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**ISSUE 78-11**

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DENNIS W. COOPER  
Code Reviser

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# WASHINGTON STATE REGISTER

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## STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

### 1. ARRANGEMENT OF THE REGISTER

Documents are arranged within each issue 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 within an issue's material.

### 2. PROPOSED, ADOPTED, AND EMERGENCY RULES OF STATE AGENCIES AND INSTITUTIONS OF HIGHER EDUCATION

The three types of rule-making actions taken under the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW) may be distinguished by the size and style of type in which they appear.

- (a) **Proposed rules** are those rules pending permanent adoption by an agency and set forth in eight point type.
- (b) **Adopted rules** have been permanently adopted and are set forth in ten point type.
- (c) **Emergency rules** *have been adopted on an emergency basis and are set forth in ten point oblique type.*

### 3. PRINTING STYLE—INDICATION OF NEW OR DELETED MATTER

RCW 34.04.058 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 matter is new matter;
  - (ii) ~~deleted matter is ((lined out and bracketed 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.

### 4. EXECUTIVE ORDERS, COURT RULES, NOTICES OF PUBLIC MEETINGS

Material contained in the Register other than rule-making actions taken under the APA or the HEAPA 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.

### 5. EFFECTIVE DATE OF RULES

- (a) Permanently adopted agency rules take effect thirty days after the rules and the agency order adopting them are filed with the code reviser. This effective date may be delayed, but not advanced, and a delayed 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 and remain effective for a maximum of ninety days from that date.
- (c) Rules of the state Supreme Court generally contain an effective date clause in the order adopting the rules.

### 6. EDITORIAL CORRECTIONS

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

### 7. INDEX AND TABLES

A combined subject matter and agency index and a table of WAC sections affected may be found at the end of each issue.

1978—1979

**DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION**

Issue No.	Distribution Date	First Agency Action Date <sup>2</sup>	Closing Dates <sup>1</sup>		
			OTS <sup>3</sup> or 10 pages maximum (14 days)	Non-OTS and 11 to 29 pages (28 days)	Non-OTS and 30 pages or more (42 days)
78-07	Jul 19	Aug 8	Jul 5	Jun 21	Jun 7
78-08	Aug 16	Sep 5	Aug 2	Jul 19	Jul 5
78-09	Sep 20	Oct 10	Sep 6	Aug 23	Aug 9
78-10	Oct 18	Nov 7	Oct 4	Sep 20	Sep 6
78-11	Nov 15	Dec 5	Nov 1	Oct 18	Oct 4
78-12	Dec 20	Jan 9, 1979	Dec 6	Nov 22	Nov 8
79-01	Jan 17	Feb 6	Jan 3	Dec 20, 1978	Dec 6, 1978
79-02	Feb 21	Mar 13	Feb 7	Jan 24	Jan 10
79-03	Mar 21	Apr 10	Mar 7	Feb 21	Feb 7
79-04	Apr 18	May 8	Apr 4	Mar 21	Mar 7
79-05	May 16	Jun 5	May 2	Apr 18	Apr 14
79-06	Jun 20	Jul 10	Jun 6	May 23	May 9

<sup>1</sup>All documents are due at the Code Reviser's Office by 5:00 p.m. on the applicable closing date for inclusion in a particular issue of the Register; see WAC 1-12-035 or 1-13-035.

<sup>2</sup>"No proceeding shall be held on any rule until twenty days have passed from the distribution date of the register in which notice thereof was contained." RCW 28B.19.030(2) and 34.04.025(2). These dates represent the twentieth day after the distribution date of the immediately preceding Register.

<sup>3</sup>OTS is the acronym used for the Order Typing Service offered by the Code Reviser's Office which is briefly explained in WAC 1-12-220 and WAC 1-13-240.

**WSR 78-10-094****ADOPTED RULES****DEPARTMENT OF LABOR AND INDUSTRIES**

[Order 78-18—Filed October 2, 1978]

I, John C. Hewitt, director of the Department of Labor and Industries, do promulgate and adopt at the Director's Office, Olympia, Washington, the annexed rules relating to:

New WAC 296-37-510 through 296-37-585 Commercial Diving Operations, this standard reflects 29 CFR 1910.401 through 1910.441; and

Rep WAC 296-37-010 through 296-37-460 Scuba Diving—Submarine Diving to be superseded by Commercial Diving Operations.

This action is taken pursuant to Notice No. WSR 78-04-079 filed with the code reviser on April 4, 1978. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 49.17.040, 49.17.050, 49.17.240; chapters 42.30 and 43.22 RCW, and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED June 15, 1978.

By John C. Hewitt  
Director

**Chapter 296-37****Standards for commercial diving operations**

WAC	
296-37-510	Scope and Application.
296-37-512	Variance and Procedure.
296-37-515	Definitions.
296-37-520	Qualifications of Dive Team.
296-37-525	Medical Requirements.
296-37-530	Safe Practices Manual.
296-37-535	Pre-dive Procedures.
296-37-540	Procedures During Dive.
296-37-545	Post-dive Procedures.
296-37-550	Scuba Diving.
296-37-555	Surface-supplied Air Diving.
296-37-560	Mixed-Gas Diving.
296-37-565	Liveboating.
296-37-570	Equipment.
296-37-575	Recordkeeping Requirements.
296-37-580	Effective Date
296-37-585	Examples of Conditions Which May Restrict or Limit Exposure to Hyperbaric Conditions.

**NEW SECTION****WAC 296-37-510 SCOPE AND APPLICATION.**

(1) The requirements included in this vertical chapter shall apply throughout the State wherever commercial

diving takes place within the jurisdiction of the Department of Labor and Industries. These requirements shall also be applicable to those diving related and supportive work activities not at the diving site but which have a direct effect on the safety of the diving operations. Examples may include but are not limited to: the supply of breathing air or gas; the supply of materials, equipment or supplies required by this chapter; the maintenance of diving equipment.

(2) This standard applies to diving and related support operations conducted in connection with all types of work and employments, including general industry, construction, ship repairing, shipbuilding, shipbreaking and longshoring. However, this standard does not apply to any diving operation:

(a) Performed solely for instructional purposes, using open-circuit, compressed-air SCUBA and conducted within the no-decompression limits; or

(b) Performed solely for search, rescue, or related public safety purposes by or under the control of a governmental agency; or

(c) Performed by non-commercial divers whose exposures may be of an entirely different type and whose operations are approved by the Department of Labor and Industries.

(3) This chapter shall augment the requirements of the General Safety and Health Standard, Chapter 296-24 WAC and the General Occupational Health Standard, Chapter 296-62 WAC. In instances where this chapter is in direct conflict with the requirements of any general horizontal standard, the requirements of this chapter shall apply.

(4) Hoisting gear used in diving operations shall be inspected and certified as required by Chapter 296-56 WAC, Safety Standards for Longshore, Stevedore and Related Waterfront Operations.

(5) Application in Emergencies. (a) An employer may deviate from the requirements of this standard to the extent necessary to prevent or minimize a situation which is likely to cause death, serious physical harm, or major environmental damage, provided that the employer:

(i) Notifies the Assistant Director of the Department of Labor and Industries in Olympia or the Chief Safety Inspector for the Region within 48 hours of the onset of the emergency situation indicating the nature of the emergency and extent of the deviation from the prescribed regulations; and

(ii) Upon request from the authority notified, submits such information in writing.

(6) Employer Obligation. (a) The employer shall be responsible for compliance with:

(i) All provisions of this standard of general applicability; and

(ii) All requirements pertaining to specific diving modes to the extent diving operations in such modes are conducted.

**NEW SECTION**

**WAC 296-37-512 VARIANCE AND PROCEDURE.** Realizing that conditions may exist in operations under which certain state standards will not have

practical application, the Director of the Department of Labor and Industries or his authorized representative may, pursuant to this section, RCW 49.17.080 and/or RCW 49.17.090 and appropriate administrative rules of this state and the Department of Labor and Industries and upon receipt of application and after adequate investigation by the Department, permit a variation from these requirements when other means of providing an equivalent measure of protection are afforded. Such variation granted shall be limited to the particular case or cases covered in the application for variance and may be revoked for cause. The permit for variance shall be conspicuously posted on the premises and shall remain posted during the time it is in effect. All requests for variances from safety and health standards included in this or any other chapter of Title 296 WAC, shall be made in writing to the Director of the Department of Labor and Industries at Olympia, Washington, or his duly authorized representative, the Assistant Director, Division of Industrial Safety and Health, Department of Labor and Industries, Olympia, Washington. Variance application forms may be obtained from the Department upon request.

#### NEW SECTION

**WAC 296-37-515 DEFINITIONS.** As used in this standard, the listed terms are defined as follows:

- (1) "Acfm": Actual cubic feet per minute.
- (2) "ASME" Code or equivalent": ASME (American Society of Mechanical Engineers) Boiler and Pressure Vessel Code, Section VIII, or an equivalent code which the employer can demonstrate to be equally effective.
- (3) "ATA": Atmosphere absolute.
- (4) "Bell": An enclosed compartment, pressurized (closed bell) or unpressurized (open bell), which allows the diver to be transported to and from the underwater work area and which may be used as a temporary refuge during diving operations.
- (5) "Bottom time": The total elapsed time measured in minutes from the time when the diver leaves the surface in descent to the time that the diver begins ascent.
- (6) "Bursting pressure": The pressure at which a pressure containment device would fail structurally.
- (7) "Cylinder": A pressure vessel for the storage of gases.
- (8) "Decompression chamber": A pressure vessel for human occupancy such as a surface decompression chamber, closed bell, or deep diving system used to decompress divers and to treat decompression sickness.
- (9) "Decompression sickness": A condition with a variety of symptoms which may result from gas or bubbles in the tissues of divers after pressure reduction.
- (10) "Decompression table": A profile or set of profiles of depth-time relationships for ascent rates and breathing mixtures to be followed after a specific depth-time exposure or exposures.
- (11) "Dive location": A surface or vessel from which a diving operation is conducted.
- (12) "Dive-location reserve breathing gas": A supply system of air or mixed-gas (as appropriate) at the dive

location which is independent of the primary supply system and sufficient to support divers during the planned decompression.

(13) "Dive team": Divers and support employees involved in a diving operation, including the designated person-in-charge.

(14) "Diver": An employee working in water using underwater apparatus which supplies compressed breathing gas at the ambient pressure.

(15) "Diver-carried reserve breathing gas": A diver-carried supply of air or mixed gas (as appropriate) sufficient under standard operating conditions to allow the diver to reach the surface, or another source of breathing gas, or to be reached by a standby diver.

(16) "Diving mode": A type of diving requiring specific equipment, procedures and techniques (SCUBA, surface-supplied air, or mixed gas).

(17) "Fsw": Feet of seawater (or equivalent static pressure head).

(18) "Heavy gear": Diver-worn deep-sea dress including helmet, breastplate, dry suit, and weighted shoes.

(19) "Hyperbaric conditions": Pressure conditions in excess of surface pressure.

(20) "Inwater stage": A suspended underwater platform which supports a diver in the water.

(21) "Liveboating": The practice of supporting a surfaced-supplied air or mixed gas diver from a vessel which is underway.

(22) "Mixed-gas diving": A diving mode in which the diver is supplied in the water with a breathing gas other than air.

(23) "No-decompression limits": The depth-time limits of the "no-decompression limits and repetitive dive group designation table for no-decompression air dives", U.S. Navy Diving Manual or equivalent limits which the employer can demonstrate to be equally effective.

(24) "Psi(g)": Pounds per square inch (gauge).

(25) "SCUBA diving": A diving mode independent of surface supply in which the diver uses open circuit self-contained underwater breathing apparatus.

(26) "Standby diver": A diver at the dive location available to assist a diver in the water.

(27) "Surface-supplied air diving": A diving mode in which the diver in the water is supplied from the dive location with compressed air for breathing.

(28) "Treatment table": A depth-time and breathing gas profile designed to treat decompression sickness.

(29) "Umbilical": The composite hose bundle between a dive location and a diver or bell, or between a diver and a bell, which supplies the diver or bell with breathing gas, communications, power, or heat as appropriate to the diving mode or conditions, and includes a safety line between the diver and the dive location.

(30) "Volume tank": A pressure vessel connected to the outlet of a compressor and used as an air reservoir.

(31) "Working pressure": The maximum pressure to which a pressure containment device may be exposed under standard operating conditions.

**NEW SECTION**

**WAC 296-37-520 QUALIFICATIONS OF DIVE TEAM. (1) General.**

(a) Each dive team member shall have the experience or training necessary to perform assigned tasks in a safe and healthful manner.

(b) Each dive team member shall have experience or training in the following:

(i) The use of tools, equipment and systems relevant to assigned tasks;

(ii) Techniques of the assigned diving mode; and

(iii) Diving operations and emergency procedures.

(c) All dive team members shall be trained in cardio-pulmonary resuscitation and first aid (American Red Cross standard course or equivalent).

(d) Dive team members who are exposed to or control the exposure of others to hyperbaric conditions shall be trained in diving-related physics and physiology.

(2) Assignments. (a) Each dive team member shall be assigned tasks in accordance with the employee's experience or training, except that limited additional tasks may be assigned to an employee undergoing training provided that these tasks are performed under the direct supervision of an experienced dive team member.

(b) The employer shall not require a dive team member to be exposed to hyperbaric conditions against the employee's will, except when necessary to complete decompression or treatment procedures.

(c) The employer shall not permit a dive team member to dive or be otherwise exposed to hyperbaric conditions for the duration of any temporary physical impairment or condition which is known to the employer and is likely to affect adversely the safety or health of a dive team member.

(3) Designated Person-In-Charge. (a) The employer or an employee designated by the employer shall be at the dive location in charge of all aspects of the diving operation affecting the safety and health of dive team members.

(b) The designated person-in-charge shall have experience and training in the conduct of the assigned diving operation.

**NEW SECTION**

**WAC 296-37-525 MEDICAL REQUIREMENTS. (1) General. (a)**

The employer shall determine that dive team members who are, or are likely to be, exposed to hyperbaric conditions are medically fit to perform assigned tasks in a safe and healthful manner.

(b) The employer shall provide each dive team member who is, or is likely to be, exposed to hyperbaric conditions with all medical examinations required by this standard.

(c) All medical examinations required by this standard shall be performed by, or under the direction of, a physician at no cost to the employee.

(2) Frequency of Medical Examinations. Medical examinations shall be provided:

(a) Prior to initial hyperbaric exposure with the employer, unless an equivalent medical examination has

been given within the preceding 12 months and the employer has obtained the results of the examination and an opinion from the examining physician of the employee's medical fitness to dive or to be otherwise exposed to hyperbaric conditions;

(b) At one year intervals from the date of initial examination or last equivalent examination; and

(c) After an injury or illness requiring hospitalization of more than twenty-four hours.

(3) Information Provided to Examining Physician. The employer shall provide the following information to the examining physician:

(a) A copy of the medical requirements of this standard; and

(b) A summary of the nature and extent of hyperbaric conditions to which the dive team member will be exposed, including diving modes and types of work to be assigned.

(4) Content of Medical Examinations. (a) Medical examinations conducted initially and annually shall consist of the following:

(i) Medical history;

(ii) Diving-related work history;

(iii) Basic physical examination;

(iv) The tests required by Table I; and

(v) Any additional tests the physician considers necessary.

(b) Medical examinations conducted after an injury or illness requiring hospitalization of more than 24 hours shall be appropriate to the nature and extent of the injury or illness as determined by the examining physician.

**TABLE I**

**TESTS FOR DIVING MEDICAL EXAMINATION**

Test	Initial Examination	Annual Reexamination
Chest X-ray	x	
Visual acuity	x	x
Color blindness	x	
EKG: standard 12L <sup>1</sup>		
Hearing test	x	x
Hematocrit or hemoglobin.	x	x
Sickle cell index	x	
White blood count	x	x
Urinalysis	x	x

<sup>1</sup>To be given to the employee once, at age 35 or over.

(5) Physician's Written Report. (a) After any medical examination required by this standard, the employer shall obtain a written report prepared by the examining physician containing:

(i) The results of the medical examination; and

(ii) The examining physician's opinion of the employee's fitness to be exposed to hyperbaric conditions, including any recommended restrictions or limitations to such exposure (see WAC 296-37-585).

(b) The employer shall provide the employee with a copy of the physician's written report.

(6) Determination of Employee Fitness. (a) The employer shall determine the extent and nature of the dive team member's fitness to engage in diving or be otherwise exposed to hyperbaric conditions consistent with the recommendations in the examining physician's report.

(b) If the examining physician has recommended a restriction or limitation on the dive team member's exposure to hyperbaric conditions, and the affected employee does not concur, a second physician selected by the employer shall render a medical opinion on the nature and extent of the restriction or limitation, if any.

(c) If the recommendation of the second opinion differs from that of the examining (first) physician, and if the employer and employee are unable to agree on the nature and extent of the restriction or limitation, an opinion from a third physician selected by the first two physicians shall be obtained. The employer's determination of the dive team member's fitness shall be consistent with the medical opinion of the third physician, unless the employer and employee reach an agreement which is otherwise consistent with the recommendation or opinion of at least two of the physicians involved.

(d) Nothing in this procedure shall be construed to prohibit either a dive team member from accepting, or an employer from offering, an assignment which is otherwise consistent with at least one medical opinion while a final determination on the employee's fitness is pending.

#### NEW SECTION

WAC 296-37-530 SAFE PRACTICES MANUAL. (1) General. The employer shall develop and maintain a safe practices manual which shall be made available at the dive location to each dive team member.

(2) Contents. (a) The safe practices manual shall contain a copy of this standard and the employer's policies for implementing the requirements of this standard.

(b) For each diving mode engaged in, the safe practices manual shall include:

(i) Safety procedures and checklists for diving operations;

(ii) Assignments and responsibilities of the dive team members;

(iii) Equipment procedures and checklists; and

(iv) Emergency procedures for fire, equipment failure, adverse environmental conditions, and medical illness and injury.

#### NEW SECTION

WAC 296-37-535 PRE-DIVE PROCEDURES.

(1) General. The employer shall comply with the following requirements prior to each diving operation, unless otherwise specified.

(2) Emergency Aid. A list shall be kept at the dive location of the telephone or call numbers of the following:

(a) An operational decompression chamber (if not at the dive location);

(b) Accessible hospitals;

(c) Available physicians;

(d) Available means of transportation; and

(e) The nearest U.S. Coast Guard Rescue Coordination Center.

(3) First Aid Supplies. (a) A first aid kit appropriate for the diving operation and approved by a physician shall be available at the dive location.

(b) When used in a decompression chamber or bell, the first aid kit shall be suitable for use under hyperbaric conditions.

(c) In addition to any other first aid supplies, an American Red Cross standard first aid handbook or equivalent, and a bag-type manual resuscitator with transparent mask and tubing shall be available at the dive location.

(4) Planning and Assessment. Planning of a diving operation shall include an assessment of the safety and health aspects of the following:

(a) Diving mode;

(b) Surface and underwater conditions and hazards;

(c) Breathing gas supply (including reserves);

(d) Thermal protection;

(e) Diving equipment and systems;

(f) Dive team assignments and physical fitness of dive team members (including any impairment known to the employer);

(g) Repetitive dive designation or residual inert gas status of dive team members;

(h) Decompression and treatment procedures (including altitude corrections); and

(i) Emergency procedures.

(5) Hazardous Activities. To minimize hazards to the dive team, diving operations shall be coordinated with other activities in the vicinity which are likely to interfere with the diving operation.

(6) Employee Briefing. (a) Dive team members shall be briefed on:

(i) The tasks to be undertaken;

(ii) Safety procedures for the diving mode;

(iii) Any unusual hazards or environmental conditions likely to affect the safety of the diving operation; and

(iv) Any modifications to operating procedures necessitated by the specific diving operation.

(b) Prior to making individual dive team member assignments, the employer shall inquire into the dive team member's current state of physical fitness, and indicate to the dive team member the procedure for reporting physical problems or adverse physiological effects during and after the dive.

(7) Equipment Inspection. The breathing gas supply system including reserve breathing gas supplies, masks, helmets, thermal protection, and bell handling mechanism (when appropriate) shall be inspected prior to each dive.

(8) Warning Signal. When diving from surfaces other than vessels in areas capable of supporting marine traffic, a rigid replica of the international code flag "A" at least one meter in height shall be displayed at the dive location in a manner which allows all-round visibility, and shall be illuminated during night diving operations.



NEW SECTION

**WAC 296-37-540 PROCEDURES DURING DIVE.** (1) **General.** The employer shall comply with the following requirements which are applicable to each diving operation unless otherwise specified.

(2) **Water Entry and Exit.** (a) A means capable of supporting the diver shall be provided for entering and exiting the water.

(b) The means provided for exiting the water shall extend below the water surface.

(c) A means shall be provided to assist an injured diver from the water or into a bell.

(3) **Communications.** (a) An operational two-way voice communication system shall be used between:

(i) Each surface-supplied air or mixed-gas diver and a dive team member at the dive location or bell (when provided or required); and

(ii) The bell and the dive location.

(b) An operational, two-way communication system shall be available at the dive location to obtain emergency assistance.

(4) **Decompression Tables.** Decompression, repetitive, and no-decompression tables (as appropriate) shall be at the dive location.

(5) **Dive Profiles.** A depth-time profile, including when appropriate any breathing gas changes, shall be maintained for each diver during the dive including decompression.

(6) **Hand-held Power Tools and Equipment.** (a) Hand-held electrical tools and equipment shall be de-energized before being placed into or retrieved from the water.

(b) Hand-held power tools shall not be supplied with power from the dive location until requested by the diver.

(7) **Welding and Burning.** (a) A current supply switch to interrupt the current flow to the welding or burning electrode shall be:

(i) Tended by a dive team member in voice communication with the diver performing the welding or burning; and

(ii) Kept in the open position except when the diver is welding or burning.

(b) The welding machine frame shall be grounded.

(c) Welding and burning cables, electrode holders, and connections shall be capable of carrying the maximum current required by the work, and shall be properly insulated.

(d) Insulated gloves shall be provided to divers performing welding and burning operations.

(e) Prior to welding or burning on closed compartments, structures or pipes, which contain a flammable vapor or in which a flammable vapor may be generated by the work, they shall be vented, flooded, or purged with a mixture of gases which will not support combustion.

(8) **Explosives.** (a) Employers shall transport, store, and use explosives in accordance with this section and applicable provisions of Chapter 296-52 WAC.

(b) Electrical continuity of explosive circuits shall not be tested until the diver is out of the water.

(c) Explosives shall not be detonated while the diver is in the water.

(9) **Termination of Dive.** The working interval of a dive shall be terminated when:

(a) A diver requests termination;

(b) A diver fails to respond correctly to communications or signals from a dive team member;

(c) Communications are lost and can not be quickly re-established between the diver and a dive team member at the dive location, and between the designated person-in-charge and the person controlling the vessel in liveboating operations; or

(d) A diver begins to use diver-carried reserve breathing gas or the dive-location reserve breathing gas.

NEW SECTION

**WAC 296-37-545 POST-DIVE PROCEDURES.** (1) **General.** The employer shall comply with the following requirements which are applicable after each diving operation, unless otherwise specified.

(2) **Precautions.** (a) After the completion of any dive, the employer shall:

(i) Check the physical condition of the diver;

(ii) Instruct the diver to report any physical problems or adverse physiological effects including symptoms of decompression sickness;

(iii) Advise the diver of the location of a decompression chamber which is ready for use; and

(iv) Alert the diver to the potential hazards of flying after diving.

(b) For any dive outside the no-decompression limits, deeper than 100 fsw or using mixed gas as a breathing mixture, the employer shall instruct the diver to remain awake and in the vicinity of the decompression chamber which is at the dive location for at least one hour after the dive (including decompression or treatment as appropriate).

(3) **Recompression Capability.** (a) A decompression chamber capable of recompressing the diver at the surface to a minimum of 165 fsw (6 ATA) shall be available at the dive location for:

(i) Surface-supplied air diving to depths deeper than 100 fsw and shallower than 220 fsw;

(ii) Mixed gas diving shallower than 300 fsw; or

(iii) Diving outside the no-decompression limits shallower than 300 fsw.

(b) A decompression chamber capable of recompressing the diver at the surface to the maximum depth of the dive shall be available at the dive location for dives deeper than 300 fsw.

(c) The decompression chamber shall be:

(i) Dual-lock;

(ii) Multiplace; and

(iii) Located within five minutes of the dive location.

(d) The decompression chamber shall be equipped with:

(i) A pressure gauge for each pressurized compartment designed for human occupancy;

(ii) A built-in-breathing-system with a minimum of one mask per occupant;

(iii) A two-way voice communication system between occupants and a dive team member at the dive location;

- (iv) A viewport; and
  - (v) Illumination capability to light the interior.
  - (e) Treatment tables, treatment gas appropriate to the diving mode, and sufficient gas to conduct treatment shall be available at the dive location.
  - (f) A dive team member shall be available at the dive location during and for at least one hour after the dive to operate the decompression chamber (when required or provided).
- (4) Record of Dive. (a) The following information shall be recorded and maintained for each diving operation:

- (i) Names of dive team members including designated person-in-charge;
  - (ii) Date, time, and location;
  - (iii) Diving modes used;
  - (iv) General nature of work performed;
  - (v) Approximate underwater and surface conditions (visibility, water temperature and current); and
  - (vi) Maximum depth and bottom time for each diver.
- (b) For each dive outside the no-decompression limits, deeper than 100 fsw or using mixed gas, the following additional information shall be recorded and maintained:
- (i) Depth-time and breathing gas profiles;
  - (ii) Decompression table designation (including modification); and
  - (iii) Elapsed time since last pressure exposure if less than 24 hours or repetitive dive designation for each diver.

(c) For each dive in which decompression sickness is suspected or symptoms are evident, the following additional information shall be recorded and maintained:

- (i) Description of decompression sickness symptoms (including depth and time of onset); and
- (ii) Description and results of treatment.

(5) Decompression Procedure Assessment. The employer shall:

(a) Investigate and evaluate each incident of decompression sickness based on the recorded information, consideration of the past performance of decompression table used, and individual susceptibility;

(b) Take appropriate corrective action to reduce the probability of recurrence of decompression sickness; and

(c) Prepare a written evaluation of the decompression procedure assessment, including any corrective action taken, within 45 days of the incident of decompression sickness.

#### NEW SECTION

WAC 296-37-550 SCUBA DIVING. (1) General. Employers engaged in SCUBA diving shall comply with the following requirements, unless otherwise specified.

(2) Limits. SCUBA diving shall not be conducted:

(a) At depths deeper than 130 fsw;

(b) At depths deeper than 100 fsw or outside the no-decompression limits unless a decompression chamber is ready for use.

(3) Procedures. (a) A standby diver shall be available while a diver is in the water.

(b) A diver shall be line-tended from the surface, or accompanied by another diver in the water in continuous visual contact during the diving operation.

(c) A diver shall be stationed at the underwater point of entry when diving is conducted in enclosed or physically confining spaces and shall have positive means of communication with the diver or divers within the space.

(d) A diver-carried reserve breathing gas supply shall be provided for each diver consisting of:

(i) A manual reserve (J valve); or

(ii) An independent reserve cylinder with a separate regulator or connected to the underwater breathing apparatus.

(e) The valve of the reserve breathing gas supply shall be in the closed position prior to the dive.

#### NEW SECTION

WAC 296-37-555 SURFACE-SUPPLIED AIR DIVING. (1) General. Employers engaged in surface-supplied air diving shall comply with the following requirements, unless otherwise specified.

(2) Limits. (a) Surface-supplied air diving shall not be conducted at depths deeper than 190 fsw, except that dives with bottom times of 30 minutes or less may be conducted to depths of 220 fsw.

(b) A decompression chamber shall be ready for use at the dive location for any dive outside the no-decompression limits or deeper than 100 fsw.

(c) A bell shall be used for dives with an inwater decompression time greater than 120 minutes, except when heavy gear is worn or diving is conducted in physically confining spaces.

(3) Procedures. (a) Each diver shall be continuously tended while in the water.

(b) A diver shall be stationed at the underwater point of entry when diving is conducted in enclosed or physically confining spaces.

(c) Each diving operation shall have a primary breathing gas supply sufficient to support divers for the duration of the planned dive including decompression.

(d) For dives deeper than 100 fsw or outside the no-decompression limits:

(i) A separate dive team member shall tend each diver in the water;

(ii) A standby diver shall be available while a diver is in the water;

(iii) A diver-carried reserve breathing gas supply shall be provided for each diver except when heavy gear is worn; and

(iv) A dive-location reserve breathing gas supply shall be provided.

(e) For heavy-gear diving deeper than 100 fsw or outside the no-decompression limits:

(i) An extra breathing gas hose capable of supplying breathing gas to the diver in the water shall be available to the standby diver.

(ii) An inwater stage shall be provided to divers in the water.

(f) Except when heavy gear is worn or where physical space does not permit, a diver-carried reserve breathing gas supply shall be provided whenever the diver is prevented by the configuration of the dive area from ascending directly to the surface.

NEW SECTION

WAC 296-37-560 MIXED-GAS DIVING. (1) General. Employers engaged in mixed-gas diving shall comply with the following requirements, unless otherwise specified.

(2) Limits. Mixed-gas diving shall be conducted only when:

(a) A decompression chamber is ready for use at the dive location; and

(i) A bell is used at depths greater than 220 fsw or when the dive involves inwater decompression time of greater than 120 minutes, except when heavy gear is worn or when diving in physically confining spaces; or

(ii) A closed bell is used at depths greater than 300 fsw, except when diving is conducted in physically confining spaces.

(3) Procedures. (a) A separate dive team member shall tend each diver in the water.

(b) A standby diver shall be available while a diver is in the water.

(c) A diver shall be stationed at the underwater point of entry when diving is conducted in enclosed or physically confining spaces.

(d) Each diving operation shall have a primary breathing gas supply sufficient to support divers for the duration of the planned dive including decompression.

(e) Each diving operation shall have a dive-location reserve breathing gas supply.

(f) When heavy gear is worn:

(i) An extra breathing gas hose capable of supplying breathing gas to the diver in the water shall be available to the standby diver; and

(ii) An inwater stage shall be provided to divers in the water.

(g) An inwater stage shall be provided for divers without access to a bell for dives deeper than 100 fsw or outside the no-decompression limits.

(h) When a closed bell is used, one dive team member in the bell shall be available and tend the diver in the water.

(i) Except when heavy gear is worn or where physical space does not permit, a diver-carried reserve breathing gas supply shall be provided for each diver:

(i) Diving deeper than 100 fsw or outside the no-decompression limits; or

(ii) Prevented by the configuration of the dive area from directly ascending to the surface.

NEW SECTION

WAC 296-37-565 LIVEBOATING. (1) General. Employers engaged in diving operations involving liveboating shall comply with the following requirements.

(2) Limits. Diving operations involving liveboating shall not be conducted:

(a) With an inwater decompression time of greater than 120 minutes;

(b) Using surface-supplied air at depths deeper than 190 fsw, except that dives with bottom times of 30 minutes or less may be conducted to depths of 220 fsw;

(c) Using mixed gas at depths greater than 220 fsw;

(d) In rough seas which significantly impede diver mobility or work function; or

(e) In other than daylight hours.

(3) Procedures. (a) The propeller of the vessel shall be stopped before the diver enters or exits the water.

(b) A device shall be used which minimizes the possibility of entanglement of the diver's hose in the propeller of the vessel.

(c) Two-way voice communication between the designated person-in-charge and the person controlling the vessel shall be available while the diver is in the water.

(d) A standby diver shall be available while a diver is in the water.

(e) A diver-carried reserve breathing gas supply shall be carried by each diver engaged in liveboating operations.

NEW SECTION

WAC 296-37-570 EQUIPMENT. (1) General. (a) All employers shall comply with the following requirements, unless otherwise specified.

(b) Each equipment modification, repair, test, calibration or maintenance service shall be recorded by means of a tagging or logging system, and include the date and nature of work performed, and the name or initials of the person performing the work.

(2) Air compressor systems. (a) Compressors used to supply air to the diver shall be equipped with a volume tank with a check valve on the inlet side, a pressure gauge, a relief valve, and a drain valve.

(b) Air compressor intakes shall be located away from areas containing exhaust or other contaminants.

(c) Respirable air supplied to a diver shall not contain:

(i) A level of carbon monoxide (CO) greater than 20 ppm;

(ii) A level of carbon dioxide (CO<sub>2</sub>) greater than 1,000 ppm;

(iii) A level of oil mist greater than 5 milligrams per cubic meter; or

(iv) A noxious or pronounced odor.

(d) The output of air compressor systems shall be tested for air purity every six months by means of samples taken at the connection to the distribution system, except that non-oil lubricated compressors need not be tested for oil mist.

(3) Breathing Gas Supply Hoses. (a) Breathing gas supply hoses shall:

(i) Have a working pressure at least equal to the working pressure of the total breathing gas system;

(ii) Have a rated bursting pressure at least equal to four times the working pressure;

(iii) Be tested at least annually to 1.5 times their working pressure; and

(iv) Have their open ends taped, capped or plugged when not in use.

(b) Breathing gas supply hose connectors shall:

(i) Be made of corrosion-resistant materials;

(ii) Have a working pressure at least equal to the working pressure of the hose to which they are attached; and

(iii) Be resistant to accidental disengagement.

(c) Umbilicals shall: (i) Be marked in 10-foot increments to 100 feet beginning at the diver's end, and in 50 foot increments thereafter;

(ii) Be made of kink-resistant materials; and

(iii) Have a working pressure greater than the pressure equivalent to the maximum depth of the dive (relative to the supply source) plus 100 psi.

(f) Buoyancy Control (a) Helmets or masks connected directly to the dry suit or other buoyancy-changing equipment shall be equipped with an exhaust valve.

(b) A dry suit or other buoyancy-changing equipment not directly connected to the helmet or mask shall be equipped with an exhaust valve.

(c) When used for SCUBA diving, a buoyancy compensator shall have an inflation source separate from the breathing gas supply.

(d) An inflatable flotation device capable of maintaining the diver at the surface in a face-up position, having a manually activated inflation source independent of the breathing supply, an oral inflation device, and an exhaust valve shall be used for SCUBA diving.

(5) Compressed Gas Cylinders. (a) Compressed gas cylinders shall:

(i) Be designed, constructed and maintained in accordance with the applicable provisions of WAC 296-24-920 through 296-24-94003.

(ii) Be stored in a ventilated area and protected from excessive heat;

(iii) Be secured from falling; and

(iv) Have shut-off valves recessed into the cylinder or protected by a cap, except when in use or manifolded, or when used for SCUBA diving.

(6) Decompression Chambers. (a) Each decompression chamber manufactured after the effective date of this standard, shall be built and maintained in accordance with the ASME Code or equivalent.

(b) Each decompression chamber manufactured prior to the effective date of this standard shall be maintained in conformity with the code requirements to which it was built, or equivalent.

(c) Each decompression chamber shall be equipped with:

(i) Means to maintain the atmosphere below a level of 25% oxygen by volume;

(ii) Mufflers on intake and exhaust lines, which shall be regularly inspected and maintained;

(iii) Suction guards on exhaust line openings; and

(iv) A means for extinguishing fire, and shall be maintained to minimize sources of ignition and combustible material.

(7) Gauges and Timekeeping Devices. (a) Gauges indicating diver depth which can be read at the dive location shall be used for all dives except SCUBA.

(b) Each depth gauge shall be dead-weight tested or calibrated against a master reference gauge every six months, and when there is a discrepancy greater than two percent (2%) of full scale between any two equivalent gauges.

(c) A cylinder pressure gauge capable of being monitored by the diver during the dive shall be worn by each SCUBA diver.

(d) A timekeeping device shall be available at each dive location.

(8) Masks and Helmets. (a) Surface-supplied air and mixed-gas masks and helmets shall have:

(i) A non-return valve at the attachment point between helmet or mask and hose which shall close readily and positively; and

(ii) An exhaust valve.

(b) Surface-supplied air masks and helmets shall have a minimum ventilation rate capability of 4.5 acfm at any depth at which they are operated or the capability of maintaining the diver's inspired carbon dioxide partial pressure below 0.02 ATA when the diver is producing carbon dioxide at the rate of 1.6 standard liters per minute.

(9) Oxygen Safety. (a) Equipment used with oxygen or mixtures containing over forty percent (40%) by volume oxygen shall be designed for oxygen service.

(b) Components (except umbilicals) exposed to oxygen or mixtures containing over forty percent (40%) by volume oxygen shall be cleaned of flammable materials before use.

(c) Oxygen systems over 125 psig and compressed air systems over 500 psig shall have slow-opening shut-off valves.

(10) Weights and harnesses. (a) Except when heavy gear is worn, divers shall be equipped with a weight belt or assembly capable of quick release.

(b) Except when heavy gear is worn or in SCUBA diving, each diver shall wear a safety harness with:

(i) A positive buckling device;

(ii) An attachment point for the umbilical to prevent strain on the mask or helmet; and

(iii) A lifting point to distribute the pull force of the line over the diver's body.

## NEW SECTION

WAC 296-37-575 RECORDKEEPING REQUIREMENTS. (1) Recording and Reporting. (a) The employer shall record and report occupational injuries and illnesses in accordance with requirements of Chapter 296-27 WAC and Chapter 296-350 WAC.

(b) The employer shall record the occurrence of any diving-related injury or illness which requires any dive team member to be hospitalized for 24 hours or more, specifying the circumstances of the incident and the extent of any injuries or illnesses.

(2) Availability of records. (a) Upon the request of the Director of the Department of Labor and Industries or his duly authorized designees, the employer shall make available for inspection and copying any record or document required by this standard.

NOTE: Requests for information or copies of records and reports by OSHA or NIOSH shall be made to the Director of the Department of Labor and Industries.

(b) Upon request of any employee, former employee or authorized representative, the employer shall make

available for inspection and copying any record or document required by this standard which pertains to the individual employee or former employee.

(c) Records and documents required by this standard shall be retained by the employer for the following period:

(i) Dive team member medical records (physician's reports) (WAC 296-37-525) – five years;

(ii) Safe practices manual (WAC 296-37-530) – current document only;

(iii) Depth-time profile (WAC 296-37-540) – until completion of the recording of dive, or until completion of decompression procedure assessment where there has been an incident of decompression sickness;

(iv) Recording dive (WAC 296-37-545) one year, except five years where there has been an incident of decompression sickness;

(v) Decompression procedure assessment evaluations (WAC 296-37-545) – five years;

(vi) Equipment inspections and testing records (WAC 296-37-570) – current entry or tag, or until equipment is withdrawn from service;

(vii) Records of hospitalizations (WAC 296-37-575) – five years.

(d) After the expiration of the retention period of any record required to be kept for five years, the employer shall forward such records to the National Institute for Occupational Safety and Health, Department of Health, Education, and Welfare.

(e) In the event the employer ceases to do business:

(i) The successor employer shall receive and retain all dive and employee medical records required by this standard; or

(ii) If there is no successor employer, dive and employee medical records shall be forwarded to the National Institute for Occupational Safety and Health, Department of Health, Education, and Welfare.

#### NEW SECTION

WAC 296-37-580 EFFECTIVE DATE. This standard shall be effective 30 days after being filed with the Code Reviser.

#### NEW SECTION

WAC 296-37-585 EXAMPLES OF CONDITIONS WHICH MAY RESTRICT OR LIMIT EXPOSURE TO HYPERBARIC CONDITIONS. (1) The following disorders may restrict or limit occupational exposure to hyperbaric conditions depending on severity, presence of residual effects, response to therapy, number of occurrences, diving mode, or degree and duration of isolation.

(a) History of seizure disorder other than early febrile convulsions.

(b) Malignancies (active) unless treated and without recurrence for five years.

(c) Chronic inability to equalize sinus and/or middle ear pressure.

(d) Cystic or cavitory disease of the lungs.

(e) Impaired organ function caused by alcohol or drug use.

(f) Conditions requiring continuous medication for control (e.g., antihistamines, steroids, barbiturates, moodaltering drugs, or insulin).

(i) Meniere's disease.

(ii) Hemoglobinopathies.

(iii) Obstructive or restrictive lung disease.

(iv) Vestibular end organ destruction.

(v) Pneumothorax.

(vi) Cardiac abnormalities (e.g., pathological heart block, valvular disease, intraventricular conduction defects other than isolated right bundle branch block, angina pectoris, arrhythmia, coronary artery disease).

(vii) Juxta-articular osteonecrosis.

#### REPEALER

The following sections of the Washington Administrative Code are each repealed:

(1) WAC 296-37-010 SCOPE AND APPLICATION.

(2) WAC 296-37-020 PURPOSE.

(3) WAC 296-37-030 DEFINITIONS.

(4) WAC 296-37-040 APPOINTMENT AND DUTIES OF COMMITTEES.

(5) WAC 296-37-050 CLASSIFICATION OF APPARATUS PERMITTED AND AIR PURITY.

(6) WAC 296-37-060 APPROVAL OF EQUIPMENT.

(7) WAC 296-37-070 DIVER REGISTRATION—DIVER TRAINING OR EXPERIENCE PHYSICAL EXAM AND MEDICAL HISTORY RECORD.

(8) WAC 296-37-071 FORM # 1. REPORT OF MEDICAL EXAMINATION.

(9) WAC 296-37-072 FORM # 2. MEDICAL HISTORY RECORD.

(10) WAC 296-37-080 GENERAL REQUIREMENTS, PROCEDURES AND TECHNIQUES.

(11) WAC 296-37-081 FORM # 3. SCUBA DIVING RECORD.

(12) WAC 296-37-082 ILLUSTRATIONS OF FLAGS AND SHAPES.

(13) WAC 296-37-090 RECOMPRESSION CHAMBER—TABLES—ATTENDANT.

(14) WAC 296-37-100 IDENTIFICATION.

(15) WAC 296-37-110 WAIVER OR VARIANCE.

(16) WAC 296-37-300 USE OF COMPRESSORS IN DIVING OPERATIONS.

(17) WAC 296-37-310 EQUIPMENT REQUIREMENTS—DIVERS AIR LINE, CHECK VALVES, ETC.

(18) WAC 296-37-320 —BARGE OPERATIONS.

(19) WAC 296-37-330 —AIR TOOLS USED IN UNDER-WATER OPERATIONS.

(20) WAC 296-37-340 —INSPECTION.

(21) WAC 296-37-350 SAFETY RULES—GENERALLY.

(22) WAC 296-37-360 —SUGGESTIONS MADE BY DIVER CONSIDERED RULE TO GOVERN.

- (23) WAC 296-37-370 CONDITIONS ON BARGE DECK.
- (24) WAC 296-37-380 USE OF TWO-WAY TELEPHONES.
- (25) WAC 296-37-390 DECOMPRESSION CHAMBER—WHEN USED.
- (26) WAC 296-37-395 SPECIAL STIPULATION REGARDING INEXPERIENCED DIVERS AND WORKMEN.
- (27) WAC 296-37-400 —DIVER MAY CHOOSE TENDER.
- (28) WAC 296-37-410 JUDGMENT OF DIVER TO TAKE PRECEDENT.
- (29) WAC 296-37-420 REQUIREMENT ON ALL SHIP SURVEYS.
- (30) WAC 296-37-430 USE OF FLOOD LIGHTS.
- (31) WAC 296-37-440 RULES FOR COMPRESSED AIR OPERATIONS APPLICABLE TO DIVING OPERATIONS.
- (32) WAC 296-37-450 AVAILABILITY OF LIFE PRESERVERS.
- (33) WAC 296-37-460 CARE AND REPLACEMENT OF EQUIPMENT.

**WSR 78-10-106****ADOPTED RULES****CENTRAL WASHINGTON UNIVERSITY**

[Order 41—Filed October 4, 1978]

I, Donald Guy, Dean of Student Development, of the Central Washington University, do promulgate and adopt at the Dean of Students Office, on campus the annexed rules relating to:

- chapter 106-120 WAC Student rights and responsibilities.  
 chapter 106-136 WAC Use of University facilities (entertainment policy).  
 chapter 106-124 WAC Financial obligations of students.

This action is taken pursuant to Notice No. WSR 78-06-120 filed with the code reviser on 6/7/78. Such rules shall take effect pursuant to RCW 28B.19.050(2).

This rule is promulgated pursuant to RCW 28B.19.050 and 28B.40.120 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED September 15, 1978.

By Donald Guy  
 Dean of Student Development

**AMENDATORY SECTION** (Amending Order 7, filed 8/18/72)

**WAC 106-120-001 RIGHTS AND RESPONSIBILITIES.** The provisions WAC 106-120-001 through 106-120-999 shall constitute the Student Rights and

Responsibilities Policy of Central Washington ((State College)) University.

**AMENDATORY SECTION** (Amending Order 22, filed 7/29/75)

**WAC 106-120-010 RIGHTS AND RESPONSIBILITIES OF STUDENTS.** (1) Students at the ((College)) university neither lose the rights nor escape the obligations of citizenship. Students retain and enjoy all rights secured to citizens by the Constitution and laws of the United States, and the Constitution and laws of the State of Washington, and ordinances and laws of the County of Kittitas and City of Ellensburg. Students are obliged to obey these laws and ordinances.

(2) The ((College)) university distinguishes its responsibility for student conduct from the controls imposed by the larger community outside the ((College)) university, and of which the ((College)) university is a part. When students are charged with violations of laws of the nation or state, or ordinances of the county(;) or city, the ((College)) university will neither request nor agree to special consideration for students because of their status as students, but the ((College)) university will cooperate with law enforcement agencies, courts, and any other agencies in programs for rehabilitation of students.

(3) The ((College)) university reserves the right to impose further sanctions after law enforcement agencies, courts, and other agencies have imposed penalties or otherwise disposed of a case.

(4) The ((College)) university does not have the responsibilities of a parent for the conduct of students, and is not responsible for law enforcement off campus.

**Reviser's Note:** WAC 1-13-130 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 22, filed 7/29/75)

**WAC 106-120-011 INTERNAL SOLUTION OF PROBLEMS.** It shall be a policy of the ((College)) university to solve problems internally when possible. Students and ((College)) university officials should attempt counseling and mediation procedures, using internal ((College)) university resources as far as possible in the resolution of problems and grievances.

**AMENDATORY SECTION** (Amending Order 22, filed 7/29/75)

**WAC 106-120-013 DEFINITIONS.** When used in WAC 106-120-010 through 106-120-999:

(1) "((College)) University" shall mean Central Washington ((State College)) University.

(2) "President" shall mean the President of the ((College)) university.

(3) "Dean" shall mean the Dean of Student Development of the ((College)) university, ((his delegates;)) or his ((representative)) designee.

(4) "Student" shall mean a person enrolled at the ((College)) university either full or part time, pursuing

undergraduate, graduate, or extension studies, or a person accepted for admission or readmission to the ((College)) university.

(5) "Instructor" shall mean any person employed by the ((College)) university to conduct classes as set forth in the Faculty Code of Personnel Policy and Procedure. In certain circumstances a person may be both a "student" and an "instructor". Determination of whether such a person's status as student is involved in particular situations shall be determined by the Campus Judicial Council based upon the circumstances.

(6) "Legal Compulsion" shall mean a judicial or legislative order which requires some action by the person to whom it is directed.

(7) "ASC" shall mean the Associated Students of Central.

(8) "Violation of law" shall mean a violation of the laws or ordinances of the federal government or of any state or political subdivision thereof having jurisdiction over the place in which the violation occurs.

#### AMENDATORY SECTION (Amending Order 22, filed 7/19/75)

##### WAC 106-120-020 PROSCRIBED CONDUCT.

A student shall be subject to disciplinary action or sanction upon violation of any of the following conduct proscriptions:

(1) Academic dishonesty in all its forms including, but without being limited to, cheating on tests, plagiarism, collusion, and submission of another's work product as the student's own.

(2) Cheating on tests.

(3) Copying from another student's test paper.

(4) Using materials during a test not authorized by the person giving the test.

(5) Collaboration with any other person during a test without authority.

(6) Knowingly obtaining, using, buying, selling, transporting, or soliciting in whole or in part the contents of an unadministered test.

(7) Bribing any other person to obtain an unadministered test or information about an unadministered test.

(8) Substitution for another student or permitting any other person to substitute for oneself to take a test.

(9) "Plagiarism" which shall mean the appropriation of any other person's work and the unacknowledged incorporation of that work in one's own work offered for credit.

(10) "Collusion" which shall mean the unauthorized collaboration with any other person in preparing work offered for credit.

(11) Filing a formal complaint with the Dean of Student Development or his designee with the intention of falsely accusing another with having violated a provision of this code.

(12) Furnishing false information to the Campus Judicial Council with the intent to deceive, the intimidation of witnesses, the destruction of evidence with the intent to deny its presentation to the Campus Judicial Council or the willful failure to appear before the Campus Judicial Council when properly notified to appear.

(13) Intentionally setting off a fire alarm or reporting a fire or other emergency or tampering with fire or other emergency equipment except when done with the reasonable belief in the existence of a need therefore.

(14) Forgery, alteration, or misuse of ((College)) university documents, records, or identification cards.

(15) Physically abusing or intentionally inflicting severe emotional distress upon another member of the ((College)) university community whether occurring on or off campus; or physically abusing or intentionally inflicting severe emotional distress upon a nonmember of the ((College)) university community.

(16) Theft or malicious destruction, damage or misuse of ((College)) university property or private property of another member of the ((College)) university community whether occurring on or off campus; or theft or malicious destruction, damage or misuse on campus of property of a nonmember of the ((College)) university community.

(17) Unauthorized seizure or occupation or unauthorized presence in any ((College)) university building or facility.

(18) Intentional disruption or obstruction of teaching, research, administration, disciplinary proceedings, or other ((College)) university activities or programs whether occurring on or off campus or of activities or programs authorized or permitted by the ((College)) university to be conducted on campus.

(19) Intentional participation in a demonstration which is in violation of rules and regulations governing demonstrations promulgated by the ((College)) university pursuant to the provisions of WAC 106-120-700 through 106-120-799.

(20) Unauthorized entry upon the property of the ((College)) university or into a ((College)) university facility or any portion thereof which has been reserved, restricted in use, or placed off limits; unauthorized presence in any ((College)) university facility after closing hours; or unauthorized possession or use of a key to any ((College)) university facility.

(21) Possession or use on campus of any firearm or other dangerous weapon or incendiary device or explosive unless such possession or use has been authorized by the ((College)) university.

(22) Possession, use, or distribution on campus of any narcotic or dangerous or unlawful drug as defined by the laws of the United States or the State of Washington except as expressly permitted by law.

(23) Violation of the university ((CWSE)) Board of Trustees' policy on alcoholic beverages which states:

(a) Persons twenty-one years of age or older may possess and/or consume alcoholic beverages within the privacy of their residence hall rooms(;) or apartments(~~(; or college owned married student housing subject to the following regulations:)~~) Washington State law provides severe penalties for the possession or consumption of alcoholic beverages by persons under twenty-one years of age and for persons who furnish alcoholic beverages to minors. All university students should be aware of these laws and the possible consequences of violations.

~~((i) Consumption of alcoholic beverages may take place only at private gatherings with a reasonable number of persons.~~

~~(ii) Quantities of alcoholic beverages must not exceed reasonable amounts. Kegs and keg quantities are not reasonable.~~

~~(iii) Alcoholic beverages in any form may not be sold in College owned housing; money may not change hands nor may hidden charges provide for alcoholic beverages.)~~

(b) The ~~((College))~~ university does not condone the consumption of alcoholic beverages at functions sponsored by Central Washington ~~((State College))~~ University organizations. Organizations are held responsible for the conduct of their members at functions sponsored by the organization and for failure to comply with Washington State Law.

(c) The Campus Judicial Council may place on probation any organization or prohibit a specific campus social function when the consumption of alcoholic beverages has become a problem of concern to the ~~((College))~~ university.

~~((d) Washington State Law provides severe penalties for the possession or consumption of alcoholic beverages by persons under twenty-one years of age and for persons who furnish alcoholic beverages to minors. All College students should be aware of these laws and the possible consequences of violations.))~~

(24) Violation of clearly stated proscriptions in any published rule or regulation promulgated by any official campus committee or commission or council acting within the scope of its authority.

(25) Violation on campus of any state or federal law or violation of any state or federal law off campus while participating in any ~~((College))~~ university sponsored activity.

**Reviser's Note:** WAC 1-13-130 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 22, filed 7/19/75)

WAC 106-120-030 DISCIPLINARY SANCTIONS. The following definitions of disciplinary terms have been established and may be the sanctions imposed upon violators of Chapter 106-120 WAC by the Dean of Student Development or his designee, or by the Campus Judicial Council, ((the President, and/or the Board of Trustees.))

(1) Warning. Notice to a student in writing that he has been in violation of ~~((College))~~ university rules or regulations or has otherwise failed to meet the ~~((College's))~~ university's standard of conduct. Such warnings will contain the statement that continuation or repetition of the specific conduct involved or other misconduct will normally result in one of the more serious disciplinary actions described below.

(2) Disciplinary Probation. Formal action specifying the conditions under which a student may continue to be a student at the ~~((College))~~ university. The conditions specified may be in effect for a period of time or for the

duration of the student's attendance at the ~~((College))~~ university.

(3) Restitution. An individual student may be required to make restitution for damage or loss to ~~((College))~~ university or other property and for injury to persons. Failure to make restitution ~~((within thirty (30) days))~~ will result in suspension for an indefinite period of time as set forth in subsection (4) below provided that a student may be reinstated upon payment.

(4) Suspension. Temporary dismissal from the ~~((College))~~ university and from status as a student, for violation of ~~((College))~~ university rules or regulations or for failure to meet ~~((College))~~ university standards of conduct. The notice suspending the student will state in writing the term of the suspension and any condition(s) that must be met before readmission is granted. The student so suspended must demonstrate ~~((in writing))~~ that the conditions for readmission have been met. In the case of an unemancipated minor who is suspended, a copy of the notification of suspension will be sent to the parents or the guardians of the student. There is to be no refund of fees for the quarter in which the action is taken, but fees paid in advance for a subsequent quarter are to be refunded.

(5) The time limits that may be imposed in (2), (3), and/or (4) may be modified because of conditions of provable duress on the affected student, including but not limited to illness and injury.

#### AMENDATORY SECTION (Amending Order 22, filed 7/29/75)

WAC 106-120-031 READMISSION AFTER SUSPENSION. Any student suspended from the ~~((College))~~ university for disciplinary reasons may be readmitted upon expiration of the time period specified in the document of original suspension. If the affected student feels that circumstances warrant reconsideration of his suspension prior to its time of expiration, he may be readmitted following approval of a written petition submitted to the Dean of Student Development or his designee. Such petitions must state reasons which either provide new evidence concerning the situation which resulted in the suspension, or demonstrate that earlier readmission is in the best interest of the student and the ~~((College))~~ university. Approval for such readmission must be given by the ~~((person or agency who issued the original suspension, and by any person or agency who reviewed the suspension))~~ dean of student development, his designee or by the Campus Judicial Council.

**Reviser's Note:** WAC 1-13-130 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 22, filed 7/29/75)

WAC 106-120-032 READMISSION AFTER SUSPENSION—REESTABLISHMENT OF ACADEMIC STANDING. Students who have been suspended pursuant to disciplinary procedures set forth in this chapter and whose suspension upon appeal is found



to have been unwarranted shall be provided full opportunity to reestablish their academic and student standing to the extent possible within the abilities of the (~~College~~) university, including an opportunity to retake examinations or otherwise complete course offerings missed by reason of such action.

AMENDATORY SECTION (Amending Order 22, filed 7/19/75)

WAC 106-120-040 COMPLAINTS - DISPOSITION. (1) A complaint alleging misconduct against any student at the (~~College~~) university may be filed by anyone at the office of the dean of student development. Students, faculty members, administrators and other employees of the (~~College~~) university shall have concurrent authority to request the commencement of the disciplinary proceedings provided for in this chapter. Persons filing complaints shall be complainant of record.

(2) The dean shall make preliminary investigation to determine whether the charges are significant or whether they may be disposed of informally by the dean without the initiation of disciplinary proceedings.

(3) After investigation, the dean may:

(a) drop the charges, when they appear to be invalid or without substance or capricious;

(b) discuss the situation informally with the student charged, and negotiate a suitable penalty with any student who wishes to plead guilty and/or accept such sanction as the dean may propose;

(c) refer the case to the Campus Judicial Council, in those situations when further examination of evidence is required, or when the dean and the student cannot agree on guilt or a suitable penalty.

(4) When cases are referred to the Campus Judicial Council, the information to the council shall include the nature of the alleged misconduct, name and address of the complainant, name and address of the student(s) charged, and all relevant facts and witness statements.

(5) The individuals involved shall be given a copy of the Student Rights and Responsibilities Policy. This includes but is not limited to: the (~~subject in question (defendant);~~) student against whom the complaint is made and the person making the complaint (~~and the subject's counsel, if known~~)).

**Reviser's Note:** WAC 1-13-130 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 7, filed 8/18/72)

WAC 106-120-041 COMPLAINTS - DISPOSITION - PENDING CRIMINAL PROCEEDINGS FOR THE CAMPUS JUDICIAL COUNCIL. If a student charged with misconduct under this code has been charged with a crime for the same act or closely-related acts by federal, state, or local authorities, or if it appears that such criminal charge is under consideration by said authorities, the Campus Judicial Council should ordinarily postpone action on the complaint until there has been a disposition of the criminal charge or of the consideration of filing such charge. However, the Council

may proceed to hear and decide the case prior to the disposition of pending or threatened criminal charges in either of the following instances:

(1) If the student so requests in writing.

(2) If, in the judgment of the Campus Judicial Council, the nature of the alleged misconduct and the circumstances surrounding it pose a serious risk to the health or well being of the student himself or of other members of the (~~College~~) university community.

If in any such proceeding before the Campus Judicial Council there is determination of guilt, and if the subsequent criminal proceeding results in a judgment of acquittal, the student may petition the Campus Judicial Council for a rehearing.

AMENDATORY SECTION (Amending Order 22, filed 7/29/75)

WAC 106-120-042 NOTICE REQUIREMENTS.

Any student charged in a (~~report~~) complaint filed pursuant to WAC 106-120-040, with a violation of WAC 106-120-020, shall be notified by the dean of student development or his designated representative within three (~~(3)~~) work days after the filing of such a (~~report~~) complaint, if possible. The notice shall be effective if presented later due to the student's absence. Such notice shall:

(1) Inform the student that a (~~report~~) complaint has been filed alleging that the student violated specific provisions of the Student Rights and Responsibilities Policy and the date of the violation; and

(2) set forth those provisions allegedly violated; and

(3) specify (~~the exact~~) a time and date the student is required to meet with the dean of student development or his designee; and

~~((4) Specify the exact time, date and location of the informal hearing, if one is required; and~~

~~(5) Inform the student that he may question witnesses, that he may have anyone appear in his behalf to defend him, that he may have a maximum of three (3) character witnesses appear in his behalf; and~~

(6) (4) inform the student that failure to appear at (~~either of~~) the appointed time(s) at the dean of student development's office (~~or at the hearing~~) may subject him to suspension from the institution (~~for a stated or indefinite period of time~~)).

AMENDATORY SECTION (Amending Order 22, filed 7/29/75)

WAC 106-120-043 MEETING WITH THE DEAN OF STUDENT DEVELOPMENT. (1) At the meeting with the dean of student development or his designee, the student shall be informed of provisions of the (~~Code of~~) Student Rights and Responsibilities Policy that are involved, that he may appeal any sanction imposed by the dean of student development or his designee to the Campus Judicial Council and that if a hearing is required, he may have the hearing open to the public. If the student requests a formal hearing, the dean of student development or his designee shall take no action nor make any determination in the matter other than to inform the student (~~again~~) of the time, date,

and location of the formal hearing by the Campus Judicial Council.

~~((2)) A student accused of violating any provisions of the Code of Student Rights and Responsibilities shall be given immediate notification of any disciplinary action taken by the Dean of Student Development or his designated representative. In case of an unemancipated minor, notification of the disciplinary action taken by the Dean of Student Development or his designated representative shall also be sent to the parents or guardians of the student.~~

~~(3) No disciplinary action taken by or at the recommendation of the Dean of Student Development or his designated representative is final unless the student fails to exercise his right of appeal as provided for in these rules. The president or his designated representative after reviewing the case, including any statement the student may file with the president, shall either give written approval of the action taken by or at the recommendation of the Dean of Student Development or his designee, or given written direction as to what lesser disciplinary action, if any, is to be taken.))~~

**Reviser's Note:** WAC 1-13-130 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 22, filed 7/29/75)

WAC 106-120-050 CAMPUS JUDICIAL COUNCIL. (1) The Campus Judicial Council shall be the principal campus wide judicial body with jurisdiction and authority to hear all charges of misconduct against ~~((individuals))~~ students, whether graduate or undergraduate. ~~((except as hereinafter provided, and except for those offenses and situations jurisdiction over which may be delegated to other hearing agencies. When jurisdiction over certain cases is delegated to other hearing agencies, the Campus Judicial Council shall have appellate jurisdiction.))~~ The Campus Judicial Council has authority to impose the sanctions described in WAC 106-120-030 for ~~((those))~~ acts of misconduct specified in WAC 106-120-020. ~~((with sanctions as described in WAC 106-120-030. Sanctions imposed are not final unless the student elects to waive the rights of appeal as provided in these rules. The President or a person designated by the President shall review the case, together with all materials forwarded by the Campus Judicial Council and by the defendant student, and shall give written approval or disapproval of the Council's actions. If disapproval, then the President or designee shall give written instructions regarding any changes.))~~

(2) For the purpose of these rules, any person enrolled for classes and considered a student by the definition in WAC 106-120-013 (4) is subject to these rules, independent of any other status the individual may have with the ~~((College))~~ university. Any action taken against a student under these rules shall be independent of other actions taken by virtue of another relationship with the ~~((College))~~ university in addition to that of student.

(3) The Campus Judicial Council has jurisdiction over all students and student organizations. Other divisions of

the ~~((College))~~ university may elect to establish subsidiary judicial agencies, over which the Campus Judicial Council will have appellate jurisdiction. Appeals from these subsidiary councils or agencies must be made within five working days from the time of publication of findings by said subsidiary judicial agency. Failure to file such an appeal will constitute and be construed as full acceptance by all parties of the findings. Decisions made by the Campus Judicial Council will be deemed to be final decisions in a contested case and appealable only to the Superior Court.

~~((Subsidiary judicial agencies may be established by carrying out the prescribed process for adopting rules, regulations, and policies, as authorized by chapter 34.04 RCW, the Administrative Procedure Act, and will be made a part of these rules, the Policy on Student Rights and Responsibilities chapter 106-120 WAC.~~

Appeals from decisions made by the Campus Judicial Council will be made to the President. Such appeals must be filed in writing within five working days from the time of publication of findings by the Campus Judicial Council. Failure to file an appeal within the specified time shall constitute and be construed as acceptance by all parties of the findings as published.

The President will respond to appeals made from decisions made by the Campus Judicial Council, or by the Dean. Appeals from decisions rendered by the President in such cases may also be appealed, with this appeal being directed to the Board of Trustees of the College. Such appeals must be submitted in writing to the Office of the President within five working days from the time the President has published findings. Failure to file such an appeal within the specified time shall constitute and be construed as acceptance of the findings by all concerned.

(4) Persons and agencies to whom appeals are directed will produce findings and render a decision within five working days of receipt of the appeal, except for the Board of Trustees. The Board of Trustees will produce findings and render a decision within ten working days after its regular meeting.))

~~((5))~~ (4) Persons or agencies levying sanctions should devise sanctions which were in proportion to both the nature and extent of the misconduct, and which compensate as far as possible for injury, expense, and/or inconvenience. The sanction should redress injury, damage, or grievance as far as possible.

~~((6))~~ (5) Due process of law is recognized as essential to the proper enforcement of ~~((College))~~ university rules. No charges may be heard or sanctions levied in the name of the ~~((College))~~ university except in accordance with these rules.

**Reviser's Note:** WAC 1-13-130 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 22, filed 7/29/75)

WAC 106-120-051 MEMBERSHIP IN CAMPUS JUDICIAL COUNCIL. (1) The Council shall consist of

three (~~((3))~~) faculty members holding the rank of assistant professor or above, and six (~~((6))~~) students, at least one of whom should be a graduate student if a graduate student files for election to the council.

(2) The faculty members of the council shall be designated by the Faculty Senate. The student members of the council shall be elected according to procedures indicated by the constitution of the Associated Students of Central. The faculty members will be designated at the beginning of each academic year. Six student members shall be elected: three (~~(in the)~~) during (~~((fall))~~) winter quarter registration and three (~~(in the)~~) during (~~((winter))~~) spring quarter registration, each student being elected for a term of one calendar year, in accordance with the ASC (~~(Constitution, Article VH))~~ Bylaws. Terms of office for students begin with the first day of instruction of the quarter following election to office.

(3) A chairperson of the Campus Judicial Council shall be elected at the first meeting of the fall quarter, and shall continue in office until the person's term expires, the person resigns, or is recalled (~~((according to provisions of the ASC Constitution:))~~) The duties of the chairperson are as follows:

(a) To call regular and special meetings of the council by notification to members at least twenty-four hours in advance of the meeting time, except in bona fide emergency situations.

(b) To preside over all regular and special meetings.

(c) To act as hearing officer at all meetings of the hearing board.

**Reviser's Note:** WAC 1-13-130 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 22, filed 7/29/75)

WAC 106-120-055 PROCEDURES FOR HEARING. (a) When disciplinary cases have been referred for hearing, the chairperson shall call a special meeting of the council and arrange for such hearing in the following manner:

(a) The council shall determine the time and place of hearing, which shall be at least two (~~((2))~~) working days after said special meeting of the council. Time and place shall be set to make the least inconvenience for all interested parties.

(b) The council shall draw lots to determine a hearing board consisting of four (~~((4))~~) student members and two (~~((2))~~) faculty members of the council, and the chairperson of the council acting as hearing officer.

(c) A quorum of the hearing board shall be (~~(all four student members))~~ two of the four student members and ((both)) two faculty members, as selected by lot at ((a)) the special meeting of the ((Campus Judicial)) council, and the chairperson of the council. No case shall be heard unless the full membership of the hearing board is present.

(d) All cases will be heard de novo, whether the case be an appeal from a subsidiary judicial body or being heard as an original complaint.

(2) The chairperson of the council (~~(and hearing officer))~~ shall insure that:

(a) the hearing is held in an orderly manner, giving full care that the rights of all parties to a full, fair and impartial hearing are maintained.

(b) (~~((that))~~) the charges and supporting evidence or testimony shall be presented first, and that there is full opportunity for the accused student to challenge the testimony and/or evidence, and to cross examine appropriately.

(c) (~~((that))~~) the student charged shall next present evidence or testimony to refute the charge, and that there is full opportunity for the accuser to challenge testimony and/or evidence, and to cross examine appropriately.

(d) (~~((that))~~) the hearing board, after all parties have been heard, shall (~~((then))~~) deliberate in (~~(closed))~~ executive session until a decision is reached. After the decision is reached, it shall be (~~(announced in open session of the hearing board, and then communicated in writing to the President of the College for his approval, as elsewhere provided in these rules))~~ communicated in writing to all of the parties, including the complainant and to the dean of student development.

(3) Hearings will ordinarily be held in closed session, unless the hearing board shall determine that there is compelling reason for the hearing to be open to all those interested. A closed hearing shall include only members of the hearing board, (~~(the Dean of Student Development or his designee acting ex officio as advisor on procedure, parties))~~ persons directly ((interested)) involved in the hearing ((as accuser and accused)) as parties, and persons called as ((such)) witnesses. ((as these regulations provide elsewhere:))

If at any time during the conduct of a hearing any person is disruptive of the proceedings and cannot be persuaded to observe the necessary decorum for an appropriate hearing, the hearing officer is empowered to exclude such person from the hearing room, using such means as are necessary to insure an orderly hearing.

(4) The student has a right to a fair and impartial hearing before the committee on any charge of violating a provision or provisions of WAC 106-120-020. The student's failure to cooperate with the hearing procedures hereinafter outlined, however, shall not preclude the committee from making its (~~((proposed))~~) findings of fact, conclusions and recommendations as provided below. Failure by the student to cooperate may be taken into consideration by the committee in (~~(recommending to the President))~~ deciding the appropriate disciplinary action.

(5) The student shall be given written notice from the dean of student development or his designee by certified mail to the student's last known address of the time and place of his hearing before the board. Said notice shall contain:

(a) A statement of the date, time, place and nature of the disciplinary proceedings.

(b) a statement of the specific charges against him including reference to the particular sections of WAC 106-120 involved.

(c) to the extent known, a list of witnesses who will appear and a summary description of any documentary

or other physical evidence that will be presented by the ~~((College))~~ university at the hearing.

(6) The student shall be entitled to hear and examine the evidence against him and be informed of the identity of its source; he shall be entitled to present evidence in his own behalf and cross-examine witnesses testifying against him as to factual matters. The student shall have all authority possessed by the ~~((College))~~ university to obtain information he specifically describes, in writing, and tenders to the dean of student development or his designee no later than two ~~((2))~~ days prior to the hearings or to request the presence of witnesses or the production of other evidence relevant to the hearings.

Notwithstanding the provisions of the paragraph immediately above, the ~~((College))~~ university shall not be liable for information requested by the student or the presence of witnesses when circumstances beyond the control of the ~~((College))~~ university prevent the obtaining of such information or the attendance of such witnesses at the hearing.

(7) The student may be represented by counsel of his choice at the disciplinary hearings. If the student elects to choose a duly licensed attorney admitted to practice law in the state of Washington as his counsel, he must tender two ~~((2))~~ days notice thereof to the dean of student development or his designee.

In all disciplinary proceedings the ~~((College))~~ university may be represented by the dean of student development or his designee ~~((:))~~ who may ~~((he may then))~~ present the ~~((College's))~~ university's case against the student accused of violating WAC 106-120 provided, that in those cases in which the student elects to be represented by a licensed attorney, the dean of student development or his designee may elect to have the ~~((College))~~ university represented by an assistant attorney general.

(8) The proceedings of the hearing shall be tape recorded. A copy thereof shall be on file at the office of the dean of student development. Either party at its own expense may produce a transcript of the proceedings.

(9) The hearing board may ~~((set another))~~ change the time and place of the hearing for sufficient cause.

**Reviser's Note:** The typographical errors in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending Order 7, filed 8/18/72)

WAC 106-120-056 PROCEDURES FOR HEARING — ADMISSIBLE EVIDENCE. (1) Only those matters presented at the hearing, in the presence of the accused student, will be considered in determining whether the ~~((student))~~ hearing ~~((committee))~~ board has sufficient cause to believe that the accused student is guilty of violating the rules he is charged with having violated.

(2) In determining whether sufficient cause does exist, members of the ~~((Campus Judicial Council))~~ hearing board shall give probative effect to evidence which possesses probative value commonly accepted by reasonably prudent men in the conduct of their affairs.

(3) The ~~((chairman of the Campus Judicial Council))~~ hearing officer shall, in the course of presiding at the disciplinary hearing, give effect to the rules of privilege recognized by law and exclude incompetent, irrelevant, immaterial and unduly repetitious evidence.

AMENDATORY SECTION (Amending Order 7, filed 8/18/72)

WAC 106-120-057 PROCEDURES FOR HEARING — INTERFERENCE WITH PROCEEDINGS. Any student interfering with the proceedings of the meeting, with the dean of student development or his designee or the formal hearing or any subsequent hearing shall be in contempt of the proceedings and may be summarily suspended from the ~~((College))~~ university by the dean of student development or his designee or the Campus Judicial Council ~~((or the President or the Board of Trustees))~~ at the time the interference takes place and shall be subject to suspension or any lesser sanction as may be determined by the Campus Judicial Council ~~((or President or the Board of Trustees))~~ at the time the interference takes place or within fifteen ~~((15))~~ academic calendar days thereafter.

AMENDATORY SECTION (Amending Order 22, filed 7/29/75)

WAC 106-120-058 DECISION BY THE HEARING BOARD. (1) Upon conclusion of the disciplinary hearing, the hearing board may consider all the evidence therein presented in closed session and decide by majority vote ~~((whether to recommend to the President))~~ any of the following actions:

(a) That the ~~((College))~~ university terminate the proceedings and exonerate the student or students.

(b) that the ~~((College))~~ university impose minor sanctions directly, such as a warning, reprimand, fine, restitution, or disciplinary probation.

(c) that the student be suspended from ~~((College))~~ the university including a recommendation of the duration of such suspension.

(2) The student shall be provided with a copy of the board's ~~((recommended))~~ findings of fact and conclusions regarding whether the student did violate any rule or rules of the ~~((Code of))~~ Student Rights and Responsibilities Policy and the board's decision as to the appropriate sanction to be imposed, ~~((and the recommendation to the President. The Campus Judicial Council shall also advise the student in writing of his rights to present a written statement to the President appealing the recommendation of the committee.))~~

AMENDATORY SECTION (Amending Order 22, filed 7/29/75)

WAC 106-120-060 INITIATION OF SUMMARIY SUSPENSION PROCEEDINGS. The ~~((President or his designee or the))~~ dean of student development or his designee may summarily suspend any student ~~((of))~~ from the ~~((College))~~ university for not more than ten ~~((10))~~ academic calendar days pending investigation, action or prosecution of charges of an alleged chapter 106-120 WAC violation or violations, ~~((and))~~ if the

~~((President or his designee or the))~~ dean of student development has reason to believe that the student's physical or emotional safety and well-being, or the safety and well-being of ((the)) other ((College)) university community members, or the ((safety and well-being of the College)) protection of property ((command)) requires such suspension.

AMENDATORY SECTION (Amending Order 22, filed 7/19/75)

WAC 106-120-061 PERMISSION TO ENTER OR REMAIN ON CAMPUS. During the period of summary suspension, the suspended student shall not enter the campus of the ~~((College))~~ university other than to meet with the dean of student development or to attend the summary suspension hearing. However, the dean may grant the student special permission for the express purpose of meeting with faculty, staff, or students in preparation for the hearing.

**Reviser's Note:** WAC 1-13-130 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 22, filed 7/29/75)

WAC 106-120-062 NOTICE OF SUMMARY SUSPENSION PROCEEDINGS. If the ~~((President))~~ dean of student development or his designee ~~((or the Dean desires))~~ finds it necessary to exercise the authority to summarily suspend a student, he shall: ~~((cause notice thereof to be served upon that student by registered or certified mail to the student's last known address, or by causing personal service of such notice upon that student.))~~

(1) Give an oral or written notice of the alleged misconduct and violation(s) of any provision(s) of WAC 105-120 to the student;

(2) give an oral or written explanation of the evidence in support of the charge(s) to the student;

(3) given an oral or written explanation of the corrective action or punishment (up to a maximum of ten academic calendar days suspension) which may be imposed, to the student; and

(4) the student shall be provided an opportunity to present his or her explanation of the conduct alleged to be violative of the university's Student Rights and Responsibilities Policy.

**Reviser's Note:** WAC 1-13-130 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 7, filed 8/18/72)

WAC 106-120-064 DECISION BY THE DEAN. If the dean, ~~((following))~~ at the conclusion of the summary suspension proceedings, finds that there is ~~((probably))~~ probable cause to believe that:

(1) The student against whom specific violations of law or of provisions of chapter WAC 106-120 are alleged has committed one or more of such violations; ~~((upon any College facility))~~ and

(2) ((that summary suspension of said student is necessary under the provisions of WAC 106-120-060 through 106-120-068;)) such violation or violations of the law or of provisions of chapter WAC 106-120 constitute grounds for disciplinary action; and

(3) ((such violation or violations of the law or of provisions of Chapter 106-120 WAC constitute grounds for disciplinary action, then the dean may, with the written approval of the President, suspend such student from the College.)) summary suspension of the student is necessary, the dean may immediately suspend such student from the university for up to ten academic calendar days.

**Reviser's Note:** WAC 1-13-130 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

WAC 106-120-066 SUSPENSION FOR FAILURE TO APPEAR. If the student against whom specific violations of provisions of chapter WAC 106-120 have been alleged has been ~~((served pursuant to the notice required))~~ instructed by the dean of student development or his designee to appear for summary suspension proceedings and then fails to appear at the time designated for the summary suspension proceedings, the dean may((, with the written concurrence of the President;)) suspend the student from ((College)) the university, and shall give written notice of suspension to the student at his last address of record on file with the university.

REPEALER

The following sections of the Washington Administrative Code are hereby repealed:

(1) WAC 106-120-054 EXTRAORDINARY HEARING BOARDS

(2) WAC 106-120-059 DECISION BY THE HEARING BOARD — THE FINAL DECISION REGARDING DISCIPLINARY SANCTION

(3) WAC 106-120-063 NOTICE OF SUMMARY SUSPENSION PROCEEDINGS — PROCEDURES OF SUMMARY SUSPENSION HEARING

(4) WAC 106-120-065 NOTICE OF SUMMARY SUSPENSION PROCEEDINGS — NOTICE OF SUSPENSION

(5) WAC 106-120-067 NOTICE OF SUMMARY SUSPENSION PROCEEDINGS — APPEAL

(6) WAC 106-120-068 NOTICE OF SUMMARY SUSPENSION PROCEEDINGS — SUMMARY SUSPENSION PROCEEDINGS NOT DUPLICITOUS

(7) WAC 106-120-070 APPEALS

AMENDATORY SECTION (Amending Order 4, filed 6/16/72)

WAC 106-124-010 FINANCIAL OBLIGATIONS OF STUDENTS. Admission to or registration with the ~~((College))~~ university, conferring of degrees and issuance of academic transcripts or grade reports may be withheld for failure to meet financial obligations to the ~~((College))~~ university.

