 Edward P. Smith Drive Aberdeen, WA 98520-7599
Green River Community College	Clark Townsend	(206) 833-9111 ext. 428	12401 S.E. 320th St. Auburn, WA 98002
Growth Management Hearings Boards	William Nielson	(360) 664-8966	P.O. Box 40953 Olympia, WA 98504-0953
Health Care Authority	Elin Meyer	(360) 923-2801	P.O. Box 42705 Olympia, WA 98504-2705
Health, Department of	Michele Davis	(360) 586-0342	P.O. Box 47902 Olympia, WA 98504-7902
Health Care Policy Board	Duane Thurman	(360) 407-0039	P.O. Box 41185 Olympia, WA 98504-1185
Higher Education Coordinating Board	Karen B. Moton-Tate	(360) 586-8782	P.O. Box 43430 Olympia, WA 98504-3430
Highline Community College	President's Office	(206) 878-3710	P.O. Box 98000 Des Moines, WA 98198-9800
Hispanic Affairs, Commission on	Jaime E. Gallardo	(360) 753-3159	P.O. Box 40924 Olympia, WA 98504-0924
Horse Racing Commission	Patty Sorby	(360) 459-6462	P.O. Box 40906 Olympia, WA 98504-0906
Human Rights Commission	Jean A. Ciallella	(360) 753-4876	P.O. Box 42490 Olympia, WA 98504-2490
Indeterminate Sentence Review Board	Dennis Marsh	(360) 493-9271	P.O. Box 40907 Olympia, WA 98504-0907

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Washington State Register, Issue 96-01

Industrial Insurance Appeals, Board of	Patricia B. Latsch	(360) 753-9646	P.O. Box 42401 Olympia, WA 98504-2401
Information Services, Department of	Susan Hettinger	(360) 902-3535	P.O. Box 42441 Olympia, WA 98504-2441
Insurance Commissioner	Melodie Bankers	(360) 586-3574	P.O. Box 40255 Olympia, WA 98504-0255
Investment Board, State	Marilyn S. Evans	(360) 664-8907	P.O. Box 40916 Olympia, WA 98504-0916
Judicial Conduct, Commission on	David Akana	(360) 753-4585	P.O. Box 41817 Olympia, WA 98504-1817
Labor and Industries, Department of	Marie Myerchin-Redifer	(360) 902-4206	P.O. Box 44001 Olympia, WA 98504-4001
Lake Washington Technical Col- lege	Vice-President		11605 132nd Avenue N.E. Kirkland, WA 98034-8506
Library, Washington State	Gail Lincoln	(360) 753-2914	P.O. Box 42464 Olympia, WA 98504-2464
Licensing, Department of	Walt Fahrer	(360) 902-3640	P.O. Box 48016 Olympia, WA 98504-8016
Liquor Control Board	M. Carter Mitchell	(360) 753-6276	P.O. Box 43075 Olympia, WA 98504-3075
Lottery Commission	Jeffrey Burkhardt	(360) 586-6583	P.O. Box 43025 Olympia, WA 98504-3025
Lower Columbia College	Virginia M. Koken	(360) 577-2300	P.O. Box 3010 Longview, WA 98632-0310
Marine Employees' Commission	Janis Lien	(360) 586-6354	P.O. Box 40902 Olympia, WA 98504-0902
Marine Safety, Office of	Jeff Fishel	(360) 664-9124	P.O. Box 42407 Olympia, WA 98504-2407
Minority and Women's Business Enterprises, Office of	Juan Huey-Ray	(360) 586-1228	P.O. Box 41160 Olympia, WA 98504-1160
Natural Resources, Department of	Dave Dietzman	(360) 902-1600	P.O. Box 47014 Olympia, WA 98504-7014
Olympic College	Donna M. Allen, Ed.D.	(360) 478-4544	1600 Chester Avenue Bremerton, WA 98310-1699
Outdoor Recreation, Interagency Committee for	Greg Lovelady	(360) 902-3008	P.O. Box 40917 Olympia, WA 98504-0917
Parks and Recreation Commission	Sharon Howdeshell	(360) 902-8500	P.O. Box 42650 Olympia, WA 98504-2650
Peninsula College	Bonnie Cauffman	(360) 452-9277 ext. 228	1502 East Lauridsen Boulevard Port Angeles, WA 98362

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Personnel Appeals Board	Kenneth J. Latsch	(360) 664-0373	P.O. Box 40911 Olympia, WA 98504-0911
Personnel, Department of	Judy Montoure	(360) 586-1770	P.O. Box 47500 Olympia, WA 98504-7500
Pierce College	Christine D. Givens	(206) 964-6500	9401 Farwest Drive S.W. Tacoma, WA 98498
Pilotage Commissioners	Peggy Larson	(206) 464-7818	801 Alaskan Way Pier 52 Seattle, WA 98104-1487
Pollution Liability Insurance Agency	Terry Taylor	(360) 586-5997	P.O. Box 40930 Olympia, WA 98504-0930
Productivity Board	Linda L. Mackintosh	(360) 586-8407	P.O. Box 40244 Olympia, WA 98504-0244
Public Disclosure Commission	Karen M. Copeland	(360) 753-1111	P.O. Box 40908 Olympia, WA 98504-0908
Public Instruction, Superintendent of	Richard M. Wilson	(360) 753-2298	P.O. Box 47200 Olympia, WA 98504-7200
Public Works Board	Pete A. Butkus	(360) 586-7186	P.O. Box 48319 Olympia, WA 98504-8319
Public Employment Relations Commission	Mark S. Downing	(360) 753-2955	P.O. Box 40919 Olympia, WA 98504-0919
Puget Sound Water Quality Authority	Duane Fagergren	(360) 407-7303	P.O. Box 40900 Olympia, WA 98504-0900
Renton Technical College	Charles DeMoss	(206) 235-2426	3000 N.E. Fourth Street Renton, WA 98056-4195
Retirement Systems, Department of	Paul Neal	(360) 586-3368	P.O. Box 48380 Olympia, WA 98504-8380
Revenue, Department of	Les Jaster	(360) 586-7150	P.O. Box 47458 Olympia, WA 98504-7458
Seattle Community Colleges	James E. Christiansen	(206) 587-4160	1500 Harvard Seattle, WA 98122
Shoreline Community College	Dr. Chuck Fields	(206) 546-4641	16101 Greenwood Avenue North Seattle, WA 98133
Skagit Valley College	Judi Knutzen	(360) 428-1183	Auxilliary Services 2405 College Way Mt. Vernon, WA 98273
Social and Health Services, Department of	Sharon Staley	(360) 902-7540	P.O. Box 45811 Olympia, WA 98504-5811
South Puget Sound Community College	Patty Pynch	(360) 754-7711 ext. 202	2011 Mottman Road S.W. Olympia, WA 98502
Spokane, Community Colleges of	Geoffrey J. Eng	(509) 533-8667	North 2000 Greene Street MS 1001 Spokane, WA 99207-5499

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Tacoma Community College	Irene Hardy	(206) 566-5101	5900 South 12th Street Building 13 Tacoma, WA 98465
Tax Appeals, Board of	Richard A. Virant	(360) 753-5446	P.O. Box 40915 Olympia, WA 98504-0915
Traffic Safety Commission	Angie Smith	(360) 753-6197	P.O. Box 40944 Olympia, WA 98504-0944
Transportation, Commission and Department of	Bill Richeson	(360) 705-7761	P.O. Box 47410 Olympia, WA 98504-7410
Transportation Improvement Board	Donna Laing	(360) 753-7198	P.O. Box 40901 Olympia, WA 98504-0901
Treasurer, Office of the	Scott Jarvis	(360) 586-7293	P.O. Box 40200 Olympia, WA 98504-0200
University of Washington	Rebecca Goodwin Dearnorff	(206) 543-9199	4014 University Way N.E. Seattle, WA 98105-6203
Utilities and Transportation Commission	Robert Wallis	(360) 753-6404	P.O. Box 47250 Olympia, WA 98504-7250
Veterans Affairs, Department of	Sherri Madison	(206) 566-2533	P.O. Box 41150 Olympia, WA 98504-1150
Volunteer Firefighters, Board for	Joseph Faubion	(360) 753-7318	P.O. Box 40945 Olympia, WA 98504-0945
Walla Walla Community College	Merle Scott	(509) 527-4274	500 Tausick Way Walla Walla, WA 99362
Washington State Patrol	Jan Baca	(360) 753-6550 ext. 211	P.O. Box 42602 Olympia, WA 98504-2602
Washington State University	Lou Ann Pasquan	(509) 335-3543	French 220 Pullman, WA 99164-1020
Wenatchee Valley College	Anna Pieratt	(509) 664-2553	1300 Fifth Street Wenatchee, WA 98801
Western Washington University	Gloria McDonald	(360) 676-2037	320 BNB 103 East Holly Bellingham, WA 98225-4728
Whatcom Community College	Cliff Baacke	(360) 676-2170	237 West Kellogg Road Bellingham, WA 98226
Workforce Training and Educa- tion Coordinating Board	'cita Waller	(360) 753-5673	P.O. Box 43105 Olympia, WA 98504-3105
Yakima Valley Community College	Suzanne West	(509) 575-2355	P.O. Box 1647 Yakima, WA 98907-1647

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WSR 96-01-001
RULES COORDINATOR
COUNTY ROAD
ADMINISTRATION BOARD
 [Filed December 6, 1995, 2:35 p.m.]

Following is the designated rules coordinator for our agency:
 Jacob Armstrong, County Road Administration Board, 2404
 Chandler Court S.W., Suite 240, Olympia, WA 98504-0913.

Eric Berger
 Director

- May 13
- June 10
- July 8
- September 9
- October 14
- November 12
- December 9

WSR 96-01-003
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF PERSONNEL
 (Personnel Resources Board)
 [Memorandum—December 6, 1995]

The following is a schedule of the 1996 regular meetings of
 the Washington Personnel Resources Board. All regular
 meetings will be held at 10:00 a.m., Department of Person-
 nel, Board Room, 521 Capitol Way South, Olympia, WA.

- Thursday, January 11
- Thursday, February 8
- Thursday, March 14
- Thursday, April 11
- Thursday, May 9
- Thursday, June 13
- Thursday, July 11
- Thursday, September 12
- Thursday, October 10
- Thursday, November 14
- Thursday, December 12

Should you have any questions regarding this matter, please
 contact Judy Montoure at 586-1770.

WSR 96-01-015
NOTICE OF PUBLIC MEETINGS
SKAGIT VALLEY COLLEGE
 [Memorandum—December 6, 1995]

The board of trustees of Skagit Valley College, Community
 College District No. 4, will hold its regular meetings at 5:00
 p.m. on the second Monday of each month in 1996, except
 for the months of January, February, and November when
 the meeting will be held on the second Tuesday, and except
 for the month of August when there is no meeting. All of
 these meetings will be held in the Campus Center Annex
 Board Room on the Mount Vernon campus, except the April
 meeting which will be held at 7:00 p.m. at the Whidbey
 campus, in Oak Harbor, Washington, and the June meeting
 which will be held at 5:00 p.m. at the San Juan Center,
 Friday Harbor, Washington.

The dates of the regular meetings are:

- January 9
- February 13
- March 11
- April 8

WSR 96-01-016
NOTICE OF PUBLIC MEETINGS
PIERCE COLLEGE
 [Memorandum—December 5, 1995]

The board of trustees of Community College District
 Number Eleven will hold their regular meetings on the
 second Wednesday of each month. These meetings will be
 open to the public and advertised accordingly (RCW
 42.30.075).

1996 REGULAR MEETING SCHEDULE

MONTH	DATE	TIME	LOCATION
January	10	12:30 p.m.	Pierce College at Ft. Steilacoom
February	14	12:30 p.m.	Pierce College at Puyallup
March	13	12:30 p.m.	Pierce College at Ft. Steilacoom
April	10	12:30 p.m.	Pierce College at Ft. Lewis
May	8	12:30 p.m.	Pierce College at Puyallup
June	12	12:30 p.m.	Pierce College at Ft. Steilacoom
July	10	12:30 p.m.	Pierce College at Puyallup
(No meeting is scheduled for August.)			
September	11	12:30 p.m.	Pierce College at Ft. Steilacoom
October	9	12:30 p.m.	Pierce College at Puyallup
November	13	12:30 p.m.	Pierce College at Ft. Steilacoom
December	11	12:30 p.m.	Pierce College at Ft. Steilacoom

Please note: Special meetings may be called at any time by
 the chairperson or a majority vote of the board. All special
 meetings will be publicly advertised at least twenty-four
 hours prior to being convened, and are open to the public.
 A lunch and study session will take place at 11:30 a.m. prior
 to each board meeting.

WSR 96-01-020
NOTICE OF PUBLIC MEETINGS
COMMISSION ON
HISPANIC AFFAIRS
 [Memorandum—December 6, 1995]

Commission Meeting Schedule 1996-1997

MEETING DATE	LOCATION
January 13, 1996	Vancouver
March 9, 1996	Shelton
May 11, 1996	Yakima
July 13, 1996	Wenatchee
September 14, 1996	Seattle
November 9, 1996	Mount Vernon
January 11, 1997	Moses Lake
March 8, 1997	Tri-Cities
May 10, 1997	Olympia

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WSR 96-01-021
NOTICE OF PUBLIC MEETINGS
PUBLIC EMPLOYEES BENEFITS BOARD
[Memorandum—December 11, 1995]

PEBB Planning Session
December 12, 1995
RoweSix
Attorney General Conference Room
9:00 a.m. - 4:30 p.m.

WSR 96-01-023
NOTICE OF PUBLIC MEETINGS
SEATTLE COMMUNITY COLLEGES
[Memorandum—December 4, 1995]

The Seattle Community College District board of trustees will conduct a board of trustees retreat on Friday, December 8, at the Battelle Conference Center, 4000 N.E. 41st Street, Seattle, WA 98105-5428.

The meeting will be held in the Northwest Room, beginning at 7:30 a.m. to 4:30 p.m.

WSR 96-01-024
NOTICE OF PUBLIC MEETINGS
WASHINGTON STATE UNIVERSITY
(Commission on Pesticide Registration)
[Memorandum—December 8, 1995]

The Washington State Commission on Pesticide Registration has adopted a schedule for 1996 regular meetings.

January 18	Puyallup
March 20	Richland
May 22	Yakima

Interested parties may call the public documents officer for the Washington State Commission on Pesticide Registration at (509) 372-7492 for the time and site of each meeting.

WSR 96-01-025
NOTICE OF PUBLIC MEETINGS
CONVENTION AND TRADE CENTER
[Memorandum—December 8, 1995]

Pursuant to WSCTC board of directors' action on October 18, 1995, the following are the dates adopted for the 1996 regular meetings of the board:

Wednesday:
January 10
February 21
March 20
April 17
May 15
June 19
July 17
September 18
October 16
November 20
December 18

The board does not meet in August. All regular meetings of the board will be held at 1:30 p.m. in a Convention Center meeting room.

WSR 96-01-026
NOTICE OF PUBLIC MEETINGS
WASHINGTON STATE UNIVERSITY
[Memorandum—December 5, 1995]

Please publish in the Washington State Register the following dates and locations for the 1996 board of regents meetings:

January 26	Pullman
March 15	Pullman
May 10	Pullman
June 28	Vancouver
September 20	Pullman
November 22	Spokane

WSR 96-01-027
NOTICE OF PUBLIC MEETINGS
CRIMINAL JUSTICE
TRAINING COMMISSION
[Memorandum—December 8, 1995]

At the December 7, 1995, meeting of the Criminal Justice Training Commission, the dates set for meeting in 1996 were established as:

Thursday, March 14
Thursday, June 6
Thursday, September 12
Thursday, December 5

The commission will be meeting at the Washington State Training and Conference Center located at 19010 1st Avenue South, Seattle, WA 98148, phone (206) 439-3740. The meetings are to convene at 10 a.m.

WSR 96-01-028
NOTICE OF PUBLIC MEETINGS
TRANSPORTATION IMPROVEMENT BOARD
[Memorandum—December 7, 1995]

The Transportation Improvement Board adopted the following schedule of regular meetings for 1996:

January 26, 1996	Olympia
March 22, 1996	Vancouver
April 26, 1996	Tacoma
May 24, 1996	Wenatchee
June 28, 1996	Seattle
July 26, 1996	Pasco
September 27, 1996	Redmond
October 25, 1996	Port Angeles
November 22, 1996	Cheney

All meetings will begin at 9:00 a.m. The exact location for each meeting will be included in the monthly meeting notice.

MISCELLANEOUS

WSR 96-01-034
NOTICE OF PUBLIC MEETINGS
COMMISSION ON
JUDICIAL CONDUCT
[Memorandum—December 13, 1995]

1996 Meeting Schedule

The Commission on Judicial Conduct will hold their business meetings at 11:00 a.m. at the SeaTac Holiday Inn, 17338 Pacific Highway South, SeaTac, WA 98188, on the following dates:

- February 2, 1996
- April 5, 1996
- June 7, 1996
- August 2, 1996
- October 4, 1996
- December 6, 1996

WSR 96-01-035
RULES COORDINATOR
COMMISSION ON
JUDICIAL CONDUCT

[Filed December 12, 1995, 11:31 a.m.]

Pursuant to RCW 34.05.310(3), the Commission on Judicial Conduct designates David Akana as its rules coordinator. This agency's address is Commission on Judicial Conduct, P.O. Box 1817, Olympia, WA 98507.

David Akana
Executive Director

WSR 96-01-037
NOTICE OF PUBLIC MEETINGS
EXECUTIVE ETHICS BOARD
[Memorandum—December 13, 1995]

The Executive Ethics Board will hold its regular meetings in 1996 monthly, on the second Friday of the month, with the exception of August and December in which no meetings will be held. Under this schedule the board will meet on the following dates:

- January 12
- February 9
- March 8
- April 12
- May 10
- June 14
- July 12
- September 13
- October 11
- November 8

Meetings will commence at 9:00 a.m. The meetings will be held at the Criminal Justice Training Center, 19010 1st Avenue South, Seattle, WA 98418. Interested parties may contact the clerk of the board for more information at (360) 586-3751.

Individuals requiring reasonable accommodations should contact the clerk of the board. Such requests should usually

be made at least ten working days in advance of the scheduled meeting date.

WSR 96-01-038
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF AGRICULTURE
(Hop Commission)

[Memorandum—December 11, 1995]

The Washington Hop Commission has adopted a schedule for 1996 regular and annual meetings. Per WAC 16-532-020 (11)(a) we are required to hold four regular and one annual meeting each year. We file the following information, as required by RCW 42.30.075:

- | | |
|-------------|-------------------------|
| February 27 | Toppenish |
| April 9 | Yakima |
| June 11 | Prosser |
| October 10 | Sunnyside |
| December 6 | Yakima (Annual Meeting) |

Interested parties may call the Washington Hop Commission at (509) 453-4749 for the time and site of each meeting.

WSR 96-01-039
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF AGRICULTURE
(Wine Commission)

[Memorandum—December 12, 1995]

The Washington Wine Commission has established the following meeting schedule for 1996:

Date	Location
Thursday, January 4	Pasco Red Lion
Thursday, February 1	Sea-Tac Airport
Thursday, March 7	Pasco Red Lion
Thursday, April 4	Sea-Tac Airport
Thursday, May 2	Pasco Red Lion
Thursday, June 6	Sea-Tac Airport
Thursday, July 11	Pasco Red Lion
Thursday, August 1	Sea-Tac Airport
Thursday, September 5	Pasco Red Lion
October	No meeting
Thursday, November 7	Sea-Tac Airport
Thursday, December 5	Pasco Red Lion

WSR 96-01-042
RULES OF COURT
STATE SUPREME COURT
[December 7, 1995]

IN THE MATTER OF THE ADOPTION)	ORDER
OF THE AMENDMENTS TO CrR 4.2(g))	NO. 25700-A-573
AND CrRLJ 4.2(g))	

The Washington State Bar Association's Court Rules and Procedures Committee having recommended the adoption of the proposed amendments to CrR 4.2(g) and CrRLJ 4.2(g), and the Court having determined that the proposed amendments will aid in the prompt and orderly administra-

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tion of justice and further determined that an emergency exists which necessitates an early adoption;

Now, therefore, it is hereby

ORDERED:

(a) That the amendments as attached hereto are adopted..

(b) That pursuant to the emergency provisions of GR 9(i), the amendments will be published expeditiously in the Washington Reports and become effective upon publication.

DATED at Olympia, Washington this 7th day of December, 1995.

	Durham, C. J.
	Charles W. Johnson
Dolliver, J.	Smith, J.
Guy, J.	Madsen, J.
Alexander, J.	
Talmadge, J.	

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

CrR 4.2
PLEAS

(a)-(f) Unchanged.

(g) Written Statement. A written statement of the defendant in substantially the form set forth below shall be filed on a plea of guilty:

1.-5. Unchanged.

6. IN CONSIDERING THE CONSEQUENCES OF MY GUILTY PLEA, I UNDERSTAND THAT:

(a)-(g) Unchanged.

~~(h) The crime of _____ has a mandatory minimum sentence of at least _____ years of total confinement. The law does not allow any reduction of this sentence. This mandatory minimum sentence is not the same as the mandatory sentence of life imprisonment without the possibility of parole described in paragraph 6. (q). [If not applicable, this paragraph should be stricken and initialed by the defendant and the judge.]~~

(h) If I am not a citizen of the United States, a plea of guilty to an offense punishable as a crime under state law is grounds for deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.

~~(i) ~~(h)~~ The crime of _____ has a mandatory minimum sentence of at least _____ years of total confinement. The law does not allow any reduction of this sentence. This mandatory minimum sentence is not the same as the mandatory sentence of life imprisonment without the possibility of parole described in paragraph 6. (q). [If not applicable, this paragraph should be stricken and initialed by the defendant and the judge.]~~

(i) ~~(h)~~ I am being sentenced for two or more violent offenses arising from separate and distinct criminal conduct and the sentences imposed on counts _____ and

_____ will run consecutively unless the judge finds substantial and compelling reasons to do otherwise. [If not applicable, this paragraph should be stricken and initialed by the defendant and the judge.]

~~(k) ~~(j)~~ In addition to confinement, the judge will sentence me to community placement for at least 1 year. During the period of community placement, I will be under the supervision of the Department of Corrections, and I will have restrictions placed on my activities. [If not applicable, this paragraph should be stricken and initialed by the defendant and the judge.]~~

~~(l) ~~(k)~~ The judge may sentence me as a first time offender instead of giving a sentence within the standard range if I qualify under RCW 9.94A.030(20). This sentence could include as much as 90 days' confinement plus all of the conditions described in paragraph (e). Additionally, the judge could require me to undergo treatment, to devote time to a specific occupation, and to pursue a prescribed course of study or occupational training. [If not applicable, this paragraph should be stricken and initialed by the defendant and the judge.]~~

~~(m) ~~(l)~~ This plea of guilty will result in revocation of my privilege to drive. If I have a driver's license, I must now surrender it to the judge. [If not applicable, this paragraph should be stricken and initialed by the defendant and the judge.]~~

~~(n) ~~(m)~~ If this crime involves a sexual offense, prostitution, or a drug offense associated with hypodermic needles, I will be required to undergo testing for the human immunodeficiency (AIDS) virus. [If not applicable, this paragraph should be stricken and initialed by the defendant and the judge.]~~

~~(n) If I am not a citizen of the United States, a plea of guilty to an offense punishable as a crime under state law is grounds for deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.~~

(o)-(q) Unchanged.

(r) I understand that I may not possess, own, or have under my control any firearm unless my right to do so is restored by a court of record. (PURSUANT TO RCW 9.41.047(1), THE JUDGE SHALL READ THIS SECTION TO THE DEFENDANT IN OPEN COURT IF THE DEFENDANT IS PLEADING GUILTY TO A "SERIOUS OFFENSE" AS DEFINED UNDER RCW 9.41.010(12), A CRIME OF DOMESTIC VIOLENCE, OR A CRIME OF "HARASSMENT" AS DEFINED UNDER RCW 9A.46.060. THE CLERK SHALL FORWARD A COPY OF THE DEFENDANT'S DRIVER'S LICENSE, IDENTICARD, OR COMPARABLE IDENTIFICATION TO THE DEPARTMENT OF LICENSING ALONG WITH THE DATE OF CONVICTION.) [If not applicable, this paragraph should be stricken and initialed by the defendant and the judge.]

7.-12. Unchanged.

Remainder of form unchanged.

(h) Unchanged.

CrRLJ 4.2

PLEAS

(a) - (f) Unchanged.

MISCELLANEOUS

(g) Written Statement. A written statement of the defendant in substantially the form set forth below shall be filed on a plea of guilty:

1. - 5. Unchanged.

6. IN CONSIDERING THE CONSEQUENCES OF MY GUILTY PLEA, I UNDERSTAND THAT:

(a) - (h) Unchanged.

(i) I understand that I may not possess, own, or have under my control any firearm unless my right to do so is restored by a court of record. (PURSUANT TO RCW 9.41.047(1), THE JUDGE SHALL READ THIS SECTION TO THE DEFENDANT IN OPEN COURT IF THE DEFENDANT IS PLEADING GUILTY TO A CRIME OF DOMESTIC VIOLENCE, OR A CRIME OF "HARASSMENT" AS DEFINED UNDER RCW 9A.46.060. THE CLERK SHALL FORWARD A COPY OF THE DEFENDANT'S DRIVER'S LICENSE, IDENTICARD, OR COMPARABLE IDENTIFICATION TO THE DEPARTMENT OF LICENSING ALONG WITH THE DATE OF CONVICTION.) [If not applicable, this paragraph should be stricken and initialed by the defendant and the judge.]

7. - 12. Unchanged.

Remainder of form unchanged.

(h) Unchanged.

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

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.

WSR 96-01-043

**NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF ECOLOGY**

(Resource Damage Assessment Committee)

[Memorandum—December 14, 1995]

Pursuant to WAC 173-183-230 through 173-183-260, and 173-183-820 through 173-183-870, the regular meeting of the Washington State Resource Damage Assessment Committee during 1996 will be held on the second Wednesday of each monthly, commencing at 9:00 a.m. The meetings will be held at the Department of Ecology headquarters building, located at 300 Desmond Drive in Lacey, WA. The January meeting will be held in Room 1S-16; all other 1996 meetings will be held in Room 1S-17. For more information, contact Paul Heimowitz at (360) 407-6972.

WSR 96-01-044

DEPARTMENT OF ECOLOGY

[Filed December 14, 1995, 8:17 a.m.]

The federal Clean Water Act (Section 303(d)) requires each state to prepare a list of those surface waters which do not meet water quality standards, and/or are not expected to meet the standards after applying technology-based pollution controls. The state is required to develop a new list every two years. The Washington Department of Ecology is seeking technical information on the water quality of all

Washington surface waters from the public, government agencies, private businesses and organizations. A copy of the proposed list and the criteria used to prepare the list are available by calling Ecology's Publication Distribution Office at (360) 407-7472 and requesting Publication Number WQ-R-95-83. Send information in support of adding or removing waters from the list to Steve Butkus, Washington Department of Ecology, P.O. Box 47600, Olympia, WA 98504. Materials sent must be postmarked no later than March 1, 1996.

WSR 96-01-049

**NOTICE OF PUBLIC MEETINGS
BOARD OF TAX APPEALS**

[Memorandum—December 12, 1995]

The Board of Tax Appeals scheduled its regular 1996 meetings at 10 a.m. on March 14, June 13, September 12, and December 12, 1996. The meetings will be held at the board's offices, 910 5th Avenue S.E., Olympia, WA 98504-0915.

WSR 96-01-050

**NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF**

LABOR AND INDUSTRIES

(Electrical Board)

[Memorandum—December 12, 1995]

The time and place of regular meetings for the Electrical Board for 1996 have been scheduled. The meetings are scheduled to begin at 9:00 a.m. on the last Thursday of January, April, July, and October at the Labor and Industries Headquarters Building, 7273 Linderson Way S.W., Tumwater, WA.

The dates are as follows:

- January 25, 1996
- April 25, 1996
- July 25, 1996
- October 31, 1996

WSR 96-01-051

**NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF AGRICULTURE**

(Barley Commission)

[Memorandum—December 12, 1995]

The Washington Barley Commission is filing the following schedule of the times, dates, and locations of our 1995 [1996] scheduled meetings:

Meeting Type	Date	Time
Regular-Meeting	March 8, 1996	9:00 a.m.
Annual-Meeting	June 28, 1996	9:00 a.m.
Regular-Meeting	September 26, 1996	9:00 a.m.
Regular-Meeting	December 7, 1996	1:30 p.m.

MISCELLANEOUS

All meetings are to be held in the Washington Wheat Commission's Conference Room, West 907 Riverside Avenue, Spokane, WA.

June 6
 July 11
 August - No Meeting
 September 12
 October 10
 November 14
 December 12

WSR 96-01-052
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF AGRICULTURE
 (Asparagus Commission)
 [Memorandum—December 12, 1995]

As required by RCW 42.30.075, the Washington Asparagus Commission wishes to file for publication in the Washington State Register, the following schedule of meetings:

Tuesday, January 16, 1996 9:00 a.m.	Red Lion Inn 2525 North 20th Pasco, WA 99301
Tuesday, April 16, 1996 9:00 a.m.	Washington Asparagus Commission 2705 St. Andrews Loop, Suite A Pasco, WA 99301
Tuesday, July 16, 1996 9:00 a.m.	American Fine Foods 516 West Rose Walla Walla, WA 99362
Tuesday, October 15, 1996 9:00 a.m.	Sunnyside Valley Irrigation District 11th and Blaine Sunnyside, Washington 98944

WSR 96-01-053
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF AGRICULTURE
 (Potato Commission)
 [Memorandum—December 11, 1995]

Scheduled Washington State Potato Commission Meetings

March 6, 1996	9:00 a.m.	WSU Research Center Richland, Washington
June 17, 1996	9:00 a.m.	Red Lion Inn Pasco, Washington
September 4, 1996	9:00 a.m.	Potato Offices Moses Lake, Washington
December 5, 1996	9:00 a.m.	Potato Offices Moses Lake, Washington

WSR 96-01-059
NOTICE OF PUBLIC MEETINGS
HIGHLINE COMMUNITY COLLEGE
 [Memorandum—December 13, 1995]

The following information regarding the regular monthly meetings of the Community College District 9 board of trustees for the calendar year January through December 1996 is forwarded in compliance with RCW 42.30.075. All meetings are held in Building 25 and begin at 8:00 a.m. with a study session followed by the regular meeting at 10:00 a.m. These meeting dates were approved by the board of trustees at their December 7, 1995, meeting.

January 11, 1996
 February 8
 March 14
 April 11
 May 9

WSR 96-01-060
NOTICE OF PUBLIC MEETINGS
CLOVER PARK TECHNICAL COLLEGE
 [Memorandum—December 11, 1995]

The board of trustees of Clover Park Technical College at their regularly scheduled meeting on September 19, 1995, identified the following dates for their monthly meetings in 1996 in compliance with RCW 42.30.075:

January 16, 1996
 February 20, 1996
 March 19, 1996
 April 16, 1996
 May 21, 1996
 June 18, 1996
 July 16, 1996
 September 17, 1996
 October 15, 1996
 November 19, 1996
 December 17, 1996

All meetings will begin at 3:00 p.m. in the board room located in Building 15 on the Clover Park Technical College campus at 4500 Steilacoom Boulevard S.W., Tacoma, WA 98499.

WSR 96-01-067
NOTICE OF PUBLIC MEETINGS
SOUTH PUGET SOUND
COMMUNITY COLLEGE
 [Memorandum—December 14, 1995]

At their December 14, 1995 meeting, the board of trustees of Community College District 24 changed the 3:00 p.m. start time of their regular January 4, 1996, meeting to begin at 1:30 p.m. in the Boardroom of Building 25 on our campus.

WSR 96-01-073
EXECUTIVE ORDER
OFFICE OF THE GOVERNOR
 [EO 95-06]

ESTABLISHING THE GOVERNOR'S HEALTH CARE
OUTREACH TASK FORCE FOR ETHNIC, MINORITY
AND OTHER UNDERSERVED POPULATIONS

WHEREAS, it is one of this Governor's top priorities to promote increased access to health care services for all Washington residents; and

MISCELLANEOUS

WHEREAS, the success of the Basic Health Plan and the Medicaid program expansion for children in families up to 200% of the federal poverty level has led to a significant expansion of the availability of affordable health care for working families; and

WHEREAS, historically, within the population of those who have health insurance, the ethnic and minority communities have been underserved and the Basic Health Plan and Department of Social and Health Services are striving to achieve appropriate representation from within these communities; and

WHEREAS, it would not be possible to reach optimum health insurance enrollment goals with the before-mentioned communities without community based efforts and public private partnerships;

NOW, THEREFORE, I, Mike Lowry, Governor of the state of Washington, by virtue of the authority vested in me, do hereby establish the Governor's Health Care Outreach Task Force.

1. The Task Force is charged with the responsibility to work with the Health Care Authority and DSHS's Medical Assistance Administration to review current outreach activities and make recommendations for the building of successful and sustainable systems within and among communities that will result in increased access to health coverage and health care in traditionally underserved communities, including ethnic, minority populations and people with limited or no English language proficiency.
2. The Task Force will have the following goals:
 - a. Creation of effective systems to increase enrollment in the Basic Health Plan, BHP Plus and other Medical Assistance programs among ethnic, minority and underserved populations.
 - b. Develop successful models for providing information on health coverage in target communities.
 - c. Establish information structures for the target communities focusing on; access to available coverage, health care choices, and methods for expressing personal health beliefs and preferences to health providers.
 - d. Increase the involvement of community leaders and key organizations in providing information on health care access in their communities.
 - e. Promote peer outreach to minimize cultural barriers to health care access.
3. The following results will be expected from the Task Force:
 - a. Provision of appropriate information on health coverage in target communities; and
 - b. Development of sustainable community-based efforts that will assure continued enrollment in the state's health programs.
4. The Governor shall appoint the members of the Task Force and the Task Force chair.
5. The Task Force will report to the Governor.
6. The Task Force will meet monthly. Task Force members will be reimbursed for expenses according to RCW 43.03.050.
7. The Task Force shall advise the Governor on legislative and executive proposals.
8. This Executive Order shall take effect immediately and terminate May 31, 1996.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the State of Washington to be affixed at Olympia this 15th day of December, A.D., nineteen hundred and ninety five.

Mike Lowry
Governor of Washington

BY THE GOVERNOR:

Ralph Munro
Secretary of State

WSR 96-01-075
RULES COORDINATOR
EXECUTIVE ETHICS BOARD
[Filed December 18, 1995, 1:05 p.m.]

The Washington State Executive Ethics Board has designated Barbara Cook, Secretary to the Board, as rules coordinator. Ms. Cook's address and telephone number are as follows:

Barbara Cook, Secretary
Washington State Executive Ethics Board
1125 Washington Street S.E.
P.O. Box 40100
Olympia, WA 98504-0100
(360) 664-0871 (office)
(360) 664-0229 (FAX)

WSR 96-01-076
NOTICE OF PUBLIC MEETINGS
CLARK COLLEGE
[Memorandum—December 14, 1995]

The purpose of this letter is to advise of the 1996 regular meeting schedule for the board of trustees of Clark College. Meeting dates for 1996 are as follows:

- January 24
- February 28
- March 13
- April 24
- May 22
- June 26
- July 24
- August 28
- September 25
- October 23
- November 20
- December 18

WSR 96-01-091
NOTICE OF PUBLIC MEETINGS
FAMILY POLICY COUNCIL
 [Memorandum—December 18, 1995]

1996 BUDGET SUBCOMMITTEE

Meeting Schedule

Time: 6:00 - 9:00 p.m.
Location: The Attorney General's
 Conference Center
 4224 6th Avenue S.E.
 Rowe 6 - Building 1
 Lacey, WA
Dates: Wednesday, January 10
 Wednesday, February 7
 Wednesday, March 6
 Wednesday, April 10
 Wednesday, May 8
 Wednesday, June 5
 Wednesday, July 23
 Wednesday, August 7
 Wednesday, September 4
 Tuesday, October 8
 Wednesday, November 6
 Thursday, December 5

WSR 96-01-097
NOTICE OF PUBLIC MEETINGS
CENTRALIA COLLEGE
 [Memorandum—December 15, 1995]

The board of trustees for Washington Community College District Twelve, at their meeting on December 14, 1995, adopted the following regular meeting schedule for the 1996 calendar year.

BOARD OF TRUSTEES

Meeting Schedule
 1996

DATE	TIME	LOCATION
Thursday, January 11, 1996	4:30 p.m.	College Boardroom
Thursday, February 8, 1996	4:30 p.m.	College Boardroom
Thursday, March 14, 1996	4:30 p.m.	College Boardroom
Thursday, April 11, 1996	4:30 p.m.	East County Center Morton, Washington
Thursday, May 9, 1996	4:30 p.m.	College Boardroom
Thursday, June 13, 1996	4:30 p.m.	College Boardroom
Thursday, July 11, 1996	4:30 p.m.	College Boardroom
Thursday, August 8, 1996	4:30 p.m.	College Boardroom
Thursday, September 11, 1996	4:30 p.m.	College Boardroom
Thursday, October 10, 1996	4:30 p.m.	College Boardroom
Thursday, November 21, 1996	4:30 p.m.	College Boardroom
Thursday, December 12, 1996	4:30 p.m.	College Boardroom

WSR 96-01-092
NOTICE OF PUBLIC MEETINGS
OLYMPIC COLLEGE
 [Memorandum—December 18, 1995]

The board of trustees has canceled the regular board meeting that was scheduled to be held on December 26, 1995, at 7:30 p.m. in the Board Room at Olympic College, District No. 3, Bremerton, Washington.

WSR 96-01-096
NOTICE OF PUBLIC MEETINGS
EDMONDS COMMUNITY COLLEGE
 [Memorandum—December 15, 1995]

The board of trustees adopted the following schedule for its 1996 meetings:

1996 EdCC Board of Trustees Meeting Schedule

January 18, 1996	4:30 p.m.	Thursday
February 15, 1996	4:30 p.m.	Thursday
March 21, 1996	4:30 p.m.	Thursday
April 18, 1996	4:30 p.m.	Thursday
May 16, 1996	4:30 p.m.	Thursday
June 20, 1996	4:30 p.m.	Thursday
July 18, 1996	4:30 p.m.	Thursday
August 15, 1996	4:30 p.m.	Thursday
September 19, 1996	4:30 p.m.	Thursday
October 17, 1996	4:30 p.m.	Thursday
November 14, 1996	4:30 p.m.	Thursday
December 19, 1996	4:30 p.m.	Thursday

WSR 96-01-106
NOTICE OF PUBLIC MEETINGS
HUMAN RIGHTS COMMISSION
 [Memorandum—December 18, 1995]

1996 SCHEDULE OF COMMISSION MEETINGS

DATE(S)	LOCATION
January 25-26	Tacoma
February 15-16	Olympia
March 14-15	Silverdale
April 18-19	Walla Walla
May 16-17	Seattle (Public Hearing)
June 27-28	Yakima
July 25-26	Bellingham (Planning Session)
August 23	Olympia (Conference Call)
September 26-27	Spokane*
October 24-25	Vancouver
November 15	Olympia (Conference Call)
December 20	Olympia (Conference Call)

*NWCAMH Conference scheduled for September 27-29.

Except for the conference calls, the usual format for these meetings is a planning and training session on Thursday evening from 7:00-9:00 p.m. and a regular business meeting beginning at 9:00 a.m. on Friday, during which petitions for reconsideration of findings are voted on by the commissioners.

MISCELLANEOUS

**WSR 96-01-110
HOUSING FINANCE COMMISSION**

[Filed December 20, 1995, 9:25 a.m.]

NOTICE OF PUBLIC HEARING

The Washington State Housing Finance Commission (the "commission") will hold an open public hearing for the purpose of accepting public comment on the biennial review of amendments to the commission's housing finance plan, as required by laws governing the commission. The public hearing will be held at 10 a.m., Wednesday, February 14, 1996, at the Spokane County Commissioner's Assembly Room, Spokane Public Works Building, 1026 West Broadway, Spokane, WA.

The state housing finance plan provides the general policies of the commission and specific policies with regard to the programs of the commission. The plan outlines the manner in which the commission intends to issue bonds during the period in accordance with the goals and objectives of the plan.

The commission is encouraging public comment on the proposed housing finance plan. Interested parties and individuals are encouraged to send written comments to the commission at the address provided below or to attend the public hearing. A copy of the proposed document may be obtained by telephone or written request to the commission and will be available at the commission office as of February 1, 1996.

Written public comment is invited, but must be received by Thursday, February 8, 1996, in the offices of the Washington State Housing Finance Commission, 1000 Second Avenue, Suite 2700, Seattle, WA 98104-1046. Verbal testimony will be heard from all interested members of the public attending the hearing. The commission will consider the public testimony and written comments in potential changes made to its housing finance plan.

Kim Herman
Executive Director

**WSR 96-01-111
HOUSING FINANCE COMMISSION**

[Filed December 20, 1995, 9:26 a.m.]

NOTICE OF PUBLIC HEARING

The Washington State Housing Finance Commission (the "commission") will hold an open public hearing for the purpose of accepting public comment on the biennial review of amendments to the commission's housing finance plan, as required by laws governing the commission. The public hearing will be held at 10 a.m., Tuesday, February 13, 1996, at the Commission Office, Conference Room, 1000 Second Avenue, Suite 2700, Seattle, WA.

The state housing finance plan provides the general policies of the commission and specific policies with regard to the programs of the commission. The plan outlines the manner in which the commission intends to issue bonds during the period in accordance with the goals and objectives of the plan.

The commission is encouraging public comment on the proposed housing finance plan. Interested parties and individuals are encouraged to send written comments to the commission at the address provided below or to attend the public hearing. A copy of the proposed document may be obtained by telephone or written request to the commission and will be available at the commission office as of February 1, 1996.

Written public comment is invited, but must be received by Thursday, February 8, 1996, in the offices of the Washington State Housing Finance Commission, 1000 Second Avenue, Suite 2700, Seattle, WA 98104-1046. Verbal testimony will be heard from all interested members of the public attending the hearing. The commission will consider the public testimony and written comments in potential changes made to its housing finance plan.

Kim Herman
Executive Director

**WSR 96-01-112
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF AGRICULTURE**

(Red Raspberry Commission)

[Memorandum—December 14, 1995]

The Washington Red Raspberry Commission's 1996 schedule of board meetings is:

January 4	4:00 p.m.	Sea-Tac Marriott Hotel
April 24	10:00 a.m.	Bellingham Cruise Terminal
October 24	10:00 a.m.	Bellingham Cruise Terminal
December 12	10:00 a.m.	Bellingham Cruise Terminal

**WSR 96-01-113
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF AGRICULTURE**

(Puget Sound Gillnet Salmon Commission)

[Memorandum—December 18, 1995]

The Puget Sound Gillnet Salmon Commission hereby complies with the regulations as stated in RCW 42.30.075. Following are the dates, times and locations of our 1996 schedule of meetings:

Regular Meeting	January 9, 1996	5:00 p.m.
Annual Meeting	April 2, 1996	5:00 p.m.
Regular Meeting	September 10, 1996	5:00 p.m.

All meetings to be held at 1402 West Marine View Drive, Suite C, Everett, WA.

**WSR 96-01-114
NOTICE OF PUBLIC MEETINGS
UNIVERSITY OF WASHINGTON**

[Memorandum—December 18, 1995]

In accordance with RCW 42.30.075, 28B.20.105, 28B.20.130, and WAC 478-04-030, the board of regents of the University of Washington established the following meeting schedule for 1996 at its regular meeting held December 15, 1995.

MISCELLANEOUS

Day Date
 Friday January 19
 Friday February 16
 Friday March 15
 Friday April 19
 Friday May 17
 Friday June 7
 Friday July 19
 Friday August 16
 Friday September 20
 Friday October 18
 Friday November 22 (in Spokane)
 Friday December 13

The meetings will commence at 1:00 p.m. unless public notice is given to the contrary. The meetings will be held in Room 301 Gerberding Hall on the University of Washington main campus, Seattle, Washington, unless another location is established and public notice given in accordance with chapter 42.30 RCW.

To request disability accommodations, contact the Office of the ADA Coordinator, at least ten days in advance of the event, 543-6450 (voice); 543-6452 (TDD); 685-3885 (FAX); access@u.washington.edu (E-mail).

WSR 96-01-115
PROCLAMATION
OFFICE OF THE GOVERNOR
 [December 18, 1995]

WHEREAS, the major flooding and high winds which began November 7, 1995 are continuing to cause extensive damage throughout Washington State; and

WHEREAS, flooding and high winds have caused extensive damage to homes, businesses, utilities, roads, bridges, and the state highway system in Pacific, Kitsap, Grays Harbor, Klickitat, Benton, Spokane, Ferry, Skamania, and Island Counties;

NOW, THEREFORE, I, Mike Lowry, Governor of the state of Washington as a result of the aforementioned situations and under RCW 43.06 and 38.52, do hereby amend the proclamation of November 28, 1995, which included activation of the Washington State National Guard, and further proclaim that a State of Emergency exists in Pacific, Kitsap, Grays Harbor, Klickitat, Benton, Spokane, Ferry, Skamania, and Island Counties and authorize execution of the Washington State Emergency Management Plan.

IN WITNESS whereas, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia, this eighteenth day of December, A.D., nineteen hundred and ninety-five.

Mike Lowry
 Governor of Washington

BY THE GOVERNOR:

Michelle Burkheimer
 Acting Deputy Secretary of State

WSR 96-01-116
NOTICE OF PUBLIC MEETINGS
LAND USE
STUDY COMMISSION
 [Memorandum—December 20, 1995]
1996 Monthly Meeting Schedule

DATE	TIME	LOCATION
January 1/9/96	12:30 p.m. - 4:30 p.m.	Attorney General's Training Center Bank of California Building 24th Floor Room 2400 900 4th Avenue Seattle
February 2/13/96	12:30 p.m. - 4:30 p.m.	Attorney General's Training Center Bank of California Building 25th Floor Room 2400 900 4th Avenue Seattle
March 3/12/96	12:30 p.m. - 4:30 p.m.	Tacoma World Trade Center Room 104 3600 Port of Tacoma Road Exit 136 off I-5 Tacoma
April 4/9/96	12:30 p.m. - 4:30 p.m.	Attorney General's Training Center Bank of California Building 24th Floor Room 2400 900 4th Avenue Seattle
May 5/1/96	12:30 p.m. - 4:30 p.m.	Attorney General's Training Center Bank of California Building 24th Floor Room 2400 900 4th Avenue Seattle
June 6/11/96	12:30 p.m. - 4:30 p.m.	Ecology Northwest Regional Office Room 1A 3190 160th Ave S.E. Bellevue (parking across the street)
July 7/9/96	12:30 p.m. - 4:30 p.m.	Council Chamber Everett City Hall 1st Floor 3002 Wetmore Everett
August 8/13/96	12:30 p.m. - 4:30 p.m.	Puget Sound Regional Council 6th Floor Board Room 1011 Western Avenue Seattle
September 9/10/96	12:30 p.m. - 4:30 p.m.	Department of Ecology Auditorium 300 Desmond Drive S.W. Lacey
October 10/8/96	12:30 p.m. - 4:30 p.m.	Attorney General's Training Center Bank of California Building 24th Floor Room 2400 900 4th Avenue Seattle
November 11/12/96	12:30 p.m. - 4:30 p.m.	Attorney General's Training Center Bank of California Building 24th Floor Room 2400 900 4th Avenue Seattle

MISCELLANEOUS

December 12:30 p.m. - 4:30 p.m.
12/10/96

Puget Sound Regional Council
6th Floor Board Room
1011 Western Avenue
Seattle

Meetings are accessible to persons with disabilities. Accommodations may be arranged by calling (360) 586-1274.

If you need to be removed from this mail file list please notify us at (360) 586-1274.

WSR 96-01-121
NOTICE OF PUBLIC MEETINGS
BUILDING CODE COUNCIL

[Memorandum—December 19, 1995]

The following is the schedule for the 1996 regular meetings of the State Building Code Council, as adopted on November 16, 1995. Any variations will be announced in advance. For further information, contact Krista Braaksma at (360) 753-5927.

- January 10 Spokane Public Library
 906 West Main
 Spokane, WA
- February Possible meeting to be announced
- March 13 Auditorium
 General Administration Building
 11th and Columbia
 Olympia, Washington
- April 10 WestCoast SeaTac Hotel
 18220 Pacific Highway South
 SeaTac, WA
- May 8 Educational Service District 105
 Kittitas Room
 33 South Second Avenue
 Yakima, WA
- June 12 WestCoast SeaTac Hotel
 18220 Pacific Highway South
 SeaTac, WA
- July 10 Spokane Public Library
 906 West Main
 Spokane, WA
- August No meeting scheduled
- September 11 Spokane Public Library
 906 West Main
 Spokane, WA
- October 9 WestCoast SeaTac Hotel
 18220 Pacific Highway south
 SeaTac, WA
- November 13 Olympia, Washington
 Location to be announced
- December No meeting scheduled

WSR 96-01-122
OFFICE OF THE
SECRETARY OF STATE

[Filed December 20, 1995, 11:25 a.m.]

August 1995 Voluntary and Administrative Corporate dissolutions under the jurisdiction of the Washington Business Corporation Act, chapter 23B.14 RCW, Dissolution.

Legislation passed in the 1995 session requires the Corporations Division to publish a list of dissolved corporations on a monthly basis. Dissolutions which are within the jurisdiction of the Washington Business Corporation Act include dissolutions requested by individual corporations (voluntary) and those which are dissolved by the Corporations Division (administrative).

In the case of an error, please notify our office by telephone, mail, or FAX. Contact Karen Dick, Operations Manager, FAX (360) 664-8781, phone (360) 586-6782, Corporations Division, Office of the Secretary of State, P.O. Box 40234, Olympia, WA 98504-0234.

Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 96-02 Issue of the Register.

MISCELLANEOUS



Table of WAC Sections Affected

KEY TO TABLE

This table covers the current calendar year through this issue of the Register and should be used to locate rules amended, adopted, or repealed subsequent to the publication date of the latest WAC or Supplement.

Symbols:

- AMD = Amendment of existing section
- A/R = Amending and recodifying a section
- DECOD = Decodification of an existing section
- NEW = New section not previously codified
- OBJEC = Notice of objection by Joint Administrative Rules Review Committee
- PREP = Preproposal comments
- RE-AD = Readoption of existing section
- RECOD = Recodification of previously codified section
- REP = Repeal of existing section
- RESCIND = Rescind previous emergency rule
- REVIEW = Review of 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

WAC # shows the section number under which an agency rule is or will be codified in the Washington Administrative Code.

WSR # shows the issue of the Washington State Register where the document may be found; the last three digits identify the document within the issue.

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
1-21	PREP	95-11-115	16-158	AMD	95-13-072	16-164-090	AMD	95-13-073
1-21-010	AMD-P	95-14-044	16-158-010	AMD-P	95-10-098	16-164-100	AMD-P	95-10-099
1-21-010	AMD	95-17-070	16-158-010	AMD	95-13-072	16-164-100	AMD	95-13-073
1-21-020	AMD-P	95-14-044	16-158-020	AMD-P	95-10-098	16-166	PREP	95-07-016
1-21-020	AMD	95-17-070	16-158-020	AMD	95-13-072	16-166-010	REP-P	95-10-100
1-21-040	AMD-P	95-14-044	16-158-025	NEW-P	95-10-098	16-166-010	REP	95-13-074
1-21-040	AMD	95-17-070	16-158-025	NEW	95-13-072	16-166-020	REP-P	95-10-100
1-21-050	AMD-P	95-14-044	16-158-027	NEW-P	95-10-098	16-166-020	REP	95-13-074
1-21-050	AMD	95-17-070	16-158-027	NEW	95-13-072	16-166-030	REP-P	95-10-100
1-21-170	AMD-P	95-14-044	16-158-030	AMD-P	95-10-098	16-166-030	REP	95-13-074
1-21-170	AMD	95-17-070	16-158-030	AMD	95-13-072	16-166-040	REP-P	95-10-100
1-21-180	NEW-P	95-14-044	16-158-040	AMD-P	95-10-098	16-166-040	REP	95-13-074
1-21-180	NEW	95-17-070	16-158-040	AMD	95-13-072	16-166-050	REP-P	95-10-100
4-25-710	AMD-P	95-09-066	16-158-050	AMD-P	95-10-098	16-166-050	REP	95-13-074
4-25-710	AMD	95-20-065	16-158-050	AMD	95-13-072	16-166-060	REP-P	95-10-100
16-08-002	AMD-P	95-15-100	16-158-060	AMD-P	95-10-098	16-166-060	REP	95-13-074
16-08-002	AMD	95-18-008	16-158-060	AMD-W	95-23-048	16-166-070	REP-P	95-10-100
16-08-021	AMD-P	95-15-100	16-158-070	REP-P	95-10-098	16-166-070	REP	95-13-074
16-08-021	AMD	95-18-008	16-158-070	REP	95-13-072	16-166-080	REP-P	95-10-100
16-54-030	AMD-E	95-15-077	16-158-080	AMD-P	95-10-098	16-166-080	REP	95-13-074
16-101-700	AMD-W	95-04-036	16-158-080	AMD	95-13-072	16-166-090	REP-P	95-10-100
16-101-700	AMD-P	95-10-020	16-158-090	AMD-P	95-10-098	16-166-090	REP	95-13-074
16-101-700	AMD-W	95-11-082	16-158-090	AMD	95-13-072	16-230-190	AMD-P	95-10-094
16-144-001	AMD-E	95-10-049	16-158-100	AMD-P	95-10-098	16-230-190	AMD	95-14-093
16-144-001	AMD-P	95-12-084	16-158-100	AMD	95-13-072	16-300-010	AMD-P	95-23-070
16-144-001	AMD	95-16-062	16-158-120	AMD-P	95-10-098	16-316-474	AMD-P	95-18-063
16-144-015	NEW-E	95-10-049	16-158-120	AMD	95-13-072	16-316-474	AMD	95-22-037
16-144-145	NEW-P	95-12-084	16-158-130	AMD-P	95-10-098	16-316-525	AMD-P	95-18-062
16-144-145	NEW	95-16-062	16-158-130	AMD	95-13-072	16-316-525	AMD	95-22-036
16-144-146	NEW-P	95-12-084	16-158-150	NEW-P	95-10-098	16-316-715	AMD-P	95-18-062
16-144-146	NEW	95-16-062	16-158-150	NEW	95-13-072	16-316-715	AMD	95-22-036
16-144-147	NEW-P	95-12-084	16-164	PREP	95-07-017	16-316-727	AMD-P	95-18-062
16-144-147	NEW	95-16-062	16-164	AMD-P	95-10-099	16-316-727	AMD	95-22-036
16-144-148	NEW-P	95-12-084	16-164	AMD	95-13-073	16-319-041	PREP	95-23-069
16-144-148	NEW	95-16-062	16-164-010	AMD-P	95-10-099	16-354-005	AMD-P	95-15-099
16-144-149	NEW-P	95-12-084	16-164-010	AMD	95-13-073	16-354-005	AMD	95-18-034
16-144-149	NEW	95-16-062	16-164-020	AMD-P	95-10-099	16-354-010	AMD-P	95-15-099
16-144-150	NEW-P	95-12-084	16-164-020	AMD	95-13-073	16-354-010	AMD	95-18-034
16-144-150	NEW	95-16-062	16-164-030	AMD-P	95-10-099	16-354-070	AMD-P	95-15-099
16-144-151	NEW-P	95-12-084	16-164-030	AMD	95-13-073	16-354-070	AMD	95-18-034
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16-145-010	NEW-P	95-19-052	16-164-035	NEW	95-13-073	16-414-010	AMD	95-13-038
16-145-010	NEW-W	95-20-020	16-164-040	AMD-P	95-10-099	16-414-015	NEW-P	95-09-038
16-145-010	NEW-P	95-21-044	16-164-040	AMD	95-13-073	16-414-015	NEW	95-13-038
16-145-010	NEW	96-01-041	16-164-060	AMD-P	95-10-099	16-414-020	AMD-P	95-09-038
16-145-020	NEW-P	95-19-052	16-164-060	AMD	95-13-073	16-414-020	AMD	95-13-038
16-145-020	NEW-W	95-20-020	16-164-070	AMD-P	95-10-099	16-414-030	AMD-P	95-09-038
16-145-020	NEW-P	95-21-044	16-164-070	AMD	95-13-073	16-414-030	AMD	95-13-038
16-145-020	NEW	96-01-041	16-164-080	AMD-P	95-10-099	16-414-085	NEW-P	95-09-038
16-158	PREP	95-07-015	16-164-080	AMD	95-13-073	16-414-085	NEW	95-13-038
16-158	AMD-P	95-10-098	16-164-090	AMD-P	95-10-099	16-414-090	AMD-P	95-09-038

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16-461-010	AMD-P	95-09-038	16-580	PREP	95-08-004	16-750-005	AMD-P	95-24-112
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16-493-001	NEW	95-17-098	16-580-020	AMD	95-22-035	16-750-015	AMD	95-06-002
16-493-005	NEW-P	95-15-097	16-580-070	AMD-P	95-10-096	16-750-015	AMD-P	95-24-112
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16-493-015	NEW-P	95-15-097	16-585-020	NEW-P	95-05-071	30-01-020	AMD-P	95-12-098
16-493-015	NEW	95-17-098	16-585-020	NEW	95-15-102	30-01-020	AMD	95-15-040
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16-493-020	NEW	95-17-098	16-585-030	NEW	95-15-102	30-01-030	REP	95-15-040
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16-493-025	NEW	95-17-098	16-585-040	NEW	95-15-102	30-01-040	AMD	95-15-040
16-493-030	NEW-P	95-15-097	16-585-050	NEW-P	95-05-071	30-01-050	AMD-P	95-12-098
16-493-030	NEW	95-17-098	16-585-050	NEW	95-15-102	30-01-050	AMD	95-15-040
16-493-035	NEW-P	95-15-097	16-585-060	NEW-P	95-05-071	30-01-060	AMD-P	95-12-098
16-493-035	NEW	95-17-098	16-585-060	NEW	95-15-102	30-01-060	AMD	95-15-040
16-493-040	NEW-P	95-15-097	16-585-070	NEW-P	95-05-071	30-02-010	NEW-P	95-12-098
16-493-040	NEW	95-17-098	16-585-070	NEW	95-15-102	30-02-010	NEW	95-15-040
16-493-045	NEW-P	95-15-097	16-585-080	NEW-P	95-05-071	30-04-040	AMD-P	95-12-098
16-493-045	NEW	95-17-098	16-585-080	NEW	95-15-102	30-04-040	AMD	95-15-040
16-493-050	NEW-P	95-15-097	16-585-090	NEW-P	95-05-071	30-04-050	AMD-P	95-12-098
16-493-050	NEW	95-17-098	16-585-090	NEW	95-15-102	30-04-050	AMD	95-15-040
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16-495-200	NEW-W	95-14-034	16-620-105	NEW	95-23-019	30-04-060	AMD	95-15-040
16-495-205	NEW-P	95-11-118	16-674	PREP	95-17-034	30-04-090	AMD-P	95-12-098
16-495-205	NEW-W	95-14-034	16-674-010	AMD-P	95-21-098	30-04-090	AMD	95-15-040
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16-495-210	NEW-W	95-14-034	16-674-059	NEW-P	95-09-090	30-04-100	REP	95-15-040
16-495-215	NEW-P	95-11-118	16-674-059	NEW-W	95-11-070	30-04-110	REP-P	95-12-098
16-495-215	NEW-W	95-14-034	16-674-060	AMD-P	95-09-090	30-04-110	REP	95-15-040
16-495-220	NEW-P	95-11-118	16-674-060	AMD-W	95-11-070	30-08-030	AMD-P	95-12-098
16-495-220	NEW-W	95-14-034	16-674-060	REP-P	95-21-098	30-08-030	AMD	95-15-040
16-495-225	NEW-P	95-11-118	16-674-060	REP	96-01-040	30-08-040	AMD-P	95-12-098
16-495-225	NEW-W	95-14-034	16-674-065	NEW-P	95-21-098	30-08-040	AMD	95-15-040
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16-495-235	NEW-W	95-14-034	16-674-070	REP	96-01-040	30-12-020	REP	95-15-040
16-495-240	NEW-P	95-11-118	16-674-080	AMD-P	95-09-090	30-12-020	REP	95-15-040
16-495-240	NEW-W	95-14-034	16-674-080	AMD-W	95-11-070	30-12-030	AMD-P	95-12-098
16-495-245	NEW-P	95-11-118	16-674-080	AMD-P	95-21-098	30-12-030	AMD	95-15-040
16-495-245	NEW-W	95-14-034	16-674-080	AMD	96-01-040	30-12-050	AMD-P	95-12-098
16-495-250	NEW-P	95-11-118	16-674-090	AMD-P	95-21-098	30-12-050	AMD	95-15-040
16-495-250	NEW-W	95-14-034	16-674-090	AMD	96-01-040	30-12-060	AMD-P	95-12-098
16-495-255	NEW-P	95-11-118	16-674-092	NEW-P	95-21-098	30-12-060	AMD	95-15-040
16-495-255	NEW-W	95-14-034	16-674-092	NEW	96-01-040	30-12-070	REP-P	95-12-098
16-497-005	AMD-P	95-15-098	16-674-095	NEW-P	95-21-098	30-12-070	REP	95-15-040
16-497-005	AMD	95-18-033	16-674-095	NEW	96-01-040	30-12-080	AMD-P	95-12-098
16-497-030	AMD-P	95-15-098	16-674-100	REP-P	95-21-098	30-12-080	AMD	95-15-040
16-497-030	AMD	95-18-033	16-674-100	REP	96-01-040	30-12-090	AMD-P	95-12-098
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16-529-150	AMD-P	95-20-085	16-675-010	AMD	95-21-097	30-12-100	AMD-P	95-12-098
16-532-035	PREP	95-09-079	16-675-029	REP-P	95-09-089	30-12-100	AMD	95-15-040
16-532-035	AMD-P	95-10-095	16-675-029	REP-W	95-11-071	30-12-120	REP-P	95-12-098
16-532-035	AMD	95-17-118	16-675-029	REP-P	95-17-093	30-12-120	REP	95-15-040
16-532-040	PREP	95-09-079	16-675-029	REP	95-21-097	30-12-140	REP-P	95-12-098
16-532-040	AMD-P	95-10-095	16-675-030	AMD-P	95-09-089	30-12-140	REP	95-15-040
16-532-040	AMD	95-17-118	16-675-030	AMD-W	95-11-071	30-12-160	AMD-P	95-12-098
16-532-101	PREP	95-09-079	16-675-030	AMD-P	95-17-093	30-12-160	AMD	95-15-040
16-532-120	PREP	95-09-079	16-675-039	AMD	95-21-097	30-14-010	NEW-P	95-12-098
16-532-120	AMD-P	95-10-095	16-675-039	REP-P	95-09-089	30-14-010	NEW	95-15-040
16-532-120	AMD	95-17-118	16-675-039	REP-W	95-11-071	30-14-020	NEW-P	95-12-098
16-536-020	PREP	95-08-005	16-675-039	REP-P	95-17-093	30-14-020	NEW	95-15-040
16-536-020	AMD-P	95-12-089	16-675-040	REP	95-21-097	30-14-030	AMD-P	95-12-098
16-536-020	AMD	95-17-117	16-675-040	AMD-P	95-09-089	30-14-030	NEW	95-15-040
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30-48-050	REP	95-15-040	50-30-075	NEW-P	95-22-106	50-60-150	AMD	95-13-091
30-48-060	REP-P	95-12-098	50-30-080	AMD-E	95-18-060	50-60-160	AMD-P	95-05-084
30-48-060	REP	95-15-040	50-30-080	AMD-P	95-22-106	50-60-160	AMD	95-13-091
30-48-070	REP-P	95-12-098	50-30-085	NEW-E	95-18-060	50-60-165	AMD-P	95-05-084
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44-10-030	AMD-P	95-23-099	50-30-110	REP-P	95-22-106	50-60-190	NEW	95-13-091
44-10-031	NEW-P	95-23-099	50-44-020	AMD-P	96-01-019	50-60-200	NEW-P	95-05-084
44-10-040	AMD-P	95-23-099	50-44-020	AMD-E	96-01-054	50-60-200	NEW	95-13-091
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44-10-060	AMD-P	95-23-099	50-44-025	NEW-E	96-01-054	50-60-210	NEW	95-13-091
44-10-070	AMD-P	95-23-099	50-60-010	AMD-P	95-05-084	51-20	PREP	95-03-086
44-10-080	AMD-P	95-23-099	50-60-010	AMD	95-13-091	51-20-001	REP-P	95-04-106
44-10-090	AMD-P	95-23-099	50-60-020	AMD-P	95-05-084	51-20-001	REP	95-11-107
44-10-100	AMD-P	95-23-099	50-60-020	AMD	95-13-091	51-20-002	REP-P	95-04-106
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44-10-130	AMD-P	95-23-099	50-60-035	NEW-P	95-05-084	51-20-003	REP	95-11-107
44-10-140	AMD-P	95-23-099	50-60-035	NEW	95-13-091	51-20-004	REP-P	95-04-106
44-10-150	AMD-P	95-23-099	50-60-040	AMD-P	95-05-084	51-20-004	REP	95-11-107
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44-10-210	AMD-P	95-23-099	50-60-050	AMD-P	95-05-084	51-20-008	REP	95-11-107
44-10-220	REP-P	95-23-099	50-60-050	AMD	95-13-091	51-20-009	REP-P	95-04-106
44-10-221	NEW-P	95-23-099	50-60-060	AMD-P	95-05-084	51-20-009	REP	95-11-107
44-10-222	NEW-P	95-23-099	50-60-060	AMD	95-13-091	51-20-0100	REP-P	95-04-106
44-10-223	NEW-P	95-23-099	50-60-070	AMD-P	95-05-084	51-20-0100	REP	95-11-107
44-10-230	REP-P	95-23-099	50-60-070	AMD	95-13-091	51-20-0104	REP-P	95-04-106
44-10-300	AMD-P	95-23-099	50-60-080	AMD-P	95-05-084	51-20-0104	REP	95-11-107
44-10-310	AMD-P	95-23-099	50-60-080	AMD	95-13-091	51-20-0300	REP-P	95-04-106
44-10-320	REP-P	95-23-099	50-60-08001	NEW-P	95-05-084	51-20-0300	REP	95-11-107
50-20	PREP	95-13-090	50-60-08002	NEW-P	95-05-084	51-20-0307	REP-P	95-04-106
50-20-100	AMD-P	95-22-107	50-60-08003	NEW-P	95-05-084	51-20-0307	REP	95-11-107
50-20-110	AMD-P	95-22-107	50-60-08004	NEW-P	95-05-084	51-20-0400	REP-P	95-04-106
50-20-120	AMD-P	95-22-107	50-60-08005	NEW-P	95-05-084	51-20-0400	REP	95-11-107
50-20-130	AMD-P	95-22-107	50-60-08005	NEW	95-13-091	51-20-0404	REP-P	95-04-106
50-20-140	AMD-P	95-22-107	50-60-08006	NEW-P	95-05-084	51-20-0404	REP	95-11-107
50-20-150	AMD-P	95-22-107	50-60-08007	NEW-P	95-05-084	51-20-0407	REP-P	95-04-106
50-20-160	AMD-P	95-22-107	50-60-08008	NEW-P	95-05-084	51-20-0407	REP	95-11-107
50-20-170	REP-P	95-22-107	50-60-08010	NEW	95-13-091	51-20-0409	REP-P	95-04-106
50-20-190	AMD-P	95-22-107	50-60-08015	NEW	95-13-091	51-20-0409	REP	95-11-107
50-20-200	REP-P	95-22-107	50-60-08020	NEW	95-13-091	51-20-0414	REP-P	95-04-106
50-30	PREP	95-16-025	50-60-08025	NEW	95-13-091	51-20-0414	REP	95-11-107
50-30-005	NEW-E	95-18-060	50-60-08030	NEW	95-13-091	51-20-0417	REP-P	95-04-106
50-30-005	NEW-P	95-22-106	50-60-08035	NEW	95-13-091	51-20-0417	REP	95-11-107
50-30-010	AMD-E	95-18-060	50-60-08040	NEW	95-13-091	51-20-0420	REP-P	95-04-106
50-30-010	AMD-P	95-22-106	50-60-09001	NEW-P	95-05-084	51-20-0420	REP	95-11-107
50-30-015	NEW-E	95-18-060	50-60-09002	NEW-P	95-05-084	51-20-0500	REP-P	95-04-106
50-30-015	NEW-P	95-22-106	50-60-09003	NEW-P	95-05-084	51-20-0500	REP	95-11-107
50-30-020	AMD-E	95-18-060	50-60-09004	NEW-P	95-05-084	51-20-0503	REP-P	95-04-106
50-30-020	AMD-P	95-22-106	50-60-09005	NEW	95-13-091	51-20-0503	REP	95-11-107
50-30-025	NEW-E	95-18-060	50-60-09010	NEW	95-13-091	51-20-0514	REP-P	95-04-106
50-30-025	NEW-P	95-22-106	50-60-09015	NEW	95-13-091	51-20-0514	REP	95-11-107
50-30-030	AMD-E	95-18-060	50-60-09020	NEW	95-13-091	51-20-0515	REP-P	95-04-106
50-30-030	AMD-P	95-22-106	50-60-100	AMD-P	95-05-084	51-20-0515	REP	95-11-107
50-30-035	NEW-E	95-18-060	50-60-100	AMD	95-13-091	51-20-0551	REP-P	95-04-106
50-30-035	NEW-P	95-22-106	50-60-110	AMD-P	95-05-084	51-20-0551	REP	95-11-107
50-30-040	AMD-P	95-22-106	50-60-110	AMD	95-13-091	51-20-0600	REP-P	95-04-106
50-30-050	AMD-E	95-18-060	50-60-120	AMD-P	95-05-084	51-20-0600	REP	95-11-107
50-30-050	AMD-P	95-22-106	50-60-120	AMD	95-13-091	51-20-0605	REP-P	95-04-106
50-30-060	AMD-P	95-22-106	50-60-125	NEW-P	95-05-084	51-20-0605	REP	95-11-107
50-30-065	NEW-E	95-18-060	50-60-125	NEW	95-13-091	51-20-0700	REP-P	95-04-106
50-30-065	NEW-P	95-22-106	50-60-130	AMD-P	95-05-084	51-20-0700	REP	95-11-107
50-30-068	NEW-E	95-18-060	50-60-130	AMD	95-13-091	51-20-0702	REP-P	95-04-106
50-30-068	NEW-P	95-22-106	50-60-140	AMD-P	95-05-084	51-20-0702	REP	95-11-107
50-30-070	AMD-E	95-18-060	50-60-140	AMD	95-13-091	51-20-0800	REP-P	95-04-106

TABLE

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
51-20-0800	REP	95-11-107	51-20-3105	REP-P	95-04-106	51-20-93118	REP	95-11-107
51-20-0801	REP-P	95-04-106	51-20-3105	REP	95-11-107	51-20-93119	REP-P	95-04-106
51-20-0801	REP	95-11-107	51-20-3106	REP-P	95-04-106	51-20-93119	REP	95-11-107
51-20-0802	REP-P	95-04-106	51-20-3106	REP	95-11-107	51-20-93120	REP-P	95-04-106
51-20-0802	REP	95-11-107	51-20-3107	REP-P	95-04-106	51-20-93120	REP	95-11-107
51-20-0900	REP-P	95-04-106	51-20-3107	REP	95-11-107	51-21	PREP	95-03-086
51-20-0900	REP	95-11-107	51-20-3108	REP-P	95-04-106	51-21-001	REP-P	95-04-106
51-20-0901	REP-P	95-04-106	51-20-3108	REP	95-11-107	51-21-001	REP	95-11-107
51-20-0901	REP	95-11-107	51-20-3109	REP-P	95-04-106	51-21-002	REP-P	95-04-106
51-20-0902	REP-P	95-04-106	51-20-3109	REP	95-11-107	51-21-002	REP	95-11-107
51-20-0902	REP	95-11-107	51-20-3110	REP-P	95-04-106	51-21-003	REP-P	95-04-106
51-20-1000	REP-P	95-04-106	51-20-3110	REP	95-11-107	51-21-003	REP	95-11-107
51-20-1000	REP	95-11-107	51-20-3111	REP-P	95-04-106	51-21-007	REP-P	95-04-106
51-20-1011	REP-P	95-04-106	51-20-3111	REP	95-11-107	51-21-007	REP	95-11-107
51-20-1011	REP	95-11-107	51-20-3112	REP-P	95-04-106	51-21-008	REP-P	95-04-106
51-20-1200	REP-P	95-04-106	51-20-3112	REP	95-11-107	51-21-008	REP	95-11-107
51-20-1200	REP	95-11-107	51-20-3113	REP-P	95-04-106	51-21-31010	REP-P	95-04-106
51-20-1201	REP-P	95-04-106	51-20-3113	REP	95-11-107	51-21-31010	REP	95-11-107
51-20-1201	REP	95-11-107	51-20-3114	REP-P	95-04-106	51-21-38030	REP-P	95-04-106
51-20-1210	REP-P	95-04-106	51-20-3114	REP	95-11-107	51-21-38030	REP	95-11-107
51-20-1210	REP	95-11-107	51-20-3151	REP-P	95-04-106	51-21-38038	REP-P	95-04-106
51-20-1215	REP-P	95-04-106	51-20-3151	REP	95-11-107	51-21-38038	REP	95-11-107
51-20-1215	REP	95-11-107	51-20-3152	REP-P	95-04-106	51-21-38039	REP-P	95-04-106
51-20-1223	REP-P	95-04-106	51-20-3152	REP	95-11-107	51-21-38039	REP	95-11-107
51-20-1223	REP	95-11-107	51-20-3153	REP-P	95-04-106	51-22	PREP	95-03-086
51-20-1224	REP-P	95-04-106	51-20-3153	REP	95-11-107	51-22-001	REP-P	95-04-106
51-20-1224	REP	95-11-107	51-20-3154	REP-P	95-04-106	51-22-001	REP	95-11-107
51-20-1225	REP-P	95-04-106	51-20-3154	REP	95-11-107	51-22-002	REP-P	95-04-106
51-20-1225	REP	95-11-107	51-20-3155	REP-P	95-04-106	51-22-002	REP	95-11-107
51-20-1226	REP-P	95-04-106	51-20-3155	REP	95-11-107	51-22-003	REP-P	95-04-106
51-20-1226	REP	95-11-107	51-20-3156	REP-P	95-04-106	51-22-003	REP	95-11-107
51-20-1227	REP-P	95-04-106	51-20-3156	REP	95-11-107	51-22-004	REP-P	95-04-106
51-20-1227	REP	95-11-107	51-20-3300	REP-P	95-04-106	51-22-004	REP	95-11-107
51-20-1228	REP-P	95-04-106	51-20-3300	REP	95-11-107	51-22-005	REP-P	95-04-106
51-20-1228	REP	95-11-107	51-20-3304	REP-P	95-04-106	51-22-005	REP	95-11-107
51-20-1229	REP-P	95-04-106	51-20-3304	REP	95-11-107	51-22-007	REP-P	95-04-106
51-20-1229	REP	95-11-107	51-20-3306	REP-P	95-04-106	51-22-007	REP	95-11-107
51-20-1230	REP-P	95-04-106	51-20-3306	REP	95-11-107	51-22-008	REP-P	95-04-106
51-20-1230	REP	95-11-107	51-20-3315	REP-P	95-04-106	51-22-008	REP	95-11-107
51-20-1231	REP-P	95-04-106	51-20-3315	REP	95-11-107	51-22-0400	REP-P	95-04-106
51-20-1231	REP	95-11-107	51-20-3350	REP-P	95-04-106	51-22-0400	REP	95-11-107
51-20-1232	REP-P	95-04-106	51-20-3350	REP	95-11-107	51-22-0423	REP-P	95-04-106
51-20-1232	REP	95-11-107	51-20-3800	REP-P	95-04-106	51-22-0423	REP	95-11-107
51-20-1233	REP-P	95-04-106	51-20-3800	REP	95-11-107	51-22-0500	REP-P	95-04-106
51-20-1233	REP	95-11-107	51-20-3800	REP-P	95-04-106	51-22-0500	REP	95-11-107
51-20-1234	REP-P	95-04-106	51-20-3801	REP	95-11-107	51-22-0504	REP-P	95-04-106
51-20-1234	REP	95-11-107	51-20-3802	REP-P	95-04-106	51-22-0504	REP	95-11-107
51-20-1800	REP-P	95-04-106	51-20-3802	REP	95-11-107	51-22-0800	REP-P	95-04-106
51-20-1800	REP	95-11-107	51-20-3900	REP-P	95-04-106	51-22-0800	REP	95-11-107
51-20-1807	REP-P	95-04-106	51-20-3900	REP	95-11-107	51-22-0807	REP-P	95-04-106
51-20-1807	REP	95-11-107	51-20-3901	REP-P	95-04-106	51-22-0807	REP	95-11-107
51-20-2300	REP-P	95-04-106	51-20-3901	REP	95-11-107	51-22-1000	REP-P	95-04-106
51-20-2300	REP	95-11-107	51-20-3903	REP-P	95-04-106	51-22-1000	REP	95-11-107
51-20-2312	REP-P	95-04-106	51-20-3903	REP	95-11-107	51-22-1002	REP-P	95-04-106
51-20-2312	REP	95-11-107	51-20-5100	REP-P	95-04-106	51-22-1002	REP	95-11-107
51-20-2700	REP-P	95-04-106	51-20-5100	REP	95-11-107	51-22-1100	REP-P	95-04-106
51-20-2700	REP	95-11-107	51-20-5103	REP-P	95-04-106	51-22-1100	REP	95-11-107
51-20-2710	REP-P	95-04-106	51-20-5103	REP	95-11-107	51-22-1104	REP-P	95-04-106
51-20-2710	REP	95-11-107	51-20-5105	REP-P	95-04-106	51-22-1104	REP	95-11-107
51-20-3000	REP-P	95-04-106	51-20-5105	REP	95-11-107	51-22-1500	REP-P	95-04-106
51-20-3000	REP	95-11-107	51-20-5400	REP-P	95-04-106	51-22-1500	REP	95-11-107
51-20-3007	REP-P	95-04-106	51-20-5400	REP	95-11-107	51-22-1508	REP-P	95-04-106
51-20-3007	REP	95-11-107	51-20-5401	REP-P	95-04-106	51-22-1508	REP	95-11-107
51-20-3100	REP-P	95-04-106	51-20-5401	REP	95-11-107	51-22-1900	REP-P	95-04-106
51-20-3100	REP	95-11-107	51-20-93100	REP-P	95-04-106	51-22-1900	REP	95-11-107
51-20-3101	REP-P	95-04-106	51-20-93100	REP	95-11-107	51-22-1903	REP-P	95-04-106
51-20-3101	REP	95-11-107	51-20-93115	REP-P	95-04-106	51-22-1903	REP	95-11-107
51-20-3102	REP-P	95-04-106	51-20-93115	REP	95-11-107	51-24	PREP	95-03-086
51-20-3102	REP	95-11-107	51-20-93116	REP-P	95-04-106	51-24-001	REP-P	95-04-106
51-20-3103	REP-P	95-04-106	51-20-93116	REP	95-11-107	51-24-001	REP	95-11-107
51-20-3103	REP	95-11-107	51-20-93117	REP-P	95-04-106	51-24-002	REP-P	95-04-106
51-20-3104	REP-P	95-04-106	51-20-93117	REP	95-11-107	51-24-002	REP	95-11-107
51-20-3104	REP	95-11-107	51-20-93118	REP-P	95-04-106	51-24-003	REP-P	95-04-106