AMENDATORY SECTION (Amending Order 4, filed 6/16/72)

WAC 106-124-011 FINANCIAL OBLIGATIONS OF STUDENTS—APPEAL PROCEDURE. Every student has the right to appeal ~~((a decision of any college department or division to assess))~~ an assessment by the university of a fee, fine, charge, debt, or other financial obligation ~~((of his or hers to the College in writing))~~ by filing a written petition with the appropriate dean or nonacademic area director stating the student's reasons for ~~((the appeal to the division or department head for a determination of))~~ challenging the validity ~~((and legitimacy))~~ of ~~((that))~~ the assessed obligation. ~~((within))~~ The written petition must be filed not less than ten ~~((+10))~~ days after the notice of assessment was sent to the student. ~~((If the student has not resolved his or her financial obligation to the College and has not requested a formal hearing pursuant to RCW chapter 28B.19 within ten (10) days after his last appeal action, the College may take any action authorized under WAC 106-124-010))~~ The dean or director, or his designee, shall review the university's decision to assess the fee, fine, charge, debt, or other financial obligation in light of the student's petition appealing the assessment and shall render a decision thereon which shall be final.

AMENDATORY SECTION (Amending Order 17, filed 7/2/74)

WAC 106-136-600 ENTERTAINMENT POLICY. The provisions of WAC 106-136-600 through 106-136-~~((699))~~680 shall constitute the entertainment policy of Central Washington ~~((State College))~~ University.

AMENDATORY SECTION (Amending Order 17, filed 7/2/74)

WAC 106-136-601 ENTERTAINMENT DEFINED. "Entertainment" wherever used in WAC 106-136-600 through ~~((699))~~ 680 shall be defined as follows: "Any performance, dance, concert, attraction, fund-raising event or other event presented on campus ~~((that))~~ which shall require the use of Central Washington ~~((State College))~~ University facilities and is sponsored by either the Associated Students of Central, an officially recognized student organization, or private entity."

**Reviser's Note:** WAC 1-13-130 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 17, filed 7/2/74)

WAC 106-136-605 APPROVAL OF ENTERTAINMENT REQUIRED. All entertainment, except those offered through the administering of WAC 106-136-660, 670, and 680, to be presented on the Central Washington ~~((State College))~~ University campus must have the ~~((written))~~ signed approval of the ~~((Entertainment Commission))~~ dean of student development or his designee. ~~((The Student Accountant will study the financial feasibility reports of the entertainment in question, and will make a written recommendation concerning such financial feasibility to the Entertainment Commission.))~~

AMENDATORY SECTION (Amending Order 17, filed 7/2/74)

WAC 106-136-620 RESPONSIBILITIES OF THE ASSOCIATED STUDENTS OF CENTRAL. The Associated Students of Central shall provide crowd control personnel for all entertainment that the Associated Students of Central sponsor. The areas may be required to assume financial responsibility and liability for any claims that may arise against the ~~((college))~~ university for damage or injuries occurring as a result of an Associated Students of Central sponsored entertainment event.

**Reviser's Note:** WAC 1-13-130 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 17, filed 7/2/74)

WAC 106-136-630 OBLIGATIONS OF OFFICIALLY RECOGNIZED STUDENT ORGANIZATIONS AND PRIVATE ENTITIES. All officially recognized student organizations and private entities presenting entertainment as determined and approved by the ~~((Entertainment Commission))~~ dean of student development or his designee are subject to the provisions of WAC 106-136-600 through ~~((699))~~ 680 and shall be subject to the same regulations concerning responsibilities and liabilities as the ~~((Entertainment Commission as))~~ set forth in WAC 106-136-625.

**Reviser's Note:** WAC 1-13-130 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 17, filed 7/2/74)

WAC 106-136-631 OBLIGATIONS OF OFFICIALLY RECOGNIZED STUDENT ORGANIZATIONS — DEPOSIT OF RENTAL FEE. All recognized student organizations and private entities ~~((shall))~~ may be required to deposit, in advance, with the ~~((college))~~ university scheduling office in cash, certified check or money order only, the rental fee for the facilities to include set up and clean up charges.

AMENDATORY SECTION (Amending Order 17, filed 7/2/74)

WAC 106-136-632 OBLIGATIONS OF OFFICIALLY RECOGNIZED STUDENT ORGANIZATIONS — DAMAGES BOND. All organizations as defined in WAC 106-124-105(2) and private entities may be required to furnish Central Washington (~~(State College)~~) University with a certificate of insurance or other satisfactory proof that such organization or private entity has purchased reasonable broad form insurance coverage (e.g., \$1,000,000 liability coverage and \$250,000 property damage coverage for use of Nicholson Pavilion) for the entertainment event presented by such organization or private entity, of which Central Washington (~~(State College)~~) University is the sole beneficiary. ~~((+))~~ The following shall be required of all organizations and private entities presenting entertainment:

~~((a))~~ (1) Each organization or private entity shall provide the scheduling office with a complete list of all the officers, agents and representatives of the organization, including full names, local addresses and permanent addresses of each.

~~((b))~~ (2) Each organization or private entity shall be responsible for the admissions, attendance and crowd control in the (~~(college)~~) university facilities during the time reserved for their organization.

~~((c))~~ (3) Each organization or private entity assumes responsibility for all violations of (~~(college)~~) campus regulations and policies, State law, and Federal law which occur in connection with the use of the facilities and shall hold the (~~(college)~~) university harmless from any claims or liability for any act or failure to act on the part of the organization.

AMENDATORY SECTION (Amending Order 17, filed 7/2/74)

WAC 106-136-640 SCHEDULING RESPONSIBILITIES, REQUIREMENTS, PRIORITIES AND PROCEDURE. Consistent with the scheduling policy, the (~~(Entertainment Commission)~~) dean of student development or his designee will be responsible for securing a facility and a date subject to calendar approval by the scheduling office. If the Pavilion, McConnell, Hertz or Hebler (~~(is)~~) are the ((facility that is)) facilities being requested, approval will have to be sought ((first by the scheduling office, and then by)) from the ((chairman of the Department of Physical Education)) appropriate department chairpersons through the scheduling office. The priority of the (~~(Pavilion))~~ above mentioned facilities is first in terms of class space, second for ((college)) university sponsored ((athletics:)) events and third for ((intramurals, fourth for Co-Recreation, and fifth for)) entertainment sponsored by or recognized by the ((Entertainment Commission)) dean of student development or his designee.

AMENDATORY SECTION (Amending Order 17, filed 7/2/74)

WAC 106-136-641 SCHEDULING RESPONSIBILITIES, REQUIREMENTS, PRIORITIES AND

PROCEDURE — PROCEDURE FOR REQUEST. Initial requests for a scheduling date and approval of an entertainment event and the use of a (~~(college)~~) campus facility for that event shall be made through the scheduling office twenty (~~((20))~~) business days prior to the date requested (not including the day of the event) before the contract will be executed on the part of the (~~(college)~~) university.

AMENDATORY SECTION (Amending Order 17, filed 7/2/74)

WAC 106-136-642 SCHEDULING RESPONSIBILITIES, REQUIREMENTS, PRIORITIES AND PROCEDURE — PROHIBITION OF ASSIGNMENTS. The privilege to use (~~(college)~~) campus facilities for entertainment is subject to the provisions of WAC 106-136-600 through (~~((699))~~) 680 and may not be assigned; if any assignment is made, the (~~(college)~~) university reserves the right to cancel the scheduling of the assigned entertainment event.

AMENDATORY SECTION (Amending Order 17, filed 7/2/74)

WAC 106-136-643 SCHEDULING RESPONSIBILITIES, REQUIREMENTS, PRIORITIES AND PROCEDURE — REQUIREMENTS FOR SCHEDULING. No facility will be scheduled for use by recognized student organizations or private entities until a duly authorized representative of that organization has:

(1) Signed a contract for the (~~(rental)~~) use of the facility;

(2) paid the rental fee for the use of that facility, if required in advance;

(3) furnished satisfactory proof of the acquisition of the insurance coverage required by this policy, ten (~~((10))~~) business days prior to the date requested.

**Reviser's Note:** WAC 1-13-130 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 17, filed 7/2/74)

WAC 106-136-644 SCHEDULING RESPONSIBILITIES, REQUIREMENTS, PRIORITIES AND PROCEDURE — LIMITATIONS ON USE OF FACILITIES ((AND AUTHORITY OF SCHEDULING OFFICER)). (1) facilities for presentation of entertainment by organizations as defined in WAC 106-124-105(2) may not be scheduled, rented, or used on any regular series basis, daily, weekly, monthly, or in any manner that establishes a consistent pattern of usage or commitment of (~~(college)~~) campus facilities.

(2) The (~~((Scheduling Officer of Central Washington State College))~~) dean of student development or his designee may impose special conditions of additional requirements where necessary to meet proper health or safety standards, or to assure compliance with (~~(college)~~) campus rules, upon any organization or private entity as a condition precedent to the presentation of entertainment. The (~~((Scheduling Officer may in his or~~

her)) dean of student development or his designee may use whatever discretion ((make)) necessary in making exceptions to the provisions of WAC 106-136-600 through ((699)) 680 where extraordinary circumstances exist.

**Reviser's Note:** WAC 1-13-130 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 17, filed 7/2/74)

WAC 106-136-645 SCHEDULING RESPONSIBILITIES, REQUIREMENTS, PRIORITIES AND PROCEDURE — REQUIREMENTS FOR EXECUTION OF CONTRACT AND CONTENTS. At such time as the requirements of WAC 106-136-600 through ((699)) 680 are fulfilled, a contract may be executed with the ((college)) university.

**AMENDATORY SECTION** (Amending Order 17, filed 7/2/74)

WAC 106-136-650 ENTERTAINMENT RESPONSIBILITIES ((OF THE ENTERTAINMENT COMMISSION)) The ((Entertainment Commission)) dean of student development or his designee shall coordinate and administer the provisions of WAC 106-136-600 through ((699)) 680, process forms, and advise the scheduling ((Officer)) office on situations where special conditions should be imposed or exceptions to the provisions of WAC 106-136-600 through ((699)) 680 should be made.

**AMENDATORY SECTION** (Amending Order 17, filed 7/2/74)

WAC 106-136-660 AUTHORITY OF ATHLETIC DIRECTOR TO ADMINISTER ATHLETIC EVENTS. The athletic director of Central Washington ((State College)) University shall establish reasonable admission fees, rules and regulations regarding attendance and crowd control at athletic events at Central ((Washington State College)). Advance notice of such admission fees, rules and regulations regarding attendance and crowd control at athletic events at Central Washington ((State College)) University will be provided to interested parties, whenever possible, by the athletic director ((of Central Washington State College)).

**AMENDATORY SECTION** (Amending Order 17, filed 7/2/74)

WAC 106-136-670 AUTHORITY OF DEAN OF STUDENT((S)) DEVELOPMENT TO ADMINISTER RECREATION PROGRAM. The dean of student((s)) development or his designee may establish reasonable admission charges, schedules, rules and regulations regarding uses, attendance and crowd control at Nicholson Pavilion and Pool, and admission charges will be assessed for ((college)) university employees and their immediate families during such periods. Advance notice of such charges, schedules, rules and regulations shall be

provided to interested parties, whenever possible, by the dean of student((s)) development or his designee.

**Reviser's Note:** WAC 1-13-130 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 17, filed 7/2/74)

WAC 106-136-680 AUTHORITY OF ACADEMIC DEPARTMENTS TO ADMINISTER THEIR SPONSORED PUBLIC EVENTS. ((Academic departments after)) Following approval by the appropriate dean, academic departments may establish reasonable admission fees, rules and regulations regarding attendance and crowd control for public events which they sponsor. Such admission charges may be assessed for ((college)) university staff, faculty, student body, and the general public. ((PROVIDED, that)) However, when Central Washington ((State College)) University student fees are allocated for the direct support of an academically related public event, Central Washington ((State College)) University students shall ((not be charged admission for such an event)) normally be provided a reduced student admission charge for such event. Advance notice of such admission fees, rules and regulations shall be provided to interested parties as soon as possible after their adoption, by the respective academic departments.

**Reviser's Note:** WAC 1-13-130 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 78-11-001**

**PROPOSED RULES**

**COMMISSION FOR VOCATIONAL EDUCATION**

[Filed October 5, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Commission for Vocational Education intends to adopt, amend, or repeal rules concerning revision of chapters 490-04A through 490-76A WAC, containing the rules and regulations for vocational education. Also being proposed are new chapters 490-77 through 490-97 WAC;

that such agency will at 9:30 a.m., Thursday, November 16, 1978, in the Lecture Hall, Highline Community College, Seattle, Washington, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10:30 a.m., Thursday, November 16, 1978, in the Lecture Hall, Highline Community College, Seattle, Washington.

The authority under which these rules are proposed is chapter 28C.04A RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to October 27, 1978, and/or orally at 9:30 a.m., Thursday, November 16, 1978, Lecture Hall, Highline Community College, Seattle, Washington.



This notice is connected to and continues the matter noticed in Notice No. WSR 78-06-110 filed with the code reviser's office on June 6, 1978.

Dated: October 5, 1978  
By: Homer J. Halverson  
Executive Director

**WSR 78-11-002**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**  
[Order 78-93—Filed October 5, 1978]

I, Gordon Sandison, director of state Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is Areas 4B, 5, 6, 6A, 6B, 6C and 9 are closed for coho and chum protection. Areas 10, 10B, 10C, 10E, 11 and 13B are closed for coho protection. This order is necessary to protect weak chum runs and coho stocks needed for escapement.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED October 5, 1978.

By Gordon Sandison  
Director

NEW SECTION

WAC 220-28-004B0F **CLOSED AREA** Effective immediately until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Treaty Indian Salmon Management and Catch Reporting Area 4B.

NEW SECTION

WAC 220-28-00500C **CLOSED AREA** Effective immediately until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Treaty Indian Salmon Management and Catch Reporting Area 5.

NEW SECTION

WAC 220-28-00600I **CLOSED AREA** Effective immediately until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Treaty Indian Salmon Management and Catch Reporting Area 6.

NEW SECTION

WAC 220-28-006A0F **CLOSED AREA** Effective immediately until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Treaty Indian Salmon Management and Catch Reporting Area 6A.

NEW SECTION

WAC 220-28-006B0G **CLOSED AREA** Effective immediately until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Treaty Indian Salmon Management and Catch Reporting Area 6B, except that portion inside and westerly of a line projected from Dungeness Light to Kula Kala Point.

NEW SECTION

WAC 220-28-006C0B **CLOSED AREA** Effective immediately until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Treaty Indian Salmon Management and Catch Reporting Area 6C.

NEW SECTION

WAC 220-28-00900D **CLOSED AREA** Effective immediately until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Treaty Indian Salmon Management and Catch Reporting Area 9.

NEW SECTION

WAC 220-28-01000D **CLOSED AREA** Effective immediately until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Treaty Indian Salmon Management and Catch Reporting Area 10.

NEW SECTION

WAC 220-28-010B0H **CLOSED AREA** Effective immediately until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Treaty Indian Salmon Management and Catch Reporting Area 10B.

NEW SECTION

WAC 220-28-010C0D **CLOSED AREA** Effective immediately until further notice it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in that portion of Treaty Indian Salmon Management and Catch Reporting Area 10C known as Lake Sammamish inside a line parallel to and 250 yards out from the east, north and south shores ending at Issaquah Creek.

NEW SECTION

WAC 220-28-010E0B **CLOSED AREA** Effective immediately until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Treaty Indian Salmon Management and Catch Reporting Area 10E.

NEW SECTION

WAC 220-28-01100B **CLOSED AREA** Effective immediately until further notice, it shall be unlawful for any fisherman including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Treaty Indian Salmon Management and Catch Reporting Area 11.

NEW SECTION

WAC 220-28-013B0D **CLOSED AREA** Effective immediately until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Treaty Indian Salmon Management and Catch Reporting Area 13B, except that portion of Peale Passage north of a line projected from Unsal Point to Brisco Point and south of a line projected due East from the northern tip of Squaxin Island to where it intersects with Hartstene Island.

Those areas and times not specifically closed by this Order remain closed to all treaty Indian fishing except as permitted by tribal regulations filed with the U. S. District Court and the Departments of Fisheries and Game which comply with the decision and subsequent orders in U.S. v. Washington Civil No. 9213. No fishing outside the usual and accustomed grounds and stations is authorized by this Order. This Order is not an opening of any time or areas to treaty Indian fisheries which have not been opened by properly filed tribal regulations.

REPEALER

The following section of the Washington Administrative Code is hereby repealed:

WAC 220-28-010C0C **CLOSED AREA** (78-79)

**WSR 78-11-003****EMERGENCY RULES****SUPERINTENDENT OF PUBLIC INSTRUCTION**

[Order 78-9—Filed October 6, 1978]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Old Capitol Building, Olympia, Wa 98504, the annexed rules relating to amendments to the existing rule governing enrollment reporting procedures for purposes of allocating state basic education entitlement funds.

I, Frank B. Brouillet, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is:

The current rule was not designed to meet the problem of commencement of the school year in the month of October at the result of this year's unexpected late openings.

The current rule is ambiguous when applied to situations created by late September and early October school openings.

A literal interpretation of the current rule is contrary to the intent of the agency's rule and, if held to be the proper interpretation, could cause irreparable harm to thousands of school children and/or a number of school programs as a result of unanticipated financial losses by their districts.

Uncertainty in interpretation of the rule would have an immediate detrimental impact upon school district decision making.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 84.52-.0531 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED October 4, 1978.

By Frank B. Brouillet  
Superintendent of Public Instruction

AMENDATORY SECTION

WAC 392-121-010 **DEFINITIONS.** As used in this chapter, the term: (1) "Full-time equivalent student" shall mean each individual student who is enrolled as of the ~~((second Monday of September (or by the fourth school day after commencement of the instructional program in the month of September in the event a district is unable to comply with the second Monday report by reason of an emergency school closure or a strike)))~~ fourth school day of the fiscal year (September 1 through August 31) following commencement of the annual basic education program and/or as of the first

school day of any of the subsequent eight months (exclusive of an intermission at noon, but inclusive of normal class change passing time):

(a) Pre-school handicapped: 20 hours each week, or four hours (240 minutes) each scheduled school day;

(b) Kindergarten (full-day): 20 hours each week, or four hours (240 minutes) for 90 scheduled school days;

(c) Kindergarten (half-day): 10 hours each week, or two hours (120 minutes) each scheduled school day;

(d) Primary (grades 1 through 3): 20 hours each week, or four hours (240 minutes) each scheduled school day;

(e) Elementary (grades 4 through 6): 25 hours each week, or five hours (300 minutes) each scheduled school day;

(f) Secondary (grades 7 through 12): 25 hours each week, or five hours (300 minutes) each scheduled school day;

(2) "Kindergarten" shall mean an instructional program conducted for students four to six years of age.

(3) "Nonresident student" shall mean any student other than a resident student whose residence is within the state of Washington.

(4) "Part-time student" shall mean a student who is enrolled pursuant to chapter 392-181 WAC (part-time attendance and ancillary services) for less time than the minimum time required for a full-time equivalent student.

(5) "Pre-school handicapped student" shall mean a handicapped student who is enrolled in a pre-first grade level educational program operated by or in behalf of the school district of enrollment.

**WSR 78-11-004**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**  
 [Order 78-94—Filed October 6, 1978]

I, Gordon Sandison, director of state Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is this order is necessary to allow a coho harvest in rivers flowing into the Strait of Juan de Fuca and to clarify that portion of Area 10C closed for coho protection.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure

Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED October 6, 1978

By Gordon Sandison  
 Director

**NEW SECTION**

**WAC 220-28-010COE** **CLOSED AREA** Effective immediately until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Treaty Indian Salmon Management and Catch Reporting Area 10C except that portion of Lake Sammamish westerly of a line 250 yards out from and parallel to the east shore between the Sammamish River and Issaquah Creek.

**REPEALER**

The following sections of the Washington Administrative Code are hereby repealed:

**WAC 220-28-005FOC** **CLOSED AREA**

**WAC 220-28-010COD** **CLOSED AREA**

**WSR 78-11-005**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 1348—Filed October 6, 1978]

I, David Hogan, Exec. Assist. of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to social services—Eligible persons, amending WAC 388-15-020.

I, David Hogan, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is these changes to the state median income for a family of four adjusted for family size became effective October 1, 1978.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated under the general rule-making authority of the secretary of Department of Social and Health Services as authorized in RCW 74.08.090.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED October 6, 1978.

By David Hogan  
Executive Assistant

AMENDATORY SECTION (Amending Order 1335, filed 9/1/78)

WAC 388-15-020 ELIGIBLE PERSONS. (1) Individuals eligible for services are:

(a) Recipients of aid to families with dependent children (AFDC recipients).

(b) Individuals whose needs were taken into account in determining the needs of AFDC recipients.

(c) Recipients of supplemental security income or state supplementary payments related to age, blindness or permanent and total disability.

(d) Recipients of federal aid medical care only categorically related to Title XVI supplemental security income or AFDC, provided gross family income does not exceed 80% of the state median gross income for a family of four, adjusted for family size.

(e) Any individual or family regardless of age, blindness or disability, whose gross family income does not exceed 80% of the state median income for a family of four, adjusted for family size, except that:

(i) No individual or family is eligible for chore services, family planning or alcoholism services whose gross family income is in excess of 50% of the state median income for a family of four, adjusted for family size, except that a single individual may receive chore services if his median gross income does not exceed 57% of the state's median gross income for a family of four adjusted for family size.

(ii) No individual or family is eligible on a group basis for developmental disabilities, case services, developmental disabilities home-aid resources, developmental disabilities developmental centers or extended sheltered employment unless at least 75% of persons given these services are members of families whose gross monthly income do not exceed 90% of the state median income, adjusted for family size.

(iii) Information and referral services, services to children in their own home or protective service may be given to any individual regardless of the level of gross family income. Child protective services are provided without charge. Where ancillary services such as chore services or homemaker services are an integral but subordinate part of a protective service plan for children or adults, they may be provided without regard to the level of gross family income.

(2) Gross median income for a family of four in the state of Washington, effective October 1, 1978 is \$((+6,8+8))18,359. 80% = \$((+3,454))14,687.

(a) Income tables for 80% gross median income:

Number in Family	Monthly Income	Annual Income
1	((583))637	((6,996))7,638
2	((762))832	((9,148))9,987
3	((942))1,028	((+1,30+))12,338
4	((+1,121))1,224	((+3,454))14,687

Number in Family	Monthly Income	Annual Income
5	((+1,300))1,420	((+15,605))17,037
6	((+1,480))1,616	((+17,759))19,387

(b) Income tables for 57% gross median income, one-person family only.

Monthly Income	Annual Income
((+15,33))454	((+4,984))5,442

(c) Income table for 52% gross median income:

Family Size	Monthly Income	Annual Income
2	((497))541	((5,947))6,492
3	((612))668	((7,346))8,019
4	((729))796	((8,745))9,547
5	((845))923	((+10,145))11,074
6	((962))1,050	((+11,544))12,602

(d) Income tables for 50% gross median income:

Family Size	Monthly Income	Annual Income
1	((364))398	((4,372))4,774
2	((477))520	((5,718))6,242
3	((589))643	((7,063))7,711
4	((701))765	((8,409))9,180
5	((813))887	((9,754))10,648
6	((925))1,010	((+11,099))12,117

(e) Income tables for 38% gross median income:

Family Size	Monthly Income	Annual Income
1	((277))302	((3,323))3,628
2	((362))395	((4,345))4,744
3	((447))497	((5,368))5,860
4	((533))581	((6,390))6,976
5	((618))674	((7,413))8,092
6	((703))767	((8,435))9,209

(f) See WAC 388-29-100 for grant standards.

(3) Family means two or more persons related by blood, marriage or adoption, residing in the same household, and may include a dependent residing in a separate household for whom support is paid.

(a) Husband and wife are considered a two-person family.

(b) Related adults residing together, other than spouses, are each considered a separate family.

(c) An individual living alone or with unrelated persons only is considered a one-person family. An individual living alone or with unrelated persons may include in his/her application a dependent living in a separate household for whom support is paid.

(d) Children living with nonlegally responsible relatives, emancipated minors and children living under the care of unrelated persons are also considered one-person families.

(4) Persons applying to provide day care or foster care facilities or a person or persons applying to adopt a child are resources to our primary client, the child. Financial eligibility for these individuals is not required.

(5) Child welfare services may also be provided under Title IV-B of the Social Security Act.

**WSR 78-11-006**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
**[Filed October 9, 1978]**

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules relating to Social services—Eligible persons, amending WAC 388-15-020.

It is the intention of the Department to adopt these rules on an emergency basis prior to the hearing. The reason for the emergency filing is that these median income changes became effective October 1.

Correspondence concerning this notice and proposed rules attached should be addressed to:

David Hogan, Executive Assistant  
 Department of Social and Health Services  
 Mail Stop OB-44 C  
 Olympia, WA 98504;

that such agency will at 10:00 a.m., Wednesday, December 13, 1978, in the Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, December 20, 1978, in William B. Pope's office, 3-D-14, State Office Bldg., 12th and Jefferson, Olympia, WA.

The authority under which these rules are proposed is RCW 74.08.090.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to December 13, 1978, and/or orally at 10:00 a.m., Wednesday, December 13, 1978, Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

Dated: October 6, 1978  
 By: David Hogan  
 Executive Assistant

**AMENDATORY SECTION (Amending Order 1335, filed 9/1/78)**

**WAC 388-15-020 ELIGIBLE PERSONS.** (1) Individuals eligible for services are:

(a) Recipients of aid to families with dependent children (AFDC recipients).

(b) Individuals whose needs were taken into account in determining the needs of AFDC recipients.

(c) Recipients of supplemental security income or state supplementary payments related to age, blindness or permanent and total disability.

(d) Recipients of federal aid medical care only categorically related to Title XVI supplemental security income or AFDC, provided gross family income does not exceed 80% of the state median gross income for a family of four, adjusted for family size.

(e) Any individual or family regardless of age, blindness or disability, whose gross family income does not exceed 80% of the state median income for a family of four, adjusted for family size, except that:

(i) No individual or family is eligible for chore services, family planning or alcoholism services whose gross family income is in excess of 50% of the state median income for a family of four, adjusted for family size, except that a single individual may receive chore services if his median gross income does not exceed 57% of the state's median gross income for a family of four adjusted for family size.

(ii) No individual or family is eligible on a group basis for developmental disabilities, case services, developmental disabilities home-aid resources, developmental disabilities developmental centers or extended sheltered employment unless at least 75% of persons given these services are members of families whose gross monthly income do not exceed 90% of the state median income, adjusted for family size.

(iii) Information and referral services, services to children in their own home or protective service may be given to any individual regardless of the level of gross family income. Child protective services are provided without charge. Where ancillary services such as chore services or homemaker services are an integral but subordinate part of a protective service plan for children or adults, they may be provided without regard to the level of gross family income.

(2) Gross median income for a family of four in the state of Washington, effective October 1, 1978 is  $\$((+16,818))18,359$ .  $80\% = \$(+13,454))14,687$ .

(a) Income tables for 80% gross median income:

Number in Family	Monthly Income	Annual Income
1	$((583))637$	$((6,996))7,638$
2	$((762))832$	$((9,148))9,987$
3	$((942))1,028$	$((+1,301))12,338$
4	$((+121))1,224$	$((+3,454))14,687$
5	$((+300))1,420$	$((+5,605))17,037$
6	$((+480))1,616$	$((+7,759))19,387$

(b) Income tables for 57% gross median income, one-person family only.

Monthly Income	Annual Income
$((415.33))454$	$((4,984))5,442$

(c) Income table for 52% gross median income:

Family Size	Monthly Income	Annual Income
2	$((497))541$	$((5,947))6,492$
3	$((612))668$	$((7,346))8,019$
4	$((729))796$	$((8,745))9,547$
5	$((845))923$	$((+0,145))11,074$
6	$((962))1,050$	$((+1,544))12,602$

(d) Income tables for 50% gross median income:

Family Size	Monthly Income	Annual Income
1	$((364))398$	$((4,372))4,774$
2	$((477))520$	$((5,718))6,242$
3	$((589))643$	$((7,063))7,711$
4	$((701))765$	$((8,409))9,180$
5	$((813))887$	$((9,754))10,648$
6	$((925))1,010$	$((+1,099))12,117$

(e) Income tables for 38% gross median income:

Family Size	Monthly Income	Annual Income
1	$((277))302$	$((3,323))3,628$
2	$((362))395$	$((4,345))4,744$
3	$((447))497$	$((5,368))5,860$
4	$((533))581$	$((6,390))6,976$
5	$((618))674$	$((7,413))8,092$
6	$((703))767$	$((8,435))9,209$

(f) See WAC 388-29-100 for grant standards.

(3) Family means two or more persons related by blood, marriage or adoption, residing in the same household, and may include a dependent residing in a separate household for whom support is paid.

(a) Husband and wife are considered a two-person family.

(b) Related adults residing together, other than spouses, are each considered a separate family.

(c) An individual living alone or with unrelated persons only is considered a one-person family. An individual living alone or with unrelated persons may include in his/her application a dependent living in a separate household for whom support is paid.

(d) Children living with nonlegally responsible relatives, emancipated minors and children living under the care of unrelated persons are also considered one-person families.

(4) Persons applying to provide day care or foster care facilities or a person or persons applying to adopt a child are resources to our primary client, the child. Financial eligibility for these individuals is not required.

(5) Child welfare services may also be provided under Title IV-B of the Social Security Act.

**WSR 78-11-007**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
 [Filed October 9, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules relating to social leave for IMR clients, new WAC 388-88-117;

Correspondence concerning this notice and proposed rules attached should be addressed to:

David Hogan, Executive Assistant  
 Department of Social and Health Services  
 Mail Stop OB-44 C  
 Olympia, WA 98504;

that such agency will at 10:00 a.m., Wednesday, December 13, 1978, in the Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, December 20, 1978, in William B. Pope's office, 3-D-14, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

The authority under which these rules are proposed is RCW 74.08.044.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to December 13, 1978, and/or orally at 10:00 a.m., Wednesday, December 13, 1978, Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

Dated: October 6, 1978  
 By: David Hogan  
 Executive Assistant

**NEW SECTION**

**WAC 388-88-117 SOCIAL LEAVE FOR IMR CLIENTS.** (1) Social leaves must be consistent with goals and objectives of individual program plans.

(2) The facility shall notify the division of developmental disabilities of social absences exceeding 47 hours.

(3) Social absences over seven days require prior written approval by the director, division of developmental disabilities, or his designee.

(4) Social leave in excess of 17 days per year requires prior written approval by the director, division of developmental disabilities, or his designee.

**WSR 78-11-008**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
 [Filed October 9, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules relating to medical assistance, amending chapters 388-81, 388-82, 388-83, 388-84, 388-86, and 388-87 WAC.

Correspondence concerning this notice and proposed rules attached should be addressed to:

David Hogan, Executive Assistant  
 Department of Social and Health Services  
 Mail Stop OB-32 C  
 Olympia, WA 98504;

that such agency will at 10:00 a.m., Tuesday, December 5, 1978, in the Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, December 6, 1978, in William B. Pope's office, 3-D-14, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

The authority under which these rules are proposed is RCW 74.08.090.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to December 5, 1978, and/or orally at 10:00 a.m., Tuesday, December 5, 1978, Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

Dated: October 6, 1978  
 By: David Hogan  
 Executive Assistant

**AMENDATORY SECTION** (Amending Order 1233, filed 8/31/77)

**WAC 388-81-010 CIVIL RIGHTS.** The department will assure that all participating providers will not discriminate in providing approved services to any applicant or recipient because of race, creed, color, handicap, or national origin, nor will they discriminate against any employee or applicant for employment because of race, creed, color, handicap, or national origin, except to the extent permitted by a bona fide occupational qualification.

**AMENDATORY SECTION** (Amending Order 1203, filed 4/1/77)

**WAC 388-82-020 MEDICAL CARE SERVICES.** An individual eligible for medical care services (MS) under the fully state-financed program is one who cannot meet the eligibility requirements under any medical assistance (MA) program, but does meet either (1), or (2) and (3) of the requirements below:

(1) Is eligible to receive a continuing general assistance grant or is a dependent other than a spouse included in a federal grant.

(2) Is either a recipient of noncontinuing general assistance who cannot be related to Title XVI or in need of medical care only (MO), and has satisfied a deductible of \$~~(+00)~~200 over a twelve month period from the date of application, and meets financial criteria according to WAC 388-83-035 through 388-83-055.

(3) Is medically eligible by reason of an acute and emergent condition (see WAC 388-86-120(2)). Certification covers the acute and emergent condition only, see WAC 388-85-015(3) and 388-86-032.

AMENDATORY SECTION (Amending Order 1203, filed 4/1/77)

WAC 388-82-030 STATE OF WASHINGTON RESIDENT REQUIRING CARE OUT-OF-STATE. (1) If a resident (child or adult) of the state of Washington is temporarily in another state and requires medical care, and the person is eligible for medical assistance (MA), the responsibility for medical care rests with the state of Washington. The standard of care will be comparable with that which is provided in the state of Washington (except that chiropractic out-of-state is confined to three treatments for acute and emergent conditions). Medical care provided to recipients traveling ~~((in-Canada))~~ out of the country is restricted to recipients of MA and to the treatment of acute and emergent conditions only. Vendor billing for medical care received by recipients ~~((in-Canada))~~ out of the country shall be processed in the same manner as other out-of-state billing.

(2) Except as provided in subsection (3), admission to an out-of-state nursing home is considered as establishing residence outside this state, and the individual is ineligible for further medical care from the state of Washington.

(3) If a situation arises indicating need for short-term convalescent nursing home care for an individual temporarily outside the state, a decision shall be secured from the state office of nursing home affairs before any commitment is made.

(4) ~~((In border situations where necessary medical care is unavailable locally to state of Washington residents but is available in a bordering state or Canada, such care may be obtained outside the state of Washington, provided that comparable care cannot be obtained in a less distant area within the state of Washington. The approval of the medical consultant on the appropriate state form(s) is considered verification that such medical care is not available locally. This subsection does not apply to the situation in subsection (1) of this rule except that vendor billing for care received in Canada is the same.~~

~~((5) In those instances where a provider in a border state situation has a current agreement with the state of Washington, the signature of the medical consultant is not required except for those situations listed in WAC 388-87-025(2)(a) through (p). These providers are located in areas such as, but not limited to, Astoria, Milton-Freewater, Hood River, Portland, and The Dalles, Oregon, and Lewiston and Sandpoint, Idaho. Providers in border states who have a current agreement with the state of Washington must comply with all Washington State statutes and department rules in the same manner as in-state providers.))~~ Care other than in nursing homes may be obtained in cities bordering the state of Washington when the medical facilities in the adjoining cities are commonly used as a local source of care.

~~((6))~~ (5) Medical care under the state-financed medical care services (MS) program shall not be provided for Washington residents who are out of the state except for border situations described in subsection (4) of this rule.

AMENDATORY SECTION (Amending Order 1061, filed 10/8/75)

WAC 388-83-040 MONTHLY MAINTENANCE STANDARD—APPLICANT IN INSTITUTION. The standard for clothing and personal maintenance for an individual in a skilled nursing facility or general hospital is as set forth in WAC ~~((388-28-136))~~ 388-29-125.

AMENDATORY SECTION (Amending Order 1233, filed 8/31/77)

WAC 388-83-045 ALLOCATION OF AVAILABLE INCOME AND NONEXEMPT RESOURCES. (1) Available income according to WAC 388-83-030 shall be allocated in the following order to:

(a) Maintenance needs of the applicant/recipient living in his own home, or of legal dependents living in the family home if the applicant/recipient is in an institution; see WAC 388-92-025(1)(a) for SSI-related recipients.

The maintenance standards in WAC 388-83-035 shall apply unless the legal dependents are applying for or receive public assistance when the grant standards in chapters 388-28 and 388-30 WAC shall apply.

(b) Maintenance needs according to WAC 388-83-040 for an applicant or recipient in an institution.

(c) Supplementary medical insurance premiums for a FAMCO recipient related to Title XVI and not in a nursing home who is eligible for medicare during the month of authorization and the month following if not withheld from the RSI/RR benefit (see WAC 388-81-060).

(d) Health and accident insurance premiums for policies in force at time of application.

(e) Costs not covered under this program for medical or remedial care as determined necessary by the attending physician or, where appropriate, a dentist (see WAC 388-91-016(1)(a)), except that costs for services denied as medically inappropriate or not medically necessary, covered by medicare or other benefits or denied because of poor justification or late billing may not be exempted.

(f) Payments made or being made for covered or noncovered medical care incurred within three months prior to month of application (FAMCO recipient only).

(2) Participation in cost of care shall apply to

(a) The monthly excess income multiplied by six or the anticipated excess income that will be available within a six-month period, whichever is greater, if the individual is living outside an institution.

(b) The monthly excess income of a person in an institution after allowing for clothing and personal incidentals.

(c) The resources in excess of those listed in WAC 388-28-430(2)(a); WAC 388-83-055 and 388-83-060.

(d) Additional cash resources that come into possession of the recipient during a period of certification.

(e) For recipients of medical only (MO) and of noncontinuing general assistance who cannot be categorically related to Title XVI, and who are not undergoing detoxification for an acute alcoholic condition, participation with excess income or nonexempt resources is applicable after allowance is made for mandatory deductions of employment, union dues, the monthly maintenance standard and a ~~\$(+100))200~~ deductible per family. The ~~\$(+100))200~~ deductible per family shall be applied no more than once during a twelve-month period and is effective with the date of application. The seven day rule in WAC 388-86-120(2)(h) applies to the accrual of the deductible. The ~~\$(+100))200~~ deductible is the minimum amount of participation during the twelve-month period. Participation from excess income is applied as in subdivision (2)(a) less any deductible.

(f) For recipients of medical only (MO) and of noncontinuing general assistance who cannot be related to Title XVI, who are undergoing detoxification for an acute alcoholic condition, the ~~\$(+100))200~~ deductible will not be required as an eligibility factor for the covered period of detoxification. Continued hospitalization for a concurrent acute and emergent condition beyond the number of days approved for detoxification as a single diagnosis will require the application of the ~~\$(+100))200~~ deductible.

(3) The twenty percent increase in social security benefits shall be considered exempt income when determining eligibility and participation for:

(a) Persons who in August 1972 received OAA, AFDC, AB or DA and also received RSI benefits and who became ineligible for OAA, AFDC, AB or DA solely because of the twenty percent increase in social security benefits under Public Law 92-336, and

(b) Current applicants for AFDC or FAMCO who were entitled to RSI benefits in August 1972 and would have been eligible for OAA, AFDC, AB or DA in August 1972 but are not currently eligible solely because of the twenty percent increase in social security benefits under Public Law 92-336.

AMENDATORY SECTION (Amending Order 1203, filed 4/1/77)

WAC 388-84-020 DENIAL OF APPLICATION. (1) An application for medical care shall be denied when:

(a) ~~((An applicant for federal aid medical care only does not claim to have a medical need at the time of application or who is not exempt from this requirement by WAC 388-83-027(2) or (3) or (4);~~

~~((b))~~ An applicant for medical only does not have an acute and emergent medical condition (and) or has not satisfied the ~~\$(+100))200~~ deductible.

~~((c))~~ (b) The amount of ((participation-with)) excess income will ((obviously)) exceed the cost of medical care.

~~((d))~~ (c) The applicant ((refuses-to-dispose-of)) possesses nonexempt resources ((or-refuses-to-attempt-to-dispose-of-such-resources)) in excess of the standard.

(2) When an application is denied, the applicant shall be notified in writing of the specific reason(s) for the denial and shall be informed of the right to a fair hearing. See WAC 388-38-172.

AMENDATORY SECTION (Amending Order 1203, filed 4/1/77)

WAC 388-86-030 EYEGLASSES AND EXAMINATIONS. (1) The department shall provide eye examinations and eyeglasses

when a refractive error of sufficient magnitude exists to require corrective lenses. Payment shall be made on the basis of rates established by the department or through HMO or optical supplier contracts.

(2) Prior authorization by the ((~~ESSO~~)) CSO medical consultant or his designee in the county of residence is not required for eye examinations performed for the purpose of prescribing corrective lenses except in the provision of certain eyeglasses (lenses or frames). ((~~Eye examinations performed on Saturdays or holidays when ESSO's are closed may be post-authorized if such authority would have been issued normally.~~))

(3) Examinations, unless medically indicated, are limited to two in a twelve-month period, except for eye examinations and eyeglasses provided to recipients of EPSDT, see WAC 388-86-027(1)(c) and (3).

(4) A choice of frames listed in current DSHS numbered memoranda is offered recipients. Frames are not provided for cosmetic effect or psychological support.

(5) Sunglasses, photochromic aspheric or varalux type lenses are not provided.

(6) Two pair of glasses in lieu of bifocal or trifocal lenses are not provided.

(7) Contact lenses and orthoptics therapy are not provided.

#### AMENDATORY SECTION (Amending Order 1301, filed 6/2/78)

WAC 388-86-050 INPATIENT HOSPITAL CARE. (1) The department will provide hospitalization for recipients under age sixty-five and for recipients sixty-five and over who have exhausted medicare benefits. With exceptions and limitations listed below, the recipient will have free choice of hospitalization.

(2) Hospitalization requires approval of

(a) the local medical consultant for admission and extension of length of stay for recipients of GAU and MO,

(b) the local medical consultant for prior approved nonemergent surgery, or

(c) the professional standards review organization (PSRO) for medical illness and emergent surgery for recipients on federally related programs.

(3) Department authorization for inpatient hospital care for eligible individuals shall be limited to the lesser of the minimum number of days consistent with practice normally followed in the community or the maximum number of days established at the 75th percentile in the edition adopted by the department of the publication "Length of Stay in PAS Hospitals, United States", unless prior contractual arrangements are made by the department for a specified length of stay (see WAC ((~~388-80-005(44)~~)) 388-80-005(46) and 388-87-013(2)). Hospital stays shall be subject to the same utilization review as established for private patients in the community. A daily list of all recipient inpatients with diagnostic information shall be submitted by the hospital to the local medical consultant. In rare instances medical complications develop or new medical conditions are diagnosed which may require care exceeding the maximum number of days of hospitalization provided for under the specified PAS time limits. In such cases, when presented within sixty days of final service and adequately justified by the attending physician, extensions may be granted by the chief of the office of medical assistance, or by his professional designee, or by the full time medical consultant in the ((~~ESSO~~)) CSO or regional office where such is employed for recipients of GAU and MO. The professional standards review organization (PSRO) will determine length of stay for recipients on federally-related programs.

(a) Eligible recipients are covered for involuntary admissions for acute psychiatric conditions up to a maximum of seventeen days under the Involuntary Treatment Act in hospitals certified as evaluation and treatment facilities. If an involuntarily committed recipient reverts to voluntary status, PAS days are computed from day of admission and applied to any period exceeding the mandatory seventeen days. If PAS days are less than seventeen, the maximum of seventeen days will prevail.

(b) No payment will be made for care in a private psychiatric hospital that has not been certified under Title XVIII. Authorization for admission of an eligible individual to a private psychiatric hospital shall be under the same conditions and program limitations as for treatment of psychiatric conditions in a general hospital.

(c) Medicaid payment will be made for care in a state mental institution for AFDC recipients or SSI beneficiaries under age 21 and for all recipients age 65 and older. Other age groups are covered under the Involuntary Treatment Act and/or other state funded programs. (See WAC 388-82-025).

(4) The department is prohibited from paying for hospitalization of any individual for the treatment of tuberculosis in a general hospital after such a diagnosis has been established. (See WAC 388-82-025.)

(5) Hospitalization for the treatment of acute and chronic renal failure shall be provided, except that the department shall pay only deductibles and coinsurance for a recipient who is a medicare beneficiary and who is hospitalized for such treatment or for kidney transplant.

(6) Except for an emergency no hospital admission shall be made on Friday or Saturday(;) for scheduled surgery on Monday(;). The attending physician may admit the recipient on Sunday to accomplish the necessary preoperative work-up.

(7) Approval for hospitalization of a recipient shall be based on the recipient's need for semi-private accommodations and reimbursement made at the multiple occupancy rate regardless of accommodations provided by the hospital. Special rates may be established for recipients covered by the Involuntary Treatment Act. Semi-private accommodations shall mean not less than two nor more than a four-bed room.

#### AMENDATORY SECTION (Amending Order 1301, filed 6/2/78)

WAC 388-86-085 PATIENT TRANSPORTATION. (1) The department shall provide to eligible individuals transportation for necessary medical or remedial care purposes. (See also WAC 388-87-035).

(2) Ambulance transportation shall be provided when the medical necessity is such that the use of any other method of transportation is inadvisable.

(3) Transportation by private automobile furnished by a friend, relative or by the individual is payable at ((~~eight cents a mile~~)) rates established by the department.

(4) The recipient of noncontinuing general assistance, not relating to federal aid for Title XVI programs, or of medical only must have satisfied the deductible of \$((~~+00~~))200 before transportation is provided for medical reasons.

(5) Providers of ambulance, cabulance, taxi and private automobile transportation service must show medical necessity justification on the billing document.

#### AMENDATORY SECTION (Amending Order 799, filed 5/25/73)

WAC 388-86-115 MEDICAL CARE PROVIDED OUT-OF-STATE. (1) The department shall authorize and provide comparable medical care services to an eligible recipient who is temporarily outside the state ((~~for definition of "temporarily", see WAC 388-30-055~~)) to the same extent that such medical care services are furnished to an eligible recipient in the state, subject to the exceptions and limitations in this section.

(2) Border situations mentioned in WAC 388-82-030(4) are not considered "out-of-state" and are excluded from these provisions. However, a recipient who visits another state, other than specified border locations, specifically for the purpose of obtaining medical care is not eligible for such care at the expense of the state of Washington.

(3) A recipient who moves to another state for the purpose of establishing residence in that state is not eligible for medical care after eligibility has been terminated by the department.

(a) When determining the effective date of change in the eligibility of a recipient of a federal aid grant, see WAC ((~~388-33-135~~)) 388-33-365 for appropriate guidelines. Medical care coverage terminates the same date as termination of the grant.

(b) The date of termination of eligibility for medical care for a recipient of FAMCO is the date the change is reported on the appropriate certification form to the state office or the end of the month during the month in which notification is made, whichever is earlier.

(4) The medical consultant shall review all cases involving out-of-state medical care to determine whether the services are within the scope of the medical assistance program.

(5) Dental care out-of-state is limited to treatment of acute and emergent conditions only. However, a dentist in another state licensed to practice in Washington, who has signed a participation agreement with the Washington Dental Service, may render services to persons residing in Washington to the same extent as if practicing in Washington.

(6) For limitations on eligibility for nursing home care out-of-state, see WAC 388-82-030(2).



**AMENDATORY SECTION** (Amending Order 1265, filed 1/13/78)

**WAC 388-86-120 STATE FINANCED MEDICAL CARE SERVICES.** (1) A recipient of continuing general assistance who cannot be related to a federal aid category is eligible to receive the same scope of care as a recipient of medical assistance, except that no care will be provided outside the state of Washington other than in bordering states as specified in WAC 388-82-030(4).

(2) A recipient of noncontinuing general assistance who cannot be related to Title XVI and recipients of medical only shall be authorized for treatment of acute and emergent conditions only. A deductible of ~~\$(+100)~~200 per family over a twelve month period from date of a denied application for medical care shall be required before a positive determination of eligibility for medical only may be made. (See WAC 388-83-045(2)(e)).

(a) Citizenship is not a requirement of eligibility.

(b) All treatment and drugs must be approved by the medical consultant (see WAC 388-87-025(1)).

(c) Recipients undergoing detoxification for an acute alcoholic condition are not required to incur the ~~\$(+100)~~200 deductible as an eligibility factor for the covered period of detoxification.

(d) Care for mental or psychiatric conditions is limited to hospitalization for an acute and emergent condition. Voluntary admission and involuntary commitment by the court are covered by the program for eligible recipients (see WAC 388-86-050(3)(a) and (b) for other limitations on stay).

(e) Hearing aids, chiropractic services and eyeglasses are not provided. Dental service is limited to relief of (~~paid~~) pain (see WAC 388-86-020).

(f) Care outside the state of Washington is not provided except in bordering states as specified in WAC 388-82-030(4).

(g) An "acute condition" is defined as having a short and relatively severe course, not chronic; and "emergent condition" is defined as occurring unexpectedly and demanding immediate action. In programs in which care is limited to the treatment of acute and emergent conditions it is understood that:

(i) The condition must be justified as acute and emergent, except that

(A) included will be those conditions of less urgency where medical experience indicates a failure to treat will usually result in the rapid development of an emergent situation;

(B) family planning and obstetrical care will be provided;

(C) when other care, including necessary drugs, is requested by the attending physician and approved by the local medical consultant as medically necessary, approval may be granted for service that might otherwise be excluded. See WAC 388-86-032.

(D) detoxification for an acute alcoholic condition will be provided only in a certified detoxification center or in a general hospital with certified detoxification facilities.

(ii) Once care is initiated, it is continued to a logical completion; that is, the provided care is complete in amount, duration, and scope within the limitations of the medical care program.

(iii) In addition, an acute and emergent condition will be assumed to exist when an applicant for medical care indicates he has an undefined medical condition. Provided financial eligibility has been established, at least one office call will be allowed for diagnosis. Treatment will be contingent upon the criteria for acute and emergent being met.

(h) If the department is notified within seven days of the date medical care began or within seven days after an individual who is admitted in a coma to a hospital or other treatment facility becomes rational, certification shall cover this period if all eligibility factors have been met. The three month retroactive certification period referred to in WAC 388-84-005(2) does not apply to the fully state funded medical program. If notification is received in the local office subsequent to the seventh day of initiation of service, certification shall begin on the date notification is received, with allowance for mail delivery. Seven days shall include the date of initiation of services but shall not include Saturday, Sunday or legal holidays.

**AMENDATORY SECTION** (Amending Order 1301, filed 6/2/78)

**WAC 388-87-012 CONDITIONS OF PAYMENT—CONSULTANT'S AND SPECIALIST'S SERVICES AND FEES.** (1) When services of a consultant or specialist are required, whether the patient has been referred by a physician or is being treated by the specialist as the attending physician, the approval of the medical consultant is not necessary. This rule applies to consultation or treatment in the home, office, or medical institution. (See WAC 388-86-095(4)).

(2) A copy of the consultation report must accompany the claim for consultant fees. If the report is not submitted with the billing, the fee for an initial office or hospital call will be paid dependent upon where consultation was given.

(3) When a specialist treats a patient for minor conditions or for chronic conditions of long duration, the standard fee for initial and subsequent office calls is allowed.

(4) Consultant's fees shall not be paid when the consulting physician specialist or other provider subsequently performs surgery or renders treatment for which flat fees are applicable, see WAC 388-86-095(4).

(5) If more than one specialist is called in to examine a patient during a spell of illness, billings are subject to review and approval by the chief of the office of medical assistance. (See WAC 388-87-025(k)).

(6) Payment will be made for a psychological evaluation only when a physician has obtained the necessary approval to refer an eligible patient, whom he is treating, for such evaluation. Treatment by a psychologist is not provided. (See WAC (~~388-85-025(2)(p))~~ 388-87-025(2)(n)).

**AMENDATORY SECTION** (Amending Order 1301, filed 6/2/78)

**WAC 388-87-025 SERVICES REQUIRING APPROVAL OF MEDICAL CONSULTANT.** (1) All services rendered recipients of medical only or recipients of noncontinuing general assistance not related to federal aid or Title XVI program require approval of the local medical consultant. When a medical emergency is alleged but not apparent, the otherwise eligible applicant for noncontinuing general assistance or medical only may be referred to a participating physician for diagnosis and medical treatment if indicated. Such applicant may not be authorized this one office call unless ~~\$(+100)~~200 in medical costs have been accrued within seven days prior to application. Subsequent to such denial a noncontinuing general assistance or medical only applicant has twelve months from the date of application to incur ~~\$(+100)~~200 in medical costs. For this one office call only, the signature on the authorization form may be by (~~an ESSO~~) a CSO designee whose signature is on file in the professional audit section.

(2) Services to recipients of medical assistance and continuing general assistance requiring approval are

(a) All surgical procedures require approval by the local medical consultant – see WAC 388-86-095(6) and 388-86-110. The requesting physician shall submit form 525-100 to the (~~ESSO~~) CSO. Only the surgeon need obtain written approval for surgery. The services of the surgical assistant and the anesthesiologist or anesthesiologist do not require approval. Their billings for payment, however, must show the patient's diagnosis and a cross reference to the surgeon.

(i) Prior approval for all nonemergent surgical procedures shall be obtained from the chief of the office of medical assistance from his professional designee, or from the full-time medical consultant in the (~~ESSO~~) CSO or regional office where such is employed.

(b) Requests for medical appliances and prosthetic devices must have prior approval with the following exceptions:

(i) External braces involving neck, trunk and/or extremities.

(ii) Other nonreusable items costing less than \$150 if provision of the item will expedite a recipient's release from a hospital.

(c) All requests for reusable medical equipment and requests for surgical appliances provided, other than as described in subdivision (b), must be submitted on form 525-101 for the medical consultant's approval. If approval is received and the material to be supplied is to be billed by another provider of service it is necessary for the physician to transmit the approved form 525-101 to the provider for billing purposes – see WAC 388-86-100.

(d) Requests for allergy testing shall be submitted on appropriate state form for prior approval by the local medical consultant. The extent of service to be provided shall be indicated. In the event an independent laboratory bills for the allergy testings, the requesting physician shall send the approved state form to the laboratory as the billing authority.

(e) Drugs not listed in the department's formulary or any single prescription exceeding the maximum limit established – see WAC 388-91-020.

(f) Admission to a hospital – see WAC 388-87-070 and 388-86-050(2).

(g) Initial provision of oxygen service for a recipient under sixty-five years of age in his own home. Repeat deliveries of oxygen for the same illness do not require medical consultant approval – see 388-86-080(1) and 388-87-080.

(h) Approval of physical therapy on an outpatient basis or in a nursing home when prescribed by the attending physician - see WAC ((388-86-090(+))) 388-86-090.

(i) For certain border situations and out-of-state medical care - see WAC 388-82-030(4) and (5), and 388-86-115.

(j) All major appliances - see WAC 388-86-100.

(k) For consultant or specialist referral when such referrals exceed two such consultants or specialists - see WAC 388-86-095(4).

(l) Respiratory therapy in excess of five treatments requires approval.

(m) Speech therapy requires an initial evaluation; both the evaluation and subsequent therapy require prior approval - see WAC 388-86-098.

(n) Psychological evaluation provided in connection with medical diagnosis and treatment (see WAC 388-87-012(6)).

#### AMENDATORY SECTION (Amending Order 1265, filed 1/13/78)

WAC 388-87-070 PAYMENT—HOSPITAL CARE. (1) The department will pay hospital costs of eligible persons who are patients in general hospitals when such hospitals meet the criteria as defined in RCW 70.41.020. These persons must have been approved as financially and medically eligible for hospitalization. They are:

(a) Recipients of federal aid grants, including essential persons,

(b) Children in foster care for whom the department is making payment, who are eligible for medical assistance,

(c) Recipients of continuing general assistance,

(d) Recipients of federal aid medical care only,

(e) Recipients of ((noncontinuing general assistance or of)) medical only who cannot be categorically related and who have satisfied the \$((+00))200 deductible as specified by WAC ((388-83-045(7)(d))) 388-83-045(2)(e).

(2) Payment shall be based on ((+)) the satisfaction of the criteria for the minimum deductible of \$((+00))200 for recipients of ((noncontinuing general assistance and of)) medical only.

### WSR 78-11-009

#### NOTICE OF PUBLIC MEETINGS

#### DEPARTMENT OF RETIREMENT SYSTEMS

[Memorandum, Director—October 6, 1978]

In compliance with RCW 42.30.075, following are meeting schedules for the various Boards of the Department of Retirement Systems for calendar year 1978:

#### PUBLIC EMPLOYEES' & LAW ENFORCEMENT OFFICERS' & FIRE FIGHTERS' RETIREMENT BOARD

Meets on the third Monday of every month. If the third Monday falls on a state holiday, the Board will meet on the next business day following the holiday. Meetings are held at 9:30 a.m. in the Board Room, Department of Retirement Systems, 1025 East Union, Olympia, WA 98504.

#### TEACHERS' RETIREMENT BOARD

Meets quarterly on the second Monday of January, April, July, and October. If the second Monday falls on a state holiday, the Board will meet on the next business day following the holiday. Meetings are held at 9:30 a.m. in the Board Room, Department of Retirement Systems, 1025 East Union, Olympia, WA 98504.

#### JUDICIAL RETIREMENT BOARD

No set schedule. Future meetings are determined during regular Board meetings. Meetings are held at 1:30 p.m. in the Board Room, Department of Retirement Systems, 1025 East Union, Olympia, WA 98504.

### STATE PATROL RETIREMENT BOARD

No set schedule. Future meetings are determined during regular Board meetings. Meetings are held at 10:00 a.m. in the Board Room, Department of Retirement Systems, 1025 East Union, Olympia, WA 98504.

### WSR 78-11-010

#### NOTICE OF PUBLIC MEETINGS

#### CLARK COLLEGE

[Memorandum—October 6, 1978]

In accordance with the Open Public Meetings Act, Clark College announces that three or more of the members of its Board of Trustees may be attending a work session of the college's management staff to be held at Bowman's Lodge, Wemme, Oregon, October 11, 12, and 13, 1978.

No action will be taken by the Board of Trustees at this event.

### WSR 78-11-011

#### NOTICE OF PUBLIC MEETINGS

#### COMMISSION FOR VOCATIONAL EDUCATION

[Memorandum, Exec. Director—October 6, 1978]

#### 1979 Meeting Schedule

At the September 28, 1978, meeting of the Commission for Vocational Education the following tentative schedule for the dates of meetings during the calendar year 1979 was established:

January 18, 1979

March 22, 1979

May 24, 1979

July 26, 1979

September 27, 1979

November 15, 1979

This schedule is subject to change on the basis of extent and urgency of CVE business and unforeseen, unresolvable conflicts.

### WSR 78-11-012

#### EMERGENCY RULES

#### DEPARTMENT OF FISHERIES

[Order 78-95—Filed October 9, 1978]

I, Gordon Sandison, director of state Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial and personal use regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity

to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is test fishing shows no harvestable coho or chinook in the Quillayute River. This order is necessary to provide protection for spawning escapement.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED October 9, 1978.

By Gordon Sandison  
Director

#### NEW SECTION

WAC 220-28-003F0A **CLOSED AREA** *Effective immediately until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial, subsistence or ceremonial purposes with any type of gear from the waters of the Quillayute River, including all tributaries.*

#### NEW SECTION

WAC 220-56-06400A **SALTWATER SEASONS** *Notwithstanding the provisions of WAC 220-56-064, effective immediately through October 31, 1978 it shall be unlawful to take, fish for or possess salmon for personal use from Pacific Ocean waters within a 3 nautical mile radius of the mouth of the Quillayute River.*

#### NEW SECTION

WAC 220-57-38500A **QUILLAYUTE RIVER** *Notwithstanding the provisions of WAC 220-57-385, effective immediately until further notice, it shall be unlawful to take, fish for or possess for personal use, salmon over 24 inches in length from the waters of the Quillayute River, including all tributaries.*

**WSR 78-11-013**  
**ADOPTED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 1349—Filed October 9, 1978]

I, David Hogan, Exec. Assist. of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to patient care cost area rate, amending WAC 388-96-722.

This action is taken pursuant to Notice Nos. WSR 78-08-040 and 78-10-015 filed with the code reviser on 7/18/78 and 9/11/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 18.51.310 and 74.09.120 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED September 27, 1978.

By David Hogan  
Executive Assistant

#### AMENDATORY SECTION (Amending Order 1300, filed 6/1/78)

WAC 388-96-722 **PATIENT CARE COST AREA RATE.** (1) The patient care cost area reimbursement rate will be computed to cover the necessary and ordinary costs of providing routine services and supplies to recipients in accordance with WAC 388-88-050 and 388-88-051.

(2) The regression equation used in the patient care cost area will contain weights for the following four factors:

(a) Locality of the facility. This factor adjusts the base cost to provide for local market conditions. Facility location will be considered "urban" if it is in one of the four Standard Metropolitan Statistical Areas (SMSA). It will be considered "rural" if it is not in an SMSA. SMSA areas are those established in the 1970 census for the state of Washington.

(b) Type of facility. This factor adjusts the base cost to provide for the effect institutional requirements have on patient care costs. Facilities such as hospitals and other institutions which are certified providers but not licensed as nursing homes will be distinguished from facilities whose primary mission is the delivery of nursing home care.

(c) Characteristics of patients in the facility, as determined by the department. This factor adjusts the base cost to provide for the effect patient mix has on patient care costs. ((From January 1, 1978 through June 30, 1978, this factor will be the ratio of the number of SNF patients to the total number of patients in each facility for purposes of the regression analysis. In computing an individual facility's rate for that period, it will be the ratio of the number of SNF recipients to the total number of recipients in the facility. On and after)) Beginning July 1, 1978, this factor will be derived using a uniform patient assessment performed by the department. It will consist of the average functional status score of medical care recipients in the facility. Data will cover all recipients assessed in time to be included in the analysis. The most recent assessment data collected on each recipient will be used. The functional status score will be determined using the Katz ADL Scale.

(d) Number of floors of the facility. This factor adjusts the base cost to provide for the effect of physical

plant differences on patient care costs. Data will be derived from inspection records in the state fire marshal's office.

(3) In addition to its reimbursement rate, each contractor will be assigned a range of nursing service hours which represent the maximum and minimum number of hours the department will purchase. For purposes of this hour range for IMR facilities, nursing services include residential living services. The range will depend on the characteristics of the patients in each facility. From January 1, 1978 through ~~((June 30))~~ December 31, 1978, it will be computed based on the ratio of the number of SNF, ICF and IMR patients of each level, respectively, to the total number of patients in the facility, assuming a range of 1-2 hours for ICF patients, 1.75-3 hours for SNF patients, 3.1-6.1 for IMR level A patients, 2.7-5.4 for IMR level B patients, 2.1-3.6 for IMR level C patients, and 1.2-2.4 for IMR level D patients. On and after ~~((July 1, 1978))~~ January 1, 1979, this range will be derived using a uniform patient assessment performed by the department. When the certification of a contractor is changed to add or eliminate a level of care, the range will be adjusted using the ratio of patients in each level of care at the time the new certification becomes effective. When the department requires new standards or makes program changes which require more or less nursing service, the range will be adjusted as of the effective date of the new standard or program change.

**WSR 78-11-014**

**EMERGENCY RULES**

**SUPERINTENDENT OF PUBLIC INSTRUCTION**

[Order 10-78—Filed October 10, 1978]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt the annexed rules relating to:

Listed here is a summary of major items addressed in the proposed rules:

- Purposes.
- Requirement for State Advisory Council and membership thereon.
- Definitions of general application.
- Eligibility criteria for handicapped children and definitions of handicapping conditions.
- Assessments procedures and requirements, including independent educational assessments.
- Requirement for individualized education programs.
- Placement options and requirements, including least restrictive alternative.
- Annual review of placement required.
- Requirements for notification of parents.
- Hearing rights and procedures.
- Right of appeal to the Superintendent of Public Instruction and procedures.
- Placement of child during administrative/judicial hearings.

- Provision for surrogate parents under certain circumstances.
- Safeguarding of and access to records; Rights to request amendments; Right to hearing regarding records; Destruction of records.
- Provision for contractual services for handicapped children; Approval of nonpublic school agencies; Procedures; Out-of-state agencies.
- Requirements and arrangements for services to private school handicapped students.
- Annual school district application for funds; Requirements; State monitoring.
- Staff qualifications.
- Transportation.
- Facilities.
- Materials and equipment.
- Length of education program.
- Administration of medication.
- Fiscal and program audits; Fund withholding; Recovery of funds.
- Citizen complaint process.

I, Frank B. Brouillet, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is Public Law 94-142 and the rules implementing that law (45 CFR 121a et seq.) became effective on October 1, 1977. These federal laws establish comprehensive handicapped education student/parent rights and procedures and duties on the part of the state and school districts as conditions to the receipt of multi-million dollar federal grants. Current state handicapped education rules (chapter 392-171 WAC) either conflict with the federal laws or are incomplete in numerous respects. Federal funding for the 1977-78 and 1978-79 school years has been conditioned by the federal government upon immediate compliance with the federal law to the extent of the attached revisions to chapter 392-171 WAC. In addition, chapter 392-171 WAC must be revised commencing with school this school year in order to resolve existing and significant confusion and impediments to the proper implementation of the federal laws, including but not limited to the processing of pending appeals and the exercise of other "due process" rights by students/parents established by the federal law.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated under the general rule-making authority of the Superintendent of Public Instruction as authorized in RCW 28A.13.010 and 28A.13.070(7).

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED October 2, 1978.

By Frank B. Brouillet  
Superintendent of Public Instruction

**Reviser's Note:** The material contained in this filing will appear in a subsequent issue of the Register, as it was received after the applicable closing date for this issue for agency typed material exceeding the volume limitations of WAC 1-12-035 or 1-13-035, as appropriate.

**WSR 78-11-015**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**  
[Order 78-96—Filed October 10, 1978]

I, Gordon Sandison, director of state Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is there are harvestable numbers of coho destined for streams in this area.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED October 10, 1978.

By Gordon Sandison  
Director

NEW SECTION

WAC 220-28-00500D **CLOSED AREA** *Effective immediately until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Treaty Indian Salmon Management and Catch Reporting Area 5, except that portion from 600 feet east of the mouth of the Sekiu River to 600 feet west of the mouth of the Hoko River, and within 200 yards of the shore.*

REPEALER

*Effective immediately the following section of the Washington Administrative Code is hereby repealed:*

WAC 220-28-00500C **CLOSED AREA**

**WSR 78-11-016**

**ADOPTED RULES**

**DEPARTMENT OF ECOLOGY**

[Order DE 78-16—Filed October 11, 1978]

I, Elmer C. Vogel, deputy director of Department of Ecology, do promulgate and adopt at the Department of Ecology, Lacey, Washington, the annexed rules relating to certification of operators of wastewater treatment plants, amending chapter 173-230 WAC.

This action is taken pursuant to Notice No. WSR 78-09-106 filed with the code reviser on 9/5/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 70.95B-.040 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED October 10, 1978.

By Elmer C. Vogel  
Deputy Director

Chapter 173-230

Certification of operators of ~~((waste water))~~ wastewater treatment plants

AMENDATORY SECTION (Amending Order 73-30, filed 11/9/73)

WAC 173-230-010 **GENERAL.** One of the basic requirements of the ~~((waste water))~~ wastewater treatment plant operator certification act of 1973 (chapter 139, Laws of 1973) is to have every operator in responsible charge of a ~~((waste water))~~ wastewater treatment plant certified in a class equal to or higher than the class of his treatment plant. Certification under this act is available to all operators who can meet the minimum qualification of a given classification. Each operator is encouraged to apply for certification in the highest classification consistent with his qualifications.

AMENDATORY SECTION (Amending Order 73-30, filed 11/9/73)

WAC 173-230-020 **DEFINITIONS.** (1) "Director" means the director of the department of ecology.

(2) "Department" means the department of ecology.

(3) "Board" means the ~~((waste water))~~ wastewater operators certification board of examiners established by chapter 139, Laws of 1973.

(4) "Certificate" means the certificate of competency issued by the director stating that the operator has met the requirements for the specified operator classification of the certification program.

(5) "~~((Waste))~~ Wastewater Treatment Plant" means a facility used in the collection, transmission, storage, pumping, treatment or discharge of any liquid or water-borne waste, whether of domestic origin or a combination of domestic, commercial or industrial waste, and

which by its design requires the presence of an operator for its operation. It shall not include any facility used exclusively by a single family residence nor septic tanks with subsoil absorption nor industrial ~~((waste-water))~~ wastewater works.

(6) "Operator" means an individual employed or appointed by any county, sewer district, municipality, public or private corporation, company, institution, person, or state of Washington who is designated by the employing or appointing officials as the person on site and in responsible charge of the actual operation of a ~~((waste))~~ wastewater treatment plant.

AMENDATORY SECTION (Amending Order 73-30, filed 11/9/73)

WAC 173-230-030 DUTIES OF THE BOARD.

(1) Recommend to the director classification of ~~((waste water))~~ wastewater treatment plants and maintain records thereof.

(2) Develop operator qualification standards consistent with the ~~((waste-water))~~ wastewater treatment plant classification system and examine the qualifications of applicants for certification.

(3) Assist in the development of rules and regulations; prepare, administer and evaluate examinations of operator competency as required by law, and recommend the issuance or revocation of certificates.

(4) Encourage to become certified operating personnel other than those who are required to be certified by the virtue of their responsibility as operator in charge.

(5) Maintain records of operator qualifications, certifications, and a register of certified operators.

AMENDATORY SECTION (Amending Order 73-30, filed 11/9/73)

WAC 173-230-040 CERTIFICATION REQUIRED. (1) After July 1, 1974, it shall be unlawful for any person, firm, corporation, municipal corporation or other governmental subdivision or agency to operate a ~~((waste))~~ wastewater treatment plant unless the operator in responsible charge of day-to-day operation of the plant holds an effective certificate issued by the director.

(2) When a ~~((waste))~~ wastewater treatment plant is operated on more than one daily shift, the operator for each shift shall be certified.

AMENDATORY SECTION (Amending Order 73-30, filed 11/9/73)

WAC 173-230-050 CERTIFICATION PREREQUISITES. (1) Certificates shall be issued only upon application and only after payment of fees as required herein.

(2) Certificates shall be issued without examination under the following conditions:

(a) In appropriate classifications, to operators who on July 1, 1973, held certificates of competency attained by examination under the voluntary certification program sponsored jointly by the department of social and health services and the pacific northwest pollution control association.

(b) In appropriate classifications, to persons verified by the governing body or owner to have been operators of a ~~((waste))~~ wastewater treatment plant on July 1, 1973. A certificate issued to any person under this subsection shall be valid only for the plant of which he was the operator on July 1, 1973, and shall not be renewed if such plant thereafter has been or is significantly modified.

(c) In appropriate classifications, to persons who fill a vacated position required to have a certified operator. Certificate issued under this subsection shall be temporary in nature and nonrenewable. If a position is vacated by the holder of an effective temporary certificate issued under this subsection, no additional temporary certificate shall be issued to his replacement.

(3) Except as provided in (2) above, certificates in appropriate classifications shall be issued only after successful completion of an examination as provided for in WAC 173-230-070.

AMENDATORY SECTION (Amending Order 73-30, filed 11/9/73)

WAC 173-230-090 FEES. (1) Except for applications for certificates under WAC 173-230-050(2)(a), initial applications will be accepted for processing only when accompanied by an application fee of ten dollars ~~(((\$10.00)))~~.

(2) Except as provided under WAC 173-230-070(4), applications for reexamination will be accepted for processing only when accompanied by an application fee of ten dollars ~~(((\$10.00)))~~.

(3) Applications for certificate renewals will be accepted for processing only when accompanied by ~~((an))~~ a renewal fee of five dollars ~~(((\$5.00)))~~.

(4) All receipts hereunder shall be paid into the state general fund.

AMENDATORY SECTION (Amending Order 73-30, filed 11/9/73)

WAC 173-230-100 SUSPENSION AND REVOCATION. (1) When a certificate is not renewed, such certificate, upon notice by the director, shall be suspended for thirty ~~((30))~~ days. If, during such suspension period, renewal of the certificate is not completed, the director shall give notice of revocation to the employer and to the certificate holder and the certificate shall be revoked ten ~~((10))~~ days after such notice is given.

(2) Certificates may be revoked when the board so recommends to the director, upon finding:

(a) Fraud or deceit in obtaining the certificate.

(b) Gross negligence in the operation of a ~~((waste))~~ wastewater treatment plant.

(c) Violation of the requirements of this chapter or the statute it implements or of any lawful rule, regulation or order of the department.

(3) No revocation shall be made under this subsection unless the operator has been notified that revocation is proposed, has been advised of the grounds therefor and has been given an opportunity to appear before the board and be heard on the matter.

(4) Whenever his certificate is revoked, the operator shall not be certified again until he has applied for certification as herein provided, paid the initial application fee, and successfully completed the examination provided for in WAC 173-230-070.

(5) If revocation was made pursuant to subsection (2) above, the operator shall not be eligible to reapply for a certificate for one year from the date the revocation became final.

**AMENDATORY SECTION** (Amending Order 73-30, filed 11/9/73)

**WAC 173-230-140 CLASSIFICATION OF ((WASTE WATER)) WASTEWATER TREATMENT PLANTS.** ((Waste water)) Wastewater treatment plants are classified in four groups, according to the total point rating as derived from the items listed below. Assignment of treatment works to the proper classification group will be made by the director.

(1) PLANT CLASS:

- (a) Class ((IV)) I - 1 - 25 total points.
- (b) Class ((HH)) II - 26 - 50 total points.
- (c) Class ((H)) III - 51 - 70 total points.
- (d) Class ((t)) IV - 71 or more total points.

RATING  
VALUE

- (2) DESIGN FLOW ..... 1 per 5 mgd, not to exceed 20 points  
(Example: 1 to 5 mgd= 1 point; 5.1 to 10 mgd= 2 points, etc.)

- (3) POPULATION EQUIVALENT (P.E.)..... 1 per 5,000 P.E., not to exceed 20 points

(4) PRE-TREATMENT UNITS

- (a) Manually cleaned screens ..... 1
- (b) Mechanically cleaned screens ..... 2
- (c) Grit removal ..... 3
- (d) Pre-aeration ..... 1
- (e) Comminutor, barminutors, grinders, etc. .... 1
- (f) Plant pumping ..... 3

(5) PRIMARY TREATMENT UNITS

- (a) Imhoff tanks, spirogesters, Clarigesters, etc. .... 3
- (b) Primary clarifiers ..... 5
- (c) Primary clarifiers utilizing settling aid chemicals ..... 9

(6) SECONDARY TREATMENT UNITS

- (a) Trickling filter (without recirculation) ..... 5
- (b) Trickling filter (with recirculation) ..... 7
- (c) Activated sludge
  - (i) Mechanical aeration ..... 8
  - (ii) Diffused or dispersed air ..... 10
  - (iii) Oxidation ditch ..... 8

RATING  
VALUE

- (iv) Pure oxygen ..... 13
- (d) Stabilization ponds ..... 5
- (e) Stabilization ponds with aeration ..... 7
- (f) Secondary clarifiers ..... 5
- (7) TERTIARY TREATMENT UNITS
  - (a) Polishing pond ..... 2
  - (b) Land disposal of effluent ..... 5
  - (c) Chemical treatment for phosphorus removal ..... 5
  - (d) Activated carbon beds (with carbon regeneration) ..... 10
  - (e) Activated carbon beds (without carbon regeneration) ..... 8
  - (f) Sand or mixed-media filters ..... 4
  - (g) Other nutrient removal processes following secondary treatment ..... 10
- (8) DISINFECTION ..... 4
- (9) SLUDGE TREATMENT
  - (a) Sludge digesters (anaerobic) ..... 4
    - (i) If heated, add ..... 3
    - (ii) If mechanically or gas mixed, add ..... 2
  - (b) Sludge digesters (aerobic) ..... 6
  - (c) Drying beds or evaporation lagoons ..... 2
  - (d) Thickener clarifier ..... 5
  - (e) Vacuum filter ..... 7
  - (f) Centrifuge ..... 7
  - (g) Incinerator ..... 10
  - (h) Utilizing digester gas for other than heating purposes ..... 3

When a ((waste)) wastewater treatment plant handles a complex waste or a unique treatment process that is not reflected in the classification system, the director upon recommendations of the board may establish a classification consistent with the intent of the above classification system.

**WSR 78-11-017  
EMERGENCY RULES  
UTILITIES AND TRANSPORTATION  
COMMISSION**

[Order R-115, Cause No. TV-1172-Filed October 11, 1978]

In the Matter of amending WAC 480-12-130, Relating to motor carriers.

The Washington Utilities and Transportation Commission finds that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is:

An order amending the regulatory fee schedule set out in WAC 480-12-130 must be, as provided for by RCW 81.80.320, entered prior to November 1 of any given year to be effective during the next succeeding calendar

year. This amendment must therefore take effect prior to November 1, 1978, to be effective during the calendar year 1979. WAC 480-12-130 is therefore amended on an emergency basis to take effect upon filing with the code reviser.