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
51-24-003	REP	95-11-107	51-24-80305	REP-P	95-04-106	55-01-020	AMD-E	95-20-012
51-24-007	REP-P	95-04-106	51-24-80305	REP	95-11-107	55-01-020	REP-P	96-01-107
51-24-007	REP	95-11-107	51-24-80315	REP-P	95-04-106	55-01-030	AMD-E	95-04-075
51-24-008	REP-P	95-04-106	51-24-80315	REP	95-11-107	55-01-030	AMD-E	95-12-016
51-24-008	REP	95-11-107	51-24-80401	REP-P	95-04-106	55-01-030	AMD-E	95-20-012
51-24-04000	REP-P	95-04-106	51-24-80401	REP	95-11-107	55-01-030	REP-P	96-01-107
51-24-04000	REP	95-11-107	51-24-80402	REP-P	95-04-106	55-01-040	AMD-E	95-04-075
51-24-04123	REP-P	95-04-106	51-24-80402	REP	95-11-107	55-01-040	AMD-E	95-12-016
51-24-04123	REP	95-11-107	51-24-99500	REP-P	95-04-106	55-01-040	AMD-E	95-20-012
51-24-09000	REP-P	95-04-106	51-24-99500	REP	95-11-107	55-01-040	REP-P	96-01-107
51-24-09000	REP	95-11-107	51-24-99510	REP-P	95-04-106	55-01-050	AMD-E	95-04-075
51-24-09105	REP-P	95-04-106	51-24-99510	REP	95-11-107	55-01-050	AMD-E	95-12-016
51-24-09105	REP	95-11-107	51-25	PREP	95-03-086	55-01-050	AMD-E	95-20-012
51-24-09107	REP-P	95-04-106	51-25-001	REP-P	95-04-106	55-01-050	REP-P	96-01-107
51-24-09107	REP	95-11-107	51-25-001	REP	95-11-107	55-01-060	AMD-E	95-04-075
51-24-09110	REP-P	95-04-106	51-25-002	REP-P	95-04-106	55-01-060	AMD-E	95-12-016
51-24-09110	REP	95-11-107	51-25-002	REP	95-11-107	55-01-060	AMD-E	95-20-012
51-24-09117	REP-P	95-04-106	51-25-003	REP-P	95-04-106	55-01-060	REP-P	96-01-107
51-24-09117	REP	95-11-107	51-25-003	REP	95-11-107	55-01-070	AMD-E	95-04-075
51-24-10000	REP-P	95-04-106	51-25-007	REP-P	95-04-106	55-01-070	AMD-E	95-12-016
51-24-10000	REP	95-11-107	51-25-007	REP	95-11-107	55-01-070	AMD-E	95-20-012
51-24-10201	REP-P	95-04-106	51-25-008	REP-P	95-04-106	55-01-070	REP-P	96-01-107
51-24-10201	REP	95-11-107	51-25-008	REP	95-11-107	55-01-080	REP-P	96-01-107
51-24-10507	REP-P	95-04-106	51-30-0311	NEW-W	95-05-055	60-12-010	PREP	95-04-090
51-24-10507	REP	95-11-107	51-30-0417	NEW-W	95-05-055	60-12-010	AMD-P	95-06-085
51-24-25000	REP-P	95-04-106	51-30-0502	NEW-W	95-05-055	60-12-010	AMD	95-10-097
51-24-25000	REP	95-11-107	51-30-3102	NEW-P	95-16-125	67-25-005	AMD	95-06-057
51-24-25107	REP-P	95-04-106	51-30-3102	NEW	96-01-120	67-25-010	AMD	95-06-057
51-24-25107	REP	95-11-107	51-30-31200	NEW-P	95-16-125	67-25-015	AMD	95-06-057
51-24-45000	REP-P	95-04-106	51-30-31200	NEW	96-01-120	67-25-020	AMD	95-06-057
51-24-45000	REP	95-11-107	51-30-31201	NEW-P	95-16-125	67-25-025	AMD	95-06-057
51-24-45211	REP-P	95-04-106	51-30-31201	NEW	96-01-120	67-25-030	AMD	95-06-057
51-24-45211	REP	95-11-107	51-30-31201	NEW-P	95-16-125	67-25-030	AMD	95-06-057
51-24-78000	REP-P	95-04-106	51-30-31202	NEW-P	96-01-120	67-25-050	AMD	95-06-057
51-24-78000	REP	95-11-107	51-30-31202	NEW	96-01-120	67-25-055	AMD	95-06-057
51-24-78201	REP-P	95-04-106	51-30-31203	NEW-P	95-16-125	67-25-056	NEW	95-06-057
51-24-78201	REP	95-11-107	51-30-31203	NEW	96-01-120	67-25-070	AMD	95-06-057
51-24-79000	REP-P	95-04-106	51-30-31203	NEW	96-01-120	67-25-075	AMD	95-06-057
51-24-79000	REP	95-11-107	51-30-31204	NEW-P	95-16-125	67-25-077	AMD	95-06-057
51-24-79000	REP	95-11-107	51-30-31205	NEW-P	95-16-125	67-25-080	AMD	95-06-057
51-24-79601	REP-P	95-04-106	51-30-31205	NEW	96-01-120	67-25-085	AMD	95-06-057
51-24-79601	REP	95-11-107	51-30-31205	NEW	96-01-120	67-25-085	AMD	95-06-057
51-24-79603	REP-P	95-04-106	51-30-31206	NEW-P	95-16-125	67-25-090	AMD	95-06-057
51-24-79603	REP	95-11-107	51-30-31206	NEW	96-01-120	67-25-095	AMD	95-06-057
51-24-79809	REP-P	95-04-106	51-30-31207	NEW-P	95-16-125	67-25-100	AMD	95-06-057
51-24-79809	REP	95-11-107	51-30-31207	NEW	96-01-120	67-25-105	REP	95-06-057
51-24-79901	REP-P	95-04-106	51-30-31207	NEW	96-01-120	67-25-105	REP	95-06-057
51-24-79901	REP	95-11-107	51-30-31208	NEW-P	95-16-125	67-25-110	AMD	95-06-057
51-24-80000	REP-P	95-04-106	51-30-31208	NEW	96-01-120	67-25-120	REP	95-06-057
51-24-80000	REP	95-11-107	51-30-31209	NEW-P	95-16-125	67-25-255	AMD	95-06-057
51-24-80101	REP-P	95-04-106	51-30-31209	NEW	96-01-120	67-25-257	AMD	95-06-057
51-24-80101	REP	95-11-107	51-30-31210	NEW-P	95-16-125	67-25-260	AMD	95-06-057
51-24-80103	REP-P	95-04-106	51-30-31210	NEW	96-01-120	67-25-270	AMD	95-06-057
51-24-80103	REP	95-11-107	51-34-7901	NEW-W	95-05-054	67-25-275	AMD	95-06-057
51-24-80108	REP-P	95-04-106	51-35-09000	NEW-W	95-05-054	67-25-280	AMD	95-06-057
51-24-80108	REP	95-11-107	51-35-52404	NEW-W	95-05-054	67-25-281	REP	95-06-057
51-24-80109	REP-P	95-04-106	51-35-52411	NEW-W	95-05-054	67-25-284	NEW	95-06-057
51-24-80109	REP	95-11-107	51-35-52417	NEW-W	95-05-054	67-25-288	NEW	95-06-057
51-24-80110	REP-P	95-04-106	51-35-52501	NEW-W	95-05-054	67-25-300	AMD	95-06-057
51-24-80110	REP	95-11-107	51-35-52502	NEW-W	95-05-054	67-25-325	AMD	95-06-057
51-24-80111	REP-P	95-04-106	51-35-52503	NEW-W	95-05-054	67-25-326	AMD	95-06-057
51-24-80111	REP	95-11-107	51-35-52504	NEW-W	95-05-054	67-25-350	AMD	95-06-057
51-24-80111	REP-P	95-04-106	51-35-52505	NEW-W	95-05-054	67-25-360	AMD	95-06-057
51-24-80111	REP	95-11-107	51-35-52505	NEW-W	95-05-054	67-25-380	AMD	95-06-057
51-24-80113	REP-P	95-04-106	51-35-52506	NEW-W	95-05-054	67-25-384	AMD	95-06-057
51-24-80113	REP	95-11-107	51-35-52507	NEW-W	95-05-054	67-25-384	AMD	95-06-057
51-24-80114	REP-P	95-04-106	51-35-52508	NEW-W	95-05-054	67-25-385	REP	95-06-057
51-24-80114	REP	95-11-107	51-35-52509	NEW-W	95-05-054	67-25-388	AMD	95-06-057
51-24-80120	REP-P	95-04-106	55-01	PREP	95-04-058	67-25-390	AMD	95-06-057
51-24-80120	REP	95-11-107	55-01-001	REP-P	96-01-107	67-25-392	REP	95-06-057
51-24-80202	REP-P	95-04-106	55-01-010	AMD-E	95-04-075	67-25-394	AMD	95-06-057
51-24-80202	REP	95-11-107	55-01-010	AMD-E	95-12-016	67-25-396	AMD	95-06-057
51-24-80301	REP-P	95-04-106	55-01-010	AMD-E	95-20-012	67-25-398	NEW	95-06-057
51-24-80301	REP	95-11-107	55-01-010	REP-P	96-01-107	67-25-399	NEW	95-06-057
51-24-80303	REP-P	95-04-106	55-01-020	AMD-E	95-04-075	67-25-400	AMD	95-06-057
51-24-80303	REP	95-11-107	55-01-020	AMD-E	95-12-016	67-25-404	AMD	95-06-057
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67-25-416	AMD	95-06-057	131-16-056	NEW	95-13-069	132D-315-005	NEW-P	95-19-080
67-25-418	NEW	95-06-057	131-28	AMD-C	95-13-007	132D-315-005	NEW	96-01-077
67-25-420	REP	95-06-057	131-28-010	AMD-E	95-07-004	132G-126-010	REP-P	95-04-008
67-25-428	REP	95-06-057	131-28-010	PREP	95-10-088	132G-126-010	REP	95-07-103
67-25-432	AMD	95-06-057	131-28-010	AMD-P	95-10-090	132G-126-020	REP-P	95-04-008
67-25-436	NEW	95-06-057	131-28-010	AMD	95-13-070	132G-126-020	REP	95-07-103
67-25-440	AMD	95-06-057	131-28-015	AMD-E	95-07-004	132G-126-030	REP-P	95-04-008
67-25-444	AMD	95-06-057	131-28-015	PREP	95-10-088	132G-126-030	REP	95-07-103
67-25-446	AMD	95-06-057	131-28-015	AMD-P	95-10-090	132G-126-040	REP-P	95-04-008
67-25-448	AMD	95-06-057	131-28-015	AMD	95-13-070	132G-126-040	REP	95-07-103
67-25-452	AMD	95-06-057	131-28-021	AMD-E	95-07-004	132G-126-050	REP-P	95-04-008
67-25-500	REP	95-06-057	131-28-021	PREP	95-10-088	132G-126-050	REP	95-07-103
67-25-505	REP	95-06-057	131-28-021	AMD-P	95-10-090	132G-126-060	REP-P	95-04-008
67-25-510	REP	95-06-057	131-28-021	AMD	95-13-070	132G-126-060	REP	95-07-103
67-25-525	REP	95-06-057	131-28-025	AMD-E	95-07-004	132G-126-070	REP-P	95-04-008
67-25-530	REP	95-06-057	131-28-025	PREP	95-10-088	132G-126-070	REP	95-07-103
67-25-540	AMD	95-06-057	131-28-025	AMD-P	95-10-090	132G-126-080	REP-P	95-04-008
67-25-545	AMD	95-06-057	131-28-025	AMD	95-13-070	132G-126-080	REP	95-07-103
67-25-550	AMD	95-06-057	131-28-02501	NEW-E	95-07-004	132G-126-200	REP-P	95-04-008
67-25-560	AMD	95-06-057	131-28-02501	PREP	95-10-088	132G-126-200	REP	95-07-103
67-25-570	AMD	95-06-057	131-28-02501	NEW-P	95-10-090	132G-126-210	REP-P	95-04-008
67-25-590	AMD	95-06-057	131-28-02501	NEW	95-13-070	132G-126-210	REP	95-07-103
67-35-030	PREP	95-04-012	131-28-026	AMD-E	95-07-004	132G-126-220	REP-P	95-04-008
67-35-030	AMD-P	95-05-040	131-28-026	PREP	95-10-088	132G-126-220	REP	95-07-103
67-35-030	AMD	95-12-007	131-28-026	AMD-P	95-10-090	132G-126-230	REP-P	95-04-008
67-35-210	PREP	95-04-012	131-28-026	AMD	95-13-070	132G-126-230	REP	95-07-103
67-35-210	AMD-P	95-05-040	131-28-026	AMD-E	95-19-063	132G-126-240	REP-P	95-04-008
67-35-210	AMD	95-12-007	131-28-026	AMD-P	95-22-073	132G-126-240	REP	95-07-103
67-35-215	PREP	95-04-012	131-28-026	AMD-C	96-01-022	132G-126-250	REP-P	95-04-008
67-35-215	NEW-P	95-05-040	131-28-028	REP-E	95-07-004	132G-126-250	REP	95-07-103
67-35-215	NEW	95-12-007	131-28-028	PREP	95-10-088	132G-126-260	REP-P	95-04-008
67-35-220	PREP	95-04-012	131-28-028	REP-P	95-10-090	132G-126-260	REP	95-07-103
67-35-220	AMD-P	95-05-040	131-28-028	REP	95-13-070	132G-126-270	REP-P	95-04-008
67-35-220	AMD	95-12-007	131-28-030	AMD-E	95-07-004	132G-126-270	REP	95-07-103
67-35-230	PREP	95-04-012	131-28-030	PREP	95-10-088	132G-126-280	REP-P	95-04-008
67-35-230	AMD-P	95-05-040	131-28-030	AMD-P	95-10-090	132G-126-280	REP	95-07-103
67-35-230	AMD	95-12-007	131-28-030	AMD	95-13-070	132G-126-290	REP-P	95-04-008
67-35-350	PREP	95-04-012	131-28-040	AMD-E	95-07-004	132G-126-290	REP	95-07-103
67-35-350	REP-P	95-05-040	131-28-040	PREP	95-10-088	132G-126-300	REP-P	95-04-008
67-35-350	REP	95-12-007	131-28-040	AMD-P	95-10-090	132G-126-300	REP	95-07-103
67-35-360	PREP	95-04-012	131-28-040	AMD	95-13-070	132G-126-310	REP-P	95-04-008
67-35-360	AMD-P	95-05-040	131-28-045	AMD-E	95-07-004	132G-126-310	REP	95-07-103
67-35-360	AMD	95-12-007	131-28-045	PREP	95-10-088	132G-126-320	REP-P	95-04-008
67-35-430	PREP	95-04-012	131-28-045	AMD-P	95-10-090	132G-126-320	REP	95-07-103
67-35-430	AMD-P	95-05-040	131-28-045	AMD	95-13-070	132G-126-330	REP-P	95-04-008
67-35-430	AMD	95-12-007	131-28-080	AMD-E	95-07-004	132G-126-330	REP	95-07-103
82-05-010	NEW-P	95-24-063	131-28-080	PREP	95-10-088	132G-126-340	REP-P	95-04-008
82-05-020	NEW-P	95-24-063	131-28-080	AMD-P	95-10-090	132G-126-340	REP	95-07-103
82-05-030	NEW-P	95-24-063	131-28-080	AMD	95-13-070	132G-126-350	REP-P	95-04-008
82-05-040	NEW-P	95-24-063	131-28-085	AMD-E	95-07-004	132G-126-350	REP	95-07-103
82-05-050	NEW-P	95-24-063	131-28-085	PREP	95-10-088	132G-126-360	REP-P	95-04-008
82-50-021	AMD-P	95-11-116	131-28-085	AMD-P	95-10-090	132G-126-360	REP	95-07-103
82-50-021	AMD	95-15-031	131-28-085	AMD	95-13-070	132G-126-370	REP-P	95-04-008
106-72-005	PREP	95-18-087	131-28-090	AMD-E	95-07-004	132G-126-370	REP	95-07-103
106-72-005	AMD-E	95-20-061	131-28-090	PREP	95-10-088	132G-126-380	REP-P	95-04-008
106-72-005	AMD-P	95-22-045	131-28-090	AMD-P	95-10-090	132G-126-380	REP	95-07-103
106-72-025	PREP	95-18-087	131-28-090	AMD	95-13-070	132G-126-390	REP-P	95-04-008
106-72-025	AMD-E	95-20-061	131-46-135	NEW-P	95-06-054	132G-126-390	REP	95-07-103
106-72-025	AMD-P	95-22-045	131-46-135	NEW	95-10-013	132G-126-400	REP-P	95-04-008
106-140-036	AMD-P	95-19-019	132D-300	PREP	95-16-050	132G-126-400	REP	95-07-103
106-140-036	AMD	95-22-058	132D-300-005	PREP	95-16-050	132G-160-075	PREP	95-15-016
130-10	PREP	95-06-051A	132D-300-010	REP-P	95-19-080	132G-160-075	NEW-P	95-19-081
131-12-010	AMD-E	95-10-012	132D-300-010	REP	96-01-077	132G-160-075	NEW	95-23-015
131-12-010	PREP	95-10-017	132D-300-020	REP-P	95-19-080	132H-121-020	NEW-P	95-14-069
131-12-010	AMD-P	95-10-018	132D-300-020	REP	96-01-077	132H-121-020	NEW	95-19-050
131-12-010	AMD-C	95-13-005	132D-300-030	REP-P	95-19-080	132H-152-100	REP-P	95-21-093
131-12-010	AMD	95-13-068	132D-300-030	REP	96-01-077	132H-152-100	REP	96-01-057
131-16-005	PREP	95-05-026	132D-300-040	REP-P	95-19-080	132H-152-110	REP-P	95-21-093
131-16-005	REP-P	95-06-064	132D-300-040	REP	96-01-077	132H-152-110	REP	96-01-057
131-16-005	REP	95-10-014	132D-305-005	NEW-P	95-19-080	132H-152-120	REP-P	95-21-093
131-16-056	PREP	95-10-087	132D-305-005	NEW	96-01-077	132H-152-120	REP	96-01-057
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132H-152-135	NEW	96-01-057	133-10-010	AMD-P	95-13-075	137-28-093	REP	95-15-044
132H-160-052	NEW-P	95-14-070	133-10-010	AMD	95-24-089	137-28-094	REP	95-15-044
132H-160-052	NEW	95-19-049	133-10-020	PREP	95-12-079	137-28-095	REP	95-15-044
132H-160-093	REP-P	95-14-070	133-10-020	AMD-P	95-13-075	137-28-097	REP	95-15-044
132H-160-093	REP	95-19-049	133-10-020	AMD	95-24-089	137-28-100	REP	95-15-044
132H-160-094	REP-P	95-14-070	133-10-030	AMD-P	95-13-075	137-28-105	REP	95-15-044
132H-160-094	REP	95-19-049	133-10-030	AMD	95-24-089	137-28-107	REP	95-15-044
132H-160-095	REP-P	95-14-070	133-20-010	PREP	95-12-080	137-28-110	REP	95-15-044
132H-160-095	REP	95-19-049	133-20-010	AMD-P	95-13-078	137-28-115	REP	95-15-044
132H-160-182	AMD-E	95-11-098	133-20-010	AMD	95-24-086	137-28-120	REP	95-15-044
132H-160-182	PREP	95-14-068	133-20-020	PREP	95-12-080	137-28-130	REP	95-15-044
132H-160-182	AMD-P	95-21-092	133-20-020	AMD-P	95-13-078	137-28-140	NEW	95-15-044
132H-160-182	AMD	96-01-056	133-20-020	AMD	95-24-086	137-28-150	NEW	95-15-044
132I-130	PREP	95-06-004	133-20-040	PREP	95-12-080	137-28-160	NEW	95-15-044
132I-130-030	NEW-P	95-06-083	133-20-040	AMD-P	95-13-078	137-28-170	NEW	95-15-044
132I-130-030	NEW	95-09-072	133-20-040	AMD	95-24-086	137-28-180	NEW	95-15-044
132I-160	PREP	95-10-021	133-20-060	PREP	95-12-080	137-28-190	NEW	95-15-044
132I-160-110	AMD-P	95-11-102	133-20-060	AMD-P	95-13-078	137-28-200	NEW	95-15-044
132I-160-110	AMD	95-15-026	133-20-060	AMD	95-24-086	137-28-210	NEW	95-15-044
132K-120	PREP	95-11-136	133-20-100	AMD-P	95-13-078	137-28-220	NEW	95-15-044
132K-120-005	REP-P	95-12-103	133-20-100	AMD	95-24-086	137-28-230	NEW	95-15-044
132K-120-005	REP	95-17-073	133-20-120	PREP	95-12-080	137-28-240	NEW	95-15-044
132K-120-010	REP-P	95-12-103	133-20-120	AMD-P	95-13-078	137-28-250	NEW	95-15-044
132K-120-010	REP	95-17-073	133-20-120	AMD	95-24-086	137-28-260	NEW	95-15-044
132K-120-015	REP-P	95-12-103	133-30	PREP	95-12-081	137-28-270	NEW	95-15-044
132K-120-015	REP	95-17-073	133-30-010	REP-P	95-13-077	137-28-280	NEW	95-15-044
132K-120-020	REP-P	95-12-103	133-30-010	REP	95-24-087	137-28-290	NEW	95-15-044
132K-120-020	REP	95-17-073	133-30-020	REP-P	95-13-077	137-28-300	NEW	95-15-044
132K-120-025	REP-P	95-12-103	133-30-020	REP	95-24-087	137-28-310	NEW	95-15-044
132K-120-025	REP	95-17-073	133-30-030	REP-P	95-13-077	137-28-320	NEW	95-15-044
132K-120-030	REP-P	95-12-103	133-30-030	REP	95-24-087	137-28-330	NEW	95-15-044
132K-120-030	REP	95-17-073	133-30-040	REP-P	95-13-077	137-28-340	NEW	95-15-044
132K-120-035	REP-P	95-12-103	133-30-040	REP	95-24-087	137-28-350	NEW	95-15-044
132K-120-035	REP	95-17-073	133-30-050	REP-P	95-13-077	137-28-360	NEW	95-15-044
132K-120-040	REP-P	95-12-103	133-30-050	REP	95-24-087	137-28-370	NEW	95-15-044
132K-120-040	REP	95-17-073	133-30-060	REP-P	95-13-077	137-28-380	NEW	95-15-044
132K-120-045	REP-P	95-12-103	133-30-060	REP	95-24-087	137-28-390	NEW	95-15-044
132K-120-045	REP	95-17-073	133-30-070	REP-P	95-13-077	137-28-400	NEW	95-15-044
132K-120-050	REP-P	95-12-103	133-30-070	REP	95-24-087	137-28-410	NEW	95-15-044
132K-120-050	REP	95-17-073	133-30-080	REP-P	95-13-077	137-28-420	NEW	95-15-044
132K-120-055	REP-P	95-12-103	133-30-080	REP	95-24-087	137-28-430	NEW	95-15-044
132K-120-055	REP	95-17-073	133-40-010	PREP	95-12-082	137-56-180	AMD	95-22-060
132K-120-060	REP-P	95-12-103	133-40-010	AMD-P	95-13-076	137-56-210	AMD	95-22-060
132K-120-060	REP	95-17-073	133-40-010	AMD	95-24-088	137-56-250	AMD	95-22-060
132K-120-065	REP-P	95-12-103	133-40-020	PREP	95-12-082	137-95-010	REP	95-22-059
132K-120-065	REP	95-17-073	133-40-020	AMD-P	95-13-076	137-95-020	REP	95-22-059
132K-120-070	REP-P	95-12-103	133-40-020	AMD	95-24-088	137-95-030	REP	95-22-059
132K-120-070	REP	95-17-073	133-40-030	PREP	95-12-082	137-95-040	REP	95-22-059
132K-120-075	REP-P	95-12-103	133-40-030	AMD-P	95-13-076	137-95-050	REP	95-22-059
132K-120-075	REP	95-17-073	133-40-030	AMD	95-24-088	137-95-060	REP	95-22-059
132K-120-080	REP-P	95-12-103	133-40-040	PREP	95-12-082	137-95-070	REP	95-22-059
132K-120-080	REP	95-17-073	133-40-040	AMD-P	95-13-076	137-95-080	REP	95-22-059
132K-120-085	REP-P	95-12-103	133-40-040	AMD	95-24-088	137-95-090	REP	95-22-059
132K-120-085	REP	95-17-073	137-28-005	REP	95-15-044	137-95-100	REP	95-22-059
132K-130-010	PREP	95-11-137	137-28-006	REP	95-15-044	137-95-110	REP	95-22-059
132K-130-010	NEW-P	95-12-102	137-28-010	REP	95-15-044	137-95-120	REP	95-22-059
132K-130-010	NEW	95-17-072	137-28-015	REP	95-15-044	137-95-130	REP	95-22-059
132M-108-020	AMD-P	95-13-097	137-28-020	REP	95-15-044	137-95-140	REP	95-22-059
132M-108-020	AMD	95-16-069	137-28-025	REP	95-15-044	137-95-150	REP	95-22-059
132M-108-090	NEW-P	95-06-052	137-28-030	REP	95-15-044	137-95-160	REP	95-22-059
132M-108-090	NEW	95-11-014	137-28-031	REP	95-15-044	137-95-170	REP	95-22-059
132M-160-040	NEW-P	95-13-097	137-28-032	REP	95-15-044	137-95-180	REP	95-22-059
132M-160-040	NEW	95-16-069	137-28-035	REP	95-15-044	137-95-190	REP	95-22-059
132M-160-050	NEW-P	95-13-097	137-28-040	REP	95-15-044	137-95-200	REP	95-22-059
132M-160-050	NEW	95-16-069	137-28-045	REP	95-15-044	137-95-210	REP	95-22-059
132Q-04-076	NEW-P	95-11-019	137-28-050	REP	95-15-044	137-95-220	REP	95-22-059
132Q-04-076	NEW	95-16-066	137-28-055	REP	95-15-044	137-95-230	REP	95-22-059
132Q-04-077	NEW-P	95-11-020	137-28-065	REP	95-15-044	137-95-240	REP	95-22-059
132Q-04-077	NEW	95-16-067	137-28-072	REP	95-15-044	137-95-250	REP	95-22-059
132Q-04-078	NEW-P	95-11-021	137-28-075	REP	95-15-044	137-95-260	REP	95-22-059
132Q-04-078	NEW	95-16-068	137-28-080	REP	95-15-044	137-95-270	REP	95-22-059