This rule amendment is promulgated pursuant to RCW 81.80.300 and 81.80.320.

This rulemaking proceeding is in compliance with the Open Public Meetings ACT (ch. 42.30 RCW), the Administrative Procedure Act (ch. 34.04 RCW), the State Register Act (ch. 34.08 RCW), the State Economic Policy Act (ch. 43.21H RCW), and the State Environmental Policy Act of 1971 (ch. 43.21C RCW).

These amendments to WAC 480-12-130 affect no economic value and have no economic impact other than extending certain options with respect to the payment of regulatory fees to motor carriers operating vehicles between points in this state and points outside the state in interstate commerce as well as points within this state in intrastate commerce.

In reviewing the entire record herein, it has been determined that WAC 480-12-130 should be amended to read as set forth in Appendix A, attached hereto and made a part hereof by reference. WAC 480-12-130, as amended, sets forth the regulatory fee schedule and the criteria for determining the appropriate fee.

**ORDER**

WHEREFORE, IT IS ORDERED That WAC 480-12-130, relating to motor carriers, be, and the same is hereby amended as set forth in Appendix A as an emergency rule of the Washington Utilities and Transportation Commission to take effect pursuant to RCW 34.04.030 and 34.04.040(2).

IT IS FURTHER ORDERED That the order and the annexed rule, after being first recorded in the Order Register of the Washington Utilities and Transportation Commission, shall be forwarded to the code reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

IT IS FURTHER ORDERED That there shall be forwarded to the secretary of the senate and the chief clerk of the house of representatives three copies of the statement required by RCW 34.04.045.

DATED at Olympia, Washington, this 11th day of October, 1978.

Washington Utilities and Transportation Commission  
 Robert C. Bailey, Chairman  
 Elmer C. Huntley, Commissioner

**AMENDATORY SECTION** (Amending Order R-111, filed 11/23/77)

**WAC 480-12-130 IDENTIFICATION CARDS—AMENDMENT—SUBSTITUTION.** (1) No vehicle of combination of vehicles operated by a common or contract carrier or registered carrier upon the highways of this state or the streets of regulated cities shall be so operated without having available within the cab of the motive power vehicle a valid identification cab card properly signed and with appropriate stamp affixed.

Such identification card shall be subject to inspection by the Commission's representatives at all times.

(2) An application for sufficient number of identification stamps shall be filed with the commission, accompanied by the necessary stamp and regulatory fee, during the month of November each year, or at any time thereafter that additional stamps are required. Such application shall be on forms furnished by the commission. The schedule of stamp and maximum regulatory fees is as follows:

GROSS LICENSED WEIGHT	STAMP FEE	REGULATORY FEE
Less than 4,000 lbs.	\$3.00	\$ 7.00
4,000 to 7,999 lbs.	3.00	9.00
8,000 to 11,999 lbs.	3.00	11.00
12,000 to 15,999 lbs.	3.00	13.00
16,000 to 19,999 lbs.	3.00	15.00
20,000 to 23,999 lbs.	3.00	17.00
24,000 to 27,999 lbs.	3.00	19.00
28,000 to 31,999 lbs.	3.00	21.00
32,000 to 35,999 lbs.	3.00	23.00
36,000 to 39,999 lbs.	3.00	30.00
40,000 to 43,999 lbs.	3.00	32.00
44,000 to 47,999 lbs.	3.00	34.00
48,000 to 51,999 lbs.	3.00	36.00
52,000 to 55,999 lbs.	3.00	38.00
56,000 to 59,999 lbs.	3.00	40.00
60,000 to 63,999 lbs.	3.00	42.00
64,000 to 67,999 lbs.	3.00	44.00
68,000 to 71,999 lbs.	3.00	46.00
72,000 to 75,999 lbs.	3.00	48.00

NOTE: The above regulatory fees are maximum only. Under RCW 81.80.320 the commission may, by general order entered before November 1 of any year, reduce the fees on a proportional basis.

(3) The stamp fee named in subsection (2) applies to each stamp applied for. The regulatory fee is also payable in connection with each stamp and is determined as follows:

(a) On any "solo" vehicle, or in combinations pulling any trailer operated either in intrastate or interstate commerce, the regulatory fee shall be as stated in subsection (2) and shall be based upon the maximum gross weight thereof as set by the carrier in his application for his regular license plates plus any additional tonnage or log tolerance permits. In the event that trailers or semi-trailers are separately licensed for gross weight and not included within the licensed gross weight of the motive power unit, the fees provided herein shall be computed on the basis of the licensed gross weight of the trailers, plus additional weight fees if any, in which case a separate identification cab card will be issued for such trailers in the same manner as for a motive power vehicle.

(b) In lieu of the payment of a full regulatory fee for each vehicle or combination of vehicles operated across or between points in the state and points outside the state exclusively in interstate or foreign commerce, and as to vehicles operated between points in this state and points outside the state in interstate commerce as well as



points within this state in intrastate commerce, the regulatory fee may, at the request of the carrier, be paid on the basis of one of the following options:

**Option 1. Floater Regulatory Fee Cards.**

Carriers who operate vehicles between points in this state and points outside this state exclusively in interstate commerce, and carriers who operate fleets in excess of 200 motive power units between points in this state and points outside this state in interstate commerce as well as points within this state in intrastate commerce may elect to purchase unassigned regulatory fee receipts at ~~((+50))~~ one hundred fifty percent of the applicable gross weight fee stated in subsection (2). One of these regulatory fee receipts must be carried within the cab of the motive power vehicle when such equipment is operated in this state and must be accompanied by a properly executed National Association of Regulatory Utility Commissioners uniform identification cab card and Washington Utilities and Transportation Commission identification stamp. When applied for in this manner the fee must be that for the highest gross licensed weight of such solo or combination with which the receipt showing the payment of regulatory fees may be used.

The carrier must file and keep current a list of power equipment being used under this option, including leased equipment, and purchase an identification stamp for each power unit so listed as provided for in subsection (2).

In the case of unladen automobiles and trucks operated in interstate driveaway service across or between points in the state and points outside the state, the carrier may use unassigned National Association of Regulatory Utility Commissioners uniform identification cab cards and Washington Utilities and Transportation Commission identification stamps upon payment of ~~((+50))~~ one hundred fifty percent of the applicable gross weight fee and the ~~((53.00))~~ three dollar stamp fee for each unassigned cab card and stamp.

**Option 2. Lump Sum Regulatory Fee Payment.**

Carriers who operate fleets in excess of 200 motive power vehicles either exclusively in interstate or foreign commerce across or between points in this state and points outside this state or between points in this state and points outside this state in interstate commerce as well as points within this state in intrastate commerce, and who have so operated under Option 1, above, or this option for the immediately preceding calendar year, may elect to pay a lump sum regulatory fee based on the number of power units for which identification stamps have been purchased during the immediately preceding calendar year at the regulatory fee established by general order of the commission entered before November 1st of any year. These carriers must file and keep current a list of power equipment used under this option, including leased equipment, and purchase an identification stamp for each power unit so listed as provided in subsection (2). With a properly executed National Association of Regulatory Utility Commissioners uniform identification cab card and Washington Utilities and Transportation Commission identification stamp attached, no proof of regulatory fee payment need be carried.

**Option 3. Single Cab Card.**

This option is available to interstate operators whose vehicles are proportionally registered under chapter 46.85 RCW, and who elect to use the "single document cab card" provided for by chapter 46.86 RCW and applies only to such vehicles that are operated across or between points in this state and points outside the state exclusively in interstate or foreign commerce. If a carrier elects to use this option, he shall indicate in the appropriate column of his application for proportional registration those power units for which he elects to pay Washington Utilities and Transportation Commission fees. Upon payment of all required fees to the Department of Licensing, a single cab card will be issued by the Department of Licensing for each vehicle upon which fees have been paid and a corresponding identification stamp will be issued by this commission. The identification stamp shall be affixed to a National Association of Regulatory Utility Commissioner's identification cab card. In lieu of adding Washington Utilities and Transportation Commission fees to his application for proportional registration, a carrier may avail himself of option 1 or option 2. In this event application will be made directly to the Washington Utilities and Transportation Commission. Carriers must file and keep current a list of power equipment being used under this option, including leased equipment.

**Option 4. Single Trip Transit Permit.**

Carriers engaged exclusively in casual or occasional interstate or foreign commerce across or between points in the state and points outside the state may as in alternative to all other requirements of this chapter obtain a single trip transit permit, valid for ten days, authorizing a one-way trip into, out of or across the state. This permit will be issued upon payment of a fee of ~~((510.00))~~ ten dollars and must be carried in the cab of the power vehicle. Proof of public liability and property damage insurance in the form of an insurance policy or a certificate of insurance in the amounts provided for in WAC 480-12-350 must be furnished with the application.

**Option 5. Single Trip Regulatory Fee Card.**

A carrier registered with the Washington Utilities and Transportation Commission to engage in interstate or foreign commerce across or between points in this state and points outside of this state, may purchase single trip regulatory fee cards, valid for five days, authorizing a one-way trip into, out of or across this state, for a fee of ~~((510.00))~~ ten dollars each.

Pre-numbered Single Trip Regulatory Fee Cards must be purchased in advance and no refund will be allowed for unused cards. Cards must be filled out, in ink or by typewriter, by the carrier, showing the description of the vehicle, license number, state in which the vehicle is licensed, name of owner (if other than the carrier), the commodity to be transported, the origin and destination of the shipment and be signed by an officer, agent or employee of the carrier authorized to use the card. Card must be carried in the power unit. The vehicle operating under a single trip regulatory fee card shall be under the control and direction of the motor carrier issuing the

card and shall be used only within the scope of the authority of that motor carrier.

At the end of each calendar month a report shall be sent to the Commission, showing the card number, dates used, origin of shipment, destination of shipment and vehicle number.

(c) In intrastate or interstate commerce between points within the state of Washington the identification cab card and stamp may, at the request of the carrier, not be assigned to any particular motive power vehicle under the following circumstances:

(i) In connection with trucks or tractors to be operated under master leasing agreements provided for in WAC 480-12-210(1)(h), in which case the cab card may be used only with vehicles operated under such master leasing agreements; and

(ii) In connection with unladen automobiles or trucks in driveway service, in which case the cab card may be used only with such vehicles in driveway service. The fees shall be as stated in subsection (3)(a) for the highest gross licensed weight (highest actual weight in driveway service) on any power vehicle with which the identification cab card and stamp may be used.

(d) In intrastate commerce between points within the state of Washington, a common or contract carrier acquiring the use of private carrier equipment under the provisions of WAC 480-12-210(1)(c) may, in connection with short term leases, elect to purchase single trip regulatory fee cards, valid for five days, authorizing a one-way trip between points within this state, for a fee of (~~\$10.00~~) ten dollars each, in lieu of payment of the full regulatory fee.

Pre-numbered single trip regulatory fee cards must be purchased in advance and no refunds will be allowed for unused cards. Cards must be filled out, in ink or by typewriter, by the carrier, showing the description of the vehicle, license number, state in which the vehicle is licensed, name of owner, the commodity to be transported, the origin and destination of the shipment and be signed by an officer, agent or employee of the carrier authorized to use the card. The card must be carried in the power unit. The vehicle operating under a single trip regulatory fee card shall be under the control and direction of the motor carrier issuing the card and shall be used only within the scope of the authority of that motor carrier.

At the end of each calendar month a report shall be sent to the Commission, showing the card number, date used, origin of shipment, destination of shipment and vehicle number.

(4) On any truck or tractor for which the licensed capacity is increased during the year an IMMEDIATE APPLICATION accompanied by the amount of the increase in regulatory fee is necessary. The commission will provide for amendment of the cab card accordingly.

(5) No refund will be made on unused stamps.

(6) Any "lost" stamps will be replaced only at full stamp and regulatory fee: PROVIDED, HOWEVER, That in unusual circumstances the commission may, by order, waive all or a portion of the replacement cost.

(7) Each carrier shall obtain from the Washington Utilities and Transportation Commission or from the

National Association of Regulatory Utility Commissioners a sufficient number of blank identification cab cards to satisfy its requirements. Equipment which is used exclusively within the state, i.e., does not cross the state line, shall use the Washington Utilities and Transportation Commission prescribed identification cab card. Equipment which is used exclusively in interstate or foreign commerce which crosses the state line shall use the National Association of Regulatory Utility Commissioners uniform identification cab card. Equipment used in both types of operation may use either cab card, however it is recommended that the National Association of Regulatory Utility Commissioners uniform identification cab card be used. Upon receipt of stamps from the Commission, an identification cab card shall be duly completed by the carrier for each motive power unit and the appropriate stamp firmly affixed thereto. Such identification cab card shall be placed in the cab of each power unit in accordance with subsection (1).

(8) All identification cab cards and stamps issued for a particular calendar year expire January 31 of each succeeding year. However a stamp may be issued for the ensuing calendar year on or after the first day of November preceding, and may be used from the date of issue.

(9) When a permit is revised or extended, the commission will provide for appropriate amendment of the identification cab card accordingly.

(10) All delinquent stamp fees, regulatory fees, tariff fees and tariff maintenance fees which are due and payable by the carrier to the commission must be paid at the time application is made. The commission may refuse to issue identification stamps until all such fees are paid.

(11) Interstate operators whose vehicles are proportionally registered under chapter 46.85 RCW and who elect to use the "single document cab card" provided for by chapter 94, Laws of 1967 ex. sess., are subject to this rule only to the extent necessary, including ascertainment of payable stamp and regulatory fees.

(12) An identification cab card may be reassigned to a substituted vehicle (power unit) only when the original vehicle has been destroyed or is being permanently withdrawn from the ownership or possession of the permittee.

#### WSR 78-11-018

#### PROPOSED RULES

#### UTILITIES AND TRANSPORTATION COMMISSION

[Filed October 11, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington Utilities and Transportation Commission intends to adopt, amend, or repeal rules concerning WAC 480-12-130, relating to motor carrier regulatory fees. The proposed amendatory section is attached as Appendix A, Cause No. TV-1172. Written and/or oral submissions may also contain data, views, and arguments concerning the

effect of the proposed amendment on economic values, pursuant to chapters 43.21H RCW and WAC 480-08-050(17).

This is notice of intention to adopt on a permanent basis amendment to WAC 480-12-130 made on an emergency basis on October 11, 1978, General Order No. R-115, and filed with the code reviser's office on the same date;

that such agency will at 8:00 a.m., Wednesday, December 6, 1978, in the Commission's Conference Room, Sixth Floor, Highways-Licenses Bldg., Olympia, Washington, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 8:00 a.m., Wednesday, December 6, 1978, in the Commission's Conference Room, Sixth Floor, Highways-Licenses Bldg., Olympia, Washington.

The authority under which these rules are proposed is RCW 80.01.040 and 81.80.300.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to December 1, 1978, and/or orally at 8:00 a.m., Wednesday, December 6, 1978, Commission's Conference Room, Sixth Floor, Highways-Licenses Bldg., Olympia, Washington.

Dated: October 11, 1978  
By: David Rees  
Secretary

**AMENDATORY SECTION** (Amending Order R-111, filed 11/23/77)

**WAC 480-12-130 IDENTIFICATION CARDS—AMENDMENT—SUBSTITUTION.** (1) No vehicle of combination of vehicles operated by a common or contract carrier or registered carrier upon the highways of this state or the streets of regulated cities shall be so operated without having available within the cab of the motive power vehicle a valid identification cab card properly signed and with appropriate stamp affixed. Such identification card shall be subject to inspection by the Commission's representatives at all times.

(2) An application for sufficient number of identification stamps shall be filed with the commission, accompanied by the necessary stamp and regulatory fee, during the month of November each year, or at any time thereafter that additional stamps are required. Such application shall be on forms furnished by the commission. The schedule of stamp and maximum regulatory fees is as follows:

GROSS LICENSED WEIGHT	STAMP FEE	REGULATORY FEE
Less than 4,000 lbs.	\$3.00	\$ 7.00
4,000 to 7,999 lbs.	3.00	9.00
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16,000 to 19,999 lbs.	3.00	15.00
20,000 to 23,999 lbs.	3.00	17.00
24,000 to 27,999 lbs.	3.00	19.00
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32,000 to 35,999 lbs.	3.00	23.00
36,000 to 39,999 lbs.	3.00	30.00
40,000 to 43,999 lbs.	3.00	32.00
44,000 to 47,999 lbs.	3.00	34.00
48,000 to 51,999 lbs.	3.00	36.00
52,000 to 55,999 lbs.	3.00	38.00
56,000 to 59,999 lbs.	3.00	40.00
60,000 to 63,999 lbs.	3.00	42.00
64,000 to 67,999 lbs.	3.00	44.00
68,000 to 71,999 lbs.	3.00	46.00
72,000 to 75,999 lbs.	3.00	48.00

NOTE: The above regulatory fees are maximum only. Under RCW 81.80.320 the commission may, by general order entered before November 1 of any year, reduce the fees on a proportional basis.

(3) The stamp fee named in subsection (2) applies to each stamp applied for. The regulatory fee is also payable in connection with each stamp and is determined as follows:

(a) On any "solo" vehicle, or in combinations pulling any trailer operated either in intrastate or interstate commerce, the regulatory fee shall be as stated in subsection (2) and shall be based upon the maximum gross weight thereof as set by the carrier in his application for his regular license plates plus any additional tonnage or log tolerance permits. In the event that trailers or semitrailers are separately licensed for gross weight and not included within the licensed gross weight of the motive power unit, the fees provided herein shall be computed on the basis of the licensed gross weight of the trailers, plus additional weight fees if any, in which case a separate identification cab card will be issued for such trailers in the same manner as for a motive power vehicle.

(b) In lieu of the payment of a full regulatory fee for each vehicle or combination of vehicles operated across or between points in the state and points outside the state exclusively in interstate or foreign commerce, and as to vehicles operated between points in this state and points outside the state in interstate commerce as well as points within this state in intrastate commerce, the regulatory fee may, at the request of the carrier, be paid on the basis of one of the following options:

**Option 1. Floater Regulatory Fee Cards.**

Carriers who operate vehicles between points in this state and points outside this state exclusively in interstate commerce, and carriers who operate fleets in excess of 200 motive power units between points in this state and points outside this state in interstate commerce as well as points within this state in intrastate commerce may elect to purchase unassigned regulatory fee receipts at ((+50)) one hundred fifty percent of the applicable gross weight fee stated in subsection (2). One of these regulatory fee receipts must be carried within the cab of the motive power vehicle when such equipment is operated in this state and must be accompanied by a properly executed National Association of Regulatory Utility Commissioners uniform identification cab card and Washington Utilities and Transportation Commission identification stamp. When applied for in this manner the fee must be that for the highest gross licensed weight of such solo or combination with which the receipt showing the payment of regulatory fees may be used.

The carrier must file and keep current a list of power equipment being used under this option, including leased equipment, and purchase an identification stamp for each power unit so listed as provided for in subsection (2).

In the case of unladen automobiles and trucks operated in interstate driveaway service across or between points in the state and points outside the state, the carrier may use unassigned National Association of Regulatory Utility Commissioners uniform identification cab cards and Washington Utilities and Transportation Commission identification stamps upon payment of ((+50)) one hundred fifty percent of the applicable gross weight fee and the ((53.00)) three dollar stamp fee for each unassigned cab card and stamp.

**Option 2. Lump Sum Regulatory Fee Payment.**

Carriers who operate fleets in excess of 200 motive power vehicles either exclusively in interstate or foreign commerce across or between points in this state and points outside this state or between points in this state and points outside this state in interstate commerce as well as points within this state in intrastate commerce, and who have so operated under Option 1, above, or this option for the immediately preceding calendar year, may elect to pay a lump sum regulatory fee based on the number of power units for which identification stamps have been purchased during the immediately preceding calendar year at the regulatory fee established by general order of the commission entered before November 1st of any year. These carriers must file and keep current a list of power equipment used under this option, including leased equipment, and purchase an identification stamp for each power unit so listed as provided in subsection (2). With a properly executed National Association of Regulatory Utility Commissioners uniform identification cab card and Washington Utilities and Transportation Commission identification stamp attached, no proof of regulatory fee payment need be carried.

**Option 3. Single Cab Card.**

This option is available to interstate operators whose vehicles are proportionally registered under chapter 46.85 RCW, and who elect to use the "single document cab card" provided for by chapter 46.86 RCW and applies only to such vehicles that are operated across or between points in this state and points outside the state exclusively in interstate or foreign commerce. If a carrier elects to use this option, he shall indicate in the appropriate column of his application for proportional registration those power units for which he elects to pay Washington Utilities and Transportation Commission fees. Upon payment of all required fees to the Department of Licensing, a single cab card will be issued by the Department of Licensing for each vehicle upon which fees have been paid and a corresponding identification stamp will be issued by this commission. The identification stamp shall be affixed to a National Association of Regulatory Utility Commissioner's identification cab card. In lieu of adding Washington Utilities and Transportation Commission fees to his application for proportional registration, a carrier may avail himself of option 1 or option 2. In this event application will be made directly to the Washington Utilities and Transportation Commission. Carriers must file and keep current a list of power equipment being used under this option, including leased equipment.

**Option 4. Single Trip Transit Permit.**

Carriers engaged exclusively in casual or occasional interstate or foreign commerce across or between points in the state and points outside the state may as in alternative to all other requirements of this chapter obtain a single trip transit permit, valid for ten days, authorizing a one-way trip into, out of or across the state. This permit will be issued upon payment of a fee of (~~(\$10.00)~~) ten dollars and must be carried in the cab of the power vehicle. Proof of public liability and property damage insurance in the form of an insurance policy or a certificate of insurance in the amounts provided for in WAC 480-12-350 must be furnished with the application.

**Option 5. Single Trip Regulatory Fee Card.**

A carrier registered with the Washington Utilities and Transportation Commission to engage in interstate or foreign commerce across or between points in this state and points outside of this state, may purchase single trip regulatory fee cards, valid for five days, authorizing a one-way trip into, out of or across this state, for a fee of (~~(\$10.00)~~) ten dollars each.

Pre-numbered Single Trip Regulatory Fee Cards must be purchased in advance and no refund will be allowed for unused cards. Cards must be filled out, in ink or by typewriter, by the carrier, showing the description of the vehicle, license number, state in which the vehicle is licensed, name of owner (if other than the carrier), the commodity to be transported, the origin and destination of the shipment and be signed by an officer, agent or employee of the carrier authorized to use the card. Card must be carried in the power unit. The vehicle operating under a single trip regulatory fee card shall be under the control and direction of the motor carrier issuing the card and shall be used only within the scope of the authority of that motor carrier.

At the end of each calendar month a report shall be sent to the Commission, showing the card number, dates used, origin of shipment, destination of shipment and vehicle number.

(c) In intrastate or interstate commerce between points within the state of Washington the identification cab card and stamp may, at the request of the carrier, not be assigned to any particular motive power vehicle under the following circumstances:

(i) In connection with trucks or tractors to be operated under master leasing agreements provided for in WAC 480-12-210(1)(h), in which case the cab card may be used only with vehicles operated under such master leasing agreements; and

(ii) In connection with unladen automobiles or trucks in driveaway service, in which case the cab card may be used only with such vehicles in driveaway service. The fees shall be as stated in subsection (3)(a) for the highest gross licensed weight (highest actual weight in driveaway service) on any power vehicle with which the identification cab card and stamp may be used.

(d) In intrastate commerce between points within the state of Washington, a common or contract carrier acquiring the use of private carrier equipment under the provisions of WAC 480-12-210(1)(c) may, in connection with short term leases, elect to purchase single trip regulatory fee cards, valid for five days, authorizing a one-way trip between points within this state, for a fee of (~~(\$10.00)~~) ten dollars each, in lieu of payment of the full regulatory fee.

Pre-numbered single trip regulatory fee cards must be purchased in advance and no refunds will be allowed for unused cards. Cards must be filled out, in ink or by typewriter, by the carrier, showing the description of the vehicle, license number, state in which the vehicle is licensed, name of owner, the commodity to be transported, the origin and destination of the shipment and be signed by an officer, agent or employee of the carrier authorized to use the card. The card must be carried in the power unit. The vehicle operating under a single trip regulatory fee card shall be under the control and direction of the motor carrier issuing the card and shall be used only within the scope of the authority of that motor carrier.

At the end of each calendar month a report shall be sent to the Commission, showing the card number, date used, origin of shipment, destination of shipment and vehicle number.

(4) On any truck or tractor for which the licensed capacity is increased during the year an IMMEDIATE APPLICATION accompanied by the amount of the increase in regulatory fee is necessary. The commission will provide for amendment of the cab card accordingly.

(5) No refund will be made on unused stamps.

(6) Any "lost" stamps will be replaced only at full stamp and regulatory fee: PROVIDED, HOWEVER, That in unusual circumstances the commission may, by order, waive all or a portion of the replacement cost.

(7) Each carrier shall obtain from the Washington Utilities and Transportation Commission or from the National Association of Regulatory Utility Commissioners a sufficient number of blank identification cab cards to satisfy its requirements. Equipment which is used exclusively within the state, i.e., does not cross the state line, shall use the Washington Utilities and Transportation Commission prescribed identification cab card. Equipment which is used exclusively in interstate or foreign commerce which crosses the state line shall use the National Association of Regulatory Utility Commissioners uniform identification cab card. Equipment used in both types of operation may use either cab card, however it is recommended that the National Association of Regulatory Utility Commissioners uniform identification cab card be used. Upon receipt of stamps from the Commission, an identification cab card shall be duly completed by the carrier for each motive power unit and the appropriate stamp firmly affixed thereto. Such identification cab card shall be placed in the cab of each power unit in accordance with subsection (1).

(8) All identification cab cards and stamps issued for a particular calendar year expire January 31 of each succeeding year. However a stamp may be issued for the ensuing calendar year on or after the first day of November preceding, and may be used from the date of issue.

(9) When a permit is revised or extended, the commission will provide for appropriate amendment of the identification cab card accordingly.

(10) All delinquent stamp fees, regulatory fees, tariff fees and tariff maintenance fees which are due and payable by the carrier to the commission must be paid at the time application is made. The commission may refuse to issue identification stamps until all such fees are paid.

(11) Interstate operators whose vehicles are proportionally registered under chapter 46.85 RCW and who elect to use the "single document cab card" provided for by chapter 94, Laws of 1967 ex. sess., are subject to this rule only to the extent necessary, including ascertainment of payable stamp and regulatory fees.

(12) An identification cab card may be reassigned to a substituted vehicle (power unit) only when the original vehicle has been destroyed or is being permanently withdrawn from the ownership or possession of the permittee.

**WSR 78-11-019****EMERGENCY RULES****DEPARTMENT OF FISHERIES**

[Order 78-97—Filed October 11, 1978]

I, Gordon Sandison, director of state Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to personal use fishing regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation

of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is many large sturgeon, possibly spawners, are being taken in this area. Protection is required while more information is collected and analyzed regarding the strength of the sturgeon population. Fall chinook escapement in this portion of the Columbia is much lower than expected. Recent loss of adult fish at Priest Rapids Hatchery, total protection is necessary for the remaining population.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED October 11, 1978.

By Gordon Sandison  
Director

#### NEW SECTION

WAC 220-56-07200A **STURGEON AREAS AND SEASONS** Notwithstanding the provisions of WAC 220-56-072, effective immediately until further notice, it shall be unlawful to take, fish for or possess sturgeon for personal use from waters of the Columbia River downstream from the Vernita Bridge to the powerline at the old Hanford ferry crossing.

#### NEW SECTION

WAC 220-57-16000C **COLUMBIA RIVER** Notwithstanding the provisions of WAC 220-57-160, effective immediately until further notice, it shall be unlawful to take, fish for or possess salmon for personal use from the waters of the Columbia River downstream from Priest Rapids Dam to the powerline at the old Hanford ferry crossing.

**WSR 78-11-020**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**  
[Order 78-98—Filed October 12, 1978]

I, Gordon Sandison, director of state Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity

to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is Hoodspout Hatchery has its egg take. Continued closure of 10D and the Cedar River is necessary for protection of chinook and sockeye.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED October 12, 1978.

By Gordon Sandison  
Director

#### NEW SECTION

WAC 220-28-010D0E **CLOSED AREA** Effective immediately through December 31, 1978 it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes in Treaty Indian Salmon Management and Catch Reporting Area 10D or from the waters of the Cedar River, with any type of gear.

Those areas and times not specifically closed by this Order remain closed to all treaty Indian fishing except as permitted by tribal regulations filed with the U. S. District Court and the Departments of Fisheries and Game which comply with the decision and subsequent Orders in U. S. v. Washington Civil No. 9213. No fishing outside the usual and accustomed grounds and stations is authorized by this Order. This Order is not an opening of any time or areas to treaty Indian fisheries which have not been opened by properly filed tribal regulations.

#### REPEALER

The following section of the Washington Administrative Code is hereby repealed:

WAC 220-28-010D0D **CLOSED AREA (78-50)**  
WAC 220-28-012D0G **CLOSED AREA (78-88)**

**WSR 78-11-021**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**  
[Order 78-99—Filed October 12, 1978]

I, Gordon Sandison, director of state Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that

observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is there are harvestable numbers of coho destined for streams in this area.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED October 12, 1978.

By Gordon Sandison  
Director

#### NEW SECTION

WAC 220-28-00500E *CLOSED AREA* Effective immediately until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Treaty Indian Salmon Management and Catch Reporting Area 5, except that portion from 600 feet east of the mouth of the Sekiu River to 600 feet west of the mouth of the Hoko River within 200 yards of shore and that portion from Pillar Point to the mouth of Deep Creek, within 200 yards of the shore.

#### REPEALER

The following section of the Washington Administrative Code is hereby repealed:

WAC 220-28-00500D *CLOSED AREA* (78-96)

**WSR 78-11-022**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**  
[Order 78-100—Filed October 12, 1978]

I, Gordon Sandison, director of state Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to personal use shellfish regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is fall sampling results indicate that razor clams in this portion of Long Beach can be harvested.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED October 12, 1978.

By Gordon Sandison  
Director

#### NEW SECTION

WAC 220-56-08000F *RAZOR CLAMS-AREAS & SEASONS* Notwithstanding the provisions of WAC 220-56-080, effective 12:01 a.m., October 14, 1978, it shall be unlawful to take, dig for or possess razor clams for personal use from that portion of Long Beach between the Oysterville approach and the Columbia River.

#### REPEALER

The following section of the Washington Administrative Code is hereby repealed:

WAC 220-56-08000E *RAZOR CLAMS-AREAS AND SEASONS* (78-90)

**WSR 78-11-023**  
**NOTICE OF PUBLIC MEETINGS**  
**WASHINGTON FIRE PROTECTION ASSOCIATION**  
[Memorandum, Chairman—October 12, 1978]

Forest Fire Advisory Board

Notice of Public Meeting

The Washington Forest Fire Advisory Board, in accordance with the provisions of RCW 76.04.250, will hold a public meeting on November 28 at 9:30 a.m. in the 2nd floor conference room of the Evergreen Plaza Building, 711 Capitol Way, Olympia. The Board will discuss charges to and recoveries for the Landowner Forest Fire Contingency Account and other forest protection matters on which the Board wishes to advise the Department of Natural Resources Fire Control Division.

Further information concerning the agenda may be obtained by contacting Robert P. Matthews, Chairman, 711 Capitol Way, Suite 608, Evergreen Plaza Building, Olympia, Washington 98501 (206-352-1500).

**WSR 78-11-024**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**  
[Order 78-101—Filed October 13, 1978]

I, Gordon Sandison, director of state Department of Fisheries, do promulgate and adopt at Olympia,

Washington, the annexed rules relating to commercial fishing regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is the National Marine Fisheries Service has refused to announce conservation closures on the "hot line" unless the entire Puget Sound Treaty Indian Salmon Management and Catch Reporting Area is closed. Therefore, the management need of an area as a whole must prevail.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED October 13, 1978.

By Gordon Sandison  
Director

with any type of gear, in Treaty Indian Salmon Management and Catch Reporting Area 13.

#### NEW SECTION

WAC 220-28-013B0E *CLOSED AREA Effective immediately until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes, with any type of gear, in Treaty Indian Salmon Management and Catch Reporting Area 13B.*

#### REPEALER

The following sections of the Washington Administrative Code are hereby repealed:

WAC 220-28-00500E *CLOSED AREA (78-99)*

WAC 220-28-006B0G *CLOSED AREA (78-93)*

WAC 220-28-010C0E *CLOSED AREA (78-94)*

WAC 220-28-01300H *CLOSED AREA (78-91)*

WAC 220-28-013B0D *CLOSED AREA (78-93)*

#### WSR 78-11-025

##### ADOPTED RULES

##### DAIRY PRODUCTS COMMISSION

[Order 78-1—Filed October 16, 1978—Effective January 1, 1979]

Be it resolved by the Washington State Dairy Products Commission, acting at Seattle, Washington, that it does promulgate and adopt the annexed rules relating to assessment rate on Class I and Class II milk, adopting WAC 142-12-026.

This action is taken pursuant to Notice No. WSR 78-08-110 filed with the code reviser on August 2, 1978. Such rules shall take effect at a later date, such date being January 1, 1979, subject to referendum.

This rule is promulgated under the general rule-making authority of the Washington State Dairy Products Commission as authorized in RCW 15.44.085.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED October 6, 1978.

By Robert M. Hallberg  
Secretary-Treasurer

#### NEW SECTION

WAC 142-12-026 *ASSESSMENT RATE ON CLASS I AND CLASS II MILK.* The assessment as set forth in RCW 15.44.085 which is levied on every hundredweight of Class I or Class II milk sold by a dealer, including any milk sold by a producer who acts as a dealer, is hereby increased from five-eighths of one cent per hundredweight to three-fourths of one cent per hundredweight.

#### NEW SECTION

WAC 220-28-00500F *CLOSED AREA Effective immediately until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear, in Treaty Indian Salmon Management and Catch Reporting Area 5.*

#### NEW SECTION

WAC 220-28-006B0H *CLOSED AREA Effective immediately until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes, with any type of gear, in Treaty Indian Salmon Management and Catch Reporting Area 6B.*

#### NEW SECTION

WAC 220-28-010C0F *CLOSED AREA Effective immediately until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes, with any type of gear, in Treaty Indian Salmon Management and Catch Reporting Area 10C.*

#### NEW SECTION

WAC 220-28-01300I *CLOSED AREA Effective immediately until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes,*

## WSR 78-11-026

## NOTICE OF PUBLIC MEETINGS

## CRIMINAL JUSTICE TRAINING COMMISSION

[Memorandum, Exec. Director—October 13, 1978]

The following schedule of meetings for 1979 has been adopted by the Washington State Criminal Justice Training Commission:

Thursday, March 22, 1979	10:00 a.m.	Olympia Training Commission Headquarters
Thursday, June 21, 1978 [1979]	10:00 a.m.	Spokane Ramada Inn, Airport
Thursday, Sept. 20, 1979	1:00 p.m.	Yakima Holiday Inn North
Thursday, Dec. 13, 1979	10:00 a.m.	Seattle Criminal Justice Training Center

## WSR 78-11-027

## EMERGENCY RULES

## DEPARTMENT OF PERSONNEL

[Order 125—Filed October 16, 1978]

Be it resolved by the State Personnel Board, acting at Department of Personnel, 600 South Franklin, Olympia, WA, that it does promulgate and adopt the annexed rules relating to special assignment pay provisions, amending WAC 356-15-120.

We, the Washington State Personnel Board, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is that 11 of the 23 Retail Clerks employed by DSHS have been performing the duties which have been recognized by the agency as qualifying for special pay for the last several months. This proposed change was published as required in the State Register; however, the date of the open meeting was subsequently changed thus requiring that action be on an emergency basis rather than permanent.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 41.06.150(17) and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED October 11, 1978.

By Leonard Nord  
Secretary

AMENDATORY SECTION (Amending Order 121, filed 6/12/78)

WAC 356-15-120 SPECIAL ASSIGNMENT PAY PROVISIONS. Classes to which this Rule applies are marked with the letters "AP" after their titles in the Compensation Plan.

(1) For supervision, training and counseling of mentally retarded residents or mental patients. Basic salary range plus one salary range shall be paid only to employees in the classes below who have this supervision assigned.

0610 – Retail Clerk 1

0612 – Retail Clerk 2

8003 – Food Service Aide 1

8005 – Food Service Aide 2

8007 – Food Service Aide 3

8205 – Laundry Worker 1

8430 – Seamstress 1

8432 – Seamstress 2

(2) For full time assignment to forklift operations. Basic salary range plus \$10 per month shall be paid only to employees in the class below who have this duty assigned.

7770 – Warehouse Worker 1

(3) For required Scuba diving. Basic salary range plus \$7.50 per diving hour shall be paid to employees (other than Master Diver) who have this duty assigned.

(4) For (a) assignment to a telephone board with four or more positions; (b) specific assignment to primary responsibility for security communications control or emergency admissions processing at an institution; or (c) direct supervisory responsibility over PBX Operators having assignments (a) or (b) above. Basic salary range plus one range shall be paid only to employees in the classes below who are assigned these responsibilities.

0215 – PBX Operator

0216 – Chief PBX Operator

(5) For assignment to operate highway equipment rated above their present classification. Basic salary range plus the hourly difference between the top step of the Maintenance Technician 3 class and the top step of the salary range representing a two-range increase over the Maintenance Technician 3 class. Employees operating higher rated highway equipment shall be credited with a minimum of four hours pay at the higher rate for each work day in which they are required to operate the higher level equipment. Overtime for such assignments will be computed at one-and-one-half times the higher salary rate. This special assignment pay shall not apply to employees operating higher level highway equipment in a bona fide training assignment. This special pay provision shall apply only to employees in the classes below.

7107 – Maintenance Technician 1

7109 – Maintenance Technician 2

7111 – Maintenance Technician 3

7115 – Maintenance Lead Technician

7182 – Ferry Operator 1

(6) The Board may approve special pay provisions to the Compensation Plan to reflect hazardous/dangerous working conditions of specific positions when: (1) such conditions are not normally expected of those positions



assigned to the respective classes; and (2) such provisions are found to be in accordance with prevailing practices in the industry and/or local community in which the position works.

(7) Basic salary range plus two ranges shall be paid to employees in the Wildlife Control Agent (4105), Wildlife Agent 1 (4110) and 2 (4111) classes. This compensation is for all hours worked subject to provisions of WAC 356-15-030 (1)(e).

(8) Basic salary plus two ranges shall be paid to Fisheries employees in the Fisheries Patrol Officer (4120), Fisheries Patrol Boat Operator 1 (4127) and Airplane Pilot 1 (7348) classes. This compensation is in lieu of all hours worked subject to provisions of WAC 356-15-030 (1) (e). Effective period of this action shall be from April 1, 1978 to December 31, 1978.

### WSR 78-11-028

#### ADOPTED RULES

#### DEPARTMENT OF TRANSPORTATION

[Order 23—Filed October 16, 1978]

I, W. A. Bulley, Secretary of Transportation, do promulgate and adopt at Room 1-D-9, Highway Administration Building, Olympia, WA, the annexed rules relating to allowing Emergency Parking Only along State Route 101 in the community of Brinnon, amending WAC 252-32-101.

This action is taken pursuant to Notice No. WSR 78-09-031 filed with the code reviser on 8/16/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 46.61.570 which directs that the Department of Transportation has authority to implement the provisions of RCW 46.61.570.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED October 16, 1978.

By W. A. Bulley  
Secretary

#### AMENDATORY SECTION (Amending Order 7, filed 12/30/77)

WAC 252-32-101 STATE ROUTE 101. (1) Astoria Bridge Vicinity. Parking is prohibited on both sides of State Route 101 from the center line of the north approach to the Astoria Bridge at Mile Post 0.46, westerly to Mile Post 0.96, a distance of 0.50 mile.

(2) U.S. Wildlife Station Vicinity, Pacific County. Parking of all vehicles is prohibited on both sides of State Route 101 from Mile Post 23.98 to Mile Post 24.16, a distance of 0.18 mile.

(3) Fairmont Street, Port Angeles Vicinity. Parking is prohibited on both sides of State Route 101 from

Fairmont Street, Mile Post 245.87, to Euclid Avenue/C Street Exit, Mile Post 245.98, a distance of 0.11 mile.

(4) Port Angeles Vicinity. Parking is prohibited on both sides of State Route 101 from the Junction of Golf Course Road, Mile Post 249.63, to County Road No. 429 (Masters Road), Mile Post 251.68, a distance of 2.05 miles.

(5) Elwha Street, Port Angeles Vicinity. Parking is prohibited on the eastbound side only of State Route 101 from Elwha Street, Mile Post 251.16, to 0.18 mile east of Elwha Street, Mile Post 251.34, a distance of 0.18 mile.

(6) Community of Quilcene. Parking is prohibited between 8:00 a.m. and 4:00 p.m. on the east side of State Route 101 in the Community of Quilcene, Mile Post 294.69 to Mile Post 294.75, a distance of 0.06 mile.

(7) Community of Brinnon. Emergency Parking Only is permitted along both sides of State Route 101 in the Community of Brinnon from 0.15 mile south of Dosewallips Road, Mile Post 306.22, to 0.13 mile south of Dosewallips State Park entrance, Mile Post 307.08, a distance of 0.86 mile.

(8) Hoodspport. Parallel parking only is permitted on both sides of State Route 101 within the Community of Hoodspport from Mile Post 331.72, to Mile Post 332.34, a distance of 0.62 mile.

### WSR 78-11-029

#### NOTICE OF PUBLIC MEETINGS STATE HOSPITAL COMMISSION

[Memorandum—October 16, 1978]

The State Hospital Commission will meet on November 2, 1978, 9:30 a.m., at the University Tower Hotel, N.E. 45th and Brooklyn Avenue, Seattle, Washington.

### WSR 78-11-030

#### EMERGENCY RULES DEPARTMENT OF FISHERIES

[Order 78-102—Filed October 17, 1978]

I, Gordon Sandison, director of state Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is the National Marine Fisheries Service has agreed to announce conservation closures of portions of Management and Catch Reporting areas on the "hot line". This order reinstates boundaries in effect on 10/13/78. Test fishing in 13B indicates only small numbers of coho, therefore chum management needs prevail.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED October 17, 1978.

By Gordon Sandison  
Director

NEW SECTION

WAC 220-28-00500G CLOSED AREA Effective immediately until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Treaty Indian Salmon Management and Catch Reporting Area 5, except that portion from 600 feet east of the mouth of the Sekiu River to 600 feet west of the mouth of the Hoko River within 200 yards of shore and that portion from Pillar Point to the mouth of Deep Creek, within 200 yards of the shore.

NEW SECTION

WAC 220-28-006B0I CLOSED AREA Effective immediately until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Treaty Indian Salmon Management and Catch Reporting Area 6B, except that portion inside and westerly of a line projected from Dungeness Light to Kula Kala Point.

NEW SECTION

WAC 220-28-010C0G CLOSED AREA Effective immediately until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Treaty Indian Salmon Management and Catch Reporting Area 10C except that portion of Lake Sammamish westerly of a line 250 yards out from and parallel to the east shore between the Sammamish River and Issaquah Creek.

NEW SECTION

WAC 220-28-01300J CLOSED AREA Effective immediately through January 1, 1979, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes from Treaty Indian Salmon Management and Catch Reporting Area 13, with any type of gear, except that portion in Hale Passage inside and westerly of a line projected from the Old Ferry Landing dock south-east of Ketner Point, to Ketner Point, thence, from

*Ketner Point through the black can buoy to the Fox Island Bridge, and that portion of Area 13 east of a line projected from the southern tip of Ketron Island to the buoy at the mouth of the Nisqually River; north of a line projected eastward from the Nisqually River buoy to the jetty approximately 1/2 mile south of Sequelitchew Creek; and south of a line projected from the northern tip of Ketron Island to Gordon Point.*

REPEALER

The following sections of the Washington Administrative Code are hereby repealed:

- WAC 220-28-00500F CLOSED AREA (78-101)
- WAC 220-28-006B0H CLOSED AREA (78-101)
- WAC 220-28-010C0F CLOSED AREA (78-101)
- WAC 220-28-01300I CLOSED AREA (78-101)
- WAC 220-28-013B0E CLOSED AREA (78-101)

**WSR 78-11-031  
EMERGENCY RULES  
UTILITIES AND TRANSPORTATION  
COMMISSION**

[Order R-117, Cause No. TV-1178-Filed October 18, 1978]

In the Matter of amending WAC 480-12-285, Relating to Motor Carriers.

The Washington Utilities and Transportation Commission finds that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is:

It has become apparent that unless tariff purchase costs and maintenance fees are not increased for the calendar year 1979, that a deficit will be incurred in that account. It is therefore necessary to increase certain tariff purchase costs and maintenance fees to eliminate the projected deficit. Such changes must be effective by the December 1, 1978 billing date for the year 1979. WAC 480-12-285 is therefore amended on an emergency basis to take effect upon filing with the code reviser.

This rule amendment is promulgated pursuant to RCW 81.80.150 and 81.80.290.

This rulemaking proceeding is in compliance with the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), the State Register Act (chapter 34.08 RCW), the State Economic Policy Act (chapter 43.21H RCW), and the State Environmental Policy Act of 1971 (chapter 43-21C RCW).

These amendments to WAC 480-12-285 affect no economic value but do have an economic impact. Each motor carrier which must purchase and maintain any of the tariffs listed in WAC 480-12-285 will be required to pay an additional fee as indicated in the amended rule. The increase in fees as reflected in the amendment are designed to generate approximately Six Thousand Dollars in additional revenue to offset increased expenses.

The amendments to the initial charge are designed to generate approximately One Thousand Dollars in additional revenue and the amendments to the annual maintenance fee are designed to generate approximately Five Thousand Dollars in additional revenue.

In reviewing the entire record herein, it has been determined that WAC 480-12-285 should be amended to read as set forth in Appendix A, attached hereto and made a part hereof by reference. WAC 480-12-285, as amended, sets forth the individual tariffs covering designated territories and the initial charge and annual maintenance fee for each tariff.

**ORDER**

WHEREFORE, IT IS ORDERED That WAC 480-12-285, relating to motor carriers, be, and the same is hereby amended as set forth in Appendix A as an emergency rule of the Washington Utilities and Transportation Commission to take effect pursuant to RCW 34.04.030 and 34.04.040(2).

IT IS FURTHER ORDERED That the order and the annexed rule, after being first recorded in the order register of the Washington Utilities and Transportation Commission, shall be forwarded to the code reviser for filing pursuant to Chapter 34.04 RCW and Chapter 1-12 WAC.

IT IS FURTHER ORDERED That there shall be forwarded to the secretary of the senate and the chief clerk of the house of representatives three copies of the statement required by RCW 34.04.045.

DATED at Olympia, Washington, this 18th day of October, 1978.

Washington Utilities and Transportation Commission  
Robert C. Bailey, Chairman  
Frank W. Foley, Commissioner

**AMENDATORY SECTION** (Amending Order R-90, filed 1/19/77)

**WAC 480-12-285 TARIFFS, DISTRIBUTION AND COST OF.** Tariffs, with description and cost thereof are as follows:

Tariff No.	Territory	Cost per Tariff	
		Initial Charge	Annual Maintenance
3-B	Spokane Cartage	<del>\$(4.00)</del> 5.00	\$5.00
4-A	Special Commodities (State-wide)	<del>((4.00))</del> 5.00	10.00
5-A	General Freight West of Cascades	<del>((5.00))</del> 6.00	10.00
6-A	General Freight East of Cascades and between East and West	<del>((5.00))</del> 6.00	10.00
7-B	Bulk Petroleum Products	<del>((4.00))</del> 5.00	<del>((8.00))</del> 10.00
8	Olympic Peninsula	<del>((4.00))</del> 5.00	<del>((8.00))</del> 10.00
9	General Freight in King, Pierce, Snohomish & Thurston Counties	<del>((5.00))</del> 6.00	10.00

Tariff No.	Territory	Cost per Tariff	
		Initial Charge	Annual Maintenance
10	Mileage Circular	<del>((4.00))</del> 5.00	<del>((4.00))</del> 5.00
12	Local Areas	<del>((4.00))</del> 5.00	5.00
13	Bulk Commodities except Petroleum	<del>((4.00))</del> 5.00	<del>((8.00))</del> 10.00
14	Mobile Homes (Towaway)	<del>((4.00))</del> 5.00	<del>((4.00))</del> 5.00

During the calendar year in which the purchase of a tariff is made the annual maintenance fee shall be payable in advance on the following basis:

Month Purchased	Fee Payable
January, February, March	In Full
April, May, June	Three-Quarters
July, August, September	One-Half
October, November, December	One-Quarter

Each subsequent year the annual maintenance fee shall be payable on or before December 31 of the preceding year.

One of more single pages in any tariff will be supplied at ~~((5))~~ five cents per page - minimum order ~~((\$1.00))~~ one dollar.

All prices set out in this rule shall be subject to change without notice. All subsequent issues or reissues of commission tariffs shall be priced according to the cost of compilation and maintenance and all fees shall be payable in advance as stated herein unless otherwise specifically ordered by the commission.

**WSR 78-11-032  
PROPOSED RULES  
UTILITIES AND TRANSPORTATION  
COMMISSION**  
[Filed October 18, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington Utilities and Transportation Commission intends to adopt, amend, or repeal rules concerning: WAC 480-12-285, relating to motor carrier tariff fees. The proposed amendatory section is attached as Appendix A, Cause No. TV-1178. Written and/or oral submissions may also contain data, views, and arguments concerning the effect of the proposed amendment on economic values pursuant to chapters 43.21H RCW and WAC 480-08-050(17). This is notice of intention to adopt on a permanent basis amendments to WAC 480-12-285 made on an emergency basis on October 18, 1978, General

Order No. R-117, and filed with the code reviser's office on the same date;

and that the adoption, amendment, or repeal of such rules will take place at 8:00 a.m., Wednesday, December 6, 1978, in the Commission's Conference Room, Sixth Floor, Highways-Licenses Bldg., Olympia, WA.

The authority under which these rules are proposed is RCW 81.80.150 and 81.80.290.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to December 1, 1978, and/or orally at 8:00 a.m., Wednesday, December 6, 1978, Commission's Conference Room, Sixth Floor, Highways-Licenses Bldg., Olympia, WA.

Dated: October 18, 1978  
By: David Rees  
Secretary

AMENDATORY SECTION (Amending Order R-90, filed 1/19/77)

WAC 480-12-285 TARIFFS, DISTRIBUTION AND COST OF. Tariffs, with description and cost thereof are as follows:

Tariff No.	Territory	Cost per Tariff	
		Initial Charge	Annual Maintenance
3-B	Spokane Cartage	<del>\$(4.00)</del> 5.00	\$5.00
4-A	Special Commodities (State-wide)	<del>((4.00))</del> 5.00	10.00
5-A	General Freight West of Cascades	<del>((5.00))</del> 6.00	10.00
6-A	General Freight East of Cascades and between East and West	<del>((5.00))</del> 6.00	10.00
7-B	Bulk Petroleum Products	<del>((4.00))</del> 5.00	<del>((8.00))</del> 10.00
8	Olympic Peninsula	<del>((4.00))</del> 5.00	<del>((8.00))</del> 10.00
9	General Freight in King, Pierce, Snohomish & Thurston Counties	<del>((5.00))</del> 6.00	10.00
10	Mileage Circular	<del>((4.00))</del> 5.00	<del>((4.00))</del> 5.00
12	Local Areas	<del>((4.00))</del> 5.00	5.00
13	Bulk Commodities except Petroleum	<del>((4.00))</del> 5.00	<del>((8.00))</del> 10.00
14	Mobile Homes (Towaway)	<del>((4.00))</del> 5.00	<del>((4.00))</del> 5.00

During the calendar year in which the purchase of a tariff is made the annual maintenance fee shall be payable in advance on the following basis:

Month Purchased	Fee Payable
January, February, March	In Full
April, May, June	Three-Quarters
July, August, September	One-Half
October, November, December	One-Quarter

Each subsequent year the annual maintenance fee shall be payable on or before December 31 of the preceding year.

One of more single pages in any tariff will be supplied at ~~((5))~~ five cents per page - minimum order ~~(\$1.00)~~ one dollar.

All prices set out in this rule shall be subject to change without notice. All subsequent issues or reissues of commission tariffs shall be priced according to the cost of compilation and maintenance and all fees shall be payable in advance as stated herein unless otherwise specifically ordered by the commission.

WSR 78-11-033  
PROPOSED RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Public Assistance)  
[Filed October 18, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules concerning:

- Amd ch. 388-24 WAC relating to AFDC—Eligibility.
- Amd ch. 388-52 WAC relating to services involving other agencies.
- Amd ch. 388-57 WAC relating to Employment and training—Work incentive.
- Rep WAC 388-15-230 relating to employment oriented casework.

Correspondence concerning this notice and proposed rules attached should be addressed to:

David Hogan, Executive Assistant  
Department of Social and Health Services  
Mail Stop OB-44 D  
Olympia, WA 98504;

that such agency will at 10:00 a.m., Wednesday, December 13, 1978, in the Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, December 20, 1978, in William B. Pope's office, 3-D-14, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

The authority under which these rules are proposed is RCW 74.08.090.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to December 13, 1978, and/or orally at 10:00 a.m., Wednesday, December 13, 1978, Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

Dated: October 4, 1978  
By: David Hogan  
Executive Assistant

AMENDATORY SECTION (Amending Order 1054, filed 9/25/75)

WAC 388-24-090 ELIGIBILITY CONDITIONS APPLICABLE TO AFDC-R AND AFDC-E—EMPLOYMENT OR TRAINING. (1) For a child to be eligible for AFDC-E his/her unemployed father, or unemployed stepfather shall:

- (a) Be currently registered for employment with ~~((WSES))~~ DES as indicated in WAC 388-57-015,
  - (b) Show evidence of unemployment benefit status as specified in WAC 388-57-020,
  - (c) Accept employment or training for employment as indicated in WAC 388-57-025 and 388-57-030 unless certified to WIN.
- (2) All AFDC applicants and recipients in all counties are subject to WIN/Employment Training registration as provided in WAC 388-24-107.

(3) A WIN/Employment Training registrant, unless ~~((he is))~~ a volunteer, who fails to cooperate in appraisal prior to certification shall be subject to the provisions of WAC 388-57-056.

(4) An AFDC recipient (unless a voluntary registrant) who has been certified for the work incentive (WIN) program and who is determined by ~~((the state employment service))~~ DES to have refused employment or training or participation in the WIN program without good cause shall be subject to provisions of WAC 388-57-061.

(5) An AFDC applicant/recipient in a non-WIN county shall register for the Employment Training program as provided in WAC 388-24-107.

~~((5))~~ (6) A child's eligibility is not affected by the WIN/Employment Training registration requirement for the parent or needy caretaker relative. ~~((See WAC 388-24-107.))~~

~~((6))~~ (7) An individual who has been determined to be exempt from registration for WIN/Employment Training on the basis of documented incapacity shall be referred to DVR. See also WAC 388-52-150 through 388-52-155.

~~((7) An AFDC-R applicant or recipient is not subject to WAC 388-57-015)).~~

#### AMENDATORY SECTION (Amending Order 1289, filed 4/24/78)

WAC 388-24-107 ELIGIBILITY CONDITIONS APPLICABLE TO AFDC-R AND AFDC-E REGISTRATION FOR WIN/EMPLOYMENT TRAINING. (1) As a condition of eligibility for AFDC, every individual shall register for the ~~((work incentive))~~ WIN/Employment Training program unless such individual is

(a) A dependent child who is under age 16 or is a dependent child who is age 16 but not yet 18 who is enrolled as, or has been accepted for enrollment as, a full-time student for the next school term,

(b) A person who is ill, incapacitated, or 65 years of age or older. Cost of a physical or psychiatric examination is authorized when the examination is to determine employability for registration or participation in the ~~((work incentive))~~ WIN/Employment Training program,

(c) A person so remote from a ~~((work incentive))~~ WIN/Employment Training project that his/her effective participation is precluded,

(d) A person whose presence in the home is required because of illness or incapacity of another member of the household,

(e) A mother or other needy caretaker relative of a child under the age of six who is caring for the child,

(f) A mother of an unborn child,

(g) A mother or other female caretaker of a child, if the father or another relative in the home is required to register. This exemption shall be terminated when the male required to register has failed to register or has been found to have refused without good cause to participate under a ~~((work incentive))~~ WIN/Employment Training program or accept employment.

(2) Any applicant or recipient has a right to a fair hearing to contest a determination of nonexempt status and shall be considered as exempt until his/her status is finally determined. (See WAC 388-57-090).

~~((3) If an individual who is required to register for the work incentive program fails to register he shall be ineligible for assistance and his financial need shall not be taken into account in determining the requirements of the family. Assistance will be granted to the eligible members of the family.))~~

(3) The requirements of any individual who fails to register as required under subsection (1) shall not be taken into account in determining the requirements of the family and the amount of assistance, and assistance will be granted to the eligible members of the family.

(4) A mother or other relative of a child or unborn child under the age of six(;) who is caring for the child(;) shall be advised of her option to register if she so desires, and of the fact that child care will be provided if needed. Other exempted individuals may volunteer to register, subject to acceptance of such registration by ~~((employment security))~~ DES and/or DSHS.

(5) An AFDC recipient who has been exempt from WIN/Employment Training registration must register within thirty days after the date the reason for his/her exemption ceases to exist.

#### AMENDATORY SECTION (Amending Order 1189, filed 2/18/77)

WAC 388-24-135 AID TO FAMILIES WITH DEPENDENT CHILDREN—UNEMPLOYED FATHER—SUMMARY OF ELIGIBILITY CONDITIONS. To be eligible for AFDC-E an applicant shall be a child

(1) Who is deprived of parental care and support because of the unemployment of his father or stepfather:

(a) A father or stepfather is considered to be unemployed who

(i) Is employed less than 100 hours a month, or

(ii) Exceeds that standard for a particular month if his work is intermittent and the excess is of a temporary nature as evidenced by the fact that he was under the 100-hour standard for the two prior months and is expected to be under the standard during the next month.

(b) Deprivation due to unemployment continues until the end of the month in which the father or stepfather no longer meets the definition in subdivision (1)(a).

(c) AFDC will not be denied or terminated because of certification to the WIN/Employment Training program or solely because of an individual's participation in institutional and work experience training or in public service employment under the WIN/Employment Training program.

(2) Who is living with a natural, adoptive, or stepfather and a natural, adoptive or stepmother, except that one parent or stepparent may be temporarily absent to search for employment with the expectation of continuing to live with the family.

(3) Who meets the eligibility conditions specified in WAC 388-24-040 and WAC 388-24-090 through 388-24-125.

(4) Whose father or stepfather has been unemployed as defined in subsection (1) for at least thirty days prior to the date AFDC-E is authorized.

(a) When AFDC-E is terminated due to full-time employment of the father or stepfather, no additional waiting period is required if the full-time employment ends within thirty days of termination and the individual reapplies and is found otherwise eligible for AFDC-E.

(5) Whose father or stepfather has not refused a bona fide offer of employment or training for employment or has not voluntarily left a job without good cause during the same 30-day period. (See WAC 388-57-025 and 388-57-030).

(6)(a) Whose father or stepfather verifies that he is registered for employment with the local ~~((SES))~~ DES office prior to the initial authorization of assistance and at the time of the periodic redetermination of eligibility as specified in WAC 388-~~((30-125))~~ 38-280 (3)(b).

(b) In WIN areas this requirement is fulfilled by registration for WIN prior to the granting of assistance, and participation in a WIN program component at time of review.

(c) In certain non-WIN areas this requirement is fulfilled by registration for Employment Training with the CSO.

(7) Whose father or stepfather has applied for and is accepting any unemployment compensation to which he is entitled. This requirement shall apply to recipients no later than the next regular redetermination of eligibility.

(8) Whose father or stepfather

(a) Has had six or more quarters of work within any 13-calendar-quarter period ending within one year prior to the application for assistance. A "quarter of work" means a calendar quarter in which he earned income of not less than \$50, or in which he participated in the work incentive (WIN) program. A "calendar quarter" means a period of three consecutive calendar months ending March 31, June 30, September 30, or December 31, or

(b) Within one year prior to his application received unemployment compensation or if the employment which he had was not covered under the unemployment compensation law of the state or the United States, his earnings were such that had his employment been covered, he would have been eligible.

(9) Whose father or stepfather

(a) In non-WIN areas is registered for and accepts on an ongoing basis employment and training services ~~((as defined in WAC 388-15-230)).~~

(b) In WIN areas is registered for and accepts the services defined in subdivision (a) if he has not been accepted into a WIN/Employment Training component or status.

#### AMENDATORY SECTION (Amending Order 975, filed 10/11/74)

WAC 388-52-166 PARTICIPATION OF RECIPIENT. (1) If ~~((the))~~ an AFDC participant is certified and assigned to the CETA program by WIN/Employment Training, WIN rules regarding participation requirements are applicable.

(2) If the participant is enrolled on the basis of an independent plan, or if the participation of an AFDC-E recipient is part of a local office approved training plan, WAC 388-24-090(1)(c), 388-57-025 and 388-57-030 are applicable.

(3) An AFDC-R recipient is required to participate only if assigned by WIN/Employment Training.

#### AMENDATORY SECTION (Amending Order 1101, filed 2/25/76)

WAC 388-57-015 UTILIZATION OF EMPLOYMENT SECURITY DEPARTMENT (DES)—REGISTRATION. (1) An employable applicant ~~((for or))~~ recipient of general assistance shall be

currently registered for employment with ~~((employment security))~~ DES prior to granting of assistance.

(2) An AFDC-E father or stepfather shall be registered for employment as specified in WAC 388-24-135(6).

(3) An AFDC-R mandatory registrant, WAC 388-24-107, shall be registered for WIN/Employment Training with DES through the CSO at the time of granting of assistance. This requirement shall not affect the eligibility of the children for AFDC-R.

AMENDATORY SECTION (Amending Order 1101, filed 2/25/76)

WAC 388-57-025 ACCEPTANCE OF FULL- OR PART-TIME EMPLOYMENT—EFFECT OF REFUSAL ON ELIGIBILITY. (1) This section does not apply to an AFDC-R applicant or recipient or to an AFDC-E recipient who is certified to the WIN program. This section does apply to an AFDC-E applicant father or stepfather and to an AFDC-E father or stepfather who has not been selected for WIN participation after appraisal.

(2) "Employment" as used in this section shall mean part-time or full-time employment for wages, in cash or in-kind, equal in value to the community rate for the type of work to be performed.

(3) Refusal without good cause to accept a bona fide offer of part-time or full-time employment or to continue working when employed, or ordered to return to former employment under a Taft-Hartley injunction, by an employable applicant or recipient shall make ~~((him))~~ the person and other members of ~~((his))~~ that assistance unit ineligible for public assistance for at least 30 days, or until ~~((he))~~ that person accepts available employment, whichever is the lesser period. If at the end of the 30 days the employment is still available or other reasonable employment is available, another thirty days' penalty will become effective. Such employment shall be reasonably available and within the individual's competence to perform.

(a) For an applicant, the period of ineligibility shall begin with the date of refusal.

(b) For a recipient, the period of ineligibility shall be the calendar month following expiration of the advance notice period.

(4) Full-time employment when available must be accepted. The acceptance of part-time employment when full-time work is available does not satisfy this requirement. An offer of employment shall be verified as specified in subsections (5) and (6). Subsection (4) does not apply when a person with limited skills and abilities is working to the best of his ability.

(5) Written notification by the ~~((SES))~~ DES that it placed an individual in employment shall constitute verification of a job offer. The ~~((SES))~~ DES refers a person to a job only when the wage paid is not less than the prevailing community rate.

(6) If the ~~((SES))~~ DES did not refer the individual to the job, the written or verbal statement from an employer that clearly indicates that he did, in fact, offer the individual specific employment on a specific date for a specified wage shall constitute verification of a bona fide job offer. However, in agricultural or similar labor situations, a bona fide offer of employment is considered verified when there is a statement, substantiated by pertinent details in the case record, that a specific employment opportunity existed for the recipient and the recipient had knowledge of the opportunity.

(7) The following conditions when verified shall constitute good cause for refusal of an offer of employment or refusal to continue employment.

(a) Physical, mental or emotional inability of the individual to satisfactorily perform the work required,

(b) Inability of the individual to get to and from the job without undue cost or hardship to him,

(c) The nature of the work would be hazardous to the individual,

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

(e) The job is available because of a labor dispute,

(f) Adequate child care is not available to the single parent AFDC household.

(i) the recipient has the right to choose the type of child care from those available.

(ii) when only one type of child care is available, the available type must be accepted by the recipient.

AMENDATORY SECTION (Amending Order 1165, filed 10/27/76)

WAC 388-57-030 ACCEPTANCE OF TRAINING FOR EMPLOYMENT—EFFECT OF REFUSAL ON ELIGIBILITY. (1)(a) This section is applicable to an AFDC-E applicant or recipient

father or stepfather who is exempt from WIN/Employment Training registration.

(b) This section does not apply to

(i) An AFDC-R applicant or recipient

(ii) An AFDC-E recipient certified to the WIN/Employment Training program.

(2) When employment is not available, refusal without good cause to accept a bona fide offer of training for employment which is reasonably available to an employable applicant or recipient and is within his competence to perform shall make him and other members of his assistance unit ineligible for public assistance for at least thirty days or until he accepts employment or training for employment whichever is the lesser period. If, at the end of the thirty days<sup>(1)</sup>, employment or training for employment is still available, another thirty days' penalty will become effective.

(a) For an applicant, the period of ineligibility shall begin with the date of refusal.

(b) For a recipient, the period of ineligibility shall be the calendar month following expiration of the advance notice period.

AMENDATORY SECTION (Amending Order 832, filed 7/26/73)

WAC 388-57-061 REFUSAL OF TRAINING OR EMPLOYMENT UNDER WIN WITHOUT GOOD CAUSE. (1) This section does not apply to a voluntary WIN/Employment Training registrant who discontinues participation in the program.

(2) If and for so long as an individual certified to the ~~((work-incentive))~~ WIN/Employment Training program has been determined by ~~((employment security))~~ DES to have refused without good cause to participate in the ~~((work-incentive))~~ WIN/Employment Training program or to accept a bona fide offer of employment in which he/she is able to engage:

(a) If such individual is a caretaker relative receiving AFDC, ~~((his (her)))~~ his/her needs shall not be taken into account in determining the family's need for assistance, and assistance in the form of protective or vendor payments will be provided;

(b) If such individual is the only dependent child in the family, assistance for the family will be terminated; and

(c) If such individual is one of several dependent children in the family, assistance for such child will be terminated and his/her needs will not be taken into account in determining the family's need for assistance.

(3) The specified sanctions in subsection (2) shall not be applied during the period of 60 days in which the individual is being provided the counseling described in WAC 388-57-062 except that in the case of the caretaker relative receiving AFDC, assistance in behalf of him/her and his/her family will be provided in the form of protective or vendor payments as described in WAC 388-33-450.

(4) In the event an individual certified to the ~~((work-incentive))~~ WIN/Employment Training program refuses to accept employment offered to him/her by an employer, whether directly or through the employment service, the determination as to whether the offer was bona fide or there was good cause to refuse the offer will be made by ~~((employment security))~~ DES and will be binding on the department.

(5) In the event an individual certified to ~~((employment security))~~ DES should need to be referred back to the ~~((department))~~ CSO as having good cause for not continuing on a training plan or job, the ~~((department))~~ CSO should promptly restore the assistance payment to the individual if otherwise eligible or make other necessary payment adjustments.

AMENDATORY SECTION (Amending Order 1165, filed, 10/27/76)

WAC 388-57-062 COUNSELING PERIOD. (1) The department shall provide counseling for a period of up to 60 days to a mandatory registrant who is certified to the ~~((work-incentive))~~ WIN/Employment Training program and determined by ~~((employment security))~~ DES to have refused training or employment under the ~~((work-incentive))~~ WIN/Employment Training program without good cause for the purpose of persuading such individual to accept appropriate training or employment.

(2) The 60-day counseling period shall begin on the fifth business day after

(a) The expiration of the prescribed time period for filing a request for a hearing with ~~((employment security))~~ DES from a notice of proposed termination from the ~~((work-incentive))~~ WIN/Employment Training program or the date the request for a hearing is dismissed.

(b) If a hearing has been held, the date of the hearing officer's written decision finding that the participant has refused or failed to accept employment or participate in a ~~((work incentive))~~ WIN/Employment Training program activity without good cause.

(c) Counseling may be terminated during the 60-day period when it becomes apparent that the counseling efforts are proving unsuccessful. A certified registrant who fails without good cause to appear for two or more counseling meetings shall be considered to have terminated the counseling.

(d) The 60-day counseling period shall not be provided to uncertified registrants.

(e) Certified registrants may be reaccepted into WIN/Employment Training at any time during counseling. Such individuals, if they subsequently refuse to participate without good cause, shall not receive another counseling period.

(3) Once a period of counseling has been provided to an individual and such individual has again been found by ~~((employment security))~~ DES to have refused training or employment under the ~~((work incentive))~~ WIN/Employment Training program without good cause, the department shall not provide another period of counseling.

**Reviser's Note:** RCW 34.04.058 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.

#### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-15-230 Employment Oriented Casework.

**WSR 78-11-034**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**  
[Order 78-103—Filed October 18, 1978]

I, Gordon Sandison, director of state Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is Areas 8, 8A and the Skagit River are closed for coho and chum protection. A one day chum fishery will be set in lower Puget Sound to test the strength of the run.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED October 18, 1978.

By Gordon Sandison  
Director

#### NEW SECTION

WAC 220-28-00800N CLOSED AREA Effective October 21, through December 3, 1978, it shall be unlawful for any fisherman including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Treaty Indian Salmon Management and Catch Reporting Area 8.

#### NEW SECTION

WAC 220-28-008A0E CLOSED AREA Effective October 21, through December 3, 1978, it shall be unlawful for any fisherman including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Treaty Indian Salmon Management and Catch Reporting Area 8A.

#### NEW SECTION

WAC 220-28-008F0J CLOSED AREA Effective October 21, 1978 and through those times and in those portions of the Skagit River listed below, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear:

(a) Effective October 21 through December 3, 1978 that portion of the Skagit River downstream from the mouth of Gilligan Creek, including all tributaries.

(b) Effective October 21 through January 1, 1979 that portion of the Skagit River upstream from the mouth of Gilligan Creek, including all tributaries.

#### NEW SECTION

WAC 220-28-01000E CLOSED AREA Effective 9:00 A.M. October 20, 1978 until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Treaty Indian Salmon Management and Catch Reporting Area 10.

#### NEW SECTION

WAC 220-28-01100C CLOSED AREA Effective 9:00 A.M. October 20, 1978 until further notice it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Treaty Indian Salmon Management and Catch Reporting Area 11.

#### REPEALER

The following sections of the Washington Administrative Code are hereby repealed:

WAC 220-28-008A0D CLOSED AREA (78-57)

WAC 220-28-008F0I CLOSED AREA (78-91)

Effective 5:00 A.M. October 19, 1978 the following sections of the Washington Administrative Code are hereby repealed:

WAC 220-28-01000D CLOSED AREA (78-93)

WAC 220-28-01100B CLOSED AREA (78-93)

**WSR 78-11-035**

**ADOPTED RULES**

**GREEN RIVER COMMUNITY COLLEGE**

[Resolution 78-79/1, Order 78-2—Filed October 19, 1978]

Be it resolved by the board of trustees of the Green River Community College, Community College District No. 10, acting at Auburn, Washington, that it does promulgate and adopt the annexed rules relating to the repeal of:

- WAC 132J-12-003 through -401 Uniform personnel rules for classified staff service of Green River Community College.
- WAC 132J-112-900 through -921 Procedures for administering the professional negotiations law.

This action is taken pursuant to Notice No. 78-08-009 filed with the code reviser on 7/10/78. Such rules shall take effect pursuant to RCW 28B.19.050(2).

This rule is promulgated under the general rule-making authority of the board of trustees of Green River Community College as authorized in RCW 28B.50.140.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 17, 1978.

By Melvin Lindbloom  
President

**REPEALER**

The following sections of the Washington Administrative Code are each repealed:

- WAC 132J-12-003 PURPOSE.
- WAC 132J-12-006 POSITIONS COVERED BY THE RULES.
- WAC 132J-12-009 ADOPTION OF RULES.
- WAC 132J-12-012 AMENDMENT OF RULES.
- WAC 132J-12-015 DEFINITION OF TERMS.
- WAC 132J-12-018 ORGANIZATION.
- WAC 132J-12-021 COMPENSATION.
- WAC 132J-12-024 ELECTION OF OFFICERS.
- WAC 132J-12-027 MEETINGS.
- WAC 132J-12-030 POWERS AND DUTIES.
- WAC 132J-12-033 APPOINTMENT OF PERSONNEL DIRECTOR.
- WAC 132J-12-036 POWERS AND DUTIES.
- WAC 132J-12-039 CONTENT.
- WAC 132J-12-042 AMENDMENT.
- WAC 132J-12-045 ALLOCATION.
- WAC 132J-12-048 INTERPRETATION OF SPECIFICATIONS.
- WAC 132J-12-051 USE IN ALLOCATION.
- WAC 132J-12-054 USE IN EXAMINATION.
- WAC 132J-12-057 STATEMENTS OF GENERAL QUALIFICATIONS.
- WAC 132J-12-060 AUTHORITY.
- WAC 132J-12-063 USE OF CLASS TITLES.
- WAC 132J-12-066 GENERAL POLICIES.
- WAC 132J-12-069 CONTENT.

- WAC 132J-12-072 AMENDMENT.
- WAC 132J-12-075 PAYROLL CERTIFICATION.
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**WSR 78-11-036**  
**EMERGENCY RULES**  
**PUBLIC EMPLOYMENT**  
**RELATIONS COMMISSION**  
 [Order 78-7—Filed October 19, 1978]

Be it resolved by the Public Employment Relations Commission, acting at Olympia, Washington, that it does promulgate and adopt the annexed rules relating to collective bargaining rules—Marine employees, chapter 391-70 WAC.

We, the Public Employment Relations Commission, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is continuation of previous emergency rules without change. Commission presently engaged in comprehensive review of these rules and intends to adopt permanent rules in the near future.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 47.64.040 and is intended to administratively implement that statute.

This rule is promulgated pursuant to RCW 41.58.050 which directs that the Public Employment Relations Commission has authority to implement the provisions of chapter 47.64 RCW.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED October 13, 1978.

By Marvin L. Schurke  
Executive Director

**Chapter 391-70 WAC  
RULES OF PRACTICE AND PROCEDURE—  
MARINE EMPLOYEES**

**WAC**

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- 391-70-020 *Special rules.*
- 391-70-030 *Modifications and exceptions.*
- 391-70-040 *Address for communications—Time of official receipt.*
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- 391-70-140 *Voluntary settlement.*
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- 391-70-250 *Rules of evidence—Exhibits and documentary evidence.*
- 391-70-260 *Briefs.*
- 391-70-270 *Reconsideration.*
- 391-70-280 *No discussion of proceeding until decision.*
- 391-70-290 *Administrative rulings.*
- 391-70-300 *Compliance with orders—Notification to commission.*

**NEW SECTION**

**WAC 391-70-010 GENERAL APPLICATION.** *These rules of practice and procedure before the public employment relations commission are for general application to proceedings and hearings before the commission pursuant to chapter 47.64 RCW.*

**NEW SECTION**

**WAC 391-70-020 SPECIAL RULES.** *Special rules may in the future be adopted applying to particular*

*proceedings, and in case such special rules are inconsistent with these general rules, the special rules shall govern.*

**NEW SECTION**

**WAC 391-70-030 MODIFICATIONS AND EXCEPTIONS.** *These rules and regulations are subject to such changes, modifications and additions as the commission from time to time may prescribe, and such exceptions as may be just and reasonable in individual cases as determined by the commission.*

**NEW SECTION**

**WAC 391-70-040 ADDRESS FOR COMMUNICATIONS—TIME OF OFFICIAL RECEIPT.** *All written communications and documents should be addressed to "Public Employment Relations Commission, 603 Evergreen Plaza, 711 Capitol Way, Olympia, Washington 98504" and not to individual members of the commission. All communications and documents are deemed to be officially received only when delivered at the office of the commission.*

**NEW SECTION**

**WAC 391-70-050 OFFICE HOURS.** *The office of the commission is open on each business day between the hours of 8:00 a.m. and 5:00 p.m., except Saturday.*

**NEW SECTION**

**WAC 391-70-060 COMPUTATION OF TIME.** *The time within which an act shall be done, as herein provided, shall be computed by excluding the first day and including the last, unless the last day is a holiday or Sunday, and then it is excluded.*

**NEW SECTION**

**WAC 391-70-070 DEFINITIONS.** (1) *"Washington toll bridge authority" and "authority" shall mean the Washington toll bridge authority or the Washington state ferries operated by the director of highways.*

(2) *"Public employment relations commission" and "commission" shall mean the public employment relations commission of this state or its authorized agents.*

(3) *"Washington state ferries" or "ferry" shall mean any Puget Sound ferry, ferry system and wharves and terminals operated or constructed by the authority or the director of highways.*

(4) *"Employee" or "individual" shall mean any person employed aboard any Puget Sound ferry, wharf, or terminal operated or constructed under the authority of the authority or the director of highways.*

(5) *"Person" or "party" when used in these rules may include a corporation, partnership, labor union, association, the authority, or any public officer or agency.*

(6) *"Parties to proceedings" before the commission shall be styled petitioners, respondents or interveners, according to the relationship of the parties thereto.*

(7) *"Petitioner." A person who files a notice of labor dispute with the commission shall be styled "petitioner."*

In any proceeding which the commission brings on its own motion, it shall be styled "petitioner."

(8) "Respondent." A person against whom any notice of labor dispute is filed shall be styled "respondent."

(9) "Representative" when used in these rules may mean an attorney, a counsel or other person authorized to represent a party to a proceeding before the commission.

(10) "Labor dispute" shall mean a bona fide labor dispute concerning either an employer, employee, labor union, or any other person arising in the operations of the Washington state ferries, or which shall be the subject of a notice of labor dispute, formal or informal, to the commission. To be bona fide, the parties to the labor dispute must have negotiated concerning the same and reach a stalemate making adjudication of the labor dispute necessary. The commission will refuse to consider trivial or frivolous notices of labor disputes as true labor disputes and may demand proof before acceptance of a notice for formal or informal disposal of bona fide efforts on the part of the parties at settlement.

#### NEW SECTION

##### WAC 391-70-080 INFORMAL PROCEDURE.

(1) *Informal notice.* An informal notice to the commission concerning a labor dispute may be given by letter or other writing. Matters thus presented may be taken up by the commission with the parties affected, by correspondence or otherwise, in an endeavor to bring about an adjustment of the subject matter of the notice without formal hearing or order. Informal procedure will be used wherever practicable.

(2) *Informal notices—contents.* No form of informal notice is prescribed, but in substance the letter or other writing should contain all facts essential to a disposition of the matter, including the dates of acts or omissions complained against. Proceedings instituted by informal notice shall be without prejudice to the right of any party or the commission to file a formal notice. Since informal notices are not in themselves a basis of formal action, all parties desiring a formal order of the commission should file a formal notice. Informal procedure is designed to facilitate the amicable adjustment of disputes, and no mandatory or prohibitory order may be issued in an informal proceeding, unless the parties interested stipulate in writing that an order may be entered in such proceeding.

#### NEW SECTION

##### WAC 391-70-090 FORMAL PROCEDURE. (1)

*Formal notices.* Formal notices are those notices of labor disputes filed in accordance with RCW 47.64.040, and may be required by the commission in cases which indicate to the discretion of the commission that informal procedures would be ineffectual or inadequate.

(2) *Verification.* A formal notice of labor dispute shall be verified by the petitioner in the manner prescribed for verification of the pleadings in the superior court of Washington.

(3) *Defective notice.* Upon the filing of any notice, it will be inspected by the commission and if found to be

defective or insufficient, it may be returned to the party filing it for correction.

(4) *Liberal construction.* All notices shall be liberally construed with a view to effect justice between the parties, and the commission will, at every stage of any proceeding, disregard errors or defects in the notice or proceeding which do not affect the substantial rights of the parties.

(5) *Amendments.* The commission may allow amendments to the notice or other relevant documents at any time upon such terms as may be lawful and just, provided that such amendments do not adversely affect the interest of persons who are not parties to the proceeding.

(6) *Consolidation of proceedings.* Two or more proceedings where the facts or principles of law are related may be consolidated and heard together.

(7) *Formal notice—contents.* Formal notice as to any acts or omissions by any person, or for the redress of alleged grievances, must be in writing setting forth clearly and concisely the labor dispute and ground of complaint with a statement of the acts or things done or omitted to be done by any person, if required. Facts constituting such acts or omissions, should be stated, together with the dates on which the acts or omissions occurred. The name of any person complained against must be stated in full, and the address of the person filing the same, together with the name and address of his attorney, if any, must appear upon the notice.

#### NEW SECTION

##### WAC 391-70-100 FILING AND SERVICE. (1)

*Filing of formal notices.* Formal notices shall be typewritten, mimeographed or printed, and the original and two legible copies shall be filed with the commission, together with one legible copy for service by the commission on each of the other parties to the cause.

(2) *Service by commission.* All notices, findings of fact, opinions and orders required to be served by the commission may be served in person or by mail and service thereof by mail shall be deemed complete when a true copy of such paper or document, properly addressed and stamped, is deposited in the United States mail.

#### NEW SECTION

##### WAC 391-70-110 INTERVENTION. (1)

*Intervention.* Any person, other than the original parties to the proceedings, who shall desire to appear and participate in any proceeding before the commission, may move in writing for leave to intervene in the proceeding prior to, or at the time it is called for hearing; or may make an oral motion for leave to intervene at the time of the hearing. No such motion shall be filed or made after the proceeding is under way, except for good cause shown. The motion to intervene must disclose the name and address of the party intervening; the name and address of his attorney, if any; his interest in the proceeding; and his position in regard to the matter in controversy.

(2) *Disposition of motions to intervene.* Motions to intervene shall be considered first at all hearings, or may

be set for prior hearing, and an opportunity shall be afforded the original parties to be heard thereon. If it appears, after such consideration, that the motion discloses an interest in the subject matter of the hearing, or that participation by the moving party is in the public interest, the commission shall grant the same, which may be done by oral order at the time of the hearing. Thereafter such person shall become a party to the proceeding and shall be known as an "intervener," with the same right to produce witnesses and of cross-examination as other parties to the proceeding. Whenever it appears, during the course of a proceeding, that an intervener has no substantial interest in the proceeding the commission may dismiss him from the proceeding.

#### NEW SECTION

WAC 391-70-120 APPEARANCES. (1) *General.* Parties shall enter their appearances at the beginning of any formal hearing by giving their names and addresses in writing to the reporter who will include the same in the minutes of the hearing. Appearance may be made on behalf of any party by his attorney or other authorized representative, and thereupon all future orders may be served upon such attorney or representative, and such service shall be considered valid service for all purposes upon the party represented. The presiding officer conducting the hearing may, in addition, require appearances to be stated orally, so that the identity and interest of all parties present will be known to those at the hearing.

(2) *Answers and replies.* An answer in writing or a reply in writing to an answer may be required by the commission and opportunity to file same will be given on timely request. The same number of copies shall be required as is required for a petition. The commission shall fix the time allowable for filing an answer or reply which, unless otherwise fixed, shall be twenty days.

#### NEW SECTION

WAC 391-70-130 PREHEARING CONFERENCES. (1) *General.* Before any formal proceeding, the commission may, by written notice, request all interested parties to attend a prehearing conference for the purpose of determining the feasibility of settlement, or of formulating the issues in the proceeding and to determine other matters to aid in its disposition. The commission or a commissioner designated by the commission, shall preside at such conference, to consider:

- (a) Simplification of the issues;
- (b) The possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof;
- (c) Limitations on the number and consolidation of the examination of witnesses;
- (d) The procedure at the hearing;
- (e) The distribution of written affidavits, testimony and exhibits to the parties prior to the hearing; and
- (f) Such other matters as may aid in the disposition of the proceeding, or settlement thereof.

(2) *Notice as to simplified issues.* Following the prehearing conference a proposed order, reciting the action taken at the conference, any amendments allowed, and

the agreements made by the parties concerning all of the matters considered, shall be submitted to the parties or other authorized representatives, for approval. Unless the order is objected to within five days or a lesser time in the discretion of the commission after being received, it shall be deemed to be approved. This order shall limit the issues to be heard at the hearing to those not disposed of by admissions or agreements of the parties and will control the subsequent course of the proceeding unless modified at the hearing to prevent manifest injustice.

(3) *Recessing hearing for conference.* In any proceeding the presiding officer may, in his discretion, call the parties together for a conference prior to the taking of testimony, or may recess the hearing for such a conference, with a view to carrying out the purpose of subsection (1) above. The presiding officer shall state on the record the results of such conference.

#### NEW SECTION

WAC 391-70-140 VOLUNTARY SETTLEMENT. Parties to the proceeding may, with the approval of the commission, enter into a voluntary settlement of the subject matter of the notice prior or subsequent to a formal hearing; and in furtherance of a voluntary settlement, the commission may, in its discretion, invite the parties to confer with it. Such conferences shall be informal and without prejudice to the rights of the parties, and no statement, admission or offer of settlement made at such informal conference shall be admissible in evidence in any formal hearing before the commission.

#### NEW SECTION

WAC 391-70-150 SUBPOENAS. Subpoenas shall as nearly as practicable follow the form required in superior courts. Subpoenas may be issued by any commissioner and witnesses are required to comply therewith. Parties desiring subpoenas should prepare them for issuance, send them to the commission for signature and upon their return have the same served at their expense. The commission shall be responsible only for paying the witness fees of witnesses subpoenaed by it, and each subpoena shall bear the name of the party responsible for paying the witness fees.

#### NEW SECTION

WAC 391-70-160 DEPOSITIONS. Any party to a proceeding may request the commission to take by deposition the testimony of any witness. The commission may take the testimony of any witness by deposition and for that purpose the attendance of witnesses and the production of documents, papers and accounts may be enforced in the same manner as in the case of hearing before the commission: *PROVIDED*, That all costs incidental thereto shall be paid by the party desiring such deposition.

#### NEW SECTION

WAC 391-70-170 HEARINGS. (1) *General.* The time and place of holding formal hearings will be set by

the commission and notice thereof served upon all parties at least ten days in advance of the hearing date, unless the commission finds that an emergency exists requiring the hearing to be held upon less notice. An effort will be made to set all formal hearings sufficiently in advance so that all parties will have a reasonable time to prepare their cases, and so that continuances will be reduced to a minimum.

(2) Dismissals. At the time and place set for hearing, if petitioner fails to appear, the commission may recess said hearing for a further period to be set by the presiding officer to enable said petitioner to attend upon said hearing, but if at the time set for the resumption of the hearing said petitioner is not present or represented, the commission may dismiss the petition.

#### NEW SECTION

**WAC 391-70-180 CONTINUANCES.** Any party who desires a continuance shall, immediately upon receipt of notice of the hearing, or as soon thereafter as facts requiring such continuance come to his knowledge, notify the commission of said desire, stating in detail the reasons why such continuance is necessary. The commission in passing upon a request for a continuance shall consider whether such request was promptly made. For good cause shown, the commission may grant such a continuance. The commission may at any time order a continuance upon its own motion. During a hearing, if it appears in the public interest that further testimony or argument should be received, a commissioner may in his discretion continue the hearing and fix the date for introduction of additional evidence or presentation of argument. Such oral notice shall constitute final notice of such continued hearing.

#### NEW SECTION

**WAC 391-70-190 STIPULATION AS TO FACTS.** The parties to any proceeding before the commission may, by stipulation in writing filed with the commission or entered in the record, agree upon the facts or any portion thereof involved in the controversy, which stipulation shall be binding upon the parties thereto and may be regarded and used by the commission as evidence at the hearing. It is desirable that the facts be thus agreed upon whenever practicable. The commission may, however, require proof by evidence of the facts stipulated to, notwithstanding the stipulation of the parties.

#### NEW SECTION

**WAC 391-70-200 CONDUCT AT HEARINGS.** All parties to hearings, their representatives and spectators shall conduct themselves in a respectful and ethical manner. Demonstrations of any kind at hearings shall not be permitted. If any person does not conform to this rule, the commission may decline to permit such person to appear in a representative capacity or take part in proceedings before the commission. Smoking shall not be permitted at formal hearings of the commission while in session: **PROVIDED**, That the presiding officer may relax this provision.

#### NEW SECTION

**WAC 391-70-210 TESTIMONY UNDER OATH.** All testimony to be considered by the commission in formal hearings, except matters noticed officially or entered by stipulation, shall be sworn testimony. Before taking the witness stand each person shall swear (or affirm) that the testimony he is about to give in the hearing before the commission shall be the truth, the whole truth and nothing but the truth.

#### NEW SECTION

**WAC 391-70-220 ORDER OF PROCEDURE.** (1) *General.* Evidence will ordinarily be received in the following order:

(a) Upon investigation on motion of the commission: (i) Commission's staff, (ii) respondent and (iii) rebuttal by commission's staff.

(b) Upon formal notices of labor dispute: (i) Petitioner, (ii) respondent, (iii) commission's staff and (iv) rebuttal.

(2) *Modification of procedure.* The order of presentation above prescribed shall be followed, except where the presiding officer may otherwise direct. In hearings of several proceedings upon a consolidated record, the presiding officer shall designate who shall open or close. Interveners shall follow the party in whose behalf the intervention is made. If the intervention is not in support of either original party, the presiding officer shall designate at what stage such interveners shall be heard.

#### NEW SECTION

**WAC 391-70-230 RULES OF EVIDENCE—ADMISSIBILITY CRITERIA.** All relevant evidence is admissible which, in the opinion of the presiding officer, is the best evidence reasonably obtainable, having due regard to its necessity, availability and trustworthiness.

#### NEW SECTION

**WAC 391-70-240 RULES OF EVIDENCE—OFFICIAL NOTICE.** In addition to matters concerning which courts of this state take judicial notice, the commission will take official notice of the following matters: Rules, regulations, administrative rulings and orders of the commission, the Washington toll bridge authority, the Washington department of highways, and other governmental agencies. In addition, the commission may, in its discretion, upon being requested by all parties to the proceeding so to do, take official notice of the results of its own inspection of the conditions involved.

#### NEW SECTION

**WAC 391-70-250 RULES OF EVIDENCE—EXHIBITS AND DOCUMENTARY EVIDENCE.** (1) *Designation of part of document as evidence.* When relevant and material matter offered in evidence by any party is embraced in a book, paper or document containing other matter not material or relevant, the party offering the same must plainly designate the matter so

offered. If other matter is in such volume as would necessarily encumber the record, such book, paper or document will not be received in evidence, but may be marked for identification, and, if properly authenticated, the relevant or material matter may be read into the record, or, if the presiding officer so directs, a true copy of such matter in proper form shall be received as an exhibit, and like copies delivered by the party offering the same to all other parties or their attorneys appearing at the hearing, who shall be afforded an opportunity to examine the book, paper or document, and to offer in evidence in like manner other portions thereof if found to be material and relevant.

(2) **Official records.** An official rule, report, order, record or other document, prepared and issued by any governmental authority, when admissible for any purpose may be evidenced by an official publication thereof or by a copy attested by the officer having the legal custody thereof, or his deputy, and accompanied by a certificate that such officer has the custody, made by any public officer having a seal of office and having official duties in the district or political subdivision in which the record is kept, authenticated by the seal of his office. In cases where such official records, otherwise admissible, are contained in the official publications are in general circulation and readily accessible to all parties, they may be introduced by reference: **PROVIDED, HOWEVER,** That proper and definite reference to the record in question is made by the party offering the same.

(3) **Commission's files.** Papers and documents on file with the commission, if otherwise admissible, and whether or not the commission has authority to take official notice of the same under WAC 391-70-240, may be introduced by reference to number, date or by any other method of identification satisfactory to the presiding officer. If only a portion of any such paper or document is offered in evidence, the part so offered shall be clearly designated.

(4) **Records in other proceedings.** In case any portion of the record in any other proceeding is admissible for any purpose and is offered in evidence, a true copy of such portion shall be presented for the record in the form of an exhibit unless—

(a) The party offering the same agrees to supply such copies later at his own expense, if and when required by the commission; and

(b) The portion is specified with particularity in such manner as to be readily identified; and

(c) The parties represented at the hearing stipulate upon the record that such portion may be incorporated by reference, and that any portion offered by any other party may be incorporated by like reference; and

(d) The presiding officer directs such incorporation.

(5) **Copies of exhibits to opposing party.** When specially prepared exhibits of a documentary character are offered in evidence, copies must be furnished to opposing parties, four to the presiding officer, and one to the reporter, unless the presiding officer otherwise directs. Whenever practicable, the parties should interchange copies of exhibits before, or at the commencement of the hearing.

#### NEW SECTION

**WAC 391-70-260 BRIEFS.** Briefs may be filed in any proceeding before the commission by any interested party, and shall be filed by any party to the proceeding upon the request of the commission, and within such time as shall be directed by the commission. The commission may require the filing of all briefs within three days after the close of the hearing if it considers the proceeding to be such that an order should issue promptly; and in the case of matters requiring an immediate decision, may require the parties, or their counsel, to present their arguments and authority orally at the close of the hearing, instead of by written brief. Briefs should set out the leading facts and conclusion which the evidence tends to prove, and point out the particular evidence relied upon to support such conclusion. Three copies of each brief shall be filed with the commission and copies thereof shall be served on all parties to the case, or their counsel, and proof of such service furnished to the commission.

#### NEW SECTION

**WAC 391-70-270 RECONSIDERATION.** Application for reconsideration by a party to the proceeding shall be made by a written and signed petition stating specifically the grounds thereof. All petitions for reconsideration shall be filed with the chairman within thirty days after the service of the final decision of the commission. Copies of the petition shall be served upon all parties of record.

#### NEW SECTION

**WAC 391-70-280 NO DISCUSSION OF PROCEEDING UNTIL DECISION.** The commission declares its policy to be that after the filing of a petition in a contested formal proceeding and prior to the issuance of an order thereon, no parties to the proceeding, or their counsel, shall discuss the merits of such matter or proceeding with the commissioners, unless reasonable notice is given to all parties who have appeared therein, to enable such parties to be present at the conference. When, after filing of a petition and prior to the issuance of an order thereon, letters are directed to the commission, or any member of its staff, regarding a formal proceeding, copies of such letters shall be mailed to all parties of record and proof of such service furnished to the commission.

#### NEW SECTION

**WAC 391-70-290 ADMINISTRATIVE RULINGS.** Upon the motion of any interested person subject to its jurisdiction, or upon its own motion, the commission may, when it appears to be in the public interest, make and issue administrative rulings when necessary to terminate a controversy or to remove a substantial uncertainty as to the application of statutes or rules of the commission.

NEW SECTION

**WAC 391-70-300 COMPLIANCE WITH ORDERS—NOTIFICATION TO COMMISSION.** When an order has been issued by the commission any party named therein, who is, by such order, required to do or refrain from doing any act or thing, shall notify the commission on or before the date upon which compliance with such order is required, whether or not there has been compliance with said order.

**WSR 78-11-037****ADOPTED RULES****DEPARTMENT OF TRANSPORTATION**

[Order 3, Resolution 32—Filed October 19, 1978]

Be it resolved by the Washington State Transportation Commission, acting at Highway Administration Building, 1D2, Olympia, Washington, that it does promulgate and adopt the annexed rules relating to type of escort cars.

This action is taken pursuant to Notice No. WSR 78-09-049 filed with the code reviser on Aug. 21, 1978. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 46.44.090 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED October 17, 1978.

By Ray A. Aardal  
Chairman

AMENDATORY SECTION (Amending Order 285, filed 12/1/76)

**WAC 252-24-312 SPECIAL PERMITS FOR MOVEMENT OVER STATE HIGHWAYS OF OVERLEGAL SIZE OR WEIGHT LOADS—TYPE OF ESCORT CARS.** Cars must be furnished by the permittee. Escort cars may be a passenger car or a 2-axle truck with a minimum wheelbase of 95 inches and a maximum curb weight not to exceed 10,000 pounds except when used as escort vehicle, an unladen tow vehicle may exceed 10,000 pounds.

Escort cars will be of such design so as to afford the driver clear and unobstructed vision both front and rear.

Escort cars will be in safe operational condition, properly licensed and obey all traffic laws.

Escort car operators shall be experienced in the operation of escort vehicles, and no unnecessary passengers who could distract operator in escort vehicles shall be permitted.

When required, pilot escort cars will travel at a distance of approximately 800-1,500 feet in front of and to

the rear of the load except that this distance will be reduced in urban areas, at major intersections, and at structures less than 28 feet curb-to-curb width.

When dictated by hazardous conditions the pilot car driver will act as a flagman for traffic control and will signal by hand or by radio to the towing vehicle driver when he can proceed without conflict with approaching traffic.

The driver of the rear escort car will act as a flagman when hazardous conditions exist and in turning movements will advise the towing vehicle driver as to clearance in turning movements and of accumulations of overtaking traffic so the driver can provide an opportunity to pass.

When required, the rear escort car will travel far enough behind the load to provide adequate warning for overtaking vehicles and safe space for the rear escort car and the trailing unit for passing vehicles. All escort cars shall carry a minimum of three (3) approved emergency fuses and red flags.

Pilot car operators shall be properly licensed to operate the vehicle: PROVIDED, When uniformed off-duty law enforcement officers act as escorts, using official police cars or motorcycles, the preceding car requirements shall not be applicable.

**WSR 78-11-038****ADOPTED RULES****DEPARTMENT OF TRANSPORTATION**

[Order 4, Resolution 33—Filed October 19, 1978]

Be it resolved by the Washington State Transportation Commission, acting at Highway Administration Building, Room 1D2, Olympia, Washington, that it does promulgate and adopt the annexed rules relating to oversize mobile home transport regulations.

This action is taken pursuant to Notice No. WSR 78-09-050 filed with the code reviser on Aug. 21, 1978. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 46.44.090 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED October 17, 1978.

By Ray A. Aardal  
Chairman

AMENDATORY SECTION (Amending Order 318, filed 5/19/77)

**WAC 252-24-150 OVERSIZE MOBILE HOME TRANSPORT REGULATIONS.** (1) The purpose of this section of chapter 252-24 WAC is to supplement provisions of WAC 252-24-300 through 252-24-384 to

provide additional controls in regulating movement of mobile homes on state highways, subject to the statutory provisions for special permits.

(2) Definitions:

(a) "Mobile Home" means all trailers of the semi trailer type with hitch ball coupler designed as structures for human habitation or which have been subsequently adapted to other uses, which are capable of being towed upon the public streets and highways and are more than forty-five feet in length or more than eight feet in width.

(b) "Modular Homes and Sectional Buildings" means any factory built housing designed for residential occupancy by human beings which does not contain a permanent frame and must be mounted on a permanent foundation. Modular homes or sectional buildings with their own attached running gear which can qualify for tow-away methods are considered to be mobile homes for purposes of this regulation. Modular homes or sectional buildings moved on legally registered trailers are subject to the provisions of chapter 46.44 RCW and the Washington Administrative Code governing overweight and overdimension vehicle permits.

(c) Oversize permits may be issued to transporters, dealers or owners who shall assume full responsibility while operating under a permit. Operators of tow vehicles and escort vehicles and others assisting in the transport must function as agents or employees of the permittee.

(d) A "Unit" is a complete or irreducible part of an oversize mobile home, together with its tow vehicle.

(3) Oversize Limits: The following regulations are based upon the authority of the (~~Highway Commission~~) Department of Transportation to issue special permits as cited in chapter 46.44 RCW and apply to mobile homes of semi-trailer design whose width exceeds eight feet but does not exceed fourteen feet and whose length exceeds forty-five feet but in combination with a tow vehicle does not exceed 85 feet.

(4) Oversize mobile home permits may be issued as follows:

(a) Annual Permits: Issued only to permittees who are qualified as dealers or manufacturers as provided in chapter 46.70 RCW and to transporters licensed as provided in chapter 46.76 RCW. Fees as provided for in RCW 46.44.0941.

Annual permits shall apply only to transport of mobile homes 14 feet or less in height, above level ground, while being transported.

Applicant must present a copy of transporter's license obtained in accord with chapter 46.76 RCW, a dealer's license or manufacturer's license obtained in accord with chapter 46.70 RCW, and register with the Department of (~~Highways~~) Transportation the license number of the tow vehicle for which the oversize permit will be assigned, and the numbers of the dealer's, manufacturer's, and transporter's plates that may be used in combination with the tow vehicle's license number. Operation under the permit with dealer's, manufacturer's, and transporter's plates under conditions other than those recorded on the permit, shall constitute violation of the permit.

Within ten days of transporting a mobile home on an annual oversize permit, the permittee shall mail a completed Highway Form (560-053) to the (~~Director of Highways~~) Department of Transportation, giving notice of the origin and destination of the mobile home. Failure to comply with this regulation is a misdemeanor as provided by RCW 46.16.106.

(b) Monthly Permits: Issued to dealers, manufacturers, and transporters under the same conditions as annual permits except 14 feet height limitations may be waived as provided by RCW 46.44.0941. Fees also provided for under RCW 46.44.0941.

(c) Single Trip Permits: Issued to dealers, transporters and owners for a specific combination of tow vehicle and mobile home to travel from a point of origin to a prescribed destination.

A movement permit (\$5.00 fee) is required for all mobile homes without a dealer's or transporter's license plates (in addition to an oversize mobile home permit). For mobile homes being transported within or leaving the state, a movement permit shall not be issued until a Highway Form (560-053) is provided, signed by the county treasurer in which the mobile home has been located assuring that all appropriate taxes and fees have been paid. The Highway Form is not required for movement permits issued at ports of entry for mobile homes in transit throughout the state.

(5) Before an oversize permit is issued, the permittee must carry evidence that he has insurance in effect while operating under the permit, in the minimum amounts of \$100,000-\$300,000 public liability and \$50,000 property damage.

(6) While operating under an oversize permit, accidents involving other vehicles or structures which results in damages of one hundred dollars (\$100.00) or more, or any incident which results in damage only to the mobile home in excess of two hundred fifty dollars (\$250.00), shall be reported by the permittee immediately to the nearest State Patrol Office. The report shall include a statement of location of accident, the cause, and a brief account of circumstances and effects relating to the accident. Without approval by the State Patrol, further movement of the mobile home is prohibited under the permit (except to take the minimum action to remove or reduce a hazard to highway traffic).

(7) Dealers selling over 12-foot to 14-foot wide mobile homes will advise the prospective purchaser, by written notice, that the movement of such mobile homes over state highways will be at the discretion of the (~~Director of Highways~~) Department of Transportation, and that an oversize permit cannot be granted for movement over any section of state highway which is not designated as a route for over 12-foot to 14-foot wide mobile homes.

(8) Mobile and modular homes in transit under the authority of permits issued in accordance with WASHTO Uniform Mobile and Modular Home Transportation Regulations, will be subject to such regulations and any conflicts between WASHTO regulations, as applied to an individual permit, issued by another WASHTO State and (~~a [any]~~) any regulations contained herein, will be resolved in favor of WASHTO



regulations. On transporter's, dealer's or owner's request, permits may be issued in accordance with WASHTO Uniform Mobile and Modular Home Transportation Regulations when travel out-of-state is also involved.

(9) Mobile Homes:

(a) Overall dimensions shall not exceed those presented in the permit except for minor protrusions not to exceed 2 inches, such as door and window hardware. Eaves will be included in the measurement of maximum width. All dimensions shall be reduced to the practical minimum. Mobile homes having a single eave overhang along their length will be transported ~~((with the eave next to the right or shoulder side of the highway))~~ to allow for safe passing distances.

(b) The entire system (frame, drawbar and coupling mechanism, running gear assembly, and lights) shall be in accord with Federal H.U.D. rules and regulations title 24, chapter 11, ~~((subject {subpart}))~~ subpart J part 280 effective June 15, 1976 ((f))(24 CFR 280(f)) and as thereafter amended. In addition thereto, all tires used in transportation of mobile homes under this category shall be in accord with Federal Motor Carrier Safety regulations title 49, chapter 111, subchapter B, part 393 effective October 1, 1975, and as thereafter amended. Mobile homes not certified as qualifying to the minimum H.U.D. specifications herein, shall have brakes on a minimum of two axles and on four wheels. Units that are 60 feet or more in length shall have at least three full axles, provided, 12-foot wide mobile homes manufactured prior to November 1, 1970, may be moved with a minimum of two axles. The brakes shall be under the control of the driver from the cab of the towing vehicle, shall be adequate to control the mobile home and its load, and so designed and connected that they shall automatically apply in case of accidental breakaway from the towing vehicle. A wet-cell or approved battery with a full charged rating of 12 volts will be installed in the mobile home to actuate electric brakes in the event of a breakaway. Minimum track width between two wheels on an axle shall be not less than eight feet. Track width shall be measured from the outer edges of the road bearing tread of tires on a single axle. Tires shall have no signs of separation or excessive aging, be inflated to maximum recommended tire pressure and have tread depth no less than 3/32nd inch in any part of tire contacting the road. Recapped or retreaded tires are not allowed. Minimum combined load rating of mobile home tires must be in excess of their in-transit load. Axles and wheels must be properly aligned to minimize wear and overheating of tires.

(c) The open sides of half sections of mobile homes shall be covered with rigid material such as plywood, hardboard, or similar material, in lieu of rigid material, suitable plastic polyethylene or other material with a minimum .5 mil thickness may be used provided a rigid grillwork of squares, not exceeding four feet on a side, prevents billowing of the flexible material.

(d) Rear mounted turn and stop signal lights shall be in accord with Federal Motor Vehicle Safety Standard No. 108 effective January 1, 1972, and as thereafter amended.

(e) If mobile home is to transport furnishings or other loose objects, they shall be ~~((secured))~~ placed in positions to achieve proper weight and balance.

(f) Be in accord with Federal H.U.D. Mobile Home Construction and Safety Standards title 24, chapter 11, part 280, effective June 15, 1976, and as thereafter amended.

(10) Tow Vehicles:

(a) Tow vehicles shall comply with the following minimum requirements:

Mobile Home Width to be Towed	Tire Width	Drive Tire Rating	GCW	(1) Weight	Rear Axle Rating
Over 8' to 10'	7.00"	6 ply	(2)	6,000#	(2)
Over 10' to 12'	8.00"	8 ply	35,000(3)	8,000#	15,000#
Over 12' to 14'	8.25"	10 ply	35,000#	9,000#	15,000#

(1) Includes fuel and accessories prior to hook-up with mobile home.

(2) Not required.

(3) May be waived for older vehicles.

(b) Conventional or cab-forward configuration shall have a minimum wheelbase of 120 inches. Cab-over engine tow vehicles shall have a minimum wheelbase of 89 inches. Two vehicles shall have a minimum 4-speed transmission. Power shall be sufficient to meet the requirements listed.

(c) Electrical brake controls, wiring and connections to mobile home brake systems will be capable of producing rated voltage and amperage at the mobile home brake magnets in accordance with the mobile home brake manufacturer's specifications.

(11) Signs and Flags: Provisions of WAC 252-24-315 and 252-24-327 will apply and in addition thereto, sign length will be attached horizontally on rear of trailer home with bottom edge not less than 6' nor more than 7' above road surface. Sign material shall be impervious to moisture, clean and mounted with adequate supporting anchorage to provide legibility at all times.

(12) In addition to provisions of WAC 252-24-324, 6-inch diameter flashing amber lights with minimum of 35 candle power shall be mounted on the upper outer edges of the rear of the trailing unit. They shall be operated with a flashing cycle of 60-120 times per minute during transit.

(13) Travel Speeds for Mobile Homes:

(a) The maximum speed on sections of highway posted for 55 miles per hour will be 45 miles per hour and the minimum speed will be 35 miles per hour, except where traffic or roadway conditions require a lower speed.

(b) The maximum speed on sections of highway posted for 50 miles per hour will be 40 miles per hour and the minimum speed will be 35 miles per hour, except when traffic or roadway conditions require a lower speed.

(14) In addition to the provisions of WAC 252-24-354, movement of mobile homes will be made with maximum consideration for safety and with the least possible inconvenience for the traveling public. Units traveling in rural areas shall maintain adequate spacing of at least one-half mile between any two mobile home

units. All units shall maintain a minimum distance of from 400 to 500 feet behind any truck, truck-tractor or trailer which could impair the visibility of overtaking vehicle.

(15) On multiple lane routes, the unit shall be operated in the right outside or number (1) lane, except when passing. On two lane highways, units shall not pass ~~((over {other}))~~ other vehicles, except when required to safely pass a vehicle operating at speeds less than the minimum specified in these regulations.

#### WSR 78-11-039

##### ADOPTED RULES

#### DEPARTMENT OF ECOLOGY

[Order DE 78-18—Filed October 19, 1978]

I, Elmer C. Vogel, deputy director of the Department of Ecology, do promulgate and adopt at the Department of Ecology, Lacey, Washington, the annexed rules relating to extending the withdrawal of the unappropriated public waters of the Little Klickitat River Basin from November 1, 1978 to November 1, 1981 or until a state water resources management program has been adopted for the Little Klickitat River Basin as provided in chapter 173-500 WAC, whichever occurs first; amending WAC 173-530-940—Declaration of Withdrawal.

This action is taken pursuant to Notice No. WSR 78-09-107 filed with the code reviser on 9/5/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 90.54.050 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED October 19, 1978.

By Elmer C. Vogel  
Deputy Director

#### AMENDATORY SECTION (Amending Order DE 76-7, filed 4/14/76)

WAC 173-530-940 **DECLARATION OF WITHDRAWAL.** The department declares that, after the effective date hereof, the public waters of the Little Klickitat River Basin are withdrawn from further appropriation until November 1, ~~((1978))~~ 1981 or until a state water resources management program has been adopted for the Little Klickitat River Basin as provided in chapter 173-500 WAC, whichever occurs first. After the effective date of the regulation for the withdrawal, the department will continue to accept applications for water rights in the basin, as provided in RCW 90.03.250 and 90.44.060; however, no actions of approval or disapproval of these applications shall be made by the department during the time the withdrawal is in effect except as provided for in WAC 173-530-960.

#### WSR 78-11-040

##### EMERGENCY RULES

#### DEPARTMENT OF ECOLOGY

[Order DE 78-17—Filed October 19, 1978]

I, Elmer C. Vogel, deputy director of the Department of Ecology, do promulgate and adopt at the Department of Ecology, Lacey, Washington, the annexed rules relating to extending the withdrawal of the unappropriated public waters of the Little Klickitat River Basin from November 1, 1978 to November 1, 1981 or until a state water resources management program has been adopted for the Little Klickitat River Basin as provided in chapter 173-500 WAC, whichever occurs first; amending WAC 173-530-940—Declaration of Withdrawal.

I, Elmer C. Vogel, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is under the rules which have been in effect, the withdrawal of the unappropriated public waters of the Little Klickitat River Basin expires on November 1, 1978. An amendment to the permanent rule—which amendment extends the withdrawal to November 1, 1981 or until a state water resources management program has been adopted for the Little Klickitat River Basin, whichever occurs first—was adopted on October 19, 1978, and will become effective on November 18, 1978. This emergency rule is adopted so that the withdrawal will effectively continue from November 1, 1978. On November 18, 1978, this emergency rule will be superseded by the amendment to the permanent rule.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 90.54.050 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED October 19, 1978.

By Elmer C. Vogel  
Deputy Director

#### AMENDATORY SECTION (Amending Order DE 76-7, filed 4/14/76)

WAC 173-530-940 **DECLARATION OF WITHDRAWAL.** The department declares that, after the effective date hereof, the public waters of the Little Klickitat River Basin are withdrawn from further appropriation until November 1, ~~((1978))~~ 1981 or until a state water resources management program has been adopted for the Little Klickitat River Basin as provided in chapter 173-500 WAC, whichever occurs first. After the effective date of the regulation for the withdrawal,

the department will continue to accept applications for water rights in the basin, as provided in RCW 90.03.250 and 90.44.060; however, no actions of approval or disapproval of these applications shall be made by the department during the time the withdrawal is in effect except as provided for in WAC 173-530-960.

**WSR 78-11-041**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**  
[Order 78-104—Filed October 19, 1978]

I, Gordon Sandison, director of state Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is harvestable coho will have been taken in Pysht Bay and Pysht River by October 20. Harvestable coho have been taken in Dungeness Bay and Dungeness River. No harvestable chum in these areas. Chum bound for the Stillaguamish River need protection.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED October 19, 1978.

By Gordon Sandison  
Director

NEW SECTION

WAC 220-28-00500H CLOSED AREA Effective October 20, 1978 until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Treaty Indian Salmon Management and Catch Reporting Area 5, except that portion from 600 feet east of the mouth of the Sekiu River to 600 feet west of the mouth of the Hoko River, within 200 yards of the shore.

NEW SECTION

WAC 220-28-005G0A CLOSED AREA Effective October 20, 1978 until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen,

to take, fish for or possess salmon for commercial purposes with any type of gear from the waters of the Pysht River.

NEW SECTION

WAC 220-28-006B0J CLOSED AREA Effective immediately until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Treaty Indian Salmon Management and Catch Reporting Area 6B.

NEW SECTION

WAC 220-28-006F0C CLOSED AREA Effective immediately until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear from the waters of the Dungeness River.

NEW SECTION

WAC 220-28-008B0C CLOSED AREA Effective 12:00 noon October 23, 1978 until further notice it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Treaty Indian Salmon Management and Catch Reporting Area 8B.

NEW SECTION

WAC 220-28-008C0C CLOSED AREA Effective 12:00 noon October 23, 1978 until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Treaty Indian Salmon Management and Catch Reporting Area 8C.

NEW SECTION

WAC 220-28-008H0C CLOSED AREA Effective 12:00 noon October 23, 1978 until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear from the waters of the Stillaguamish River, including all tributaries.

NEW SECTION

WAC 220-28-009A0B CLOSED AREA Effective 12:00 noon October 23, 1978 until further notice it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Treaty Indian Salmon Management and Catch Reporting Area 9A.

REPEALER

The following sections of the Washington Administrative Code are hereby repealed:

WAC 220-28-006B0I CLOSED AREA (78-102)

Effective October 20, 1978:

WAC 220-28-00500G CLOSED AREA (78-102)

**WSR 78-11-042**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
 [Filed October 20, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules concerning:

- Amd WAC 388-24-260 relating to Emergency assistance—Standards—Duration.
- Amd ch. 388-29 WAC relating to AFDC and GAU—Eligibility—Standards of assistance.
- Amd WAC 388-33-577 relating to loss, theft or destruction of cash proceeds from warrant.

A public hearing relating to these proposed rules was held on October 11. The purpose of this notice is to postpone adoption from October 18 until November 1.

Correspondence concerning this notice and proposed rules attached should be addressed to:

David Hogan, Executive Assistant  
 Department of Social and Health Services  
 Mail Stop OB-44 C  
 Olympia, WA 98504;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, November 1, 1978, in William B. Pope's office, 3-D-14, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

The authority under which these rules are proposed is RCW 74.08.090.

This notice is connected to and continues the matter noticed in Notice No. WSR 78-09-075 filed with the code reviser's office on 8/25/78.

Dated: October 19, 1978  
 By: David Hogan  
 Executive Assistant

**WSR 78-11-043**  
**ADOPTED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
 [Order 1353—Filed October 20, 1978]

I, David Hogan, Exec. Assist. of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to method of rate determination, amending WAC 388-96-719.

This action is taken pursuant to Notice No. WSR 78-09-036 filed with the code reviser on 8/17/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 74.09.120 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure

Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED October 18, 1978.

By David Hogan  
 Executive Assistant

AMENDATORY SECTION (Amending Order 1300, filed 6/1/78)

WAC 388-96-719 METHOD OF RATE DETERMINATION. (1) Data used in determining rates will be taken from the most recent complete, desk-reviewed annual cost report submitted by each contractor. If no annual report is available, the most recent desk-reviewed semiannual report will be used. Data from reports covering a period of less than six full months will not be used in determining rates, except for such reports which are submitted in accordance with WAC 388-96-101(2). Data from these reports will be combined with data from the report period immediately preceding the abbreviated period for purposes of determining rates.

(2) Data containing obvious errors, data for facilities which are out of compliance with any standard or condition at any time during the reporting period, and data for facilities with average occupancy ratios of less than eighty-five percent for the report period, will be excluded from the determination of predicted costs and rate ranges under subsections (4) and (6) of this section.

(3) Each contractor's reported cost data will be adjusted for economic trends based on component indices of the consumer price index issued by the United States department of labor, bureau of labor statistics. The national averages for the most recent twelve-month period will be applied in rate computations for the ~~((four))~~ cost areas ~~((as follows))~~ in subdivisions (a), (b) and (c) of subsection (3):

- (a) Patient care—"health and recreation" index;
- (b) ~~((Food—"food at home" index;~~
- ~~((c)))~~ Administration and operations—Average of the "all items less food" and "services less care services" indices; ~~((and))~~

~~((d)))~~ (c) Property—"shelter" index~~((:)); and~~  
(d) Beginning July 1, 1978, for the food cost area, the Seattle consumer price index for food at home over the most recent twelve month period will be used.

(4) A predicted cost per patient day (excluding cost data and patient days relating to exceptional care recipients) in each of the four cost areas will be determined for each facility through multiple regression analysis, which allows the assessment of the joint impact of a set of factors on cost. The formula for the linear multiple regression function is:

$$Y_c = A + B_1X_1 + B_2X_2 + \dots + B_kX_k$$

where:

$Y_c$  is the predicted cost per patient day for an individual facility;

A is the base cost for a hypothetical facility where the factors all are zero;

$B_1, B_2 \dots B_k$  are the regression coefficients for the factors; and

$X_1, X_2 \dots X_k$  are the independent variables or factors measuring the relevant characteristics of a facility.

A and  $B_1, B_2, \dots, B_k$  are determined statistically by the method of least squares. In order to be included in a regression formula, factors must show statistical predictability by being significant at the twenty percent level.

(5) After all predicted costs per patient day have been computed, the difference between each facility's reported costs, adjusted to take into account economic trends, and the predicted cost will be computed. The standard deviation of the difference will also be calculated.

(6) To determine an individual contractor's prospective rate, its predicted cost (~~is revised using the most current factor values for the individual facility and the base cost and weights derived in the regression analysis described above. A rate range, defined as this predicted cost plus and minus one standard deviation of the difference calculated in accordance with subsection (5) of this section, will then be determined. If the contractor's reported costs (adjusted for economic trends) are lower than the lower limit of the rate range, the lower limit will be the contractor's reimbursement rate. If these adjusted reported costs are higher than the upper limit of the rate range, the upper limit will be the contractor's reimbursement rate. If these adjusted reported costs fall within the standard rate range, the contractor's reimbursement rate will equal the adjusted reported costs.~~) for the patient care, food, and administration and operations cost areas is revised using the most current factor values that have been determined for the individual facility and the base cost and weights derived in the regression analysis described above. Beginning July 1, 1978 to determine an individual contractor's prospective rate in the property cost area, its predicted cost is revised using the most current factor values that have been determined for the individual facility and the base cost and weights derived within the last twelve month period in the regression analysis described above. A rate range, defined as this predicted cost plus and minus one standard deviation of the difference calculated, in accordance with subsection (5) of this section, for the food, administration and operations, and property cost areas will then be determined. Beginning July 1, 1978 the rate range for the patient care cost area will be plus 1.75 standard deviations and minus one standard deviation from the predicted cost. If the contractor's reported costs (adjusted for economic trends) are lower than the lower limit of the rate range, the lower limit will be the contractor's reimbursement rate. If these adjusted reported costs are higher than the upper limit of the rate range, the upper limit will be the contractor's reimbursement rate. If these adjusted reported costs fall within the standard rate range, the contractor's reimbursement rate will equal the adjusted reported costs.

(7) Where new standards are imposed, or the department wishes to encourage additional services or otherwise change the program, a cost-related adjustment will be made to the appropriate cost area rates of each contractor affected by the program change. Adjustments will be made until reported costs used in setting rates reflect the new standards or program changes.

**WSR 78-11-044**  
**ADOPTED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 1351—Filed October 20, 1978]

I, David Hogan, Exec. Assist. of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to immediate warrants issued by CSO, amending WAC 388-33-630.

This action is taken pursuant to Notice No. WSR 78-09-043 filed with the code reviser on 8/18/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the secretary of Department of Social and Health Services as authorized in RCW 74.08.090.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED October 18, 1978.

By David Hogan  
Executive Assistant

AMENDATORY SECTION (Amending Order 1165, filed 10/27/76)

WAC 388-33-630 (~~(PUBLIC ASSISTANCE EMERGENCY ASSISTANCE FUND)~~) IMMEDIATE WARRANTS ISSUED BY ESSO. (1) (~~(Public assistance emergency fund)~~) An immediate warrant (instant cash) payment is used to provide assistance:

(a) For supplemental assistance needed from the date a recipient leaves an institution to receipt of a regular, adjusting or reinstated grant. The amount of the payment shall be deducted from the regular, adjusting or reinstated grant;

(b) For an applicant when eligibility factors indicate that he is eligible for continuing assistance for a limited period of time (~~(, not to exceed approximately 30 days,)~~) and total assistance is to be paid by the ESSO. Payment is made according to continuing assistance standards for the exact period of eligibility;

(c) For a recipient (~~(who is eligible for)~~) of noncontinuing general assistance;

(d) For a one-time grant when this form of payment is approved by the (~~(ESSO administrator)~~) financial supervisor;

(e) For an applicant who is in (~~(emergent)~~) immediate need and has no cash resources on hand to meet the need, from the date his continuing assistance grant is authorized to the payment of such grant. This payment is part of the initial or regular grant to the recipient (~~(and, to avoid duplication of assistance, is reported on the authorization form as a deduction. This payment is limited to emergency food, emergency rent, emergency utilities or emergency clothing for children).~~)

(2) ~~((A public assistance emergency assistance fund))~~  
 An instant cash warrant is issued in the name of the eligible payee and not to a vendor.

**WSR 78-11-045**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
 [Filed October 20, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules relating to food stamps, amending chapter 388-54 WAC.

A public hearing relating to these proposed rules was held on October 11. The purpose of this notice is to postpone adoption from October 18 until November 1 to give the Secretary more time to consider public testimony.

Correspondence concerning this notice and proposed rules attached should be addressed to:

David Hogan, Executive Assistant  
 Department of Social and Health Services  
 Mail Stop OB-44 C  
 Olympia, WA 98504;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, November 1, 1978, in William B. Pope's office, 3-D-14, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

The authority under which these rules are proposed is RCW 74.04.510.

This notice is connected to and continues the matter noticed in Notice No. WSR 78-09-048 filed with the code reviser's office on 8/21/78.

Dated: October 18, 1978

By: David Hogan  
 Executive Assistant

**WSR 78-11-046**  
**ADOPTED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
 [Order 1352—Filed October 20, 1978]

I, David Hogan, Exec. Assist. of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to Advance notice—Expiration of adverse action, amending WAC 388-54-525.

This action is taken pursuant to Notice No. WSR 78-09-084 filed with the code reviser on 8/28/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 74.04.510 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED October 18, 1978.

By David Hogan  
 Executive Assistant

AMENDATORY SECTION (Amending Order 992, filed 12/31/74)

WAC 388-54-525 ((CERTIFICATION=)) ADVANCE NOTICE ((OF))—EXPIRATION OR ADVERSE ACTION. (1) ((Before taking any action to terminate or reduce a household's benefits within the certification period, the department shall

(a) Give the household at least ten days advance written notice of any such action;)) Effective September 1, 1978, each household shall be provided with a written notice of expiration of certification, so that they may re-apply without any delay in benefits.

(a) Households certified for one month or less shall be notified at the time of certification.

(b) All other households shall receive notice of expiration no earlier than fifteen days prior to the start of the household's last month of certification, and no later than the start of the last month of certification.

(c) A household, certified for one month or less, shall have fifteen days from the date the notice is received to submit a timely application for recertification. All other households shall have until the fifteenth of the last month of certification in order to timely apply. The certification of a household which does not submit a timely application without good cause shall expire at the end of the certification period.

(d) The written notice shall contain:

(i) the date the current certification period ends,

(ii) the date by which the household must submit a timely application,

(iii) the right to request an application and have the CSO accept an application so long as it is signed and contains a legible name and address,

(iv) the address of the office where the application must be filed,

(v) the consequences of the failure to comply with the notice,

(vi) the circumstances under which the CSO will assist the household in filing its application,

(vii) the household's right to a fair hearing if the CSO refuses to accept as good cause the household's reasons for failure to comply with the notice of expiration.

(e) The CSO shall approve or deny a timely application for subsequent certification and notify the household of its determination by the end of the current certification period.

(i) A household certified for one month or less must have the opportunity to purchase within thirty days from the date of the last certification.

(ii) All other eligible households shall have the opportunity to purchase in the first issuance cycle of the month following their application.

(f) Any application submitted, without good cause, after the date specified in the notice, shall be treated as an application for initial certification.

(2) A written notice of adverse action shall be given the household at least ten days prior to any action taken to terminate or reduce a household's benefits within the certification period.

(a) This notice shall include:

~~((b) Give in detail))~~ (i) the reasons for the proposed action,

~~((c) Explain))~~ (ii) explanation of the household's right to ((request)) a fair hearing ((and)),

(iii) the circumstances under which participation is continued if a hearing is requested, ((and

~~(d) Indicate))~~ (iv) indication of the department's willingness to schedule a conference, if the household wishes to discuss the action.

~~((2) a))~~ (b) No notice ((of adverse action action shall not)) will be required ((for the expiration of a certification period when no change has been reported and));

(i) when the household has not reapplied((. Advance notice is not required)) for benefits,

(ii) when mass changes ((in program benefits are required because of changes)) in federal or state law occur,

(iii) when the local office receives notification of the death of a one-person household((;)), or

(iv) when the household has moved from the project area.

(c) Advance notice may be waived by the household if the head of household, spouse, or authorized representative,

(i) states in writing that food stamps are no longer desired ((or)),

(ii) supplies information that requires reductions or termination and acknowledges in writing that he knows the required action will be taken and that he waives his right to continuation if a fair hearing is requested.

**WSR 78-11-047**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
 [Filed October 20, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services, intends to adopt, amend, or repeal rules relating to Food stamps—Certification, amending WAC 388-54-510.

It is the intention of the department to adopt these rules on an emergency basis prior to the hearing. The reason for the emergency is that immediate adoption will result in substantially improved services to clients.

Correspondence concerning this notice and proposed rules attached should be addressed to:

David Hogan, Executive Assistant  
 Department of Social and Health Services

Mail Stop OB-44 C  
 Olympia, WA 98504;

that such agency will at 10:00 a.m., Wednesday, December 13, 1978, in the Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, December 20, 1978, in William B. Pope's office, 3-D-14, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

The authority under which these rules are proposed is RCW 74.04.510.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to December 13, 1978, and/or orally at 10:00 a.m., Wednesday, December 13, 1978, Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

Dated: October 18, 1978

By: David Hogan  
 Executive Assistant

AMENDATORY SECTION (Amending Order 992, filed 12/31/79)

WAC 388-54-510 CERTIFICATION. (1) An assistance household shall be assigned a certification period which coincides with the scheduled assistance reviews so that the review of the grant and food stamp basis of issuance can be accomplished simultaneously.

(2) A nonassistance household shall be assigned a certification period of three months, except as follows:

(a) Certification may be for less than three months when there is a possibility of frequent changes in the status of the household.

(i) A household which indicates that its income is so low that there is a likelihood that a change must occur in order for the household to continue to exist as an economic unit shall be assigned a certification period of no more than one month. A household shall not be certified for less than one semi-monthly period.

(ii) A household with one or more members on strike shall be assigned a certification period of no more than one month. The Bureau of Income Maintenance may extend this period, under special circumstances, when approved by FNS.

(b) In situations in which there is little likelihood of changes in financial situation and household size, the household may be recertified every six months.

(c) A household consisting solely of unemployable persons with very stable income from retirement, disability payments, or similar sources may be recertified every twelve months, provided that other household circumstances are equally expected to remain stable.

(d) A household whose primary source of income is from self-employment, farm operations, or farm employment may be recertified every twelve months, provided income can be readily predicted and household circumstances are not likely to change. A household with additional income from other sources shall be assigned a certification period in accordance with subsection (2)(a), (b) and (c).

(e) A preliminary certification pending verification shall be for no more than thirty days.

**WSR 78-11-048**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
 [Order 1350—Filed October 20, 1978]

I, David Hogan, Exec. Assist. of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to

Food stamps—Certification, amending WAC 388-54-510.

I, David Hogan, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is this change will result in substantially improved service to clients.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 74.04.510 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED October 18, 1978.

By David Hogan  
Executive Assistant

AMENDATORY SECTION (Amending Order 992, filed 12/31/79)

**WAC 388-54-510 CERTIFICATION.** (1) *An assistance household shall be assigned a certification period which coincides with the scheduled assistance reviews so that the review of the grant and food stamp basis of issuance can be accomplished simultaneously.*

(2) *A nonassistance household shall be assigned a certification period of three months, except as follows:*

(a) *Certification may be for less than three months when there is a possibility of frequent changes in the status of the household.*

(i) *A household which indicates that its income is so low that there is a likelihood that a change must occur in order for the household to continue to exist as an economic unit shall be assigned a certification period of no more than one month. A household shall not be certified for less than one semi-monthly period.*

(ii) *A household with one or more members on strike shall be assigned a certification period of no more than one month. The Bureau of Income Maintenance may extend this period, under special circumstances, when approved by FNS.*

(b) *In situations in which there is little likelihood of changes in financial situation and household size, the household may be recertified every six months.*

(c) *A household consisting solely of unemployable persons with very stable income from retirement, disability payments, or similar sources may be recertified every twelve months, provided that other household circumstances are equally expected to remain stable.*

(d) *A household whose primary source of income is from self-employment, farm operations, or farm employment may be recertified every twelve months, provided income can be readily predicted and household circumstances are not likely to change. A household with additional income from other sources shall be assigned a*

*certification period in accordance with subsection (2)(a), (b) and (c).*

*(e) A preliminary certification pending verification shall be for no more than thirty days.*

**WSR 78-11-049**  
**ADOPTED RULES**  
**GAMBLING COMMISSION**  
[Order 87-Filed October 20, 1978]

Be it resolved by the Washington State Gambling Commission, acting at Vancouver, Washington, that it does promulgate and adopt the annexed rules relating to the licensing and regulation of gambling activities amending WAC 230-20-100, 230-25-030, 230-25-040, 230-25-070 and adopting as new rules, WAC 230-25-071, 230-25-235 and 230-25-310.

This action is taken pursuant to Notice No. WSR 78-09-125 filed with the code reviser on 9/6/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 9.46.070(7) and (8) as relating to WAC 230-20-100, RCW 9.46.070(7), (8) and (10) as relating to WAC 230-25-070, RCW 9.46.070(10) as relating to WAC 230-25-030, 230-25-040 and 230-25-235, RCW 9.46.020(23) and 9.46.070(7) as relating to WAC 230-25-310.

This rule is promulgated pursuant to RCW 9.46.070(13) as relating to WAC 230-26-071 which directs that the Washington State Gambling Commission has authority to implement the provisions of chapter 9.46 RCW.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED October 12, 1978.

By Mary G. Knibbs  
Chairman

AMENDATORY SECTION (Amending Order 74, filed 8-17-77)

**WAC 230-20-100 RECEIPT REQUIRED FOR INCOME AND PRIZES IN BINGO AND RAFFLES.** Except for bingo activities conducted at a qualified agricultural fair, or other special location, all income from bingo games and raffles shall be received for by the licensee at the time the income is received from each individual player and all prizes shall be received for by the winner of each prize at the time the prize is distributed to each individual winner.

(1) **Income Receipts:** Income receipts shall be supplied by the licensee. They may be consecutively numbered tickets, consecutively numbered disposable bingo cards, or cash register receipts.

(a) **Cash Register Receipts for Income:** In the event a cash register is used, a consecutively numbered receipt



shall be given to the customer, and a ((corresponding)) duplicate number containing not less than four digits ((with)) shall be printed and recorded together with a record of the transaction on the tape kept inside the cash register: PROVIDED, HOWEVER, That cash registers with numbering mechanisms containing less than four digits that were in use by class A, B, or C licensees on October 1, 1978 may continue in use until October 1, 1980 if the cash register and the cash register receipts comply with all other requirements of this subsection (1)(a). The numbering mechanism of the cash register shall not be returned to zero at the conclusion of any period of use. The following information shall appear upon the receipts given to the customer:

- (i) The name of the licensee operating the activity;
- (ii) The date; and
- (iii) The amount of money paid for the opportunity to play.

The cash register shall have sufficient keys to record separately and keep income from various types of sales identified as required by WAC 230-08-080 and shall provide a total for each type of sale recorded. Further, any cash register used must retain its transaction count between uses whether or not its power source is interrupted for short periods of time. The tapes retained in the cash register showing these transactions shall be retained with the daily records of the licensee for a period of not less than three years. If the cash register is used by the licensee for purposes other than recording the receipts from bingo, the internal cash register tapes from the other uses shall also be retained for not less than three years.

(b) Ticket Receipts For Income: When tickets are used for receipting the following conditions must be met:

- (i) All tickets on a roll must be consecutively numbered;
- (ii) Each ticket on a roll shall represent the same specific amount of money and the amount of money represented by each ticket shall be clearly printed on the face of the ticket;

(iii) Once a roll of tickets has been started, tickets shall be issued consecutively off of that roll;

(iv) A log shall be maintained, listing the date each roll of tickets is purchased or obtained by the licensee, the color, the dollar value of the tickets, the beginning ticket number, and the number of tickets on that roll. The individual logging the entry shall initial the log at the time of entry. (All unused or partial rolls of tickets purchased before the effective date of this rule shall be logged within 30 days of the effective date or prior to their use, whichever comes first); and

(v) The licensee shall record in his daily records the lowest numbered ticket and the highest numbered ticket issued as a receipt for each separate roll of tickets used for each separate type of sale as required by WAC 230-08-080. The dollar value of these tickets shall also be recorded in these records. Tickets bearing numbers falling between the lowest numbered ticket and the highest numbered ticket issued, which were not issued as receipts shall be retained by the licensee as a part of its daily records, along with any leftover tickets not issued from the end of a roll, and shall not be otherwise used or

disposed of by the licensee for a period of not less than three years: PROVIDED, That with respect to raffles, a raffle ticket sold and delivered to the customer may be used as the receipt so long as all tickets issued in the raffle are consecutively numbered and the above requirements as to conditions of tickets and the requirements as to daily records need not be met on a daily basis so long as they record the lowest and the highest numbered tickets issued as receipts and record and identify distribution of all unsold tickets falling between these tickets for each raffle conducted.

(c) Disposable Bingo Card Receipts For Income: Disposable bingo cards themselves may be used as the receipt required by this rule: PROVIDED, That:

(i) Each set of disposable cards used is consecutively numbered from the first card to the last card, or is consecutively numbered through the set. Each card must have printed on its face both its individual card number, and the series number assigned by the manufacturer to that set of disposable cards;

(ii) No two or more sets of disposable cards can be used at the same time if they have identical series numbers;

(iii) Each disposable card or sheet of cards sold represents a specific amount of money which has been paid to the licensee. Each disposable card or sheet of cards shall be sold for the same price as each other disposable card or sheet of cards being used during any particular bingo game. This price shall be recorded in the daily records;

(iv) A log shall be maintained, listing the date each set of disposable cards is purchased or obtained by the licensee, the series number, the color, the number of cards per sheet, the beginning card number and the number of cards or sheets per set. The individual logging the entry shall initial the log at the time of entry. (All unused or partial sets of disposable cards purchased before the effective date of this rule shall be logged within 30 days of the effective date or prior to their use, whichever comes first); and

(v) The licensee shall record in its daily records the series number, the color, the beginning card number and the ending card number issued as a receipt for each separate set of disposable cards used for each separate type of sale as required by WAC 230-08-080: PROVIDED, That for cards sold more than one on a sheet, that are consecutively numbered through the set, the licensee shall record the beginning card number and the ending card number issued of the card located at the top of the sheet, or at the top lefthand corner of the sheet, each time the numbering of the sheets breaks in the series. Disposable cards or sheets of cards bearing numbers falling between the first and the last numbered card issued, which were not issued as receipts, shall be retained by the licensee as a part of its daily records, along with any leftover cards, or sheets of cards, not issued from the end of a series, and shall not be otherwise used or disposed of by the licensee for a period of not less than three years.

(2) Receipts For Prizes: Receipts for prizes shall be consecutively numbered and contain the following information:

- (a) The name of the licensee operating the activity;
- (b) The date;
- (c) The game number;
- (d) The true name and address of the winner of the prize; and
- (e) A description of the prize won and any value of that prize which as been represented to the player by the licensee.

It shall be the responsibility of the licensee to see that the prize winner is properly and accurately identified upon the receipt and the licensee shall require such proof of identification as is necessary to properly establish the winner's identity. The licensee shall not pay out any prize unless and until the winner has fully, accurately, and legibly furnished to the licensee all information required by this rule to be upon the receipt for the prize.

The original of each prize receipt shall be given to the winner and a duplicate copy shall be retained by the licensee as a part of its records for a period of not less than three years.

PROVIDED, That class A bingo and class C raffle licenses and persons conducting bingo and raffles under the provisions of RCW 9.46.030(3), are exempt from all portions of this rule. Class B bingo licensees are exempt from maintaining the required logs for ticket and disposable card receipting, and from the issuing of prize receipts so long as they record items (2)(b), (c), (d), and (e) above in their records.

AMENDATORY SECTION (Amending Order 78, filed 11-17-77)

WAC 230-25-030 FUND RAISING EVENT – FIVE THOUSAND DOLLARS ANNUAL NET RECEIPT MAXIMUM. No licensee authorized to conduct one fund raising event for a period of three consecutive days once during a calendar year shall conduct such an event in such a manner as to allow the total of all gross wagers and bets received by the licensee, less the amount of money paid or committed by the licensee as winnings, and for the purchase cost of prizes given as winnings, to exceed five thousand dollars at the conclusion of such fund raising event.

No licensee authorized to conduct a fund raising event on two occasions during a calendar year for not more than one calendar day each shall conduct such event in any manner so as to allow the total of all gross wagers and bets received by the licensee, less the amount of money paid by the licensee as winnings and for the purchase cost of prizes given as winnings to exceed five thousand dollars at the end of any calendar day upon which such event is conducted, or during the calendar year in which such activity is authorized.

The licensee shall post conspicuously and in detail in the area in which the gambling is taking place any and all schemes for the distribution to the participants of any receipts beyond those permitted by law and shall offer all participants at the event an equal opportunity to participate in such scheme or schemes.

Winners of all prizes shall be determined during the fund raising event. All prizes shall be paid or distributed to the winners not later than 30 calendar days following the conclusion of the event.

AMENDATORY SECTION (Amending Order 78, filed 11-17-77)

WAC 230-25-040 FUND RAISING EVENT – HOUSE RULES TO BE DEVELOPED AND POSTED – LIMITATIONS ON WAGERS. Prior to ~~((the conduct of))~~ conducting a fund raising event, each licensee shall develop a set of house rules which will govern the type, scope and manner of all gambling activities to be conducted in conjunction with the fund raising event. Among other information, these rules shall establish the maximum amount of wagers which may be placed by persons participating in gambling activities which in any event shall not exceed ten dollars being wagered upon the outcome of any one operation of an element of chance: **PROVIDED, HOWEVER,** That this limit shall not apply to the amount paid for each single and equal chance to win in a drawing from among individual tickets.

In addition, the rules shall prohibit the giving of any thing of value to any person involved in the management or operation of the fund raising event, and prohibit any person involved in the management or operation of the fund raising event from accepting any thing of value.

A copy of the rules shall be posted conspicuously on the premises where the fund raising event is being conducted at all times during the fund raising event, and a copy thereof shall be made available, upon request, to any law enforcement officer or representative of the commission.

AMENDATORY SECTION (Amending Order 78, filed 11-17-77)

WAC 230-25-070 FUND RAISING EVENTS – CENTRAL ACCOUNTING SYSTEM REQUIRED. Each licensee for the operation of fund raising events shall establish and maintain a central accounting system in a form prescribed by the commission for all activities conducted in conjunction with the fund raising event. Licensees shall obtain accounting forms from the commission, or use machine copies of such forms.

Such system shall contain, but not be limited to, the following items:

(1) There shall be adequate personnel and physical areas to provide for the following minimum separation of duties:

(a) A banker, cashier, or count room to handle the original bankroll, provide coin and/or chips to the games and redeem chips and cash checks for the players;

(b) A runner to transport money, chips and lock boxes between stations of the event;

(c) Pit bosses, each of whom shall supervise the operation of not more than six gambling stations and who shall supervise the transfer of lock boxes and chips/change trays to the count room;

(d) An area for the counting of money which is segregated from the area in which gambling is conducted. All money received in connection with the fund raising event shall be brought to this area for counting. Once any such money has been brought to this area, three persons shall be assigned to the count area with a minimum of two in the counting area at all times.

(2) The beginning bankroll shall be verified by at least two persons who shall sign such verification.

(3) There shall be documentation containing verifying signatures for the transfer of money between any two stations of the event.

(4) All games shall be numbered and provided with lock boxes and money paddles. The money paddle shall remain in the lock box slot whenever it is not in use. The money slot of the lock box shall not exceed three and one-half inches in length and one-half inch in width.

(5) The keys to all lock boxes are to be kept in the count room at all times and the lock boxes are to be opened only in the count room by the count room personnel.

(6) All games are to be played using coin or chips and all currency tendered by the players shall be exchanged for coin or chips and immediately placed in the lock box by the dealer.

(7) All money and chips shall be transferred to the count room at the end of the day or event for final tabulation, reconciliation, and verification.

(8) The final tabulation and reconciliation shall be verified by at least three count room personnel who shall sign such verification.

(9) Access to the count room and the bankers and/or cashier's areas shall be restricted to the persons assigned to those functions and to the runner(s) who transport money or chips to or from those stations.

(10) Records shall provide sufficient detail to determine the net receipts of each activity conducted.

(11) The records shall contain a reconciliation of the ending cash on hand to net receipts.

(12) The ending cash on hand shall be deposited intact at the conclusion of the event, and a validated deposit slip shall be included as part of the event records.

PROVIDED, That the above requirements shall not apply to those licensees whose receipts from the fund raising event are limited to an admission charge or charge for a ticket, or tickets, to a drawing and who

(a) Conduct all activities with script, play money, or similar items which are redeemable only for merchandise prizes; and

(b) Who award only merchandise prizes that have been purchased by or donated to the licensee.

These licensees need only comply with WAC 230-08-010 and record their net receipts in sufficient detail to verify these amounts.

#### NEW SECTION

WAC 230-25-071 FUND RAISING EVENT – DEFINITIONS OF JOB TITLES. (1) Banker – Duties, Responsibilities and Limits:

(a) Obtain operating bankroll (cash and chips, if used).

(b) Provide opening fills to cashiers.

(c) May draw additional money from count room if original bankroll is depleted.

(d) May be combined with duties of cashier or count room.

(2) Cashier – Duties, Responsibilities and Limits:

(a) Receives opening transfer (fill) of cash and chips from banker. (May also perform the banker function if

there is only one cashier or may be combined with the count room function.)

(b) Provides opening fills to games.

(c) Sells chips to players (if chips are used). (Players may also purchase chips from dealers.)

(d) Cashes checks for players.

(e) Redeems chips from players.

(f) May draw additional bankroll from banker if original bankroll is insufficient (or if combined with duties of banker or count room, may draw additional bankroll from the count room).

(3) Runner(s) – Duties, Responsibilities and Limits:

(a) Transfer fills and refills from banker to cashier and from cashier(s) to games.

(b) Deliver lock boxes from games to count room. Assures that lockbox contains a slip identifying the table from which it came.

(c) Sign transfer slip when picking up fill from cashier.

(d) Assure that dealer signs transfer slip.

(e) Assure that transfer slip is placed in lock box.

(f) Assure that time is entered on the transfer slip.

(g) (Optional) May provide information from count room to pit boss on receipts by game.

(4) Dealers – Duties, Responsibilities and Limits:

(a) Verify amount received at game and sign transfer form.

(b) Place signed copy of transfer form in lock box.

(5) Pit Boss – Duties, Responsibilities and Limits:

(a) Supervises not more than six gambling stations.

(b) Supervises the final transfer of the chip tray and lock box to the count room.

(c) May, if desired, have records of fills to game and receipts from game provided by the count room.

(6) Count Room Personnel – Duties, Responsibilities and Limits:

(a) Receive lock boxes from games (runners).

(b) Maintain key(s) to all lock boxes.

(c) Open lock boxes and count money.

(d) Record money and fill slips from lock boxes by game. May supply information on receipts by table to pit boss.

(e) May provide additional cash to banker (or cashier) if the original bankroll is depleted.

(f) Receive ending trays and lock boxes from games. Verify final tray counts and enter into records.

(g) Maintain records by game and in summary of all transactions of the event.

(h) Receive ending bankrolls and records from banker and/or cashier(s) at the conclusion of the event.

(i) Prepare final computation of receipts.

(j) Prepare deposit slips for all cash at the end of the event.

**Reviser's Note:** Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

#### NEW SECTION

WAC 230-25-235 FUND RAISING EVENT – RULES FOR BLACKJACK. The game of "21"

(blackjack) when played as part of a licensed fund raising event shall be played in conformance with the following:

- (1) Cards shall be dealt from a dealing shoe. The deal shall begin with the shoe containing four full decks of cards and proceed until, in the dealer's judgment, the cards should be reshuffled or the cards withdrawn for examination and/or replaced. The shoe shall then be refilled with four decks of cards and the process repeated.
- (2) All cards shall be dealt to the players face up.
- (3) Players are not to remove or pick up cards from the table.
- (4) Only "standard size" playing cards shall be used.

**NEW SECTION**

**WAC 230-25-310 FUND RAISING EVENT - LIST OF WORKERS TO BE AVAILABLE ON PREMISES.** The licensee conducting a fund raising event shall prepare and have available on the premises a list of all persons taking part in the management or operation of the fund raising event. Such list shall contain the name, address, telephone number and a description of the type of membership in the organization of each person. The list shall be maintained as part of the licensee's records of the event and shall be made available to any law enforcement officer or representative of the commission upon request.

**WSR 78-11-050  
NOTICE OF PUBLIC MEETINGS  
WHATCOM COMMUNITY COLLEGE  
[Memorandum, President—October 18, 1978]**

Attached is a revised location schedule for our November 1978 Board Meetings.

Also attached is our 1979 Meeting Schedule for publication in the Washington State Register.

1978

**November Board Meeting Location Schedule**

November 14, 1978	1:00 p.m.	Room C-2 Lynden Instructional Center Sixth and Grover Lynden, WA 98225
November 21, 1978	10:00 a.m.	Mid-Town Second Floor, Douglas Building 1407 Commercial Bellingham, WA 98225

**1979  
Regular Meeting Schedule**

	Tuesday 1:00 p.m. (2nd Tuesday)	Thursday 10:00 a.m. (4th Thursday)
January	9	25
February	13	22
March	13	22
April	10	26
May	8	24
June	12	28

	Tuesday 1:00 p.m. (2nd Tuesday)	Thursday 10:00 a.m. (4th Thursday)
July	10	26
August	14	-
September	11	27
October	9	25
November	13	-
December	11	27

**WSR 78-11-051  
ADOPTED RULES  
COMMISSION ON EQUIPMENT  
[Order 7740-C—Filed October 23, 1978]**

Be it resolved by the Washington State Commission on Equipment, acting at General Administration Building, Olympia, Washington, that it does promulgate and adopt the annexed rules relating to quartz halogen headlamps, chapter 204-64 WAC.

This action is taken pursuant to Notice No. WSR 78-10-099 filed with the code reviser on 10/3/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 46.37.005 and 46.37.320 which directs that the Washington State Commission on Equipment has authority to implement the provisions of RCW 46.37.320.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED October 20, 1978.

By R. W. Landon  
Chairman

Chapter 204-64 WAC  
**QUARTZ HALOGEN HEADLAMPS**

**NEW SECTION**

**WAC 204-64-010 PURPOSE.** By authority of RCW 46.37.005 and 46.37.320, the commission on equipment hereby adopts the following regulation pertaining to the approval, installation, adjustment, and aiming of quartz halogen headlamps.

**NEW SECTION**

**WAC 204-64-020 DEFINITION.** Quartz halogen headlamps are those that meet the standards established by the United Nations' agreement concerning the adoption of approval and reciprocal recognition of approval for motor vehicle equipment and parts agreed upon at Geneva on March 20, 1958, as amended and adopted by the Canadian Standards Association (CSA Standard D106.2).

NEW SECTION

WAC 204-64-040 APPROVAL PROCEDURE.

The commission on equipment shall issue a certificate of approval to manufacturers of quartz halogen headlamps for sale of such lighting devices in this state when such manufacturer submits proper certification that such device conforms with Canadian Standards Association Standard D106.2. All applications shall include a copy of the CSA approval and shall be submitted to the Commission on Equipment for approval. The address is Secretary, Commission on Equipment, General Administration Building AX-12, Olympia, Washington 98504.

NEW SECTION

WAC 204-64-060 APPLICATION FOR CERTIFICATE OF APPROVAL. The application for the certificate of approval for quartz halogen headlamps shall include the following information as shown in the sample:

Date: .....

Secretary  
Commission on Equipment  
General Administration Building AX-12  
Olympia, Washington 98504

The attached CSA Approval, File No. .... dated .... certifies that the following headlamp complies with the United Nations Geneva Agreement in 1958 for "Adoption of Uniform Conditions of Approval and Reciprocal Recognition of Approval for Motor Vehicle Equipment and Parts" and Canadian Standards Association Standard No. D106.2, "Vehicle Headlight Conforming to ECE Regulations", in accordance with RCW 46.37.320.

- Manufacturer: .....
- U.S. Designation: .....
- Canadian Designation: .....
- Manufacturer's Designation: .....
- ECE Approval Markings on Front Lens: .....
- .....
- .....
- .....
- Sealed Beam Replacement Size: .....
- Standard Vehicle Equipment on: .....
- Manufacturer's Representative in the state of Washington: .....
- .....
- .....
- Applicant: .....
- .....

NEW SECTION

WAC 204-64-080 INSTALLATION, AIMING, AND ADJUSTMENT. Prior to approval for sale and use of quartz halogen headlamps, manufacturers shall submit for approval to the commission on equipment a copy of an instructional guide, pamphlet, brochure, or other written information which will be provided to the

consumer by the manufacturer. The instructional guide shall describe in easily readable text, diagrams, or pictures the proper procedures for the installation, aiming, and adjustment of quartz halogen headlamps. The manufacturer shall provide the approved instructional guide at no charge in each individual package of quartz halogen headlamps. Headlamps shall comply with the requirements of, limitations of, and shall be installed and maintained in accordance with chapter 46.37 RCW.

NEW SECTION

WAC 204-64-100 APPLICATION OF THESE REGULATIONS. These regulations are intended to apply only to Washington state headlamp standards. These regulations do not in any way affect the application of laws, regulations, or standards pertaining to headlight standards promulgated by any other state or by the federal government.

**WSR 78-11-052**  
**ADOPTED RULES**  
**DEPARTMENT OF LICENSING**  
[Order RE 125, Filed October 23, 1978]

I, R. Y. Woodhouse, director of Department of Licensing, do promulgate and adopt at Olympia, Washington, the annexed rules relating to real estate education and licensing, amending WAC 308-124-021, 308-124A-010, 308-124H-010, 308-124H-030, 308-124H-040, 308-124H-050, 308-124H-060, 308-124H-070 and adopting as new rules, WAC 308-124H-045 and 308-124H-055.

This action is taken pursuant to Notice No. WSR 78-09-124 filed with the code reviser on 9/6/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 18.85.040 which directs that the Director of the Department of Licensing has authority to implement the provisions of chapter 18.85 RCW.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED October 17, 1978.  
By R. Y. Woodhouse  
Director

AMENDATORY SECTION (Amending Order RE 120, filed 9-20-77)

WAC 308-124-021 DEFINITIONS. ((+)) "Actual experience as a full time real estate ((salesman)) salesperson" under the provisions of RCW 18.85.090 shall not include activities as a land development representative or temporary salesperson permit under the provisions of chapter 18.85 RCW.

AMENDATORY SECTION (Amending Order RE 120, filed 9-20-77)

WAC 308-124A-010 CREDIT AND CHARACTER REPORT. (1) Any person making application for registration as a land development representative pursuant to chapter 18.85 RCW, must as an integral part of the application, supply the director with satisfactory proof of applicant's identification, character and credit rating. Proof of credit and character rating shall be obtained and attested by the employing broker upon a form to be provided by the real estate division.

(2) Any person making application for a real estate broker's license (~~(examination)~~) must as an integral part of the application, supply the director with satisfactory proof of applicant's character and credit rating. Such proof shall be obtained and provided by a recognized credit reporting agency (credit bureau) in a form approved by the real estate division.

AMENDATORY SECTION (Amending Order RE 116, filed 4-30-76)

WAC 308-124H-010 APPROVAL OF REAL ESTATE COURSES TO SATISFY CLOCK HOUR REQUIREMENTS. RCW 18.85.090 and RCW 18.85.095 set forth requirements that applicants for (~~(licenses as)~~) real estate broker's license examinations and/or second renewal of real estate (~~(salesmen)~~) salesperson's licenses furnish proof to the director that they have successfully completed a specified number((s)) of clock hours of instruction in real estate education. (~~(To satisfy this requirement, the applicant must submit evidence of successful completion of courses approved by the director. Such courses may be submitted to the director for advance approval in accordance with the procedures set forth in these regulations:))~~) The purposes of this chapter are to set forth the conditions under which an applicant may meet these educational requirements and the conditions which must be met and the procedure which must be followed if an educational course is to gain approval.