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137-95-290	REP	95-22-059	173-10-100	REP	95-24-040	173-175-740	REP-P	95-18-104
137-96-010	NEW	95-22-059	173-10-110	REP-P	95-20-071	173-175-740	REP	95-22-030
137-96-020	NEW	95-22-059	173-10-110	REP	95-24-040	173-175-750	REP-P	95-18-104
173-96-030	NEW	95-22-059	173-12	PREP	95-03-080	173-175-750	REP	95-22-030
137-96-040	NEW	95-22-059	173-12-010	REP-P	95-05-065	173-175-760	REP-P	95-18-104
137-96-100	NEW	95-22-059	173-12-010	REP	95-09-036	173-175-760	REP	95-22-030
137-96-110	NEW	95-22-059	173-12-020	REP-P	95-05-065	173-175-770	REP-P	95-18-104
137-96-120	NEW	95-22-059	173-12-020	REP	95-09-036	173-175-770	REP	95-22-030
137-96-130	NEW	95-22-059	173-12-030	REP-P	95-05-065	173-175-780	REP-P	95-18-104
137-96-140	NEW	95-22-059	173-12-030	REP	95-09-036	173-175-780	REP	95-22-030
137-96-150	NEW	95-22-059	173-12-040	REP-P	95-05-065	173-175-790	REP-P	95-18-104
137-96-160	NEW	95-22-059	173-12-040	REP	95-09-036	173-175-790	REP	95-22-030
139-10-210	AMD-P	95-04-068	173-12-050	REP-P	95-05-065	173-175-800	REP-P	95-18-104
139-10-210	AMD	95-08-036	173-12-050	REP	95-09-036	173-175-800	REP	95-22-030
139-10-210	AMD	95-09-070	173-12-060	REP-P	95-05-065	173-175-810	REP-P	95-18-104
162-12	PREP	95-18-047	173-12-060	REP	95-09-036	173-175-810	REP	95-22-030
162-22	PREP	95-18-047	173-14	PREP	95-22-068	173-175-820	REP-P	95-18-104
162-30	PREP	95-18-047	173-16	PREP	95-22-068	173-175-820	REP	95-22-030
173-06-010	REP-P	95-03-081	173-17	PREP	95-22-068	173-204-100	AMD-P	95-16-023
173-06-010	REP	95-07-058	173-18	PREP	95-22-068	173-204-130	AMD-P	95-16-023
173-06-020	REP-P	95-03-081	173-19	PREP	95-22-068	173-204-200	AMD-P	95-16-023
173-06-020	REP	95-07-058	173-19-1202	PREP	95-11-087	173-204-315	AMD-P	95-16-023
173-06-030	REP-P	95-03-081	173-19-1301	AMD	95-12-057	173-204-320	AMD-P	95-16-023
173-06-030	REP	95-07-058	173-19-250	PREP	95-04-101	173-204-400	AMD-P	95-16-023
173-06-040	REP-P	95-03-081	173-19-250	AMD-P	95-07-144	173-204-410	AMD-P	95-16-023
173-06-040	REP	95-07-058	173-19-250	AMD	95-20-046	173-204-412	NEW-P	95-16-023
173-06-100	NEW-P	95-03-081	173-19-2513	PREP	95-05-063	173-204-415	AMD-P	95-16-023
173-06-100	NEW	95-07-058	173-19-2515	PREP	95-07-020	173-204-420	AMD-P	95-16-023
173-06-110	NEW-P	95-03-081	173-19-2519	PREP	95-07-022	173-204-510	AMD-P	95-16-023
173-06-110	NEW	95-07-058	173-19-2519	AMD-P	95-12-092	173-204-520	AMD-P	95-16-023
173-06-120	NEW-P	95-03-081	173-19-2519	AMD	95-17-039	173-204-530	AMD-P	95-16-023
173-06-120	NEW	95-07-058	173-19-2521	PREP	95-07-021	173-204-560	AMD-P	95-16-023
173-06-130	NEW-P	95-03-081	173-19-2521	AMD-P	95-11-088	173-204-590	AMD-P	95-16-023
173-06-130	NEW	95-07-058	173-19-2521	AMD	95-16-024	173-221A	PREP	95-07-057
173-08-010	REP-P	95-20-071	173-19-260	PREP	95-04-076	173-221A-030	AMD-P	95-17-107
173-08-010	REP	95-24-040	173-19-260	AMD-P	95-05-064	173-221A-030	AMD	95-22-079
173-08-020	REP-P	95-20-071	173-19-260	AMD-W	95-18-048	173-221A-100	AMD-P	95-17-107
173-08-020	REP	95-24-040	173-19-280	PREP	95-11-085	173-221A-100	AMD	95-22-079
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173-08-030	REP	95-24-040	173-19-3507	AMD-S	95-03-082	173-221A-110	NEW	95-22-079
173-08-040	REP-P	95-20-071	173-19-3507	AMD	95-08-042	173-224-040	AMD-P	95-15-045
173-08-040	REP	95-24-040	173-19-3514	AMD-P	95-03-078	173-224-050	AMD-P	95-15-045
173-08-050	REP-P	95-20-071	173-19-3514	AMD	95-11-008	173-224-070	REP-P	95-15-045
173-08-050	REP	95-24-040	173-19-360	PREP	95-07-019	173-224-090	AMD-P	95-15-045
173-08-065	REP-P	95-20-071	173-19-360	AMD	95-07-125	173-303	PREP	95-05-062
173-08-065	REP	95-24-040	173-19-360	AMD-P	95-09-052	173-303-016	AMD-P	95-11-113
173-08-070	REP-P	95-20-071	173-19-360	AMD	95-18-102	173-303-016	AMD	95-22-008
173-08-070	REP	95-24-040	173-19-370	AMD	95-12-026	173-303-017	AMD-P	95-11-113
173-09-010	NEW-P	95-20-071	173-19-4005	PREP	95-11-086	173-303-017	AMD	95-22-008
173-09-010	NEW	95-24-040	173-19-420	AMD-P	95-11-089	173-303-020	AMD-P	95-11-113
173-09-020	NEW-P	95-20-071	173-19-420	AMD	95-16-048	173-303-020	AMD	95-22-008
173-09-020	NEW	95-24-040	173-19-4205	AMD-P	95-11-089	173-303-030	AMD-P	95-11-113
173-09-030	NEW-P	95-20-071	173-19-4205	AMD	95-16-048	173-303-030	AMD	95-22-008
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173-10-010	REP	95-24-040	173-28	PREP	95-22-068	173-303-045	AMD-P	95-11-113
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173-10-020	REP	95-24-040	173-175-020	AMD-P	95-18-104	173-303-060	AMD-P	95-11-113
173-10-030	REP-P	95-20-071	173-175-020	AMD	95-22-030	173-303-060	AMD	95-22-008
173-10-030	REP	95-24-040	173-175-030	AMD-P	95-18-104	173-303-070	AMD-P	95-11-113
173-10-040	REP-P	95-20-071	173-175-030	AMD	95-22-030	173-303-070	AMD	95-22-008
173-10-040	REP	95-24-040	173-175-070	AMD-P	95-18-104	173-303-071	AMD-P	95-11-113
173-10-050	REP-P	95-20-071	173-175-070	AMD	95-22-030	173-303-071	AMD	95-22-008
173-10-050	REP	95-24-040	173-175-390	AMD-P	95-18-104	173-303-072	AMD-P	95-11-113
173-10-060	REP-P	95-20-071	173-175-390	AMD	95-22-030	173-303-072	AMD	95-22-008
173-10-060	REP	95-24-040	173-175-700	REP-P	95-18-104	173-303-073	NEW-P	95-11-113
173-10-070	REP-P	95-20-071	173-175-700	REP	95-22-030	173-303-073	NEW	95-22-008
173-10-070	REP	95-24-040	173-175-710	REP-P	95-18-104	173-303-075	AMD-P	95-11-113
173-10-080	REP-P	95-20-071	173-175-710	REP	95-22-030	173-303-075	AMD	95-22-008
173-10-080	REP	95-24-040	173-175-720	REP-P	95-18-104	173-303-081	AMD-P	95-11-113
173-10-090	REP-P	95-20-071	173-175-720	REP	95-22-030	173-303-081	AMD	95-22-008
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173-303-140	AMD-P	95-11-113	173-303-400	AMD	95-22-008	173-303-840	AMD	95-22-008
173-303-140	AMD	95-22-008	173-303-500	AMD-P	95-11-113	173-303-902	AMD-P	95-11-113
173-303-141	AMD-P	95-11-113	173-303-500	AMD	95-22-008	173-303-902	AMD	95-22-008
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173-303-160	AMD-P	95-11-113	173-303-510	AMD	95-22-008	173-303-9903	AMD	95-22-008
173-303-160	AMD	95-22-008	173-303-515	REP-P	95-15-104	173-303-9904	AMD-P	95-11-113
173-303-161	AMD-P	95-11-113	173-303-550	AMD-P	95-11-113	173-303-9904	AMD	95-22-008
173-303-161	AMD	95-22-008	173-303-550	AMD	95-22-008	173-303-9905	AMD-P	95-11-113
173-303-170	AMD-P	95-11-113	173-303-560	AMD-P	95-11-113	173-303-9905	AMD	95-22-008
173-303-170	AMD	95-22-008	173-303-560	AMD	95-22-008	173-303-9906	AMD-P	95-11-113
173-303-180	AMD-P	95-11-113	173-303-600	AMD-P	95-11-113	173-303-9906	AMD	95-22-008
173-303-180	AMD	95-22-008	173-303-600	AMD	95-22-008	173-330-010	REP-P	95-15-104
173-303-190	AMD-P	95-11-113	173-303-610	AMD-P	95-11-113	173-330-020	REP-P	95-15-104
173-303-190	AMD	95-22-008	173-303-610	AMD	95-22-008	173-330-030	REP-P	95-15-104
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173-303-200	AMD	95-22-008	173-303-620	AMD	95-22-008	173-330-050	REP-P	95-15-104
173-303-201	AMD-P	95-11-113	173-303-630	AMD-P	95-11-113	173-330-060	REP-P	95-15-104
173-303-201	AMD	95-22-008	173-303-630	AMD	95-22-008	173-330-070	REP-P	95-15-104
173-303-210	AMD-P	95-11-113	173-303-640	AMD-P	95-11-113	173-330-900	REP-P	95-15-104
173-303-210	AMD	95-22-008	173-303-640	AMD	95-22-008	173-340	PREP	95-22-069
173-303-220	AMD-P	95-11-113	173-303-645	AMD-P	95-11-113	173-340-200	AMD-P	95-15-078
173-303-220	AMD	95-22-008	173-303-645	AMD	95-22-008	173-340-440	AMD-P	95-15-078
173-303-230	AMD-P	95-11-113	173-303-646	AMD-P	95-11-113	173-340-530	AMD-P	95-15-078
173-303-230	AMD	95-22-008	173-303-646	AMD	95-22-008	173-340-700	AMD-P	95-15-078
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173-303-240	AMD	95-22-008	173-303-650	AMD	95-22-008	173-340-740	AMD-P	95-15-078
173-303-250	AMD-P	95-11-113	173-303-655	AMD-P	95-11-113	173-340-745	AMD-P	95-15-078
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173-303-260	AMD-P	95-11-113	173-303-660	AMD-P	95-11-113	173-354	NEW-C	95-16-109
173-303-260	AMD	95-22-008	173-303-660	AMD	95-22-008	173-354	NEW-C	95-20-066
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173-303-270	AMD	95-22-008	173-303-665	AMD	95-22-008	173-354-010	NEW-P	95-15-104
173-303-280	AMD-P	95-11-113	173-303-670	AMD-P	95-11-113	173-354-020	NEW-P	95-15-104
173-303-280	AMD	95-22-008	173-303-670	AMD	95-22-008	173-354-050	NEW-P	95-15-104
173-303-281	AMD-P	95-11-113	173-303-675	NEW-P	95-11-113	173-354-070	NEW-P	95-15-104
173-303-281	AMD	95-22-008	173-303-675	NEW	95-22-008	173-354-090	NEW-P	95-15-104
173-303-282	AMD-P	95-11-113	173-303-680	AMD-P	95-11-113	173-354-100	NEW-P	95-15-104
173-303-282	AMD	95-22-008	173-303-680	AMD	95-22-008	173-354-150	NEW-P	95-15-104
173-303-283	AMD-P	95-11-113	173-303-680	AMD	95-22-008	173-354-200	NEW-P	95-15-104
173-303-283	AMD	95-22-008	173-303-690	NEW-P	95-11-113	173-354-230	NEW-P	95-15-104
173-303-290	AMD-P	95-11-113	173-303-690	NEW	95-22-008	173-354-300	NEW-P	95-15-104
173-303-290	AMD	95-22-008	173-303-691	NEW-P	95-11-113	173-354-320	NEW-P	95-15-104
173-303-300	AMD-P	95-11-113	173-303-691	NEW	95-22-008	173-354-340	NEW-P	95-15-104
173-303-300	AMD	95-22-008	173-303-695	NEW-P	95-11-113	173-354-360	NEW-P	95-15-104
173-303-310	AMD-P	95-11-113	173-303-695	NEW	95-22-008	173-354-380	NEW-P	95-15-104
173-303-310	AMD	95-22-008	173-303-700	AMD-P	95-11-113	173-354-400	NEW-P	95-15-104
173-303-320	AMD-P	95-11-113	173-303-700	AMD	95-22-008	173-354-440	NEW-P	95-15-104
173-303-320	AMD	95-22-008	173-303-800	AMD-P	95-11-113	173-354-460	NEW-P	95-15-104
173-303-330	AMD-P	95-11-113	173-303-800	AMD	95-22-008	173-354-500	NEW-P	95-15-104
173-303-330	AMD	95-22-008	173-303-801	AMD-P	95-11-113	173-354-515	NEW-P	95-15-104
173-303-335	NEW-P	95-11-113	173-303-801	AMD	95-22-008	173-354-525	NEW-P	95-15-104
173-303-335	NEW	95-22-008	173-303-802	AMD-P	95-11-113	173-354-535	NEW-P	95-15-104
173-303-340	AMD-P	95-11-113	173-303-802	AMD	95-22-008	173-354-545	NEW-P	95-15-104
173-303-340	AMD	95-22-008	173-303-804	AMD-P	95-11-113	173-354-555	NEW-P	95-15-104
173-303-350	AMD-P	95-11-113	173-303-804	AMD	95-22-008	173-354-600	NEW-P	95-15-104
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173-354-670	NEW-P	95-15-104	173-422-060	AMD	95-06-068	174-116-091	AMD-P	95-07-132
173-354-680	NEW-P	95-15-104	173-422-065	AMD	95-06-068	174-116-091	AMD	95-16-093
173-354-700	NEW-P	95-15-104	173-422-070	AMD	95-06-068	174-116-092	PREP	95-05-010
173-354-720	NEW-P	95-15-104	173-422-090	AMD	95-06-068	174-116-092	AMD-P	95-07-132
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173-354-900	NEW-P	95-15-104	173-422-120	AMD	95-06-068	174-116-119	PREP	95-05-010
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173-360-120	AMD	95-04-102	173-422-195	AMD	95-06-068	174-116-121	AMD-P	95-07-132
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173-360-190	AMD	95-04-102	173-430-020	AMD	95-03-083	174-116-122	PREP	95-05-010
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173-360-210	AMD	95-04-102	173-430-040	AMD	95-03-083	174-116-122	AMD	95-16-093
173-360-305	AMD	95-04-102	173-430-050	AMD	95-03-083	174-116-123	PREP	95-05-010
173-360-310	AMD	95-04-102	173-430-060	AMD	95-03-083	174-116-123	AMD-P	95-07-132
173-360-320	AMD	95-04-102	173-430-070	AMD	95-03-083	174-116-123	AMD	95-16-093
173-360-325	AMD	95-04-102	173-430-080	AMD	95-03-083	174-116-124	PREP	95-05-010
173-360-330	AMD	95-04-102	173-430-090	NEW	95-03-083	174-116-124	AMD-P	95-07-132
173-360-335	AMD	95-04-102	173-430-100	NEW	95-03-083	174-116-124	AMD	95-16-093
173-360-340	AMD	95-04-102	173-491	PREP	95-24-032	174-116-125	PREP	95-05-010
173-360-345	AMD	95-04-102	173-548	AMD-C	95-06-055	174-116-126	PREP	95-05-010
173-360-350	AMD	95-04-102	173-548	PREP	95-12-059	174-116-127	PREP	95-05-010
173-360-370	AMD	95-04-102	173-548-010	AMD-E	95-07-009	174-116-127	AMD-P	95-07-132
173-360-380	AMD	95-04-102	173-548-010	AMD-W	95-12-065	174-116-127	AMD	95-16-093
173-360-385	AMD	95-04-102	173-548-015	NEW-E	95-07-009	178-01	PREP	95-04-016
173-360-600	AMD	95-04-102	173-548-015	NEW-W	95-12-065	178-01-010	REP-P	95-04-017
173-360-610	AMD	95-04-102	173-548-030	AMD-E	95-07-009	178-01-010	REP	95-08-008
173-360-620	NEW	95-04-102	173-548-030	AMD-W	95-12-065	180-10	PREP	95-11-069
173-360-630	AMD	95-04-102	173-563-015	AMD	95-02-066	180-10-003	AMD-P	95-20-091
173-360-640	REP	95-04-102	173-564-040	AMD	95-02-066	180-10-003	AMD	96-01-066
173-360-650	REP	95-04-102	174-116-010	PREP	95-05-010	180-10-005	AMD-P	95-20-091
173-360-655	REP	95-04-102	174-116-011	PREP	95-05-010	180-10-005	AMD	96-01-066
173-360-660	REP	95-04-102	174-116-020	PREP	95-05-010	180-10-007	NEW-P	95-20-091
173-360-680	REP	95-04-102	174-116-020	AMD-P	95-07-132	180-10-007	NEW	96-01-066
173-360-690	REP	95-04-102	174-116-020	AMD	95-16-093	180-10-010	AMD-P	95-20-091
173-360-695	REP	95-04-102	174-116-030	PREP	95-05-010	180-10-010	AMD	96-01-066
173-400	PREP	95-06-067	174-116-030	AMD-P	95-07-132	180-10-015	NEW-P	95-20-091
173-400-030	AMD	95-07-126	174-116-030	AMD	95-16-093	180-10-015	NEW	96-01-066
173-400-099	NEW	95-07-126	174-116-040	PREP	95-05-010	180-10-020	NEW-P	95-20-091
173-400-100	AMD	95-07-126	174-116-040	AMD-P	95-07-132	180-10-020	NEW	96-01-066
173-400-101	AMD	95-07-126	174-116-040	AMD	95-16-093	180-10-025	NEW-P	95-20-091
173-400-102	NEW	95-07-126	174-116-041	PREP	95-05-010	180-10-025	NEW	96-01-066
173-400-103	NEW	95-07-126	174-116-041	AMD-P	95-07-132	180-10-030	NEW-P	95-20-091
173-400-104	NEW	95-07-126	174-116-041	AMD	95-16-093	180-10-030	NEW	96-01-066
173-400-171	AMD	95-07-126	174-116-042	PREP	95-05-010	180-10-035	NEW-P	95-20-091
173-420-020	AMD-P	95-10-052	174-116-042	AMD-P	95-07-132	180-10-035	NEW	96-01-066
173-420-020	AMD	95-18-022	174-116-042	AMD	95-16-093	180-10-040	NEW-P	95-20-091
173-420-030	AMD-P	95-10-052	174-116-043	PREP	95-05-010	180-10-040	NEW	96-01-066
173-420-030	AMD	95-18-022	174-116-043	AMD-P	95-07-132	180-10-045	NEW-P	95-20-091
173-420-040	AMD-P	95-10-052	174-116-043	AMD	95-16-093	180-10-045	NEW	96-01-066
173-420-040	AMD	95-18-022	174-116-044	PREP	95-05-010	180-16-200	AMD-P	95-16-113
173-420-050	AMD-P	95-10-052	174-116-044	AMD-P	95-07-132	180-16-200	AMD	95-20-086
173-420-050	AMD	95-18-022	174-116-044	AMD	95-16-093	180-16-205	AMD-P	95-16-113
173-420-055	NEW-P	95-10-052	174-116-046	PREP	95-05-010	180-16-205	AMD	95-20-086
173-420-055	NEW	95-18-022	174-116-046	AMD-P	95-07-132	180-16-210	AMD-P	95-16-113
173-420-060	AMD-P	95-10-052	174-116-046	AMD	95-16-093	180-16-210	AMD	95-20-086
173-420-060	AMD	95-18-022	174-116-050	PREP	95-05-010	180-16-215	AMD-P	95-16-113
173-420-065	NEW-P	95-10-052	174-116-050	AMD-P	95-07-132	180-16-215	AMD	95-20-086
173-420-065	NEW	95-18-022	174-116-050	AMD	95-16-093	180-16-222	PREP	95-13-047
173-420-070	AMD-P	95-10-052	174-116-060	PREP	95-05-010	180-18-010	NEW-P	95-16-113
173-420-070	AMD	95-18-022	174-116-060	AMD-P	95-07-132	180-18-010	NEW	95-20-054
173-420-080	AMD-P	95-10-052	174-116-060	AMD	95-16-093	180-18-020	NEW-P	95-16-113
173-420-080	AMD	95-18-022	174-116-071	PREP	95-05-010	180-18-020	NEW	95-20-054
173-420-110	AMD-P	95-10-052	174-116-071	AMD-P	95-07-132	180-18-030	NEW-P	95-16-113
173-420-110	AMD	95-18-022	174-116-071	AMD	95-16-093	180-18-030	NEW	95-20-054
173-420-120	NEW-P	95-10-052	174-116-072	PREP	95-05-010	180-18-040	NEW-P	95-16-113
173-420-120	NEW	95-18-022	174-116-072	AMD-P	95-07-132	180-18-040	NEW	95-20-054
173-422	PREP	95-18-075	174-116-072	AMD	95-16-093	180-18-050	NEW-P	95-16-113
173-422-020	AMD	95-06-068	174-116-080	PREP	95-05-010	180-18-050	NEW	95-20-054
173-422-030	AMD	95-06-068	174-116-080	AMD-P	95-07-132	180-18-060	NEW-P	95-16-113

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180-18-080	NEW	95-20-054	180-77-012	NEW	95-12-056	180-79-340	AMD-P	96-01-081
180-20	PREP	95-17-028	180-77-014	NEW-P	95-08-058	180-79-350	PREP	95-16-074
180-20-035	PREP	95-16-059	180-77-014	NEW	95-12-056	180-79-350	AMD-P	95-20-044
180-24-400	NEW-P	95-16-064	180-77-015	AMD-P	95-08-058	180-79-350	AMD	96-01-082
180-24-400	NEW	95-20-055	180-77-015	AMD	95-12-056	180-83-010	NEW-P	96-01-079
180-24-405	NEW-P	95-16-064	180-77-020	AMD-P	95-08-058	180-83-020	NEW-P	96-01-079
180-24-405	NEW	95-20-055	180-77-020	AMD	95-12-056	180-83-030	NEW-P	96-01-079
180-24-410	NEW-P	95-16-064	180-77-030	REP-P	95-08-058	180-83-040	NEW-P	96-01-079
180-24-410	NEW	95-20-055	180-77-030	REP	95-12-056	180-83-050	NEW-P	96-01-079
180-24-415	NEW-P	95-16-064	180-77-031	NEW-P	95-08-058	180-83-060	NEW-P	96-01-079
180-24-415	NEW	95-20-055	180-77-031	NEW	95-12-056	180-83-070	NEW-P	96-01-079
180-25-032	PREP	95-17-033	180-77-035	REP-P	95-08-058	180-85	PREP	95-05-042
180-25-032	REP-P	95-20-087	180-77-035	REP	95-12-056	180-85-025	AMD-P	96-01-079
180-25-032	REP	95-24-024	180-77-040	REP-P	95-08-058	180-85-030	AMD-P	96-01-079
180-27	PREP	95-05-038	180-77-040	REP	95-12-056	180-95	AMD-P	95-05-076
180-27-019	AMD-P	95-05-083	180-77-041	NEW-P	95-08-058	180-95	AMD	95-08-029
180-27-019	AMD	95-08-032	180-77-041	NEW	95-12-056	180-95-005	AMD-P	95-05-076
180-27-019	PREP	95-12-075	180-77-045	REP-P	95-08-058	180-95-005	AMD	95-08-029
180-27-019	AMD-P	95-16-077	180-77-045	REP	95-12-056	180-95-050	AMD-P	95-05-076
180-27-019	AMD	95-20-090	180-77-050	REP-P	95-08-058	180-95-050	AMD	95-08-029
180-27-040	PREP	95-12-073	180-77-050	REP	95-12-056	180-95-070	NEW-P	95-05-076
180-27-040	AMD-P	95-16-079	180-77-055	REP-P	95-08-058	180-95-070	NEW	95-08-029
180-27-040	AMD	95-20-089	180-77-055	REP	95-12-056	182-04	PREP	95-04-057
180-27-05605	AMD-E	95-11-092	180-77-060	REP-P	95-08-058	182-08	PREP	95-04-057
180-27-05605	PREP	95-12-043	180-77-060	REP	95-12-056	182-12	PREP	95-04-057
180-27-05605	AMD-P	95-12-074	180-77-065	REP-P	95-08-058	182-12-110	AMD-E	95-08-002
180-27-05605	AMD	95-16-076	180-77-065	REP	95-12-056	182-12-110	AMD-E	95-15-112
180-27-600	PREP	95-14-042	180-77-068	NEW-P	95-08-058	182-12-110	AMD-E	95-23-075
180-27-600	NEW-P	95-16-078	180-77-068	NEW	95-12-056	182-12-111	AMD-E	95-08-002
180-27-600	NEW	95-20-088	180-77-070	AMD-P	95-08-058	182-12-111	AMD-E	95-15-112
180-27-605	PREP	95-14-042	180-77-070	AMD	95-12-056	182-12-111	AMD-E	95-23-075
180-27-605	NEW-P	95-16-078	180-77-075	AMD-P	95-08-058	182-12-115	AMD-E	95-08-002
180-27-605	NEW	95-20-088	180-77-075	AMD	95-12-056	182-12-115	AMD-E	95-15-112
180-27-610	PREP	95-14-042	180-77-080	AMD-P	95-08-058	182-12-115	AMD-E	95-23-075
180-27-610	NEW-P	95-16-078	180-77-080	AMD	95-12-056	182-12-122	AMD-E	95-08-002
180-27-610	NEW	95-20-088	180-77-085	REP-P	95-08-058	182-12-122	AMD-E	95-15-112
180-27-615	PREP	95-14-042	180-77-085	REP	95-12-056	182-12-122	AMD-E	95-23-075
180-27-615	NEW-P	95-16-078	180-77-090	REP-P	95-08-058	182-13-010	NEW-P	95-03-063
180-27-615	NEW	95-20-088	180-77-090	REP	95-12-056	182-13-010	NEW-W	95-03-074
180-29-015	PREP	95-05-036	180-77-095	REP-P	95-08-058	182-13-010	NEW-P	95-03-075
180-29-015	AMD-P	95-05-081	180-77-095	REP	95-12-056	182-13-010	NEW	95-07-011
180-29-015	AMD	95-08-033	180-77-100	REP-P	95-08-058	182-13-020	NEW-P	95-03-063
180-29-095	PREP	95-05-037	180-77-100	REP	95-12-056	182-13-020	NEW-W	95-03-074
180-29-095	AMD-P	95-05-082	180-77-105	REP-P	95-08-058	182-13-020	NEW-P	95-03-075
180-29-095	AMD	95-08-031	180-77-105	REP	95-12-056	182-13-020	NEW	95-07-011
180-29-125	PREP	95-05-035	180-77-106	NEW-P	95-08-058	182-13-030	NEW-P	95-03-063
180-29-125	AMD-P	95-05-080	180-77-106	NEW	95-12-056	182-13-030	NEW-W	95-03-074
180-29-125	AMD	95-08-030	180-77-110	AMD-P	95-08-058	182-13-030	NEW-P	95-03-075
180-43-010	AMD-P	95-05-077	180-77-110	AMD	95-12-056	182-13-030	NEW	95-07-011
180-43-010	AMD	95-08-028	180-77-120	NEW-P	95-08-058	182-13-040	NEW-P	95-03-063
180-43-015	AMD-P	95-05-077	180-77-120	NEW	95-12-056	182-13-040	NEW-W	95-03-074
180-43-015	AMD	95-08-028	180-77-122	NEW-P	95-08-058	182-13-040	NEW-P	95-03-075
180-51-050	AMD-P	95-12-025	180-77-122	NEW	95-12-056	182-13-040	NEW	95-07-011
180-51-050	AMD	95-16-063	180-78-145	PREP	95-06-024	182-14-010	NEW-E	95-08-001
180-53-070	AMD-P	95-16-113	180-78-145	AMD-P	95-08-057	182-14-010	NEW-E	95-15-092
180-53-070	AMD	95-20-086	180-78-145	AMD	95-12-055	182-14-020	NEW-E	95-08-001
180-57-080	PREP	95-12-024	180-78-160	PREP	95-13-048	182-14-020	NEW-E	95-15-092
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180-75-070	PREP	95-05-043	180-78-160	PREP	95-22-038	182-14-040	NEW-E	95-08-001
180-77-001	NEW-P	95-08-058	180-79	PREP	95-24-023	182-14-040	NEW-E	95-15-092
180-77-001	NEW	95-12-056	180-79-062	PREP	95-13-046	182-14-050	NEW-E	95-08-001
180-77-002	NEW-P	95-08-058	180-79-062	AMD-P	95-16-082	182-14-050	NEW-E	95-15-092
180-77-002	NEW	95-12-056	180-79-062	AMD	95-20-038	182-14-060	NEW-E	95-08-001
180-77-003	AMD-P	95-08-058	180-79-230	PREP	95-13-047	182-14-060	NEW-E	95-15-092
180-77-003	AMD	95-12-056	180-79-230	PREP	95-21-087	182-14-070	NEW-E	95-08-001
180-77-004	NEW-P	95-08-058	180-79-230	AMD-P	96-01-080	182-14-070	NEW-E	95-15-092
180-77-004	NEW	95-12-056	180-79-241	PREP	95-13-049	182-14-080	NEW-E	95-08-001
180-77-005	AMD-P	95-08-058	180-79-241	AMD-P	95-16-080	182-14-080	NEW-E	95-15-092
180-77-005	AMD	95-12-056	180-79-241	AMD	95-20-040	182-14-090	NEW-E	95-08-001
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182-18	PREP	95-04-057	192-16-025	AMD	95-09-085	197-11-938	AMD	95-07-023
182-20-001	NEW-P	95-08-060	192-16-050	AMD-P	95-06-081	204-24-050	AMD-S	95-03-089
182-20-001	NEW	95-12-010	192-16-050	AMD	95-09-085	204-24-050	AMD	95-07-137
182-20-010	NEW-P	95-08-060	192-16-051	PREP	95-11-128	204-41-030	AMD-E	95-04-060
182-20-010	NEW	95-12-010	192-16-051	AMD-E	95-14-091	204-41-030	PREP	95-05-001
182-20-100	NEW-P	95-08-060	192-16-052	NEW-E	95-14-091	204-41-030	AMD-P	95-06-065
182-20-100	NEW	95-12-010	192-16-065	REP-P	95-06-081	204-41-030	AMD	95-09-091
182-20-130	NEW-P	95-08-060	192-16-065	REP	95-09-085	208-620-010	NEW-P	95-22-107
182-20-130	NEW	95-12-010	192-18-012	PREP	95-21-095	208-620-020	NEW-P	95-22-107
182-20-160	NEW-P	95-08-060	192-23-018	PREP	95-07-075	208-620-030	NEW-P	95-22-107
182-20-160	NEW	95-12-010	192-23-019	NEW-P	95-08-077	208-620-040	NEW-P	95-22-107
182-20-200	NEW-P	95-08-060	192-23-019	NEW	95-12-014	208-620-050	NEW-P	95-22-107
182-20-200	NEW	95-12-010	192-23-800	PREP	95-21-095	208-620-060	NEW-P	95-22-107
182-20-300	NEW-P	95-08-060	192-23-810	PREP	95-21-095	208-620-070	NEW-P	95-22-107
182-20-300	NEW	95-12-010	192-23-900	PREP	95-21-095	208-620-080	NEW-P	95-22-107
182-20-320	NEW-P	95-08-060	192-28-100	REP-P	98-06-081	208-620-090	NEW-P	95-22-107
182-20-320	NEW	95-12-010	192-28-100	REP	95-09-085	208-620-150	NEW-P	95-22-107
182-20-400	NEW-P	95-08-060	192-28-110	AMD-P	98-06-081	208-620-180	NEW-P	95-22-107
182-20-400	NEW	95-12-010	192-28-110	AMD	95-09-085	208-620-200	NEW-P	95-22-107
182-25-001	NEW-P	96-01-107	192-28-120	AMD-P	98-06-081	208-620-220	NEW-P	95-22-107
182-25-010	NEW-P	96-01-107	192-28-120	AMD	95-09-085	220-12-010	AMD-P	95-14-133
182-25-020	NEW-P	96-01-107	192-32	PREP	95-12-085	220-12-010	AMD	95-17-062
182-25-030	NEW-P	96-01-107	192-32-001	AMD-P	95-06-081	220-12-020	AMD	95-04-066
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182-25-050	NEW-P	96-01-107	192-32-010	AMD-P	95-06-081	220-20-020	AMD-P	95-17-130
182-25-060	NEW-P	96-01-107	192-32-010	AMD	95-09-085	220-20-020	AMD	95-23-020
182-25-070	NEW-P	96-01-107	192-32-015	AMD-P	95-06-081	220-20-025	AMD-P	95-17-130
182-25-080	NEW-P	96-01-107	192-32-015	AMD	95-09-085	220-20-025	AMD	95-23-020
182-25-090	NEW-P	96-01-107	192-32-025	AMD-P	95-06-081	220-22-030	AMD-P	95-09-081
182-25-100	NEW-P	96-01-107	192-32-025	AMD	95-09-085	220-22-030	AMD	95-13-056
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192-04-060	AMD	95-18-055	192-32-045	AMD	95-09-085	220-24-02000W	REP-E	95-17-047
192-04-063	NEW-P	95-15-063	192-42-005	REP	95-05-048	220-24-02000X	NEW-E	95-17-047
192-04-063	NEW	95-18-055	192-42-010	REP	95-05-048	220-24-02000X	REP-E	95-17-076
192-04-090	AMD-P	95-15-063	192-42-021	REP	95-05-048	220-24-02000Y	NEW-E	95-17-076
192-04-090	AMD	95-18-055	192-42-030	REP	95-05-048	220-24-02000Y	REP-E	95-18-077
192-04-170	AMD-P	95-15-063	192-42-056	REP	95-05-048	220-24-02000Z	NEW-E	95-18-077
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232-28-247	NEW	95-03-037	232-28-61900E	REP-E	95-12-040	236-15-050	REP	95-16-106
232-28-248	NEW	95-03-038	232-28-61900F	NEW-E	95-12-040	236-15-100	NEW	95-05-044
232-28-248	AMD-P	95-06-106	232-28-61900F	REP-E	95-16-094	236-15-100	REP-P	95-13-108
232-28-248	AMD	95-11-036	232-28-61900G	NEW-E	95-14-063	236-15-100	REP	95-16-106
232-28-248	AMD-P	95-22-112	232-28-61900H	NEW-E	95-16-094	236-15-200	NEW	95-05-044
232-28-249	NEW	95-03-039	232-28-61900H	REP-E	95-16-094	236-15-200	REP-P	95-13-108
232-28-249	AMD-P	95-22-112	232-28-61900I	NEW-E	95-20-015	236-15-200	REP	95-16-106
232-28-250	NEW-P	95-06-097	232-28-61900I	REP-E	95-20-015	236-15-300	NEW	95-05-044
232-28-250	NEW	95-11-034	232-28-61900J	NEW-E	95-21-065	236-15-300	REP-P	95-13-108
232-28-251	NEW-P	95-06-098	232-28-61900J	REP-E	95-21-065	236-15-300	REP	95-16-106
232-28-251	NEW	95-11-038	232-28-61940	REP-E	95-09-050	236-15-700	NEW	95-05-044
232-28-252	NEW-P	95-06-102	232-28-61940	REP-P	95-14-134	236-15-700	REP-P	95-13-108
232-28-252	NEW	95-11-033	232-28-61940	REP	95-17-064	236-15-700	REP	95-16-106
232-28-253	NEW-P	95-06-101	232-28-61941	REP-E	95-09-050	236-15-800	NEW	95-05-044
232-28-253	NEW	95-11-032	232-28-61941	REP-P	95-14-134	236-15-800	REP-P	95-13-108
232-28-254	NEW-P	95-06-103	232-28-61941	REP	95-17-064	236-15-800	REP	95-16-106
232-28-254	NEW	95-11-031	232-28-61942	REP-E	95-09-050	236-15-900	NEW	95-05-044
232-28-255	NEW-P	95-06-105	232-28-61942	REP-P	95-14-134	236-15-900	REP-P	95-13-108
232-28-255	NEW	95-11-029	232-28-61942	REP	95-17-064	236-15-900	REP	95-16-106
232-28-256	NEW-P	95-06-104	232-28-61945	REP-E	95-09-050	240-10-030	AMD	95-09-025
232-28-256	NEW	95-11-030	232-28-61945	REP-P	95-14-134	240-10-040	AMD	95-09-025
232-28-257	NEW-P	95-06-096	232-28-61945	REP	95-17-064	240-15-020	PREP	95-23-095
232-28-257	NEW	95-11-027	232-28-61946	REP-E	95-09-050	243-01-010	NEW-P	95-17-112
232-28-257	AMD-P	95-22-112	232-28-61946	REP-P	95-14-134	243-01-010	NEW	95-23-058
232-28-258	NEW-P	95-14-105	232-28-61946	REP	95-17-064	243-01-020	NEW-P	95-17-112
232-28-258	NEW	95-18-070	232-28-61947	REP-E	95-09-050	243-01-020	NEW	95-23-058
232-28-259	NEW-P	95-14-129	232-28-61947	REP-P	95-14-134	243-01-030	NEW-P	95-17-112
232-28-259	NEW	95-18-071	232-28-61947	REP	95-17-064	243-01-030	NEW	95-23-058
232-28-260	NEW-P	95-22-112	232-28-61950	REP-E	95-09-050	243-01-040	NEW-P	95-17-112
232-28-404	REP-E	95-20-016	232-28-61950	REP-P	95-14-134	243-01-040	NEW	95-23-058
232-28-404	REP-P	95-22-112	232-28-61950	REP	95-17-064	243-01-050	NEW-P	95-17-112
232-28-407	REP-E	95-20-016	232-28-61951	REP-E	95-09-050	243-01-050	NEW	95-23-058
232-28-407	REP-P	95-22-112	232-28-61951	REP-P	95-14-134	243-01-060	NEW-P	95-17-112
232-28-418	REP-P	95-14-103	232-28-61951	REP	95-17-064	243-01-060	NEW	95-23-058
232-28-418	REP	95-18-068	232-28-61952	NEW-W	95-03-066	243-01-070	NEW-P	95-17-112
232-28-419	NEW-P	95-14-103	232-28-61953	REP-E	95-09-050	243-01-070	NEW	95-23-058
232-28-419	NEW	95-18-068	232-28-61953	REP-P	95-14-134	243-01-080	NEW-P	95-17-112
232-28-419	AMD-P	95-22-112	232-28-61953	REP	95-17-064	243-01-080	NEW	95-23-058
232-28-41900B	NEW-E	96-01-004	232-28-61954	REP-E	95-09-050	243-01-090	NEW-P	95-17-112
232-28-41900C	NEW-E	96-01-014	232-28-61954	REP-P	95-14-134	243-01-090	NEW	95-23-058
232-28-41900D	NEW-E	96-01-031	232-28-61954	REP	95-17-064	243-01-100	NEW-P	95-17-112
232-28-41900D	REP-E	96-01-031	232-28-61957	REP-E	95-09-050	243-01-100	NEW	95-23-058
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232-28-514	AMD	95-18-065	232-28-61957	REP	95-17-064	243-01-110	NEW	95-23-058
232-28-60101	REP-E	95-20-016	232-28-812	REP-E	95-20-016	243-01-120	NEW-P	95-17-112
232-28-60101	REP-P	95-22-112	232-28-812	REP-P	95-22-112	243-01-120	NEW	95-23-058
232-28-60102	REP-E	95-20-016	232-28-827	REP-P	95-22-112	243-01-130	NEW-P	95-17-112
232-28-60102	REP-P	95-22-112	232-28-831	REP-P	95-22-112	243-01-130	NEW	95-23-058
232-28-604	REP-E	95-20-016	236-12	PREP	95-11-130	243-01-140	NEW-P	95-17-112
232-28-604	REP-P	95-22-112	236-12-015	AMD-P	95-13-107	243-01-140	NEW	95-23-058
232-28-60415	REP-E	95-20-016	236-12-015	AMD	95-16-107	243-01-150	NEW-P	95-17-112
232-28-60415	REP-P	95-22-112	236-12-015	AMD-E	96-01-011	243-01-150	NEW	95-23-058
232-28-605	REP-E	95-20-016	236-12-351	AMD-E	96-01-011	245-01-010	DECOD	95-12-009
232-28-605	REP-P	95-22-112	236-12-360	AMD-P	95-13-107	245-01-020	DECOD	95-12-009
232-28-60508	REP-E	95-20-016	236-12-360	AMD	95-16-107	245-01-030	DECOD	95-12-009
232-28-60508	REP-P	95-22-112	236-12-360	AMD-E	96-01-011	245-01-040	DECOD	95-12-009
232-28-61610	REP-E	95-20-016	236-12-361	AMD-P	95-13-107	245-01-050	DECOD	95-12-009
232-28-61610	REP-P	95-22-112	236-12-361	AMD	95-16-107	245-01-060	DECOD	95-12-009
232-28-619	AMD	95-05-008	236-12-361	AMD-E	96-01-011	245-01-070	DECOD	95-12-009
232-28-619	AMD-P	95-06-093	236-12-362	AMD-P	95-13-107	245-01-080	DECOD	95-12-009
232-28-619	AMD	95-10-027	236-12-362	AMD	95-16-107	245-01-090	DECOD	95-12-009
232-28-619	AMD-P	95-14-134	236-12-362	REP-E	96-01-011	245-01-100	DECOD	95-12-009
232-28-619	AMD	95-19-011	236-12-370	AMD-E	96-01-011	245-01-110	DECOD	95-12-009
232-28-619	AMD-P	95-22-113	236-12-371	AMD-E	96-01-011	245-01-120	DECOD	95-12-009
232-28-61900A	NEW-E	95-04-065	236-15	PREP	95-11-131	245-01-130	DECOD	95-12-009
232-28-61900B	NEW-E	95-07-018	236-15-010	NEW	95-05-044	245-01-140	DECOD	95-12-009
232-28-61900B	REP-E	95-12-030	236-15-010	REP-P	95-13-108	245-01-150	DECOD	95-12-009
232-28-61900B	REP-E	95-12-040	236-15-010	REP	95-16-106	245-02-010	NEW	95-04-115
232-28-61900C	NEW-E	95-09-050	236-15-015	NEW	95-05-044	245-02-020	NEW	95-04-115
232-28-61900C	REP-E	95-16-094	236-15-015	REP-P	95-13-108	245-02-025	NEW	95-04-115
232-28-61900D	NEW-E	95-09-051	236-15-015	REP	95-16-106	245-02-030	NEW	95-04-115

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245-08-010	NEW-P	95-04-114	246-254-080	AMD-P	95-08-066	246-322-035	NEW	95-22-012
245-08-010	NEW-W	95-07-030	246-254-080	AMD	95-12-004	246-322-040	AMD-P	95-12-096
245-08-010	NEW-W	95-12-047	246-254-090	AMD-P	95-08-066	246-322-040	AMD	95-22-012
245-08-020	NEW-P	95-04-114	246-254-090	AMD	95-12-004	246-322-050	AMD-P	95-12-096
245-08-020	NEW-W	95-07-030	246-254-100	AMD-P	95-08-066	246-322-050	AMD	95-22-012
245-08-020	NEW-W	95-12-047	246-254-100	AMD	95-12-004	246-322-060	AMD-P	95-12-096
245-08-030	NEW-P	95-04-114	246-254-120	AMD-P	95-08-066	246-322-060	AMD	95-22-012
245-08-030	NEW-W	95-07-030	246-254-120	AMD	95-12-004	246-322-070	REP-P	95-12-096
245-08-030	NEW-W	95-12-047	246-255	PREP	95-05-058	246-322-070	REP	95-22-012
245-08-040	NEW-P	95-04-114	246-272-25001	AMD-P	95-04-034	246-322-080	REP-P	95-12-096
245-08-040	NEW-W	95-07-030	246-272-25001	AMD	95-09-018	246-322-080	REP	95-22-012
245-08-040	NEW-W	95-12-047	246-273-001	NEW-P	95-21-056	246-322-090	REP-P	95-12-096
245-08-050	NEW-P	95-04-114	246-273-001	NEW	95-24-062	246-322-090	REP	95-22-012
245-08-050	NEW-W	95-07-030	246-273-010	NEW-P	95-21-056	246-322-100	AMD-P	95-12-096
245-08-050	NEW-W	95-12-047	246-273-010	NEW	95-24-062	246-322-100	AMD	95-22-012
246-01-040	AMD-P	95-07-054	246-273-020	NEW-P	95-21-056	246-322-110	REP-P	95-12-096
246-01-040	AMD	95-10-043	246-273-020	NEW	95-24-062	246-322-110	REP	95-22-012
246-01-080	AMD-P	95-07-054	246-273-030	NEW-P	95-21-056	246-322-120	AMD-P	95-12-096
246-01-080	AMD	95-10-043	246-273-030	NEW	95-24-062	246-322-120	AMD	95-22-012
246-08-400	NEW-E	95-14-108	246-273-040	NEW-P	95-21-056	246-322-130	REP-P	95-12-096
246-08-400	NEW-P	95-17-126	246-273-040	NEW	95-24-062	246-322-130	REP	95-22-012
246-08-400	NEW	95-20-080	246-273-050	NEW-P	95-21-056	246-322-140	NEW-P	95-12-096
246-100-166	PREP	95-05-012	246-273-050	NEW	95-24-062	246-322-140	NEW	95-22-012
246-100-166	AMD-P	95-22-089	246-273-060	NEW-P	95-21-056	246-322-150	NEW-P	95-12-096
246-100-236	AMD-S	95-08-026	246-273-060	NEW	95-24-062	246-322-150	NEW	95-22-012
246-100-236	AMD	95-13-037	246-273-065	NEW	95-24-062	246-322-160	NEW-P	95-12-096
246-130	AMD-P	95-15-109	246-273-070	NEW-P	95-21-056	246-322-160	NEW	95-22-012
246-130	AMD	95-23-018	246-273-070	NEW	95-24-062	246-322-170	NEW-P	95-12-096
246-130-001	AMD-P	95-15-109	246-273-080	NEW-P	95-21-056	246-322-170	NEW	95-22-012
246-130-001	AMD	95-23-018	246-273-080	NEW	95-24-062	246-322-180	NEW-P	95-12-096
246-130-010	AMD-P	95-15-109	246-273-990	NEW-P	95-21-056	246-322-180	NEW	95-22-012
246-130-010	AMD	95-23-018	246-273-990	NEW	95-24-062	246-322-190	NEW-P	95-12-096
246-130-020	AMD-P	95-15-109	246-290-990	PREP	95-05-059	246-322-190	NEW	95-22-012
246-130-020	AMD	95-23-018	246-290-990	AMD-P	95-15-108	246-322-200	NEW-P	95-12-096
246-130-030	AMD-P	95-15-109	246-290-990	AMD	95-20-079	246-322-200	NEW	95-22-012
246-130-030	AMD	95-23-018	246-291	PREP	95-09-017	246-322-210	NEW-P	95-12-096
246-130-040	AMD-P	95-15-109	246-291-010	AMD-P	95-15-107	246-322-210	NEW	95-22-012
246-130-040	AMD	95-23-018	246-291-010	AMD	95-20-078	246-322-220	NEW-P	95-12-096
246-130-050	REP-P	95-15-109	246-291-020	AMD-P	95-15-107	246-322-220	NEW	95-22-012
246-130-050	AMD-P	95-15-109	246-291-020	AMD	95-20-078	246-322-230	NEW-P	95-12-096
246-130-060	AMD	95-23-018	246-291-025	AMD-P	95-15-107	246-322-230	NEW	95-22-012
246-130-070	AMD-P	95-15-109	246-291-025	AMD	95-20-078	246-322-240	NEW-P	95-12-096
246-130-070	AMD	95-23-018	246-291-030	AMD-P	95-15-107	246-322-240	NEW	95-22-012
246-170	AMD	95-04-035	246-291-030	AMD	95-20-078	246-316-250	NEW-P	95-12-096
246-170-001	REP	95-04-035	246-291-100	AMD-P	95-15-107	246-322-250	NEW	95-22-012
246-170-002	NEW	95-04-035	246-291-100	AMD	95-20-078	246-322-500	NEW-P	95-12-096
246-170-010	REP	95-04-035	246-291-110	AMD-P	95-15-107	246-322-500	NEW	95-22-012
246-170-011	NEW	95-04-035	246-291-110	AMD	95-20-078	246-322-990	AMD-P	95-09-059
246-170-020	REP	95-04-035	246-291-130	AMD-P	95-15-107	246-322-990	AMD	95-12-097
246-170-021	NEW	95-04-035	246-291-130	AMD	95-20-078	246-322-991	AMD-P	95-09-059
246-170-030	REP	95-04-035	246-291-140	AMD-P	95-15-107	246-322-991	REP-P	95-12-096
246-170-031	NEW	95-04-035	246-291-140	AMD	95-20-078	246-322-991	AMD	95-12-097
246-170-040	REP	95-04-035	246-314	PREP	95-07-073	246-322-991	REP	95-22-012
246-170-041	NEW	95-04-035	246-314-990	AMD-P	95-09-059	246-323	PREP	95-07-073
246-170-050	REP	95-04-035	246-314-990	AMD	95-12-097	246-323-990	AMD-P	95-09-059
246-170-051	NEW	95-04-035	246-316	PREP	95-07-073	246-323-990	AMD	95-12-097
246-170-055	NEW	95-04-035	246-316-990	AMD-P	95-09-059	246-324-001	NEW-P	95-12-094
246-170-060	REP	95-04-035	246-316-990	AMD	95-12-097	246-324-001	NEW	95-22-013
246-170-061	NEW	95-04-035	246-318	PREP	95-07-073	246-324-010	NEW-P	95-12-094
246-170-065	NEW	95-04-035	246-318-990	AMD-P	95-09-059	246-324-010	NEW	95-22-013
246-170-070	REP	95-04-035	246-318-990	AMD	95-12-097	246-324-020	NEW-P	95-12-094
246-170-080	REP	95-04-035	246-322	PREP	95-07-073	246-324-020	NEW	95-22-013
246-170-090	REP	95-04-035	246-322-001	NEW-P	95-12-096	246-324-025	NEW-P	95-12-094
246-249-020	AMD-P	95-04-100	246-322-001	NEW	95-22-012	246-324-025	NEW	95-22-013
246-249-020	AMD	95-13-094	246-322-010	AMD-P	95-12-096	246-324-030	NEW-P	95-12-094
246-249-080	AMD-P	95-04-100	246-322-010	AMD	95-22-012	246-324-030	NEW	95-22-013
246-249-080	AMD	95-13-094	246-322-020	AMD-P	95-12-096	246-324-035	NEW-P	95-12-094
246-254	PREP	95-05-058	246-322-020	AMD	95-22-012	246-324-035	NEW	95-22-013
246-254-053	AMD-P	95-08-066	246-322-025	NEW-P	95-12-096	246-324-040	NEW-P	95-12-094
246-254-053	AMD	95-12-004	246-322-025	NEW	95-22-012	246-324-040	NEW	95-22-013
			246-322-030	NEW-P	95-12-096	246-324-050	NEW-P	95-12-094

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246-324-060	NEW-P	95-12-094	246-358-055	AMD-P	95-20-075	246-780-040	NEW	96-01-085
246-324-060	NEW	95-22-013	246-358-055	AMD-E	95-22-009	246-780-050	NEW-P	95-20-076
246-324-100	NEW-P	95-12-094	246-358-065	AMD-E	95-13-093	246-780-050	NEW	96-01-085
246-324-100	NEW	95-22-013	246-358-065	AMD-P	95-20-075	246-780-060	NEW-P	95-20-076
246-324-120	NEW-P	95-12-094	246-358-065	AMD-E	95-22-009	246-780-060	NEW	96-01-085
246-324-120	NEW	95-22-013	246-358-075	AMD-E	95-13-093	246-780-070	NEW-P	95-20-076
246-324-140	NEW-P	95-12-094	246-358-075	AMD-P	95-20-075	246-780-070	NEW	96-01-085
246-324-140	NEW	95-22-013	246-358-075	AMD-E	95-22-009	246-810-990	AMD-P	96-01-033
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246-324-150	NEW	95-22-013	246-358-085	AMD-E	95-13-093	246-812-001	NEW-E	95-09-029
246-324-160	NEW-P	95-12-094	246-358-085	AMD-P	95-20-075	246-812-001	NEW-P	95-15-110
246-324-160	NEW	95-22-013	246-358-085	AMD-E	95-22-009	246-812-001	NEW-E	95-17-046
246-324-170	NEW-P	95-12-094	246-358-090	NEW-E	95-13-093	246-812-001	NEW	95-22-062
246-324-170	NEW	95-22-013	246-358-090	NEW-P	95-20-075	246-812-010	NEW-E	95-09-029
246-324-180	NEW-P	95-12-094	246-358-090	NEW	95-22-009	246-812-010	NEW-P	95-15-110
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246-324-190	NEW-P	95-12-094	246-358-095	AMD-P	95-20-075	246-812-010	NEW	95-22-062
246-324-190	NEW	95-22-013	246-358-095	AMD-E	95-22-009	246-812-015	NEW-E	95-09-029
246-324-200	NEW-P	95-12-094	246-358-100	NEW-E	95-13-093	246-812-015	NEW-P	95-15-110
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246-324-210	NEW-P	95-12-094	246-358-100	NEW	95-22-009	246-812-015	NEW	95-22-062
246-324-210	NEW	95-22-013	246-358-105	REP-E	95-13-093	246-812-101	NEW-E	95-09-029
246-324-220	NEW-P	95-12-094	246-358-105	REP-P	95-20-075	246-812-101	NEW-P	95-15-110
246-324-220	NEW	95-22-013	246-358-105	REP	95-22-009	246-812-101	NEW-E	95-17-046
246-324-230	NEW-P	95-12-094	246-358-115	REP-E	95-13-093	246-812-101	NEW	95-22-062
246-324-230	NEW	95-22-013	246-358-115	REP-P	95-20-075	246-812-120	NEW-E	95-09-029
246-324-240	NEW-P	95-12-094	246-358-115	REP	95-22-009	246-812-120	NEW-P	95-15-110
246-324-240	NEW	95-22-013	246-358-125	AMD-E	95-13-093	246-812-120	NEW-E	95-17-046
246-324-250	NEW-P	95-12-094	246-358-125	AMD-P	95-20-075	246-812-120	NEW	95-22-062
246-324-250	NEW	95-22-013	246-358-125	AMD-E	95-22-009	246-812-125	NEW-E	95-09-029
246-324-500	NEW-P	95-12-094	246-358-135	AMD-E	95-13-093	246-812-125	NEW-P	95-15-110
246-324-500	NEW	95-22-013	246-358-135	AMD-P	95-20-075	246-812-125	NEW-E	95-17-046
246-324-990	NEW-P	95-12-094	246-358-135	AMD-E	95-22-009	246-812-125	NEW	95-22-062
246-324-990	NEW	95-22-013	246-358-140	AMD-E	95-08-018	246-812-130	NEW-E	95-09-029
246-325	PREP	95-07-073	246-358-140	AMD-E	95-13-093	246-812-130	NEW-P	95-15-110
246-325-990	AMD-P	95-09-059	246-358-140	AMD-P	95-20-075	246-812-130	NEW-E	95-17-046
246-325-990	AMD	95-12-097	246-358-140	AMD-E	95-22-009	246-812-130	NEW	95-22-062
246-326	PREP	95-07-073	246-358-145	AMD-E	95-13-093	246-812-140	NEW-E	95-09-029
246-326-990	AMD-P	95-09-059	246-358-145	AMD-P	95-20-075	246-812-140	NEW-P	95-15-110
246-326-990	AMD	95-12-097	246-358-145	AMD-E	95-22-009	246-812-140	NEW-E	95-17-046
246-327	PREP	95-07-073	246-358-155	AMD-E	95-13-093	246-812-140	NEW	95-22-062
246-327-990	AMD-P	95-09-059	246-358-155	AMD-P	95-20-075	246-812-150	NEW-E	95-09-029
246-327-990	AMD	95-12-097	246-358-155	AMD-E	95-22-009	246-812-150	NEW-P	95-15-110
246-331	PREP	95-07-073	246-358-175	AMD-E	95-13-093	246-812-150	NEW-E	95-17-046
246-331-990	AMD-P	95-09-059	246-358-175	AMD-P	95-20-075	246-812-150	NEW	95-22-062
246-331-990	AMD	95-12-097	246-358-175	AMD-E	95-22-009	246-812-155	NEW-E	95-09-029
246-336	PREP	95-07-073	246-380	PREP	95-07-073	246-812-155	NEW-P	95-15-110
246-336-990	AMD-P	95-09-059	246-430	PREP	95-12-005	246-812-155	NEW-E	95-17-046
246-336-990	AMD	95-12-097	246-430-010	PREP	95-12-005	246-812-155	NEW	95-22-062
246-358	PREP	95-11-072	246-430-030	PREP	95-12-005	246-812-160	NEW-E	95-09-029
246-358-001	AMD-E	95-13-093	246-430-040	PREP	95-12-005	246-812-160	NEW-P	95-15-110
246-358-001	AMD-P	95-20-075	246-560-001	PREP	95-06-073	246-812-160	NEW-E	95-17-046
246-358-001	AMD-E	95-22-009	246-560-010	PREP	95-06-073	246-812-160	NEW	95-22-062
246-358-010	AMD-E	95-08-018	246-560-015	PREP	95-06-073	246-812-170	NEW-E	95-09-029
246-358-010	AMD-E	95-13-093	246-560-020	PREP	95-06-073	246-812-170	NEW-P	95-15-110
246-358-010	AMD-P	95-20-075	246-560-030	PREP	95-06-073	246-812-170	NEW-E	95-17-046
246-358-010	AMD-E	95-22-009	246-560-040	PREP	95-06-073	246-812-170	NEW	95-22-062
246-358-020	AMD-E	95-08-018	246-560-050	PREP	95-06-073	246-812-301	NEW-E	95-09-029
246-358-020	AMD-E	95-13-093	246-560-060	PREP	95-06-073	246-812-301	NEW-P	95-15-110
246-358-020	AMD-P	95-20-075	246-560-070	PREP	95-06-073	246-812-301	NEW-E	95-17-046
246-358-020	AMD-E	95-22-009	246-560-080	PREP	95-06-073	246-812-301	NEW	95-22-062
246-358-025	AMD-E	95-13-092	246-560-090	PREP	95-06-073	246-812-320	NEW-E	95-09-029
246-358-025	AMD-P	95-20-074	246-560-100	PREP	95-06-073	246-812-320	NEW-P	95-15-110
246-358-025	AMD-E	95-22-010	246-780	PREP	95-07-055	246-812-320	NEW-E	95-17-046
246-358-025	AMD	96-01-084	246-780-001	NEW-P	95-20-076	246-812-320	NEW	95-22-062
246-358-030	AMD-E	95-13-092	246-780-001	NEW	96-01-085	246-812-330	NEW-E	95-09-029
246-358-030	AMD-P	95-20-074	246-780-010	NEW-P	95-20-076	246-812-330	NEW-P	95-15-110
246-358-030	AMD-E	95-22-010	246-780-010	NEW	96-01-085	246-812-330	NEW-E	95-17-046
246-358-030	AMD	96-01-084	246-780-020	NEW-P	95-20-076	246-812-330	NEW	95-22-062
246-358-045	AMD-E	95-13-093	246-780-020	NEW	96-01-085	246-812-340	NEW-E	95-09-029
246-358-045	AMD-P	95-20-075	246-780-030	NEW-P	95-20-076	246-812-340	NEW-P	95-15-110
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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
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246-812-350	NEW-E	95-09-029	246-815-020	AMD-P	95-13-110	246-816-350	REP-P	95-12-068
246-812-350	NEW-P	95-15-110	246-815-020	AMD	95-16-102	246-816-350	REP	96-01-083
246-812-350	NEW-E	95-17-046	246-815-050	AMD-P	95-03-018	246-816-360	REP-P	95-12-068
246-812-350	NEW	95-22-062	246-815-050	AMD	95-07-003	246-816-360	REP	96-01-083
246-812-360	NEW-E	95-09-029	246-815-050	AMD-P	95-13-110	246-816-370	REP-P	95-12-068
246-812-360	NEW-P	95-15-110	246-815-050	AMD	95-16-102	246-816-370	REP	96-01-083
246-812-360	NEW-E	95-17-046	246-815-060	AMD-P	95-13-110	246-816-380	REP-P	95-12-068
246-812-360	NEW	95-22-062	246-815-060	AMD	95-16-102	246-816-380	REP	96-01-083
246-812-390	NEW-E	95-09-029	246-815-070	AMD	95-02-056	246-816-390	REP-P	95-12-068
246-812-390	NEW-P	95-15-110	246-815-070	AMD-P	95-13-110	246-816-390	REP	96-01-083
246-812-390	NEW-E	95-17-046	246-815-070	AMD	95-16-102	246-816-400	REP-P	95-12-068
246-812-390	NEW	95-22-062	246-815-100	AMD-P	95-13-110	246-816-400	REP	96-01-083
246-812-400	NEW-E	95-09-029	246-815-100	AMD	95-16-102	246-816-410	REP-P	95-12-068
246-812-400	NEW-P	95-15-110	246-815-990	AMD-P	95-13-110	246-816-410	REP	96-01-083
246-812-400	NEW-E	95-17-046	246-815-990	AMD	95-16-102	246-816-501	REP-P	95-12-068
246-812-400	NEW	95-22-062	246-816-015	REP-P	95-12-068	246-816-501	REP	96-01-083
246-812-410	NEW-E	95-09-029	246-816-015	REP	96-01-083	246-816-510	REP-P	95-12-068
246-812-410	NEW-P	95-15-110	246-816-020	REP-P	95-12-068	246-816-510	REP	96-01-083
246-812-410	NEW-E	95-17-046	246-816-020	REP	96-01-083	246-816-520	REP-P	95-12-068
246-812-410	NEW	95-22-062	246-816-030	REP-P	95-12-068	246-816-520	REP	96-01-083
246-812-420	NEW-E	95-09-029	246-816-030	REP	96-01-083	246-816-530	REP-P	95-12-068
246-812-420	NEW-P	95-15-110	246-816-040	REP-P	95-12-068	246-816-530	REP	96-01-083
246-812-420	NEW-E	95-17-046	246-816-040	REP	96-01-083	246-816-701	REP-P	95-12-068
246-812-420	NEW	95-22-062	246-816-050	REP-P	95-12-068	246-816-701	REP	96-01-083
246-812-430	NEW-E	95-09-029	246-816-050	REP	96-01-083	246-816-710	REP-P	95-12-068
246-812-430	NEW-P	95-15-110	246-816-060	REP-P	95-12-068	246-816-710	REP	96-01-083
246-812-430	NEW-E	95-17-046	246-816-060	REP	96-01-083	246-816-720	REP-P	95-12-068
246-812-430	NEW	95-22-062	246-816-070	REP-P	95-12-068	246-816-720	REP	96-01-083
246-812-440	NEW-E	95-09-029	246-816-070	REP	96-01-083	246-816-730	REP-P	95-12-068
246-812-440	NEW-P	95-15-110	246-816-075	REP-P	95-12-068	246-816-730	REP	96-01-083
246-812-440	NEW-E	95-17-046	246-816-075	REP	96-01-083	246-816-740	REP-P	95-12-068
246-812-440	NEW	95-22-062	246-816-080	REP-P	95-12-068	246-816-740	REP	96-01-083
246-812-450	NEW-E	95-09-029	246-816-080	REP	96-01-083	246-816-990	REP-P	95-12-067
246-812-450	NEW-P	95-15-110	246-816-090	REP-P	95-12-068	246-816-990	REP-P	95-12-068
246-812-450	NEW-E	95-17-046	246-816-090	REP	96-01-083	246-816-990	REP	95-16-122
246-812-450	NEW	95-22-062	246-816-100	REP-P	95-12-068	246-816-990	REP	96-01-083
246-812-460	NEW-E	95-09-029	246-816-100	REP	96-01-083	246-817-001	NEW-P	95-12-068
246-812-460	NEW-P	95-15-110	246-816-110	REP-P	95-12-068	246-817-001	NEW	95-21-041
246-812-460	NEW-E	95-17-046	246-816-110	REP	96-01-083	246-817-010	NEW-P	95-12-068
246-812-460	NEW	95-22-062	246-816-120	REP-P	95-12-068	246-817-010	NEW	95-21-041
246-812-501	NEW-E	95-09-029	246-816-120	REP	96-01-083	246-817-015	NEW-P	95-12-068
246-812-501	NEW-P	95-15-110	246-816-130	REP-P	95-12-068	246-817-015	NEW	95-21-041
246-812-501	NEW-E	95-17-046	246-816-130	REP	96-01-083	246-817-101	NEW-P	95-12-068
246-812-501	NEW	95-22-062	246-816-140	REP-P	95-12-068	246-817-101	NEW	95-21-041
246-812-510	NEW-E	95-09-029	246-816-140	REP	96-01-083	246-817-110	NEW-P	95-12-068
246-812-510	NEW-P	95-15-110	246-816-150	REP-P	95-12-068	246-817-110	NEW	95-21-041
246-812-510	NEW-E	95-17-046	246-816-150	REP	96-01-083	246-817-120	NEW-P	95-12-068
246-812-510	NEW	95-22-062	246-816-201	REP-P	95-12-068	246-817-120	NEW	95-21-041
246-812-520	NEW-E	95-09-029	246-816-201	REP	96-01-083	246-817-130	NEW-P	95-12-068
246-812-520	NEW-P	95-15-110	246-816-210	REP-P	95-12-068	246-817-130	NEW	95-21-041
246-812-520	NEW-E	95-17-046	246-816-210	REP	96-01-083	246-817-135	NEW-P	95-12-068
246-812-520	NEW	95-22-062	246-816-220	REP-P	95-12-068	246-817-135	NEW	95-21-041
246-812-601	NEW-E	95-09-029	246-816-220	REP	96-01-083	246-817-140	NEW-P	95-12-068
246-812-601	NEW-P	95-15-110	246-816-225	REP-P	95-12-068	246-817-140	NEW	95-21-041
246-812-601	NEW-E	95-17-046	246-816-225	REP	96-01-083	246-817-150	NEW-P	95-12-068
246-812-601	NEW	95-22-062	246-816-230	REP-P	95-12-068	246-817-150	NEW	95-21-041
246-812-610	NEW-E	95-09-029	246-816-230	REP	96-01-083	246-817-160	NEW-P	95-12-068
246-812-610	NEW-P	95-15-110	246-816-240	REP-P	95-12-068	246-817-160	NEW	95-21-041
246-812-610	NEW-E	95-17-046	246-816-240	REP	96-01-083	246-817-170	NEW-P	95-12-068
246-812-610	NEW	95-22-062	246-816-250	REP-P	95-12-068	246-817-170	NEW	95-21-041
246-812-620	NEW-E	95-09-029	246-816-250	REP	96-01-083	246-817-175	NEW-P	95-12-068
246-812-620	NEW-P	95-15-110	246-816-260	REP-P	95-12-068	246-817-175	NEW	95-21-041
246-812-620	NEW-E	95-17-046	246-816-260	REP	96-01-083	246-817-180	NEW-P	95-12-068
246-812-620	NEW	95-22-062	246-816-301	REP-P	95-12-068	246-817-180	NEW	95-21-041
246-812-630	NEW-E	95-09-029	246-816-301	REP	96-01-083	246-817-185	NEW-P	95-12-068
246-812-630	NEW-P	95-15-110	246-816-310	REP-P	95-12-068	246-817-185	NEW	95-21-041
246-812-630	NEW-E	95-17-046	246-816-310	REP	96-01-083	246-817-186	NEW-P	95-12-068
246-812-630	NEW	95-22-062	246-816-320	REP-P	95-12-068	246-817-186	NEW	95-21-041
246-812-990	NEW-E	95-09-029	246-816-320	REP	96-01-083	246-817-201	NEW-P	95-12-068
246-812-990	NEW-P	95-15-110	246-816-330	REP-P	95-12-068	246-817-201	NEW	95-21-041
246-812-990	NEW-E	95-17-046	246-816-330	REP	96-01-083	246-817-210	NEW-P	95-12-068
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246-830-990	AMD-E	95-15-009	246-840-530	NEW	95-21-072	246-881-040	AMD-C	95-18-093
246-838-090	PREP	95-06-018	246-840-535	NEW-P	95-12-095	246-885-030	NEW-E	95-20-077
246-838-100	PREP	95-06-018	246-840-535	NEW	95-21-072	246-885-030	PREP	95-24-106
246-838-140	REP-P	95-12-095	246-840-540	NEW-P	95-12-095	246-887-160	PREP	95-07-086
246-838-140	REP	95-21-072	246-840-540	NEW	95-21-072	246-887-160	AMD-P	95-13-109
246-838-150	REP-P	95-12-095	246-840-545	NEW-P	95-12-095	246-887-160	AMD-C	95-18-091
246-838-150	REP	95-21-072	246-840-545	NEW	95-21-072	246-887-160	AMD	96-01-032
246-838-160	REP-P	95-12-095	246-840-550	NEW-P	95-12-095	246-891-020	AMD-P	95-04-099
246-838-160	REP	95-21-072	246-840-550	NEW	95-21-072	246-891-020	AMD	95-08-020
246-838-170	REP-P	95-12-095	246-840-555	NEW-P	95-12-095	246-891-030	AMD-P	95-04-099
246-838-170	REP	95-21-072	246-840-555	NEW	95-21-072	246-891-030	AMD	95-08-020
246-838-180	REP-P	95-12-095	246-840-560	NEW-P	95-12-095	246-901-065	PREP	95-20-073
246-838-180	REP	95-21-072	246-840-560	NEW	95-21-072	246-917-020	REP-P	95-22-088
246-838-190	REP-P	95-12-095	246-840-565	NEW-P	95-12-095	246-917-025	REP-P	95-22-088
246-838-190	REP	95-21-072	246-840-565	NEW	95-21-072	246-917-026	REP-P	95-22-088
246-838-200	REP-P	95-12-095	246-840-570	NEW-P	95-12-095	246-917-030	REP-P	95-22-088
246-838-200	REP	95-21-072	246-840-570	NEW	95-21-072	246-917-040	REP-P	95-22-088
246-838-210	REP-P	95-12-095	246-840-575	NEW-P	95-12-095	246-917-050	REP-P	95-22-088
246-838-210	REP	95-21-072	246-840-575	NEW	95-21-072	246-917-060	REP-P	95-22-088
246-838-220	REP-P	95-12-095	246-840-910	NEW-P	95-23-115	246-917-070	REP-P	95-22-088
246-838-220	REP	95-21-072	246-840-920	NEW-P	95-23-115	246-917-080	REP-P	95-22-088
246-838-230	REP-P	95-12-095	246-840-930	NEW-P	95-23-115	246-917-090	REP-P	95-22-088
246-838-230	REP	95-21-072	246-840-940	NEW-P	95-23-115	246-917-100	REP-P	95-22-088
246-838-240	REP-P	95-12-095	246-840-950	NEW-P	95-23-115	246-917-110	REP-P	95-22-088
246-838-240	REP	95-21-072	246-840-960	NEW-P	95-23-115	246-917-120	REP-P	95-22-088
246-838-990	PREP	95-04-069	246-840-970	NEW-P	95-23-115	246-917-121	REP-P	95-22-088
246-838-990	REP-P	95-08-049	246-840-980	NEW-P	95-23-115	246-917-125	REP-P	95-22-088
246-838-990	REP	95-12-021	246-840-990	NEW-P	95-08-049	246-917-126	REP-P	95-22-088
246-839-030	PREP	95-09-058	246-840-990	NEW	95-12-021	246-917-130	REP-P	95-22-088
246-839-080	PREP	95-06-018	246-841-405	NEW-P	95-23-114	246-917-135	REP-P	95-22-088
246-839-090	PREP	95-06-018	246-841-990	AMD-P	95-23-113	246-917-140	REP-P	95-22-088
246-839-090	PREP	95-09-058	246-843-010	AMD	95-07-128	246-917-150	REP-P	95-22-088
246-839-505	REP-P	95-12-095	246-843-090	AMD	95-07-128	246-917-160	REP-P	95-22-088
246-839-505	REP	95-21-072	246-843-205	AMD	95-07-128	246-917-170	REP-P	95-22-088
246-839-506	REP-P	95-12-095	246-843-240	REP	95-07-128	246-917-180	REP-P	95-22-088
246-839-506	REP	95-21-072	246-843-320	AMD	95-07-128	246-917-190	REP-P	95-22-088
246-839-525	REP-P	95-12-095	246-851-060	REP-P	95-11-110	246-917-200	REP-P	95-22-088
246-839-525	REP	95-21-072	246-851-060	REP	95-14-114	246-917-210	REP-P	95-22-088
246-839-530	REP-P	95-12-095	246-851-070	REP-P	95-11-110	246-917-220	REP-P	95-22-088
246-839-530	REP	95-21-072	246-851-070	REP	95-14-114	246-917-300	REP-P	95-22-088
246-839-535	REP-P	95-12-095	246-851-080	REP-P	95-11-110	246-917-990	REP-P	95-22-088
246-839-535	REP	95-21-072	246-851-080	REP-W	95-24-105	246-918	AMD-P	95-22-088
246-839-540	REP-P	95-12-095	246-851-480	AMD-P	95-11-110	246-918-005	AMD-P	95-22-088
246-839-540	REP	95-21-072	246-851-480	AMD-W	95-24-105	246-918-006	AMD-P	95-22-088
246-839-545	REP-P	95-12-095	246-851-490	AMD-P	95-11-110	246-918-007	AMD-P	95-22-088
246-839-545	REP	95-21-072	246-851-490	AMD	95-14-114	246-918-008	AMD-P	95-22-088
246-839-550	REP-P	95-12-095	246-851-500	AMD-P	95-11-110	246-918-009	AMD-P	95-22-088
246-839-550	REP	95-21-072	246-851-500	AMD	95-14-114	246-918-030	AMD-P	95-22-088
246-839-555	REP-P	95-12-095	246-851-560	NEW	95-04-084	246-918-035	AMD-P	95-22-088
246-839-555	REP	95-21-072	246-851-990	PREP	95-09-056	246-918-050	AMD-P	95-22-088
246-839-560	REP-P	95-12-095	246-851-990	AMD-P	95-11-109	246-918-070	AMD-P	95-22-088
246-839-560	REP	95-21-072	246-851-990	AMD	95-14-111	246-918-080	AMD-P	95-22-088
246-839-565	REP-P	95-12-095	246-858	AMD-C	95-18-095	246-918-085	AMD-P	95-22-088
246-839-565	REP	95-21-072	246-858-020	PREP	95-06-036	246-918-090	AMD-P	95-22-088
246-839-570	REP-P	95-12-095	246-858-020	AMD-P	95-14-113	246-918-095	AMD-P	95-22-088
246-839-570	REP	95-21-072	246-861	AMD-C	95-03-070	246-918-110	AMD-P	95-22-088
246-839-575	PREP	95-09-058	246-861-010	AMD	95-08-019	246-918-120	AMD-P	95-22-088
246-839-575	REP-P	95-12-095	246-861-020	AMD	95-08-019	246-918-130	AMD-P	95-22-088
246-839-575	REP	95-21-072	246-861-030	REP-W	95-08-062	246-918-140	AMD-P	95-22-088
246-839-990	PREP	95-04-069	246-861-040	AMD	95-08-019	246-918-170	AMD-P	95-22-088
246-839-990	REP-P	95-08-049	246-861-040	PREP	95-18-090	246-918-180	AMD-P	95-22-088
246-839-990	REP	95-12-021	246-861-050	AMD	95-08-019	246-918-250	AMD-P	95-22-088
246-840-500	NEW-P	95-12-095	246-861-055	NEW	95-08-019	246-918-260	AMD-P	95-22-088
246-840-500	NEW	95-21-072	246-861-060	AMD	95-08-019	246-918-310	AMD-P	95-22-088
246-840-505	NEW-P	95-12-095	246-861-090	AMD-W	95-08-051	246-918-990	AMD-P	95-22-088
246-840-505	NEW	95-21-072	246-861-090	PREP	95-12-019	246-919-010	NEW-P	95-22-088
246-840-510	NEW-P	95-12-095	246-861-090	PREP	95-12-093	246-919-020	NEW-P	95-22-088
246-840-510	NEW	95-21-072	246-861-090	AMD-P	95-16-121	246-919-030	NEW-P	95-22-088
246-840-520	NEW-P	95-12-095	246-861-090	AMD-C	95-18-092	246-919-100	NEW-P	95-22-088
246-840-520	NEW	95-21-072	246-863-095	NEW-P	95-14-112	246-919-110	NEW-P	95-22-088
246-840-525	NEW-P	95-12-095	246-863-095	NEW-C	95-18-094	246-919-120	NEW-P	95-22-088
246-840-525	NEW	95-21-072	246-869-240	REP-P	95-14-112	246-919-130	NEW-P	95-22-088

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
246-919-140	NEW-P	95-22-088	246-920-380	REP-P	95-22-088	250-20-011	AMD	95-10-007
246-919-150	NEW-P	95-22-088	246-920-390	REP-P	95-22-088	250-20-011	AMD-P	95-13-111
246-919-200	NEW-P	95-22-088	246-920-400	REP-P	95-22-088	250-20-011	AMD	95-17-045
246-919-210	NEW-P	95-22-088	246-920-410	REP-P	95-22-088	250-20-013	NEW-P	95-13-111
246-919-220	NEW-P	95-22-088	246-920-420	REP-P	95-22-088	250-20-013	NEW	95-17-045
246-919-230	NEW-P	95-22-088	246-920-430	REP-P	95-22-088	250-20-015	AMD-P	95-13-111
246-919-240	NEW-P	95-22-088	246-920-440	REP-P	95-22-088	250-20-015	AMD	95-17-045
246-919-300	NEW-P	95-22-088	246-920-450	REP-P	95-22-088	250-20-021	AMD-P	95-03-014
246-919-305	NEW-P	95-22-088	246-920-460	REP-P	95-22-088	250-20-021	AMD	95-10-007
246-919-310	NEW-P	95-22-088	246-920-470	REP-P	95-22-088	250-20-021	AMD-P	95-13-111
246-919-320	NEW-P	95-22-088	246-920-480	REP-P	95-22-088	250-20-021	AMD-E	95-15-049
246-919-330	NEW-P	95-22-088	246-920-490	REP-P	95-22-088	250-20-021	AMD	95-17-045
246-919-340	NEW-P	95-22-088	246-920-500	REP-P	95-22-088	250-20-021	AMD-P	95-23-105
246-919-350	NEW-P	95-22-088	246-920-510	REP-P	95-22-088	250-20-021	AMD-C	96-01-074
246-919-355	NEW-P	95-22-088	246-920-520	REP-P	95-22-088	250-20-031	AMD-P	95-13-111
246-919-360	NEW-P	95-22-088	246-920-530	REP-P	95-22-088	250-20-037	AMD-P	95-13-111
246-919-365	NEW-P	95-22-088	246-920-540	REP-P	95-22-088	250-20-041	AMD-P	95-13-111
246-919-370	NEW-P	95-22-088	246-920-550	REP-P	95-22-088	250-20-041	AMD	95-17-045
246-919-380	NEW-P	95-22-088	246-920-560	REP-P	95-22-088	250-20-051	AMD-P	95-13-111
246-919-390	NEW-P	95-22-088	246-920-570	REP-P	95-22-088	250-28-020	AMD	95-11-059
246-919-395	NEW-P	95-22-088	246-920-580	REP-P	95-22-088	250-28-030	AMD	95-11-059
246-919-400	NEW-P	95-22-088	246-920-590	REP-P	95-22-088	250-28-060	AMD	95-11-059
246-919-410	NEW-P	95-22-088	246-920-600	REP-P	95-22-088	250-28-060	AMD-P	95-11-125
246-919-420	NEW-P	95-22-088	246-920-610	REP-P	95-22-088	250-28-060	AMD	95-18-015
246-919-430	NEW-P	95-22-088	246-920-620	REP-P	95-22-088	250-28-070	AMD	95-11-059
246-919-440	NEW-P	95-22-088	246-920-630	REP-P	95-22-088	250-28-090	NEW-P	95-11-125
246-919-450	NEW-P	95-22-088	246-920-640	REP-P	95-22-088	250-28-090	NEW	95-18-015
246-919-460	NEW-P	95-22-088	246-920-650	REP-P	95-22-088	250-28-100	NEW-P	95-11-125
246-919-470	NEW-P	95-22-088	246-920-660	REP-P	95-22-088	250-28-100	NEW	95-18-015
246-919-480	NEW-P	95-22-088	246-920-670	REP-P	95-22-088	250-44	AMD-C	95-02-067
246-919-500	NEW-P	95-22-088	246-920-680	REP-P	95-22-088	250-44-050	AMD-E	95-02-068
246-919-510	NEW-P	95-22-088	246-920-690	REP-P	95-22-088	250-44-050	AMD	95-07-087
246-919-600	NEW-P	95-22-088	246-920-710	REP-P	95-22-088	250-44-110	AMD-E	95-02-068
246-919-610	NEW-P	95-22-088	246-920-720	REP-P	95-22-088	250-44-110	AMD	95-07-087
246-919-620	NEW-P	95-22-088	246-920-730	REP-P	95-22-088	250-44-130	AMD-E	95-02-068
246-919-700	NEW-P	95-22-088	246-920-740	REP-P	95-22-088	250-44-130	AMD	95-07-087
246-919-710	NEW-P	95-22-088	246-920-750	REP-P	95-22-088	250-66-020	AMD-P	95-17-087
246-919-720	NEW-P	95-22-088	246-920-760	REP-P	95-22-088	250-66-020	AMD	95-22-105
246-919-730	NEW-P	95-22-088	246-920-770	REP-P	95-22-088	250-66-040	AMD-P	95-17-087
246-919-740	NEW-P	95-22-088	246-920-780	REP-P	95-22-088	250-66-040	AMD	95-22-105
246-919-750	NEW-P	95-22-088	246-920-890	REP-P	95-22-088	250-66-050	AMD-P	95-17-087
246-919-760	NEW-P	95-22-088	246-924-080	PREP	95-09-028	250-66-050	AMD	95-22-105
246-919-770	NEW-P	95-22-088	246-924-250	PREP	95-09-028	250-79	PREP	95-09-082
246-919-990	NEW-P	95-22-088	246-924-470	PREP	95-09-028	250-79-010	AMD-P	95-10-061
246-920-020	REP-P	95-22-088	246-924-500	PREP	95-09-028	250-79-010	AMD	95-18-041
246-920-030	REP-P	95-22-088	246-924-990	PREP	95-08-050	250-79-020	NEW-P	95-10-061
246-920-040	REP-P	95-22-088	246-928-015	NEW-P	95-14-110	250-79-020	NEW	95-18-041
246-920-120	REP-P	95-22-088	246-928-015	NEW	95-18-019	251-04-050	AMD-E	95-14-056
246-920-130	REP-P	95-22-088	246-928-990	PREP	95-10-042	251-04-050	AMD-P	95-14-131
246-920-140	REP-P	95-22-088	246-928-990	AMD-P	95-14-110	251-04-050	AMD	95-19-055
246-920-150	REP-P	95-22-088	246-928-990	AMD	95-18-019	251-04-060	AMD-P	95-10-077
246-920-160	REP-P	95-22-088	246-937-010	NEW	95-04-083	251-04-060	AMD-C	95-12-071
246-920-170	REP-P	95-22-088	246-937-020	NEW	95-04-083	251-04-060	AMD-C	95-13-014
246-920-180	REP-P	95-22-088	246-937-030	NEW	95-04-083	251-04-060	AMD	95-19-099
246-920-190	REP-P	95-22-088	246-937-040	NEW	95-04-083	251-06-020	AMD-E	95-14-056
246-920-200	REP-P	95-22-088	246-937-050	NEW	95-04-083	251-06-020	AMD-P	95-14-131
246-920-210	REP-P	95-22-088	246-937-060	NEW	95-04-083	251-06-020	AMD	95-19-055
246-920-220	REP-P	95-22-088	246-937-070	NEW	95-04-083	251-08-005	AMD-E	95-14-056
246-920-230	REP-P	95-22-088	246-937-080	NEW	95-04-083	251-08-005	AMD-P	95-14-131
246-920-240	REP-P	95-22-088	246-937-090	NEW	95-04-083	251-08-005	AMD	95-19-055
246-920-250	REP-P	95-22-088	246-937-100	NEW	95-04-083	251-08-090	AMD-E	95-14-056
246-920-260	REP-P	95-22-088	246-937-110	NEW	95-04-083	251-08-090	AMD-P	95-14-131
246-920-270	REP-P	95-22-088	246-976-010	PREP	95-13-052	251-08-090	AMD	95-19-055
246-920-280	REP-P	95-22-088	246-976-010	AMD-E	95-13-053	251-09-020	AMD-P	95-10-078
246-920-290	REP-P	95-22-088	246-976-010	AMD-E	95-21-040	251-09-020	AMD-C	95-12-071
246-920-300	REP-P	95-22-088	246-976-010	AMD-P	95-23-116	251-09-020	AMD-C	95-13-014
246-920-310	REP-P	95-22-088	246-976-045	NEW-E	95-13-053	251-09-020	AMD	95-19-099
246-920-320	REP-P	95-22-088	246-976-045	NEW-E	95-21-040	251-17-010	AMD-P	95-10-079
246-920-330	REP-P	95-22-088	246-976-045	NEW-P	95-23-116	251-17-010	AMD-C	95-12-071
246-920-340	REP-P	95-22-088	246-976-165	NEW-E	95-13-053	251-17-010	AMD-C	95-13-014
246-920-350	REP-P	95-22-088	246-976-165	NEW-E	95-21-040	251-17-010	AMD	95-19-099
246-920-360	REP-P	95-22-088	246-976-165	NEW-P	95-23-116	251-17-010	AMD-P	95-22-091
246-920-370	REP-P	95-22-088	250-20-011	AMD-P	95-03-014	251-17-020	AMD-P	95-10-080