AMENDATORY SECTION (Amending Order RE 116, filed 4-30-76)

WAC 308-124H-030 FILING OF COURSES. Each proprietary school, individual, association or agency seeking approval of courses, must ((file)) apply on a form provided by the director ((along with its application for approval an outline of each course to be taught, the text books and materials to be used, and the amount of actual classroom or clock hours in each course)). Courses must meet the following:

(1) Each course must include at least one text book that is in general circulation (~~((published by other than the school, individual or agency seeking course approval))~~). If no text book is in general circulation, other material may be submitted for approval.

(2) Each course must add to the practical knowledge of the real estate ((business)) profession.

(3) A statement must accompany the application (~~((showing the applicant's reason for justification and))~~) justifying the need for ((approval of)) the course(s).

~~((The director, with the advice of the real estate commission, may deny a course of instruction which, in his opinion, does not demonstrate sufficient need or interest to the majority of licensees.))~~

(4) Each course must deal with substantive real estate subject matter such as, but not limited to, legal aspects of real estate, real estate principles and practices, real estate finance, appraising, deposit receipts and earnest money agreements. General sales motivation courses will not qualify.

~~((5) Each course presented must be of the level equivalent of "institutions of higher learning".))~~

~~((6))~~ (5) Each course must require ~~((an))~~ a comprehensive final examination and a final grade.

~~((7) It will be the responsibility of the school, individual or agency to furnish each student with a copy of his or her grade card, transcript or certificate of completion:))~~

~~((8))~~ (6) Each course must require a minimum of thirty hours of classroom work for the student. A classroom hour is a period of fifty minutes of actual classroom or workshop instruction. The time allotted for examinations shall not be applicable towards the minimum hours of course study.

~~((Upon approval of a course or courses, each school, individual or agency shall, for a period of six years, establish and maintain for each student a complete, accurate and detailed record which shall include the student's attendance, total number of hours of instruction undertaken, completed areas of study in real estate subjects prescribed by these regulations.))~~

AMENDATORY SECTION (Amending Order RE 116, filed 4-30-76)

WAC 308-124H-040 APPROVAL OF COURSES. (~~(At a regular meeting of the real estate commission, applications will be reviewed for recommendations to the director that he approve or disapprove courses:))~~) Each proprietary school, individual, association or agency seeking approval of a course or courses shall be required to file an application, on forms provided by the director, with the real estate administrator at least thirty days prior to the date of a regular meeting of the real estate commission. Applications which are completed and filed in a timely manner will be reviewed by the commission for recommendation to the director for consideration of approval or disapproval.

The director, with the advice of the real estate commission, may deny a course of instruction which, in the opinion of the director, does not meet the requirements of this chapter or meet the needs of the majority of licensees.

Upon approval or disapproval of a course or courses, ((a letter of approval will be executed by the real estate administrator)) the applicant will be so advised in writing by the director.

Any changes in course content, material, ~~((subject matter:))~~ instructors ~~((or))~~, directors, ~~((or))~~ ownership ~~((of schools))~~ or location of schools must be ~~((supplied))~~ submitted to the administrator within twenty days from date of such change for referral to the director and real

estate commission for consideration (~~(for)~~) of continued approval.

Approval obtained prior to the effective date of these (~~(guidelines)~~) amended regulations shall expire on December 1, (~~(1976)~~) 1978. Subsequent approval and renewals shall expire on December 1 of each year thereafter.

#### NEW SECTION

WAC 308-124H-045 RECORD-KEEPING. Upon approval of a course or courses, each proprietary school, individual, association or agency shall, for a period of six years, establish and maintain for each student a complete, accurate and detailed record which shall include the student's attendance, total number of hours of instruction undertaken, and completed areas of study in real estate subjects prescribed by these regulations.

Upon request, a copy of these records shall be made available to the director for purposes of determining whether students have met the provisions of RCW 18.85.090 and/or 18.85.095.

It shall be the responsibility of the proprietary school, individual, association or agency to furnish each student with a grade report or transcript showing name of course, final grade, number of clock hours earned, and beginning and ending dates of each course attended.

#### AMENDATORY SECTION (Amending Order RE 116, filed 4-30-76)

WAC 308-124H-050 RENEWAL APPLICATIONS. Renewal applications must be filed on a form provided by the director with the real estate administrator not later than November 1. All courses will be reviewed (~~(on need, presentation and material)~~) for compliance with the requirements of this chapter before continuing approval may be considered.

All renewal applications which are filed in a timely manner shall be submitted to the real estate commission for their recommendation. Upon approval or disapproval of a course or courses, the applicant will be so advised in writing by the director.

#### NEW SECTION

WAC 308-124H-055 BROKER REAL ESTATE EDUCATION REQUIREMENTS. After April 1, 1979, applications for the broker's examination will be required to have ninety clock hours of real estate education which shall be in addition to the thirty clock hours for salesperson renewal.

#### AMENDATORY SECTION (Amending Order RE 118, filed 7-6-76)

WAC 308-124H-060 TEACHERS AND/OR INSTRUCTORS. Each course of instruction herein (~~(provided)~~) being considered for approval shall be under the supervision of (~~(an)~~) a qualified teacher and/or instructor who shall be present in the classroom at all sessions.

Any teacher or instructor must demonstrate competency in the field of real estate they propose to teach.

Such competency shall be demonstrated by any of the following:

(1) Two years teaching experience or other specialized expertise approved by the director; or

(2) Two years experience in the area of real estate which that person proposes to teach; and evidence of satisfactory completion of eight hours of training in teaching techniques as approved by the director.

All persons seeking to qualify as a teacher or instructor after April 1, 1979, must have met the qualifications of subsection (1) or (2) of this section.

~~((Guest instructors shall not occupy more than twenty-five percent of any given subject.))~~

**Reviser's Note:** RCW 34.04.058 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 RE 116, filed 4-30-76)

WAC 308-124H-070 COMPLETION OF COURSES. (1) To satisfy the requirement of having received clock hours of instruction in real estate, an applicant must submit proof of satisfactory completion of courses which have been approved pursuant to WAC 308-124H-010 through WAC 308-124H-060.

~~((+ Courses submitted must not duplicate material so far as the general theme is concerned.))~~

(2) The student (~~(must satisfactorily complete each course)~~) shall not receive clock hour credits for any course which is a duplication of material of a course that the student has previously taken and successfully completed.

(3) It is the responsibility of each student to furnish the real estate division with a copy of (~~(his or her)~~) the student's grade ((card,)) report or transcript ((or certificate of completion)).

#### **WSR 78-11-053**

#### **EMERGENCY RULES**

#### **DEPARTMENT OF FISHERIES**

[Order 78-105—Filed October 23, 1978]

I, Gordon Sandison, director of state Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial and personal use fishing regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is harvestable numbers of chum salmon are present in Areas 8, 8A, 10 and 11. The barrier rack at Percival Cove has been removed, eliminating the need for protection in that area.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED October 23, 1978.

By Gordon Sandison  
Director

### REPEALER

Effective 4:00 P.M. October 25, 1978 the following sections of the Washington Administrative Code are hereby repealed:

WAC 220-28-00800N CLOSED AREA (78-103)  
WAC 220-28-008A0E CLOSED AREA (78-103)  
WAC 220-28-01000E CLOSED AREA (78-103)  
WAC 220-28-01100C CLOSED AREA (78-103)  
WAC 220-57A-03000B CLOSED AREA (78-77)

**WSR 78-11-054**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
[Filed October 24, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, 49.17.040, 49.17.050, 49.17.240 and chapters 42.30 and 43.22 RCW, that the Department of Labor and Industries intends to adopt, amend, or repeal rules concerning:

New WAC 296-24-045 Safety and Health Committee Plan;  
and  
Amd chapter 296-24 WAC, to clarify requirements, improve accident investigation, stress on-the-job training, correct housekeeping errors;

that such agency will at 9:30 a.m., Thursday, June 8, 1978, in the Conference Room, General Administration Bldg., Olympia, WA, conduct a hearing relative thereto; and that the adoption, amendment, or repeal of such rules will take place at 9:30 a.m., Thursday, October 26, 1978, in the Director's Office, General Administration Bldg., Olympia, WA.

The authority under which these rules are proposed is RCW 49.17.040, 49.17.050, 49.17.240 and chapters 42.30 and 43.22 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to June 8, 1978, and/or orally at 9:30 a.m., Thursday, June 8, 1978.

This notice is connected to and continues the matter noticed in Notice No. WSR 78-04-079 filed with the code reviser's office on April 4, 1978.

Dated: 10-24-78  
By: John C. Hewitt  
Director

**WSR 78-11-055**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**  
[Order 78-106—Filed October 25, 1978]

I, Gordon Sandison, director of state Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is Area 7B and 7C are closed for chum protection. Remaining Nisqually River coho are needed for escapement. Areas 8B and 8C will open briefly to allow a chum test fishery. Coho have cleared the remaining areas and harvestable numbers of chum are available.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED October 24, 1978.

By Gordon Sandison  
Director

### NEW SECTION

WAC 220-28-007B01 CLOSED AREA Effective immediately until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Treaty Indian Salmon Management and Catch Reporting area 7B.

### NEW SECTION

WAC 220-28-007C0J CLOSED AREA Effective immediately until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Treaty Indian Management and Catch Reporting Area 7C.



NEW SECTION

WAC 220-28-008B0D **CLOSED AREA** Effective 7:00 P.M. October 27, 1978 it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Treaty Indian Salmon Management and Catch Reporting Area 8B.

NEW SECTION

WAC 220-28-008C0D **CLOSED AREA** Effective 7:00 P.M. October 27, 1978 it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Treaty Indian Salmon Management and Catch Reporting Area 8C.

NEW SECTION

WAC 220-28-008F0K **CLOSED AREA** Effective immediately through January 1, 1979 it shall be unlawful for any fisherman including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear from that portion of the Skagit River upstream from the mouth of Gilligan Creek, including all tributaries.

NEW SECTION

WAC 220-28-013G0C **CLOSED AREA** Effective immediately through November 11, 1978 it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear from the waters of the Nisqually River.

REPEALER

The following sections of the Washington Administrative Code are hereby repealed:

- WAC 220-28-008F0J **CLOSED AREA** (78-103)
  - WAC 220-28-010B0H **CLOSED AREA** (78-93)
  - WAC 220-28-010E0B **CLOSED AREA** (78-93)
  - WAC 220-28-01300H **CLOSED AREA** (78-91)
  - WAC 220-28-013G0B **CLOSED AREA** (78-84)
- Effective 5:00 P.M. October 26, 1978:
- WAC 220-28-008B0C **CLOSED AREA** (78-104)
  - WAC 220-28-008C0C **CLOSED AREA** (78-104)

**WSR 78-11-056**  
**ADOPTED RULES**  
**DEPARTMENT OF GAME**  
 [Order 126—Filed October 25, 1978]

Be it resolved by the Game Commission, State of Washington, acting at Spokane, Washington, that it does promulgate and adopt the annexed rules relating to WAC 232-12-205 Director Empowered to Alter Seasons.

This action is taken pursuant to Notice No. WSR 78-08-109 filed with the Code Reviser on August 2, 1978. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Game Commission as authorized in RCW 77.12.040.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW) or the Administrative Procedure Act (chapter 34.04 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

This order, after being first recorded in the Order Register of this governing body, shall be forwarded to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED October 2, 1978.

by Ralph W. Larson  
 Director

NEW SECTION

WAC 232-12-205 **DIRECTOR EMPOWERED TO ALTER SEASONS.** In accordance with the provisions of RCW 77.12.150, the approval of the Commission is given to the director during the period from November 1 to March 31 of each year to entirely close or shorten any season for game fish within the respective game areas; and after a season has been closed or shortened, reopen it, and also fix daily, weekly, or season bag limits on game fish within any game area.

**WSR 78-11-057**  
**ADOPTED RULES**  
**DEPARTMENT OF GAME**  
 [Order 127—Filed October 25, 1978]

Be it resolved by the Game Commission, State of Washington, acting at Spokane, Washington, that the annexed rules relating to WAC 232-12-330 Use of Artificial Lights in Fishing Unlawful is repealed.

This action is taken pursuant to Notice No. WSR 78-08-109 filed with the Code Reviser on August 2, 1978. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Game Commission as authorized in RCW 77.12.040.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW) or the Administrative Procedure Act (chapter 34.04 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

This order, after being first recorded in the Order Register of this governing body, shall be forwarded to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED October 2, 1978.

by Ralph W. Larson  
 Director

**REPEALER**

The following section of the Washington Administrative Code is repealed:

(1) WAC 232-12-330 USE OF ARTIFICIAL LIGHTS IN FISHING UNLAWFUL

**WSR 78-11-058****EMERGENCY RULES****DEPARTMENT OF FISHERIES**

[Order 78-107—Filed October 25, 1978]

I, Gordon Sandison, director of state Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is this order is necessary to protect Hoodsport Hatchery chum stock milling near the hatchery and for protection of Elwha River coho and chum escapement.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED October 25, 1978.

By Gordon Sandison  
Director

**NEW SECTION**

**WAC 220-28-006G0C** **CLOSED AREA** Effective immediately until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear from the waters of the Elwha River, including all tributaries.

**NEW SECTION**

**WAC 220-28-012D0H** **CLOSED AREA** Effective immediately until further notice it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in that portion of Treaty Indian Salmon Management and Catch Reporting Area 12D within one-half mile of the western shore between the Holiday Beach dock, located 1.7 miles north of

Hoodsport Marina, and a point one mile south of Hoodsport Marina on the western shore.

**REPEALER**

The following section of the Washington Administrative Code is hereby repealed:

WAC 220-28-01300J **CLOSED AREA (78-102)**

**WSR 78-11-059****ADOPTED RULES****PLANNING AND COMMUNITY AFFAIRS AGENCY**

[Order 78-04—Filed October 25, 1978]

I, Dean Cole, director of the Planning and Community Affairs Agency, do promulgate and adopt at 400 Capitol Center Building, the annexed rules relating to the conditions and procedures under which state funds will be made available to local Head Start Programs.

This action is taken pursuant to Notice No. WSR 78-08-106 filed with the code reviser on 8/2/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Planning and Community Affairs Agency as authorized in RCW 43.06.110 and chapter 43.63A RCW.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED September 7, 1978.

By Dean Cole  
Director

**Chapter 365-40****RULES AND REGULATIONS REGARDING STATE FUNDING OF LOCAL HEAD START PROGRAMS****NEW SECTION**

**WAC 365-40-010** **PURPOSE AND AUTHORITY.** (1) The purpose of this chapter is to outline the conditions and procedures under which state funds will be made available for Head Start programs.

(2) This activity is undertaken pursuant to RCW 43.06.110 and chapter 43.63A RCW.

**NEW SECTION**

**WAC 365-40-020** **DEFINITIONS.** (1) "Applicant" means a unit of local government or combination thereof, or a qualified private organization which applies for state Head Start funds.

(2) "Contractor" means an applicant which has been allocated state Head Start funds and which has entered into a contract to carry out a Head Start program.

(3) "Director" means the director of the planning and community affairs agency (hereafter, the agency).

(4) "Head Start program" means an operation undertaken in accordance with the program performance standards set forth in the OCD-HS HEAD START POLICY MANUAL (OCD Notice N-30-364-4) "Head Start Program Performance Standards," published by the United States department of health, education, and welfare July, 1975.

#### NEW SECTION

WAC 365-40-030 FINANCIAL SUPPORT APPLICATION PROCESS. (1) Each potential applicant will be notified by the agency that application for state Head Start financial assistance is to be made to the agency.

(2) An applicant must make formal application in the form and manner specified by the agency thirty days prior to commencement of the federal Head Start program year for which such assistance is sought. Failure of an applicant to make application in a timely manner will result in no state Head Start funds being allocated.

(3) Applications for state Head Start funds shall contain the following information, in detail:

(a) A description of the services to be provided or activities proposed to be undertaken by the applicant consistent with the provisions of WAC 365-40-040 and 365-40-050.

(b) A budget specifying intended uses of state Head Start funds.

(c) A description of applicant's monitoring-evaluation system which will insure that direct measurable services are being provided to children in its Head Start program as well as an explanation of how the applicant will evaluate the effectiveness of the program and the dates at which such monitoring and evaluation will occur.

#### NEW SECTION

WAC 365-04-040 ELIGIBILITY CRITERIA. In order to receive Head Start funds, a contractor must provide services to families and individuals of all ages who are residents of the state who are in need of skills, knowledge, opportunities and motivation to become economically self-sufficient. Each Head Start program must be designed to improve the health and general well-being of the children involved, develop their mental processes, and enhance their conceptual and verbal skills. Head Start funds may be used only for activities which result in direct and measurable services to Head Start program children. State Head Start funds are allocated by a formula based on the weighted number of children served in a program. This formula is reviewed and approved by the State Head Start Advisory Committee established by the director under the authority of RCW 43.63A-130.

#### NEW SECTION

WAC 365-40-050 ALLOWED AND FORBIDDEN USES OF STATE HEAD START FUNDS. (1)

Allowable uses of state Head Start funds include but are not limited to:

(a) Purchase of supplies to be consumed by Head Start program children.

(b) Purchase and maintenance of equipment used for and by Head Start program children (nonconsumable educational equipment and materials, transportation vehicles, etc.).

(c) Payment of salaries for nonadministrative personnel such as full or part-time teachers or specialists in speech, hearing, hygiene, reading, etc.

(d) Purchases under contract of medical or dental services for Head Start children.

(2) Forbidden uses of Head Start funds include but are not limited to:

(a) Payment of salaries for administrative personnel such as program directors, assistant directors, bookkeepers, secretaries, etc.

(b) Payment of administrative support expenses such as postage, telephone, travel, utilities, and equipment.

#### NEW SECTION

WAC 365-40-060 METHOD OF PAYMENT. State Head Start funds will be paid in accordance with the provisions of the applicable contract and these regulations. All contracts will provide for monthly or quarterly progress payments conditioned upon submission of a progress report with each voucher requesting payment, describing services provided and activities provided. If an intended use is not allowable under these rules, or if the voucher submitted is not accompanied by the required progress report, the voucher will not be paid. The agency will notify the contractor of the need to take corrective action within thirty days of its discovery of the deficiency. In the event corrective action is not taken, the contract may be terminated. Funds allocated to the contractor may be subject to redistribution upon termination of any contract.

### **WSR 78-11-060**

#### **NOTICE OF PUBLIC MEETINGS**

#### **WASHINGTON STATE UNIVERSITY**

[Memorandum, Secretary—October 24, 1978]

The meeting of the Washington State University Board of Regents scheduled for November 24, 1978, at the Ridpath Hotel, West 515 Sprague, Spokane, Washington, will convene at 1:30 p.m. instead of 9:00 a.m. as previously announced.

Action rescheduling the meeting was taken in accordance with the resolution adopted at the meeting of the Board of Regents on February 24, 1978, which was communicated to the Washington State Register by letter on February 27, 1978. See WSR 78-03-089.

**WSR 78-11-061****PROPOSED RULES****PUBLIC EMPLOYMENT RELATIONS COMMISSION**

[Filed October 27, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, 41.58.050 and 47.64.040, that the Public Employment Relations Commission intends to adopt, amend, or repeal rules concerning Collective Bargaining Rules—Marine Employees, chapter 391-70 WAC;

that such agency will at 1:30 p.m., Friday, December 8, 1978, in the Conference Room, Port of Seattle, Pier 66, Seattle, Washington, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 1:30 p.m., Friday, December 8, 1978, in the Conference Room, Port of Seattle, Pier 66, Seattle, Washington.

The authority under which these rules are proposed is RCW 41.58.050 and 47.64.040.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to Thursday, December 7, 1978, and/or orally at 1:30 p.m., Friday, December 8, 1978, Conference Room, Port of Seattle, Pier 66, Seattle, Washington.

Dated: October 27, 1978

By: Marvin L. Schurke  
Executive Director

Chapter 391-70

Collective bargaining rules—Marine employees

**NEW SECTION**

**WAC 391-70-010 SCOPE—CONTENTS—OTHER RULES.** This chapter governs specific proceedings under chapter 47.64 RCW and other statutes relating to collective bargaining between the state of Washington and its marine employees. The provisions of this chapter should be read in conjunction with the provisions of chapter 391-08 WAC, which contains general rules applicable to all types of proceedings before the public employment relations commission.

**NEW SECTION**

**WAC 391-70-020 SPECIAL RULES.** Special rules may in the future be adopted applying to particular proceedings, and in case such special rules are inconsistent with these general rules, the special rules shall govern.

**NEW SECTION**

**WAC 391-70-030 MODIFICATIONS AND EXCEPTIONS.** These rules and regulations are subject to such changes, modifications and additions as the commission from time to time may prescribe, and such exceptions as may be just and reasonable in individual cases as determined by the commission.

**NEW SECTION**

**WAC 391-70-040 ADDRESS FOR COMMUNICATIONS.** All written communications and documents should be addressed to "Public Employment Relations Commission, 603 Evergreen Plaza Building, Olympia, Washington 98504" and not to individual members of the commission.

**NEW SECTION**

**WAC 391-70-050 OFFICE HOURS.** The office of the commission is open on each business day between the hours of 8:00 a.m. and 5:00 p.m., except Saturday.

**NEW SECTION**

**WAC 391-70-070 DEFINITIONS.** (1) "Public employment relations commission" and "commission" mean the public employment relations commission of this state or its authorized agents.

(2) "Person" or "party" includes an individual, corporation, partnership, labor union, association, the Washington toll bridge authority, or any public officer or agency.

(3) Parties to proceedings before the commission shall be styled petitioners, respondents or intervenors, according to the relationship of the parties thereto.

(a) "Petitioner" means a person who files a notice of labor dispute with the commission.

(b) "Respondent" means a person who is identified in a notice of labor dispute as the party to the dispute other than the petitioner.

(c) "Intervenor" means a person having an interest in the disposition of a labor dispute and who moves for intervention pursuant to WAC 391-70-110.

(4) "Labor dispute" means any controversy concerning terms or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, regardless of whether or not the disputants stand in the proximate relation of employer and employee.

**NEW SECTION**

**WAC 391-70-080 INFORMAL PROCEDURE.** (1) Informal notice: An informal notice to the commission concerning a labor dispute may be given by letter or other writing. No form of informal notice is prescribed, but in substance the letter or other writing should contain all facts essential to a disposition of the matter, including the dates of acts or omissions complained of and the names, addresses and telephone numbers of the principal representatives of all parties.

(2) Commission action: Informal procedure will be used wherever practicable. Upon the filing of an informal notice, the executive director shall appoint a mediator from the list of qualified persons maintained by the commission for that purpose. The mediator shall meet with the parties or their representatives, or both, either jointly or separately, and shall take such other steps as the mediator deems appropriate in order to aid the parties in voluntarily resolving their differences and effecting an agreement. No mandatory or prohibitory order may be issued in an informal proceeding unless the parties stipulate in writing that such an order may be entered.

(3) Transfer to formal proceedings: Proceedings instituted by informal notice shall be without prejudice to the right of any party to file a formal notice. Any party desiring a formal order of the commission should file a formal notice pursuant to WAC 391-70-090.

**NEW SECTION**

**WAC 391-70-090 FORMAL PROCEDURE.** (1) Formal notice: Any notice of a labor dispute filed in accordance with RCW 47.64.040 to obtain a formal ruling of the commission shall be deemed a formal notice. A formal notice may be required by the commission in any case.

(2) Contents of formal notice: (a) The name and address of the party giving notice and the name, address and telephone number of its principal representative.

(b) The name and address of each other party to the labor dispute and the name(s), address(es) and telephone number(s) of its(their) principal representative(s).

(c) A brief and concise statement of the fact and circumstances of the labor dispute and the relief sought.

(d) Any other relevant information.

(e) The name, signature and capacity of each officer, attorney or other representative acting for the filing party or parties.

(3) Liberal construction: All notices shall be liberally construed to effect justice between the parties. The commission will, at every stage of any proceeding, disregard errors or defects in the notice or proceedings which do not affect the substantial rights of the parties.

(4) Amendments: The commission may allow amendments to the notice or other relevant documents at any time upon such terms as may be just.

(5) Consolidation of proceedings: Two or more proceedings in which the facts or principals of law are related may be consolidated and heard together.

#### NEW SECTION

WAC 391-70-105 FORMAL NOTICES—NUMBER OF COPIES—FILING—SERVICE. Formal notices shall be typewritten, mimeographed or printed. The original and three copies thereof shall be filed with the commission at its Olympia office. The party filing the notice shall cause a copy thereof to be served on each of the other parties to the labor dispute.

#### NEW SECTION

WAC 391-70-110 INTERVENTION. (1) Motion for intervention: Any person, not a party, who desires to appear and participate in any proceeding before the commission may make a written motion for intervention prior to the hearing or make an oral motion for intervention at the outset of the hearing. No such motion shall be filed or made after the hearing of evidence has commenced, except for good cause shown. The motion for intervention must state the name and address of the moving party; the name, address and telephone number of its principal representative, if any; the party's interest in the proceedings; and the party's position in regard to the labor dispute.

(2) Disposition of motions for intervention: Motions for intervention shall be considered first at all hearings, or may be set for prior hearing. An opportunity shall be afforded the original parties to be heard thereon. If it appears that the motion discloses an interest in the labor dispute or that participation by the moving party is in the public interest, the commission shall grant the motion. Thereafter, the moving party shall be a party to the proceeding and shall be known as an "intervenor", with the same right to produce and cross-examine witnesses as the other parties. If it appears during the course of a proceeding that an intervenor has no substantial interest therein, the commission may dismiss such intervenor.

#### NEW SECTION

WAC 391-70-120 APPEARANCES. (1) General: Parties shall enter their appearances at the beginning of any formal hearing by giving their names and addresses to the commission and the reporter shall include them in the minutes of the hearing.

(2) Answers and replies: An answer in writing or a reply in writing to an answer may be required by the commission or made voluntarily by any party. Answers and replies shall be filed and served as is required for formal notices under WAC 391-70-105. The commission shall fix the time allowable for filing an answer or reply.

#### NEW SECTION

WAC 391-70-140 VOLUNTARY SETTLEMENT. Parties to a labor dispute may, with the approval of the commission, enter into a voluntary settlement of the dispute at any time prior to the issuance of a final order by the commission. In furtherance of a voluntary settlement, the commission may, in its discretion, invite the parties to confer with it. Such conferences shall be informal and without prejudice to the rights of the parties, and no statement, admission or offer of settlement made at such informal conference shall be admissible in evidence in any formal hearing before the commission.

#### NEW SECTION

WAC 391-70-170 HEARINGS. (1) General: The time and place of holding hearings will be set by the commission and notice thereof served upon all parties at least ten days in advance of the hearing date, unless the commission finds that an emergency exists requiring the hearing to be held upon less notice. An effort will be made to set all hearings sufficiently in advance so that all parties will have a reasonable time to prepare their cases, and so that continuances will be reduced to a minimum.

(2) Who shall conduct: Hearings may be conducted by the commission, by the executive director, by a member of the agency staff or by any other individual designated by the commission or executive director as a hearing officer. At any time, a hearing officer may be substituted for the hearing officer previously presiding.

(3) Dismissals: If the petitioner fails to appear at the time and place set for hearing, the commission may dismiss the notice or may recess the hearing to a time to be set by the hearing officer to enable the petitioner to attend.

#### NEW SECTION

WAC 391-70-220 ORDER OF PROCEDURE. (1) Presentation of evidence: Evidence will ordinarily be received in the following order: (a) petitioner, (b) respondent, (c) commission's staff and (d) rebuttal.

Where an intervenor takes a position in support of the position of one of the original parties, the intervenor's evidence shall follow that of the supported party. If the intervention is not in support of either original party, the hearing officer shall designate the order of presentation of evidence by that intervenor.

(2) Modification of procedure: The order of presentation prescribed above shall be followed, except where the hearing officer may otherwise direct. In hearings of several proceedings upon a consolidated record, the hearing officer shall designate who shall open or close.

#### NEW SECTION

WAC 391-70-245 INSPECTION OF CONDITIONS. In addition to any other evidence, the commission may take official notice of the results of its own inspection of the conditions involved.

#### NEW SECTION

WAC 391-70-260 BRIEFS. Briefs may be filed in any proceeding before the commission by any interested party, and shall be filed by any party to the proceeding upon the request of the commission. The commission may require the filing of all briefs within such time as may be reasonable, before or after any hearing, or may direct that oral argument be made at the close of the hearing in lieu of briefs. The original and three copies of each brief shall be filed with the commission and copies thereof shall be served on all other parties to the proceeding.

#### NEW SECTION

WAC 391-70-300 COMPLIANCE WITH ORDERS—NOTIFICATION TO COMMISSION. When an order has been issued by the commission, any party named therein who is required by such order to do or refrain from doing any act or thing may be required to notify the commission on or before the date specified in such order for compliance as to what actions have been taken to comply with the order.

### **WSR 78-11-062**

#### **PROPOSED RULES**

#### **DEPARTMENT OF LABOR AND INDUSTRIES**

#### **(Industrial Welfare Committee)**

[Filed October 27, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and 49.12.091, that the Industrial Welfare Committee intends to adopt, amend, or repeal rules concerning public housekeeping employment standards, new WAC 296-126-300 through 296-126-365.

Written and/or oral submissions may also contain data, views and arguments concerning the effect of the proposed rules or amendments of rules on economic values, pursuant to chapter 43.21H RCW.

The agency reserves the right to modify the text of these proposed rules prior to the public hearing thereon or in response to written or oral comments thereon received prior to or during the public hearing.

Correspondence relating to this notice and proposed rules attached should be addressed to:

Bernice Smith, Supervisor of Employment Standards  
Department of Labor and Industries  
General Administration Building  
Olympia, Washington 98504;

that such agency will at 10:30 a.m., Wednesday, December 6, 1978, in the Main Conference Room, General Administration Bldg., Olympia, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10:30 a.m., Wednesday, December 6, 1978, in the Main Conference Room, General Administration Bldg., Olympia, WA.

The authority under which these rules are proposed is RCW 49.12.091.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to December 6, 1978, and/or orally at 10:30 a.m., Wednesday, December 6, 1978, Main Conference Room, General Administration Bldg., Olympia, WA.

Dated: 10-26-78  
By: John C. Hewitt, Chairman  
Industrial Welfare Committee

#### NEW SECTION

WAC 296-126-300 NOTICE. Pursuant to and by virtue of authority vested in it by Chapter 49.12 RCW, the Industrial Welfare Committee finds that specific Employment Standards should be adopted for the Public Housekeeping Industry. After the effective date of these standards, the general standards shall not apply to employees of the Public Housekeeping Industry.

#### NEW SECTION

WAC 296-126-301 APPLICABILITY. These standards shall apply to any person employed in the Public Housekeeping Industry, whether paid on time, piece rate, commission, or other basis, unless such individual is:

- (1) employed in counselor-staff occupations in organized, seasonal recreational camps;
- (2) exempted by the provisions of Chapter 49.12 RCW;
- (3) otherwise exempted in rules and regulations adopted by the Industrial Welfare Committee;
- (4) exempted by a variance issued under the provisions in WAC 296-126-130.

#### NEW SECTION

WAC 296-126-302 DEFINITIONS. (1) "Public Housekeeping Industry" shall mean any industry, business or establishment which provides meals, housing or maintenance services and shall include, but not be limited to the following:

- (a) restaurants, night clubs, taverns, bars, cocktail lounges, lunch counters, cafeterias, boarding houses, clubs, and all similar establishments where food in either solid or liquid form is prepared and served to be consumed on the premises;
- (b) catering, banquet, box lunch service, and similar establishments which prepare food for consumption on or off the premises;
- (c) hotels, motels, apartment houses, rooming houses, camps, clubs, trailer parks, office buildings, condominiums, and similar establishments offering rental or maintenance of living, business, or commercial quarters;
- (d) private schools, colleges or universities, and similar establishments which provide board or lodging in addition to educational facilities;
- (e) establishments contracting for janitorial, housecleaning, or maintenance service;
- (f) establishments providing veterinary or other animal care services;

- (g) car wash establishments;
- (h) day care centers and preschool establishments.
- (2) "Employer" means any person, firm, corporation, partnership, business trust, legal representative, or other business entity which engages in any public housekeeping industry.
- (3) "Employee" means any employee who is employed in the business of his employer, whether by way of manual labor or otherwise. This definition is not intended, for purposes of these regulations, to include: any individual registered as a volunteer with a state or federal volunteer program, or any person who performs any assigned or authorized duties for an educational, religious, governmental, or non-profit charitable corporation by choice and receives no payment other than reimbursement for actual expenses necessarily incurred in order to perform such volunteer services; any individual employed in a bona fide executive, administrative, or professional capacity or in the capacity of commissioned outside salesperson as defined by the Department of Labor and Industries;
- (4) "Employ" means to engage, suffer, or permit to work.
- (5) "Adult" means any person of either sex, eighteen (18) years of age or older.
- (6) "Minor" means any person of either sex under eighteen (18) years of age.
- (7) "Hours worked" shall mean all hours during which the employee is authorized or required by the employer to be on duty on the employer's premises or at a prescribed work place.
- (8) "Conditions of labor" shall mean and include the conditions of rest and meal periods of employees, including provisions for personal privacy, practices, methods and means by or through which labor or services are performed by employees and includes bona fide physical qualifications in employment, but shall not include conditions of labor otherwise governed by statutes and rules and regulations relating to industrial safety and health administered by the Department of Labor and Industries.
- (9) "Committee" means the Industrial Welfare Committee as provided by law, whose Secretary is the Supervisor of Employment Standards, Department of Labor and Industries, General Administration Building, Olympia, Washington 98504.
- (10) "Department" means the Department of Labor and Industries.

#### NEW SECTION

WAC 296-126-304 MINIMUM WAGES - ADULTS. Except where the federal law requires a higher wage, the minimum wage and overtime provisions of the Washington State Minimum Wage Law, Chapter 49.46 RCW, shall apply. Employees shall be paid no less than the applicable minimum wage rate for all hours worked notwithstanding any agreement to work for less.

#### NEW SECTION

WAC 296-126-305 MINIMUM WAGES - MINORS. Except where a higher minimum wage is required by federal law, (1) every employer in the Public Housekeeping Industry shall pay to each of his or her minor employees wages at a rate of not less than seventy-five (75) percent of the adult minimum wage per hour for all hours worked.

(2) The minimum wage provisions shall not apply to any minor employee who is physically or mentally defective or crippled for whom a special subminimum wage certificate has been issued by the Department specifying a rate designed to adequately reflect the individual's earning capacity. Such certificate will only be issued after receipt of an application signed jointly by the employer and employee with a statement from a physician or other authority setting out the nature of disability in detail.

#### NEW SECTION

WAC 296-126-306 MINIMUM WAGES - COMMISSIONS AND PIECEWORK. Where employees are paid on a commission or piecework basis, wholly or partially, (1) the amount earned on such basis in each work week period may be credited as a part of the total wage for that period; and

(2) The total wages for such period shall be computed on the hours worked in that period resulting in no less than the applicable minimum wage rate.

**NEW SECTION**

**WAC 296-126-308 GRATUITIES.** Gratuities received by employees shall not be considered a part of the minimum wage.

**NEW SECTION**

**WAC 296-126-310 PAYMENT INTERVALS.** All wages due shall be paid at no longer than monthly intervals to each employee on established regular pay days. Wages earned during any pay period must be paid to the employees within seven (7) calendar days from the last day of the pay period.

**NEW SECTION**

**WAC 296-126-312 STATEMENTS FURNISHED.** Every employer shall furnish to each employee at the time of payment of wages an itemized statement showing the pay basis (i.e., hours or days worked), rate of pay, gross wages, and all deductions therefrom for that pay period.

**NEW SECTION**

**WAC 296-126-314 DEDUCTIONS.** No employer shall make any deductions from the wage or require reimbursement from any employee (1) for any cash shortage, walk-out (failure of customer to pay), breakage or loss of equipment, unless it can be shown that the shortage, walk-out, breakage, or loss is caused by a dishonest or willful act, or by the culpable negligence of the employee.

(2) for acceptance of a bad check, unless it can be shown that the employee accepted such a check in violation of procedures previously made known to him or her by the employer, or

(3) for any cash shortage from a cash register, drawer or portable depository provided for that purpose, unless the employee has sole access to the cash and has participated in the cash accounting at the beginning of his or her shift and again at the end of said shift. Where a portable depository is in use, the employer shall provide for periodic withdrawals of cash receipts during the shift to prevent large accumulations of cash.

**NEW SECTION**

**WAC 296-126-316 MEALS AND LODGING.** (1) Deductions for meals may not be made from wages:

- (a) for meals not eaten
- (b) for meals required to be eaten on duty
- (c) where deduction results in payment of wages less than the applicable minimum.

(2) Employees whose occupancy of apartments is a condition of employment but whose duties do not require eight (8) hours work per day, may enter into appropriate contracts with employers on a pro-rata basis, provided only that credits received upon rentals for hours worked shall equal the applicable minimum wage.

(3) When conditions of employment require employees to remain on the job continuously beyond the regular scheduled hours of the normal work week, in order to be available for emergencies and to do work of an incidental nature, such as maintaining a heating plant, emptying garbage, etc., and the employee is furnished an apartment and all utilities free of cost as full payment for such additional services, the hours outside the normal work week shall not be considered hours worked for the purpose of computing wages. For the purposes of this section a "normal work week" shall not exceed 40 hours.

**NEW SECTION**

**WAC 296-126-320 HOURS.** (1) Any employee who feels the number of hours or other matters relating to overtime employment are detrimental to the health, safety, or welfare of the employee may request the Department of Labor and Industries to make an investigation following which the Department will issue findings and conclusions. Whenever the circumstances are found to be detrimental to the health, safety, or welfare of the employee, the Industrial Welfare Committee may adopt additional or revised employment standards.

(2) Employees working longer than forty (40) hours in a work week shall be paid at the rate of one and one-half the regular rate of pay for all hours worked in excess of forty (40) in a work week, unless specifically exempt by provisions of the Washington State Minimum Wage Law.

(3) At least ten (10) hours shall elapse between the end of one shift and the beginning of another shift.

**NEW SECTION**

**WAC 296-126-325 MEAL PERIODS - REST PERIODS.** (1) Employees shall be allowed a meal period of at least thirty (30) minutes which commences no less than three (3) hours, nor more than five (5) hours from the beginning of the shift. Meal periods shall be on the employer's time when the employee is required by the employer to remain on duty on the premises or at a prescribed worksite in the interest of the employer.

(2) No employee shall be required to work more than five (5) consecutive hours without a meal period.

(3) Employees working two (2) or more hours longer than a normal work day shall be allowed at least one twenty (20) minute meal period on the employer's time, or a thirty (30) minute meal period on the employee's time, prior to the overtime period.

(4) Employees shall be allowed a rest period of not less than fifteen (15) minutes on the employer's time for each four (4) hours of working time or major portion thereof. Rest periods shall be scheduled as near as possible to the midpoint of the work period. No employee shall be required to work more than three (3) hours without a rest period.

**NEW SECTION**

**WAC 296-126-330 GENERAL DUTY - WORKING CONDITIONS.** It shall be the responsibility of every employer to:

(1) maintain conditions within the work place environment that will not endanger the health, safety, or welfare of employees;

(2) whenever the nature of the work permits, allow employees to work while seated or to sit down where there is a break in the work.

**NEW SECTION**

**WAC 296-126-335 LIFTING.** Where weights in excess of twenty (20) pounds are to be lifted, carried, pushed or pulled as a normal part of an employee's responsibility:

(1) The lifting, carrying, pushing or pulling duties shall be made known to the prospective employee at the time of recruitment, initial employment or reassignment to a lifting job.

(2) Instruction shall be given such employees on proper lifting techniques in accordance with instructions provided or approved by the Department of Labor and Industries.

(3) Assurance that adequate instructions in weight lifting techniques have been given as provided in (2) shall be furnished the Committee or its authorized agent upon request.

**NEW SECTION**

**WAC 296-126-340 WEARING APPAREL.** (1) The employer shall provide for adequate safekeeping of employees' clothing worn to and from the work place, but not worn on duty;

(2) When special clothes are required on the job, the employer shall provide a place for the employees to change clothes in privacy.

(3) The employer shall provide and maintain safety equipment and clothes required by the job.

(4) Whenever an employer requires the employees to wear a uniform or other article or wearing apparel of a specific style or color, it must be furnished, cleaned, and repaired by the employer.

**NEW SECTION**

**WAC 296-126-345 EMPLOYMENT RECORDS.** (1) Every employer shall keep for at least three (3) years a record of the name, address and occupation of each employee, dates of employment, rate or rates of pay, amount paid each pay period to each such employee and the hours or days worked.

(2) Every employer shall make the record described in (1) available to the employee, upon request, at any reasonable time.

(3) Every employer shall, upon written request by the employee, furnish within ten (10) working days of the request to each employee who is discharged, a signed written statement, setting forth the reason for such discharge and the effective date thereof.

**NEW SECTION**

**WAC 296-126-350 MINOR WORK PERMITS.** No minor shall be employed unless the employer shall have on file during the period of

employment an unexpired permit to employ minors issued by the Department of Labor and Industries, and a Parent/School Authorization form and proof of age document for each minor employee. A copy of the minor work permit regulation showing the firm name, address of the workplace, specific duties of minors, date permit was issued and signature of the Supervisor of Employment Standards shall be posted at the workplace.

#### NEW SECTION

**WAC 296-126-355 POSTING OF ORDER.** The employer shall keep posted a copy of these Standards in all places of employment.

#### NEW SECTION

**WAC 296-126-360 VARIANCE.** (1) Upon written application from an employer, a variance from any standard herein may be granted by the Industrial Welfare Committee for good cause shown as authorized in RCW 49.12.105. The employer shall give notice to the employees or their representative, so that they may submit their written views to the Committee on any variance request.

(2) The Committee may afford the applicant and any involved employee, or their representatives, the opportunity for oral presentation whenever circumstances of the particular application warrant such additional procedure.

(3) Temporary variances valid for not more than thirty (30) calendar days may be issued by the Committee for good cause where immediate action is necessary and warranted, pending further review by the Committee.

(4) "Good cause" shall mean, but not be limited to, those situations in which the employer finds that his circumstance warrants an alternative procedure and where it is able to demonstrate to the Committee that such alternative would not have a harmful effect on the health, safety, or welfare of the employee involved.

#### NEW SECTION

**WAC 296-126-365 APPEAL PROCEDURES.** (1) Any person, firm, or corporation feeling aggrieved by any action taken or decision made by an officer or employee of the Department in enforcement of this law (Chapter 49.12 RCW) or these standards may appeal such action or decision by filing written notice within thirty (30) days of such action or decisions with the Committee's Secretary, in care of the Department of Labor and Industries, General Administration Building, Olympia, Washington 98504. A copy of said appeal shall be sent to all other parties to the proceedings by the appealing party. A certification as to the service of said notice upon all other parties shall be filed in the office of the Committee's Secretary. The notice of appeal shall suspend such action or decision pending the determination by the Committee. Detailed regulations concerning appeal procedures are contained in WAC Chapter 296-129.

(2) The appealing person, firm, or corporation may elect an informal appeal by filing a letter within thirty (30) days of the action or decision by the officer or employee of the Department, which letter shall set forth a simple, clear and concise statement of the matter appealed from and the reasons for the appeal. This will then be acted upon without the need of any further submitted briefs. The Committee will permit any other party concerned with the appeal to submit similarly a short, concise letter stating their respective position on the issues raised by the appeal. The Committee may either determine the same on the merits, or call for further hearings in the matter consistent with the intent of these regulations and the applicable law wherever appropriate.

(3) The Committee shall review the record, accept and consider written briefs, formal or informal, and may hear oral arguments where deemed appropriate. The Committee decision shall be final and binding upon all parties subject to judicial review pursuant to Chapter 34.04 RCW, the Administrative Procedures Act.

(4) The general practice and procedural rules for the Committee in WAC 296-010-010, et. seq., as now or hereafter amended, shall be applicable unless otherwise provided for by these rules, Chapter 296-126 WAC, or by express ruling of the Committee.

**WSR 78-11-063**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**  
[Order 78-108—Filed October 27, 1978]

I, Gordon Sandison, director of state Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to personal use fishing regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is the Hoh River chinook run is below escapement level.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED October 27, 1978.

By Gordon Sandison  
Director

#### NEW SECTION

**WAC 220-57-27000B HOH RIVER** *Notwithstanding the provisions of WAC 220-57-270, effective immediately until further notice, it shall be unlawful to take, fish for or possess for personal use, chinook salmon over 24 inches in length, from the waters of the Hoh River.*

**WSR 78-11-064**  
**PROPOSED RULES**  
**DEPARTMENT OF PERSONNEL**  
[Filed October 30, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and 41.06.040, that the State Personnel Board intends to adopt, amend, or repeal rules concerning special assignment pay provisions, amending WAC 356-15-120;

that such agency will at 10:00 a.m., Thursday, December 14, 1978, in the Board Meeting Room, 600 South Franklin, Olympia, WA 98504, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Thursday, December 14, 1978, in the Board Meeting Room, 600 South Franklin, Olympia, WA 98504.



The authority under which these rules are proposed is RCW 41.06.040 and 41.06.050.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to December 12, 1978, and/or orally at 10:00 a.m., Thursday, December 14, 1978, Board Meeting Room, 600 South Franklin, Olympia, WA 98504.

Dated: October 27, 1978

By: Leonard Nord  
Secretary

**AMENDATORY SECTION** (Amending Order 121, filed 6/12/78)

**WAC 356-15-120 SPECIAL ASSIGNMENT PAY PROVISIONS.** Classes to which this Rule applies are marked with the letters "AP" after their titles in the Compensation Plan.

(1) For supervision of mentally retarded residents or mental patients. Basic salary range plus one salary range shall be paid only to employees in the classes below who have this supervision assigned.

- 8003 - Food Service Aide 1
- 8005 - Food Service Aide 2
- 8007 - Food Service Aide 3
- 8205 - Laundry Worker 1
- 8430 - Seamstress 1
- 8432 - Seamstress 2

(2) For full time assignment to forklift operations. Basic salary range plus \$10 per month shall be paid only to employees in the class below who have this duty assigned.

- 7770 - Warehouse Worker 1

(3) For required scuba diving. Basic salary range plus \$7.50 per diving hour shall be paid to employees (other than Master Diver) who have this duty assigned.

(4) For (a) assignment to a telephone board with four or more positions; (b) specific assignment to primary responsibility for security communications control or emergency admissions processing at an institution; or (c) direct supervisory responsibility over PBX Operators having assignments (a) or (b) above. Basic salary range plus one range shall be paid only to employees in the classes below who are assigned these responsibilities.

- 0215 - PBX Operator
- 0216 - Chief PBX Operator

(5) For assignment to operate highway equipment rated above their present classification. Basic salary range plus the hourly difference between the top step of the Maintenance Technician 3 class and the top step of the salary range representing a two-range increase over the Maintenance Technician 3 class. Employees operating higher rated highway equipment shall be credited with a minimum of four hours pay at the higher rate for each work day in which they are required to operate the higher level equipment. Overtime for such assignments will be computed at one-and-one-half times the higher salary rate. This special assignment pay shall not apply to employees operating higher level highway equipment in a bona fide training assignment. This special pay provision shall apply only to employees in the classes below.

- 7107 - Maintenance Technician 1
- 7109 - Maintenance Technician 2
- 7111 - Maintenance Technician 3
- 7115 - Maintenance Lead Technician
- 7182 - Ferry Operator 1

(6) The Board may approve special pay provisions to the Compensation Plan to reflect hazardous/dangerous working conditions of specific positions when: (1) such conditions are not normally expected of those positions assigned to the respective classes; and (2) such provisions are found to be in accordance with prevailing practices in the industry and/or local community in which the position works.

(7) Basic salary range plus two ranges shall be paid to employees in the Wildlife Control Agent (4105), Wildlife Agent 1 (4110) and 2 (4111) classes. This compensation is for all hours worked subject to provisions of WAC 356-15-030 (1)(e).

(8) (~~Basic salary plus two ranges shall be paid to Fisheries employees in the Fisheries Patrol Officer (4120), Fisheries Patrol Boat Operator 1 (4127) and Airplane Pilot 1 (7348) classes. This compensation is in lieu of all hours worked subject to provisions of WAC 356-15-030 (1) (e). Effective period of this action shall be from April 1, 1978~~)

~~to December 31, 1978:)) Basic salary range plus two ranges for employees within the classification of Custodian who are regularly assigned window cleaning duties which require the use of scaffolding or safety harnesses. Also, basic salary plus one range for employees within the classification of Custodian who are regularly assigned full-time to a floor care crew and operate heavy duty floor cleaning and waxing equipment.~~

**WSR 78-11-065**

**NOTICE OF PUBLIC MEETINGS  
CLARK COMMUNITY COLLEGE**  
[Memorandum, Secretary-October 30, 1978]

This is to notify you that the November 21 meeting of the Clark College Board of Trustees will be held in the Battleground High School Library. The discussion session will begin at 5 p.m., with the business meeting immediately following. Local and campus newspapers will be notified of the change in location.

**WSR 78-11-066**

**PROPOSED RULES  
DEPARTMENT OF LICENSING**  
[Filed October 30, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Licensing intends to adopt, amend, or repeal rules concerning repeal of issuance by the Department of Licensing of the game fish buyers permit;

that such agency will at 10:00 a.m., Monday, December 11, 1978, in the 4th Floor Conference Room, Highways-Licenses Building, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Monday, December 11, 1978, in the 4th Floor Conference Room, Highways-Licenses Building.

The authority under which these rules are proposed is this rule is promulgated pursuant to RCW 19.02.030(6) and is intended to administratively implement that statute.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to Monday, December 11, 1978, and/or orally at 10:00, Monday, December 11, 1978, 4th Floor Conference Room, Highways-Licenses Building.

Dated: 10/30/78

By: Kenneth C. Burton  
Hearing Officer

**AMENDATORY SECTION** (Amending Order 476 DOL filed December 30, 1977)

**WAC 308-300-030 LICENSES WHICH ARE INCLUDED ON THE MASTER LICENSE.** The following registrations, licenses and permits as required for those businesses in WAC 308-300-040

shall be included within this chapter:

- |  |                             |
|--|-----------------------------|
| Registration                           | Dept. of Revenue            |
| Corporate License (renewal only)       | Secretary of State          |
| Corporate Annual Report                | Secretary of State          |
| *Registration for Industrial Insurance | Dept. of Labor & Industries |

Registration for Unemployment Insurance	Dept. of Employment Security
Permit to Employ Minors	Dept. of Labor & Industries
Cigarette Dealer License	Dept. of Revenue
Cigarette Dealer Vending Machine License	Dept. of Revenue
Nursery License	Dept. of Agriculture
Egg Dealer License	Dept. of Agriculture
Seed Dealer License	Dept. of Agriculture
Bakery & Bakery Distributor's License	Dept. of Agriculture
Pesticide Dealer License	Dept. of Agriculture
Refrigerated Locker License	Dept. of Agriculture
**Class E Beer License	Liquor Control Board
**Class F Wine License	Liquor Control Board
((Game Fish Buyers Permit	Dept. of Game))
Furniture & Bedding Certificate	Dept. of Social and Health Services
Shopkeepers License	Board of Pharmacy

\*If risk classification of industrial insurance other than those required of businesses within SIC group 54 is involved, the applicant must apply directly to the Department of Labor & Industries.

\*\*If A, B, C, or D classes of liquor licenses are required in combination with Class E and/or F licenses, the E and F license(s) shall not be available under this program and the applicant must apply directly to the Liquor Control Board.

**AMENDATORY SECTION** (Amending Order 476 DOL filed December 30, 1977)

**WAC 308-300-110 ISSUANCE OF MASTER LICENSE.** (1) Upon compliance with WAC 308-300-160 on payment of fees, the Department will issue and mail the applicant a master license incorporating all individual licenses approved at that time. Initial coverage under this chapter will be acknowledged by issuance of a master license with individual stickers affixed for each individual license issued.

An applicant may request that no master license be issued pending approval of liquor licenses and other licenses within subsection (4) in which event the Department will withhold processing of all licenses until determination of liquor licenses has been made.

(2) In those instances where a license is granted by an agency upon receipt of the application and fee payment, the Department, upon approval of the appropriate agency, shall issue the license upon proper receipt of those items. This subsection applies to:

- (a) Department of Revenue; registration, cigarette dealer license, cigarette dealer vending machine license.
- (b) Secretary of State; corporate license (renewal only), corporate annual report.
- (c) Department of Labor and Industries; registration for industrial insurance.
- (d) Department of Employment Security; registration for unemployment insurance.
- (e) Department of Agriculture; nursery license, egg dealer license, seed dealer license.
- ~~((f))~~ Department of Game; game fish buyers permit;
- ~~((g))~~ Department of Social and Health Services; furniture and bedding certificate.
- ~~((h))~~ Board of Pharmacy; shopkeepers license.

(3) For each of the supplemental licenses specified below, each agency shall, within 21 days of its notification of license application by the Department, inform the Department of its approval or denial of the licenses sought. This subsection applies to:

- (a) Department of Agriculture; refrigerated locker license, pesticide dealer license, bakery and bakery distributors license.
- (b) Department of Labor and Industries; minor work permit.
- (4) Due to special investigative procedures, liquor licenses and other licenses, permits, certificates, and registrations which require lengthy investigative procedures will be handled as supplemental licenses in accordance with subsection (5). Upon approval by the appropriate agency, the license will be mailed to the licensee by the Department to be affixed to the master license.

(5) The Department shall be notified of reasons for delay if approval or denial of those licenses in subsection (3) has not been given in 21 days, and of reasons for delay if approval or denial of those licenses in subsection (4) has not been given within 60 days.

(6) This section shall not apply to the renewal of a license to the original licensee. In such a case individual licenses shall be issued pending approval or denial by the agencies in accordance with RCW 34.04.170 and WAC 308-300-140(1).

(7) It shall remain the responsibility of the appropriate agencies to provide the applicant with materials, information, and instructions pertinent to their periodic reports and other operation requirements.

**Reviser's Note:** RCW 34.04.058 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 78-11-067**  
**PROPOSED RULES**  
**WASHINGTON STATE LIBRARY**  
 [Filed October 30, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Library Commission intends to adopt, amend, or repeal rules concerning Rules and regulations, amending WAC 304-16-010, Standards, amending WAC 304-16-020;

that such agency will at 10:00 a.m., Thursday, December 14, 1978, in the Kitsap Regional Library, 1301 Sylvan Way, Bremerton, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Thursday, December 14, 1978, in the Kitsap Regional Library, 1301 Sylvan Way, Bremerton, WA.

The authority under which these rules are proposed is RCW 27.04.030.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to December 14, 1978, and/or orally at 10:00 a.m., Thursday, December 14, 1978, Kitsap Regional Library, 1301 Sylvan Way, Bremerton, WA.

Dated: October 30, 1978  
 By: Roderick G. Swartz  
 State Librarian

**AMENDATORY SECTION** (Amending Order, filed 10/24/68)

**WAC 304-16-010 RULES AND REGULATIONS.** (1) The Washington state library will publish a basic list of documents (~~the said basic list to be revised and published biennially~~) at least annually to include an author, title and subject index to the annual list.

(2) Prepare a monthly supplement to the basic list. (~~The supplement to contain irregular issues, changes in titles, cancellations, and new titles and editions. Agencies are to be listed under key word.~~)

(3) Indicate in the monthly supplement if a publication has been sent to the depositories, availability, etc.

~~((4))~~ Compile at least once a year an author, title and subject index to the monthly supplement.

~~((5))~~ Mail two copies of the monthly list, one to serve as a permanent record for the receiving library, and the other to be returned to the state library as an order form when requesting documents.

~~((6))~~ Ship documents at least once a week to all full depository libraries.

~~((7))~~ Include the Washington state library classification number as a suggested aid to other libraries in the organization of the documents; ~~((8))~~ Provide the Washington state library classification number and other pertinent cataloguing data in each shipment as a suggested aid to other libraries in the organization of the documents.

~~((9))~~ Negotiate with state departments as to number of copies needed for distribution to libraries prior to publication; ~~((10))~~ Confirm with state departments [as specified in RCW 40.06.030] the number of copies needed for distribution to libraries prior to publication.

~~((11))~~ All library inquiries, special requests, etc., concerning state documents for libraries will be channeled through the state library.

~~((12))~~ There will be periodic revisions of number of copies needed by libraries. (~~Each library should assume the responsibility for keeping the state library informed as to the number of copies needed.~~)

~~((13))~~ Libraries should send to the state library names of every department on whose mailing list they are currently listed.

~~((4))~~ (10) If disagreement develops on designation of a library as a depository, a committee of arbitration will be set up by the President of the Washington Library Association acting under instructions from the Washington Library Association Executive Board. Any staff member of any library involved who is also on the Washington Library Association Board will be ineligible to participate in the deliberations preparatory to the arbitration and in the arbitration itself.

**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 herein pursuant to the requirements of RCW 34.08.040.

#### AMENDATORY SECTION (Amending Order, filed 10/24/68)

WAC 304-16-020 STANDARDS. (1) ~~((There will be only one class of depository libraries in Washington. These will be total depositories.))~~ There will be two classes of depository libraries in Washington. These will be full and partial. Full depositories shall receive copies of all state publications for distribution by the state library. Partial depositories shall receive at least a core of general interest publications deemed essential to the public interest. Any library in the state may request specific documents and, if it is at all possible, the request will be filled.

~~((2) Any municipal, county, regional, or district library, any community college, state college or state university library, the library of any incorporated college or university, may be designated as a depository, provided it meets the conditions specified in the following section:~~

~~((3) Any library designated as a depository shall agree to the following conditions with the understanding that failure to comply with any one condition is sufficient ground for the state library to cancel the contract between the state library and the depository:))~~

(2) Any library designated as a depository shall meet the conditions specified in the following section:

(a) Provide space to house the publications in an approved manner with adequate provisions for expansion. State publications do not need to be maintained in a separate collection unless the receiving library prefers to do so. Housing in a vertical file rather than on shelves is acceptable for appropriate pamphlet-type materials.

(b) Provide an orderly, systematic recording of receipt of the documents.

(c) Process and shelve all state publications within 30 days after receipt of the material.

(d) Provide a professionally trained librarian to render satisfactory service without charge to qualified patrons in the use of such publications. This librarian need not spend full time on state publications.

(e) Dispose of publications only with permission of the State Librarian.

(f) Accept and maintain all publications ~~(( specified as "basic items-"))~~ received as depository libraries.

(g) Library rules must assure that the documents are available for public use and circulation, unless for some unusual reason it becomes necessary to restrict use.

~~((4) There will be at least one depository for each of the 12 Regional districts. Additional depositories will be established as advisable to cover the needs of other libraries and educational institutions.))~~ (3)

There will be at least twelve full depositories in the state. Additional depositories will be established as advisable to provide adequate public access to Washington State publications.

(4) The State Library shall ensure that the rules, regulations and standards are maintained.

**Reviser's Note:** RCW 34.04.058 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 78-11-068**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
[Filed October 30, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules concerning:

Amd	WAC 388-15-210	relating to chore services for adults and families.
New	WAC 388-15-212	relating to chore service determinations.
Rep	WAC 388-15-211	relating to chore services for families.

Correspondence concerning this notice and proposed rules attached should be addressed to:

David Hogan, Executive Assistant  
Department of Social and Health Services  
Mail Stop OB-44 C  
Olympia, WA 98504;

that such agency will at 10:00 a.m., Wednesday, December 13, 1978, in the Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, December 20, 1978, in William B. Pope's office, 3-D-13, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

The authority under which these rules are proposed is RCW 74.08.090.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to December 13, 1978, and/or orally at 10:00 a.m., Wednesday, December 13, 1978, Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

Dated: October 30, 1978

By: David Hogan  
Executive Assistant

#### AMENDATORY SECTION (Amending Order 1238, filed 8/31/77)

WAC 388-15-210 CHORE SERVICES FOR ADULTS ((AND FAMILIES)) (1) Chore services consist of ((tasks in the performance of light work, household care or personal care which an eligible blind, aged, disabled or incapacitated person is unable to provide for himself)) light housekeeping tasks, meal preparation, limited personal care not requiring medical supervision, or other services necessary to assist eligible aged, blind, disabled, or otherwise incapacitated adults, unable to perform these activities, in maintaining or regaining a reasonable standard of living; and for whom there is no free community resources or family members available to provide the service.

(2) Goals for Chore Services for Adults ((and Families)) shall be limited to those specified in WAC 388-15-010(1)(b), (c), (d). Also see WAC 388-15-010(2).

(3) Chore services does not include tasks which require the services of a trained homemaker, home-health aide, registered nurse, or other specialist or a licensed practitioner.

(4) Chore services are ~~((purchased))~~ provided when the ~~((person))~~ eligible adult client:

(a) cannot continue to remain in or return to his own home without the service, and

(b) cannot receive the needed service without cost.

(5) Clients "own home" is defined as ~~((his))~~ the intended place of residence of the client, whether this is ((in a building)) rented or owned by the client, or in the home of another person. ((The)) Chore

services are provided within the confines of the home ((property)) except for non-cosmetic lawn care, necessary shopping, essential errands, and transportation necessary for completion of authorized services.

**NEW SECTION**

**WAC 388-15-212 SERVICE DETERMINATIONS** (1) Chore service need and amount determinations for all applicants and recipients of the service will be made by utilizing a total functional ability rating process on each individual.

(2) The total functional ability of each individual shall be defined as that person's ability to perform activities of daily living, type, number, and severity of health conditions, use of prosthetic devices, living conditions and arrangements, and the availability and use of alternative services.

(3) The Area Agency on Aging and department local offices will utilize the same total functional ability rating process in determining service need and amount. The functional ability rating tool will be available at each Area Agency on Aging or the department of local office.

(4) Chore services may be provided either through direct client payments or through contracted services, as deemed most appropriate by the department.

**REPEALER**

The following section of Washington Administrative Code is repealed:

- (1) **WAC 388-15-211 CHORE SERVICES FOR FAMILIES**

**WSR 78-11-069**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**  
 [Order 78-109—Filed October 30, 1978]

I, Washington State Department of Fisheries, director of state Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is rain over the past weekend resulted in a good movement of chum salmon into Willapa Bay spawning tributaries.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED October 30, 1978.

By Gordon Sandison  
 Director

**NEW SECTION**

**WAC 220-40-02200F WILLAPA HARBOR-WEEKLY PERIODS** Notwithstanding the provisions of WAC 220-40-022, it shall be lawful to take, fish for or possess salmon for commercial purposes with gill net gear in Willapa Harbor Fishing Areas 2G, 2K and that portion of 2J north of marker piling 18, from 6:00 P.M. October 30 through 12:00 midnight October 31, 1978.

**WSR 78-11-070**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**  
 [Order 78-110—Filed October 30, 1978]

I, Gordon Sandison, director of state Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is all remaining harvestable chum available at this time in Hood Canal are bound for Hoodspout Hatchery and can be harvested in 12D. Walcott Slough and Hamma Hamma River late runs will likely have harvestable numbers at a later date. There is a small number of harvestable chum bound for the Skagit River. Limited fishing will allow these chum to be taken throughout the duration of the run.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED October 30, 1978.

By Gordon Sandison  
 Director

**NEW SECTION**

**WAC 220-28-00800P CLOSED AREA** Effective immediately until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Treaty Indian Salmon Management and Catch Reporting Area 8, except between 6:00 P.M. Wednesday through 6:00 A.M. Friday of each week.

NEW SECTION

WAC 220-28-008A0F **CLOSED AREA** Effective immediately until further notice it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Treaty Indian Salmon Management and Catch Reporting Area 8A, except between 6:00 P.M. Wednesday through 6:00 A.M. Friday of each week.

NEW SECTION

WAC 220-28-008F0L **CLOSED AREA** Effective immediately until further notice it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear from the waters of the Skagit River, including all tributaries, except between 6:00 P.M. Wednesday through 6:00 A.M. Friday of each week.

NEW SECTION

WAC 220-28-01200G **CLOSED AREA** Effective immediately until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Treaty Indian Salmon Management and Catch Reporting Area 12.

NEW SECTION

WAC 220-28-012A0D **CLOSED AREA** Effective immediately until further notice, it shall be unlawful for any fisherman including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Treaty Indian Salmon Management and Catch Reporting Area 12A.

NEW SECTION

WAC 220-28-012B0B **CLOSED AREA** Effective immediately until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Treaty Indian Salmon Management and Catch Reporting Area 12B.

NEW SECTION

WAC 220-28-012C0D **CLOSED AREA** Effective immediately until further notice it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Treaty Indian Salmon Management and Catch Reporting Area 12C.

NEW SECTION

WAC 220-28-012E0C **CLOSED AREA** Effective immediately until further notice, it shall be unlawful for any fisherman including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Treaty Indian Salmon Management and Catch Reporting Area 12E.

REPEALER

The following sections of the Washington Administrative Code are hereby repealed:

WAC 220-28-008F0K **CLOSED AREA (78-106)**

WAC 220-28-012E0B **CLOSED AREA (78-91)**

**WSR 78-11-071****PROPOSED RULES****DEPARTMENT OF****SOCIAL AND HEALTH SERVICES**

(Public Assistance)

[Filed October 31, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules relating to income deduction, amending WAC 388-54-485.

It is the intention of the department to file these rules on an emergency basis on November 1, 1978. The reason for the emergency is to comply with an FNS deadline.

Correspondence concerning this notice and proposed rules attached should be addressed to:

David Hogan, Executive Assistant  
Department of Social and Health Services  
Mail Stop OB-44 C  
Olympia, WA 98504;

that such agency will at 10:00 a.m., Wednesday, December 13, 1978, in the Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, December 20, 1978, in William B. Pope's office, 3-D-14, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

The authority under which these rules are proposed is RCW 74.04.510.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to December 13, 1978, and/or orally at 10:00 a.m., Wednesday, December 13, 1978, Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

Dated: October 30, 1978

By: David Hogan  
Executive Assistant

AMENDATORY SECTION (Amending Order 1342, filed 9/22/78)

WAC 388-54-485 **INCOME DEDUCTIONS.** (1) Household expenses shall be deducted in the order listed in this section. In determining monthly food stamp income only the expenses listed shall be deducted. No exceptions shall be approved. The household must pay the expense or anticipate payment during the certification period in which the deduction is claimed. The expenses are deductible even if payment is made from resources. If payments are made by a nonhousehold member on behalf of the household, the expenses are deductible if the payments have been counted as income to the household.

(2) Deductible work expense

(a) Nonassistance household: Ten percent of gross income not to exceed ~~((\\$30))~~ thirty dollars per household, from:

- (i) Compensation for services performed as an employee; ~~((or))~~
- (ii) A training allowance to an individual working and learning a trade at a work site ~~((:))~~; or
- (iii) Any income attributable to the furnishing of housing to a household by an employer. Any vendor payments made on behalf of an employee by an employer or a trainee by the training program or sponsor.

(b) Assistance household: The public assistance standard deduction for transportation and clothing. (See 388-28-515(4)(b) and (4)(d)).

(3) Mandatory deductions from earned income which are not elective at the option of the employee such as local, state, and federal income taxes, FICA taxes, mandatory retirement payments, and union dues. Garnishments may be deducted only when they are made for items which would be deductible if paid when incurred, for example, medical costs of more than ~~((\\$10))~~ ten dollars a month.

(4) The total payments for medical expenses; exclusive of special diets, when the costs exceed ten dollars per household.

(a) Medical expenses may include actual payments for physician and dental services, hospitalization, nursing care in or out of the home, prescription drugs, prescribed medical services, health insurance, Medicare payments, the care and feeding of a seeing eye dog, and reasonable medically-related transportation costs.

(b) The amount to be deducted for an attendant or housekeeper who is necessary for medical care reasons shall be the amount actually paid to the attendant or housekeeper. In addition, for a household which furnishes the attendant or housekeeper the majority of his meals, a deduction equal to the value of the one-person monthly coupon allotment shall be made.

(5) Payments for the care of a child or other persons when necessary for a household member to accept or continue employment, training or education.

~~((a))~~ The amount to be deducted for an attendant or housekeeper who is necessary for child care reasons shall be the amount actually paid to the attendant or housekeeper. In addition, for a household which furnishes the attendant or housekeeper the majority of his meals, a deduction equal to the one-person monthly coupon allotment shall be made.

(6) Tuition and mandatory fees for education, including such expenses which are covered by scholarships, educational grants, loans, fellowships and veterans' educational benefits. No deduction shall be made for any other educational expenses, such as books, school supplies, meals and transportation.

(7) Unusual expenses incurred due to an individual household's disaster or casualty losses which could not be reasonably anticipated by the household. Unusual expenses shall be determined in accordance with the following criteria.

(a) The expense is essential to the continued existence of the household and is necessary to replace or repair items of property damaged or lost through vandalism, fire, theft, flood, tropical storms, or by the elements.

(b) The expense allowed is for only that portion which exceeds the amount which is paid either in goods or money by a private or public charitable organization.

(c) The expense is the result of funeral costs which are not reimbursable through Social Security, veterans' benefits, or the state government.

(d) The expense allowed will be that paid or anticipated to be paid during the certification period, even though part may be reimbursable through insurance. Insurance reimbursement payments will be treated as lump-sum payments when received, in accordance with WAC 388-54-465.

(e) The deduction is initially approved by the certification worker's immediate supervisor.

(f) The expense is not for costs of repair or replacement of property, clothing, etc., which becomes necessary due to mechanical failure, wear and tear, obsolescence, or any other occurrence not directly connected with an individual household disaster.

(g) The expense is allowed for theft or casualty loss of cash, through fire, flood or similar occurrence. In case of theft, the household shall submit an affidavit to the local office including time, date and amount of theft.

(i) If a household suffers a theft or casualty loss of cash prior to purchase of its food stamp allotment, the purchase shall be recomputed

by deducting the amount of loss from the household's income. Losses suffered subsequent to purchase shall not be deductible.

(ii) A cash loss resulting from negligence (failure to act in a responsible manner) on the part of the household is not deductible.

(8) Court-ordered support and alimony payments.

(9) Shelter costs in excess of thirty percent of the household's income after the above deductions.

(a) "Shelter costs" mean rent or mortgage payment plus taxes, insurance and assessments, and utility costs such as heat, cooking fuel, electricity, water, garbage, sewage disposal and basic service fee for one telephone.

(b) The actual rent or purchase payment plus taxes, insurance and assessments (if not included in the payment) shall be used to compute shelter costs.

(c) Standardized amounts shall be used to compute the shelter costs for utilities such as heat, cooking fuel, electricity, water, garbage, sewage disposal and telephone ~~((and shall be, effective July 1, 1977))~~. Effective November 1, 1978, seasonal standards will be implemented; a high six months standard from November 1, 1978, through April 30, 1979, and a low six months standard effective May 1, 1979, through October 31, 1979, and each year thereafter.

Persons in Household	Food Stamp Utility Standard	
	Nov. 1 through April 30	May 1 through Oct. 30
1	\$ 94.60	<del>(( \$ 66.25 ))</del> \$ 58.65
2	102.25	<del>((70.70))</del> 61.50
3	110.50	<del>((76.10))</del> 65.75
4	119.70	<del>((82.05))</del> 70.15
5	126.90	<del>((86.65))</del> 74.25
6	133.60	<del>((90.85))</del> 77.85
7	140.40	<del>((95.15))</del> 81.55
8	145.10	<del>((97.60))</del> 83.15
9	150.80	<del>((100.90))</del> 85.75
10 or more	157.80	<del>((105.40))</del> 89.30

(d) If a household requests and can verify that its utility bills are higher than the standards and can reasonably be predicted to continue at a higher rate for the certification period, the actual utility costs must be used. These costs will be calculated according to bills the household anticipates receiving during the certification period, by using the most recent bills actually received or other information available.

(i) The allowance for telephone service is limited to the basic fee for one telephone plus tax on the basic fee.

(ii) A household certified for more than one month shall be allowed to switch to or from the standard during its certification period or to the standard if the standard is updated during its certification period.

(e) Included as part of the household's utility allowance will be any payment, during a certification period, of a utility bill received by the household prior to January 1, 1978, if:

(i) The bill represents an allowable utility expense which was not used in any previous shelter allowance computations; and

(ii) The expense has been paid by the household or the household intends to pay it and has sufficient income and/or resources available.

WSR 78-11-072

NOTICE OF PUBLIC MEETINGS

OCEANOGRAPHIC COMMISSION

[Memorandum, Admin. Assistant—October 31, 1978]

The Oceanographic Commission of Washington and the Oceanographic Institute of Washington will hold a joint public meeting at 10 a.m. in the Aberdeen City Council Chambers, third floor, City Hall, 200 E. Market, Aberdeen. The meeting will include a public hearing on the Commission's on-going study "LNG and LPG Hazards Management in Washington State". The hearing tentatively is scheduled to begin at 1:30 p.m. For further information, contact the Oceanographic Commission of Washington, 312 First Avenue N., Seattle, WA 98109. Phone: (206) 464-6272.

## WSR 78-11-073

## PROPOSED RULES

## SUPERINTENDENT OF PUBLIC INSTRUCTION

[Filed October 31, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Superintendent of Public Instruction intends to adopt, amend, or repeal rules concerning amendments to the existing rule governing enrollment reporting procedures for purposes of allocating state basic education entitlement funds;

that such agency will at 9:00 a.m., Tuesday, December 5, 1978, in the 4th floor board room, Old Capitol Bldg., Washington and Legion, Olympia, Washington, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 11:00 a.m., Thursday, December 7, 1978, in the Executive Services Conference Room, Old Capitol Bldg., Washington and Legion, Olympia, Washington.

The authority under which these rules are proposed is RCW 84.52.0531.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to December 5, 1978, and/or orally at 9:00 a.m., Tuesday, December 5, 1978, Executive Services Conference Room, Old Capitol Bldg., Washington and Legion, Olympia, Washington.

Dated: October 31, 1978

By: Frank B. Brouillet  
Superintendent of Public Instruction

AMENDATORY SECTION (Amending Order 7-75, filed 12/22/75)

WAC 392-121-010 DEFINITIONS. As used in this chapter, the term: (1) "Full-time equivalent student" shall mean each individual student who is enrolled as of the ~~((second Monday of September (or by the fourth school day after commencement of the instructional program in the month of September in the event a district is unable to comply with the second Monday report by reason of an emergency school closure or a strike)))~~ fourth school day of the fiscal year (September 1 through August 31) following commencement of the annual basic education program and/or as of the first school day of any of the subsequent eight months (exclusive of an intermission at noon, but inclusive of normal class change passing time):

(a) Pre-school handicapped: 20 hours each week, or four hours (240 minutes) each scheduled school day;

(b) Kindergarten (full-day): 20 hours each week, or four hours (240 minutes) for 90 scheduled school days;

(c) Kindergarten (half-day): 10 hours each week, or two hours (120 minutes) each scheduled school day;

(d) Primary (grades 1 through 3): 20 hours each week, or four hours (240 minutes) each scheduled school day;

(e) Elementary (grades 4 through 6): 25 hours each week, or five hours (300 minutes) each scheduled school day;

(f) Secondary (grades 7 through 12): 25 hours each week, or five hours (300 minutes) each scheduled school day(;;).

(2) "Kindergarten" shall mean an instructional program conducted for students four to six years of age.

(3) "Nonresident student" shall mean any student other than a resident student whose residence is within the state of Washington.

(4) "Part-time student" shall mean a student who is enrolled pursuant to chapter 392-181 WAC (part-time attendance and ancillary services) for less time than the minimum time required for a full-time equivalent student.

(5) "Pre-school handicapped student" shall mean a handicapped student who is enrolled in a pre-first grade level educational program operated by or in behalf of the school district of enrollment.

## WSR 78-11-074

## ADOPTED RULES

## SUPERINTENDENT OF PUBLIC INSTRUCTION

[Order 11-78—Filed October 31, 1978]

I, Frank B. Brouillet, Superintendent of Public Instruction do promulgate and adopt the annexed rules relating to: Listed here is a summary of major items addressed in the proposed rules:

## Purposes.

Requirement for State Advisory Council and membership thereon.

Definitions of general application.

Eligibility criteria for handicapped children and definitions of handicapping conditions.

Assessment procedures and requirements, including independent educational assessments.

Requirement for individualized education programs.

Placement options and requirements, including least restrictive alternative.

Annual review of placement required.

Requirements for notification of parents.

Hearing rights and procedures.

Right of appeal to the Superintendent of Public Instruction and procedures.

Placement of child during administrative/judicial hearing.

Provision for surrogate parents under certain circumstances.

Safeguarding of and access to records; Rights to request amendments; Right to hearing regarding records; Destruction of records.

Provision for contractual services for handicapped children; Approval of nonpublic school agencies; Procedures; Out-of-state agencies.

Requirements and arrangements for services to private school handicapped students.

Annual school district application for funds; Requirements; State monitoring.