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251-17-020	AMD	95-19-099	284-13-330	REP	95-20-022
251-17-110	AMD-P	95-10-081	284-13-340	PREP	95-15-043
251-17-110	AMD-C	95-12-071	284-13-340	REP-P	95-17-121
251-17-110	AMD-C	95-13-014	284-13-340	REP	95-20-022
251-17-110	AMD	95-19-099	284-13-350	PREP	95-15-043
251-17-170	AMD-P	95-22-091	284-13-350	REP-P	95-17-121
251-17-200	AMD-P	95-10-082	284-13-350	REP	95-20-022
251-17-200	AMD-C	95-12-071	284-13-360	PREP	95-15-043
251-17-200	AMD-C	95-13-014	284-13-360	REP-P	95-17-121
251-17-200	AMD	95-19-099	284-13-360	REP	95-20-022
251-19-070	AMD-P	95-10-083	284-13-370	PREP	95-15-043
251-19-070	AMD-C	95-12-071	284-13-370	REP-P	95-17-121
251-19-070	AMD-C	95-13-014	284-13-370	REP	95-20-022
251-19-070	AMD	95-19-099	284-13-380	PREP	95-15-043
251-19-105	REP-P	95-22-091	284-13-380	REP-P	95-17-121
251-19-157	AMD-P	95-10-084	284-13-380	REP	95-20-022
251-19-157	AMD-C	95-12-071	284-13-390	PREP	95-15-043
251-19-157	AMD-C	95-13-014	284-13-390	REP-P	95-17-121
251-19-157	AMD	95-19-099	284-13-390	REP	95-20-022
251-22-040	AMD-P	95-10-085	284-13-400	PREP	95-15-043
251-22-040	AMD-C	95-12-071	284-13-400	REP-P	95-17-121
251-22-040	AMD-C	95-13-014	284-13-400	REP	95-20-022
251-22-040	AMD	95-19-099	284-13-410	PREP	95-15-043
251-22-270	AMD-P	95-22-091	284-13-410	REP-P	95-17-121
253-02-050	AMD-P	95-12-072	284-13-410	REP	95-20-022
253-02-050	AMD	95-19-025	284-13-420	PREP	95-15-043
253-16	PREP	95-07-131	284-13-420	REP-P	95-17-121
253-16-010	AMD-P	95-12-072	284-13-420	REP	95-20-022
253-16-010	AMD	95-19-025	284-13-850	NEW-P	95-16-029
253-16-030	AMD-P	95-12-072	284-13-850	NEW	95-19-018
253-16-030	AMD	95-19-025	284-13-855	NEW-P	95-16-029
253-16-090	AMD-P	95-12-072	284-13-855	NEW	95-19-018
253-16-090	AMD	95-19-025	284-13-860	NEW-P	95-16-029
253-16-100	AMD-P	95-12-072	284-13-860	NEW	95-19-018
253-16-100	AMD	95-19-025	284-13-863	NEW-P	95-16-029
260-12-010	PREP	95-05-078	284-13-863	NEW	95-19-018
260-12-010	AMD-P	95-07-140	284-14-010	PREP	95-15-043
260-12-010	AMD-W	95-20-062	284-14-010	REP-P	95-17-121
260-12-250	NEW	95-07-142	284-14-010	REP	95-20-022
260-40-100	PREP	95-05-078	284-14-020	PREP	95-15-043
260-40-100	AMD-P	95-07-143	284-14-020	REP-P	95-17-121
260-40-100	AMD	95-18-016	284-14-020	REP	95-20-022
260-48-320	AMD-P	95-05-079	284-20-200	NEW-S	95-06-086
260-48-320	AMD	95-07-141	284-20-200	NEW	95-09-014
260-70	PREP	95-21-053	284-22-030	AMD-E	95-14-097
263-12-015	AMD	95-02-065	284-22-030	PREP	95-14-128
263-12-080	AMD	95-02-065	284-22-030	AMD-P	95-16-123
263-12-140	AMD	95-02-065	284-22-030	AMD	95-18-106
263-12-155	AMD	95-02-065	284-24-060	PREP	95-03-077
263-12-165	AMD	95-12-062	284-30	NEW-C	95-06-019
263-12-190	AMD	95-02-065	284-30-572	PREP	95-21-086
275-26	PREP	95-21-042	284-30-900	NEW-P	95-02-075
275-45	PREP	95-11-001	284-30-900	NEW-S	95-06-086
275-155	PREP	95-23-057	284-30-900	NEW	95-09-014
284-10-140	NEW-P	95-24-098	284-30-905	NEW-P	95-02-075
284-13-110	REP-P	95-16-029	284-30-905	NEW-S	95-06-086
284-13-110	REP	95-19-018	284-30-905	NEW	95-09-014
284-13-120	REP-P	95-16-029	284-30-910	NEW-P	95-02-075
284-13-120	REP	95-19-018	284-30-910	NEW-S	95-06-086
284-13-130	REP-P	95-16-029	284-30-910	NEW	95-09-014
284-13-130	REP	95-19-018	284-30-920	NEW-P	95-02-075
284-13-140	REP-P	95-16-029	284-30-920	NEW-S	95-06-086
284-13-140	REP	95-19-018	284-30-920	NEW	95-09-014
284-13-150	REP-P	95-16-029	284-30-930	NEW-P	95-02-075
284-13-150	REP	95-19-018	284-30-930	NEW-S	95-06-086
284-13-310	PREP	95-15-043	284-30-930	NEW	95-09-014
284-13-310	REP-P	95-17-121	284-30-940	NEW-P	95-02-075
284-13-310	REP	95-20-022	284-30-940	NEW-S	95-06-086
284-13-320	PREP	95-15-043	284-30-940	NEW	95-09-014
284-13-320	REP-P	95-17-121	284-30-950	NEW-P	95-02-075
284-13-320	REP	95-20-022	284-30-950	NEW-W	95-16-001
284-32-010	PREP	95-15-043	284-32-010	PREP	95-15-043
284-32-010	REP-P	95-17-121	284-32-010	REP-P	95-17-121
284-32-010	REP	95-20-022	284-32-020	PREP	95-15-043
284-32-020	PREP	95-15-043	284-32-020	REP-P	95-17-121
284-32-020	REP-P	95-17-121	284-32-020	REP	95-20-022
284-32-030	PREP	95-15-043	284-32-030	REP-P	95-15-043
284-32-030	REP-P	95-17-121	284-32-030	REP	95-20-022
284-32-030	REP	95-20-022	284-32-040	PREP	95-15-043
284-32-040	PREP	95-17-121	284-32-040	REP-P	95-17-121
284-32-040	REP	95-20-022	284-32-040	REP	95-20-022
284-32-050	PREP	95-15-043	284-32-050	PREP	95-15-043
284-32-050	REP-P	95-17-121	284-32-050	REP-P	95-17-121
284-32-050	REP	95-20-022	284-32-050	REP	95-20-022
284-32-060	PREP	95-15-043	284-32-060	PREP	95-15-043
284-32-060	REP-P	95-17-121	284-32-060	REP-P	95-17-121
284-32-060	REP	95-20-022	284-32-060	REP	95-20-022
284-32-070	PREP	95-15-043	284-32-070	PREP	95-15-043
284-32-070	REP-P	95-17-121	284-32-070	REP-P	95-17-121
284-32-070	REP	95-20-022	284-32-070	REP	95-20-022
284-32-080	PREP	95-15-043	284-32-080	PREP	95-15-043
284-32-080	REP-P	95-17-121	284-32-080	REP-P	95-17-121
284-32-080	REP	95-20-022	284-32-080	REP	95-20-022
284-32-090	PREP	95-15-043	284-32-090	PREP	95-15-043
284-32-090	REP-P	95-17-121	284-32-090	REP-P	95-17-121
284-32-090	REP	95-20-022	284-32-090	REP	95-20-022
284-32-100	PREP	95-15-043	284-32-100	PREP	95-15-043
284-32-100	REP-P	95-17-121	284-32-100	REP-P	95-17-121
284-32-100	REP	95-20-022	284-32-100	REP	95-20-022
284-32-110	PREP	95-15-043	284-32-110	PREP	95-15-043
284-32-110	REP-P	95-17-121	284-32-110	REP-P	95-17-121
284-32-110	REP	95-20-022	284-32-110	REP	95-20-022
284-32-120	PREP	95-15-043	284-32-120	PREP	95-15-043
284-32-120	REP-P	95-17-121	284-32-120	REP-P	95-17-121
284-32-120	REP	95-20-022	284-32-120	REP	95-20-022
284-32-130	PREP	95-15-043	284-32-130	PREP	95-15-043
284-32-130	REP-P	95-17-121	284-32-130	REP-P	95-17-121
284-32-130	REP	95-20-022	284-32-130	REP	95-20-022
284-32-140	PREP	95-15-043	284-32-140	PREP	95-15-043
284-32-140	REP	95-20-022	284-32-140	REP	95-20-022
284-32-150	PREP	95-15-043	284-32-150	PREP	95-15-043
284-32-150	REP-P	95-17-121	284-32-150	REP-P	95-17-121
284-32-150	REP	95-20-022	284-32-150	REP	95-20-022
284-32-160	PREP	95-15-043	284-32-160	PREP	95-15-043
284-32-160	REP-P	95-17-121	284-32-160	REP-P	95-17-121
284-32-160	REP	95-20-022	284-32-160	REP	95-20-022
284-32-170	PREP	95-15-043	284-32-170	PREP	95-15-043
284-32-170	REP-P	95-17-121	284-32-170	REP-P	95-17-121
284-32-170	REP	95-20-022	284-32-170	REP	95-20-022
284-32-180	PREP	95-15-043	284-32-180	PREP	95-15-043
284-32-180	REP-P	95-17-121	284-32-180	REP-P	95-17-121
284-32-180	REP	95-20-022	284-32-180	REP	95-20-022
284-32-190	PREP	95-15-043	284-32-190	PREP	95-15-043
284-32-190	REP-P	95-17-121	284-32-190	REP-P	95-17-121
284-32-190	REP	95-20-022	284-32-190	REP	95-20-022
284-32-200	PREP	95-15-043	284-32-200	PREP	95-15-043
284-32-200	REP-P	95-17-121	284-32-200	REP-P	95-17-121
284-32-200	REP	95-20-022	284-32-200	REP	95-20-022
284-44-170	PREP	95-15-043	284-44-170	PREP	95-15-043
284-44-170	REP-P	95-17-121	284-44-170	REP-P	95-17-121
284-44-170	REP	95-20-022	284-44-170	REP	95-20-022
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284-48-020	PREP	95-15-043	284-48-020	PREP	95-15-043
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284-48-020	REP	95-20-022	284-48-020	REP	95-20-022
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284-54	AMD-C	95-19-016	284-54	AMD-C	95-19-016
284-54-020	AMD-W	95-03-076	284-54-020	AMD-W	95-03-076
284-54-020	AMD-P	95-15-082	284-54-020	AMD-P	95-15-082
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284-54-190	NEW	95-19-028	292-100-010	NEW-E	95-04-004	296-17-91905	AMD	95-06-069
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296-62-05413	AMD-P	95-05-061	296-104-040	AMD	95-19-058	296-155-24510	AMD	95-10-016
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296-62-05413	AMD-P	95-10-093	296-104-045	AMD	95-19-058	296-155-24519	NEW-P	95-05-061
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296-155-24523	NEW	95-10-016	296-305-01001	NEW-P	95-15-118	296-305-07003	AMD-P	95-15-118
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374-60-030	AMD-P	96-01-102	388-15-215	AMD-P	95-16-016	388-15-945	NEW	95-15-011
374-60-120	PREP	95-22-051	388-15-215	AMD	95-20-041	388-15-945	PREP	95-21-013
374-60-120	AMD-P	96-01-102	388-15-216	AMD	95-20-041	388-15-945	PREP	95-21-013
374-70-010	NEW-P	95-22-085	388-15-216	AMD-P	95-16-016	388-15-950	NEW-P	95-11-005
374-70-010	NEW	96-01-101	388-15-216	AMD	95-20-041	388-15-950	NEW-C	95-14-050
374-70-020	NEW-P	95-22-085	388-15-217	REP-E	95-20-049	388-15-950	NEW	95-15-011
374-70-020	NEW	96-01-101	388-15-217	REP-P	95-20-056	388-15-950	PREP	95-21-013
374-70-030	NEW-P	95-22-085	388-15-217	REP	95-23-032	388-15-955	NEW-P	95-11-005
374-70-030	NEW	96-01-101	388-15-219	NEW-P	95-16-016	388-15-955	NEW-C	95-14-050
374-70-040	NEW-P	95-22-085	388-15-219	NEW	95-20-041	388-15-955	NEW	95-15-011
374-70-040	NEW	96-01-101	388-15-222	NEW-P	95-16-016	388-15-955	PREP	95-21-013
374-70-050	NEW-P	95-22-085	388-15-222	NEW	95-20-041	388-18	PREP	95-06-034
374-70-050	NEW	96-01-101	388-15-600	AMD-P	95-16-016	388-43-010	AMD	95-03-049
374-70-060	NEW-P	95-22-085	388-15-600	AMD	95-20-041	388-43-020	AMD	95-03-049
374-70-060	NEW	96-01-101	388-15-610	AMD-P	95-16-016	388-43-130	NEW	95-03-049
374-70-070	NEW-P	95-22-085	388-15-610	AMD	95-20-041	388-46	AMD-P	95-16-017
374-70-070	NEW	96-01-101	388-15-615	REP-P	95-16-016	388-46	AMD-E	95-16-019
374-70-080	NEW-P	95-22-085	388-15-615	REP	95-20-041	388-46	AMD	95-19-003
374-70-080	NEW	96-01-101	388-15-620	AMD-P	95-16-016	388-46-110	PREP	95-14-039
374-70-090	NEW-P	95-22-085	388-15-620	AMD	95-20-041	388-46-110	NEW-P	95-16-017
374-70-090	NEW	96-01-101	388-15-630	AMD-P	95-16-016	388-46-110	NEW-E	95-16-019
374-70-100	NEW-P	95-22-085	388-15-630	AMD	95-20-041	388-46-110	NEW	95-19-003
374-70-100	NEW	96-01-101	388-15-820	REP-E	95-20-049	388-47	PREP	95-12-078
374-70-110	NEW-P	95-22-085	388-15-820	REP-P	95-20-056	388-47-010	REP-P	95-15-001
374-70-110	NEW	96-01-101	388-15-820	REP	95-23-032	388-47-010	REP	95-19-075
374-70-120	NEW-P	95-22-085	388-15-830	AMD-P	95-16-016	388-47-020	REP-P	95-15-001
374-70-120	NEW	96-01-101	388-15-830	AMD	95-20-041	388-47-020	REP	95-19-075
374-70-130	NEW-P	95-22-085	388-15-840	REP-E	95-20-049	388-47-030	REP-P	95-15-001
374-70-130	NEW	96-01-101	388-15-840	REP-P	95-20-056	388-47-030	REP	95-19-075
381-40-070	AMD	95-13-083	388-15-840	REP	95-23-032	388-47-050	AMD-P	95-14-078
381-60-040	AMD	95-13-083	388-15-840	REP	95-16-016	388-47-050	AMD-E	95-14-079
381-70-400	AMD	95-06-008	388-15-850	REP-P	95-20-041	388-47-050	REP-P	95-15-001
388-08-585	PREP	95-15-046	388-15-850	REP	95-16-016	388-47-050	AMD	95-18-020
388-08-585	NEW-P	95-20-067	388-15-860	REP-P	95-20-041	388-47-050	REP	95-19-075
388-08-585	NEW	95-23-029	388-15-860	REP	95-20-041	388-47-060	NEW-P	95-14-078
388-11	PREP	95-16-010	388-15-870	REP	95-16-016	388-47-060	NEW-E	95-14-079
388-14	PREP	95-15-010	388-15-880	AMD-P	95-16-016	388-47-060	NEW	95-18-020
388-15	PREP	95-09-053	388-15-880	AMD	95-20-041	388-47-060	REP	95-19-075
388-15	PREP	95-10-033	388-15-890	AMD-P	95-16-016	388-47-070	AMD-P	95-14-078
			388-15-890	AMD	95-20-041	388-47-070	AMD-E	95-14-079
			388-15-900	NEW-P	95-11-005	388-47-070	REP-P	95-15-001
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388-47-100	REP	95-19-075	388-49-190	AMD	95-12-001	388-51-120	REP	95-23-028
388-47-105	REP-P	95-15-001	388-49-250	AMD	95-06-026	388-51-123	REP-P	95-19-021
388-47-105	REP	95-19-075	388-49-260	AMD	95-06-029	388-51-123	REP	95-23-028
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388-47-107	REP	95-19-075	388-49-380	PREP	95-09-032	388-51-130	REP	95-23-028
388-47-110	AMD-P	95-14-078	388-49-410	AMD-P	95-03-044	388-51-135	REP-P	95-19-021
388-47-110	AMD-E	95-14-079	388-49-410	AMD	95-06-031	388-51-135	REP	95-23-028
388-47-110	REP-P	95-15-001	388-49-410	PREP	95-24-096	388-51-140	REP-P	95-19-021
388-47-110	AMD	95-18-020	388-49-420	AMD-P	95-03-045	388-51-140	REP	95-23-028
388-47-110	REP	95-19-075	388-49-420	AMD	95-06-032	388-51-155	REP-P	95-19-021
388-47-115	AMD-P	95-14-078	388-49-430	AMD-P	95-03-044	388-51-155	REP	95-23-028
388-47-115	AMD-E	95-14-079	388-49-430	AMD	95-06-031	388-51-160	REP-P	95-19-021
388-47-115	REP-P	95-15-001	388-49-430	PREP	95-19-004	388-51-160	REP	95-23-028
388-47-115	AMD	95-18-020	388-49-430	AMD-E	95-20-050	388-51-170	REP-P	95-19-021
388-47-115	REP	95-19-075	388-49-430	AMD-P	95-21-048	388-51-170	REP	95-23-028
388-47-120	AMD-P	95-14-078	388-49-430	AMD	95-24-018	388-51-180	REP-P	95-19-021
388-47-120	AMD-E	95-14-079	388-49-480	PREP	95-04-013	388-51-180	REP	95-23-028
388-47-120	REP-P	95-15-001	388-49-480	AMD-P	95-05-013	388-51-210	AMD	95-03-047
388-47-120	AMD	95-18-020	388-49-480	AMD	95-07-122	388-51-210	REP-P	95-19-021
388-47-120	REP	95-19-075	388-49-485	PREP	96-01-068	388-51-210	REP	95-23-028
388-47-125	AMD-P	95-14-078	388-49-500	PREP	95-07-053	388-51-220	NEW	95-03-047
388-47-125	AMD-E	95-14-079	388-49-500	AMD-P	95-09-004	388-51-220	REP-P	95-19-021
388-47-125	REP-P	95-15-001	388-49-500	AMD	95-11-120	388-51-220	REP	95-23-028
388-47-125	AMD	95-18-020	388-49-500	PREP	95-17-051	388-51-250	AMD	95-03-047
388-47-125	REP	95-19-075	388-49-500	AMD-P	95-18-031	388-51-250	REP-P	95-19-021
388-47-127	AMD-P	95-14-078	388-49-500	AMD-E	95-20-032	388-51-250	REP	95-23-028
388-47-127	AMD-E	95-14-079	388-49-500	AMD	95-21-052	388-51-260	REP-P	95-19-021
388-47-127	REP-P	95-15-001	388-49-500	PREP	95-24-035	388-51-260	REP	95-23-028
388-47-127	AMD	95-18-020	388-49-500	AMD-E	95-24-036	388-55	PREP	95-22-046
388-47-127	REP	95-19-075	388-49-505	PREP	95-07-071	388-55-006	NEW-P	96-01-063
388-47-130	AMD-P	95-14-078	388-49-505	AMD-P	95-09-003	388-55-008	NEW-P	96-01-063
388-47-130	AMD-E	95-14-079	388-49-505	AMD	95-11-121	388-55-010	AMD-P	96-01-063
388-47-130	REP-P	95-15-001	388-49-505	PREP	95-17-051	388-55-020	AMD-P	96-01-063
388-47-130	AMD	95-18-020	388-49-505	AMD-P	95-18-031	388-55-024	NEW-P	96-01-063
388-47-130	REP	95-19-075	388-49-505	AMD-E	95-20-032	388-55-027	NEW-P	96-01-063
388-47-135	AMD-P	95-14-078	388-49-505	AMD	95-21-052	388-55-030	AMD-P	96-01-063
388-47-135	AMD-E	95-14-079	388-49-510	PREP	95-17-051	388-55-040	AMD-P	96-01-063
388-47-135	REP-P	95-15-001	388-49-510	AMD-P	95-18-031	388-55-050	NEW-P	96-01-063
388-47-135	AMD	95-18-020	388-49-510	AMD-E	95-20-032	388-55-060	NEW-P	96-01-063
388-47-135	REP	95-19-075	388-49-510	AMD	95-21-052	388-60	PREP	95-10-024
388-47-140	REP-P	95-15-001	388-49-520	PREP	96-01-069	388-73	AMD-C	95-05-024
388-47-140	REP	95-19-075	388-49-530	PREP	96-01-070	388-73	PREP	95-16-057
388-47-200	REP-P	95-15-001	388-49-535	PREP	96-01-072	388-73-010	AMD-S	95-07-024
388-47-200	REP	95-19-075	388-49-550	PREP	95-17-097	388-73-010	AMD-W	95-11-051
388-47-210	REP-P	95-15-001	388-49-550	AMD-P	95-18-035	388-73-012	AMD-S	95-07-024
388-47-210	REP	95-19-075	388-49-550	AMD-E	95-20-029	388-73-012	AMD-W	95-11-051
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388-47-215	REP	95-19-075	388-49-600	PREP	95-14-007	388-73-014	AMD-W	95-11-051
388-47-220	REP-P	95-15-001	388-49-600	AMD-P	95-15-057	388-73-014	AMD-E	95-19-076
388-47-220	REP	95-19-075	388-49-600	AMD	95-18-003	388-73-014	AMD-P	95-19-077
388-47-300	REP-P	95-15-001	388-49-640	PREP	95-14-006	388-73-014	AMD	95-23-033
388-47-300	REP	95-19-075	388-49-640	AMD-P	95-15-058	388-73-01950	AMD-S	95-07-024
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388-49-020	PREP	95-14-006	388-49-660	PREP	95-14-006	388-73-026	AMD-S	95-07-024
388-49-020	AMD-P	95-15-058	388-49-660	AMD-P	95-15-058	388-73-026	AMD-W	95-11-051
388-49-020	AMD	95-19-013	388-49-660	AMD	95-19-013	388-73-030	AMD-E	95-18-006
388-49-020	PREP	95-24-010	388-49-670	PREP	95-14-006	388-73-030	AMD-P	95-18-007
388-49-080	PREP	95-08-006	388-49-670	AMD-P	95-15-058	388-73-030	AMD-C	95-22-042
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388-49-080	AMD	95-11-122	388-49-670	PREP	95-24-053	388-73-030	AMD-E	96-01-009
388-49-110	PREP	95-08-007	388-49-670	AMD-E	95-24-054	388-73-036	AMD-S	95-07-024
388-49-110	AMD-P	95-09-034	388-51	PREP	95-17-096	388-73-036	AMD-W	95-11-051
388-49-110	AMD	95-11-123	388-51-010	REP-P	95-19-021	388-73-054	AMD-S	95-07-024
388-49-150	PREP	95-14-118	388-51-010	REP	95-23-028	388-73-054	AMD-W	95-11-051
388-49-150	AMD-P	95-15-059	388-51-020	REP-P	95-19-021	388-73-058	AMD-E	95-19-076
388-49-150	AMD	95-18-004	388-51-020	REP	95-23-028	388-73-058	AMD-P	95-19-077
388-49-160	AMD	95-06-030	388-51-040	REP-P	95-19-021	388-73-058	AMD	95-23-033
388-49-170	PREP	95-14-118	388-51-040	REP	95-23-028	388-73-074	AMD-S	95-07-024
388-49-170	AMD-P	95-15-059	388-51-110	REP-P	95-19-021	388-73-074	AMD-W	95-11-051
388-49-170	AMD	95-18-004	388-51-110	REP	95-23-028	388-73-074	AMD-E	95-19-076
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388-73-076	AMD-E	95-19-076	388-73-365	NEW-P	95-19-077	388-73-436	REP-S	95-07-024
388-73-076	AMD-P	95-19-077	388-73-365	NEW	95-23-033	388-73-436	REP-W	95-11-051
388-73-076	AMD	95-23-033	388-73-367	NEW-E	95-19-076	388-73-438	REP-S	95-07-024
388-73-118	AMD-S	95-07-024	388-73-367	NEW-P	95-19-077	388-73-438	REP-W	95-11-051
388-73-118	AMD-W	95-11-051	388-73-367	NEW	95-23-033	388-73-440	REP-S	95-07-024
388-73-144	AMD-S	95-07-024	388-73-369	NEW-E	95-19-076	388-73-440	REP-W	95-11-051
388-73-144	AMD-W	95-11-051	388-73-369	NEW-P	95-19-077	388-73-510	REP-S	95-07-024
388-73-146	AMD-S	95-07-024	388-73-369	NEW	95-23-033	388-73-510	REP-W	95-11-051
388-73-146	AMD-W	95-11-051	388-73-371	NEW-E	95-19-076	388-73-511	NEW-S	95-07-024
388-73-146	AMD-E	95-19-076	388-73-371	NEW-P	95-19-077	388-73-511	NEW-W	95-11-051
388-73-146	AMD-P	95-19-077	388-73-371	NEW	95-23-033	388-73-512	REP-S	95-07-024
388-73-146	AMD	95-23-033	388-73-373	NEW-E	95-19-076	388-73-512	REP-W	95-11-051
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388-73-200	AMD-W	95-11-051	388-73-373	NEW	95-23-033	388-73-513	NEW-W	95-11-051
388-73-212	AMD-S	95-07-024	388-73-375	NEW-E	95-19-076	388-73-516	NEW-S	95-07-024
388-73-212	AMD-W	95-11-051	388-73-375	NEW-P	95-19-077	388-73-516	NEW-W	95-11-051
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388-73-213	REP-W	95-11-051	388-73-377	NEW-E	95-19-076	388-73-522	NEW-W	95-11-051
388-73-214	REP-S	95-07-024	388-73-377	NEW-P	95-19-077	388-73-524	NEW-S	95-07-024
388-73-214	REP-W	95-11-051	388-73-377	NEW	95-23-033	388-73-524	NEW-W	95-11-051
388-73-216	REP-S	95-07-024	388-73-379	NEW-E	95-19-076	388-73-606	AMD-S	95-07-024
388-73-216	REP-W	95-11-051	388-73-379	NEW-P	95-19-077	388-73-606	AMD-W	95-11-051
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388-73-250	NEW-W	95-11-051	388-73-381	NEW-E	95-19-076	388-77	PREP	95-15-036
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388-73-254	NEW-S	95-07-024	388-73-383	NEW-E	95-19-076	388-77-006	REP-P	95-15-068
388-73-254	NEW-W	95-11-051	388-73-383	NEW-P	95-19-077	388-77-006	REP	95-18-002
388-73-256	NEW-S	95-07-024	388-73-383	NEW	95-23-033	388-77-010	REP-P	95-15-068
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388-73-258	NEW-W	95-11-051	388-73-385	NEW	95-23-033	388-77-015	REP	95-18-002
388-73-260	NEW-S	95-07-024	388-73-387	NEW-E	95-19-076	388-77-045	REP-P	95-15-068
388-73-260	NEW-W	95-11-051	388-73-387	NEW-P	95-19-077	388-77-045	REP	95-18-002
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388-73-262	NEW-W	95-11-051	388-73-389	NEW-E	95-19-076	388-77-200	REP	95-18-002
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388-73-264	NEW-W	95-11-051	388-73-389	NEW	95-23-033	388-77-210	REP	95-18-002
388-73-266	NEW-S	95-07-024	388-73-391	NEW-E	95-19-076	388-77-240	REP-P	95-15-068
388-73-266	NEW-W	95-11-051	388-73-391	NEW-P	95-19-077	388-77-240	REP	95-18-002
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388-73-268	NEW-W	95-11-051	388-73-393	NEW-E	95-19-076	388-77-255	REP	95-18-002
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388-73-270	NEW-W	95-11-051	388-73-393	NEW	95-23-033	388-77-270	REP	95-18-002
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388-73-272	NEW-W	95-11-051	388-73-395	NEW-P	95-19-077	388-77-285	REP	95-18-002
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388-73-274	NEW-W	95-11-051	388-73-400	REP-S	95-07-024	388-77-320	REP	95-18-002
388-73-276	NEW-S	95-07-024	388-73-400	REP-W	95-11-051	388-77-500	REP-P	95-15-068
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388-73-278	NEW-S	95-07-024	388-73-402	REP-W	95-11-051	388-77-515	REP-P	95-15-068
388-73-278	NEW-W	95-11-051	388-73-403	REP-S	95-07-024	388-77-515	REP	95-18-002
388-73-304	AMD-S	95-07-024	388-73-403	REP-W	95-11-051	388-77-520	REP-P	95-15-068
388-73-304	AMD-W	95-11-051	388-73-404	REP-S	95-07-024	388-77-520	REP	95-18-002
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388-73-351	NEW-P	95-19-077	388-73-406	REP-S	95-07-024	388-77-525	REP	95-18-002
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388-73-353	NEW-E	95-19-076	388-73-408	REP-S	95-07-024	388-77-531	REP	95-18-002
388-73-353	NEW-P	95-19-077	388-73-408	REP-W	95-11-051	388-77-555	REP-P	95-15-068
388-73-353	NEW	95-23-033	388-73-409	REP-S	95-07-024	388-77-555	REP	95-18-002
388-73-355	NEW-E	95-19-076	388-73-409	REP-W	95-11-051	388-77-600	REP-P	95-15-068
388-73-355	NEW-P	95-19-077	388-73-410	REP-S	95-07-024	388-77-600	REP	95-18-002
388-73-355	NEW	95-23-033	388-73-410	REP-W	95-11-051	388-77-605	REP-P	95-15-068
388-73-357	NEW-E	95-19-076	388-73-412	REP-S	95-07-024	388-77-605	REP	95-18-002
388-73-357	NEW-P	95-19-077	388-73-412	REP-W	95-11-051	388-77-610	REP-P	95-15-068
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388-77-810	REP	95-18-002	388-86-098	AMD-E	95-14-060	388-96-216	REP-P	95-14-120
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388-77A-041	REP	95-18-002	388-87-050	REP-E	95-16-115	388-96-384	AMD-P	95-14-120
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388-86-00902	REP	95-18-046	388-91-010	PREP	95-13-021	388-96-710	AMD-P	95-14-120
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388-86-020	REP-P	95-17-023	388-91-010	AMD-E	95-14-061	388-96-713	AMD-E	95-14-119
388-86-020	REP-W	95-17-049	388-91-010	REP-P	95-16-014	388-96-713	AMD-P	95-14-120
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388-86-030	AMD-E	95-14-060	388-91-030	REP-P	95-16-014	388-96-735	AMD-P	95-14-120
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388-86-073	AMD-W	95-17-086	388-91-050	REP-W	95-17-029	388-96-745	AMD	95-19-037
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388-86-075	AMD-W	95-17-086	388-96-032	AMD-P	95-14-120	388-96-754	AMD	95-19-037
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388-96-901	AMD-P	95-14-120	388-201-400	NEW	95-24-014	388-217-3050	PREP	95-19-082
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388-96-902	REP-P	95-14-120	388-201-410	NEW	95-24-014	388-217-3200	PREP	95-19-061
388-96-902	REP	95-19-037	388-201-410	PREP	95-24-110	388-217-3200	PREP	95-19-082
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388-97	PREP	95-19-060	388-201-430	NEW	95-24-014	388-218-1050	AMD-P	95-11-101
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388-150-090	AMD-E	95-18-006	388-201-450	PREP	95-24-110	388-218-1350	AMD-P	95-09-035
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388-150-090	AMD-C	95-24-094	388-201-460	PREP	95-24-110	388-218-1450	PREP	95-08-023
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388-151-090	AMD-C	95-24-094	388-201-480	PREP	95-24-110	388-218-1510	AMD	95-14-047
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388-233-0050	AMD	95-24-013	388-290-260	NEW-P	95-19-021	388-300-3600	NEW-P	95-15-001
388-233-0060	AMD-P	95-21-067	388-290-260	NEW	95-23-028	388-300-3600	NEW	95-19-075
388-233-0060	AMD	95-24-013	388-300	PREP	95-08-021	388-300-3700	NEW-P	95-15-001
388-233-0070	AMD-P	95-21-067	388-300-0100	NEW-P	95-15-001	388-300-3700	NEW	95-19-075
388-233-0070	AMD	95-24-013	388-300-0100	NEW	95-19-075	388-300-3800	NEW-P	95-15-001
388-233-0090	AMD-P	95-21-067	388-300-0200	NEW-P	95-15-001	388-300-3800	NEW	95-19-075
388-233-0090	AMD	95-24-013	388-300-0200	NEW	95-19-075	388-300-3900	NEW-P	95-15-001
388-235-9000	AMD	95-03-048	388-300-0300	NEW-P	95-15-001	388-300-3900	NEW	95-19-075
388-245-2020	PREP	96-01-018	388-300-0300	NEW	95-19-075	388-330	PREP	95-11-006
388-250-1200	AMD-P	95-05-014	388-300-0400	NEW-P	95-15-001	388-330	PREP	95-16-057
388-250-1200	AMD	95-07-123	388-300-0400	NEW	95-19-075	388-330-010	AMD-P	95-16-086
388-250-1250	PREP	95-17-050	388-300-0500	NEW-P	95-15-001	388-330-010	AMD-E	95-16-087
388-250-1250	AMD-P	95-18-036	388-300-0500	NEW	95-19-075	388-330-010	RESCIND	95-16-100
388-250-1250	AMD-E	95-18-061	388-300-0600	NEW-P	95-15-001	388-330-010	AMD-W	95-16-101
388-250-1250	AMD	95-21-049	388-300-0600	NEW	95-19-075	388-330-010	AMD-E	95-18-006
388-250-1300	PREP	95-17-050	388-300-0700	NEW-P	95-15-001	388-330-010	AMD-P	95-18-007
388-250-1300	AMD-P	95-18-036	388-300-0700	NEW	95-19-075	388-330-010	AMD-C	95-22-042
388-250-1300	AMD-E	95-18-061	388-300-0800	NEW-P	95-15-001	388-330-010	AMD-C	95-24-094
388-250-1300	AMD	95-21-049	388-300-0800	NEW	95-19-075	388-330-010	AMD-E	96-01-009
388-250-1400	PREP	95-22-023	388-300-0900	NEW-P	95-15-001	388-330-035	NEW-P	95-16-086
388-250-1400	AMD-P	96-01-062	388-300-0900	NEW	95-19-075	388-330-035	NEW-E	95-16-087
388-250-1700	AMD	95-03-046	388-300-1000	NEW-P	95-15-001	388-330-035	RESCIND	95-16-100
388-250-1700	PREP	95-16-015	388-300-1000	NEW	95-19-075	388-330-035	NEW-W	95-16-101
388-250-1700	AMD-P	95-17-128	388-300-1100	NEW-P	95-15-001	388-330-035	NEW-E	95-18-006
388-250-1700	AMD	95-20-028	388-300-1100	NEW	95-19-075	388-330-035	NEW-P	95-18-007
388-250-1700	PREP	95-24-011	388-300-1200	NEW-P	95-15-001	388-330-035	AMD-C	95-22-042
388-250-1750	PREP	95-17-050	388-300-1200	NEW	95-19-075	388-330-035	AMD-C	95-24-094
388-250-1750	AMD-P	95-18-036	388-300-1300	NEW-P	95-15-001	388-330-035	NEW-E	96-01-009
388-250-1750	AMD-E	95-18-061	388-300-1300	NEW	95-19-075	388-500-0005	PREP	95-13-020
388-250-1750	AMD	95-21-049	388-300-1400	NEW-P	95-15-001	388-500-0005	AMD-P	95-14-058
388-255-1200	PREP	95-20-008	388-300-1400	NEW	95-19-075	388-500-0005	AMD-E	95-14-060
388-255-1200	AMD-P	95-22-043	388-300-1500	NEW-P	95-15-001	388-500-0005	AMD-W	95-17-086
388-255-1200	AMD	96-01-017	388-300-1500	NEW	95-19-075	388-500-0005	AMD-P	95-18-005
388-265-1750	PREP	95-09-044	388-300-1600	NEW-P	95-15-001	388-500-0005	AMD	95-22-039
388-265-1750	AMD-P	95-09-054	388-300-1600	NEW	95-19-075	388-501-0130	PREP	95-17-042
388-265-1750	AMD-E	95-09-055	388-300-1700	NEW-P	95-15-001	388-501-0135	PREP	95-21-011
388-265-1750	AMD	95-11-119	388-300-1700	NEW	95-19-075	388-503-0320	PREP	95-15-037
388-290	PREP	95-13-061	388-300-1800	NEW-P	95-15-001	388-503-0320	AMD-P	95-21-071
388-290	PREP	95-17-096	388-300-1800	NEW	95-19-075	388-503-0320	AMD	95-24-017
388-290-010	NEW-P	95-19-021	388-300-1900	NEW-P	95-15-001	388-503-0370	PREP	95-13-020
388-290-010	NEW	95-23-028	388-300-1900	NEW	95-19-075	388-503-0370	AMD-P	95-14-058
388-290-020	NEW-P	95-19-021	388-300-2000	NEW-P	95-15-001	388-503-0370	AMD-E	95-14-060
388-290-020	NEW	95-23-028	388-300-2000	NEW	95-19-075	388-503-0370	AMD-W	95-17-086
388-290-040	NEW-P	95-19-021	388-300-2100	NEW-P	95-15-001	388-503-0370	AMD-P	95-18-005
388-290-040	NEW	95-23-028	388-300-2100	NEW	95-19-075	388-503-0370	AMD	95-22-039
388-290-110	NEW-P	95-19-021	388-300-2200	NEW-P	95-15-001	388-504-0470	PREP	95-14-005
388-290-110	NEW	95-23-028	388-300-2200	NEW	95-19-075	388-504-0470	AMD-P	95-19-100
388-290-115	NEW-P	95-19-021	388-300-2300	NEW-P	95-15-001	388-504-0470	AMD	95-22-040
388-290-115	NEW	95-23-028	388-300-2300	NEW	95-19-075	388-505-0520	PREP	95-19-036
388-290-120	NEW-P	95-19-021	388-300-2400	NEW-P	95-15-001	388-505-0520	AMD-P	95-21-101
388-290-120	NEW	95-23-028	388-300-2400	NEW	95-19-075	388-505-0520	AMD	95-24-016
388-290-123	NEW-P	95-19-021	388-300-2500	NEW-P	95-15-001	388-505-0580	PREP	95-17-060
388-290-123	NEW	95-23-028	388-300-2500	NEW	95-19-075	388-505-0580	AMD-P	95-22-041
388-290-130	NEW-P	95-19-021	388-300-2600	NEW-P	95-15-001	388-505-0580	AMD	96-01-005
388-290-130	NEW	95-23-028	388-300-2600	NEW	95-19-075	388-505-0590	AMD	95-04-047
388-290-135	NEW-P	95-19-021	388-300-2700	NEW-P	95-15-001	388-505-0590	PREP	95-07-090
388-290-135	NEW	95-23-028	388-300-2700	NEW	95-19-075	388-505-0590	AMD-P	95-13-085
388-290-135	PREP	95-24-031	388-300-2800	NEW-P	95-15-001	388-505-0590	AMD-P	95-14-037
388-290-135	AMD-E	96-01-007	388-300-2800	NEW	95-19-075	388-505-0590	AMD-W	95-14-038
388-290-140	NEW-P	95-19-021	388-300-2900	NEW-P	95-15-001	388-505-0590	AMD	95-17-031
388-290-140	NEW	95-23-028	388-300-2900	NEW	95-19-075	388-506-0610	AMD-P	95-07-049
388-290-155	NEW-P	95-19-021	388-300-3000	NEW-P	95-15-001	388-506-0610	AMD	95-10-025
388-290-155	NEW	95-23-028	388-300-3000	NEW	95-19-075	388-506-0610	PREP	95-15-038
388-290-160	NEW-P	95-19-021	388-300-3100	NEW-P	95-15-001	388-506-0610	AMD-P	95-16-013
388-290-160	NEW	95-23-028	388-300-3100	NEW	95-19-075	388-506-0610	AMD-E	95-16-018
388-290-170	NEW-P	95-19-021	388-300-3200	NEW-P	95-15-001	388-506-0610	AMD	95-19-007
388-290-170	NEW	95-23-028	388-300-3200	NEW	95-19-075	388-507-0710	AMD	95-05-022
388-290-180	NEW-P	95-19-021	388-300-3300	NEW-P	95-15-001	388-507-0710	PREP	95-08-009
388-290-180	NEW	95-23-028	388-300-3300	NEW	95-19-075	388-507-0710	AMD-P	95-13-087
388-290-210	NEW-P	95-19-021	388-300-3400	NEW-P	95-15-001	388-507-0710	AMD-W	95-14-038
388-290-210	NEW	95-23-028	388-300-3400	NEW	95-19-075	388-507-0710	PREP	96-01-010
388-290-250	NEW-P	95-19-021	388-300-3500	NEW-P	95-15-001	388-507-0740	PREP	95-24-097
388-290-250	NEW	95-23-028	388-300-3500	NEW	95-19-075	388-508-0805	PREP	95-06-071

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
388-508-0805	AMD-P	95-08-045	388-518-1805	PREP	95-13-020	388-527-2770	NEW-E	95-14-117
388-508-0805	AMD-E	95-08-046	388-518-1805	AMD-P	95-14-058	388-527-2770	NEW-C	95-17-030
388-508-0805	AMD	95-11-045	388-518-1805	AMD-E	95-14-060	388-527-2790	NEW-P	95-14-116
388-508-0820	AMD-P	95-13-086	388-518-1805	AMD-W	95-17-086	388-527-2790	NEW-E	95-14-117
388-508-0820	AMD	95-16-058	388-518-1805	AMD-P	95-18-005	388-527-2790	NEW-C	95-17-030
388-509-0920	PREP	95-06-071	388-518-1805	AMD	95-22-039	388-527-2790	NEW	95-19-001
388-509-0920	AMD-P	95-08-045	388-518-1810	PREP	95-13-020	388-527-2790	NEW-E	95-21-020
388-509-0920	AMD-E	95-08-046	388-518-1810	AMD-P	95-14-058	388-527-2790	NEW	95-24-037
388-509-0920	AMD	95-11-056	388-518-1810	AMD-E	95-14-060	388-529-2950	PREP	95-13-020
388-509-0960	AMD	95-05-023	388-518-1810	AMD-W	95-17-086	388-529-2950	AMD-P	95-14-058
388-509-0960	PREP	95-06-071	388-518-1810	AMD-P	95-18-005	388-529-2950	AMD-E	95-14-060
388-509-0960	AMD-P	95-08-045	388-518-1810	AMD	95-22-039	388-529-2950	AMD-W	95-17-086
388-509-0960	AMD-E	95-08-046	388-518-1820	PREP	95-24-097	388-529-2950	AMD-P	95-18-005
388-509-0960	AMD	95-11-056	388-518-1840	PREP	95-13-020	388-529-2950	AMD	95-22-039
388-511-1105	AMD-P	95-06-072	388-518-1840	AMD-P	95-14-058	388-530-1000	NEW-P	95-16-014
388-511-1105	AMD	95-08-070	388-518-1840	AMD-E	95-14-060	388-530-1000	NEW-W	95-17-029
388-511-1130	AMD-P	95-06-072	388-518-1840	AMD-W	95-17-086	388-530-1050	NEW-P	95-16-014
388-511-1130	AMD-W	95-08-071	388-518-1840	AMD-P	95-18-005	388-530-1050	NEW-W	95-17-029
388-511-1140	AMD-P	95-06-072	388-518-1840	AMD	95-22-039	388-530-1100	NEW-P	95-16-014
388-511-1140	AMD	95-08-070	388-519-1905	PREP	95-13-020	388-530-1100	NEW-W	95-17-029
388-511-1140	PREP	95-21-012	388-519-1905	AMD-P	95-14-058	388-530-1150	NEW-P	95-16-014
388-511-1140	AMD-E	95-22-074	388-519-1905	AMD-E	95-14-060	388-530-1150	NEW-W	95-17-029
388-511-1160	AMD-P	95-06-072	388-519-1905	AMD-W	95-17-086	388-530-1200	NEW-P	95-16-014
388-511-1160	AMD	95-08-070	388-519-1905	AMD-P	95-18-005	388-530-1200	NEW-W	95-17-029
388-513-1300	NEW-P	95-03-084	388-519-1905	AMD	95-22-039	388-530-1250	NEW-P	95-16-014
388-513-1300	NEW	95-06-025	388-521-2140	PREP	95-13-020	388-530-1250	NEW-W	95-17-029
388-513-1315	PREP	95-15-038	388-521-2140	AMD-P	95-14-058	388-530-1300	NEW-P	95-16-014
388-513-1315	AMD-P	95-16-013	388-521-2140	AMD-E	95-14-060	388-530-1300	NEW-W	95-17-029
388-513-1315	AMD-E	95-16-018	388-521-2140	AMD-W	95-17-086	388-530-1350	NEW-P	95-16-014
388-513-1315	AMD	95-19-007	388-521-2140	AMD-P	95-18-005	388-530-1350	NEW-W	95-17-029
388-513-1330	PREP	95-07-072	388-521-2140	AMD	95-22-039	388-530-1400	NEW-P	95-16-014
388-513-1330	PREP	95-07-072	388-521-2140	AMD	95-22-039	388-530-1400	NEW-W	95-17-029
388-513-1350	AMD	95-05-022	388-522-2230	PREP	95-06-033	388-530-1400	NEW-P	95-17-029
388-513-1350	PREP	96-01-010	388-522-2230	AMD-P	95-12-010	388-530-1450	NEW-P	95-16-014
388-513-1380	AMD	95-05-022	388-522-2230	AMD	95-15-039	388-530-1450	NEW-W	95-17-029
388-513-1380	PREP	95-06-071	388-522-2230	AMD	95-15-039	388-530-1500	NEW-P	95-16-014
388-513-1380	AMD-P	95-08-045	388-527-2710	REP-P	95-14-116	388-530-1500	NEW-P	95-17-029
388-513-1380	AMD-E	95-08-046	388-527-2710	REP-E	95-14-117	388-530-1500	NEW-W	95-16-014
388-513-1380	AMD	95-11-045	388-527-2710	REP-C	95-17-030	388-530-1550	NEW-P	95-16-014
388-513-1380	PREP	95-14-002	388-527-2710	REP	95-19-001	388-530-1550	NEW-W	95-17-029
388-513-1380	PREP	96-01-010	388-527-2720	REP-P	95-14-116	388-530-1600	NEW-P	95-16-014
388-513-1395	PREP	95-15-037	388-527-2720	REP-E	95-14-117	388-530-1600	NEW-W	95-17-029
388-513-1395	AMD-P	95-21-071	388-527-2720	REP-C	95-17-030	388-530-1650	NEW-P	95-16-014
388-513-1395	AMD	95-24-017	388-527-2720	REP	95-19-001	388-530-1650	NEW-W	95-17-029
388-515-1505	PREP	95-12-011	388-527-2730	NEW-P	95-14-116	388-530-1700	NEW-P	95-16-014
388-515-1505	AMD-P	95-17-061	388-527-2730	NEW-E	95-14-117	388-530-1700	NEW-W	95-17-029
388-515-1505	AMD	95-20-030	388-527-2730	NEW-C	95-17-030	388-530-1750	NEW-P	95-16-014
388-515-1530	PREP	95-11-077	388-527-2730	NEW	95-19-001	388-530-1750	NEW-W	95-17-029
388-515-1530	AMD-P	95-15-035	388-527-2730	NEW-E	95-21-020	388-530-1800	NEW-P	95-16-014
388-515-1530	AMD	95-18-001	388-527-2735	NEW	95-24-037	388-530-1800	NEW-W	95-17-029
388-517-1710	AMD-P	95-11-049	388-527-2735	NEW	95-19-001	388-530-1850	NEW-P	95-16-014
388-517-1710	AMD	95-14-046	388-527-2740	NEW-P	95-14-116	388-530-1850	NEW-W	95-17-029
388-517-1715	AMD-P	95-11-049	388-527-2740	NEW-E	95-14-117	388-530-1900	NEW-P	95-16-014
388-517-1715	AMD	95-14-046	388-527-2740	NEW-C	95-17-030	388-530-1900	NEW-W	95-17-029
388-517-1720	PREP	95-06-071	388-527-2740	NEW	95-19-001	388-530-1900	PREP	95-24-095
388-517-1720	AMD-P	95-08-045	388-527-2740	NEW-E	95-21-020	388-535	PREP	95-15-008
388-517-1720	AMD-E	95-08-046	388-527-2740	NEW	95-24-037	388-535-1000	NEW-E	95-16-115
388-517-1720	AMD	95-11-056	388-527-2742	NEW-P	95-14-116	388-535-1000	NEW-P	95-17-023
388-517-1730	AMD-P	95-11-049	388-527-2742	NEW-E	95-14-117	388-535-1000	NEW-W	95-17-049
388-517-1730	AMD	95-14-046	388-527-2742	NEW-C	95-17-030	388-535-1000	NEW-P	95-21-050
388-517-1740	PREP	95-06-071	388-527-2742	NEW	95-19-001	388-535-1000	NEW	96-01-006
388-517-1740	AMD-P	95-08-045	388-527-2744	NEW-P	95-14-116	388-535-1050	NEW-E	95-16-115
388-517-1740	AMD-E	95-08-046	388-527-2744	NEW-E	95-14-117	388-535-1050	NEW-P	95-17-023
388-517-1740	AMD	95-11-056	388-527-2744	NEW-C	95-17-030	388-535-1050	NEW-W	95-17-049
388-517-1740	PREP	95-15-007	388-527-2750	NEW	95-19-001	388-535-1050	NEW-P	95-21-050
388-517-1740	AMD-P	95-20-011	388-527-2750	NEW-E	95-21-020	388-535-1050	NEW	96-01-006
388-517-1740	AMD	95-23-030	388-527-2750	NEW	95-24-037	388-535-1100	NEW-E	95-16-115
388-517-1750	AMD-P	95-11-049	388-527-2752	NEW	95-19-001	388-535-1100	NEW-P	95-17-023
388-517-1750	AMD	95-14-046	388-527-2752	NEW-E	95-21-020	388-535-1100	NEW-W	95-17-049
388-517-1760	PREP	95-06-071	388-527-2752	NEW	95-24-037	388-535-1100	NEW-P	95-21-050
388-517-1760	AMD-P	95-08-045	388-527-2753	NEW	95-19-001	388-535-1100	NEW	96-01-006
388-517-1760	AMD-E	95-08-046	388-527-2754	NEW	95-19-001	388-535-1150	NEW-E	95-16-115
388-517-1760	AMD	95-11-056	388-527-2754	NEW-E	95-21-020	388-535-1150	NEW-P	95-17-023
388-518-1805	AMD	95-04-049	388-527-2754	NEW	95-24-037	388-535-1150	NEW-W	95-17-049
			388-527-2770	NEW-P	95-14-116	388-535-1150	NEW-P	95-21-050

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
388-535-1150	NEW	96-01-006	390-05-245	NEW-E	95-14-076	392-121-225	AMD	95-21-096
388-535-1200	NEW-E	95-16-115	390-05-400	NEW-P	96-01-109	392-121-245	AMD-P	95-18-096
388-535-1200	NEW-P	95-17-023	390-13-010	AMD-P	96-01-117	392-121-245	AMD	95-21-096
388-535-1200	NEW-W	95-17-049	390-16-034	AMD-P	96-01-117	392-121-255	AMD-P	95-18-096
388-535-1200	NEW-P	95-21-050	390-16-037	AMD-P	96-01-117	392-121-255	AMD	95-21-096
388-535-1200	NEW	96-01-006	390-16-038	AMD-E	95-14-076	392-121-257	AMD-P	95-18-096
388-535-1250	NEW-E	95-16-115	390-16-038	PREP	95-24-082	392-121-257	AMD	95-21-096
388-535-1250	NEW-P	95-17-023	390-16-055	AMD-P	96-01-117	392-121-259	AMD-P	95-18-096
388-535-1250	NEW-W	95-17-049	390-16-105	AMD-P	96-01-109	392-121-259	AMD	95-21-096
388-535-1250	NEW-P	95-21-050	390-16-150	AMD-P	96-01-109	392-121-261	AMD-P	95-18-096
388-535-1250	NEW	96-01-006	390-16-190	NEW-P	96-01-108	392-121-261	AMD	95-21-096
388-535-1300	NEW-E	95-16-115	390-16-310	AMD-P	96-01-117	392-121-262	NEW-P	95-18-096
388-535-1300	NEW-P	95-17-023	390-16-313	NEW-E	95-14-076	392-121-262	NEW	95-21-096
388-535-1300	NEW-W	95-17-049	390-16-313	PREP	95-24-082	392-121-270	AMD-P	95-18-096
388-535-1300	NEW-P	95-21-050	390-16-314	NEW-E	95-14-076	392-121-270	AMD	95-21-096
388-535-1300	NEW	96-01-006	390-16-314	PREP	95-24-082	392-121-280	AMD-P	95-18-096
388-535-1350	NEW-E	95-16-115	390-17-017	AMD-P	96-01-117	392-121-280	AMD	95-21-096
388-535-1350	NEW-P	95-17-023	390-17-030	AMD-P	96-01-117	392-121-295	AMD-P	95-18-096
388-535-1350	NEW-W	95-17-049	390-17-050	REP-E	95-14-076	392-121-295	AMD	95-21-096
388-535-1350	NEW-P	95-21-050	390-17-052	REP-E	95-14-076	392-121-435	NEW-P	95-22-032
388-535-1350	NEW	96-01-006	390-17-060	AMD-P	96-01-117	392-122	PREP	95-14-014
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388-535-1400	NEW-W	95-17-049	390-17-315	AMD-P	96-01-117	392-122-105	AMD-P	95-22-031
388-535-1400	NEW-P	95-21-050	390-17-320	AMD-P	96-01-117	392-122-106	AMD-P	95-22-031
388-535-1400	NEW	96-01-006	390-17-400	PREP	95-18-089	392-122-107	AMD-P	95-22-031
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388-535-1500	NEW	96-01-006	390-24-010	AMD-E	96-01-104	392-122-155	AMD-P	95-22-031
388-535-1550	NEW-E	95-16-115	390-24-020	AMD-P	95-21-006	392-122-160	AMD-P	95-22-031
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392-172-362	NEW	95-21-055	392-172-516	NEW-P	95-15-114	415-104-0111	NEW-P	95-09-069
392-172-364	NEW-P	95-15-114	392-172-516	NEW	95-21-055	415-104-0111	NEW	95-16-053
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392-172-370	NEW-P	95-15-114	392-172-518	NEW	95-21-055	415-104-0112	NEW	95-16-053
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392-172-372	NEW-P	95-15-114	392-172-520	NEW	95-21-055	415-104-0113	NEW	95-16-053
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392-172-374	NEW-P	95-15-114	392-172-522	NEW	95-21-055	415-104-0114	NEW	95-16-053
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392-172-378	NEW-P	95-15-114	392-172-526	NEW	95-21-055	415-104-0117	NEW	95-16-053
392-172-378	NEW	95-21-055	392-172-550	NEW-P	95-15-114	415-104-0118	NEW-P	95-09-069
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392-172-382	NEW	95-21-055	392-172-554	NEW-P	95-15-114	415-104-0121	NEW-P	95-09-069
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434-120-130	AMD-W	96-01-088	434-135-090	NEW	95-16-131	448-13-200	AMD	95-20-025
434-120-140	PREP	95-06-049	434-135-100	PREP	95-11-133	448-13-210	AMD-P	95-16-118
434-120-140	AMD-P	95-08-073	434-135-110	PREP	95-11-133	448-13-210	AMD	95-20-025
434-120-140	AMD	95-11-135	434-135-120	PREP	95-11-133	448-13-220	AMD-P	95-16-118
434-120-145	PREP	95-06-049	434-135-120	NEW-P	95-12-101	448-13-220	AMD	95-20-025
434-120-145	AMD-P	95-08-073	434-135-120	NEW	95-16-131	456-09-110	AMD	95-05-033

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456-09-230	AMD	95-05-033	458-08-230	REP-P	95-04-051	458-20-211	AMD-P	95-16-006
456-09-320	AMD	95-05-033	458-08-230	REP	95-07-067	458-20-238	AMD-P	95-16-005
456-09-325	AMD	95-05-033	458-08-240	REP-P	95-04-051	458-20-238	AMD	95-24-103
456-09-330	AMD	95-05-033	458-08-240	REP	95-07-067	458-20-258	AMD-P	95-03-050
456-09-340	AMD	95-05-033	458-08-250	REP-P	95-04-051	458-20-258	AMD-C	95-14-085
456-09-350	AMD	95-05-033	458-08-250	REP	95-07-067	458-20-258	AMD-W	95-15-093
456-09-365	AMD	95-05-033	458-08-260	REP-P	95-04-051	458-30-200	AMD-P	95-13-066
456-09-540	AMD	95-05-033	458-08-260	REP	95-07-067	458-30-200	AMD	95-21-002
456-09-705	AMD	95-05-033	458-08-270	REP-P	95-04-051	458-30-205	AMD-P	95-13-066
456-09-710	AMD	95-05-033	458-08-270	REP	95-07-067	458-30-205	AMD	95-21-002
456-09-725	AMD	95-05-033	458-14-005	PREP	95-07-139	458-30-210	AMD-P	95-13-066
456-09-730	AMD	95-05-033	458-14-005	AMD-P	95-12-087	458-30-210	AMD	95-21-002
456-09-930	AMD	95-05-033	458-14-005	AMD	95-17-099	458-30-215	AMD-P	95-13-066
456-09-935	AMD	95-05-033	458-14-015	PREP	95-07-139	458-30-215	AMD	95-21-002
456-09-945	AMD	95-05-033	458-14-015	AMD-P	95-12-087	458-30-220	AMD-P	95-13-066
456-09-955	AMD	95-05-033	458-14-015	AMD	95-17-099	458-30-220	AMD	95-21-002
456-10-110	AMD	95-05-032	458-14-056	PREP	95-07-139	458-30-225	AMD-P	95-13-066
456-10-140	AMD	95-05-032	458-14-056	AMD-P	95-12-087	458-30-225	AMD	95-21-002
456-10-320	AMD	95-05-032	458-14-056	AMD	95-17-099	458-30-230	AMD-P	95-13-066
456-10-325	AMD	95-05-032	458-14-066	PREP	95-07-139	458-30-230	AMD	95-21-002
456-10-330	AMD	95-05-032	458-14-066	AMD-P	95-12-087	458-30-232	NEW-P	95-13-066
456-10-340	AMD	95-05-032	458-14-066	AMD	95-17-099	458-30-232	NEW	95-21-002
456-10-360	AMD	95-05-032	458-14-116	PREP	95-07-139	458-30-235	REP-P	95-13-066
456-10-505	AMD	95-05-032	458-14-116	AMD-P	95-12-086	458-30-235	REP	95-21-002
456-10-510	AMD	95-05-032	458-14-116	AMD	95-17-099	458-30-240	AMD-P	95-13-066
456-10-525	AMD	95-05-032	458-14-127	PREP	95-07-139	458-30-240	AMD	95-21-002
456-10-530	AMD	95-05-032	458-14-127	AMD-P	95-12-086	458-30-242	NEW-P	95-13-066
456-10-730	AMD	95-05-032	458-14-127	AMD	95-17-099	458-30-242	NEW	95-21-002
456-10-755	AMD	95-05-032	458-14-146	PREP	95-07-139	458-30-245	AMD-P	95-13-066
458-08-010	REP-P	95-04-051	458-14-146	AMD-P	95-12-086	458-30-245	AMD	95-21-002
458-08-010	REP	95-07-067	458-14-146	AMD	95-17-099	458-30-250	AMD-P	95-13-066
458-08-020	REP-P	95-04-051	458-14-160	PREP	95-07-139	458-30-250	AMD	95-21-002
458-08-020	REP	95-07-067	458-14-160	AMD-P	95-12-086	458-30-255	AMD-P	95-13-066
458-08-030	REP-P	95-04-051	458-14-160	AMD	95-17-099	458-30-255	AMD	95-21-002
458-08-030	REP	95-07-067	458-14-170	PREP	95-07-139	458-30-260	AMD-P	95-13-066
458-08-040	REP-P	95-04-051	458-14-170	AMD-P	95-12-086	458-30-260	AMD	95-21-002
458-08-040	REP	95-07-067	458-14-170	AMD	95-17-099	458-30-262	PREP	95-02-063
458-08-050	REP-P	95-04-051	458-14-171	PREP	95-07-139	458-30-262	AMD-P	95-06-040
458-08-050	REP	95-07-067	458-14-171	AMD-P	95-12-086	458-30-262	AMD	95-09-041
458-08-060	REP-P	95-04-051	458-14-171	AMD	95-17-099	458-30-262	AMD-P	95-22-093
458-08-060	REP	95-07-067	458-16-265	REP	95-06-042	458-30-262	AMD	96-01-095
458-08-070	REP-P	95-04-051	458-16A-010	NEW	95-06-041	458-30-265	AMD-P	95-13-066
458-08-070	REP	95-07-067	458-16A-020	NEW	95-06-042	458-30-265	AMD	95-21-002
458-08-080	REP-P	95-04-051	458-18-220	AMD-P	95-02-064	458-30-267	NEW-P	95-13-066
458-08-080	REP	95-07-067	458-18-220	AMD	95-06-044	458-30-267	NEW	95-21-002
458-08-090	REP-P	95-04-051	458-18-220	AMD-P	95-22-095	458-30-270	AMD-P	95-13-066
458-08-090	REP	95-07-067	458-18-220	AMD	96-01-093	458-30-270	AMD	95-21-002
458-08-100	REP-P	95-04-051	458-20-10001	NEW-P	95-04-054	458-30-275	AMD-P	95-13-066
458-08-100	REP	95-07-067	458-20-10001	NEW	95-07-070	458-30-275	AMD	95-21-002
458-08-110	REP-P	95-04-051	458-20-10002	NEW-P	95-04-052	458-30-280	AMD-P	95-13-066
458-08-110	REP	95-07-067	458-20-10002	NEW	95-07-069	458-30-280	AMD	95-21-002
458-08-120	REP-P	95-04-051	458-20-101	AMD-P	95-04-019	458-30-285	AMD-P	95-13-066
458-08-120	REP	95-07-067	458-20-101	AMD	95-07-089	458-30-285	AMD	95-21-002
458-08-130	REP-P	95-04-051	458-20-104	AMD-P	95-04-018	458-30-290	REP-P	95-13-066
458-08-130	REP	95-07-067	458-20-104	AMD	95-07-088	458-30-290	REP	95-21-002
458-08-140	REP-P	95-04-051	458-20-114	PREP	95-11-080	458-30-295	AMD-P	95-13-066
458-08-140	REP	95-07-067	458-20-114	REP-P	95-15-065	458-30-295	AMD	95-21-002
458-08-150	REP-P	95-04-051	458-20-114	REP	95-22-099	458-30-300	AMD-P	95-13-066
458-08-150	REP	95-07-067	458-20-174	PREP	95-24-051	458-30-300	AMD	95-21-002
458-08-160	REP-P	95-04-051	458-20-17401	PREP	95-24-051	458-30-305	AMD-P	95-13-066
458-08-160	REP	95-07-067	458-20-180	PREP	95-24-051	458-30-305	AMD	95-21-002
458-08-170	REP-P	95-04-051	458-20-183	PREP	95-03-092	458-30-310	AMD-P	95-13-066
458-08-170	REP	95-07-067	458-20-183	AMD-P	95-11-081	458-30-310	AMD	95-21-002
458-08-180	REP-P	95-04-051	458-20-183	AMD	95-22-100	458-30-315	AMD-P	95-13-066
458-08-180	REP	95-07-067	458-20-18601	AMD-P	95-04-053	458-30-315	AMD	95-21-002
458-08-190	REP-P	95-04-051	458-20-18601	AMD	95-07-068	458-30-317	NEW-P	95-13-066
458-08-190	REP	95-07-067	458-20-189	PREP	95-04-079	458-30-317	NEW	95-21-002
458-08-200	REP-P	95-04-051	458-20-189	AMD-P	95-16-004	458-30-320	AMD-P	95-13-066
458-08-200	REP	95-07-067	458-20-189	AMD	95-24-104	458-30-320	AMD	95-21-002
458-08-210	REP-P	95-04-051	458-20-199	PREP	95-24-052	458-30-325	AMD-P	95-13-066
458-08-210	REP	95-07-067	458-20-207	AMD-P	95-11-040	458-30-325	AMD	95-21-002
458-08-220	REP-P	95-04-051	458-20-207	AMD	95-15-013	458-30-330	AMD-P	95-13-066

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458-30-335	AMD-P	95-13-066	458-40-670	AMD-W	95-23-047	460-10A-095	PREP	95-15-091
458-30-335	AMD	95-21-002	458-40-680	PREP	95-04-094	460-10A-100	PREP	95-15-091
458-30-340	AMD-P	95-13-066	458-40-680	AMD-E	95-10-037	460-10A-105	PREP	95-15-091
458-30-340	AMD	95-21-002	458-40-680	AMD-P	95-10-064	460-10A-110	PREP	95-15-091
458-30-345	AMD-P	95-13-066	458-40-680	AMD-W	95-11-075	460-10A-115	PREP	95-15-091
458-30-345	AMD	95-21-002	458-40-680	AMD	95-14-084	460-10A-120	PREP	95-15-091
458-30-350	AMD-P	95-13-066	458-40-680	AMD-P	95-22-097	460-10A-125	PREP	95-15-091
458-30-350	AMD	95-21-002	458-40-684	PREP	95-08-078	460-10A-130	PREP	95-15-091
458-30-355	AMD-P	95-13-066	458-40-684	AMD-P	95-11-039	460-10A-135	PREP	95-15-091
458-30-355	AMD	95-21-002	458-40-684	AMD	95-14-086	460-10A-140	PREP	95-15-091
458-30-360	NEW-P	95-13-066	458-40-690	PREP	95-08-078	460-10A-145	PREP	95-15-091
458-30-360	NEW	95-21-002	458-53-010	PREP	95-09-083	460-10A-150	PREP	95-15-091
458-30-500	AMD-P	95-13-066	458-53-010	AMD-P	95-16-034	460-10A-155	PREP	95-15-091
458-30-500	AMD	95-21-002	458-53-020	PREP	95-09-083	460-10A-170	PREP	95-15-091
458-30-510	AMD-P	95-13-066	458-53-020	AMD-P	95-16-034	460-10A-180	PREP	95-15-091
458-30-510	AMD	95-21-002	458-53-030	PREP	95-09-083	460-10A-185	PREP	95-15-091
458-30-520	AMD-P	95-13-066	458-53-030	AMD-P	95-16-034	460-10A-190	PREP	95-15-091
458-30-520	AMD	95-21-002	458-53-040	PREP	95-09-083	460-10A-195	PREP	95-15-091
458-30-525	NEW-P	95-13-066	458-53-040	REP-P	95-16-034	460-10A-200	PREP	95-15-091
458-30-525	NEW	95-21-002	458-53-050	PREP	95-09-083	460-10A-205	PREP	95-15-091
458-30-530	AMD-P	95-13-066	458-53-050	AMD-P	95-16-034	460-10A-210	PREP	95-15-091
458-30-530	AMD	95-21-002	458-53-051	PREP	95-09-083	460-16A-101	REP-P	95-14-053
458-30-540	AMD-P	95-13-066	458-53-051	REP-P	95-16-034	460-16A-101	REP	95-17-068
458-30-540	AMD	95-21-002	458-53-070	PREP	95-09-083	460-16A-102	REP-P	95-14-053
458-30-550	AMD-P	95-13-066	458-53-070	AMD-P	95-16-034	460-16A-102	REP	95-17-068
458-30-550	AMD	95-21-002	458-53-080	PREP	95-09-083	460-16A-103	REP-P	95-14-053
458-30-560	AMD-P	95-13-066	458-53-080	AMD-P	95-16-036	460-16A-103	REP	95-17-068
458-30-560	AMD	95-21-002	458-53-090	PREP	95-09-083	460-16A-104	REP-P	95-14-053
458-30-570	AMD-P	95-13-066	458-53-090	AMD-P	95-16-036	460-16A-104	REP	95-17-068
458-30-570	AMD	95-21-002	458-53-095	PREP	95-09-083	460-16A-105	REP-P	95-14-053
458-30-580	AMD-P	95-13-066	458-53-095	NEW-P	95-13-036	460-16A-105	REP	95-17-068
458-30-580	AMD	95-21-002	458-53-100	PREP	95-09-083	460-16A-106	REP-P	95-14-053
458-30-590	AMD-P	95-02-062	458-53-100	AMD-P	95-16-036	460-16A-106	REP	95-17-068
458-30-590	AMD	95-06-043	458-53-105	PREP	95-09-083	460-16A-108	REP-P	95-14-053
458-30-590	AMD-P	95-22-094	458-53-105	NEW-P	95-13-036	460-16A-108	REP	95-17-068
458-30-590	AMD	96-01-094	458-53-110	PREP	95-09-083	460-16A-109	REP-P	95-14-053
458-40-540	AMD-P	95-22-097	458-53-110	REP-P	95-16-036	460-16A-109	REP	95-17-068
458-40-610	PREP	95-04-094	458-53-120	PREP	95-09-083	460-16A-205	AMD-P	95-14-053
458-40-610	AMD-E	95-10-034	458-53-120	REP-P	95-16-036	460-16A-205	AMD	95-17-068
458-40-610	AMD-P	95-10-064	458-53-130	PREP	95-09-083	460-20A-005	REP-P	95-11-079
458-40-610	AMD-C	95-15-066	458-53-130	AMD-P	95-13-036	460-20A-005	REP	95-16-026
458-40-610	AMD	95-18-026	458-53-135	PREP	95-09-083	460-20A-008	REP-P	95-11-079
458-40-610	PREP	95-19-087	458-53-135	NEW-P	95-16-035	460-20A-008	REP	95-16-026
458-40-610	AMD-P	95-22-096	458-53-140	PREP	95-09-083	460-20A-010	REP-P	95-11-079
458-40-615	PREP	95-08-078	458-53-140	AMD-P	95-16-035	460-20A-010	REP	95-16-026
458-40-615	AMD-P	95-11-039	458-53-141	PREP	95-09-083	460-20A-015	REP-P	95-11-079
458-40-615	AMD	95-14-086	458-53-141	REP-P	95-16-035	460-20A-015	REP	95-16-026
458-40-634	AMD-P	95-22-097	458-53-142	PREP	95-09-083	460-20A-020	REP-P	95-11-079
458-40-640	PREP	95-08-078	458-53-142	REP-P	95-16-035	460-20A-020	REP	95-16-026
458-40-640	AMD-P	95-11-039	458-53-150	PREP	95-09-083	460-20A-025	REP-P	95-11-079
458-40-640	AMD	95-14-086	458-53-150	REP-P	95-16-035	460-20A-025	REP	95-16-026
458-40-650	PREP	95-04-094	458-53-160	PREP	95-09-083	460-20A-030	REP-P	95-11-079
458-40-650	AMD-E	95-10-035	458-53-160	AMD-P	95-16-035	460-20A-030	REP	95-16-026
458-40-650	AMD-P	95-10-064	458-53-163	PREP	95-09-083	460-20A-035	REP-P	95-11-079
458-40-650	AMD	95-14-084	458-53-163	REP-P	95-16-035	460-20A-035	REP	95-16-026
458-40-650	PREP	95-19-087	458-53-165	PREP	95-09-083	460-20A-045	REP-P	95-11-079
458-40-650	AMD-P	95-22-096	458-53-165	REP-P	95-16-035	460-20A-045	REP	95-16-026
458-40-660	PREP	95-08-078	458-53-180	PREP	95-09-083	460-20A-050	REP-P	95-11-079
458-40-660	AMD-P	95-11-041	458-53-180	REP-P	95-16-035	460-20A-050	REP	95-16-026
458-40-660	AMD-E	95-14-087	458-53-200	PREP	95-09-083	460-20A-100	REP-P	95-11-079
458-40-660	AMD-C	95-15-067	458-53-200	AMD-P	95-16-035	460-20A-100	REP	95-16-026
458-40-660	AMD	95-18-027	458-53-210	PREP	95-09-083	460-20A-105	REP-P	95-11-079
458-40-660	PREP	95-19-087	458-53-210	AMD-P	95-16-035	460-20A-105	REP	95-16-026
458-40-660	AMD-P	95-22-098	460-10A-015	AMD-P	95-11-079	460-20A-200	REP-P	95-11-079
458-40-670	PREP	95-04-094	460-10A-015	AMD	95-16-026	460-20A-200	REP	95-16-026
458-40-670	PREP	95-08-078	460-10A-035	PREP	95-15-091	460-20A-205	REP-P	95-11-079
458-40-670	AMD-E	95-10-036	460-10A-050	PREP	95-15-091	460-20A-205	REP	95-16-026
458-40-670	AMD-P	95-10-064	460-10A-055	PREP	95-15-091	460-20A-210	REP-P	95-11-079
458-40-670	AMD-P	95-11-041	460-10A-060	PREP	95-15-091	460-20A-210	REP	95-16-026
458-40-670	AMD-W	95-11-076	460-10A-065	PREP	95-15-091	460-20A-215	REP-P	95-11-079
458-40-670	AMD-E	95-14-087	460-10A-075	PREP	95-15-091	460-20A-215	REP	95-16-026
458-40-670	AMD-C	95-15-067	460-10A-080	PREP	95-15-091	460-20A-220	REP-P	95-11-079