Staff qualifications.

Transportation.

Facilities.

Materials and equipment.

Length of education program.

Administration of medication.

Fiscal and program audits; Fund withholding; Recovery of funds.

Citizen complaint process;

This action is taken pursuant to Notice No. WSR 78-10-064 filed with the code reviser on 9/25/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Superintendent of Public Instruction as authorized in RCW 28A.13.010 and 28A.13.070(7).

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as

appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED October 2, 1978.

By Frank B. Brouillet  
Superintendent of Public Instruction

### PURPOSES

#### NEW SECTION

WAC 392-171-300 PURPOSES. The purposes of this chapter are:

(1) To implement chapter 28A.13 RCW in a manner that is compatible also with the federal Education for All Handicapped Children Act, 20 United States Code (USC) section 1401 et seq. (P.L. 94-142);

(2) To assure that all handicapped students as defined in this chapter have an opportunity for a free and appropriate education at public expense (i.e., free special education and related services) to meet their unique needs;

(3) To assure that the rights of handicapped students and their parents are protected;

(4) To assist school districts and others to provide for the education of all handicapped students; and

(5) To assess and assure the effectiveness of efforts to educate handicapped students.

### STATE ADVISORY COUNCIL

#### NEW SECTION

WAC 392-171-305 ADVISORY COUNCIL. (1) Council established—The special education state advisory council is hereby established in order to help facilitate the provision of special education and related services to meet every handicapped student's unique needs, abilities, and limitations.

(2) Membership—The membership of the council shall include at least one representative of each of the following groups or entities:

- (a) Handicapped individuals;
- (b) Teachers of handicapped students;
- (c) Parents of handicapped students;
- (d) Local administrators of special education programs;
- (e) Support services personnel;
- (f) Superintendents;
- (g) Principals;
- (h) Nonpublic schools serving handicapped students;
- (i) School directors;
- (j) Institutions of higher education;
- (k) Department of social and health services;
- (l) The medical profession; and
- (m) Other individuals or groups as may hereafter be designated and approved by the superintendent of public instruction.

(3) Functions—The council's purposes are:

(a) To advise the superintendent of public instruction and make recommendations on all matters related to special education and specifically advise the superintendent of unmet needs within the state in the education of handicapped students;

(b) Comment publicly on the state's annual program plan, state rules regarding the education of handicapped students, and the procedures for distribution of funds; and

(c) Assist the state in developing and reporting such information and evaluations as may assist the federal government.

(4) Organization—The council shall conduct its affairs in accordance with bylaws approved by the superintendent of public instruction. To assure that maximum information and recommendations are provided to the superintendent of public instruction, the state advisory council shall have the authority to recommend the design of its organization and to appoint subcommittees from its membership for carrying out council responsibilities. Ad hoc subcommittees with membership other than council members may be appointed: PROVIDED, That the superintendent of public instruction or his or her designee has given prior approval for such appointments.

### DEFINITIONS OF GENERAL APPLICATION

#### NEW SECTION

WAC 392-171-310 DEFINITIONS OF "ASSESSMENT," "ADULT STUDENT," "CONSENT," "HANDICAPPED STUDENT," "PARENT," AND "SCHOOL DISTRICT." As used in this chapter:

(1) "Assessment" means procedures used in accordance with WAC 392-171-400 through 392-171-430 and 392-171-485(2) to determine whether a student is handicapped and the nature and extent of the special education and related services that the student needs. The term means procedures used selectively with an individual student and does not include basic tests administered to or procedures used with all students in a school, grade, or class.

(2) "Adult student" means a handicapped student or a student who is eighteen, nineteen, or twenty years of age and who has not been judged incompetent by a court of law or otherwise judged by a court of law as being incapable of assuming and exercising the rights, duties and responsibilities otherwise granted to and imposed upon parents by this chapter (a student shall assume and be entitled to exercise all rights, duties and responsibilities otherwise granted to or imposed upon parents by this chapter upon attaining the age of eighteen and shall retain and be entitled to exercise the same until he or she has been judged incompetent or otherwise incapable or exercising the same by a court of law).

(3) "Consent" means that:

(a) The parent (or the adult student) has been fully informed of all information relevant to the activity for which consent is sought in his or her native language or other mode of communication;

(b) The parent (or the adult student) understands and agrees in writing to the carrying out of the activity for which his or her consent is sought, and the consent describes that activity and lists the records (if any) which will be released and to whom; and



(c) The parent (or the adult student) understands that the granting of consent is voluntary on the part of the parent (or the adult student) and may be revoked at any time.

(4) "Handicapped student" and "student" (depending upon the context in which the terms are used) mean:

(a) A person under the age of twenty-one who has been determined pursuant to this chapter to have one or more of the disabilities set forth in WAC 392-171-330 through 392-171-390; or

(b) A person under the age of twenty-one who has become a focus of concern and who may have one or more of the disabilities set forth in WAC 392-171-330 through 392-171-390 in the judgment of the school district superintendent or his or her designee, or the parent(s), or the adult student; or

(c) Both of the foregoing categories of persons— notwithstanding the fact the person(s) may not be enrolled in or attending school in the normal sense of the term "student."

(5) "Parent" means a natural parent, a legal guardian, an adult person acting as a parent, or a surrogate parent who has been appointed in accordance with WAC 392-171-540, who represents a nonadult student. The term does not include the state if the child is a ward of the state.

(6) "School district" means:

(a) Each public school district in the state;

(b) Each educational service district that provides special education or related services to one or more handicapped students; and

(c) Each public or private person, organization or entity that provides special education or related services to one or more handicapped students in behalf of a public school district—even though a public school district, such an educational service district, or such a public or private person, organization, or entity does not receive federal funds made available for the purposes of the Education for All Handicapped Children Act.

#### NEW SECTION

WAC 392-171-315 DEFINITION OF "SPECIAL EDUCATION." As used in this chapter "special education" means specially designed instruction, at no cost to the parent or the student, to meet the unique needs, abilities, and limitations of a handicapped student, including classroom instruction, instruction in physical education, home instruction, and instruction in hospitals and institutions. The term includes speech pathology, physical and occupational therapy, orientation and mobility instruction, itinerant vision and hearing instruction, audiology, or any other related service, if, and to the extent, the foregoing services consist of specially designed instruction, at no cost to the parents or the student, to meet the unique needs of a handicapped student. The term also includes career development and vocational education if either consists of specially designed instruction, at no cost to the parents or the student, to meet the unique needs of a handicapped student.

The terms in the definition of "special education" are defined as follows:

(1) "At no cost" means that all specially designed instruction is provided without charge, but does not preclude incidental fees which are normally charged to nonhandicapped students or their parents as a part of the regular education program.

(2) "Physical education" means the development of:

(a) Physical and motor fitness;

(b) Fundamental motor skills and patterns; and

(c) Skills in aquatics, dance, and individual and group games and sports (including intramural and lifetime sports).

The term includes special physical education, adapted physical education, movement education, and motor development.

(3) "Career development" means a program of instruction infused into a student's basic education program which consists principally of occupational preparation. "Occupational preparation" means a continuum of instruction, from preschool through secondary, that evolves from awareness stages through exploratory and preparatory activities which lead to experiences such as instruction in a vocational-technical institute, a sheltered workshop, a community college, or a community placement.

(4) "Specially designed instruction" means organized and planned teaching and/or training activities provided by certificated and/or licensed special education personnel, including therapists, designed to facilitate progress toward specific written objectives and which occurs repeatedly over a given period of time during regularly scheduled sessions. The term does not include diagnostic or assessment activities, related services per se, consultative services, or materials preparation.

(5) "Vocational education" means organized educational programs which are directly related to the preparation of individuals for paid or unpaid employment, or for additional preparation for a career requiring other than a baccalaureate or advanced degree.

#### NEW SECTION

WAC 392-171-320 DEFINITION OF "RELATED SERVICES." As used in this chapter "related services" means transportation and such developmental, corrective, and other supportive services as are required to assist a handicapped student to benefit from special education, and includes speech pathology and audiology, psychological services, physical and occupational therapy, recreation, early identification and assessment of disabilities in students, counseling services, medical services for diagnostic or assessment purposes, and orientation and mobility services. The term also includes school health services, social work services in schools, and parent counseling and training.

The terms used in the definition of "related services" are defined as follows:

(1) "Audiology" includes:

(a) Identification of students with hearing loss;

(b) Determination of the range, nature, and degree of hearing loss, including referral for medical or other professional attention for the habilitation of hearing;

(c) Provision of habilitative activities, such as language habilitation, auditory training, speech reading

(lip-reading), hearing evaluation, and speech conservation;

(d) Creation and administration of programs for prevention of hearing loss;

(e) Counseling and guidance of students, parents, and teachers regarding hearing loss; and

(f) Determination of the student's need for group and individual amplification, selecting and fitting an appropriate aid, and evaluating the effectiveness of amplification.

(2) "Counseling services" means services provided by qualified social workers, psychologists, guidance counselors, or other qualified personnel.

(3) "Early identification" means the implementation of a formal plan for identifying a disability as early as possible in a student's life.

(4) "Medical services" means services provided by a licensed physician to determine a student's medically related handicapping condition which results in the student's need for special education and related services.

(5) "Occupational therapy" includes:

(a) Improving, developing, or restoring functions impaired or lost through illness, injury, or deprivation;

(b) Improving ability to perform tasks for independent functioning when functions are impaired or lost; and

(c) Preventing, through early intervention, initial or further impairment or loss of function.

(6) "Orientation and mobility services" means the organization, planning, and direct provision of training/instruction in orientation and mobility for visually handicapped students and includes related consultation with parents, teachers, and other concerned persons.

(7) "Parent counseling and training" means assisting parents in understanding the special needs, abilities, and limitations of their child or ward and providing parents with information about child/student development.

(8) "Physical therapy" means services provided by a qualified physical therapist.

(9) "Psychological services" includes:

(a) Administering psychological and educational tests, and other assessment procedures;

(b) Interpreting assessment results;

(c) Obtaining, integrating, and interpreting information about child/student behavior and conditions relating to learning;

(d) Consulting with other staff members in planning school programs to meet the special needs of students as indicated by psychological tests, interviews, and behavioral evaluations; and

(e) Planning and managing a program of psychological services, including psychological counseling for students and parents.

(10) "Recreation" includes:

(a) Assessment of leisure function;

(b) Therapeutic recreation services;

(c) Recreation programs in school and community agencies; and

(d) Leisure education.

(11) "School health services" means services provided by a qualified school nurse or other qualified person.

(12) "Social work services in schools" include:

(a) Preparing a social or developmental history on a handicapped student;

(b) Group and individual counseling with the student and family;

(c) Working with those problems in a student's living situation (home, school, and community) that affect the student's adjustment in school; and

(d) Mobilizing school and community resources to enable the student to receive maximum benefit from his or her educational program.

(13) "Speech pathology" includes:

(a) Identification of students with speech or language disorders;

(b) Diagnosis and appraisal of specific speech or language disorders;

(c) Referral for medical or other professional attention necessary for the habilitation of speech or language disorders;

(d) Provision of speech and language services for the habilitation or prevention of communicative disorders; and

(e) Counseling and guidance of parents, students, and teachers regarding speech and language disorders.

(14) "Transportation" includes:

(a) Travel to and from school and between schools;

(b) Travel in and around school buildings; and

(c) Specialized equipment (such as special or adapted buses, lifts, and ramps), if required to provide special transportation for a handicapped student.

#### ELIGIBILITY CRITERIA FOR HANDICAPPED STUDENTS

##### NEW SECTION

WAC 392-171-325 STUDENTS' RIGHTS TO SPECIAL EDUCATION PROGRAMS. (1) Each school district shall provide every handicapped student of common school age a free and appropriate educational program consisting of special education and related services. Common school age is age five to age twenty-one.

(2) School districts may provide special education and related services to handicapped students in the three and/or four age groups without being obligated to extend preschool programs to nonhandicapped children. However, if a school district provides an education to any nonhandicapped child in the three or the four age group, the district shall make special education and related services available pursuant to this chapter to all its handicapped students of the same age.

(3) School districts may provide special education and related services to handicapped students in the zero to one, one, and two year old age groups without being obligated to provide a preschool program for nonhandicapped children: PROVIDED, That the handicapped student has one or more of the following conditions:

(a) Multiple handicap;

(b) Gross motor impairment;

(c) Sensory impairment; or

(d) Moderate or severe mental retardation.

However, if a school district provides an education to

any nonhandicapped child in the zero to one, one, or two year old age groups, it shall make special education and related services available pursuant to this chapter to all its handicapped students in the above four categories of the same age.

(4) Any student made a focus of concern or who is reassessed after November 1, 1976, shall qualify pursuant to the disability definitions and criteria set forth in this chapter in order to receive state or federal excess cost funding. A handicapped student shall remain eligible for special education and related services until the student has met normal high school graduation requirements established by the school district pursuant to rules of the state board of education, or the student has reached age twenty-one, or until the student is no longer in need of special education services as judged by the student's multidisciplinary team based upon a reassessment of the student, whichever occurs first.

(5) Any student whose eligibility was determined pursuant to the eligibility requirements of this chapter as they existed prior to November 1, 1976, shall continue to be eligible until September 1, 1978, subject to reassessment pursuant to the eligibility requirements of this chapter as now or hereafter amended.

#### NEW SECTION

**WAC 392-171-330 BEHAVIORAL DISABILITY—DEFINITION—ELIGIBILITY CRITERIA.** A behaviorally disabled student is one who demonstrates an observable, generalized behavioral pattern which markedly interferes with the normal educational processes of the student to such a degree that standard alternatives within the regular program have shown to be ineffective.

Eligibility criteria: To be eligible for special education services, the assessment process shall include:

(1) A statement of behavioral disability by a licensed or certificated psychologist or psychiatrist. Such statement shall include a description of the specific behavior(s) which interfere(s) with the normal educational processes of the student.

(2) An educational plan specifying social and academic goals based on the specific behavior(s) listed in the assessment.

(3) A statement of the standard alternatives that have been attempted in the regular school program and that have proven to be ineffective.

Students with common disciplinary and/or developmental problems and students whose major problems are served in another disability category do not qualify as behaviorally disabled.

#### NEW SECTION

**WAC 392-171-335 COMMUNICATION DISORDERS—DEFINITION—ELIGIBILITY CRITERIA.** A student with a communication disorder shall be one of the following:

(1) A student with a voice handicap who has an excess or deficiency in pitch, intensity, or quality;

(2) A student who has a deficiency in fluency which may or may not be accompanied by facial grimaces and/or excessive extraneous movements;

(3) A student with an articulation handicap who has a deficiency in his or her ability to say sounds in conversational speech which is not consistent with his or her chronological and/or mental age; or

(4) A student with a language handicap who has a deficiency which is not consistent with his or her chronological and/or mental age in one or all of the following areas:

(a) A deficiency in encoding (expression) skills to communicate information;

(b) A deficiency in decoding (reception) skills to gain information through visual or auditory channels; or

(c) A deficiency in organizing information.

Eligibility criteria: The decision of a communication disorders specialist shall be documented, based on diagnostic findings, and consistent with this section. In voice disorders involving hoarseness, a physician's diagnosis shall also be obtained.

#### NEW SECTION

**WAC 392-171-340 GROSS MOTOR AND ORTHOPEDICALLY HANDICAPPED—DEFINITION—ELIGIBILITY CRITERIA.** Gross motor and orthopedically handicapped students are those students who lack normal function due to abnormalities of the muscles, joints or bones, or due to abnormal functioning of such systems secondary to or due to neurological or other conditions as certified by a physician.

Eligibility criteria: Any student who is unable to attend regular classes with safety and profit because of the nature of his or her handicap is eligible for enrollment in a special education program upon the recommendation of a physician and with the approval of the school district's director of special education.

#### NEW SECTION

**WAC 392-171-345 HEALTH IMPAIRED—DEFINITION—ELIGIBILITY CRITERIA.** Health impaired students are those who have chronic defects or disease due to such factors as infection, injury, metabolic disorder, growth or nutrition, neoplasm, or congenital malformation. Health impaired students include students with acquired or congenital heart disease, other disorders of the cardiorespiratory system, or disorders of the central nervous system.

Eligibility criteria: A physician's statement indicating the need for special education consideration is required.

#### NEW SECTION

**WAC 392-171-350 LEARNING/LANGUAGE DISABILITY—DEFINITION.** Learning/language disability is a disorder in one or more of the basic psychological processes involved in understanding or using spoken or written language resulting from perceptual-motor handicaps. Such disorder may include problems in visual and auditory perception and integration which may manifest itself in an impaired ability to think, speak or communicate clearly, read with comprehension, write

legibly and with meaning, spell accurately, and to perform mathematical calculations, including those involving reading. The presence of a learning/language disability is indicated by near average, average, or above average intellectual ability, but nonetheless the student demonstrates significant performance deficits in one or more of the following:

- (1) Oral expression;
- (2) Listening comprehension;
- (3) Written expression;
- (4) Basic reading skill;
- (5) Reading comprehension;
- (6) Mathematics calculations; and
- (7) Mathematics reasoning.

PROVIDED, That such a performance deficit cannot be explained by visual or hearing problems, motor handicaps, mental retardation, a behavioral disability, or an environmental, cultural, or economic disadvantage.

A learning/language disability includes conditions described as perceptual handicap, minimal brain dysfunction, dyslexia, and developmental aphasia: PROVIDED, That the student meets the eligibility criteria set forth in WAC 392-171-355.

#### NEW SECTION

WAC 392-171-355 LEARNING/LANGUAGE DISABILITY—ELIGIBILITY CRITERIA. Each of the three conditions that follow must be met in order for a student to be eligible for inclusion in learning/language disability programs paid for by state or federal excess cost funds.

(1) The student shall have significant deficits in visual and/or auditory functioning (including discrimination, memory, and integrations in visual-auditory and/or motor functioning): PROVIDED, That neither the visual nor the auditory deficit is required as a condition to the eligibility of secondary students. These perceptual/cognitive defects shall be verified by an assessment which shows a delay of one year or more at or below the first and second grade levels, a two year or more delay at the third and fourth grade levels, and a three year or more delay at the fifth grade level and beyond and/or a score of 2 standard deviations below the mean in one or more of the following areas:

- (a) Visual processing:
  - (i) perception (discrimination and closure);
  - (ii) memory;
  - (iii) association; and
  - (iv) integration.
- (b) Auditory processing:
  - (i) perception (discrimination and closure);
  - (ii) memory;
  - (iii) association; and
  - (iv) integration.
- (c) Haptic processing:
  - (i) kinesthetic; and
  - (ii) tactile.
- (d) Language:
  - (i) reception; and
  - (ii) expression.
- (e) Sensory integration/association:
  - (i) visual-motor;

- (ii) visual-auditory (vocal);
- (iii) auditory-motor; and
- (iv) auditory-vocal.

(2) The student shall have significant deficits in one or more of the following areas as verified by administering one or more tests designed to measure such skills:

- (a) Oral expression;
- (b) Listening comprehension;
- (c) Written expression;
- (d) Basic reading skill;
- (e) Reading comprehension;
- (f) Mathematics calculations; and
- (g) Mathematics reasoning.

A significant deficit is indicated by test scores showing that the student is one year or more below his or her potential at or below the first and second grade levels, two years or more below at the third and fourth grade levels, and three years or more below at or beyond the fifth grade level: PROVIDED, That a student shall be eligible for special education and related services only with respect to the area or areas in which the student functions below the minimum grade level.

(3) The student does not qualify for placement in any other disability category set forth in this chapter.

#### NEW SECTION

WAC 392-171-360 MENTAL RETARDATION—MILDLY RETARDED—DEFINITION—ELIGIBILITY CRITERIA. Mildly retarded students are those who demonstrate general subaverage functioning and whose growth of performance indicates a need for a special education program designed to meet their individual needs.

Eligibility criteria: Eligibility requirements for the mildly retarded shall include the following criteria and screening for other handicapping condition(s):

(1) I.Q. range from approximately fifty-one through seventy-five as interpreted by a qualified psychologist; and

(2) Any two of the following conditions:

- (a) Academic behavior equal to one-half or less of expected grade level;
- (b) Demonstrated ability to learn basic academic skills and to become socially and economically independent at adult level;
- (c) Social and adaptive behavior equal to one-half to three-fourths chronological age; or
- (d) Expressive and receptive language development equal to two-thirds or less of chronological age.

#### NEW SECTION

WAC 392-171-365 MENTAL RETARDATION—MODERATELY RETARDED—DEFINITION—ELIGIBILITY CRITERIA. Moderately retarded students are those who demonstrate subaverage intellectual and social functioning to such an extent that they are ineligible for classes for mildly mentally retarded.

Eligibility criteria: Eligibility requirements for the moderately mentally retarded shall include the following

criteria and screening for other handicapping condition(s):

- (1) I.Q. range from approximately thirty to fifty as interpreted by a qualified psychologist; and
- (2) Any one of the following:
  - (a) Academic development at a rate of one-third to one-half of chronological age;
  - (b) Student will not be totally dependent, require nursing care throughout his or her life, or require close supervision; or
  - (c) Growth of performance indicating ability to learn self-care skills.

#### NEW SECTION

WAC 392-171-370 MENTAL RETARDATION—SEVERELY AND PROFOUNDLY RETARDED—DEFINITION—ELIGIBILITY CRITERIA. Severely and profoundly retarded students are those who because of profound subaverage intellectual and social development are ineligible for programs for the moderately mentally retarded.

Eligibility criteria: Eligibility requirements for the severely mentally retarded shall consist of the following criteria and screening for other handicapping condition(s):

- (1) I.Q. range approximately thirty or below as interpreted by a qualified psychologist; and
- (2) Any one of the following:
  - (a) Minimal ability to acquire basic academic and self-help skills; or
  - (b) Student will require close supervision throughout his or her life.

#### NEW SECTION

WAC 392-171-375 MENTAL RETARDATION—I.Q. ELIGIBILITY RANGE VARIATION. The I.Q. eligibility ranges specified in WAC 392-171-360, 392-171-365, and 392-171-370 may vary by one-half standard deviation if a qualified psychologist documents in writing (with the approval of the school district special education director as provided for in WAC 392-171-430) the reasons for placement in a particular special education program: PROVIDED, That any student placed in a special education program for mildly retarded students whose I.Q. score is above seventy-five must meet at least three of the four conditions specified in WAC 392-171-360(2): PROVIDED FURTHER, That special care shall be taken to account for the cultural biases, if any, of the measurement instruments.

#### NEW SECTION

WAC 392-171-380 MULTIPLE HANDICAPPED—DEFINITION—ELIGIBILITY CRITERIA. A student shall be considered multiple handicapped when two or more handicapping conditions are present, each of which is so severe as to warrant a special program were that handicapping condition to appear in isolation.

Eligibility criteria: Students shall qualify as multiple handicapped only when the resultant overall deficit is

profound and when the following conditions are identified and documented:

- (1) Mental retardation; and
- (2) One or more the following:
  - (a) Gross motor and orthopedically impaired;
  - (b) Hearing impaired; or
  - (c) Blind.

In addition to the above, appropriate professional diagnosis and documentation of the severity of each handicapping condition is required.

Multiple handicapped students are not eligible for placement in a resource program because the severity of the deficits of multiple handicapped students precludes their placement in a resource program.

#### NEW SECTION

WAC 392-171-385 NEUROLOGICAL IMPAIRMENT—DEFINITION—ELIGIBILITY CRITERIA. Neurologically impaired students are those who have an observable impairment of the central nervous system as indicated by a neurological and psychological assessment which establishes an educationally significant deficit in various combinations of the following areas:

- (1) Motor;
- (2) Sensory-motor;
- (3) Perceptual;
- (4) Cognitive; and
- (5) Behavior.

These deficits shall not be secondary to general mental retardation, general motor handicaps, sensory impairment, or serious behavioral disability.

Eligibility criteria: A student must be diagnosed as neurologically impaired. For the purpose of this section, "educationally significant deficit" means an academic deficiency of two or more years.

#### NEW SECTION

WAC 392-171-390 SENSORY HANDICAPPED—DEFINITION—ELIGIBILITY CRITERIA. Sensory handicapped students are as follows:

(1) Hearing impaired (accepted term covering both deaf and hard of hearing students). Definition: A student shall be judged educationally hearing impaired if he or she is in need of supportive services because of a hearing loss.

Eligibility criteria: The student has a determined organic hearing loss in excess of 30 db. better ear average in the speech range (500, 1000, 2000 Hz), unaided, and is in need of the support services.

(2) Partially sighted. Definition: A partially sighted student is one with eye difficulties which are not sufficiently amenable to correction or treatment to enable the student to advantageously use supplies and equipment provided for the student with normal vision.

Eligibility criteria: A student is eligible when his or her visual acuity is between 20/70 and 20/200 in the better eye after correction or upon the recommendation of a qualified optometrist or ophthalmologist.

(3) Blind. Definition: A blind student is one whose vision after correction is less than 20/200 in the better eye.

Eligibility criteria: A student whose vision is less than 20/200 or who has the recommendation of an optometrist or ophthalmologist is eligible for classes for the blind.

### ASSESSMENTS

#### NEW SECTION

**WAC 392-171-395 STUDENT AS FOCUS OF CONCERN—PREASSESSMENT PROCEDURES—TIMELINE.** (1) A student shall become a focus of concern when the student is brought to the attention of a school district superintendent or his or her designee because of a suspected handicapping condition(s). Such concern for a student may be originated by or transmitted through any source, including: Parents, medical personnel, school district personnel, community agencies, civil authorities, authorized screening procedures, and other identified, interested persons.

(2) When the possibility of a student's need for special education and related services has been brought to the attention of the school district superintendent or his or her designee, the superintendent or his or her designee shall act on the referral by promptly:

(a) Recording the circumstance by date, origin, and reason for concern; and

(b) Providing the student's parent(s) (or the adult student) written notice that the student has been referred because of a suspected handicapping condition and that within fifteen school days the district will determine whether or not there is good reason to believe that the student is a candidate for assessment.

(3) The superintendent or his or her designee shall, within fifteen school days after the date of referral, review the referral, collect and examine existing school, medical and other records in the possession of the school district and make a determination that there is or is not good reason to believe that the student is a candidate for assessment. This decision shall be in writing and shall set forth the date and the name of the person making the decision. The superintendent or his or her designee shall, within ten school days after the date of such decision, direct a written notice to the student's parent(s) (or the adult student) that complies with the notice requirements of WAC 392-171-495.

(4) In the event the decision is that there is good reason to believe that the student is a candidate for assessment, the student shall be fully assessed within:

(a) Thirty school days after the date written consent for an assessment has been provided by the parent(s) (or the adult student); or

(b) Thirty school days after the date the refusal of the parent(s) (or the adult student) to grant consent has been overridden pursuant to a hearing (or appeal) in accordance with WAC 392-171-500 et seq.; or

(c) Such other time period as may be agreed to by the parent(s) (or the adult student) and school authorities.

#### NEW SECTION

**WAC 392-171-400 GENERAL AREAS OF ASSESSMENT.** The assessment of a student (except one with a suspected speech impairment) shall be in all areas

related to the suspected disability including, but not limited to, the following categories:

(1) Scholastic. This area shall include assessment of the intellectual, language and communication, academic and self-help skill status of the student.

(2) Physical. This area shall include a review of the general health status of the student with particular attention to the visual, hearing, musculo-skeletal, neurological, and developmental modalities.

(3) Adjustment. This area shall include assessment of the social skills and emotional status of the student.

#### NEW SECTION

**WAC 392-171-405 GENERAL ASSESSMENT PERSONNEL, MATERIALS AND REPORT REQUIREMENTS.** (1) The assessment of a student (except one with a suspected speech impairment) shall be made by a multidisciplinary team or group of professionals including at least one teacher or other specialist with knowledge in the area of the suspected disability. Each member of the team shall be licensed, registered, credentialed, or certificated according to his or her professional standards in accordance with state statutes and rules.

(2) No single test instrument or single procedure shall be the sole criterion for determining the appropriate educational program for a student.

(3) Assessment materials, procedures, and instruments used for the purpose of assessment and placement shall be selected and administered so as not to be racially or culturally discriminatory. All tests and other evaluation materials shall have been validated for the specific purpose for which they are used, shall be administered by trained personnel in conformance with the instructions of their producer, and shall accurately reflect whatever factors the tests purport to measure.

(4) Assessment materials, procedures or instruments shall be provided and administered in a student's primary language or mode of communication, unless it is clearly not feasible to do so.

(5) Assessment data shall be summarized in writing, dated, and signed by the multidisciplinary team leader. Information used to support the assessment, but which is not incorporated into the file, shall be noted (e.g., review of health record, number of identified problems, etc.). The summaries shall specify the procedures and instruments used, the results obtained, and the apparent significance of findings as related to the student's instructional program.

#### NEW SECTION

**WAC 392-171-410 LEARNING/LANGUAGE DISABLED STUDENTS—ADDITIONAL ASSESSMENT TEAM MEMBERS—CLASSROOM OBSERVATION.** (1) In addition to the requirements of WAC 392-171-400 and 392-171-405, in assessing a student suspected of having a learning/language disability each school district shall include on the multidisciplinary assessment team:

(a) The student's regular teacher; or

(b) If the student does not have a regular teacher, a regular classroom teacher qualified to teach a student of his or her age; or

(c) For a student of less than school age, an individual trained in early childhood education designated by the school district; and

(d) At least one person qualified to conduct individual diagnostic examinations of students, such as a school psychologist, communication disorder specialist, or remedial reading teacher.

(2) At least one team member other than the student's regular teacher shall observe the student's academic performance in the regular classroom setting.

(3) In the case of a student of less than school age or a student who is not enrolled in school, a team member shall observe the student in an environment appropriate for a student of that age.

#### NEW SECTION

WAC 392-171-415 LEARNING/LANGUAGE DISABLED STUDENTS—WRITTEN REPORT OF ASSESSMENT TEAM. In the case of a student suspected of having a learning/language disability, the assessment team shall prepare a written report of the results of the assessment, as follows:

(1) The report shall include a statement of:

(a) Whether the student has a learning/language disability;

(b) The basis for making the determination;

(c) The relevant behavior noted during the observation of the student;

(d) The relationship of that behavior to the student's academic functioning;

(e) The educationally relevant medical findings, if any; and

(f) The determination of the team concerning the effects of environmental, cultural, or economic disadvantage.

(2) Each team member shall certify in writing whether the report reflects his or her conclusion. If it does not reflect his or her conclusion, the team member must submit a separate statement presenting his or her conclusion(s).

#### NEW SECTION

WAC 392-171-420 SPEECH IMPAIRED STUDENTS—ASSESSMENT. Students who are suspected of having a speech impairment as their primary handicap shall be assessed by a qualified speech-language professional who shall use procedures appropriate for the diagnosis and appraisal of speech-language disorders. The student shall be referred for additional assessment needs for appropriate placement. The assessment results required in this section shall be summarized as provided in WAC 392-171-405(5).

#### NEW SECTION

WAC 392-171-425 MEDICAL EVALUATION.

(1) A medical evaluation is required when:

(a) A student under consideration as a possible handicapped student is suspected of having a health problem that may affect his or her education program; or

(b) A medical evaluation is necessary to determine whether or not a student has a handicapping condition.

(2) Medical evaluations at the expense or otherwise in behalf of a school district shall be obtained only:

(a) At the direction of or with the prior approval of the school district superintendent or his or her designee (except in the case of an independent assessment pursuant to WAC 392-171-435);

(b) In accordance with criteria established by the school district including, but not limited to, the location of the evaluation and the qualifications of the medical examiner;

(c) When the student's parent(s) (or the adult student) agrees in advance to the type of examination and the choice of medical examiner;

(d) When, except in the case of an adult student, the student's parent(s) is present at the time of the examination or has agreed that his or her presence is not required; and

(e) When the student's personal physician (if any) has been informed in advance of the proposed examination.

#### NEW SECTION

WAC 392-171-430 ANALYSIS OF ASSESSMENT DATA. (1) The leader of a student's assessment team designated by the school district superintendent or his or her designee shall analyze the summary of assessment data provided for in WAC 392-171-405(5) and summarize his or her conclusions, recommendations, and the facts and/or reasons therefor, in writing. Such assessment results shall:

(a) Identify the disability condition(s), if any, that qualifies the student as a handicapped student; and

(b) Set forth the nature and extent of the special education and related services that the student needs, if any.

(2) The summary of assessment results shall be of sufficient scope and detail to also document:

(a) The test results and other facts necessary to a determination of the student's qualification or lack of qualification as a handicapped student; and

(b) Any necessary professional judgment(s) and the facts or reasons in support of the judgment(s).

(3) The summary of assessment results shall be signed and dated by both the team leader and the school district's special education director: PROVIDED, That in large school districts in which the acquisition of the director's signature would be unfeasible in all cases, a designee of the director may sign such summaries with the prior permission of the superintendent of public instruction or his or her designee.

#### NEW SECTION

WAC 392-171-435 INDEPENDENT EDUCATIONAL ASSESSMENT. (1) General.

(a) The parent(s) of a student (or the adult student) has the right to obtain an independent educational assessment, subject to subsections (3) through (5) of this section.

(b) Each school district shall provide to parents, (or adult students) on request, information about where an independent educational assessment may be obtained.

(c) For the purposes of this section:

(i) "Independent educational assessment" means an assessment conducted by a qualified examiner who is not employed by the school district responsible for the education of the student in question; and

(ii) "Public expense" means that the school district either pays for the full cost of the assessment or assures that the assessment is otherwise provided at no cost to the parent (or to the adult student).

(2) Parent/adult student right to assessment at public expense. A parent (or the adult student) has the right to an independent educational assessment at public expense if the parent (or the adult student) disagrees with the assessment results obtained by the school district, as follows:

(a) The parent(s) (or the adult student) shall provide a written notice to the school district superintendent or special education director which:

(i) Specifies the portion(s) of the assessment results with which the parent(s) (or the adult student) disagrees; and

(ii) Requests an independent educational assessment at public expense;

(b) The school district shall have the prior opportunity to initiate and conduct a hearing (and appeal) pursuant to WAC 392-171-500 et seq. to show that its assessment is appropriate: PROVIDED, That the school district shall provide the parent(s) (or the adult student) written notice of the election to initiate a hearing no later than the tenth day after the date of receipt of the parent's (or adult student's) notice of disagreement;

(c) If the final decision pursuant to WAC 392-171-500 et seq. is that the school district's assessment is appropriate, the parent (or adult student) still has the right to an independent educational assessment, but not at public expense; and

(d) If the district elects not to hold a hearing or is not upheld by the final decision, the parent's (or adult student's) request for an independent assessment shall be provided at public expense in accordance with the same criteria which the district uses when it initiates an assessment including, but not limited to, the location of the assessment and the qualifications of the examiner.

(3) Parent/adult student initiated assessment. If the parent (or adult student) obtains an independent educational assessment at private expense, the results of the assessment:

(a) Shall be considered by the school district in any decision made with respect to the provision of special education and related services to the student; and

(b) May be presented as evidence at such hearings regarding that student as may be conducted pursuant to WAC 392-171-500 et seq.

(4) Requests for assessment by hearing officers. If a hearing officer requests an independent educational assessment as part of a hearing, the cost of the assessment shall be at public expense.

## INDIVIDUALIZED EDUCATION PROGRAMS

## NEW SECTION

WAC 392-171-440 MEETINGS. (1) A meeting shall be held within thirty calendar days after the date upon which a student's assessment is completed for the purpose of developing the student's individualized education program. The school district shall initiate and conduct the meeting and shall include the following participants:

(a) A representative of the school district other than the student's teacher who is qualified to provide or supervise special education programs;

(b) The student's regular classroom teacher or special education teacher or therapist: PROVIDED, That either the representative of the school district or the teacher or therapist is qualified in the area of the student's suspected disability;

(c) One or both of the parents (in the case of a nonadult student), subject to subsections (2) through (5) of this section;

(d) The student if he or she is an adult student (and in the case of nonadult students, the student, if appropriate);

(e) A member of the student's assessment team; and

(f) Other individuals at the discretion of the district or the parent or the adult student.

(2) Each school district shall take steps to assure (in the case of nonadult students) that one or both parents of the handicapped student are present at each meeting or are afforded the opportunity to participate, including:

(a) Notifying the parent(s) of the meeting early enough to assure his or her participation; and

(b) Scheduling the meeting at a mutually agreed upon place and time.

(3) The notice to the parent(s) shall include the purpose, time, location of the meeting and who will be in attendance.

(4) If a parent cannot attend, the district shall use other methods to assure participation, including individual or conference telephone calls.

(5) A meeting may be conducted (in the case of a nonadult student) without a parent in attendance if the school district is unable to convince the parents they should attend. In such a case the school district shall make a record of its attempts to arrange a mutually agreed upon time and place. The record shall contain such information as:

(a) Detailed records of telephone calls made or attempted and the results of those calls;

(b) Copies of correspondence sent to the parents and any responses received; and

(c) Detailed records of visits made to the parent's home or place of employment and the results of those visits.

(6) The school district shall take whatever action is necessary to assure that the parent (or adult student) understands the proceedings at a meeting, including arranging for an interpreter for parents (or adult students) who are deaf or whose native language is other than English.

(7) Meetings consistent with this section shall be conducted by the school district at least once a year for the



purpose of reviewing and revising as necessary each student's individualized education program. Meetings may be held more frequently.

#### NEW SECTION

WAC 392-171-445 INDIVIDUALIZED EDUCATION PROGRAM. (1) Each handicapped student's individualized education program shall include:

- (a) A statement of the student's present levels of educational performance;
- (b) A statement of annual goals, including short-term instructional objectives;
- (c) A statement of the specific special education and related services to be provided to the student, and the extent to which the student will be able to participate in the regular educational program;
- (d) The projected dates for the initiation of services and the anticipated duration of the services; and
- (e) Appropriate objective criteria and evaluation procedures and schedules for determining, on at least an annual basis, whether the short-term instructional objectives are being met.

(2) The school district shall provide the parent (or the adult student) a copy of the individualized education program.

(3) Nothing in this chapter may be construed as promising or guaranteeing that a handicapped student will in fact achieve the growth projected in his or her annual goals and short-term objectives.

#### PLACEMENTS

#### NEW SECTION

WAC 392-171-450 INITIAL EDUCATIONAL PLACEMENT—NOTICE—CONSENT. (1) Each school district shall provide written notice of a student's proposed, initial special education placement, or of the district's inability or refusal to make a special education placement, within ten days after the initial meeting provided for in WAC 392-171-440. The notice shall comply with the notice requirements of WAC 392-171-495.

(2) The written consent of the parent(s) (or adult student) shall be requested if special education placement is proposed.

(3) The student's proposed special education placement shall commence when either:

- (a) Written consent has been given by the parent(s) (or the adult student); or
- (b) The refusal of a student's parent(s) (or adult student) to grant consent has been overridden by the school district pursuant to a hearing (or appeal) conducted in accordance with WAC 392-171-500 et seq.

#### NEW SECTION

WAC 392-171-455 LEAST RESTRICTIVE ENVIRONMENT. The placement and provision of services to each handicapped student shall be in his or her least restrictive environment as follows:

(1) Educational Setting—Each handicapped student shall be placed:

(a) In the regular educational environment with non-handicapped students to the maximum extent appropriate to his or her needs, unless it can be demonstrated by the school district that the nature or severity of the student's disability is such that his or her education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily; and

(b) In the school which he or she would attend if not handicapped, unless his or her individualized education program requires some other arrangement. If some other arrangement is required, the student shall be placed in the appropriate educational program that is as close to the student's home as is reasonably possible.

(2) Nonacademic Settings—Each handicapped student shall be provided nonacademic and extracurricular services and activities conducted by the school district (e.g., meals, recess, recreation, athletics, counseling, transportation, student club activities, etc.) with non-handicapped students to the maximum extent appropriate to the needs of the student.

#### NEW SECTION

WAC 392-171-460 PLACEMENT OPTIONS—SELECTION—REQUIRED CONSIDERATIONS.

(1) The placement of each handicapped student shall be determined annually.

(2) Placement options shall include the regular classroom program, resource programs, self-contained programs, and others as set forth in WAC 392-171-465 through 392-171-480.

(3) The selection of the appropriate placement option or options for each handicapped student shall be based upon:

- (a) The student's individualized education program;
- (b) The least restrictive environment requirements of WAC 392-171-455;
- (c) The option or combination of options that provides a reasonably high probability of assisting the student to attain his or her annual goals; and
- (d) A consideration of any potential harmful effect on the student or on the quality of services which he or she needs.

#### NEW SECTION

WAC 392-171-465 REGULAR EDUCATION PROGRAM OPTION. (1) A handicapped student shall remain in the regular classroom program if the goals which have been established for the student can be obtained satisfactorily through the combined effort of regular education, special education, and related services.

(2) Related services and special materials provided for any handicapped student in the regular program shall include, but not be limited to, the services of the following specialists:

- (a) School psychologists;
- (b) Communication disorder specialists;
- (c) Occupational therapists;
- (d) Physical therapists;
- (e) Nurses;
- (f) Social workers;
- (g) Itinerant teachers and specialists; and

(h) Any combination of the aforementioned program support personnel who can assist the student to reach his or her goals.

#### NEW SECTION

WAC 392-171-470 RESOURCE PROGRAM OPTION. (1) The resource program is a placement option only for handicapped students who require specialized instruction in addition to their regular classroom program. Eligible students shall receive a minimum of two hours and not more than ten hours per week of specialized instruction within a resource program. The student to teacher ratio (excluding itinerant teachers) for state and federal excess cost funding purposes shall be 35 to 1.

(2) Prior approval of the superintendent of public instruction or his or her designee shall be obtained before a district serves resource program eligible students by an itinerant teacher.

(3) A student may be placed in a special education resource program for up to thirty days, after which time state and federal excess cost funding shall cease unless the student has been fully assessed and determined to be eligible for special education services and resource room placement.

#### NEW SECTION

WAC 392-171-475 SELF-CONTAINED PROGRAM OPTIONS. Self-contained educational placement options shall include, but not be limited to, the following:

(1) An educational placement that provides specialized instruction by a classroom teacher only for handicapped students who require three or more hours per day of special instruction, or, if the school day is less than three hours, all of the instructional time in that placement. Students in self-contained classes may receive any and all related services. Student-teacher ratios (excluding itinerant teachers) for state and federal excess cost funding purposes are as follows:

- (a) Mental retardation:
  - (i) mildly retarded—13 to 1;
  - (ii) moderately retarded—10 to 1; and
  - (iii) severely and profoundly retarded—8 to 1;
- (b) Sensory handicapped:
  - (i) hearing impaired (deaf and hard of hearing)—6 to 1;
  - (ii) partially sighted—12 to 1; and
  - (iii) blind—6 to 1;
- (c) Gross motor and orthopedically impaired—8 to 1;
- (d) Behaviorally disabled—10 to 1;
- (e) Neurologically impaired—8 to 1;
- (f) Learning/language disability—15 to 1;
- (g) Health impaired (funding is dependent upon special program approval);
- (h) Multiple handicapped—6 to 1; and
- (i) Communication disorders (funding is dependent upon special program approval).

(2) Self-contained and resource program combinations may be established exclusively for handicapped students with the prior approval of the superintendent of

public instruction or his or her designee. Handicapped students who require from two to ten hours of special educational instruction per week shall be counted as resource room students for funding purposes. Handicapped students who require three or more hours of instruction per day shall be counted as self-contained. Under no conditions shall a district count a student under both resource and self-contained.

#### NEW SECTION

WAC 392-171-480 OTHER PROGRAM PLACEMENT OPTIONS. Other program placement options shall include, but not be limited to, the following:

(1) Home/hospital instruction—Home or hospital instruction shall be provided to both handicapped students and other students who are unable to attend school for an estimated period of four weeks or more because of physical disability or noncommunicable illness. As conditions to such services, the parent(s) of a student (or the adult student) shall request the services and provide a written statement from the student's physician that states the student will not be able to attend school for an estimated period of at least four weeks. A student who qualifies pursuant to this subsection shall be deemed "handicapped" for the purpose of special instructional services and funding notwithstanding the fact the student may not otherwise qualify as a handicapped student pursuant to the disability definitions and criteria set forth in this chapter. A school district shall not pay the cost of the required physician's statement in the case of a student who does not otherwise qualify as a handicapped student pursuant to this chapter.

(2) Other contractual services (see contractual services sections WAC 392-171-605 through 392-171-620) may be established for state and federal excess cost funding purposes with the prior approval of the superintendent of public instruction or his or her designee.

(3) Institution. Students with problems so profound that twenty-four hour residential care is needed may be referred to the state department of social and health services for possible admittance.

(4) Other placement options as approved in advance by the superintendent of public instruction or his or her designee for state and federal excess cost funding purposes.

#### ANNUAL REVIEW OF PLACEMENTS— PERIODIC REASSESSMENT

#### NEW SECTION

WAC 392-171-485 ANNUAL PLACEMENT EVALUATION—PERIODIC REASSESSMENTS—PROGRAM IMPROVEMENT. (1) Annual placement review—The educational placement of each handicapped student shall be evaluated and redetermined annually.

(2) Reassessment—Each handicapped student shall be reassessed in compliance with this chapter at least once every three years, or more frequently if conditions warrant or if the student's parent(s) or teacher initiates a referral pursuant to WAC 392-171-395.

(3) Program evaluation—Each school district shall establish a simple and reliable system of evaluating the program established for each handicapped student. Program evaluations shall be based upon a handicapped student's progress toward the accomplishment of the goals and objectives set forth in the student's individualized education program and/or upon the teacher/manager efforts to facilitate change. Specific methods of evaluating and displaying program results shall be determined in accordance with the district's policies and procedures and the student's individualized education program.

(4) The program evaluation system shall assure that the performance measurement is recorded and reported at both in-process and final-result stages, and the results of the evaluation shall be reported to the parent(s) (or the adult student) consistent with policies and procedures of the school district.

(5) Program evaluations shall serve two purposes:

(a) To compare a student's measured performance with established objectives; and

(b) To attempt to identify causal factors that account for significant differences between actual and predicted performance.

(6) Each school district shall develop, in its own format, alternatives designed to improve methods and results that are based upon the performance evaluation of the student. Evaluation of progress shall be continuing and completed at least annually in order to allow assessment personnel to adjust aims, programs, etc., if the objectives are not met.

#### NOTICE REQUIREMENTS—GENERAL

##### NEW SECTION

WAC 392-171-490 WHEN NOTICE MUST BE GIVEN. Written notice in accordance with WAC 392-171-495 shall be given by a school district to the parent(s) of a student (or to the adult student) a reasonable time before the school district:

(1) Proposes to initiate or change the identification, assessment, or educational placement of the student or the provision of special education and related services to the student pursuant to this chapter; or

(2) Refuses to initiate or change the identification, assessment, or educational placement of the student or the provision of special education and related services to the student pursuant to this chapter.

##### NEW SECTION

WAC 392-171-495 CONTENTS OF NOTICE.

(1) The notice required by WAC 392-171-490 shall include:

(a) A full explanation of all of the procedural safeguards available to the parent (or the adult student) that are set forth in this chapter;

(b) A description of the action proposed or refused by the school district, an explanation of why the district proposes or refuses to take the action, and a description of any options the district considered and the reasons why those options were rejected;

(c) A description of each assessment procedure, test, record, or report the district used as a basis for the proposal or refusal; and

(d) A description of any other factors which are relevant to the district's proposal or refusal.

(2) The notice shall be:

(a) Written in language understandable to the general public; and

(b) Provided in the native language of the parent (or adult student) or other mode of communication used by the parent (or adult student), unless it is clearly not feasible to do so.

(3) If the native language or other mode of communication of the parent (or adult student) is not a written language, the district shall take steps to assure that:

(a) The notice is translated orally or by other means to the parent (or adult student) in his or her native language or other mode of communication;

(b) The parent (or adult student) understands the content of the notice; and

(c) There is written evidence that the requirements in subparagraphs (a) and (b) of this subsection have been met.

#### HEARINGS—GENERAL

##### NEW SECTION

WAC 392-171-500 RIGHT TO INITIATE—PURPOSES. (1) Hearings conducted in accordance with WAC 392-171-500 through 392-171-515 may be initiated in the following cases for the purposes stated:

(a) The parent(s) of a student (or an adult student) or a school district may initiate a hearing to challenge or to show (as the case may be) the appropriateness of a proposal by the school district to initiate or change:

(i) The identification of the student;

(ii) The assessment of the student;

(iii) The educational placement of the student; or

(iv) The provision of special education and related services to the student pursuant to this chapter;

(b) The parent(s) of a student (or an adult student) or a school district may initiate a hearing to challenge or to show (as the case may be) the appropriateness of the school district's refusal of the parent(s) (or adult student's) request to initiate or change:

(i) The identification of the student;

(ii) The assessment of the student;

(iii) The educational placement of the student; or

(iv) The provision of special education and related services to the student pursuant to this chapter;

(c) A school district may initiate a hearing to show that its assessment of a student is appropriate if the student's parent(s) (or adult student) disagrees with the assessment results.

(2) A request by a student's parent(s) (or adult student) for a hearing pursuant to this section shall:

(a) Be in writing (or it may be oral if expressly permitted by a rule of the school district);

(b) Be mailed or provided directly to the superintendent of the school district; and

(c) Explain the complaint of the parent(s) (or adult student) in general or specific terms.

(3) A notice of a hearing requested by a child's parent(s) (or adult student) or initiated by a school district pursuant to this section shall be provided by the hearing officer and shall include, but not necessarily be limited to:

(a) The date, time, and place of the hearing;

(b) The issues to be addressed at the hearing to the extent the issues have been identified at the time of the notice;

(c) The rights, procedures, and other matters set forth in WAC 392-171-505 through 392-171-535; and

(d) The right of the parent(s) (or adult student) to seek an independent assessment at public expense pursuant to WAC 392-171-435.

#### NEW SECTION

WAC 392-171-505 HEARING OFFICERS—SELECTION AND EXPENSES OF—PARENT ASSISTANCE. (1) If a hearing is initiated pursuant to WAC 392-171-500:

(a) The hearing shall be conducted by and at the expense of the student's resident school district.

(b) The school district shall inform the parent(s) (or adult student) of any free or low-cost legal and other relevant services available in the area if:

(i) The parent (or adult student) requests the information; or

(ii) The school district or the parent (or adult student) initiates a hearing;

(c) The hearing shall be conducted by a qualified person selected and appointed by the school district who:

(i) Is not an employee of a school district which is involved in the education or care of the student; and

(ii) Does not have a personal or professional interest which would conflict with his or her objectivity in the hearing;

(2) A person who otherwise qualifies to conduct a hearing pursuant to this section is not an "employee" of the school district solely because he or she is paid by the district to serve as a hearing officer.

(3) The parent(s) (or adult student) shall have the right to file a written objection to the hearing officer(s) selected by the district if the parent(s) (or adult student) believe that the hearing officer may be biased. All such objections shall state the belief and the reasons or facts that give rise to the belief. The hearing officer objected to shall rule on the objection after hearing such arguments as the parties wish to make, unless such hearing officer has already chosen to disqualify himself or herself upon receipt of the objection. All such objections, arguments and their disposition shall be made a permanent part of the hearing record.

(4) Each school district and the superintendent of public instruction or his or her designee shall keep a list of potential hearing officers or groups or organizations from which hearing officers may be obtained. The list shall include a statement of the qualifications of each person specified.

#### NEW SECTION

WAC 392-171-510 HEARING RIGHTS. (1) Any party to a hearing initiated pursuant to WAC 392-171-500 has the right to:

(a) Be accompanied and advised by persons with special knowledge or training with respect to the problems of handicapped students;

(b) Be advised and/or represented by an attorney;

(c) Present evidence, including the opinion(s) of qualified experts, and confront and cross-examine witnesses;

(d) Prohibit the introduction of any evidence at the hearing that has not been disclosed to that party at least five days before the hearing;

(e) Obtain a written or electronic verbatim record of the hearing; and

(f) Obtain written findings of fact, conclusions of law and judgments. (The school district shall delete any personally identifiable information and transmit such findings, conclusions and judgments to the superintendent of public instruction for submission to the state advisory council.)

(2) Parents who are a party to a hearing have the right to have the child who is the subject of the hearing present.

(3) Parents (or adult students) who are a party to a hearing have the right to open the hearing to the public.

(4) All parties to a hearing shall, upon request, exercise such authority and influence as they have to compel the attendance of witnesses requested by another party.

#### NEW SECTION

WAC 392-171-515 TIMELINE FOR HEARING OFFICER'S DECISION—TIME AND PLACE OF HEARING. (1) Not later than forty-five days after the date of receipt of a request for a hearing pursuant to WAC 392-171-500:

(a) A final decision shall be reached based upon a preponderance of the evidence; and

(b) A copy of the decision consisting of the hearing officer's findings of fact, conclusions of law, and judgment shall be mailed or provided directly to each of the parties.

(2) The date of mailing or providing a decision to the parties shall be certified to on the first page of the decision by the person(s) who mails or provides the decision to the parties.

(3) A hearing officer may grant specific extensions of time beyond the period set forth in this section at the request of either party.

(4) Each hearing involving oral arguments shall be conducted at a time and place which is reasonably convenient to the parent(s) and student involved.

#### NEW SECTION

WAC 392-171-520 FINAL DECISION—APPEAL. A decision made in a hearing initiated pursuant to WAC 392-171-500 is final, unless a party to the hearing appeals the decision in accordance with WAC 392-171-525.

#### APPEALS

NEW SECTION

**WAC 392-171-525 APPEALS TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION.** (1) Any party aggrieved by the findings and decision in a hearing initiated pursuant to WAC 392-171-500 may appeal to the superintendent of public instruction: PROVIDED, That written notice of such appeal is received by the superintendent of public instruction no later than the thirtieth day after the date upon which the decision was mailed or provided directly to the appealing party. If the thirtieth day falls on a Saturday, Sunday, or state holiday, the time for receipt of notice shall be extended through the next state working day.

(2) All notices of appeal pursuant to this section shall:

(a) Be written;

(b) Specify the party seeking the review;

(c) Specify:

(i) The alleged error(s) in the findings of fact, conclusions of law, and judgment; and

(ii) Any alleged violations of the party's procedural due process rights during the hearing;

(d) Specify the relief requested; and

(e) Be provided to the other party (as well as to the superintendent of public instruction).

(3) A party shall be deemed to have waived any objection to any finding of fact, conclusion of law, or judgment or portion of a judgment which the party does not specifically allege to be in error pursuant to subsection (2) of this section.

(4) The school district shall certify and provide the superintendent of public instruction with the entire original hearing record including a verbatim written transcript of the oral hearing proceedings within fifteen days after the date of receipt of notification that an appeal has been made to the superintendent of public instruction.

(5) If an appeal is made in accordance with this section, the superintendent of public instruction and/or his or her designee shall conduct an impartial review of the hearing.

(6) The superintendent of public instruction and/or his or her designee shall:

(a) Examine the entire hearing record;

(b) Determine whether or not the procedures at the hearing were consistent with the requirements of due process;

(c) Seek additional evidence if necessary by remanding the matter to the school district or by other means (Note: If a hearing is held to receive additional evidence, the rights set forth in WAC 392-171-510 shall apply.);

(d) Afford the parties an opportunity for written and/or oral argument if deemed advisable and subject to request(s) for an extension of time as set forth in WAC 392-171-530(2) (Note: Briefs should conform to the requirements for appellate briefs set forth in RAP 10.3, to the extent it is reasonably within the ability of the party.);

(e) Make an independent decision based upon the preponderance of the evidence; and

(f) Notify the parties of the findings and the decision in writing.

(7) The decision made by the superintendent of public instruction and/or his or her designee is final, unless a party brings a civil action pursuant to 20 United States Code (USC) section 1415.

NEW SECTION

**WAC 392-171-530 TIMELINE FOR REVIEWING OFFICER'S DECISION—TIME AND PLACE OF HEARINGS—FINAL DECISION.** (1) Not later than thirty days after the date of receipt of a notice of appeal pursuant to WAC 392-171-525:

(a) A final decision shall be reached on the matters designated in the notice of appeal; and

(b) A copy of the decision shall be mailed to each of the parties.

(2) The superintendent of public instruction or his or her designee may grant specific extensions of the time period set forth in this section at the request of either party. No requests by a party for an opportunity to submit briefs or present oral argument shall be considered unless accompanied by a request for an extension of time. No such requests shall be granted unless the request for an extension of time extends at least to the thirtieth day after the date the last brief of the parties is to be submitted or the date of oral argument, whichever is later.

(3) Each hearing conducted upon remand to the school district, or otherwise conducted during the review process, shall be conducted at a time and place which is reasonably convenient to the parent(s) of the student (or adult student) involved.

(4) The decision of the superintendent of public instruction or his or her designee shall be final unless modified or overturned by a court of law.

PLACEMENT OF STUDENT DURING ADMINISTRATIVE/JUDICIAL PROCEEDINGSNEW SECTION

**WAC 392-171-535 STUDENT'S STATUS DURING HEARING AND STATE OR JUDICIAL REVIEW PROCESSES.** (1) During the pendency of any administrative or judicial proceeding regarding a complaint initiated pursuant to WAC 392-171-500, unless the school district and the parent(s) of the student (or the adult student) agree otherwise, the student involved in the complaint shall remain in the educational placement he or she was in at the time the complaint was made.

(2) The student, with the consent of the parent(s) (or the adult student), shall be placed in the regular school program until the completion of all such proceedings if the complaint involves an application for initial admission to the school.

SURROGATE PARENTSNEW SECTION

**WAC 392-171-540 SURROGATE PARENTS.** (1) General. Each school district providing a special education program to a nonadult handicapped student

shall assure that the rights of the nonadult student are protected when:

(a) No parent (as defined in WAC 392-171-310(5)) can be identified;

(b) The school district, after reasonable efforts, cannot discover the whereabouts of a parent; or

(c) The student is a ward of the state.

(2) Duty of school district. The duty of a school district under this section includes the assignment of a person to act as a surrogate for the parents. This duty includes the establishment of a method:

(a) For determining whether a nonadult student needs a surrogate parent; and

(b) For assigning a surrogate parent to the student.

(3) Criteria for selection of surrogates. Each school district shall assure that a person selected as a surrogate:

(a) Has no interest that conflicts with the interests of the student he or she represents; and

(b) Has knowledge and skills that assure adequate representation of the student.

(4) Nonemployee requirement—Compensation:

(a) A person assigned as a surrogate may not be an employee of a school district and/or other agency which is involved in the education or care of the student; and

(b) A person who otherwise qualifies as a surrogate parent pursuant to this section is not an "employee" of the school district and/or other agency solely because he or she is paid by the school district and/or agency to serve as a surrogate parent.

(5) Responsibilities. A surrogate parent may represent the student in all matters relating to:

(a) The identification, assessment, and educational placement of the student; and

(b) The provision of free special education and related services to the student.

## RECORDS

### NEW SECTION

WAC 392-171-545 DEFINITION OF "EDUCATION RECORDS" AS USED IN RECORDS RULES. (1) For the purpose of WAC 392-171-555 through 392-171-600 governing handicapped student records, the term "education records" shall mean those records that:

(a) Are directly related to a student; and

(b) Are maintained by a school district or by a party acting for the school district.

(2) The term "education records" does not include:

(a) Records of instructional, supervisory, and administrative personnel and educational personnel ancillary thereto which:

(i) Are in the sole possession of the maker thereof; and

(ii) Are not accessible or revealed to any other individual except a substitute. For the purpose of this definition, a "substitute" means an individual who performs on a temporary basis the duties of the individual who made the record and does not refer to an individual who permanently succeeds the maker of the record in his or her position;

(b) Records of a law enforcement unit of a school district which are:

(i) Maintained apart from the records described in subsection (1) of this section;

(ii) Maintained solely for law enforcement purposes; and

(iii) Not disclosed to individuals other than law enforcement officials of the same jurisdiction: PROVIDED, That education records maintained by the school district are not disclosed to the personnel of the law enforcement unit;

(c) Records relating to an individual who is employed by a school district which:

(i) Are made and maintained in the normal course of business;

(ii) Relate exclusively to the individual in that individual's capacity as an employee; and

(iii) Are not available for use for any other purpose: PROVIDED, That this exception from the definition of "education records" does not apply to records relating to an individual in attendance at the school district who is employed as a result of his or her status as a student;

(d) Records relating to an adult student which are:

(i) Created or maintained by a physician, psychiatrist, psychologist, or other recognized professional acting in his or her professional or paraprofessional capacity;

(ii) Created, maintained, or used only in connection with the provision of treatment to the student; and

(iii) Not disclosed to anyone other than individuals providing the treatment: PROVIDED, That the records can be personally reviewed by a physician or other appropriate professional of the student's choice. For the purpose of this definition, "treatment" does not include remedial educational activities or activities which are part of the program of instruction at the school district;

(e) Records of a school district which contain only information relating to a person after that person was no longer a student at the school district. An example would be information collected by a school district pertaining to the accomplishments of its alumni.

### NEW SECTION

WAC 392-171-550 DEFINITIONS USED IN RECORDS RULES—"DESTRUCTION"—"NATIVE LANGUAGE"—AND "PARTICIPATING AGENCY." For the purpose of WAC 392-171-555 through 392-171-600 governing handicapped student records:

(1) "Destruction" shall mean physical destruction or removal of personal identifiers from information so that the information is no longer personally identifiable.

(2) "Native language" has the meaning given that term by section 703(a)(2) of the Bilingual Education Act, which provides essentially as follows:

The term "native language," when used with reference to a person of limited English-speaking ability, means the language normally used by that person, or in the case of a nonadult student, the language normally used by the parents of the student.

(3) "Participating agency" means any agency or institution which collects, maintains, or uses personally identifiable information or from which information is obtained pursuant to this chapter.

#### NEW SECTION

WAC 392-171-555 ACCESS RIGHTS. (1) Each school district shall permit parents of handicapped students (or adult students) to inspect and review during school business hours any education records relating to their children or ward (or the adult student) which are collected, maintained, or used by the district under this chapter. The district shall comply with a request promptly and before any meeting regarding an individualized education program or hearing relating to the identification, evaluation, or placement of the student.

(2) The right to inspect and review education records under this section includes:

(a) The right to a response from the participating agency to reasonable requests for explanations and interpretations of the records;

(b) The right to request that the school district provide copies of the records containing the information if failure to provide those exercising the right to inspect and review the records; and

(c) The right to have a representative of the parent (or adult student) inspect and review records.

(3) A school district may presume that a parent has authority to inspect and review records relating to his or her child or ward unless the district has been advised that the parent does not have the authority under applicable state law governing such matters as guardianship, separation, and divorce.

#### NEW SECTION

WAC 392-171-560 RECORD OR ACCESS. Each participating agency shall keep a record of parties obtaining access to education records collected, maintained, or used under this chapter (except access by parents, adult students, and authorized employees of the participating agency), including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records.

#### NEW SECTION

WAC 392-171-565 RECORDS ON MORE THAN ONE STUDENT. If any education record includes information on more than one student, the parent(s) of those students (and/or adult students) shall have the right to inspect and review only the information relating to their child or ward (or themselves) or to be informed of that specific information.

#### NEW SECTION

WAC 392-171-570 LIST OF TYPES AND LOCATIONS OF INFORMATION. Each participating agency shall provide parents (and adult students) on request a list of the types and locations of education records collected, maintained, or used by the agency.

#### NEW SECTION

WAC 392-171-575 FEES. (1) A participating education agency may charge a fee for copies of records which are made for parents (or adult students) under this chapter if the fee does not effectively prevent the parents (or adult students) from exercising their right to inspect and review those records.

(2) A participating agency may not charge a fee to search for or to retrieve information under this chapter.

#### NEW SECTION

WAC 392-171-580 AMENDMENT OF RECORDS AT THE REQUEST OF A PARENT OR ADULT STUDENT. (1) A parent of a handicapped student (or an adult student) who believes that information in education records collected, maintained, or used under this chapter is inaccurate or misleading or violates the privacy or other rights of the student may request the participating agency which maintains the information to amend the information.

(2) The agency shall decide whether to amend the information in accordance with the request within a reasonable period of time after receipt of the request.

(3) If the agency decides to refuse to amend the information in accordance with the request it shall inform the parent (or adult student) of the refusal and advise the parent (or adult student) of the right to a hearing pursuant to WAC 392-171-585.

(4) The participating agency, on request, shall provide the parent (or adult student) an opportunity for a hearing to challenge information in education records to insure that it is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student.

(5) If, as a result of the hearing, the participating agency decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it shall amend the information accordingly and so inform the parent (or adult student) in writing.

(6) If, as a result of the hearing, the participating agency decides that the information is not inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it shall inform the parent(s) (or adult student) of the right to place in the records it maintains on the student a statement commenting on the information or setting forth any reasons for disagreeing with the decision of the agency.

(7) Any explanation placed in the records of the student pursuant to this section shall:

(a) Be maintained by the participating agency as part of the records of the student as long as the record or contested portion is maintained by the participating agency; and

(b) Also be disclosed to any party to whom the records of the student (or the contested portion thereof) are disclosed.

#### NEW SECTION

WAC 392-171-585 HEARING PROCEDURES REGARDING RECORDS. A hearing initiated pursuant to WAC 392-171-580 to challenge information in

education records shall be conducted according to procedures which include at least the following elements:

(1) The hearing shall be held within a reasonable period of time after the participating agency has received the request;

(2) The parent (or adult student) shall be given notice of the date, place, and time reasonably in advance of the hearing;

(3) The hearing may be conducted by any party, including an official of the participating agency, who does not have a direct interest in the outcome of the hearing;

(4) The parent (or adult student) shall be afforded a full and fair opportunity to present evidence relevant to the issues raised pursuant to WAC 392-171-580 and may be assisted or represented by individuals of his or her choice at his or her own expense, including an attorney;

(5) The participating agency shall provide a written decision to the parent (or adult student) within a reasonable period of time after the conclusion of the hearing; and

(6) The decision of the participating agency shall:

(a) Be based solely upon the evidence presented at the hearing; and

(b) Include a summary of the evidence and the reasons for the decision.

#### NEW SECTION

WAC 392-171-590 CONSENT. (1) Consent of a parent (or adult student) shall be obtained before personally identifiable information is:

(a) Disclosed to anyone other than officials of participating agencies collecting or using the information under this chapter subject to subsection (2) of this section; or

(b) Used for any purpose other than meeting a requirement imposed by this chapter.

(2) No school district shall release information from education records to participating agencies without the consent of a parent (or adult student) except in those cases in which a release of information without consent is permitted by the rules that implement the federal Family Educational Rights and Privacy Act (the "Buckley Amendment")—45 Code of Federal Regulations (CFR) sections 99.1 et seq. See 45 CFR 99.31 (when prior consent not required), 45 CFR 99.34 (disclosure to state and federal officials) and 45 CFR 99.36 (directory information).

#### NEW SECTION

WAC 392-171-595 SAFEGUARDS. (1) Each participating agency shall protect the confidentiality of personally identifiable information at the collection, storage, disclosure, and destruction stages.

(2) One official at each participating agency shall be designated as the individual responsible for assuring the confidentiality of any personally identifiable information.

(3) All persons collecting or using personally identifiable information shall receive training or instruction regarding:

(a) The policies and procedures on protection of the confidentiality of personally identifiable information set forth in the state's annual program plan; and

(b) 45 CFR 99.1 et seq. (the "Buckley Amendment" rules).

(4) Each participating agency shall maintain, for public inspection, a current listing of the names and positions of those employees within the agency who may have access to personally identifiable information.

#### NEW SECTION

WAC 392-171-600 DESTRUCTION OF INFORMATION. Each school district shall inform parents (and adult students) when personally identifiable information collected, maintained, or used pursuant to this chapter is no longer needed to provide educational services to the student. The information shall thereafter be destroyed at the request of the parent(s) (or adult student). However, a permanent record of a student's name, address, and phone number, his or her grades, attendance record, classes attended, grade level completed and year completed may be maintained without time limitation.

#### CONTRACTUAL SERVICES

#### NEW SECTION

WAC 392-171-605 CONTRACTUAL SERVICES. (1) School districts, severally or jointly, with the prior approval of the superintendent of public instruction or his or her designee, shall be authorized to:

(a) Contract with nonpublic school agencies for special education and related services for handicapped students; and

(b) Enter into interdistrict agreements with another school district(s) pursuant to RCW 28A.58.075, 28A.58.245, 28A.58.250, and chapter 392-135 WAC.

(2) If a handicapped student has special education and related services available in his or her public school district of residence and the child is placed in another public school district or in a state residential school or in a private school or facility other than pursuant to a contractual arrangement between the student's district of (initial) residence and the entity of placement, the district of (initial) residence shall not be required to pay for the student's education or otherwise be responsible for the education of the student, except to the extent the student may qualify for services as a private school student pursuant to WAC 392-171-625 et seq.

#### NEW SECTION

WAC 392-171-610 APPROVAL OF NONPUBLIC SCHOOL AGENCIES. A school district shall not either place a student in a nonpublic school agency or award a contract to a nonpublic school agency until the nonpublic school agency has been approved by the state board of education. Approval of such agencies shall be made in accordance with the following procedures:

(1) The school district shall establish that it cannot provide an appropriate education for the handicapped student within the district or another school district;



(2) The school district shall establish that all requirements imposed by this chapter for contracting with a nonpublic school agency can be met and shall forward the nonpublic school agency's application to the superintendent of public instruction or his or her designee;

(3) The superintendent of public instruction or his or her designee shall recommend approval or disapproval of the agency to the state board of education; and

(4) The superintendent of public instruction or his or her designee shall notify the requesting school district and nonpublic school agency of approval or disapproval.

#### NEW SECTION

**WAC 392-171-615 SCHOOL DISTRICT RESPONSIBILITY WHEN CONTRACTING FOR PLACEMENT IN A NONPUBLIC SCHOOL AGENCY.** Any school district contracting with an approved nonpublic school agency for special education or related services in behalf of a handicapped student shall:

(1) Initiate and conduct a meeting with appropriate personnel and the student's parent(s) for the purpose of developing the student's individualized education program. The district shall assure that a representative of the nonpublic school agency attends the meeting or in some other way assure participation by the nonpublic school agency. Meetings to review or revise the student's individualized education program after the student has been placed shall be initiated and conducted by the nonpublic school agency at the discretion of the school district. The district shall assure that both the parent(s) (or the adult student) and the nonpublic school agency are represented in any decision concerning the student's individualized education program and agree to proposed changes in the program before those changes are implemented. The responsibility for compliance with this section lies with the school district.

(2) Develop a written contract which shall include, but not necessarily be limited to, the following elements:

- (a) Names of the parties involved;
- (b) The name of the handicapped student(s) for whom the contract is drawn;
- (c) Location and setting;
- (d) Description of program administration and supervision;
- (e) Designation of coordinator of the services to be provided by the school district and the contractor;
- (f) Assurance of compliance with staff licensing/certification requirements;
- (g) Periodic student report requirements;
- (h) Annual program monitoring procedures and requirements;
- (i) Starting date and duration of contract;
- (j) Program day and description of student's program;
- (k) Charges and reimbursement—billing and payment procedures;
- (l) Total contract cost;
- (m) Contract review;
- (n) Disposition of materials and equipment upon termination;
- (o) School district's responsibility for compliance with due process, individualized education program, and

yearly review and determination of placement requirements;

- (p) Contractor's policies and procedures covering:
  - (i) care of student(s) in emergencies;
  - (ii) fire drills;
  - (iii) personnel policies;
  - (iv) staff duties; and
  - (v) board of directors' duties and functions;
- (q) Other contractual elements that may be necessary to assure compliance with state and federal rules and clearly define each party's role and functions; and
- (r) Signatures of authorized school and contractor officials.

#### NEW SECTION

**WAC 392-171-620 OUT-OF-STATE AGENCIES.** In the event the school district within which a handicapped student resides is unable to contract with another district, or a nonpublic school agency, or an appropriate state agency, the parent (or adult student) and district may jointly petition the superintendent of public instruction or his or her designee for state and federal excess cost funds to provide an educational program with an agency in another state or Canada.

Contractual arrangements for an out-of-state educational program shall be approved by the superintendent of public instruction or his or her designee prior to the student's placement in that program. The school district shall be responsible for:

- (1) Determining that no appropriate in-state placement option is available and for making the decision that the student should be placed in an out-of-state program;
- (2) Determining that the out-of-state educational program is appropriately licensed or approved by that state's authorities and that placement will result in an appropriate education for the student; and
- (3) Contracting with the out-of-state agency pursuant to the requirements of WAC 392-171-605 through 392-171-615.

#### PRIVATE SCHOOL STUDENTS

#### NEW SECTION

**WAC 392-171-625 DEFINITION—"PRIVATE SCHOOL HANDICAPPED STUDENT(S)."** For the purpose of WAC 392-171-630 through 392-171-665 "private school handicapped student(s)" means handicapped students enrolled in private schools or agencies but not as the result of a contractual arrangement between a public school district and the private school or agency.

#### NEW SECTION

**WAC 392-171-630 SCHOOL DISTRICT RESPONSIBILITY FOR PRIVATE SCHOOL HANDICAPPED STUDENTS.** Subject to the provisions of WAC 392-171-635 through 392-171-665:

(1) Each school district shall provide special education and related services designed to meet the needs of private school handicapped students who reside in the school district.

(2) Each school district shall provide private school handicapped students with genuine opportunities to participate in special education and related services consistent with the number of those students and their needs.

#### NEW SECTION

WAC 392-171-635 DETERMINATION OF NEEDS, NUMBERS OF STUDENTS AND TYPES OF SERVICES. The needs of private school handicapped students, the number who will participate, and the types of special education and related services which the school district will provide them shall be determined after consultation with persons knowledgeable of the needs of these students on a basis comparable to that used in providing for the participation under this chapter of handicapped students enrolled in public schools.

#### NEW SECTION

WAC 392-171-640 SERVICE ARRANGEMENTS. (1) Special education and related services to private school handicapped students may be provided through such arrangements as dual enrollment pursuant to chapter 392-181 WAC, educational radio and television, and the provision of mobile educational services and equipment.

(2) No services, material, or equipment of any nature shall be provided to or on the site of any private school or agency subject to sectarian (i.e., religious) control or influence.

(3) Handicapped students enrolled in any private school or agency subject to sectarian control or influence shall be provided services in a manner that:

(a) Maintains a physical and administrative separation between the private and the public school programs; and

(b) Does not benefit the private school at public expense, e.g., pursuant to dual enrollment or shared time arrangements in accordance with chapter 392-181 WAC.

#### NEW SECTION

WAC 392-171-645 PERSONNEL IN PRIVATE SCHOOLS AND AGENCIES. (1) School district personnel may be made available to nonsectarian private schools and agencies only to the extent necessary to provide services required by the handicapped student for whose needs those services were designed and only when those services are not normally provided by the nonsectarian private school or agency.

(2) Each school district providing services to students enrolled in nonsectarian private schools or agencies shall maintain continuing administrative control and direction over those services.

(3) Services to private school handicapped students shall not include the payment of salaries of teachers or other employees of private schools or agencies, except for services performed outside regular hours of the school day and under public supervision and control.

#### NEW SECTION

WAC 392-171-650 EQUIPMENT—CONSTRUCTION. (1) Equipment used in the care of students with handicapping conditions in a private school or agency may be placed on nonsectarian private school or agency premises for a limited time, but title to and administrative control over all equipment must be retained and exercised by the school district.

(2) Records shall be kept of equipment and an accounting made of the equipment which shall assure that the equipment is used solely for the purposes of the program.

(3) The equipment shall be removed from the private school or agency if necessary to avoid its being used for other purposes or if it is no longer needed for the purposes of the program or project.

(4) Funds shall not be used to construct facilities for private schools or agencies.

#### NEW SECTION

WAC 392-171-655 PROHIBITION OF SEGREGATION. Programs or projects carried out in public facilities, and involving joint participation by handicapped students otherwise enrolled in private schools or agencies and handicapped students enrolled in public schools, shall not include classes that are separated on the basis of school enrollment or the religious affiliations of the students.

#### NEW SECTION

WAC 392-171-660 FUNDS AND PROPERTY NOT TO BENEFIT PRIVATE SCHOOLS. Public funds provided and property derived from those funds shall not inure to the benefit of any private school or agency.

#### NEW SECTION

WAC 392-171-665 EXISTING LEVEL OF INSTRUCTION. Provisions for serving private school handicapped students shall not include the financing of the existing level of instruction in a private school or agency.

### ANNUAL SCHOOL DISTRICT APPLICATION/REQUIREMENTS—STATE MONITORING

#### NEW SECTION

WAC 392-171-670 ANNUAL APPLICATIONS—CONTENTS. As a condition to the receipt and expenditure of state and federal excess cost funds, a school district shall annually submit an application to the superintendent of public instruction or his or her designee on or before such date is announced and conduct its special education and related services program in compliance therewith. The applications shall be made pursuant to forms developed and distributed by the superintendent or his or her designee. Application forms shall include, but not necessarily be limited to, the following assurance(s) and types of information:

(1) An assurance that:

(a) The school district is in compliance with the provisions of this chapter (including, but not limited to, the comparable facilities requirements of WAC 392-171-700) and the rules implementing P.L. 94-142 (45 CFR 121a.1 et seq.) that may supplement this chapter;

(b) That the district shall remain in compliance with this chapter and any such supplemental rules for the entire school year; and

(c) That the funds applied for shall be expended in compliance with the application, this chapter, and any such supplemental federal rules;

(2) The information and assurances required by 45 CFR 121a.220 through 45 CFR 121a.240 and any other pertinent federal rules;

(3) A description of the organizational structure of the district's special education program including, but not limited to, a description of assigned management responsibilities;

(4) A description of the district's special education program instructional staff by number, types, and their qualifications in accordance with WAC 392-171-685;

(5) A description of the district's procedures for locating, identifying, and assessing handicapped students;

(6) A description of the number and types of handicapped students within the district that require special education and related services;

(7) A description of the district's plans and procedures for providing special education and related services to handicapped students which the district is unable to serve directly;

(8) A description of the basis and procedures for excluding handicapped students from the district's special education program;

(9) A description of the continuum of alternative educational placements made available to handicapped students; and

(10) A description of the career development and vocational education programs made available to handicapped students.

#### NEW SECTION

WAC 392-171-675 DENIAL OF APPLICATIONS—OPPORTUNITY FOR HEARING. (1) In the event the superintendent of public instruction or his or her designee proposes to deny, in whole or part, the application of a district for state or federal excess cost funds, the district shall be provided notice pursuant to RCW 34.04.090 of:

(a) Intent to deny the application of the district; and

(b) The district's opportunity for a hearing before the superintendent of public instruction or his or her designee prior to a denial of the application.

(2) The district's application may be denied, in whole or part, in the event the district fails to request a hearing or the hearing decision upholds the proposed basis for denial.

#### NEW SECTION

WAC 392-171-680 MONITORING. The superintendent of public instruction or his or her designee shall

annually monitor selected school districts. The purposes of monitoring shall be to:

(1) Determine the degree of compliance with this chapter by school districts; and

(2) Provide technical advice and assistance to the districts to assist them to improve their special education programs and avoid or remedy instances of noncompliance.

### MISCELLANEOUS PROGRAM REQUIREMENTS

#### NEW SECTION

##### WAC 392-171-685 STAFF QUALIFICATIONS.

All employees of a school district funded in whole or part with state or federal excess cost funds shall be qualified, as follows:

(1) All employees shall hold such credentials, certificates or permits as are now or hereafter required by the state board of education for the particular position of employment and shall meet such supplemental standards as may be established by the school district of employment. Supplemental standards established by a district may exceed, but not be less than, those established by this section.

(2) In addition to the requirement of subsection (1) of this section, all teachers shall possess "substantial professional training" and/or "successful prior experience" and support personnel shall meet standards established under the educational staff associate rules of the state board of education, as now or hereafter amended.

(a) "Successful prior professional experience" as used in this section shall mean at least three full school years of employment as a professional staff member in an approved special education program within the five year period immediately preceding the school year of employment in a position supported in whole or part by excess cost apportionment funds.

(b) "Substantial professional training" as used in this section shall mean and be evidenced by either an appropriate special education endorsement or recommended placement upon the teaching certificate of an employee issued by the superintendent of public instruction or completion of teacher education program designed to prepare teachers of students with handicapping conditions offered by an institution approved by the state board of education for teacher certification purposes.

(3) Classified staff shall present evidence of either formal and/or adequate in-service training or successful experience in working with handicapped students.

(4) The assignment of personnel shall be consistent with training and experience appropriate to the age level (preschool, elementary, secondary) and type of program in which teaching will be performed. District reorganization, reductions in force, and reassignments shall be made in a manner consistent with the requirements of this section.

(5) The superintendent of public instruction or his or her designee may grant an exception to compliance with any of the staff qualifications imposed by this section which are above and beyond certification requirements imposed by the state board of education, only upon the

request of a school district and the provision of satisfactory assurances by the district that noncompliance:

- (a) Is unavoidable;
  - (b) Will be temporary and not extend beyond the school year for which the exception is requested; and
  - (c) Will not likely result in a significant reduction in the quality of the district's special education program.
- (6) Notwithstanding any staff qualification requirement of this section to the contrary, employees of a school district which possess credentials as required by the state board of education and who were employed during and serving as of termination of the 1974-75 school year in the special education program of the district shall be deemed qualified for purposes of state program approval so long as they continue in such employment with that particular district.

#### NEW SECTION

WAC 392-171-690 TRANSPORTATION. (1) Methods. Transportation options for handicapped students shall include the following categories and shall be exercised in the following sequence:

- (a) A scheduled school bus;
- (b) Contracted transportation, including public transportation; and
- (c) Other arrangements, including that provided by parents.

Board and room cost may be provided whenever the above stated transportation options are not feasible because of the need(s) of a handicapped student or because of the unavailability of adequate means of transportation, in accordance with rules of the superintendent of public instruction.

(2) Welfare of the student. The transportation of a handicapped student shall be in accordance with rules of the superintendent of public instruction governing transportation by public school districts.

(3) Bus aides. Funds to support bus aides may be provided subject to program approval by the superintendent of public instruction or his or her designee.

Training and supervision of bus aides and drivers shall be the responsibility of the school district superintendent or his or her designee.

(4) Special equipment. Special equipment may include lifts, wheel chair holders, restrainers, and two-way radios. All such special equipment shall comply with specifications as now or hereafter contained in the specifications for school buses as now or hereafter established by the superintendent of public instruction.

An inventory of all such special equipment shall be maintained by each educational service district to assure full and continued use of special equipment within the educational service district or among other educational service districts.

(5) Transportation time on bus. Wherever reasonably possible, no student should be required to ride more than sixty minutes one way.

(6) Discipline of handicapped students during transportation. The discipline of a handicapped student during his or her transportation shall be the responsibility of the transporting district.

#### NEW SECTION

WAC 392-171-695 FACILITIES. Construction of special facilities or the remodeling of present facilities in order to meet the special education and related services needs of any handicapped student shall be provided in accordance with rules of the superintendent of public instruction and the state board of education which govern the construction and/or financing of school district facilities.

#### NEW SECTION

WAC 392-171-700 COMPARABLE FACILITIES. If a school district, in compliance with this chapter, operates a facility that is identifiable as being for handicapped students, the district shall assure that the facility and the services and activities provided therein are comparable in quality to the district's facilities, services, and activities for nonhandicapped students.

#### NEW SECTION

WAC 392-171-705 PROGRAM LENGTH. The length of the education program for handicapped students shall be the same as the length of the education program for nonhandicapped students in terms of both the number of school days in the regular school year and the average number of hours per school day. If a handicapped student cannot attend school a full school day, the reason shall be documented in his or her education or medical records.

#### NEW SECTION

WAC 392-171-710 ADMINISTRATION OF MEDICATION. (1) Medication may be administered to a handicapped student by school district personnel subject to the state professional licensing laws and the following conditions:

(a) The medication shall be administered pursuant to a written order and written instruction from the student's physician; and

(b) The medication shall be supplied by the student's parent(s) (or the adult student).

(2) The orders and instructions shall be current, obtained at least yearly, and reviewed and updated whenever there is a significant change in the student's school activity program, in accordance with policies adopted by the school district.

#### AUDITS—WITHHOLDING AND RECOVERY OF FUNDS

#### NEW SECTION

WAC 392-171-715 DEFINITION OF "UNLAWFULLY RECEIVED OR EXPENDED FUNDS." For the purpose of WAC 392-171-720 through 392-171-735, "unlawfully received or expended funds" shall mean any state or federal excess cost funds received and held or expended by a school district in a manner or for a purpose that is in violation of any provision of:

- (1) State statute or rule, including this chapter; or

(2) Any federal rule or condition to funding that may now or hereafter supplement this chapter.

#### NEW SECTION

WAC 392-171-720 AUDITS. (1) The superintendent of public instruction or his or her designee shall conduct fiscal/program audits of school district special education programs. The purposes of such audits shall be:

- (a) To determine compliance or noncompliance with:
  - (i) a school district's application(s) for state and federal excess cost funds;
  - (ii) the provisions of this chapter; and
  - (iii) any supplemental federal conditions to funding as may now or hereafter exist.
- (b) To establish a factual basis for:
  - (i) the recovery of unlawfully received or expended funds; or
  - (ii) the initiation of fund withholding proceedings;

(2) Preliminary audit report—Following an audit, a preliminary written audit report shall be submitted to the school district for review and comment. The preliminary audit report shall include, but not be limited to:

- (a) Findings of noncompliance, if any; and
- (b) Recommendations for remediation of any such instance(s) of noncompliance.

(3) The school district shall have fifteen days after the date of its receipt of the preliminary audit report to provide the superintendent of public instruction or his or her designee a written reply setting forth any supplemental arguments and/or facts that may serve as a basis for alteration of the preliminary finding(s) of noncompliance.

(4) Final audit report—A final written audit report shall be provided to the school district after review of the supplemental arguments and/or facts submitted by the district. The final audit report shall include, but not necessarily be limited to:

- (a) Findings of noncompliance, if any; and
- (b) Recommendations for remediation of any such instance(s) of noncompliance.

(5) The school district shall have fifteen days after the date of its receipt of the final audit report to provide the superintendent of public instruction or his or her designee a written plan which sets forth the measures the district shall take and time period(s) within which the district shall act in order to remedy the instance(s) of noncompliance.

(6) The superintendent of public instruction or his or her designee shall either approve the plan as submitted or request the school district to make such modifications as are considered necessary. Once an approvable plan has been submitted the district shall be provided written notice of:

- (a) Approval;
- (b) The performance expected of the district; and
- (c) The schedule for periodic review or audit of the district's progress toward remediation of the instance(s) of noncompliance.

#### NEW SECTION

WAC 392-171-725 FUND WITHHOLDING. (1) In the event a school district fails to submit an approvable remediation plan pursuant to WAC 392-171-720 or fails to comply with a remediation plan approved pursuant to WAC 392-171-720, the superintendent or his or her designee shall provide the school district notice pursuant to RCW 34.04.090 of:

- (a) Intent to withhold a specified amount of state and/or federal excess cost funds; and
- (b) The district's opportunity for a hearing before the superintendent of public instruction or his or her designee prior to commencement of the withholding.

(2) Funds may be withheld in whole or part in the event the district fails to request a hearing or the hearing decision upholds the final audit in whole or part.

#### NEW SECTION

WAC 392-171-730 RECOVERY OF FUNDS. (1) If a preliminary audit conducted pursuant to WAC 392-171-720 indicates that a district has unlawfully received and/or expended either state or federal excess cost funds, the superintendent of public instruction or his or her designee shall provide the school district with an opportunity for an informal conference prior to the final audit report.

(2) If the final audit report sets forth one or more instances of unlawful receipt or expenditure of either state or federal excess cost funds, the superintendent of public instruction or his or her designee shall take such action as he or she deems necessary to recover the funds including, but not limited to, a reduction in future allocations of any amount of any state funds and/or any amount of federal excess cost funds to the district.

(3) No right to a hearing in connection with the recovery of funds unlawfully received and/or expended is granted by this chapter.

#### NEW SECTION

WAC 392-171-735 FUND WITHHOLDINGS TO ENFORCE PARENT APPEAL DECISIONS. The superintendent of public instruction or his or her designee may withhold any amount of state funds and/or any amount of federal excess cost funds as he or she deems necessary to enforce a decision made on appeal pursuant to WAC 392-171-525 and 392-171-530 without any necessity of a further hearing on the matter.

#### CITIZEN COMPLAINT PROCESS

#### NEW SECTION

WAC 392-171-740 RIGHT TO REGISTER AND PROCESS COMPLAINTS. (1) Any person, entity, or organization may register and process complaints alleging one or more violations of this chapter as provided for in WAC 392-171-740(2) through 392-171-760.

- (2) Complaints shall:
  - (a) Be written;
  - (b) Be signed by the complaining party;

(c) Set forth the specific acts, conditions, or circumstance alleged to be in violation of this chapter; and

(d) Be directed to the superintendent of the school district alleged to be in violation.

#### NEW SECTION

WAC 392-171-745 DESIGNATION OF RESPONSIBLE SCHOOL DISTRICT EMPLOYEE. The superintendent of each school district shall designate at least one employee for monitoring and coordinating the district's compliance with this chapter. The employee designated pursuant to this section shall also be charged with the responsibility for investigating any complaint(s) communicated to the school district pursuant to WAC 392-171-740.

#### NEW SECTION

WAC 392-171-750 SCHOOL DISTRICT INVESTIGATION OF AND RESPONSE TO COMPLAINTS. (1) Upon receipt of a complaint pursuant to WAC 392-171-740, the employee(s) designated pursuant to WAC 392-171-745 or his or her designee shall investigate the allegation(s) set forth.

(2) Upon completion of the investigation, the designated employee(s) shall provide the district superintendent with a written report of the complaint and the results of the investigation. The district superintendent or his or her designee shall respond in writing to the complaining party as expeditiously as possible but in no event later than thirty calendar days after the date of receipt of such complaint by the school district.

(3) The response of the school district superintendent or his or her designee shall clearly state either:

(a) That the school district denies the allegations contained in the complaint; or

(b) The nature of such reasonable corrective measures deemed necessary to eliminate any such act, condition, or circumstance within the school district: PROVIDED, That any such corrective measures deemed necessary shall be instituted as expeditiously as possible but in no event later than thirty calendar days following the date of the response to the complaining party.

#### NEW SECTION

WAC 392-171-755 APPEAL TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION. (1) In the event a complainant remains aggrieved with the decision of a school district superintendent or his or her designee provided pursuant to WAC 392-171-750, the complainant may appeal the decision to the superintendent of public instruction: PROVIDED, That a parent (or adult student) with a complaint which constitutes a basis, in whole or part, for initiation of a hearing pursuant to WAC 392-171-500 shall exercise his or her hearing rights in lieu of an appeal to the superintendent of public instruction pursuant to this section.

(2) A written notice of appeal must be received by the superintendent of public instruction on or before the thirtieth day after the date the complainant received the written response of the school district superintendent

pursuant to WAC 392-171-750. The notice shall set forth:

(a) A statement of the portion(s) of the school district superintendent's decision which is appealed from; and

(b) The relief or remedy requested by the complainant/appellant.

#### NEW SECTION

WAC 392-171-760 ACTIONS IN RESPONSE TO NOTICES OF APPEAL. (1) The superintendent of public instruction or his or her designee shall act expeditiously to investigate the allegation(s) in a notice of appeal that is deemed to be of substance.

(2) If the investigation reveals that there is merit to the allegation(s), the superintendent or his or her designee will provide for negotiations, or technical advice and assistance, or other remedial action in an attempt to achieve compliance with this chapter.

(3) If compliance is not achieved pursuant to subsection (2) of this section, the superintendent of public instruction or his or her designee will initiate fund withholding in compliance with the notice requirements of WAC 392-171-725, or initiate fund recovery, or initiate any other sanction deemed appropriate.

#### REPEALER

The following sections of the Washington Administrative Code are repealed:

- (1) WAC 392-171-005 PURPOSES.
- (2) WAC 392-171-010 SPECIAL EDUCATION ADVISORY COUNCIL.
- (3) WAC 392-171-015 SPECIAL EDUCATION ADVISORY COUNCIL AUTHORITY.
- (4) WAC 392-171-020 COMMON SCHOOL AGE—CHILD ELIGIBILITY.
- (5) WAC 392-171-025 PROCEDURES FOR FUNCTIONALLY DEFINING HANDICAPPING CONDITIONS.
- (6) WAC 392-171-030 FLOW CHART FOR PROCEDURES FOR FUNCTIONALLY DEFINING HANDICAPPING CONDITIONS.
- (7) WAC 392-171-035 CHILD AS FOCUS OF CONCERN.
- (8) WAC 392-171-040 REFERRAL PROCEDURE.
- (9) WAC 392-171-045 PARENT DECISION.
- (10) WAC 392-171-050 DECISION TO TERMINATE.
- (11) WAC 392-171-055 ASSESSMENT PROCEDURES.
- (12) WAC 392-171-060 COLLECTION OF DESCRIPTIONS OF CHILD PERFORMANCE.
- (13) WAC 392-171-065 ASSESSMENT OR NEEDED CONSULTATION BY PROFESSIONAL RESOURCES NOT EMPLOYED BY SCHOOL DISTRICT.
- (14) WAC 392-171-070 ASSESSMENT.
- (15) WAC 392-171-075 ASSESSMENT PERSONNEL.
- (16) WAC 392-171-080 ANALYSIS OF ASSESSMENT DATA.

- (17) WAC 392-171-090 GOALS.  
 (18) WAC 392-171-095 PLACEMENT OPTIONS.  
 (19) WAC 392-171-097 MATERIALS AND EQUIPMENT.  
 (20) WAC 392-171-100 REGULAR CLASS-ROOM PLACEMENT OPTIONS.  
 (21) WAC 392-171-105 SELF-CONTAINED PLACEMENT OPTIONS.  
 (22) WAC 392-171-110 OTHER PLACEMENT OPTIONS.  
 (23) WAC 392-171-113 DECISION THAT CHILD WILL NOT BE PLACED.  
 (24) WAC 392-171-115 PROGRAM CRITERIA NECESSARY FOR ELIGIBILITY.  
 (25) WAC 392-171-125 DEFINITION OF AND ELIGIBILITY CRITERIA FOR MENTAL RETARDATION—MILDLY RETARDED.  
 (26) WAC 392-171-130 DEFINITION OF AND ELIGIBILITY CRITERIA FOR MENTAL RETARDATION—MODERATELY RETARDED.  
 (27) WAC 392-171-135 DEFINITION OF AND ELIGIBILITY CRITERIA FOR MENTAL RETARDATION—SEVERELY AND PROFOUNDLY RETARDED.  
 (28) WAC 392-171-137 I.Q. ELIGIBILITY RANGE VARIATION.  
 (29) WAC 392-171-140 DEFINITION OF AND ELIGIBILITY CRITERIA FOR SENSORY HANDICAPPED.  
 (30) WAC 392-171-145 DEFINITION OF AND ELIGIBILITY CRITERIA FOR GROSS MOTOR AND ORTHOPEDICALLY HANDICAPPED.  
 (31) WAC 392-171-150 DEFINITION OF AND ELIGIBILITY CRITERIA FOR BEHAVIORAL DISABILITY.  
 (32) WAC 392-171-155 DEFINITION OF AND ELIGIBILITY CRITERIA FOR NEUROLOGICAL IMPAIRMENT.  
 (33) WAC 392-171-160 DEFINITION OF LEARNING/LANGUAGE DISABILITY.  
 (34) WAC 392-171-165 ELIGIBILITY CRITERIA FOR LEARNING/LANGUAGE DISABILITY.  
 (35) WAC 392-171-170 DEFINITION OF AND ELIGIBILITY CRITERIA FOR HEALTH IMPAIRED.  
 (36) WAC 392-171-175 DEFINITION OF AND ELIGIBILITY CRITERIA FOR MULTIPLE HANDICAPPED.  
 (37) WAC 392-171-180 DEFINITION OF AND ELIGIBILITY CRITERIA FOR COMMUNICATION DISORDERS.  
 (38) WAC 392-171-185 SCHOOL DISTRICT DECISION.  
 (39) WAC 392-171-190 PARENT DECISION.  
 (40) WAC 392-171-195 OBJECTIVES RELATING TO INSTRUCTIONAL PROGRAMS (SHORT TERM).  
 (41) WAC 392-171-200 EVALUATION AND PROGRAM IMPROVEMENT.  
 (42) WAC 392-171-203 ADMINISTRATION OF MEDICATION.

- (43) WAC 392-171-205 CONTRACTUAL SERVICES.  
 (44) WAC 392-171-210 APPROVAL OF AGENCIES AND INDIVIDUALS FOR CONTRACTUAL ARRANGEMENTS.  
 (45) WAC 392-171-220 RESPONSIBILITIES OF SCHOOL DISTRICTS.  
 (46) WAC 392-171-225 COMPLIANCE WITH FEDERAL, STATE AND LOCAL LAW.  
 (47) WAC 392-171-235 COORDINATION OF SERVICES.  
 (48) WAC 392-171-240 WRITTEN CONTRACTS.  
 (49) WAC 392-171-245 SPECIAL PLACEMENT AND PARENT APPEAL CONCERNING CONTRACTUAL ARRANGEMENTS.  
 (50) WAC 392-171-250 INTERDISTRICT ARRANGEMENTS.  
 (51) WAC 392-171-255 APPEALS TO SCHOOL BOARDS—TIME PERIODS—COURT APPOINTED REPRESENTATIVES.  
 (52) WAC 392-171-260 APPEALS AND SANCTION PROCEDURES—PROCEDURE AT THE HEARING.  
 (53) WAC 392-171-265 APPEAL FROM BOARD'S DECISION TO SUPERINTENDENT OF PUBLIC INSTRUCTION—TIME PERIODS.  
 (54) WAC 392-171-270 APPEALS AND SANCTION PROCEDURE—CHILD'S CONTINUED ATTENDANCE.  
 (55) WAC 392-171-275 SANCTIONS UPON NONCOMPLYING SCHOOL DISTRICTS.  
 (56) WAC 392-171-280 TRANSPORTATION.  
 (57) WAC 392-171-285 FACILITIES.

**WSR 78-11-075****PROPOSED RULES****SUPERINTENDENT OF PUBLIC INSTRUCTION**

[Filed October 31, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Superintendent of Public Instruction intends to adopt, amend, or repeal rules concerning the establishment of the maximum dollar amount of school district levies;

that such agency will at 9:00 a.m., Tuesday, December 5, 1978, in the 4th floor board room, Old Capitol Bldg., Washington and Legion, Olympia, Washington, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 11:00 a.m., Thursday, December 7, 1978, in the Executive Services Conference Room, Old Capitol Bldg., Washington and Legion, Olympia, Washington.

The authority under which these rules are proposed is RCW 84.52.0531.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to December 5, 1978, and/or orally at 9:00 a.m., Tuesday, December 5, 1978, Executive Services

Conference Room, Old Capitol Bldg., Washington and Legion, Olympia, Washington.

Dated: October 31, 1978

By: Frank B. Brouillet  
Superintendent of Public Instruction

Chapter 392-139 WAC  
FINANCE—MAINTENANCE AND OPERATION LEVY LIMITS

NEW SECTION

**WAC 392-139-005 PURPOSE.** The purpose of WAC 392-139-010 through 392-139-045 is to establish the exclusive means for fixing the maximum dollar amount which may be levied and collected in behalf of any school district in a given tax year for maintenance and operation purposes pursuant to RCW 84.52.053 and 84.52.0531.

NEW SECTION

**WAC 392-139-010 ESTABLISHMENT OF THE MAXIMUM DOLLAR AMOUNT OF SCHOOL DISTRICT LEVIES.** (1) Notwithstanding such larger dollar amount as may be approved by the electorate of a school district pursuant to RCW 84.52.053, the maximum dollar amount which may be levied and collected by or for any school district for maintenance and operation support in a given tax year or in a given school year, as the case may be, shall be established annually as follows:

(a) Only figures and data gathered and approved by the superintendent of public instruction, or his or her designee, shall be used.

(b) Approved current information and data shall be applied to Schedules I, II, III, IV, V and VI of the Form F-780 as set forth in WAC 392-139-020 through 392-139-045 in order to compute the permissible dollar amount that may be levied by or for a school district.

(c) The official maximum dollar amount for a given tax year shall be the amount computed by the superintendent of public instruction, or his or her designee, as of the September immediately preceding the tax year of collection.

(d) Notice of the amount for each school district arrived at pursuant to this section shall be provided to each affected school district and county assessor prior to October 1 of each year.

(2) The superintendent of public instruction, or his or her designee, shall annually provide all districts with the appropriate calculation procedures for the purposes of this section.

NEW SECTION

**WAC 392-139-015 DEFINITIONS.** As used in WAC 392-139-020 through 392-139-045 the term:

(1) "Accounts 1000, 1030, 1040 and 3170" shall mean accounts as designated in F-195 (school district annual budget) approved by the superintendent of public instruction: Account 1000—total local property tax revenue; Account 1030—local property taxes collected from excess levies; Account 1040—joint district local property taxes collected from excess levies; and Account 3170—timber excise tax Fund A.

(2) "County assessor's report" shall mean the report completed by county assessors each year depicting the basic assessed valuation, regular levy senior citizen exemption, one hundred percent timber roll, special levy senior citizen exemption, and total assessed valuation data for individual school districts. County assessors provide these data annually to the superintendent of public instruction via Report 1038S. The data are used to determine the prior year's calendar year collection of the timber roll tax in the Form F-780, Schedule I.

(3) "County treasurer's statement" shall mean the financial statement for September through August issued to the school districts by the county treasurers in August. Current data concerning the general fund consisting of beginning and ending cash balances, investment income and expenditure, warrants outstanding, revenues credited to the various accounts and the current balance of the general fund shall be the data source used to determine the prior year's levy and timber tax collections for calculating a school district's additional levy authority (Form F-780, Schedule II).

(4) "F-195" (the budget for fiscal year 19... ) shall mean the annual school district budget document officially adopted by each school district pursuant to chapter 28A.65 RCW for each year's operations. The data contained in the budget pertaining to estimated funds

constituting the amount of guaranteed revenues from various state and local sources, estimated full-time equivalent students enrolled in grades K-12 and secondary vocational education programs, reported separately, and special levy revenues to be collected during the budget year are used to calculate the additional levy authority, estimated current year basic education funding, and staff unit calculations for small schools in the Form F-780, Schedules II, IV and VI.

(5) "R-1789" (actual and recognized apportionment, budget and levy planning salary data for certificated personnel) shall mean those salary data reported by school districts as of October first of each year to the superintendent of public instruction in the certificated personnel report (Form S-275), and displayed as average district salaries recognized for special levy purposes as required by RCW 84.52.053. These salary data shall be used to calculate the basic levy limitation and additional levy authority, Schedules III and IV, Form F-780, for each school district. These data are reported for a three-year period in Report 1789 by the superintendent of public instruction.

(6) "R-1790" (actual and recognized apportionment, budget and levy planning salary data for classified personnel) shall mean data of the same description and use as in subsection (5) of this section except for classified personnel as reported by school districts as of November first in the classified personnel report (Form S-277). The three-year average salary data is contained in Report 1790 by the superintendent of public instruction.

(7) "R-1191" (estimated funding required to guarantee . . . . per cent of formula support for 19... school year (Account 3010)) shall mean the final number of basic education and formula derived certificated and classified staff units, the computed compensation entitlement amounts for such staff, the basic education allocation provided for each average annual full-time equivalent student, the computed amount of state-funded support and any final adjustments made for the current school year for each school district. These data are used to calculate the basic levy limitation amount for calendar year collections (SPI Form F-780, Schedule I) and for calculating the additional levy authority amount (SPI Form F-780, Schedule II) for calendar year collections. These data are contained in the August Report 1191 prepared annually by the superintendent of public instruction.

(8) "R-1191E" (full-time enrollments used to calculate staff units) shall mean the number of basic certificated, formula certificated and formula classified staff units computed on the basis of the number of students enrolled in a school district, as reported by the district, converted to full-time equivalent students (FTE). The enrollment data are reported for each of the following grade levels: Kindergarten, grades 1-6, 7-8, and 9-12, excluding secondary vocational students. Vocational FTE students are reported separately for private and public schools. The staff unit calculations provide for the number of certificated units allowed due to a significant decrease in student enrollment as provided in the biennial appropriations acts. These data are contained in the August Report 1191E prepared by the superintendent of public instruction. These data are used for various calculations in Form F-780, Schedules II, III and VI.

(9) "Spring tax collection percentage" shall mean the percentage of the total maintenance and operation levy of a district for the tax year represented by the spring tax collection. This data is derived from county treasurer's reports and set forth in a special report prepared by the superintendent of public instruction each year. The data is used in calculating the current year's additional levy authority amount, Schedule II, Form F-780, for each local school district.

NEW SECTION

**WAC 392-139-020 SCHEDULE I—CALCULATION OF BASIC LEVY LIMITATION FOR CALENDAR YEAR 19... Schedule I and the sources of figures or data shall be as follows:**

F-780 (19...)

SCHEDULE I

CALCULATION FOR BASIC LEVY LIMITATION FOR CALENDAR YEAR 19...

- A. Estimated Basic Education Funding Prior Year (III.D.1.) \$.....(A)
- B. Estimated Basic Education Funding Prior Year Improved by 10% (I.A. x 1.10) \$.....(B)
- C. Total Guaranteed Support Prior Year (Report 1191, August 19...) \$.....(C)



- D. Calendar Year 19.. Basic Excess Levy Limitation (I.B. - I.C.) \$.....(D)
- <sup>1</sup>E. Estimated Amount of 19.. Basic Excess Levy from Timber Excise Tax:
  - 1. Prior Cal. Yr. Assessed Valuation for Current Cal. Yr. Collection (Excl. Timber Roll) (Co. Assessor's Report) \$.....(E.1.)
  - 2. Prior Cal. Yr. Timber Roll for Curr. Cal. Yr. Collection (Co. Assessor's Report) \$.....(E.2.)
  - 3. Timber Roll Remaining in 19.. for Timber Excise Tax Distribution (I.E.2. x ....) \$.....(E.3.)
  - 4. Adjusted Prior Cal. Yr. Assessed Valuation for Curr. Cal. Yr. Collection (Incl. Timber Roll) (I.E.1. + I.E.3.) \$.....(E.4.)
  - 5. Estimated Timber Excise Tax Proportion of 19.. Basic Excess Levy (I.E.3. + I.E.4.) = ....% (E.5.)
  - 6. Estimated Amount of 19.. Basic Excess Levy from Timber Excise Tax (I.D. x I.E.5.) \$.....(E.6.)
- F. Estimated Amount of 19.. Basic Excess Levy from Property Tax (I.D. - I.E.) \$.....(F)

<sup>1</sup> For use by heavily impacted Timber Roll districts.

**NEW SECTION**

WAC 392-139-025 SCHEDULE II—CALCULATION OF ADDITIONAL LEVY AUTHORITY (EXCEEDING BASIC LEVY LIMITATION FOR 19.. CALENDAR YEAR). Schedule II and the sources of figures or data shall be as follows:

F-780 (19..)

**SCHEDULE II**

**CALCULATION OF ADDITIONAL LEVY AUTHORITY (EXCEEDING BASIC LEVY LIMITATION FOR 19.. CALENDAR YEAR)**

- A. Levy Collections Prior Year (Co. Treas. Stmt. for Aug. 31, 19... Accts. 1000 + 3170) \$.....(A)
- B. Guaranteed Support Prior Year (I.C.) \$.....(B)
- C. Compensation Improvement (Cal. Yr. 1979 Calculation Only) (Report 1191, August 1978, line C.5.) \$.....(C)
- <sup>1</sup>D. Compensation Improvement, Prog. 21 (Cal. Yr. 1979 Calculation Only) (Basic Ed. Self-Contained Teachers Only) (To be Calculated Using District Ratios) \$.....(D)
- E. Total Estimated Basic Education Funds Prior Year (II.A. + II.B. + II.C. + II.D.) \$.....(E)
- F. Average Annual FTE Pupils Prior Year (Report 1191E, August 19..) \$.....(F)
- G. Revenue/FTE Pupil Prior Year (II.E. + II.F.) \$.....(G)
- H. Revenue/FTE Pupil Prior Year Improved by 4% (II.G. x 1.04) \$.....(H)
- J. Estimated FTE Pupils Current Year (Current Year F-195) \$.....(J)
- K. Total Estimated Basic Education Funds Needed Curr. Yr. (II.H. x II.K.) \$.....(K)

- L. Estimated Available Basic Education Funds Curr. Yr.:
  - 1. Estimated Basic Education Apportionment Curr. Yr. (IV.D.1.) \$.....(L.1.)
  - <sup>2</sup>2. a. Estimated Fall 19.. Levy Receipts (Accts. 1030 & 1040) \$..... x .....% = (Current Year F-195) \$.....(L.2a)
  - b. Estimated Fall 19.. Timber Excise Tax Receipts (Acct. 3170) \$..... (Current Year F-195) \$.....(L.2b)
  - 3. a. Estimated Spring 19.. Levy (Accts. 1030 & 1040) \$..... x .....% = (I.F. & Spring Tax Coll. %) \$.....(L.3a)
  - b. Estimated Spring 19.. Timber Excise Tax Receipts (Acct. 3170) (I.E.) \$.....(L.3b)
- M. Total Estimated Available Basic Education Funds Curr. Yr. (II.M.1. + 2.a. + 2.b. + 3.a. + 3.b.) \$.....(M)
- <sup>3</sup>N. Additional Spring 19.. Levy Collections (II.L. - II.N.) \$.....(N)
- P. Additional Levy Authority Cal. Yr. 19.. \$..... + .....% (II.P. + Spring Tax Coll. %) \$.....(P)

<sup>1</sup> The basic education teachers in Program 21 are those required to serve the enrollments in the self-contained classrooms at the district's regular pupil/classroom teacher ratio. Such teachers must not be calculated to be included in both II.C. and II.D.

<sup>2</sup> If no levy for 19.. collection, enter "0" for 2.a. and 2.b. If levy was authorized for 19.., use the property tax levy amount and the tax collection percentage, Report ..... Timber tax districts should verify with their educational service district fiscal officers and county treasurers as to the appropriate percentages to use for their distribution of the Timber Excise Tax for both years of concern, either 50% or 75% for spring collections, and either 50% or 25% for fall collections.

<sup>3</sup> If "0" or negative, no additional levy authority is provided.

**NEW SECTION**

WAC 392-139-030 SCHEDULE III—PRIOR YEAR 100% FORMULA FUNDING. Schedule III and the sources of figures and data shall be as follows:

F-780 (19..)

**SCHEDULE III**

**PRIOR YEAR 100% FORMULA FUNDING<sup>1</sup>**

- A. Certificated Units:
  - 1. Prior Year Average Annual Enrollment, K-12 FTE (Report 1191E, August 19..) \$.....(A.1.)
  - 2. Basic Certificated Units (III.A.1. + 20) \$.....(A.2.)
  - 3. Prior Year Average Annual K-12 Net FTE Pupils (III.A.1. - Prior Year Voc. Sec. FTE Pupils (Report 1191E, August 19..)) \$.....(A.3.)
  - 4. K-12 Certs. (Excl. Voc. Sec. Certs.) (III.A.3. + 20) \$.....(A.4.)
  - 5. Voc. Sec. Certs. (Prior Year Voc. Sec. FTE Pupils + 16.67 (Report 1191E, August 19..)) \$.....(A.5.)
  - 6. Enr. Decline Pupils (Second Prior Year FTE Pupils (Report 1191E, August 19..) - III.A.1.) \$.....(A.6.)
  - <sup>2</sup>7. Enrollment Decline Certs. (III.A.6. + 40) \$.....(A.7.)
  - 8. Total Basic Education Certs. (III.A.4. + A.5. + A.7.) \$.....(A.8.)
  - 9. Formula Cert. Compensation Entitlement (III.A.8. x .....<sup>3</sup>) (Report 1789, Col. 3.) x 1.....<sup>3</sup> \$.....(A.9.)

- B. Classified Units:
  - 1. Prior Year Formula Classified Units  
(III.A.2. + 3.) .....(B.1.)
  - 2. Prior Year Formula Classified Comp. Entitlement  
(III.B.1. x .....  
(Report 1790, Col. 3.) x 1.....<sup>3</sup>) \$.....(B.2.)
- C. Nonemployee-Related Costs:
  - 1. Prior Year Nonemployee-Related Costs Entitlement  
(III.A.2. x \$.....) \$.....(C.1.)
- D. Total Prior Year New Formula Entitlement:
  - 1. Total Prior Year 100% Formula Funding  
(III.A.9. + B.2. + C.1.) \$.....(D.1.)

<sup>1</sup> Districts judged by the state board of education to be remote and necessary or with plants so judged, or those operating high schools with enrollments less than 300 FTE, see Schedules V and VI for instructions.

<sup>2</sup> Use III.A.7. only if III.A.6. is greater than 300, or greater than 4% of second prior year FTE pupils.

<sup>3</sup> A factor used to convert salary to compensation to be provided annually by the superintendent of public instruction.

**NEW SECTION**

WAC 392-139-035 SCHEDULE IV—ESTIMATED CURRENT YEAR BASIC EDUCATION FUNDING. Schedule IV and the sources of figures and data shall be as follows:

F-780 (19..)

**SCHEDULE IV**

**ESTIMATED CURRENT YEAR BASIC EDUCATION FUNDING<sup>1</sup>**

- A. Certificated Staff Units:
  - 1. Current Year Est. Base Enrollment, K-12 FTE  
(Current Year F-195) .....(A.1.)
  - 2. Basic Certificated Units  
(IV.A.1. + ..... ) .....(A.2.)
  - 3. Estimated Current Year K-12 Net FTE Pupils  
(IV.A.1. - Est. Voc. FTE Pupils  
Current Year F-195) .....(A.3.)
  - 4. K-12 Certs. (Excl. Voc. Sec.)  
(IV.A.3. + ..... ) .....(A.4.)
  - 5. Estimated Voc. Sec. Certs.  
(Est. Current Year Voc.  
FTE Pupils F-195 + ..... ) .....(A.5.)
  - <sup>2</sup>6. Enrollment Decline Certs.  
((III.A.1. - IV.A.1.) + ..... ) .....(A.6.)
  - 7. Total Current Year Formula Certs.  
(IV.A.4. + A.5. + A.6.) .....(A.7.)
  - 8. Est. Current Year Formula Cert. Comp. Entitlement  
(IV.A.7. x .....<sup>3</sup>  
(Report 1789, Col. 5.) x 1.....<sup>3</sup>) .....(A.8.)
- B. Classified Units:
  - 1. Current Year Formula Classified Units  
(IV.A.2. + 3.) .....(B.1.)
  - 2. Est. Current Yr. Formula Class. Comp. Entitlement  
(IV.B.1. x .....  
(Report 1790, Col. 5.) x 1.....<sup>3</sup>) .....(B.2.)
- C. Nonemployee-Related Costs:
  - 1. Est. Current Year Nonemployee-Related Costs  
(IV.A.2. x \$.....) \$.....(C.1.)

- D. Total Est. Current Year Formula Entitlement:
    - 1. Total Est. Current Year Formula Entitlement  
(IV.A.8. + B.2. + C.1.) \$.....(D.1.)
- <sup>1</sup> Districts judged by the state board of education to be remote and necessary or with plants so judged, or those operating high schools with enrollments less than 300 FTE, see Schedules V and VI for instructions.
- <sup>2</sup> Use IV.A.6. only if enrollment decline is greater than 300, or greater than 4% of prior year FTE pupils.
- <sup>3</sup> A factor used to convert salary to compensation to be provided annually by the superintendent of public instruction.

**NEW SECTION**

WAC 392-139-040 SCHEDULE V—SMALL SCHOOL FACTORS. Schedule V and the sources of figures and data shall be as follows:

F-780 (19..)

**SCHEDULE V**

**SMALL SCHOOL FACTORS**

For remote and necessary (R&N) school plants within a district as judged by the state board of education, the following procedures must be followed:

- A. 1. Prior Year District Regular Enr., Cert. Unit Allotment  
(III.A.1. - R&N Enroll. + 20) .....(A.1.)
- 2. R&N Cert. Unit Allotment  
(K-6 FTE pupils 1-60 = 3 cert. units. Above 60 FTE pupils, at a ratio of 1 cert. unit per 20 FTE pupils. For grades 7-8 FTE pupils 1-20 = 1 cert. unit. Above 20 FTE pupils, at a ratio of 1 cert. unit per 20 FTE pupils.) .....(A.2.)
- 3. District Basic Cert. Units  
Enter on III.A.2.  
(V.A.1. + A.2.) .....(A.3.)
- B. 1. Est. Current Yr. Dist. Regular Enr., Cert. Unit Allot.  
(IV.A.1. - R&N Enroll. + ..... ) .....(B.1.)
- 2. Est. R&N Cert. Unit Allotment  
(K-6 FTE pupils 1-60 = ..... cert. units. Above 60 FTE pupils, at a ratio of 1 cert. unit per ..... FTE pupils. For grades 7-8 FTE pupils 1-20 = ..... cert. unit. Above 20 FTE pupils, at a ratio of 1 cert. unit per ..... FTE pupils.) .....(B.2.)
- 3. District Basic Cert. Units  
Enter on IV.A.2.  
(V.B.1. + B.2.) .....(B.3.)

For remote and necessary school districts as judged by the state board of education, the following procedures must be followed:

- C. Prior Year Basic Cert. Units  
Enter on III.A.2.  
(K-6 FTE pupils 1-60 = 3 cert. units. Above 60 FTE pupils, at a ratio of 1 cert. unit per 20 FTE pupils. For grades 7-8 FTE pupils, 1-20 = 1 cert. unit. Above 20 FTE pupils, at a ratio of 1 cert. unit per 20 FTE pupils.) .....(C)
- D. Current Year Basic Cert. Units  
Enter on IV.A.2.  
(K-6 FTE pupils 1-60 = ..... cert. units. Above 60 FTE pupils, at a ratio of 1 cert. unit per ..... pupils. For grades 7-8, not more than 20 FTE pupils, ..... cert. units. Above 20 FTE pupils, at a ratio of 1 cert. unit per ..... pupils.) .....(D)

**NEW SECTION**

WAC 392-139-045 SCHEDULE VI—SMALL HIGH SCHOOL FACTORS. Schedule VI and the source of figures and data shall be as follows:

SCHEDULE VI  
SMALL HIGH SCHOOL FACTORS

F-780 (19. .)

APPROVED AND ADOPTED October 31, 1978.  
By Gordon Sandison  
Director

For small school districts operating high schools with enrollments of not more than 300 FTE pupils, the following procedures must be used:

- A. 1. Prior Year K-8 Allotment Basic Cert. Units  
(K-8 District Enr. + 20,  
(Report 1191E, August 19. .)) .....(A.1)
- 2. Prior Year Small High School Cert. Units  
(9-12 FTE pupils 1-60 = 9.5 cert. units. From  
61 to 300 FTE pupils, at a ratio of 1 cert. unit  
per 43.5 FTE pupils.) .....(A.2)
- 3. Basic Cert. Units Enter on III.A.2.  
(VI.A.1. + A.2.) .....(A.3.)
- B. 1. K-12 Certs. (Excl. Voc. Sec.) Prior Year K-12  
Certs. minus Voc. Sec. Cert. Units @ 20:1  
Enter on III.A.4.  
(VI.A.3. - (Voc. Sec. Enr. + 20)) .....(B.1.)
- C. 1. Current Year Est. K-8 Allotment Basic Cert. Units  
(K-8 District Enrollment + .....  
(Current Year F-195)) .....(C.1.)
- 2. Current Year Est. Small High School Cert. Units  
(9-12 FTE pupils 1-60 = ..... cert. units.  
From 61 to 300 FTE pupils, at a ratio of .....  
cert. unit per 43.5 FTE pupils.) .....(C.2.)
- 3. Basic Cert. Units Enter on IV.A.2.  
(VI.C.1. + C.2.) .....(C.3.)
- D. 1. K-12 Certs. (Excl. Voc. Sec.) Current Year K-12  
Certs. minus Voc. Sec. Cert. Units @ .....:1  
Enter on IV.A.4.  
(VI.C.3. - (Voc. Sec. Enr. + .....)) .....(D.1.)

**WSR 78-11-076**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**  
[Order 78-111—Filed October 31, 1978]

I, Gordon Sandison, director of state Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is harvestable numbers of coho and chum bound for the Skagit Hatchery can be taken in this area with minimal incidental catch of natural coho and chum.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

NEW SECTION

WAC 220-28-008F0M **CLOSED AREA** Effective immediately until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear from the waters of the Skagit River, including all tributaries:

a) except in Clark Creek, and in that portion of the Cascade River between a point 100 yards upstream from the mouth of Jordan Creek and the mouth of Clark Creek.

b) except in the remaining waters of the Skagit River, between 6:00 P.M. Wednesday and 6:00 A.M. Friday of each week.

REPEALER

The following section of the Washington Administrative Code is hereby repealed:

WAC 220-28-008F0L **CLOSED AREA (78-110)**

**WSR 78-11-077**  
**PROPOSED RULES**  
**STATE BOARD OF HEALTH**  
[Filed October 31, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the State Board of Health intends to adopt, amend, or repeal rules relating to mobile homes and mobile home parks, repealing chapter 248-76 WAC;

that such agency will at 10:00 a.m., Wednesday, December 6, 1978, in the Assembly Room, S.W. Washington Health District, 2000 Ft. Vancouver Way, Vancouver, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Wednesday, December 6, 1978, in the Assembly Room, S.W. Washington Health District, 2000 Ft. Vancouver Way, Vancouver, WA.

The authority under which these rules are proposed is RCW 43.20.050.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to December 6, 1978, and/or orally at 10:00 a.m., Wednesday, December 6, 1978, Assembly Room, S.W. Washington Health Dist., 2000 Ft. Vancouver Way, Vancouver, WA.

Dated: 10/31/78  
By: John A. Beare, M.D.  
Secretary

REPEALER

The following sections of Washington Administrative Code are hereby repealed:

- (1) WAC 248-76-201 **DEFINITIONS.**

- (2) WAC 248-76-210 INDIVIDUAL MOBILE HOMES.
- (3) WAC 248-76-220 PLANS AND SPECIFICATIONS, AND PERMITS, FOR MOBILE HOME PARKS.
- (4) WAC 248-76-230 INSPECTION OF MOBILE HOME PARKS.
- (5) WAC 248-76-240 LOCATION AND LAYOUT OF MOBILE HOME PARKS.
- (6) WAC 248-76-250 TOILET, LAVATORY, AND BATHING FACILITIES.
- (7) WAC 248-76-260 CONSTRUCTION AND MAINTENANCE OF COMMUNITY AND RECREATIONAL FACILITIES.
- (8) WAC 248-76-270 WATER SUPPLY.
- (9) WAC 248-76-280 PLUMBING.
- (10) WAC 248-76-290 SEWAGE DISPOSAL.
- (11) WAC 248-76-300 REFUSE DISPOSAL.
- (12) WAC 248-76-310 INSECT AND RODENT CONTROL.
- (13) WAC 248-76-320 LIGHTING.
- (14) WAC 248-76-330 ELECTRICITY AND FIRE PROTECTION.
- (15) WAC 248-76-340 PARK MANAGEMENT.
- (16) WAC 248-76-350 SUBSTANTIAL COMPLIANCE—REGULATIONS.

**WSR 78-11-078**  
**PROPOSED RULES**  
**DEPARTMENT OF REVENUE**  
**(Forest Tax Division)**  
 [Filed November 1, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and WAC 1-12-030, that the Department of Revenue intends to adopt, amend, or repeal rules concerning:

- WAC 458-40-18625 Definitions for 1/1/79 through 6/30/79.
- WAC 458-40-18626 Stumpage Value Areas—Map For 1/1/79 through 6/30/79.
- WAC 458-40-18627 Hauling distance zones—Maps for 1/1/79 through 6/30/79.
- WAC 458-40-18628 Timber quality code numbers—Tables For 1/1/79 through 6/30/79.
- WAC 458-40-18629 Stumpage values—Tables for 1/1/79 through 6/30/79.
- WAC 458-40-18630 Harvester Adjustments—Tables for 1/1/79 through 6/30/79.
- WAC 458-40-19000 Timber pole volume table west of Cascade Summit.
- WAC 458-40-19001 Timber piling volume table for west of Cascade Summit.
- WAC 458-40-19002 Timber pole volume table east of Cascade Summit.
- [WAC 458-40-19003]
- WAC 458-40-10003 Timber piling volume table for east of Cascade Summit.
- WAC 458-40-19004 Conversion Definitions and factors for 1/1/79 through 6/30/79;

that such agency will at 10:00 a.m., Tuesday, December 19, 1978, in the Large Conference Room, General Administration Building, Olympia, Washington, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Friday, December 29, 1978, in the Office of the Director of the Department of Revenue, 4th floor, General Administration Building, Olympia, Washington.

The authority under which these rules are proposed is RCW 82.01.060 and 82.04.291.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to December 19, 1978, and/or orally at 10:00 a.m., Tuesday, December 19, 1978, Large Conference Room, General Administration Building, Olympia, Washington.

Dated: November 1, 1978  
 By: Roy A. Demorest  
 Assistant Director, Forest Tax Division

**NEW SECTION**

WAC 458-40-18625 DEFINITIONS FOR 1/1/79 THROUGH 6/30/79.

(1) Acceptable Log Scaling Rule. The acceptable log scaling rule shall be the Scribner Decimal C Log Scale Rule or other prevalent measuring practice, provided that such other prevalent measuring practice shall be an acceptable scaling procedure and provided that such procedure shall be submitted to the department for approval prior to the time of harvest.

(2) Approved Log Scaling and Grading Rules.

(a) West of the Cascade Summit—Approved Scaling and Grading Rule. With respect to the reporting of timber harvested from private lands in areas west of the Cascade summit, which areas are designated as stumpage value areas 1, 2, 3, 4, and 5 in the stumpage value area map of WAC 458-40-18626, the methods and procedures published by the Columbia River Log Scaling and Grading Bureau, Grays Harbor Log Scaling and Grading Bureau, and the Puget Sound Log Scaling and Grading Bureau and published as the "Official Log Scaling and Grading Rules" by the Puget Sound Log Scaling and Grading Bureau, Tacoma, Washington are approved by the department for use in those areas.

(b) East of the Cascade Summit—Approved Scaling Rule. With respect to the reporting of timber harvested from private lands in areas east of the Cascade summit, which areas are designated as stumpage value areas 6, 7, 8, 9, and 10 in the stumpage value area map of WAC 458-40-18626, the methods and procedures published by the United States Forest Service under the title "National Forest Log Scaling Handbook" procedures are approved by the department for use in those areas. This log scaling handbook is published under the title FSH 2409-11 National Forest Log Scaling Handbook, Forest Service, United States Department of Agriculture.

(c) East of the Cascade Summit—Established Grading Rule. Because the National Forest Log Scaling Handbook does not contain grading rules, a separate computation shall be made to arrive at the proper grade for purposes of determining the timber quality code number for timber harvested east of the Cascade summit. The grade for quality classification purposes of the timber harvested from private land east of the Cascade summit shall be determined by the number of sawable sixteen foot logs per thousand feet net Scribner Decimal C Log Scale. The computation shall be made under the following three-step procedure:

(i) Step 1. The highest possible total number of sawable sixteen foot logs which could be recovered shall be determined by dividing the sum total of length of all sawable logs harvested by the number sixteen.

(ii) Step 2. The average net volume per sixteen foot recoverable log shall be determined by dividing the total volume harvested (net log scale) by the total number of sixteen foot logs as determined in Step 1.

(iii) Step 3. The total number of logs per thousand board feet (MBF) shall be determined by dividing one thousand by the average net volume as determined in Step 2.

(3) Codominant Trees. Trees whose crowns form the general level of the crown cover and receive full light from above, but comparatively little light from the sides.

(4) Department. Department, for the purposes of this chapter, shall mean the department of revenue of the state of Washington.

(5) Dominant Trees. Trees whose crowns are higher than the general level of the canopy and who receive full light from the sides as well as from above.

(6) Forest Excise Tax Payment. Every person who is engaged in business as a harvester of timber from privately owned land shall pay a forest excise tax which shall be equal to the taxable stumpage value of timber harvested for sale or for commercial or industrial use and multiplied by the appropriate rate as provided in RCW 82.04.291(1).

(7) Harvester. Harvester shall mean every person who from his own privately owned land or from privately owned land of another under a right or license granted by lease or contract, either directly or by contracting with others, takes timber for sale or for commercial or industrial use. It does not include persons performing under contract the necessary labor or mechanical services for a harvester.

(8) Harvested Timber—When Determined. Timber shall be considered harvested at the time when in the ordinary course of business the quantity thereof by species is first definitely determined.

(9) Harvest Type. Harvest type shall be a term referring to the grouping of harvested timber by age and type of harvest and shall include and is limited to the following harvest types:

(a) Merchantable Sawtimber, All Ages—The removal of timber east of the Cascade summit shall be reported as "merchantable sawtimber, all ages", unless the harvest type comes within the definition in this chapter of "special forest products harvest".

(b) Old Growth Final Harvest. The removal of any timber from a harvest unit that is over 100 years of age and west of the Cascade summit shall be reported as "old growth final harvest" unless the harvest type comes within the definition in this chapter of "special forest products harvest".

(c) Special Forest Products. The removal of Christmas trees (except as provided in RCW 84.33.170), shake blocks and boards, and posts and other western red cedar products shall be reported as "special forest products harvest".

(d) Thinning. The removal of timber from a harvest unit meeting all the following conditions:

- (i) Harvest unit located west of the Cascade Summit;
- (ii) Timber is less than 100 years of age;
- (iii) The total merchantable volume which is removed is less than forty percent of the total merchantable volume of the harvest unit prior to harvest;
- (iv) Not more than forty percent of the total volume removed is from the dominant and codominant trees;
- (v) The trees removed in the harvest operation shall be distributed over the entire harvest unit.

(e) Young Growth Final Harvest. The removal of any timber from a harvest unit that is 100 years of age or less and west of the Cascade summit shall be reported as "young growth final harvest" unless the harvest type comes within the definition in this chapter of "special forest products harvest" or within the definition of "thinning harvest".

(10) Harvest Unit. A harvest unit is a harvest area having the same forest excise tax permit number, stumpage value area, hauling distance zone, harvest type, harvest adjustments and harvester. A harvest unit may include more than one section.

(11) MBF. As used herein MBF shall mean one thousand board feet measured in Scribner Decimal C Log Scale Rule.

(12) Sawlog. Sawlog shall mean any log large enough to produce one-third of its gross volume in sound lumber or other products that can be sawed.

(13) Small Harvest. A small harvest is defined as the total net volume harvested from all units, a selected unit, or a combination of units (including conifer special cull or utility and hardwood utility) is 250 thousand board feet or less in a given reporting quarter.

(14) Species. Species designation is a biologically-based grouping of harvested timber and shall include but is not limited to the following designations of species and subclassifications thereof:

(a) West of the Cascade summit:

(i) "Douglas fir", "western hemlock", "true fir", "western red cedar", "noble fir", "Sitka spruce", "Alaska yellow cedar", "red alder", and "cottonwood" shall be reported as separate species where designated as such in the stumpage value tables of WAC 458-40-18623.

(ii) In areas west of the Cascade summit, species designations for the harvest type "special forest products" shall be "western red cedar" (shake blocks and boards), western red cedar flatsawn and shingle blocks "western red cedar and other" (posts), "Douglas fir", "true fir and others", (Christmas trees).

(b) East of the Cascade summit:

(i) "Ponderosa pine", "lodgepole pine", "white pine", "Douglas fir", "western hemlock", "true fir", "western red cedar", "western larch" and "Engelmann spruce" shall be reported as separate species where designated as such in the stumpage value tables of WAC 458-40-18629.

(ii) In areas east of the Cascade summit, species designations for the harvest type "special forest products" shall be "western red cedar" (flatsawn and shingles), "western larch" (flatsawn and shingle blocks),

"lodgepole pine and other" (posts), "pine" (Christmas trees), "Douglas fir and other" (Christmas trees).

(c) All areas:

(i) "Other conifer", as used in the stumpage value tables, shall be all other conifers not separately designated in the applicable stumpage value tables.

(ii) "Hardwood", and "other hardwood", as used in the stumpage value tables, shall be all hardwoods not separately designated in the applicable stumpage value tables.

(iii) "Utility", "conifer utility"; and "hardwood utility" are separate species as defined by the "Official Log Scaling and Grading Rules" published by the Puget Sound Log Scaling and Grading Bureau and shall be reported as separate species where designated as such in the stumpage value tables.

(15) Stumpage Value Area. A stumpage value area is an area with specified boundaries which contains timber having similar growing, harvesting, and marketing conditions. Presently, there are ten such stumpage value areas designated in the state of Washington as shown under WAC 458-40-18626. Stumpage value areas 1, 2, 3, 4, and 5 are located west of the Cascade summit and stumpage value areas 6, 7, 8, 9, and 10 are located east of the Cascade summit.

(16) Stumpage Value of Timber. The stumpage value of timber shall be the appropriate value for each species of timber harvested, or for each species of "special forest product" reported, as set forth in the stumpage value tables under WAC 458-40-18629.

(17) Timber. Timber shall include forest trees, standing or down, on privately owned land, and except as provided in RCW 84.33.170 includes Christmas trees, shake blocks and boards, posts and other western red cedar products.

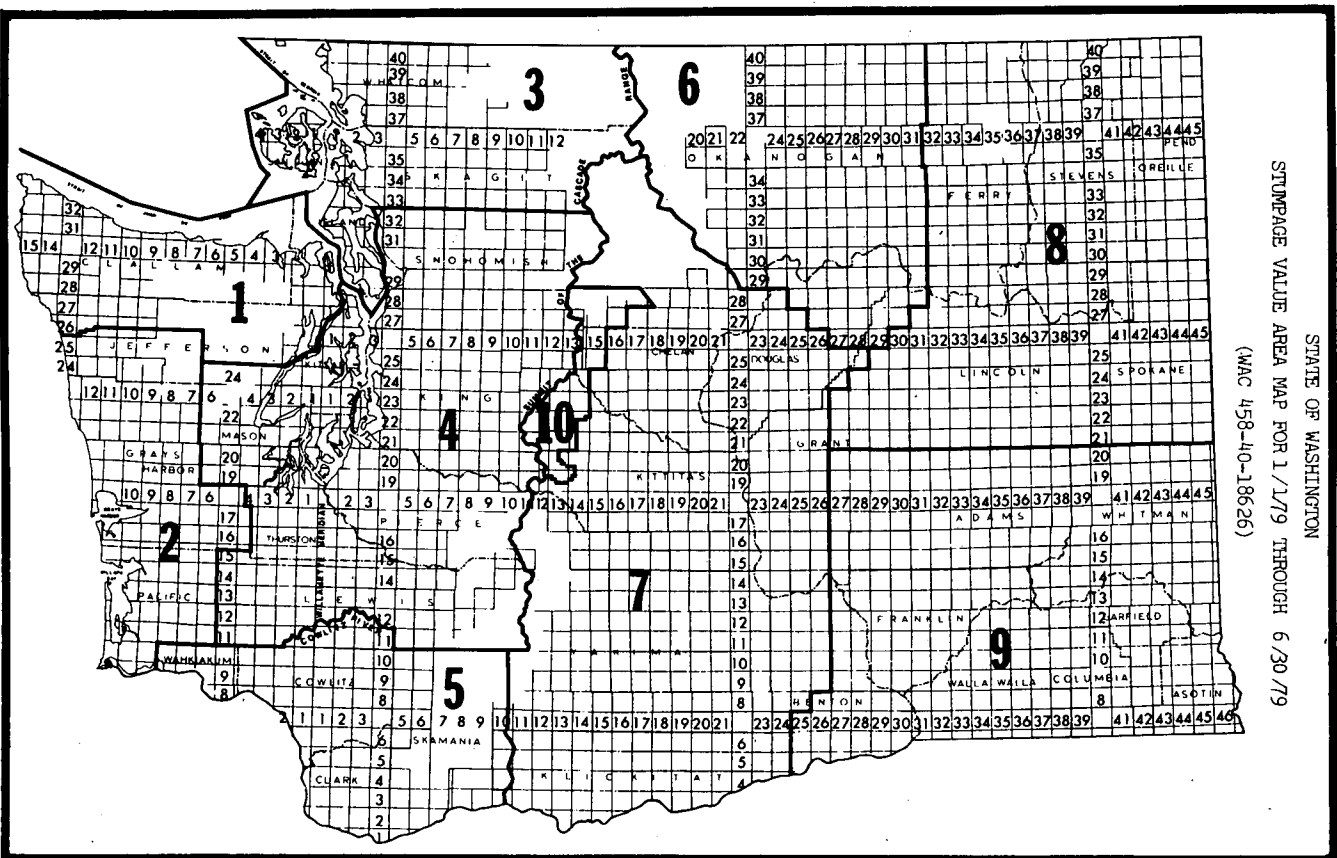
(18) Timber Quality Code Number. The timber quality code number is a number assigned to the harvest of a particular species within a harvest type under WAC 458-40-18628, and is based upon the constituent percentage of log grade specifications within the total volume of timber harvested for that particular species.

#### NEW SECTION

**WAC 458-40-18626 STUMPAGE VALUE AREAS—MAP FOR 1/1/79 THROUGH 6/30/79.** In order to allow for differences in market conditions and other relevant factors throughout the state as required by RCW 82.04.291(3), the department has created a map designating areas containing timber having similar growing, harvesting, and marketing conditions. The stumpage value area map shall be used for the determination of stumpage values.

The stumpage value area map shown herein shall be used to determine the proper stumpage value table to be used in calculating the taxable stumpage value under WAC 458-40-18629.

The following stumpage value area map is hereby adopted for use during the period of January 1, 1979 through June 30, 1979:



NEW SECTION

WAC 458-40-18627 HAULING DISTANCE ZONES—MAPS FOR 1/1/79 THROUGH 6/30/79. In order to allow for differences in hauling costs and other relevant factors as required by RCW 82.04.291(3) the department has designated zones within each stumpage value area which have similar accessibility to conversion points and other similar hauling cost factors.

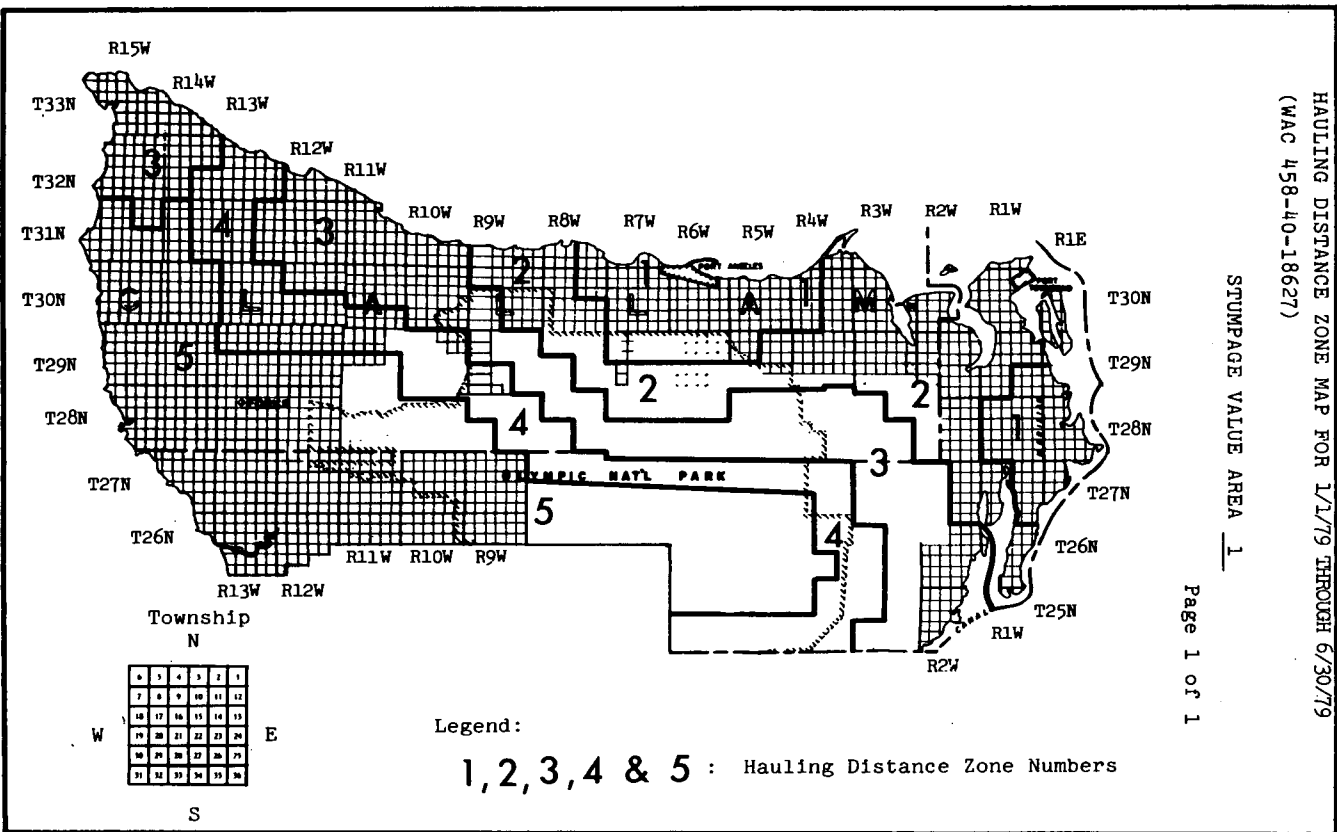
The hauling distance zone numbers on the following hauling distance zone maps establish the hauling distance zone numbers which are to be used in computing timber harvest value under the stumpage value tables of WAC 458-40-18629.

The following hauling distance zone maps designating zones established by the department as having similar hauling costs for transportation of forest products to the market, are hereby adopted for use during the period of January 1, 1979 through June 30, 1979:

HAULING DISTANCE ZONE MAP FOR 1/1/79 THROUGH 6/30/79  
(WAC 458-40-18627)

STUMPAGE VALUE AREA 1

Page 1 of 1

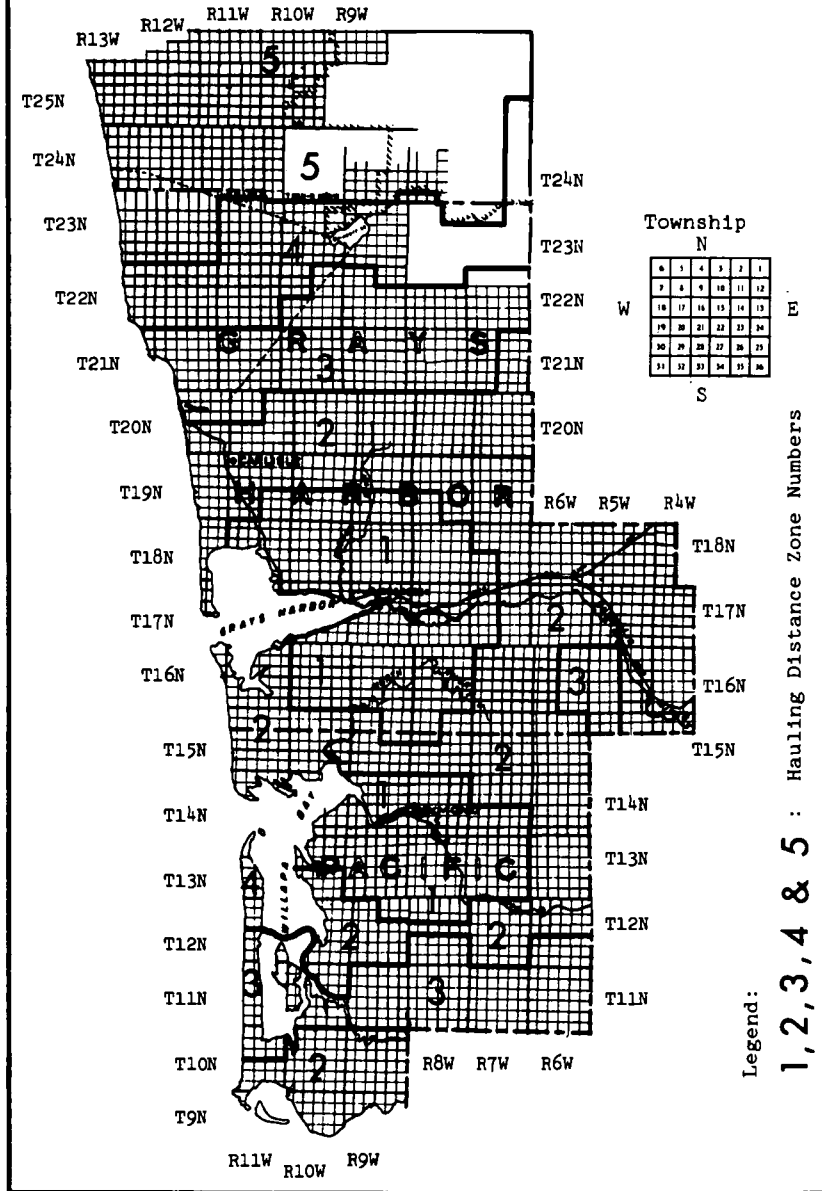




HAULING DISTANCE ZONE MAP FOR 1/1/79 THROUGH 6/30/79  
(WAC458-40-18627)

STUMPAGE VALUE AREA 2

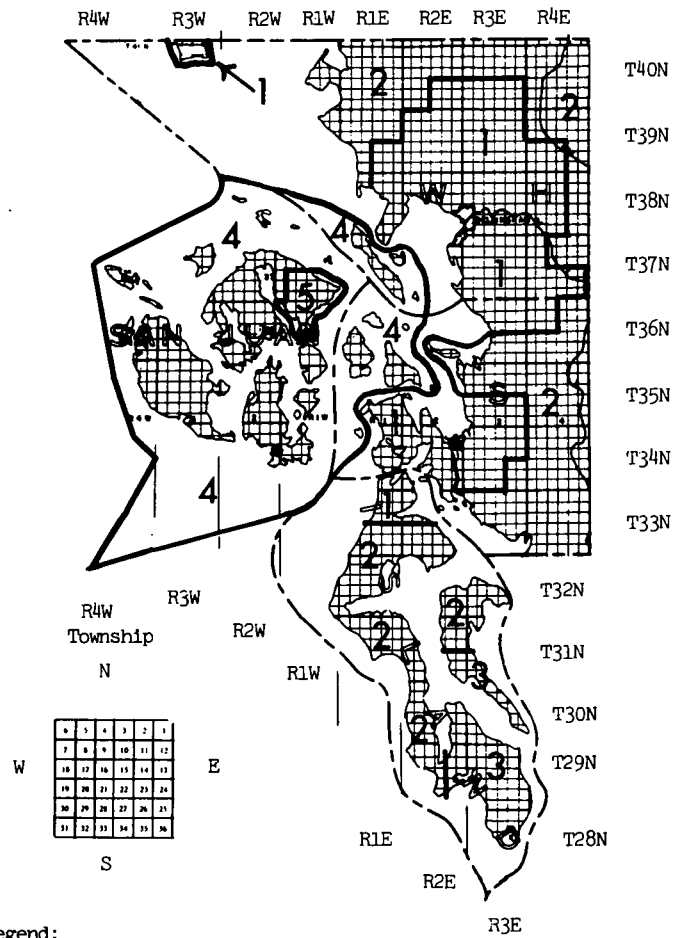
Page 1 of 1



HAULING DISTANCE ZONE MAP FOR 1/1/79 THROUGH 6/30/79  
(WAC 458-40-18627)

STUMPAGE VALUE AREA 3

Page 1 of 2



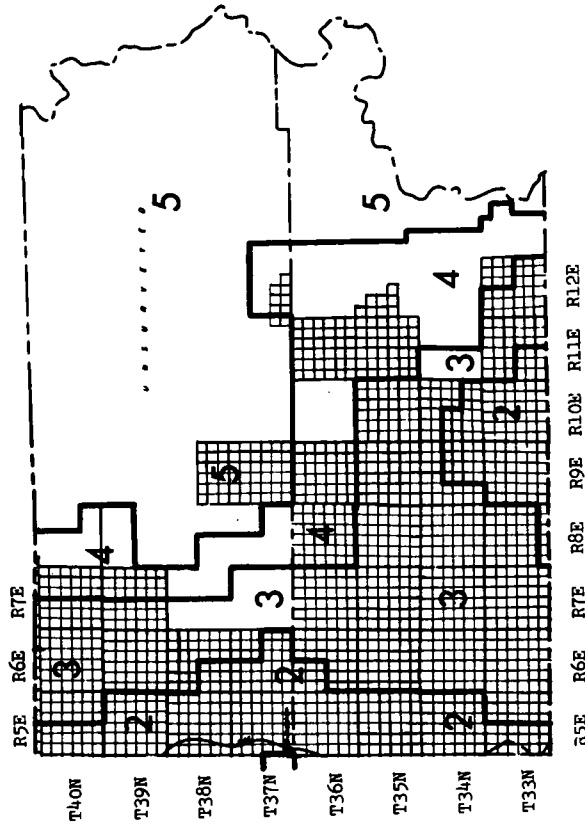
Legend:

1, 2, 3, 4 and 5 : Hauling Distance Zone Numbers

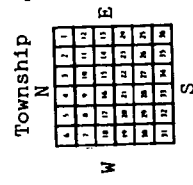
HAULING DISTANCE ZONE MAP FOR 1/1/79 THROUGH 6/30/79  
 (WAC 458-40-18627)

STUMPAGE VALUE AREA 3

Page 2 of 2



R10E R11E R12E  
 T40N  
 T39N  
 T38N  
 T37N  
 T36N  
 T35N  
 T34N  
 T33N



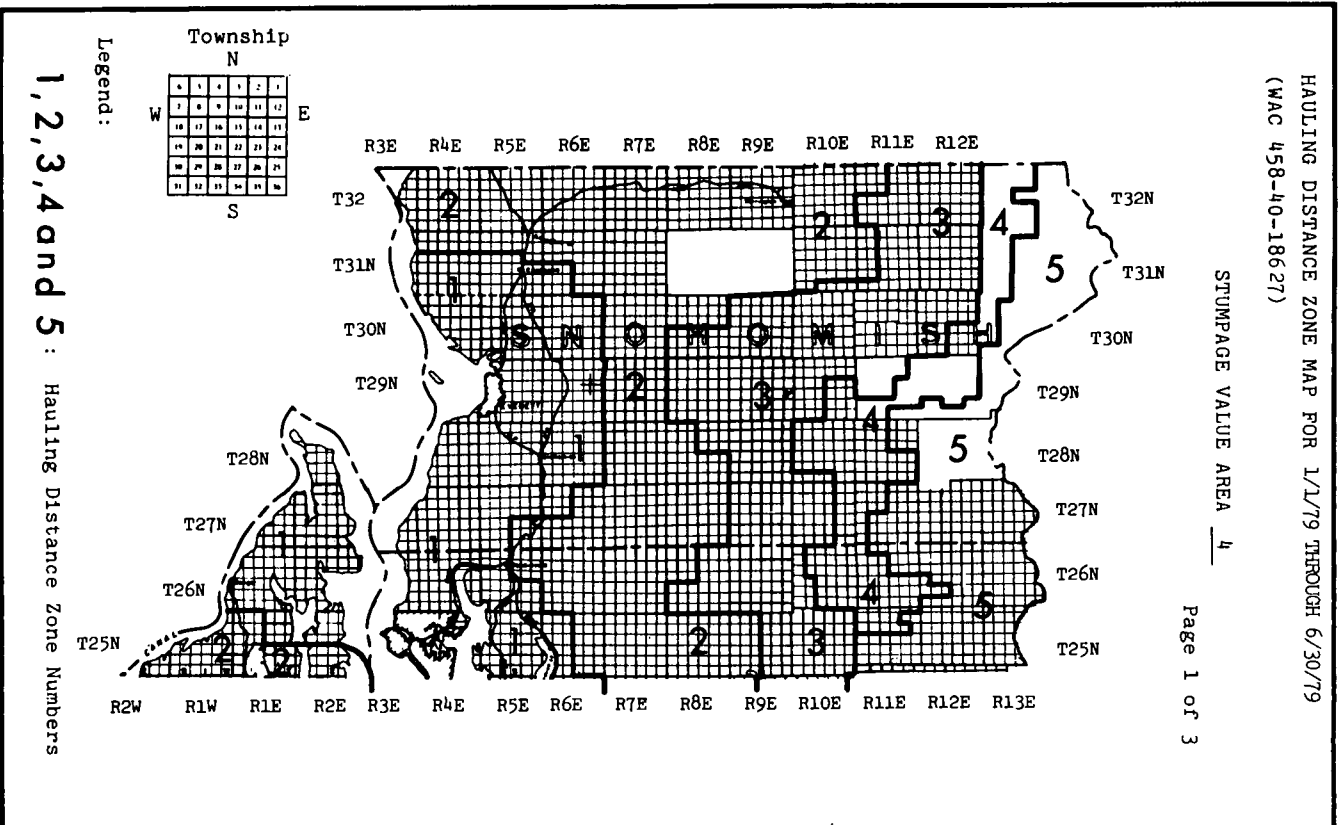
Legend:

**2, 3, 4 and 5** : Hauling Distance Zone Numbers

HAULING DISTANCE ZONE MAP FOR 1/1/79 THROUGH 6/30/79  
(WAC 458-40-18627)