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460-20A-220	REP	95-16-026	460-23B-040	NEW-P	95-11-079	468-70-070	AMD-P	95-20-045
460-20A-230	REP-P	95-11-079	460-23B-040	NEW	95-16-026	468-70-070	AMD	95-23-098
460-20A-230	REP	95-16-026	460-23B-050	NEW-P	95-11-079	468-86	NEW-C	96-01-012
460-20A-235	REP-P	95-11-079	460-23B-050	NEW	95-16-026	468-86-010	NEW-P	95-21-039
460-20A-235	REP	95-16-026	460-23B-060	NEW-P	95-11-079	468-86-020	NEW-P	95-21-039
460-20A-400	REP-P	95-11-079	460-23B-060	NEW	95-16-026	468-86-030	NEW-P	95-21-039
460-20A-400	REP	95-16-026	460-24A-046	NEW-P	95-11-079	468-86-040	NEW-P	95-21-039
460-20A-405	REP-P	95-11-079	460-24A-046	NEW	95-16-026	468-86-050	NEW-P	95-21-039
460-20A-405	REP	95-16-026	460-24A-050	AMD-P	95-11-079	468-86-060	NEW-P	95-21-039
460-20A-410	REP-P	95-11-079	460-24A-050	AMD	95-16-026	468-86-070	NEW-P	95-21-039
460-20A-410	REP	95-16-026	460-24A-050	AMD	95-17-002	468-86-080	NEW-P	95-21-039
460-20A-415	REP-P	95-11-079	460-24A-055	AMD-P	95-11-079	468-86-090	NEW-P	95-21-039
460-20A-415	REP	95-16-026	460-24A-055	AMD	95-16-026	468-86-100	NEW-P	95-21-039
460-20A-420	REP-P	95-11-079	460-33A-080	AMD-P	95-11-079	468-86-110	NEW-P	95-21-039
460-20A-420	REP	95-16-026	460-33A-080	AMD	95-16-026	468-86-120	NEW-P	95-21-039
460-20A-425	REP-P	95-11-079	460-33A-081	NEW-P	95-11-079	468-86-130	NEW-P	95-21-039
460-20A-425	REP	95-16-026	460-33A-081	NEW	95-16-026	468-86-140	NEW-P	95-21-039
460-20B-010	NEW-P	95-11-079	460-33A-085	AMD-P	95-11-079	468-86-150	NEW-P	95-21-039
460-20B-010	NEW	95-16-026	460-33A-085	AMD	95-16-026	468-86-160	NEW-P	95-21-039
460-20B-020	NEW-P	95-11-079	460-33A-086	NEW-P	95-11-079	468-86-170	NEW-P	95-21-039
460-20B-020	NEW	95-16-026	460-33A-086	NEW	95-16-026	468-86-180	NEW-P	95-21-039
460-20B-020	AMD-P	95-20-001	460-42A-081	PREP	95-14-052	468-86-190	NEW-P	95-21-039
460-20B-020	AMD	95-24-002	460-46A-050	AMD-P	95-14-053	468-86-200	NEW-P	95-21-039
460-20B-030	NEW-P	95-11-079	460-46A-050	AMD	95-17-068	468-86-210	NEW-P	95-21-039
460-20B-030	NEW	95-16-026	460-52A-010	AMD-P	95-08-016	468-86-220	NEW-P	95-21-039
460-20B-040	NEW-P	95-11-079	460-52A-010	AMD	95-12-003	468-86-230	NEW-P	95-21-039
460-20B-040	NEW	95-16-026	460-80-315	AMD-P	95-04-097	468-86-240	NEW-P	95-21-039
460-20B-050	NEW-P	95-11-079	460-80-315	AMD	95-08-015	468-86-260	NEW-P	95-21-039
460-20B-050	NEW	95-16-026	463-39	PREP	95-09-078	468-95-055	NEW-P	95-21-082
460-20B-060	NEW-P	95-11-079	463-39-005	AMD-P	95-13-039	468-95-055	NEW	95-23-097
460-20B-060	NEW	95-16-026	463-39-005	AMD	95-17-088	468-95-100	AMD-E	95-07-051
460-21B-008	NEW-P	95-11-079	463-39-020	AMD-P	95-13-039	468-95-100	AMD-P	95-07-081
460-21B-008	NEW	95-16-026	463-39-020	AMD	95-17-088	468-95-100	AMD	95-11-022
460-21B-010	NEW-P	95-11-079	463-39-030	AMD-P	95-13-039	468-95-100	AMD-P	95-21-082
460-21B-010	NEW	95-16-026	463-39-030	AMD	95-17-088	468-95-100	AMD	95-23-097
460-21B-020	NEW-P	95-11-079	463-39-090	AMD-P	95-13-039	468-105-010	NEW-P	95-23-096
420-21B-020	NEW	95-16-026	463-39-090	AMD	95-17-088	468-105-020	NEW-P	95-23-096
460-21B-030	NEW-P	95-11-079	463-39-095	NEW-P	95-13-039	468-105-030	NEW-P	95-23-096
460-21B-030	NEW	95-16-026	463-39-095	NEW	95-17-088	468-105-040	NEW-P	95-23-096
460-21B-040	NEW-P	95-11-079	463-39-105	NEW-P	95-13-039	468-105-050	NEW-P	95-23-096
460-21B-040	NEW	95-16-026	463-39-105	NEW	95-17-088	468-105-060	NEW-P	95-23-096
460-21B-050	NEW-P	95-11-079	463-39-120	AMD-P	95-13-039	468-105-070	NEW-P	95-23-096
460-21B-050	NEW	95-16-026	463-39-120	AMD	95-17-088	468-105-080	NEW-P	95-23-096
460-21B-060	NEW-P	95-11-079	468-20-900	AMD-P	95-22-057	468-200-020	NEW-P	95-23-041
460-21B-060	NEW	95-16-026	468-20-900	AMD	96-01-090	468-200-040	NEW-P	95-23-041
460-21B-070	NEW-P	95-11-079	468-32-010	PREP	95-04-070	468-200-060	NEW-P	95-23-041
460-21B-070	NEW	95-16-026	468-32-010	NEW-P	95-04-071	468-200-080	NEW-P	95-23-041
460-21B-080	NEW-P	95-11-079	468-32-010	NEW	95-07-106	468-200-100	NEW-P	95-23-041
460-21B-080	NEW	95-16-026	468-34-010	AMD-P	95-17-015	468-200-110	NEW-P	95-23-041
460-21B-080	NEW-P	95-11-079	468-34-010	AMD	95-21-037	468-200-120	NEW-P	95-23-041
460-21B-080	NEW	95-16-026	468-34-020	AMD-P	95-17-015	468-200-160	NEW-P	95-23-041
460-22B-010	NEW	95-16-026	468-34-020	AMD	95-21-037	468-200-180	NEW-P	95-23-041
460-22B-020	NEW-P	95-11-079	468-34-020	AMD	95-17-015	468-200-200	NEW-P	95-23-041
460-22B-020	NEW	95-16-026	468-34-050	AMD	95-21-037	468-200-220	NEW-P	95-23-041
460-22B-030	NEW-P	95-11-079	468-34-110	AMD-P	95-17-015	468-200-230	NEW-P	95-23-041
460-22B-030	NEW	95-16-026	468-34-110	AMD	95-21-037	468-200-240	NEW-P	95-23-041
460-22B-040	NEW-P	95-11-079	468-34-170	AMD-P	95-17-015	468-200-250	NEW-P	95-23-041
460-22B-040	NEW	95-16-026	468-34-170	AMD	95-21-037	468-200-260	NEW-P	95-23-041
460-22B-050	NEW-P	95-11-079	468-34-340	AMD-P	95-17-015	468-200-280	NEW-P	95-23-041
460-22B-050	NEW	95-16-026	468-34-340	AMD	95-21-037	468-200-300	NEW-P	95-23-041
460-22B-060	NEW-P	95-11-079	468-38-120	PREP	95-18-039	468-200-320	NEW-P	95-23-041
460-22B-060	NEW	95-16-026	468-38-120	AMD-P	95-21-076	468-200-340	NEW-P	95-23-041
460-22B-070	NEW-P	95-11-079	468-38-120	AMD	95-24-073	468-200-350	NEW-P	95-23-041
460-22B-070	NEW	95-16-026	468-38-120	NEW-P	95-21-075	468-200-360	NEW-P	95-23-041
460-22B-080	NEW-P	95-11-079	468-38-265	NEW	95-24-074	468-300-010	AMD-E	95-16-071
460-22B-080	NEW	95-16-026	468-38-265	PREP	95-18-040	468-300-010	AMD-P	95-19-079
460-22B-090	NEW-P	95-11-079	468-38-280	AMD-P	95-21-074	468-300-010	AMD-W	95-21-077
460-22B-090	NEW	95-16-026	468-38-280	AMD	95-24-075	468-300-010	PREP	95-22-044
460-23B-010	NEW-P	95-11-079	468-38-280	AMD	95-24-075	468-300-010	PREP	95-22-076
460-23B-010	NEW	95-16-026	468-38-405	NEW-P	95-21-073	468-300-700	PREP	95-22-019
460-23B-020	NEW-P	95-11-079	468-38-405	NEW	95-24-076	474-02-010	NEW-P	95-16-032
460-23B-020	NEW	95-16-026	468-51	PREP	95-10-001A	474-02-010	NEW	95-19-029
460-23B-030	NEW-P	95-11-079	468-66	PREP	95-21-019	474-02-020	NEW-P	95-16-032
460-23B-030	NEW	95-16-026	468-66-080	AMD-P	95-24-072			

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478-120-010	AMD-P	95-24-077	478-168-270	AMD	95-14-045	479-16-096	REP	95-04-072
478-120-020	AMD-P	95-24-077	478-168-280	AMD-P	95-08-053	479-16-098	AMD	95-04-072
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478-120-060	REP-P	95-24-077	478-168-294	AMD-P	95-08-053	479-20-013	AMD	95-04-072
478-120-065	NEW-P	95-24-077	478-168-294	AMD	95-14-045	479-20-013	PREP	95-22-084
478-120-070	REP-P	95-24-077	478-168-300	AMD-P	95-08-053	479-20-013	AMD-P	96-01-100
478-120-075	NEW-P	95-24-077	478-168-300	AMD	95-14-045	479-20-016	AMD	95-04-072
478-120-080	REP-P	95-24-077	478-168-310	AMD-P	95-08-053	479-20-020	AMD	95-04-072
478-120-085	NEW-P	95-24-077	478-168-310	AMD	95-14-045	479-20-025	AMD	95-04-072
478-120-090	REP-P	95-24-077	478-168-320	AMD-P	95-08-053	479-20-027	AMD	95-04-072
478-120-095	NEW-P	95-24-077	478-168-320	AMD	95-14-045	479-20-031	AMD	95-04-072
478-120-100	AMD-P	95-24-077	478-168-325	NEW-P	95-08-053	479-20-033	REP	95-04-072
478-120-105	NEW-P	95-24-077	478-168-325	NEW	95-14-045	479-20-036	REP	95-04-072
478-120-110	NEW-P	95-24-077	478-168-330	AMD-P	95-08-053	479-20-037	AMD	95-04-072
478-120-115	NEW-P	95-24-077	478-168-330	AMD	95-14-045	479-20-075	REP	95-04-072
478-120-120	REP-P	95-24-077	478-168-340	AMD-P	95-08-053	479-20-086	AMD	95-04-072
478-120-125	NEW-P	95-24-077	478-168-340	AMD	95-14-045	479-20-095	AMD	95-04-072
478-120-130	REP-P	95-24-077	478-168-345	NEW-P	95-08-053	479-24-030	AMD	95-04-072
478-120-135	NEW-P	95-24-077	478-168-345	NEW	95-14-045	479-112	AMD	95-04-072
478-120-140	NEW-P	95-24-077	478-168-350	AMD-P	95-08-053	479-112-001	NEW	95-04-072
478-120-145	NEW-P	95-24-077	478-168-350	AMD	95-14-045	479-112-003	NEW	95-04-072
478-124	PREP	95-20-033	478-168-360	AMD-P	95-08-053	479-112-005	REP	95-04-072
478-124-037	NEW-P	95-24-077	478-168-360	AMD	95-14-045	479-112-0055	NEW	95-04-072
478-168	PREP	95-07-101	478-168-380	AMD-P	95-08-053	479-112-0055	AMD-P	95-19-091
478-168-010	AMD-P	95-08-053	478-168-380	AMD	95-14-045	479-112-0055	AMD	95-22-056
478-168-010	AMD	95-14-045	478-168-390	AMD-P	95-08-053	479-112-0055	PREP	95-22-084
478-168-020	AMD-P	95-08-053	478-168-390	AMD	95-14-045	479-112-0055	AMD-P	96-01-100
478-168-020	AMD	95-14-045	479-01-010	AMD	95-04-072	479-112-008	AMD	95-04-072
478-168-030	REP-P	95-08-053	479-01-010	AMD-P	95-19-091	479-112-009	AMD	95-04-072
478-168-030	REP	95-14-045	479-01-010	AMD	95-22-056	479-112-017	AMD	95-04-072
478-168-035	NEW-P	95-08-053	479-01-020	AMD	95-04-072	479-113-010	AMD	95-04-072
478-168-035	NEW	95-14-045	479-01-030	AMD	95-04-072	479-113-011	AMD	95-04-072
478-168-040	REP-P	95-08-053	479-01-040	AMD	95-04-072	479-113-029	AMD	95-04-072
478-168-040	REP	95-14-045	479-01-050	NEW-P	95-19-091	479-113-031	AMD	95-04-072
478-168-050	REP-P	95-08-053	479-01-050	NEW	95-22-056	479-113-032	REP	95-04-072
478-168-050	REP	95-14-045	479-02-030	AMD	95-04-072	479-113-035	AMD	95-04-072
478-168-060	REP-P	95-08-053	479-02-070	AMD	95-04-072	479-113-070	NEW	95-04-072
478-168-060	REP	95-14-045	479-02-100	AMD	95-04-072	479-116-010	NEW	95-04-072
478-168-070	AMD-P	95-08-053	479-02-110	AMD	95-04-072	479-116-016	AMD	95-04-072
478-168-070	AMD	95-14-045	479-02-120	AMD	95-04-072	479-116-035	AMD	95-04-072
478-168-080	AMD-P	95-08-053	479-02-130	AMD	95-04-072	479-116-045	AMD	95-04-072
478-168-080	AMD	95-14-045	479-12-005	NEW	95-04-072	479-116-070	NEW	95-04-072
478-168-090	REP-P	95-08-053	479-12-008	NEW	95-04-072	479-116-080	NEW	95-04-072
478-168-090	REP	95-14-045	479-12-008	AMD-P	95-19-091	479-120-010	NEW	95-04-072
478-168-092	AMD-P	95-08-053	479-12-008	AMD	95-22-056	479-120-011	NEW	95-04-072
478-168-092	AMD	95-14-045	479-12-008	PREP	95-22-084	479-120-013	NEW	95-04-072
478-168-094	AMD-P	95-08-053	479-12-008	AMD-P	96-01-100	479-120-016	NEW	95-04-072
478-168-094	AMD	95-14-045	479-12-010	AMD	95-04-072	479-120-025	NEW	95-04-072
478-168-096	AMD-P	95-08-053	479-12-020	AMD	95-04-072	479-120-027	NEW	95-04-072
478-168-096	AMD	95-14-045	479-13-010	AMD	95-04-072	479-120-031	NEW	95-04-072
478-168-100	REP-P	95-08-053	479-13-011	NEW	95-04-072	479-120-033	REP	95-04-072
478-168-100	REP	95-14-045	479-13-025	AMD	95-04-072	479-120-037	NEW	95-04-072
478-168-110	REP-P	95-08-053	479-13-035	AMD	95-04-072	479-120-086	NEW	95-04-072
478-168-110	REP	95-14-045	479-13-060	REP	95-04-072	479-120-089	NEW	95-04-072
478-168-120	REP-P	95-08-053	479-13-070	AMD	95-04-072	479-120-095	NEW	95-04-072
478-168-120	REP	95-14-045	479-16-010	AMD	95-04-072	479-216	AMD	95-04-072
478-168-130	REP-P	95-08-053	479-16-015	AMD	95-04-072	479-216-050	AMD	95-04-072
478-168-130	REP	95-14-045	479-16-016	AMD	95-04-072	479-310-050	AMD	95-04-072
478-168-140	REP-P	95-08-053	479-16-030	AMD	95-04-072	479-310-200	AMD	95-04-072
478-168-140	REP	95-14-045	479-16-035	AMD	95-04-072	479-312-100	AMD	95-04-072
478-168-150	REP-P	95-08-053	479-16-040	AMD	95-04-072	479-410-010	NEW	95-04-072
478-168-150	REP	95-14-045	479-16-045	AMD	95-04-072	479-410-020	NEW	95-04-072
478-168-160	AMD-P	95-08-053	479-16-060	AMD	95-04-072	479-410-100	NEW	95-04-072
478-168-160	AMD	95-14-045	479-16-070	REP	95-04-072	479-410-150	NEW	95-04-072
478-168-170	AMD-P	95-08-053	479-16-072	REP	95-04-072	479-410-160	NEW	95-04-072
478-168-170	AMD	95-14-045	479-16-080	AMD	95-04-072	479-410-170	NEW	95-04-072
478-168-180	AMD-P	95-08-053	479-16-085	NEW	95-04-072	479-410-180	NEW	95-04-072
478-168-180	AMD	95-14-045	479-16-090	REP	95-04-072	479-410-200	NEW	95-04-072
478-168-200	AMD-P	95-08-053	479-16-091	REP	95-04-072	479-412-020	NEW	95-04-072

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479-412-150	NEW	95-04-072	480-12-082	REP-E	95-18-018	480-12-240	REP	95-24-001
479-412-200	NEW	95-04-072	480-12-082	REP	95-24-001	480-12-245	REP-E	95-10-038
479-412-250	NEW	95-04-072	480-12-085	REP-E	95-10-038	480-12-245	REP-P	95-17-125
479-412-300	NEW	95-04-072	480-12-085	REP-P	95-17-125	480-12-245	REP-E	95-18-018
479-412-310	NEW	95-04-072	480-12-085	REP-E	95-18-018	480-12-245	REP	95-24-001
479-416-010	NEW	95-04-072	480-12-085	REP	95-24-001	480-12-253	REP-E	95-10-038
479-416-015	NEW	95-04-072	480-12-090	REP-E	95-10-038	480-12-253	REP-P	95-17-125
479-416-016	NEW	95-04-072	480-12-090	REP-P	95-17-125	480-12-253	REP-E	95-18-018
479-416-018	NEW	95-04-072	480-12-090	REP-E	95-18-018	480-12-253	REP	95-24-001
479-416-020	NEW	95-04-072	480-12-090	REP	95-24-001	480-12-260	REP-E	95-10-038
479-416-030	NEW	95-04-072	480-12-095	REP-E	95-10-038	480-12-260	REP-P	95-17-125
479-416-035	NEW	95-04-072	480-12-095	REP-P	95-17-125	480-12-260	REP-E	95-18-018
479-416-040	NEW	95-04-072	480-12-095	REP-E	95-18-018	480-12-260	REP	95-24-001
479-416-045	NEW	95-04-072	480-12-095	REP	95-24-001	480-12-305	REP-E	95-10-038
479-416-050	NEW	95-04-072	480-12-105	REP-E	95-10-038	480-12-305	REP-P	95-17-125
479-420-010	NEW	95-04-072	480-12-105	REP-P	95-17-125	480-12-305	REP-E	95-18-018
479-420-011	NEW	95-04-072	480-12-105	REP-E	95-18-018	480-12-305	REP	95-24-001
479-420-013	NEW	95-04-072	480-12-105	REP	95-24-001	480-12-310	REP-E	95-10-038
479-420-016	NEW	95-04-072	480-12-110	REP-E	95-10-038	480-12-310	REP-P	95-17-125
479-420-020	NEW	95-04-072	480-12-110	REP-P	95-17-125	480-12-310	REP-E	95-18-018
479-420-025	NEW	95-04-072	480-12-110	REP-E	95-18-018	480-12-310	REP	95-24-001
479-420-027	NEW	95-04-072	480-12-110	REP	95-24-001	480-12-321	REP-E	95-10-038
479-420-031	NEW	95-04-072	480-12-131	REP-E	95-10-038	480-12-321	REP-P	95-17-125
479-420-037	NEW	95-04-072	480-12-131	REP-P	95-17-125	480-12-321	REP-E	95-18-018
479-420-086	NEW	95-04-072	480-12-131	REP-E	95-18-018	480-12-321	REP	95-24-001
479-420-089	NEW	95-04-072	480-12-131	REP	95-24-001	480-12-322	REP-E	95-10-038
479-420-095	NEW	95-04-072	480-12-137	REP-E	95-10-038	480-12-322	REP-P	95-17-125
479-510-060	NEW-P	95-19-091	480-12-137	REP-P	95-17-125	480-12-322	REP-E	95-18-018
479-510-060	NEW	95-22-056	480-12-137	REP-E	95-18-018	480-12-322	REP	95-24-001
479-510-076	NEW-P	95-19-091	480-12-137	REP	95-24-001	480-12-380	REP-E	95-10-038
479-510-076	NEW	95-22-056	480-12-140	REP-E	95-10-038	480-12-380	REP-P	95-17-125
479-510-080	NEW-P	95-19-091	480-12-140	REP-P	95-17-125	480-12-380	REP-E	95-18-018
479-510-080	NEW	95-22-056	480-12-140	REP-E	95-18-018	480-12-380	REP	95-24-001
479-510-110	NEW-P	95-19-091	480-12-140	REP	95-24-001	480-12-500	REP-E	95-10-038
479-510-110	NEW	95-22-056	480-12-155	REP-E	95-10-038	480-12-500	REP-P	95-17-125
479-510-120	NEW-P	95-19-091	480-12-155	REP-P	95-17-125	480-12-500	REP-E	95-18-018
479-510-120	NEW	95-22-056	480-12-155	REP-E	95-18-018	480-12-500	REP	95-24-001
479-510-210	NEW-P	95-19-091	480-12-155	REP	95-24-001	480-12-510	REP-E	95-10-038
479-510-210	NEW	95-22-056	480-12-160	REP-E	95-10-038	480-12-510	REP-P	95-17-125
479-510-220	NEW-P	95-19-091	480-12-160	REP-P	95-17-125	480-12-510	REP-E	95-18-018
479-510-220	NEW	95-22-056	480-12-160	REP-E	95-18-018	480-12-510	REP	95-24-001
479-510-410	NEW-P	95-19-091	480-12-160	REP	95-24-001	480-12-520	REP-E	95-10-038
479-510-410	NEW	95-22-056	480-12-181	REP-E	95-10-038	480-12-520	REP-P	95-17-125
479-510-420	NEW-P	95-19-091	480-12-181	REP-P	95-17-125	480-12-520	REP-E	95-18-018
479-510-420	NEW	95-22-056	480-12-181	REP-E	95-18-018	480-12-520	REP	95-24-001
479-510-500	NEW-P	95-19-091	480-12-181	REP	95-24-001	480-14-010	NEW-E	95-10-038
479-510-500	NEW	95-22-056	480-12-195	REP-E	95-10-038	480-14-010	NEW-P	95-17-125
480-09	PREP	95-06-089	480-12-195	REP-P	95-17-125	480-14-010	NEW-E	95-18-018
480-09-300	AMD-P	95-21-103	480-12-195	REP-E	95-18-018	480-14-010	NEW	95-24-001
480-09-310	AMD-P	95-21-103	480-12-195	REP	95-24-001	480-14-020	NEW-E	95-10-038
480-09-330	AMD-P	95-21-103	480-12-196	REP-E	95-10-038	480-14-020	NEW-P	95-17-125
480-09-340	AMD-P	95-21-103	480-12-196	REP-P	95-17-125	480-14-020	NEW-E	95-18-018
480-09-390	NEW-P	95-21-103	480-12-196	REP-E	95-18-018	480-14-020	NEW	95-24-001
480-09-426	NEW-P	95-21-103	480-12-196	REP	95-24-001	480-14-030	NEW-E	95-10-038
480-09-460	AMD-P	95-21-103	480-12-205	REP-E	95-10-038	480-14-030	NEW-P	95-17-125
480-09-465	AMD-P	95-21-103	480-12-205	REP-P	95-17-125	480-14-030	NEW-E	95-18-018
480-09-466	NEW-P	95-21-103	480-12-205	REP-E	95-18-018	480-14-030	NEW-W	95-24-001A
480-09-467	NEW-P	95-21-103	480-12-205	REP	95-24-001	480-14-040	NEW-E	95-10-038
480-09-470	AMD-P	95-21-103	480-12-225	REP-E	95-10-038	480-14-040	NEW-P	95-17-125
480-09-480	AMD-P	95-21-103	480-12-225	REP-P	95-17-125	480-14-040	NEW-E	95-18-018
480-09-520	PREP	95-06-088	480-12-225	REP-E	95-18-018	480-14-040	NEW	95-24-001
480-09-750	AMD-P	95-21-103	480-12-225	REP	95-24-001	480-14-050	NEW-E	95-10-038
480-09-751	NEW-P	95-21-103	480-12-230	REP-E	95-10-038	480-14-050	NEW-P	95-17-125
480-12-001	NEW-E	95-10-038	480-12-230	REP-P	95-17-125	480-14-050	NEW-E	95-18-018
480-12-001	NEW-P	95-17-125	480-12-230	REP-E	95-18-018	480-14-050	NEW	95-24-001
480-12-001	NEW-E	95-18-018	480-12-230	REP	95-24-001	480-14-060	NEW-E	95-10-038
480-12-001	NEW	95-24-001	480-12-233	REP-E	95-10-038	480-14-060	NEW-P	95-17-125
480-12-075	REP-E	95-10-038	480-12-233	REP-P	95-17-125	480-14-060	NEW-E	95-18-018
480-12-075	REP-P	95-17-125	480-12-233	REP-E	95-18-018	480-14-060	NEW	95-24-001
480-12-075	REP-E	95-18-018	480-12-233	REP	95-24-001	480-14-070	NEW-E	95-10-038
480-12-075	REP	95-24-001	480-12-240	REP-E	95-10-038	480-14-070	NEW-P	95-17-125
480-12-082	REP-E	95-10-038	480-12-240	REP-P	95-17-125	480-14-070	NEW-E	95-18-018

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
480-14-070	NEW	95-24-001	480-14-260	NEW-E	95-10-038	480-50-030	REP-P	95-17-122
480-14-080	NEW-E	95-10-038	480-14-260	NEW-P	95-17-125	480-50-030	REP	95-22-001
480-14-080	NEW-P	95-17-125	480-14-260	NEW-E	95-18-018	480-50-035	REP-P	95-17-122
480-14-080	NEW-E	95-18-018	480-14-260	NEW	95-24-001	480-50-035	REP	95-22-001
480-14-080	NEW	95-24-001	480-14-270	NEW-E	95-10-038	480-50-040	REP-P	95-17-122
480-14-090	NEW-E	95-10-038	480-14-270	NEW-P	95-17-125	480-50-040	REP	95-22-001
480-14-090	NEW-P	95-17-125	480-14-270	NEW-E	95-18-018	480-50-050	REP-P	95-17-122
480-14-090	NEW-E	95-18-018	480-14-270	NEW-W	95-24-001A	480-50-050	REP	95-22-001
480-14-090	NEW	95-24-001	480-14-280	NEW-E	95-10-038	480-50-060	REP-P	95-17-122
480-14-100	NEW-E	95-10-038	480-14-280	NEW-P	95-17-125	480-50-060	REP	95-22-001
480-14-100	NEW-P	95-17-125	480-14-280	NEW-E	95-18-018	480-50-070	REP-P	95-17-122
480-14-100	NEW-E	95-18-018	480-14-280	NEW-W	95-24-001A	480-50-070	REP	95-22-001
480-14-100	NEW	95-24-001	480-14-290	NEW-E	95-10-038	480-50-080	REP-P	95-17-122
480-14-110	NEW-E	95-10-038	480-14-290	NEW-P	95-17-125	480-50-080	REP	95-22-001
480-14-110	NEW-P	95-17-125	480-14-290	NEW-E	95-18-018	480-50-090	REP-P	95-17-122
480-14-110	NEW-E	95-18-018	480-14-290	NEW	95-24-001	480-50-090	REP	95-22-001
480-14-110	NEW	95-24-001	480-14-300	NEW-E	95-10-038	480-50-100	REP-P	95-17-122
480-14-120	NEW-E	95-10-038	480-14-300	NEW-P	95-17-125	480-50-100	REP	95-22-001
480-14-120	NEW-P	95-17-125	480-14-300	NEW-E	95-18-018	480-50-110	REP-P	95-17-122
480-14-120	NEW-E	95-18-018	480-14-300	NEW	95-24-001	480-50-110	REP	95-22-001
480-14-120	NEW	95-24-001	480-14-320	NEW-E	95-10-038	480-50-120	REP-P	95-17-122
480-14-130	NEW-E	95-10-038	480-14-320	NEW-P	95-17-125	480-50-120	REP	95-22-001
480-14-130	NEW-P	95-17-125	480-14-320	NEW-E	95-18-018	480-50-130	REP-P	95-17-122
480-14-130	NEW-E	95-18-018	480-14-320	NEW	95-24-001	480-50-130	REP	95-22-001
480-14-130	NEW	95-24-001	480-14-330	NEW-E	95-10-038	480-50-140	REP-P	95-17-122
480-14-140	NEW-E	95-10-038	480-14-330	NEW-P	95-17-125	480-50-140	REP	95-22-001
480-14-140	NEW-P	95-17-125	480-14-330	NEW-E	95-18-018	480-51-010	NEW-P	95-17-122
480-14-140	NEW-E	95-18-018	480-14-330	NEW-W	95-24-001A	480-51-010	NEW	95-22-001
480-14-140	NEW	95-24-001	480-14-340	NEW-E	95-10-038	480-51-020	NEW-P	95-17-122
480-14-150	NEW-E	95-10-038	480-14-340	NEW-P	95-17-125	480-51-020	NEW	95-22-001
480-14-150	NEW-P	95-17-125	480-14-340	NEW-E	95-18-018	480-51-022	NEW-P	95-17-122
480-14-150	NEW-E	95-18-018	480-14-340	NEW	95-24-001	480-51-022	NEW	95-22-001
480-14-150	NEW	95-24-001	480-14-350	NEW-E	95-10-038	480-51-025	NEW-P	95-17-122
480-14-160	NEW-E	95-10-038	480-14-350	NEW-P	95-17-125	480-51-025	NEW	95-22-001
480-14-160	NEW-P	95-17-125	480-14-350	NEW-E	95-18-018	480-51-030	NEW-P	95-17-122
480-14-160	NEW-E	95-18-018	480-14-350	NEW	95-24-001	480-51-030	NEW	95-22-001
480-14-160	NEW	95-24-001	480-14-360	NEW-E	95-10-038	480-51-040	NEW-P	95-17-122
480-14-170	NEW-E	95-10-038	480-14-360	NEW-P	95-17-125	480-51-040	NEW	95-22-001
480-14-170	NEW-P	95-17-125	480-14-360	NEW-E	95-18-018	480-51-050	NEW-P	95-17-122
480-14-170	NEW-E	95-18-018	480-14-360	NEW	95-24-001	480-51-050	NEW	95-22-001
480-14-170	NEW	95-24-001	480-14-370	NEW-E	95-10-038	480-51-060	NEW-P	95-17-122
480-14-180	NEW-E	95-10-038	480-14-370	NEW-P	95-17-125	480-51-060	NEW	95-22-001
480-14-180	NEW-P	95-17-125	480-14-370	NEW-E	95-18-018	480-51-070	NEW-P	95-17-122
480-14-180	NEW-E	95-18-018	480-14-370	NEW	95-24-001	480-51-070	NEW	95-22-001
480-14-180	NEW	95-24-001	480-14-380	NEW-E	95-10-038	480-51-075	NEW-P	95-17-122
480-14-190	NEW-E	95-10-038	480-14-380	NEW-P	95-17-125	480-51-075	NEW	95-22-001
480-14-190	NEW-P	95-17-125	480-14-380	NEW-E	95-18-018	480-51-077	NEW-P	95-17-122
480-14-190	NEW-E	95-18-018	480-14-380	NEW	95-24-001	480-51-077	NEW	95-22-001
480-14-190	NEW	95-24-001	480-14-390	NEW-E	95-10-038	480-51-080	NEW-P	95-17-122
480-14-200	NEW-E	95-10-038	480-14-390	NEW-P	95-17-125	480-51-080	NEW	95-22-001
480-14-200	NEW-P	95-17-125	480-14-390	NEW-E	95-18-018	480-51-090	NEW-P	95-17-122
480-14-200	NEW-E	95-18-018	480-14-390	NEW	95-24-001	480-51-090	NEW	95-22-001
480-14-200	NEW	95-24-001	480-14-400	NEW-E	95-10-038	480-51-100	NEW-P	95-17-122
480-14-210	NEW-E	95-10-038	480-14-400	NEW-P	95-17-125	480-51-100	NEW	95-22-001
480-14-210	NEW-P	95-17-125	480-14-400	NEW-E	95-18-018	480-51-110	NEW-P	95-17-122
480-14-210	NEW-E	95-18-018	480-14-400	NEW	95-24-001	480-51-110	NEW	95-22-001
480-14-210	NEW	95-24-001	480-14-410	NEW-E	95-10-038	480-51-120	NEW-P	95-17-122
480-14-220	NEW-E	95-10-038	480-14-410	NEW-P	95-17-125	480-51-120	NEW	95-22-001
480-14-220	NEW-P	95-17-125	480-14-410	NEW-E	95-18-018	480-51-130	NEW-P	95-17-122
480-14-220	NEW-E	95-18-018	480-14-410	NEW-W	95-24-001A	480-51-130	NEW	95-22-001
480-14-220	NEW	95-24-001	480-14-420	NEW-E	95-10-038	480-51-140	NEW-P	95-17-122
480-14-230	NEW-E	95-10-038	480-14-420	NEW-P	95-17-125	480-51-140	NEW	95-22-001
480-14-230	NEW-P	95-17-125	480-14-420	NEW-E	95-18-018	480-51-150	NEW-P	95-17-122
480-14-230	NEW-E	95-18-018	480-14-420	NEW	95-24-001	480-51-150	NEW	95-22-001
480-14-230	NEW	95-24-001	480-14-900	NEW-E	95-10-038	480-93-005	AMD-E	95-05-047
480-14-240	NEW-E	95-10-038	480-14-900	NEW-P	95-17-125	480-93-005	AMD-P	95-08-067
480-14-240	NEW-P	95-17-125	480-14-900	NEW-E	95-18-018	480-93-010	AMD-E	95-05-047
480-14-240	NEW-E	95-18-018	480-14-900	NEW	95-24-001	480-93-010	AMD-P	95-08-067
480-14-240	NEW	95-24-001	480-50	PREP	95-14-025	480-93-010	AMD-P	95-08-067
480-14-250	NEW-E	95-10-038	480-50-010	REP-P	95-17-122	480-93-010	AMD	95-13-082
480-14-250	NEW-P	95-17-125	480-50-010	REP	95-22-001	480-93-223	NEW-P	95-16-033
480-14-250	NEW-E	95-18-018	480-50-020	REP-P	95-17-122	480-93-223	NEW	95-19-057
480-14-250	NEW	95-24-001	480-50-020	REP	95-22-001	480-110-023	PREP	95-14-135

TABLE

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
480-110-023	AMD-P	95-17-124	490-500-260	AMD	95-04-050	504-15-100	AMD-P	95-06-061
480-110-023	AMD	95-21-009	490-500-270	AMD	95-04-050	504-15-100	AMD	95-13-003
480-120-081	AMD	95-05-003	490-500-275	AMD	95-04-050	504-15-210	AMD-P	95-06-061
480-120-141	PREP	95-05-046	490-500-280	REP	95-04-050	504-15-210	AMD	95-13-003
480-120-141	AMD-P	95-07-130	490-500-300	AMD	95-04-050	504-15-250	AMD-P	95-06-061
480-120-141	AMD	95-10-039	490-500-325	AMD	95-04-050	504-15-250	AMD	95-13-003
480-120-530	AMD-P	95-04-111	490-500-340	REP	95-04-050	504-15-350	AMD-P	95-06-061
480-120-530	AMD	95-09-002	490-500-350	AMD	95-04-050	504-15-350	AMD	95-13-003
480-146-010	AMD-P	95-08-068	490-500-380	AMD	95-04-050	504-15-450	AMD-P	95-06-061
480-146-010	AMD	95-16-009	490-500-385	AMD	95-04-050	504-15-450	AMD	95-13-003
480-146-020	AMD-P	95-08-068	490-500-389	AMD	95-04-050	504-15-460	AMD-P	95-06-061
480-146-020	AMD	95-16-009	490-500-390	AMD	95-04-050	504-15-460	AMD	95-13-003
480-146-030	AMD-P	95-08-068	490-500-395	REP	95-04-050	504-15-470	AMD-P	95-06-061
480-146-030	AMD	95-16-009	490-500-400	REP	95-04-050	504-15-470	AMD	95-13-003
480-146-050	AMD-P	95-08-068	490-500-405	REP	95-04-050	504-15-540	AMD-P	95-06-061
480-146-050	AMD	95-16-009	490-500-410	REP	95-04-050	504-15-540	AMD	95-13-003
480-146-060	AMD-P	95-08-068	490-500-415	REP	95-04-050	504-15-560	AMD-P	95-06-061
480-146-060	AMD	95-16-009	490-500-417	REP	95-04-050	504-15-560	AMD	95-13-003
480-146-070	PREP	95-03-094	490-500-418	AMD	95-04-050	504-15-580	AMD-P	95-06-061
480-146-070	AMD-P	95-08-068	490-500-420	AMD	95-04-050	504-15-580	AMD	95-13-003
480-146-070	AMD	95-16-009	490-500-425	REP	95-04-050	504-15-600	AMD-P	95-06-061
480-146-080	PREP	95-03-094	490-500-430	AMD	95-04-050	504-15-600	AMD	95-13-003
480-146-080	AMD-P	95-08-068	490-500-435	AMD	95-04-050	504-15-650	AMD-P	95-06-061
480-146-080	AMD	95-16-009	490-500-437	NEW	95-04-050	504-15-650	AMD	95-13-003
480-146-100	PREP	95-03-094	490-500-440	REP	95-04-050	504-15-750	AMD-P	95-06-061
480-146-100	REP-P	95-08-068	490-500-445	AMD	95-04-050	504-15-750	AMD	95-13-003
480-146-100	REP	95-16-009	490-500-450	AMD	95-04-050	504-15-810	AMD-P	95-06-061
480-146-200	PREP	95-03-094	490-500-455	AMD	95-04-050	504-15-810	AMD	95-13-003
480-146-200	AMD-P	95-08-068	490-500-460	NEW	95-04-050	504-15-830	AMD-P	95-06-061
480-146-200	AMD	95-16-009	490-500-465	NEW	95-04-050	504-15-830	AMD	95-13-003
480-146-210	PREP	95-03-094	490-500-470	NEW	95-04-050	504-15-860	AMD-P	95-06-061
480-146-210	AMD-P	95-08-068	490-500-475	NEW	95-04-050	504-15-860	AMD	95-13-003
480-146-210	AMD	95-16-009	490-500-477	NEW	95-04-050	504-15-930	NEW-P	95-06-061
480-146-220	PREP	95-03-094	490-500-480	NEW	95-04-050	504-15-930	NEW	95-13-003
480-146-220	AMD-P	95-08-068	490-500-485	NEW	95-04-050	504-18-110	AMD	95-07-042
480-146-220	AMD	95-16-009	490-500-500	AMD	95-04-050	504-18-120	AMD	95-07-042
480-146-230	NEW-P	95-08-068	490-500-505	AMD	95-04-050	504-18-140	AMD	95-07-042
480-146-230	NEW	95-16-009	490-500-510	AMD	95-04-050	504-18-150	AMD	95-07-042
484-20-065	AMD-P	95-02-072	490-500-520	AMD	95-04-050	504-18-170	AMD	95-07-042
484-20-065	AMD	95-07-082	490-500-525	AMD	95-04-050	504-21-030	AMD	95-07-043
484-20-085	AMD	95-03-053	490-500-530	AMD	95-04-050	504-21-040	AMD	95-07-043
490-500	AMD	95-04-050	490-500-540	REP	95-04-050	504-21-050	AMD	95-07-043
490-500-005	AMD	95-04-050	490-500-542	NEW	95-04-050	504-21-070	AMD	95-07-043
490-500-010	AMD	95-04-050	490-500-545	AMD	95-04-050	504-21-080	AMD	95-07-043
490-500-015	AMD	95-04-050	490-500-550	REP	95-04-050	504-21-090	AMD	95-07-043
490-500-020	REP	95-04-050	490-500-555	NEW	95-04-050	504-24	AMD	95-07-044
490-500-022	NEW	95-04-050	490-500-560	AMD	95-04-050	504-24-015	REP	95-07-044
490-500-025	AMD	95-04-050	490-500-570	REP	95-04-050	504-24-020	REP-P	95-06-062
490-500-030	AMD	95-04-050	490-500-580	NEW	95-04-050	504-24-020	REP-W	95-19-038
490-500-050	AMD	95-04-050	490-500-590	AMD	95-04-050	504-24-030	AMD	95-07-044
490-500-055	AMD	95-04-050	490-500-600	AMD	95-04-050	504-24-035	NEW	95-07-044
490-500-060	REP	95-04-050	490-500-605	AMD	95-04-050	504-24-040	NEW	95-07-044
490-500-065	NEW	95-04-050	490-500-610	PREP	95-08-047	504-25-005	AMD	95-07-001
490-500-070	AMD	95-04-050	490-500-610	REP-P	95-08-054	504-25-010	AMD	95-07-045
490-500-075	REP	95-04-050	490-500-610	REP	95-11-047	504-25-015	AMD	95-07-001
490-500-077	REP	95-04-050	490-500-615	AMD	95-04-050	504-25-020	AMD	95-07-045
490-500-080	AMD	95-04-050	490-500-620	AMD	95-04-050	504-25-025	AMD	95-07-045
490-500-085	REP	95-04-050	490-500-622	NEW	95-04-050	504-25-035	AMD	95-07-045
490-500-090	REP	95-04-050	490-500-625	AMD	95-04-050	504-25-050	AMD	95-07-045
490-500-095	REP	95-04-050	490-500-627	NEW	95-04-050	504-25-055	AMD	95-07-045
490-500-100	REP	95-04-050	490-500-630	NEW	95-04-050	504-25-060	AMD	95-07-045
490-500-105	REP	95-04-050	490-500-635	NEW	95-04-050	504-25-080	AMD	95-07-045
490-500-110	REP	95-04-050	495D-104-010	AMD-P	95-14-125	504-25-100	AMD	95-07-045
490-500-120	REP	95-04-050	495D-104-010	AMD-S	95-20-019	504-25-120	AMD	95-07-045
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