STUMPAGE VALUE AREA 4

Page 1 of 3

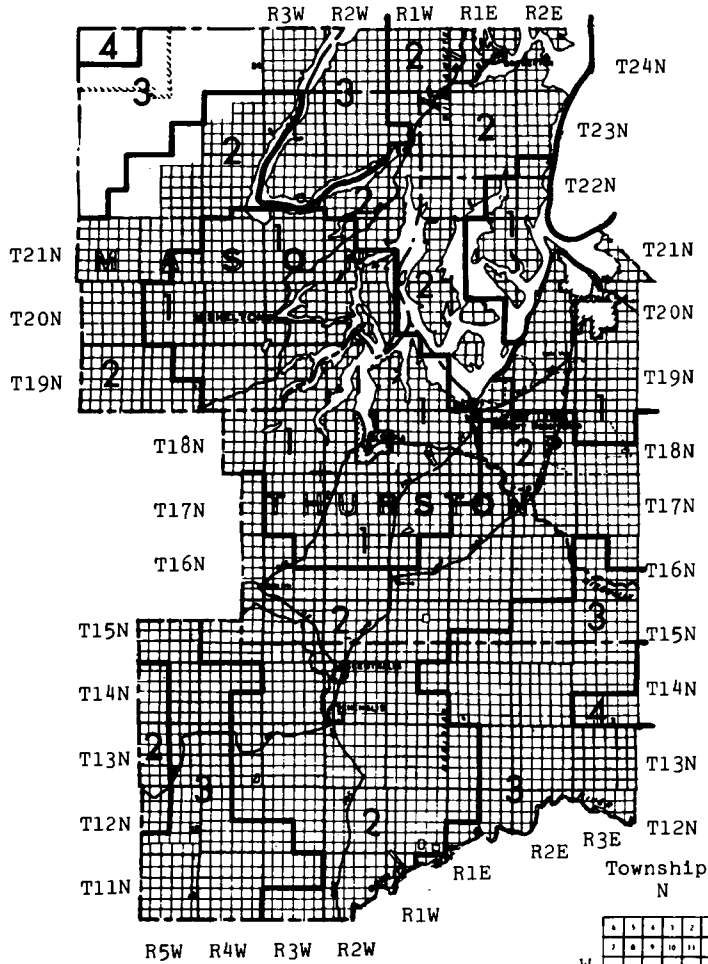


1, 2, 3, 4 and 5 : Hauling Distance Zone Numbers

HAULING DISTANCE ZONE MAP FOR 1/1/79 THROUGH 6/30/79  
(WAC 458-40-18627)

STUMPAGE VALUE AREA 4

Page 2 of 3



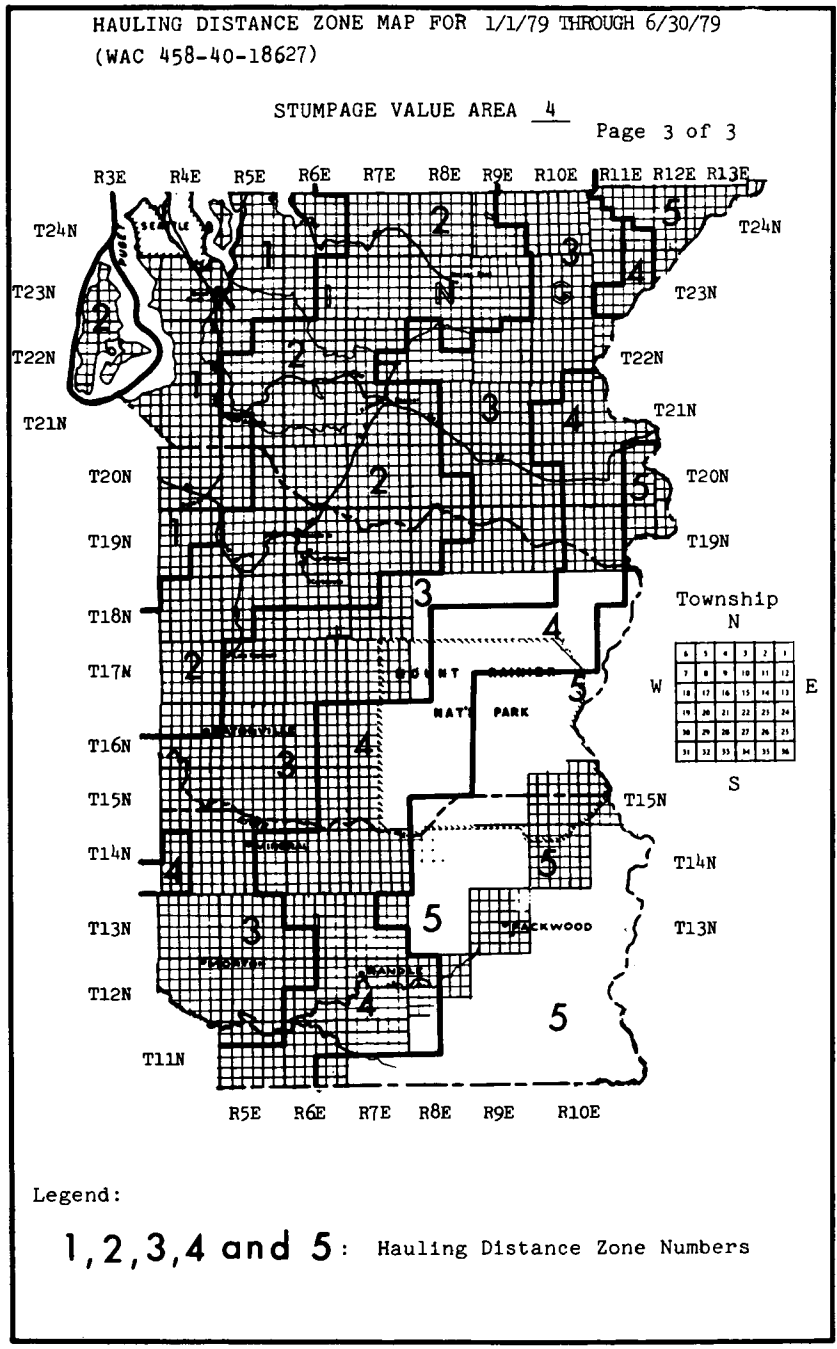
Legend:

1, 2, 3 and 4: Hauling Distance Zone Numbers

4	5	6	7	8
9	10	11	12	13
14	15	16	17	18
19	20	21	22	23
24	25	26	27	28
29	30	31	32	33

W E

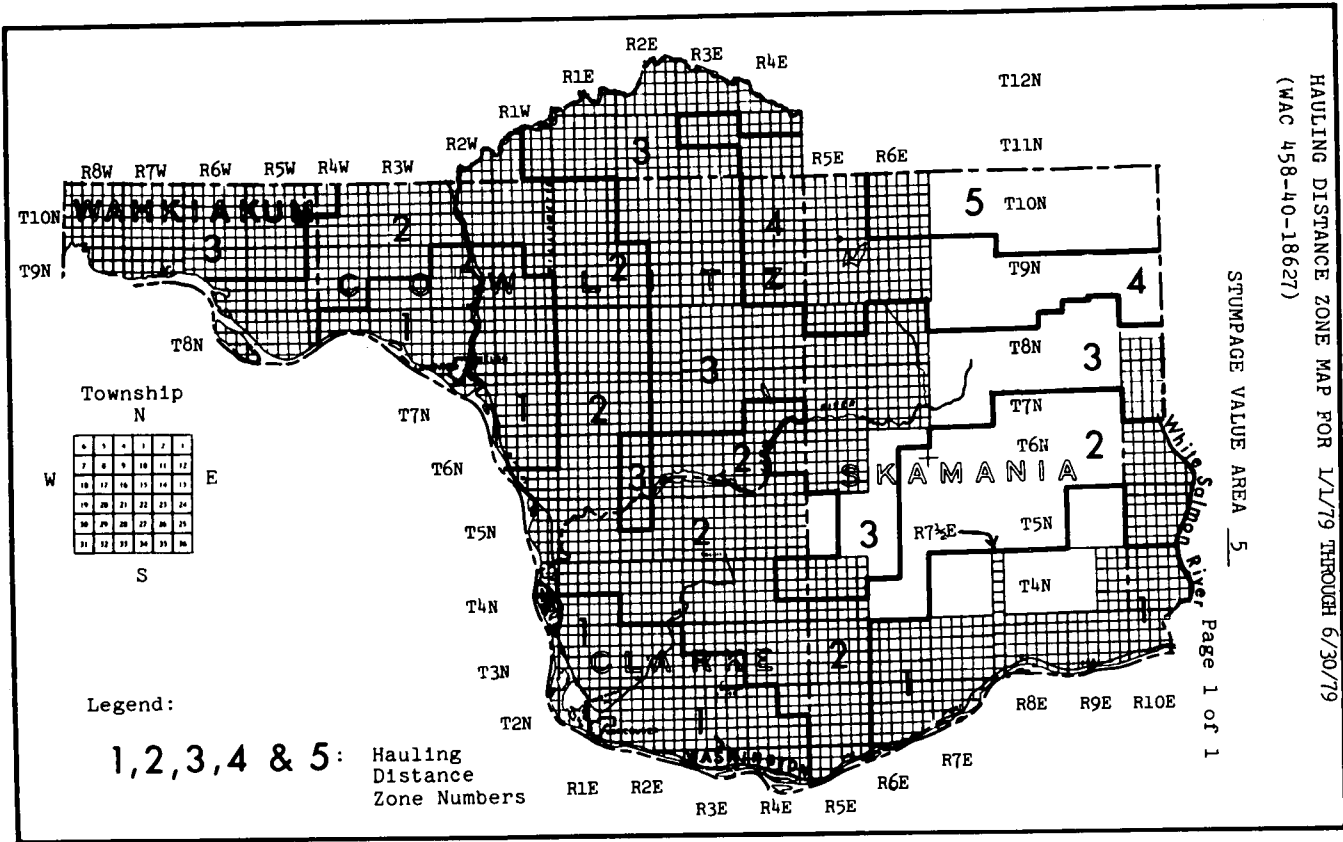
S



HAULING DISTANCE ZONE MAP FOR 1/1/79 THROUGH 6/30/79  
(WAC 458-40-18627)

STUMPAGE VALUE AREA 5

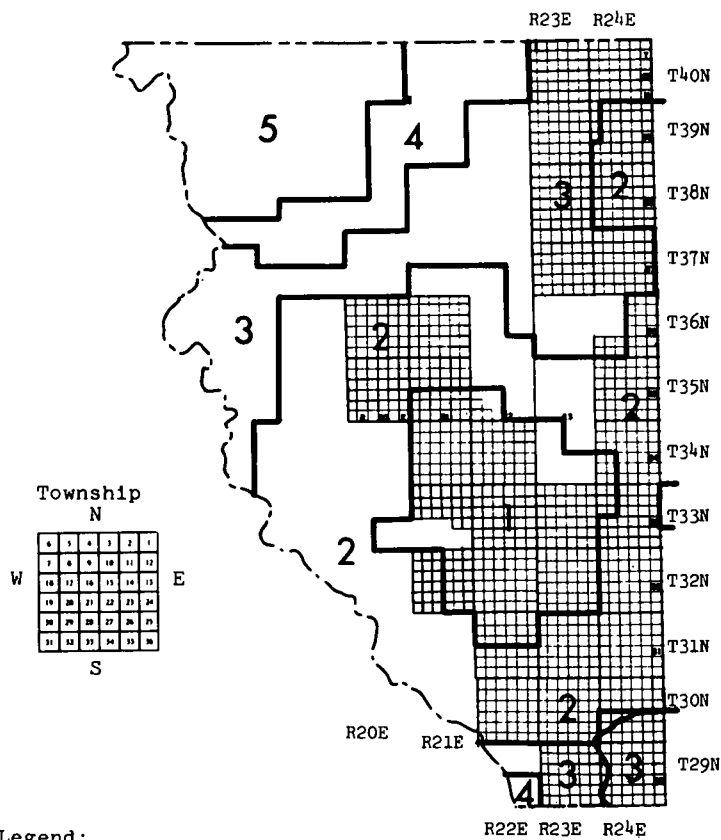
Page 1 of 1



HAULING DISTANCE ZONE MAP FOR 1/1/79 THROUGH 6/30/79  
 (WAC 458-40-18627)

STUMPAGE VALUE AREA 6

Page 1 of 2



Legend:

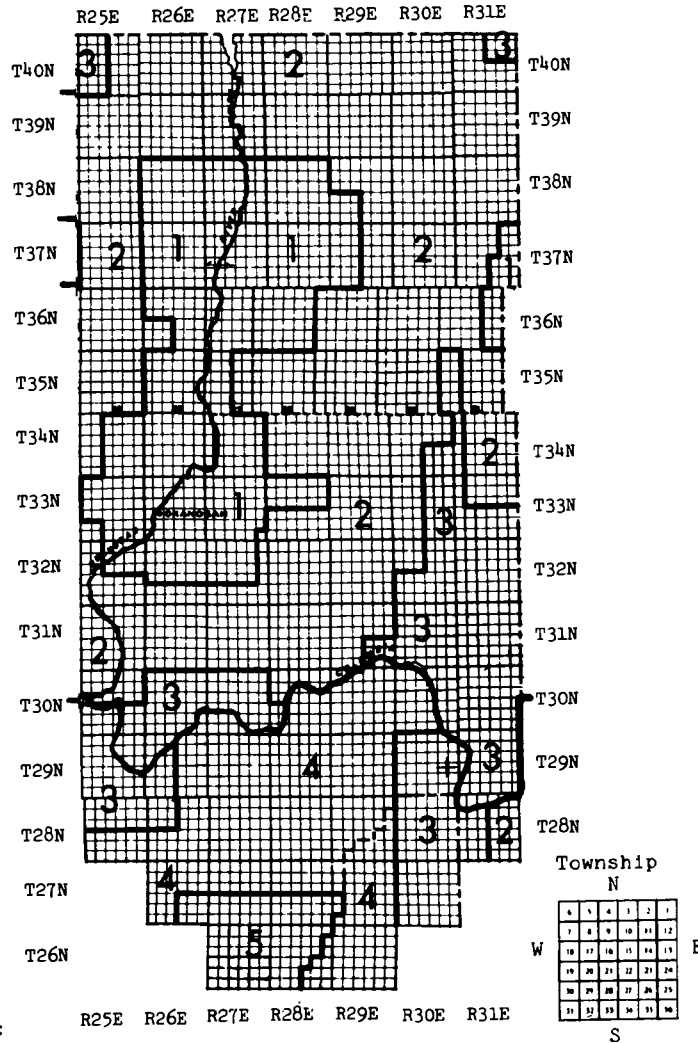
1, 2, 3, 4 and 5: Hauling Distance Zone Numbers

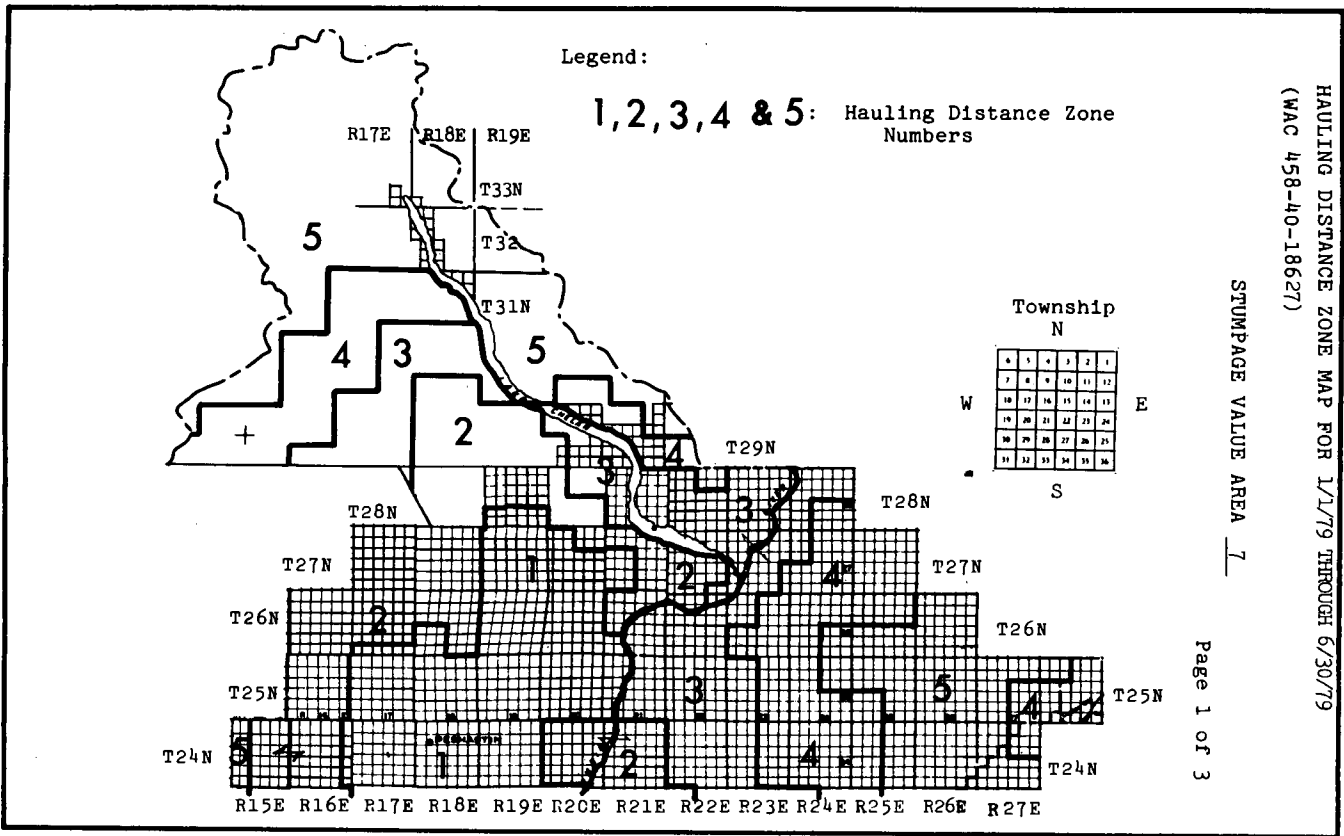


HAULING DISTANCE ZONE MAP FOR 1/1/79 THROUGH 6/30/79  
(WAC 458-40-18627)

STUMPAGE VALUE AREA 6

Page 2 of 2

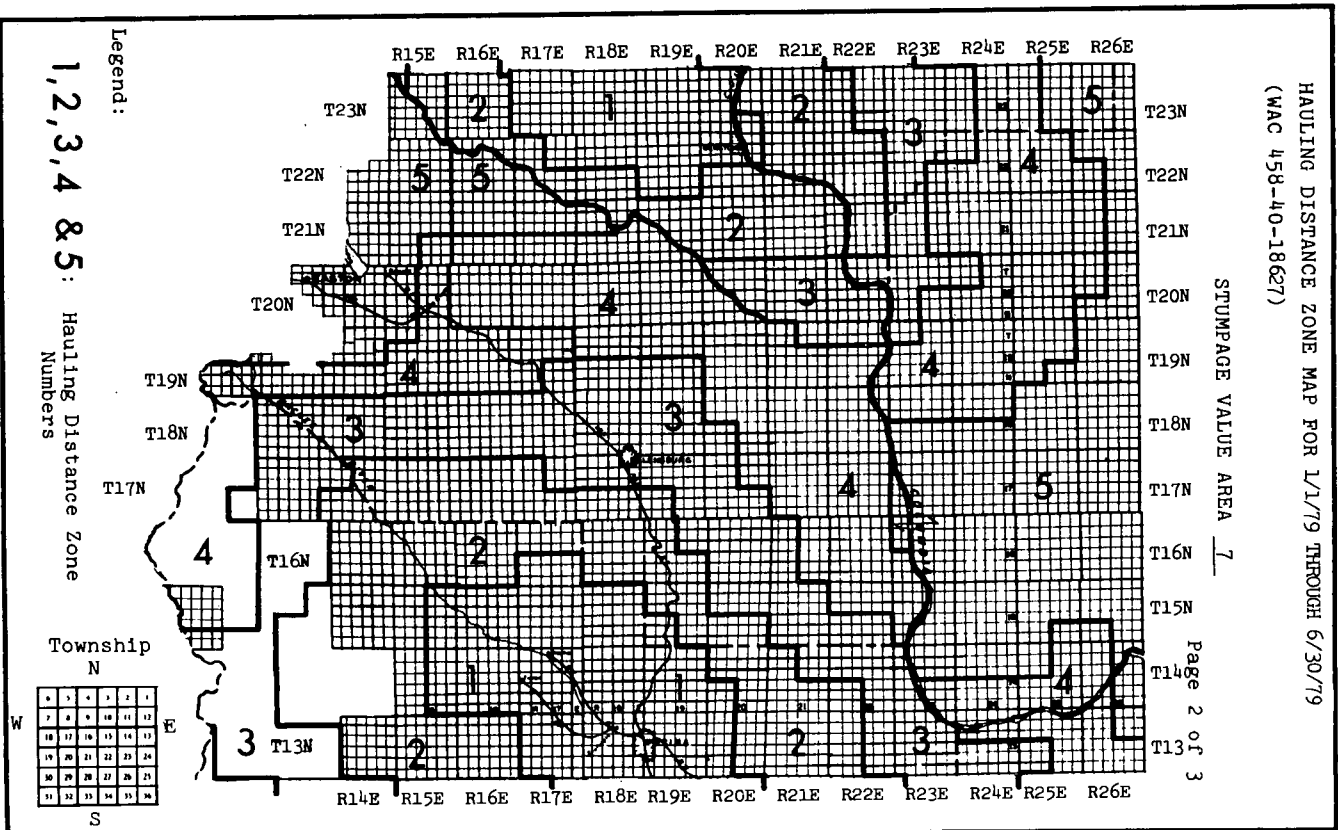




HAULING DISTANCE ZONE MAP FOR 1/1/79 THROUGH 6/30/79  
(WAC 458-40-18627)

STUMPAGE VALUE AREA 7

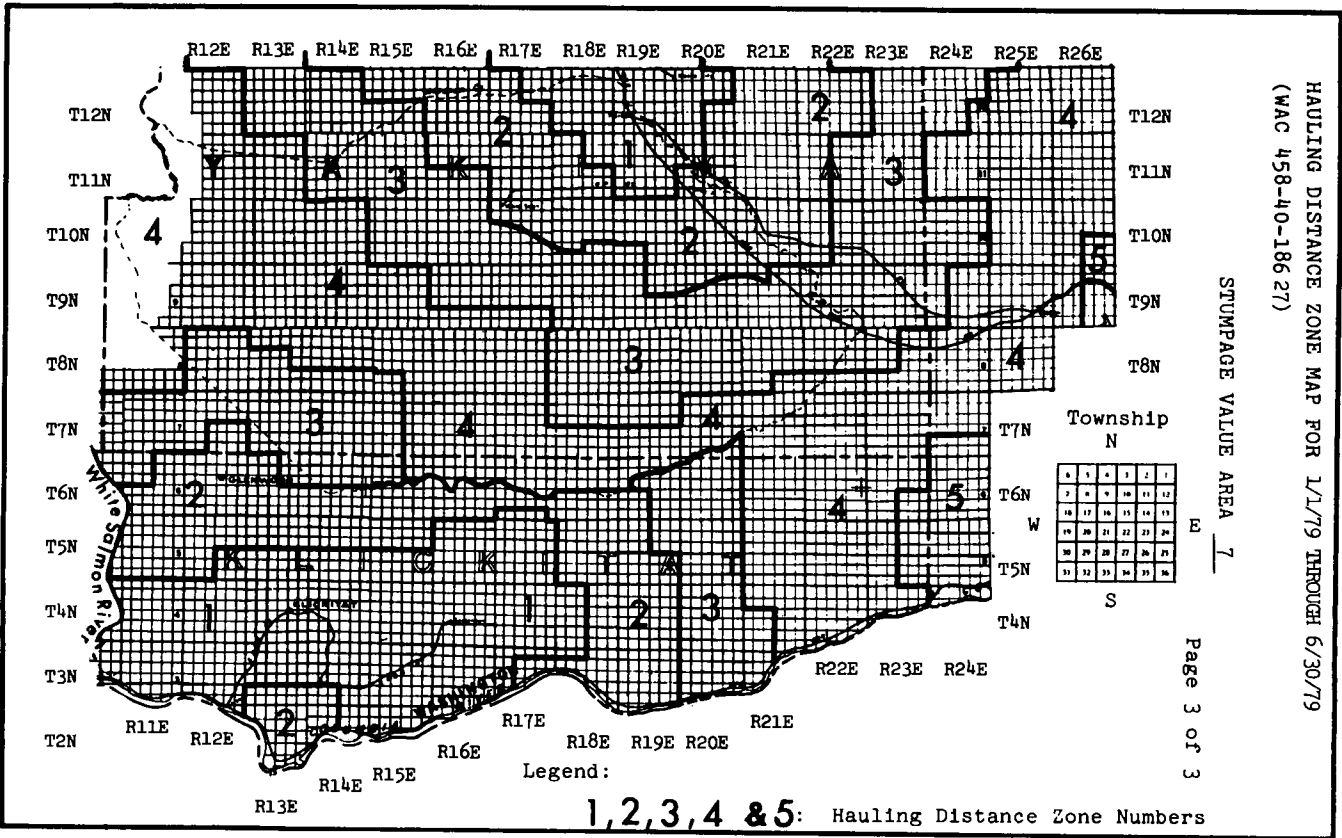
Page 2 of 3



HAULING DISTANCE ZONE MAP FOR 1/1/79 THROUGH 6/30/79  
(WAC 458-40-18627)

STUMPAGE VALUE AREA 7

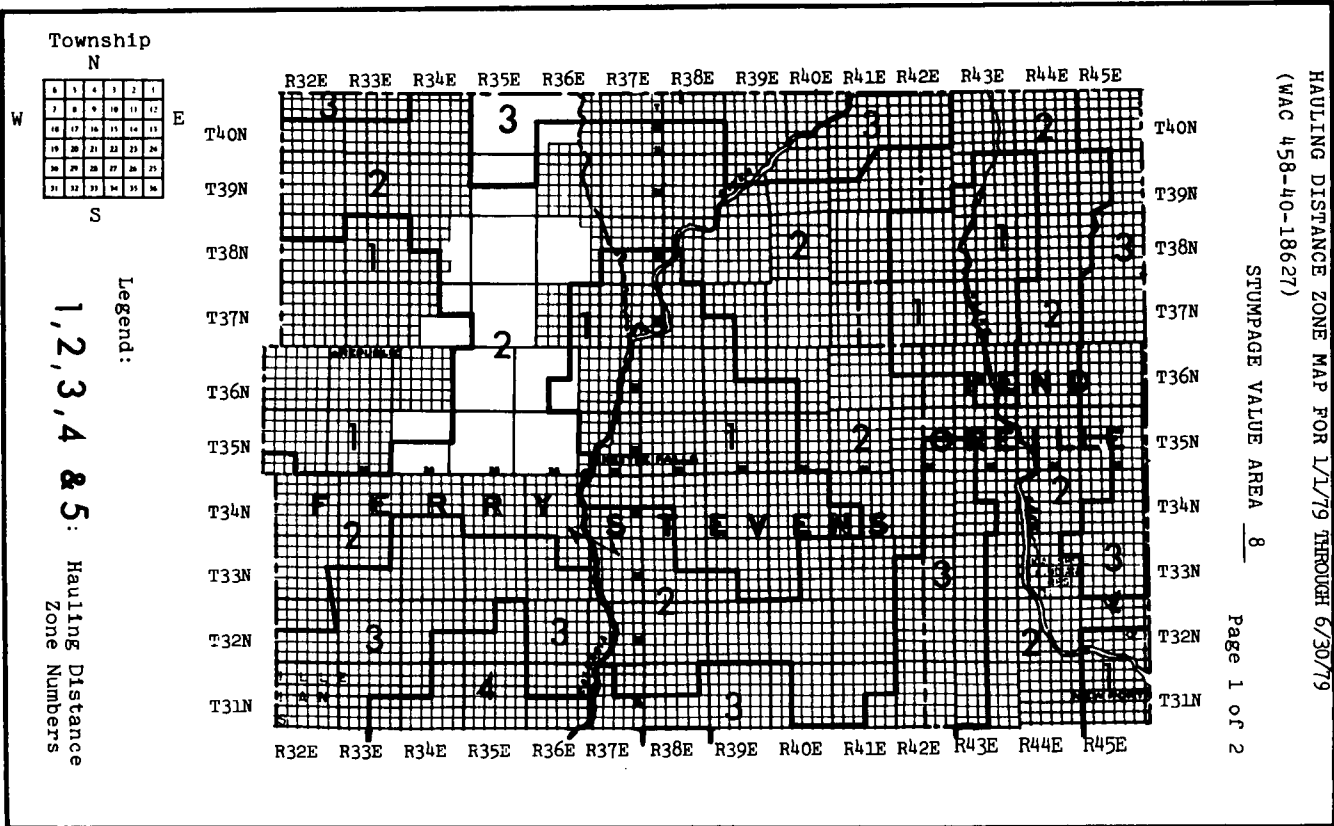
Page 3 of 3

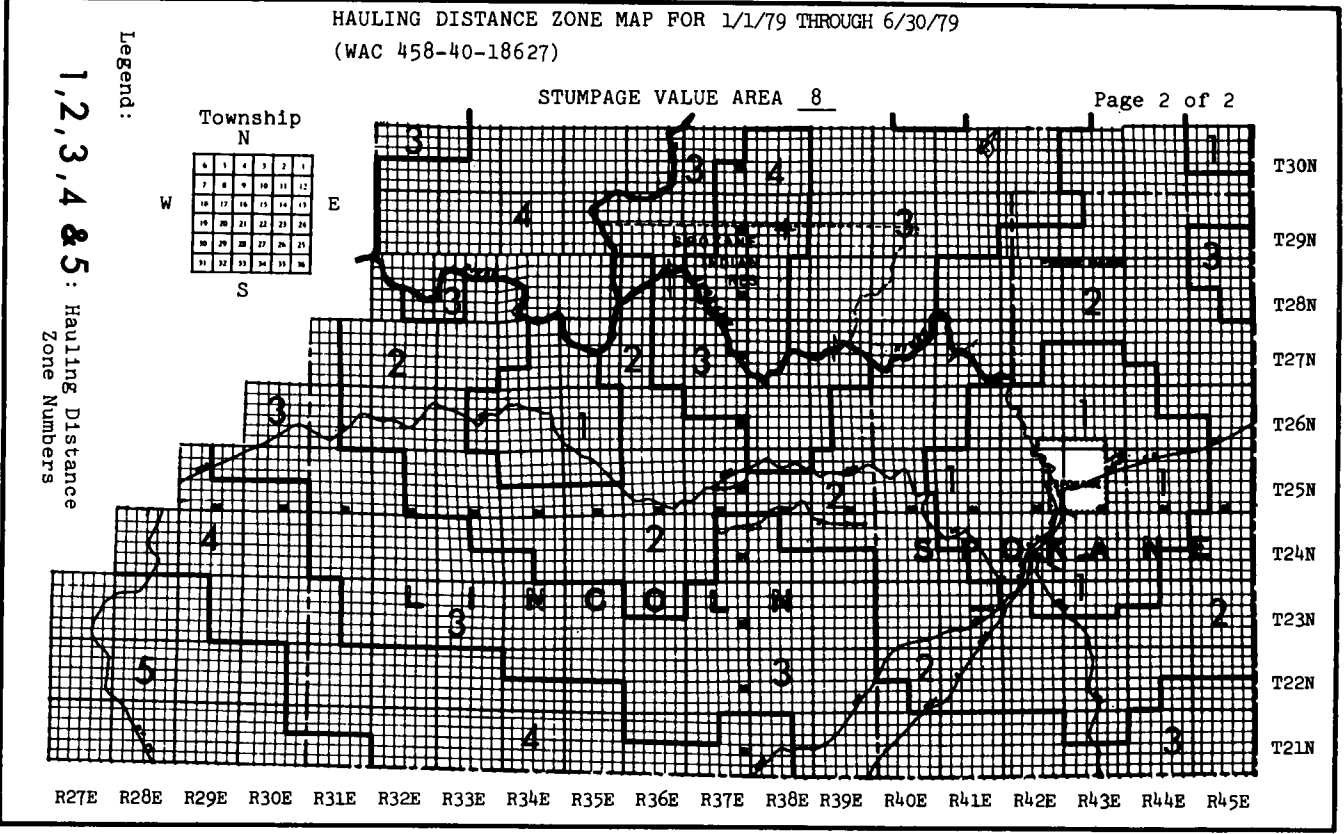


HAULING DISTANCE ZONE MAP FOR 1/1/79 THROUGH 6/30/79  
(WAC 458-40-18627)

STUMPAGE VALUE AREA 8

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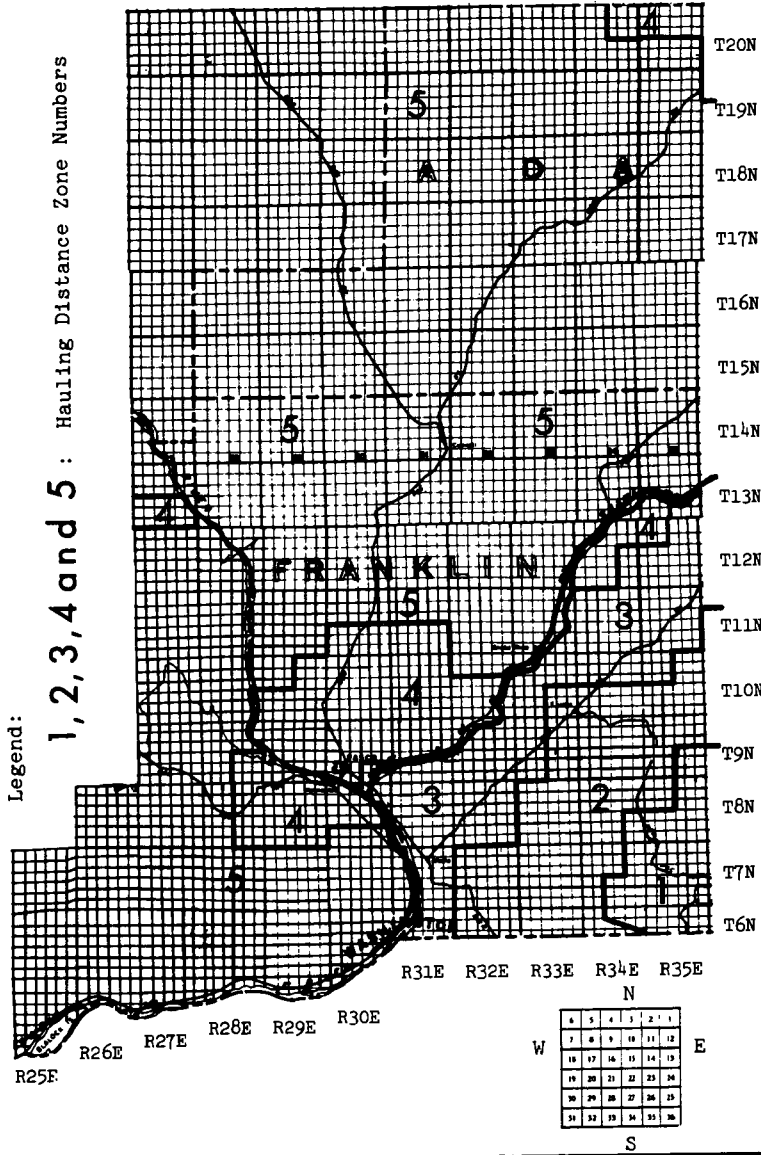


HAULING DISTANCE ZONE MAP FOR 1/1/79 THROUGH 6/30/79  
(WAC 458-40-18627)

STUMPAGE VALUE AREA 9

Page 1 of 2

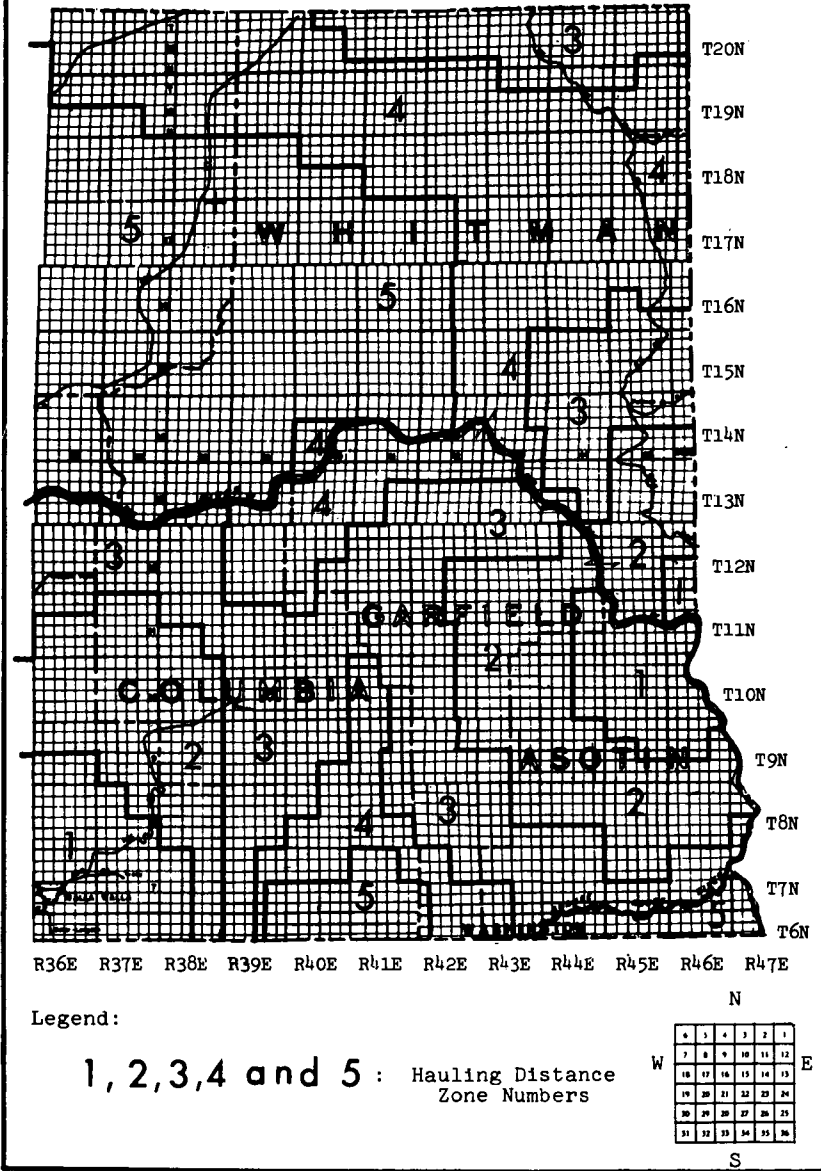
Legend:  
1, 2, 3, 4 and 5 : Hauling Distance Zone Numbers



HAULING DISTANCE ZONE MAP FOR 1/1/79 THROUGH 6/30/79  
(WAC 458-40-18627)

STUMPAGE VALUE AREA 9

Page 2 of 2

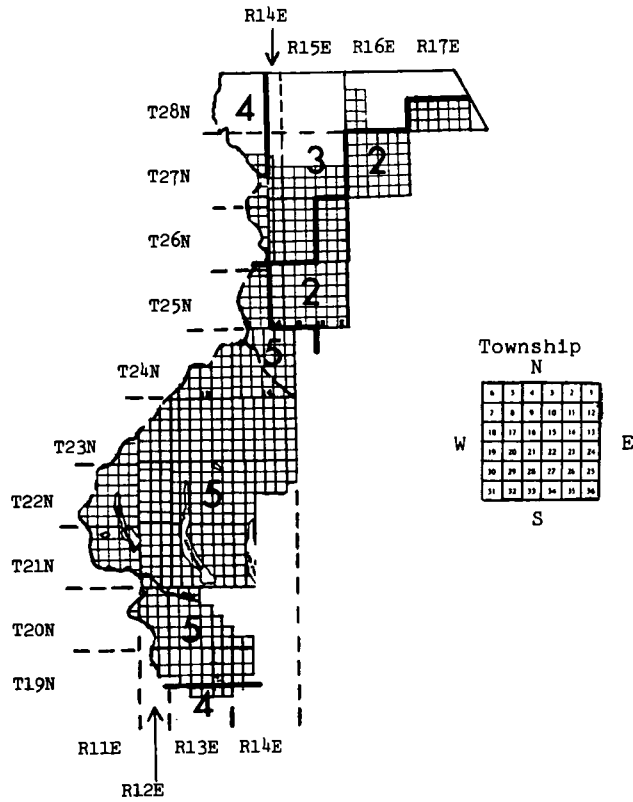




HAULING DISTANCE ZONE MAP FOR 1/1/79 THROUGH 6/30/79  
(WAC 458-40-18627)

STUMPAGE VALUE AREA 10

Page 1 of 1



Legend:

**2, 3, 4 and 5:** Hauling Distance Zone Numbers

**NEW SECTION**

**WAC 458-40-18628 TIMBER QUALITY CODE NUMBERS—TABLES FOR 1/1/79 THROUGH 6/30/79.** In order to allow for differences in age, size, quality of timber and other relevant factors as required by RCW 82.04.291(3), the department has assigned timber quality code numbers for harvests of the various designated harvest types and species.

Scaling and grading information derived from an acceptable log scaling and grading rule for the particular harvest type and species shall be used to determine the proper quality code number.

For each timber quality code number in the following tables, there is a corresponding timber quality code number for that particular harvest type and species in the stumpage value tables of WAC 458-40-18629 which is to be used in computing timber harvest value.

The following timber quality code tables are hereby adopted for use during the period of January 1, 1979 through June 30, 1979:

**TABLE 1—TIMBER QUALITY CODE TABLE  
STUMPAGE VALUE AREAS 1, 2, 3, 4, AND 5  
(for 1/1/79 through 6/30/79)  
OLD GROWTH FINAL HARVEST  
(100 years of age and older)**

Timber Quality Code Number	Species	Log Grade Specifications <sup>1</sup>
1	Douglas Fir	Over 50% No. 3 Peeler & better log grade
	Western Red Cedar & Alaska Yellow Cedar	Over 20% Special Mill, No. 1 Sawmill, Peeler & better log grade
	Noble Fir & Spruce	Over 35% No. 1 Sawmill, Peeler or Select & better log grade
	Western Hemlock, White Fir & Other Conifer	Over 25% Special Mill, No. 1 Sawmill & better log grade
	Hardwoods	All No. 4 Sawmill logs with a diameter of 8 inches inside bark and larger (at the scaling end) & better log grades
2	Douglas Fir	Over 40% Special Mill, No. 1 Sawmill & better log grade
	Western Red Cedar & Alaska Yellow Cedar	10-20% inclusive Special Mill, No. 1 Sawmill, Peeler & better log grade
	Noble Fir & Spruce	15-35% inclusive No. 1 Sawmill, Peeler or Select & better log grade
	Western Hemlock, White Fir & Other Conifer	5-25% inclusive Special Mill, No. 1 Sawmill & better log grade
3	Douglas Fir	15-40% inclusive Special Mill, No. 1 Sawmill & better log grade
	Western Red Cedar & Alaska Yellow Cedar	Less than 10% Special Mill, No. 1 Sawmill, Peeler & better log grade
	Noble Fir & Spruce	Less than 15% No. 1 Sawmill, Peeler or Select & better log grade
	Western Hemlock, White Fir & Other Conifer	Less than 5% Special Mill, No. 1 Sawmill & better log grade
4	Douglas Fir	Less than 15% Special Mill, No. 1 Sawmill & better log grade
	Conifer Utility	All conifer logs graded as utility log grade
5	Hardwood Utility	All No. 4 Sawmill log grade with a diameter of less than 8 inches inside bark (at the scaling end) and all hardwood logs graded as utility

<sup>1</sup>For detailed descriptions and definitions of log scaling and grading rules and procedures see the Official Log Scaling and Grading Rules revised January 1, 1978, published by Puget Sound Log Scaling and Grading Bureau. These are also used by the Columbia River and Grays Harbor Scaling and Grading Bureaus. To determine timber quality code number, see the example for Western Washington which follows Table 3.

**TABLE 2—TIMBER QUALITY CODE TABLE  
STUMPAGE VALUE AREAS 1, 2, 3, 4, AND 5  
(for 1/1/79 through 6/30/79)  
YOUNG GROWTH FINAL HARVEST  
(Under 100 years of age and not including thinning)**

Timber Quality Code Number	Species	Log Grade Specifications <sup>1</sup>
1	Douglas Fir	Over 70% No. 2 Sawmill & better log grade
	Western Red Cedar & Alaska Yellow Cedar	Over 20% No. 2 Sawmill & better log grade
	Western Hemlock & Other Conifer	Over 70% No. 2 Sawmill & better log grade
	Hardwoods	All No. 4 Sawmill logs with a diameter of 8 inches inside bark and larger (at the scaling end) & better log grades
2	Douglas Fir	40-70% inclusive No. 2 Sawmill & better log grade
	Western Red Cedar & Alaska Yellow Cedar	5-20% inclusive No. 2 Sawmill & better log grade
3	Western Hemlock & Other Conifer	40-70% inclusive No. 2 Sawmill & better log grade
	Douglas Fir	5 to but not including 40% No. 2 Sawmill & better log grade
4	Western Red Cedar & Alaska Yellow Cedar	Less than 5% No. 2 Sawmill & better log grade
	Western Hemlock & Other Conifer	5 to but not including 40% No. 2 Sawmill & better log grade
5	Douglas Fir, Western Hemlock & Other Conifer, except Western Red Cedar & Alaska yellow cedar	Less than 5% No. 2 Sawmill & better log grade
	Conifer Utility	All conifer logs graded as utility log grade
5	Hardwood Utility	All No. 4 Sawmill log grade with a diameter of less than 8 inches inside bark (at the scaling end) and all hardwood logs graded as utility

<sup>1</sup>For detailed descriptions and definitions of log scaling and grading rules and procedures see the Official Log Scaling and Grading Rules revised January 1, 1978, published by the Puget Sound Log Scaling and Grading Bureau. These are also used by the Columbia River and Grays Harbor Scaling and Grading Bureaus. To determine timber quality code number, see the example for Western Washington which follows Table 3.

**TABLE 3—TIMBER QUALITY CODE TABLE  
STUMPAGE VALUES AREAS 1, 2, 3, 4, AND 5**  
(for 1/1/79 through 6/30/79)  
**THINNING**  
See definition WAC 458-40-18625(9)(d)

Timber Quality Code Number	Species	Log Grade Specifications <sup>1</sup>
1	Douglas Fir	Over 70% No. 2 Sawmill & better log grade
	Western Hemlock & Other Conifer	Over 70% No. 2 Sawmill & better log grade
	Hardwoods	All No. 4 Sawmill logs with a diameter of 8 inches inside bark and larger (at the scaling end) & better log grades
2	Douglas Fir	40-70% inclusive No. 2 Sawmill & better log grade
	Western Hemlock & Other Conifer	40-70% inclusive No. 2 Sawmill & better log grade
3	Douglas Fir	5 to but not including 40% No. 2 Sawmill & better log grade
	Western Hemlock & Other Conifer	5 to but not including 40% No. 2 Sawmill & better log grade
4	Douglas Fir, Western Hemlock & Other Conifer	Less than 5% No. 2 Sawmill & better log grade
5	Conifer Utility	All conifer logs graded as utility log grade
	Hardwood Utility	All No. 4 Sawmill log grade with a diameter of less than 8 inches inside bark (at the scaling end) and all hardwood logs graded as utility

<sup>1</sup>For detailed descriptions and definitions of log scaling rules and procedures see the Official Log Scaling and Grading Rules revised January 1, 1978, published by the Puget Sound Log Scaling and Grading Bureau. These are also used by the Columbia River and Grays Harbor Scaling and Grading Bureaus. To determine timber quality code number for Western Washington, see the following example.

**WESTERN WASHINGTON EXAMPLE:** The following example is for determining the timber quality number code for timber harvested in stumpage value areas 1, 2, 3, 4 and 5 in Western Washington. The following method can be used to determine the quality code number for species in "old growth final harvest", "young growth final harvest", and "thinning harvest" types.

The example shown below is for a harvest of 150 thousand board feet (150 MBF) of the species, Douglas Fir, and the harvest type, young growth final harvest, with the following volumes at the indicated grades:

Log Grade	Net Volume, Scribner Scale
Special Mill	20 MBF
No. 1 sawmill	20 MBF
No. 2 sawmill	45 MBF
No. 3 sawmill	35 MBF
No. 4 sawmill	30 MBF
<b>TOTAL</b>	<b>150 MBF</b>

To determine the proper quality code number, add the scale volumes for the grades as established by the approved grading rule. Divide this

volume by the total volume harvested for the species. In this example, the Special Mill and the No. 1 and 2 sawmill logs account for 85 MBF of the 150 MBF Douglas Fir harvested. Divide as follows:

$$\frac{20 + 20 + 45}{150} \text{ or } \frac{85}{150} = .567 \times 100 = 56.7\%$$

In this example, the Special Mill, No. 1 and 2 sawmill logs make up 56.7% of the Douglas Fir harvested. Since this is between 40 and 70% No. 2 sawmill and better, the entire Douglas Fir harvested would be reported as:

Species	Timber Quality Code Number	Net Volume Harvested
Douglas Fir	2	150 MBF

**TABLE 4—TIMBER QUALITY CODE TABLE  
STUMPAGE VALUE AREAS 6, 7, 8, AND 9**  
(for 1/1/79 through 6/30/79)  
**MERCHANTABLE SAWTIMBER, ALL AGES**

Timber Quality Code Number	Species	Log Grade Specifications <sup>1</sup>
1	Ponderosa Pine	Less than 10 logs 16 feet long per thousand board feet Scribner scale
	All Conifers Other Than Ponderosa Pine	All log sizes
	Hardwoods	Sawlogs only
2	Ponderosa Pine	10 or more logs 16 feet long per thousand board feet Scribner scale
4	Utility	All logs graded as utility

<sup>1</sup>To determine timber quality code number in Stumpage Value Areas 6,7,8 and 9 for Eastern Washington, see the following example.

**EASTERN WASHINGTON EXAMPLE:** The following example is for determining the timber quality code for timber harvested in stumpage value areas 6, 7, 8 and 9 in Eastern Washington.

The example shown below is for a harvest of 150 thousand board feet (150 MBF) of the species, Ponderosa Pine, and harvest type merchantable sawtimber, all ages with a sum total log length of 19,200 feet.

Step 1. The highest possible number of sawable sixteen foot logs which could be recovered is determined by dividing the sum total length of all sawable logs harvested (i.e. 19,200) by 16. Answer: 1200 logs.

Step 2. The average net volume per sixteen foot recoverable log is determined by dividing the total volume harvested (150 MBF) by the number of sixteen foot logs (1200). Answer: 125.

Step 3. The total number of logs per thousand board feet is determined by dividing 1000 by the average net volume per sixteen foot recoverable log (125). Answer: 8 logs per 1 MBF.

Step 4. Because the timber quality code table lists 1 to 9 logs per 1 MBF for Ponderosa pine as timber quality code number 1, the harvest was at 8 logs per 1 MBF the entire Ponderosa pine harvest would be reported as:

Species	Timber Quality Code Number	Volume Harvested
Ponderosa Pine (PP)	1	150 MBF

**TABLE 5—TIMBER QUALITY CODE TABLE  
STUMPAGE VALUE AREA 10  
(for 1/1/79 through 6/30/79)  
MERCHANTABLE SAWTIMBER, ALL AGES**

Timber Quality Code Number	Species	Log Grade Specifications <sup>1</sup>
1	Ponderosa Pine & Other Conifers	Less than 5 logs 16 feet long per MBF net log Scribner scale
	Hardwoods	All logs graded as sawlogs
2	Ponderosa Pine	5 to 9 logs inclusive 16 feet long per MBF net log Scribner scale
	Other Conifer	5 to 12 logs inclusive 16 feet long per MBF net log scale
3	Ponderosa Pine	More than 9 logs 16 feet long per MBF net log Scribner scale
	Other Conifer	More than 12 logs 16 feet long per MBF net log Scribner scale
4	Utility	All logs graded as utility

<sup>1</sup>To determine timber quality code number in Stumpage Value Area 10 in Eastern Washington, see the following example.

**EASTERN WASHINGTON EXAMPLE:** The following example is for determining the timber quality code for timber harvested in stumpage value area 10 in Eastern Washington.

The example shown below is for a harvest of 150 thousand board feet (150 MBF) of the species, Ponderosa Pine, and harvest type merchantable sawtimber, all ages with a sum total log length of 19,200 feet.

Step 1. The highest possible number of sawable sixteen foot logs which could be recovered is determined by dividing the sum total length of all sawable logs harvested (i.e. 19,200) by 16. Answer: 1200 logs.

Step 2. The average net volume per sixteen foot recoverable log is determined by dividing the total volume harvested (150 MBF) by the number of sixteen foot logs (1200). Answer: 125.

Step 3. The total number of logs per thousand board feet is determined by dividing 1000 by the average net volume per sixteen foot recoverable log (125). Answer: 8 logs per 1 MBF.

Step 4. Because the timber quality code table lists 5-9 logs per 1 MBF for Ponderosa pine as timber quality code number 2, the harvest was at 8 logs per 1 MBF the entire Ponderosa pine harvest would be reported as:

Species	Timber Quality Code Number	Volume Harvested
Ponderosa Pine (PP)	2	150 MBF

**NEW SECTION**

**WAC 458-40-18629 STUMPAGE VALUES—TABLES FOR 1/1/79 THROUGH 6/30/79.** As required by RCW 82.04.291 the department has prepared tables which assign stumpage value rates for the various harvest types, which rates vary depending upon the stumpage value area, species, timber quality code number and hauling distance zone involved. Where the timber harvested is used to produce harvest type "special forest products" the value tables of this section shall establish the values for such special forest products.

The following stumpage value and special forest product value tables are hereby adopted for use during the period of January 1, 1979 through June 30, 1979.

**TABLE 1—STUMPAGE VALUE TABLE  
STUMPAGE VALUE AREA 1  
(for 1/1/79 through 6/30/79)  
OLD GROWTH FINAL HARVEST  
(100 years of age and older)**

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir	DF	1	\$217	\$213	\$209	\$205	\$201
		2	197	193	189	185	181
		3	172	168	164	160	156
		4	170	166	162	158	154
Western Hemlock <sup>1</sup>	WH	1	153	149	145	141	137
		2	125	121	117	113	109
		3	113	109	105	101	97
True Fir <sup>2</sup>	TF	1	153	149	145	141	137
		2	125	121	117	113	109
		3	113	109	105	101	97
Western Red Cedar <sup>3</sup>	RC	1	389	385	381	377	373
		2	278	274	270	266	262
		3	179	175	171	167	163
Sitka Spruce	SS	1	205	201	197	193	189
		2	166	162	158	154	150
		3	131	127	123	119	115
Other Conifer	OC	1	153	149	145	141	137
		2	125	121	117	113	109
		3	113	109	105	101	97
Red Alder	RA	1	43	37	31	25	19
Cottonwood	BC	1	28	22	16	10	4
Other Hardwoods	OH	1	25	19	13	7	1
Hardwood Utility	HU	5	5	5	5	5	5
Conifer Utility	CU	5	14	14	14	14	14

<sup>1</sup>Includes Western and Mountain Hemlock.  
<sup>2</sup>Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Alpine Fir.  
<sup>3</sup>Includes Alaska Yellow Cedar.

**TABLE 2—STUMPAGE VALUE TABLE  
STUMPAGE VALUE AREA 1  
(for 1/1/79 through 6/30/79)  
YOUNG GROWTH FINAL HARVEST  
(Under 100 years of age and not including thinning)**

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir	DF	1	\$194	\$188	\$182	\$176	\$170
		2	181	175	169	163	157
		3	138	132	126	120	114
		4	118	112	106	100	94
Western Hemlock <sup>1</sup>	WH	1	161	155	149	143	137
		2	125	119	113	107	101
		3	93	87	81	75	69
		4	76	70	64	58	52
True Fir <sup>2</sup>	TF	1	161	155	149	143	137
		2	125	119	113	107	101
		3	93	87	81	75	69
		4	76	70	64	58	52

TABLE 2—CONT.

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Western Red Cedar <sup>3</sup>	RC	1	220	214	208	202	196
		2	214	208	202	196	190
		3	155	149	143	137	131
Other Conifer	OC	1	161	155	149	143	137
		2	125	119	113	107	101
		3	93	87	81	75	69
		4	76	70	64	58	52
Red Alder	RA	1	43	37	31	25	19
Cottonwood	BC	1	28	22	16	10	4
Other Hardwoods	OH	1	25	19	13	7	1
Hardwood Utility	HU	5	5	5	5	5	5
Conifer Utility	CU	5	14	14	14	14	14

<sup>1</sup>Includes Western and Mountain Hemlock.

<sup>2</sup>Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Alpine Fir.

<sup>3</sup>Includes Alaska Yellow Cedar.

TABLE 3—STUMPAGE VALUE TABLE  
STUMPAGE VALUE AREA 1  
(for 1/1/79 through 6/30/79)  
THINNING  
See definition WAC 458-40-18625(9)(d)

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir	DF	1	\$176	\$170	\$164	\$158	\$152
		2	163	157	151	145	139
		3	120	114	108	102	96
		4	100	94	88	82	76
Western Hemlock <sup>1</sup>	WH	1	143	137	131	125	119
		2	107	101	95	89	83
		3	75	69	63	57	51
		4	58	52	46	40	34
True Fir <sup>2</sup>	TF	1	143	137	131	125	119
		2	107	101	95	89	83
		3	75	69	63	57	51
		4	58	52	46	40	34
Other Conifer	OC	1	143	137	131	125	119
		2	107	101	95	89	83
		3	75	69	63	57	51
		4	58	52	46	40	34
Red Alder	RA	1	43	37	31	25	19
Cottonwood	BC	1	28	22	16	10	4
Other Hardwoods	OH	1	25	19	13	7	1
Hardwood Utility	HU	5	5	5	5	5	5
Conifer Utility	CU	5	14	14	14	14	14

<sup>1</sup>Includes Western and Mountain Hemlock.

<sup>2</sup>Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Alpine Fir.

TABLE 4—STUMPAGE VALUE TABLE  
STUMPAGE VALUE AREA 1  
(for 1/1/79 through 6/30/79)  
SPECIAL FOREST PRODUCTS

Species Name and Product	Species Code	Quality Code Number	Rates Per Unit by Hauling Distance Zone Number				
			1	2	3	4	5
Western Red Cedar-Shake Blocks & Boards <sup>1</sup>	RCS	1	\$231	\$227	\$223	\$219	\$215
Western Red Cedar Flatsawn & Shingle Blocks	RCF	1	82	78	74	70	66
Western Red Cedar & Other Posts <sup>2</sup>	RCP	1	0.15	0.15	0.15	0.15	0.15
Douglas Fir Christmas Trees <sup>3</sup>	DFX	1	0.13	0.13	0.13	0.13	0.13
True Fir & Other Christmas Trees <sup>3</sup>	TFX	1	0.35	0.35	0.35	0.35	0.35

<sup>1</sup>Stumpage Value per MBF net Scribner Scale.

<sup>2</sup>Stumpage Value per 8 lineal feet or portion thereof.

<sup>3</sup>Stumpage Value per lineal foot.

TABLE 5—STUMPAGE VALUE TABLE  
STUMPAGE VALUE AREA 2  
(for 1/1/79 through 6/30/79)  
OLD GROWTH FINAL HARVEST  
(100 years of age and older)

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir	DF	1	\$255	\$251	\$247	\$243	\$239
		2	237	233	229	225	221
		3	217	213	209	205	201
		4	176	172	168	164	160
Western Hemlock <sup>1</sup>	WH	1	144	140	136	132	128
		2	143	139	135	131	127
		3	117	113	109	105	101
True Fir <sup>2</sup>	TF	1	144	140	136	132	128
		2	143	139	135	131	127
		3	117	113	109	105	101
Western Red Cedar <sup>3</sup>	RC	1	354	350	346	342	338
		2	305	301	297	293	289
		3	230	226	222	218	214
Sitka Spruce	SS	1	192	188	184	180	176
		2	149	145	141	137	133
		3	112	108	104	100	96
Other Conifer	OC	1	144	140	136	132	128
		2	143	139	135	131	127
		3	112	108	104	100	96
Red Alder	RA	1	54	48	42	36	30
Cottonwood	BC	1	34	28	22	16	10
Other Hardwoods	OH	1	29	23	17	11	5
Hardwood Utility	HU	5	5	5	5	5	5

TABLE 5—CONT.

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Conifer Utility	CU	5	11	11	11	11	11

<sup>1</sup>Includes Western and Mountain Hemlock.  
<sup>2</sup>Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Alpine Fir.  
<sup>3</sup>Includes Alaska Yellow Cedar.

TABLE 6—STUMPAGE VALUE TABLE  
 STUMPAGE VALUE AREA 2  
 (for 1/1/79 through 6/30/79)  
 YOUNG GROWTH FINAL HARVEST  
 (Under 100 years of age and not including thinning)

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir	DF	1	\$198	\$192	\$186	\$180	\$174
		2	185	179	173	167	161
		3	109	103	97	91	85
		4	87	81	75	69	63
Western Hemlock <sup>1</sup>	WH	1	150	144	138	132	126
		2	146	140	134	128	122
		3	88	82	76	70	64
		4	76	70	64	58	52
True Fir <sup>2</sup>	TF	1	150	144	138	132	126
		2	146	140	134	128	122
		3	88	82	76	70	64
		4	76	70	64	58	52
Western Red Cedar <sup>3</sup>	RC	1	216	210	204	198	192
		2	199	193	187	181	175
		3	154	148	142	136	130
Other Conifer	OC	1	150	144	138	132	126
		2	146	140	134	128	122
		3	88	82	76	70	64
		4	76	70	64	58	52
Red Alder	RA	1	54	48	42	36	30
Cottonwood	BC	1	34	28	22	16	10
Other Hardwoods	OH	1	29	23	17	11	5
Hardwood Utility	HU	5	5	5	5	5	5
Conifer Utility	CU	5	11	11	11	11	11

<sup>1</sup>Includes Western and Mountain Hemlock.  
<sup>2</sup>Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Alpine Fir.  
<sup>3</sup>Includes Alaska Yellow Cedar.

TABLE 7—STUMPAGE VALUE TABLE  
 STUMPAGE VALUE AREA 2  
 (for 1/1/79 through 6/30/79)  
 THINNING  
 See definition WAC 458-40-18625(9)(d)

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir	DF	1	\$180	\$174	\$168	\$162	\$156
		2	167	161	155	149	143
		3	91	85	79	73	67
		4	69	63	57	51	45
Western Hemlock <sup>1</sup>	WH	1	132	126	120	114	108
		2	128	122	116	110	104
		3	70	64	58	52	46
		4	58	52	46	40	34
True Fir <sup>2</sup>	TF	1	132	126	120	114	108
		2	128	122	116	110	104
		3	70	64	58	52	46
		4	58	52	46	40	34
Other Conifer	OC	1	132	126	120	114	108
		2	128	122	116	110	104
		3	70	64	58	52	46
		4	58	52	46	40	34
Red Alder	RA	1	54	48	42	36	30
Cottonwood	BC	1	34	28	22	16	10
Other Hardwoods	OH	1	29	23	17	11	5
Hardwood Utility	HU	5	5	5	5	5	5
Conifer Utility	CU	5	11	11	11	11	11

<sup>1</sup>Includes Western and Mountain Hemlock.  
<sup>2</sup>Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Alpine Fir.

TABLE 8—STUMPAGE VALUE TABLE  
 STUMPAGE VALUE AREA 2  
 (for 1/1/79 through 6/30/79)  
 SPECIAL FOREST PRODUCTS

Species Name and Product	Species Code	Quality Code Number	Rates Per Unit by Hauling Distance Zone Number				
			1	2	3	4	5
Western Red Cedar-Shake Blocks & Boards <sup>1</sup>	RCS	1	\$239	\$235	\$231	\$227	\$223
Western Red Cedar Flatsawn & Shingle Blocks <sup>1</sup>	RCF	1	84	80	76	72	68
Western Red Cedar & Other Posts <sup>2</sup>	RCP	1	0.15	0.15	0.15	0.15	0.15
Douglas Fir Christmas Trees <sup>3</sup>	DFX	1	0.13	0.13	0.13	0.13	0.13
True Fir & Other Christmas Trees <sup>3</sup>	TFX	1	0.35	0.35	0.35	0.35	0.35

<sup>1</sup>Stumpage Value per MBF net Scribner Scale.  
<sup>2</sup>Stumpage Value per 8 lineal feet or portion thereof.  
<sup>3</sup>Stumpage Value per lineal foot.

**TABLE 9—STUMPAGE VALUE TABLE**  
**STUMPAGE VALUE AREA 3**  
 (for 1/1/79 through 6/30/79)  
**OLD GROWTH FINAL HARVEST**  
 (100 years of age and older)

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir	DF	1	\$232	\$228	\$224	\$220	\$216
		2	219	215	211	207	203
		3	208	204	200	196	192
		4	172	168	164	160	156
Western Hemlock <sup>1</sup>	WH	1	142	138	134	130	126
		2	128	124	120	116	112
		3	96	92	88	84	80
True Fir <sup>2</sup>	TF	1	142	138	134	130	126
		2	128	124	120	116	112
		3	96	92	88	84	80
Western Red Cedar	RC	1	311	307	303	299	295
		2	239	235	231	227	223
		3	166	162	158	154	150
Sitka Spruce	SS	1	154	150	146	142	138
		2	123	119	115	111	107
		3	99	95	91	87	83
Alaska Yellow Cedar	YC	1	311	307	303	299	295
		2	239	235	231	227	223
		3	185	181	177	173	169
Other Conifer	OC	1	142	138	134	130	126
		2	123	119	115	111	107
		3	96	92	88	84	80
Red Alder	RA	1	47	41	35	29	23
Cottonwood	BC	1	47	41	35	29	23
Other Hardwoods	OH	1	32	26	20	14	8
Hardwood Utility	HU	5	5	5	5	5	5
Conifer Utility	CU	5	19	19	19	19	19

<sup>1</sup>Includes Western and Mountain Hemlock.  
<sup>2</sup>Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Alpine Fir.

**TABLE 10—STUMPAGE VALUE TABLE**  
**STUMPAGE VALUE AREA 3**  
 (for 1/1/79 through 6/30/79)  
**YOUNG GROWTH FINAL HARVEST**  
 (Under 100 years of age and not including thinning)

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir	DF	1	\$177	\$171	\$165	\$159	\$153
		2	164	158	152	146	140
		3	124	118	112	106	100
		4	102	96	90	84	78
Western Hemlock <sup>1</sup>	WH	1	169	163	157	151	145
		2	150	144	138	132	126
		3	96	90	84	78	72
		4	76	70	64	58	52

**TABLE 10—CONT.**

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
True Fir <sup>2</sup>	TF	1	169	163	157	151	145
		2	150	144	138	132	126
		3	96	90	84	78	72
		4	76	70	64	58	52
Western Red Cedar <sup>3</sup>	RC	1	198	192	186	180	174
		2	157	151	145	139	133
		3	108	102	96	90	84
Other Conifer	OC	1	169	163	157	151	145
		2	150	144	138	132	126
		3	96	90	84	78	72
		4	76	70	64	58	52
Red Alder	RA	1	47	41	35	29	23
Cottonwood	BC	1	47	41	35	29	23
Other Hardwoods	OH	1	32	26	20	14	8
Hardwood Utility	HU	5	5	5	5	5	5
Conifer Utility	CU	5	19	19	19	19	19

<sup>1</sup>Includes Western and Mountain Hemlock.  
<sup>2</sup>Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Alpine Fir.  
<sup>3</sup>Includes Alaska Yellow Cedar.

**TABLE 11—STUMPAGE VALUE TABLE**  
**STUMPAGE VALUE AREA 3**  
 (for 1/1/79 through 6/30/79)  
**THINNING**  
 See definition WAC 458-40-18625(9)(d)

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir	DF	1	\$159	\$153	\$147	\$141	\$135
		2	146	140	134	128	122
		3	106	100	94	88	82
		4	84	78	72	66	60
Western Hemlock <sup>1</sup>	WH	1	151	145	139	133	127
		2	132	126	120	114	108
		3	78	72	66	60	54
		4	58	52	46	40	34
True Fir <sup>2</sup>	TF	1	151	145	139	133	127
		2	132	126	120	114	108
		3	78	72	66	60	54
		4	58	52	46	40	34
Other Conifer	OC	1	151	145	139	133	127
		2	132	126	120	114	108
		3	78	72	66	60	54
		4	58	52	46	40	34
Red Alder	RA	1	47	41	35	29	23
Cottonwood	BC	1	47	41	35	29	23
Other Hardwoods	OH	1	32	26	20	14	8
Hardwood Utility	HU	5	5	5	5	5	
Conifer Utility	CU	5	19	19	19	19	

<sup>1</sup>Includes Western and Mountain Hemlock.  
<sup>2</sup>Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Alpine Fir.

**TABLE 12—STUMPAGE VALUE TABLE  
STUMPAGE VALUE AREA 3  
(for 1/1/79 through 6/30/79)  
SPECIAL FOREST PRODUCTS**

Species Name and Product	Species Code	Quality Code Number	Rates Per Unit by Hauling Distance Zone Number				
			1	2	3	4	5
Western Red Cedar-Shake <sup>1</sup> Blocks & Boards	RCS	1	\$290	\$286	\$282	\$278	\$274
Western Red Cedar Flatsawn & Shingle Blocks <sup>1</sup>	RCF	1	102	98	94	90	86
Western Red Cedar & Other Posts <sup>2</sup>	RCP	1	0.15	0.15	0.15	0.15	0.15
Douglas Fir Christmas Trees <sup>3</sup>	DFX	1	0.13	0.13	0.13	0.13	0.13
True Fir & Other Christmas Trees <sup>3</sup>	TFX	1	0.35	0.35	0.35	0.35	0.35

<sup>1</sup>Stumpage Value per MBF net Scribner Scale.  
<sup>2</sup>Stumpage Value per 8 lineal feet or portion thereof.  
<sup>3</sup>Stumpage value per lineal foot.

**TABLE 13—STUMPAGE VALUE TABLE  
STUMPAGE VALUE AREA 4  
(for 1/1/79 through 6/30/79)  
OLD GROWTH FINAL HARVEST  
(100 years of age and older)**

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir	DF	1	\$291	\$287	\$283	\$279	\$275
		2	290	286	282	278	274
		3	260	256	252	248	244
		4	181	177	173	169	165
Western Hemlock <sup>1</sup>	WH	1	232	228	224	220	216
		2	135	131	127	123	119
		3	130	126	122	118	114
True Fir <sup>2</sup>	TF	1	232	228	224	220	216
		2	135	131	127	123	119
		3	130	126	122	118	114
Western Red Cedar	RC	1	311	307	303	299	295
		2	239	235	231	227	223
		3	185	181	177	173	169
Sitka Spruce	SS	1	154	150	146	142	138
		2	123	119	115	111	107
		3	94	90	86	82	78
Noble Fir	NF	1	250	246	242	238	234
		2	139	135	131	127	123
		3	116	112	108	104	100
Alaska Yellow Cedar	YC	1	311	307	303	299	295
		2	239	235	231	227	223
		3	185	181	177	173	169
Other Conifer	OC	1	154	150	146	142	138
		2	123	119	115	111	107
		3	94	90	86	82	78

**TABLE 13—CONT.**

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Red Alder	RA	1	46	40	34	28	22
Cottonwood	BC	1	38	32	26	20	14
Other Hardwoods	OH	1	44	38	32	26	20
Hardwood Utility	HU	5	5	5	5	5	5
Conifer Utility	CU	5	18	18	18	18	18

<sup>1</sup>Includes Western and Mountain Hemlock.  
<sup>2</sup>Includes Pacific Silver Fir, Grand Fir, and Alpine Fir.

**TABLE 14—STUMPAGE VALUE TABLE  
STUMPAGE VALUE AREA 4  
(for 1/1/79 through 6/30/79)  
YOUNG GROWTH FINAL HARVEST  
(Under 100 years of age and not including thinning)**

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir	DF	1	\$223	\$217	\$211	\$205	\$199
		2	189	183	177	171	165
		3	151	145	139	133	127
		4	112	106	100	94	88
Western Hemlock <sup>1</sup>	WH	1	167	161	155	149	143
		2	147	141	135	129	123
		3	105	99	93	87	81
		4	92	86	80	74	68
True Fir <sup>2</sup>	TF	1	167	161	155	149	143
		2	147	141	135	129	123
		3	105	99	93	87	81
		4	92	86	80	74	68
Western Red Cedar <sup>3</sup>	RC	1	240	234	228	222	216
		2	198	192	186	180	174
		3	175	169	163	157	151
Other Conifer	OC	1	167	161	155	149	143
		2	147	141	135	129	123
		3	105	99	93	87	81
		4	92	86	80	74	68
Red Alder	RA	1	46	40	34	28	22
Cottonwood	BC	1	38	32	26	20	14
Other Hardwoods	OH	1	44	38	32	26	20
Hardwood Utility	HU	5	5	5	5	5	
Conifer Utility	CU	5	18	18	18	18	

<sup>1</sup>Includes Western and Mountain Hemlock.  
<sup>2</sup>Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Alpine Fir.  
<sup>3</sup>Includes Alaska Yellow Cedar.



**TABLE 15--STUMPAGE VALUE TABLE**  
**STUMPAGE VALUE AREA 4**  
 (for 1/1/79 through 6/30/79)  
**THINNING**  
 See definition WAC 458-40-18625(9)(d)

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir	DF	1	\$205	\$199	\$193	\$187	\$181
		2	171	165	159	153	147
		3	133	127	121	115	109
		4	94	88	82	76	70
Western Hemlock <sup>1</sup>	WH	1	149	143	137	131	125
		2	129	123	117	111	105
		3	87	81	75	69	63
		4	74	68	62	56	50
True Fir <sup>2</sup>	TF	1	149	143	137	131	125
		2	129	123	117	111	105
		3	87	81	75	69	63
		4	74	68	62	56	50
Other Conifer	OC	1	149	143	137	131	125
		2	129	123	117	111	105
		3	87	81	75	69	63
		4	74	68	62	56	50
Red Alder	RA	1	46	40	34	28	22
Cottonwood	BC	1	38	32	26	20	14
Other Hardwoods	OH	1	44	38	32	26	20
Hardwood Utility	HU	5	5	5	5	5	5
Conifer Utility	CU	5	18	18	18	18	18

<sup>1</sup>Includes Western and Mountain Hemlock.

<sup>2</sup>Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Alpine Fir.

**TABLE 16--STUMPAGE VALUE TABLE**  
**STUMPAGE VALUE AREA 4**  
 (for 1/1/79 through 6/30/79)  
**SPECIAL FOREST PRODUCTS**

Species Name and Product	Species Code	Quality Code Number	Rates Per Unit by Hauling Distance Zone Number				
			1	2	3	4	5
Western Red Cedar-Shake Blocks & Boards <sup>1</sup>	RCS	1	\$278	\$274	\$270	\$266	\$262
Western Red Cedar Flatsawn & Shingle Blocks <sup>1</sup>	RCF	1	98	94	90	86	82
Western Red Cedar & Other Posts <sup>2</sup>	RCP	1	0.15	0.15	0.15	0.15	0.15
Douglas Fir Christmas Trees <sup>3</sup>	DFX	1	0.13	0.13	0.13	0.13	0.13
True Fir & Other Christmas Trees <sup>3</sup>	TFX	1	0.35	0.35	0.35	0.35	0.35

<sup>1</sup>Stumpage value per MBF net Scribner Scale.

<sup>2</sup>Stumpage value per 8 lineal feet or portion thereof.

<sup>3</sup>Stumpage value per lineal foot.

**TABLE 17--STUMPAGE VALUE TABLE**  
**STUMPAGE VALUE AREA 5**  
 (for 1/1/79 through 6/30/79)  
**OLD GROWTH FINAL HARVEST**  
 (100 years of age and older)

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir	DF	1	\$270	\$266	\$262	\$258	\$254
		2	264	260	256	252	248
		3	199	195	191	187	183
		4	170	166	162	158	154
Western Hemlock <sup>1</sup>	WH	1	231	227	223	219	215
		2	138	134	130	126	122
		3	115	111	107	103	99
True Fir <sup>2</sup>	TF	1	231	227	223	219	215
		2	138	134	130	126	122
		3	115	111	107	103	99
Western Red Cedar <sup>3</sup>	RC	1	311	307	303	299	295
		2	239	235	231	227	223
		3	213	209	205	201	197
Sitka Spruce	SS	1	154	150	146	142	138
		2	123	119	115	111	107
		3	91	87	83	79	75
Noble Fir	NF	1	250	246	242	238	234
		2	139	135	131	127	123
		3	116	112	108	104	100
Other Conifer	OC	1	154	150	146	142	138
		2	123	119	115	111	107
		3	91	87	83	79	75
Red Alder	RA	1	41	35	29	23	17
Cottonwood	BC	1	38	32	26	20	14
Other Hardwoods	OH	1	48	42	36	30	24
Hardwood Utility	HU	5	5	5	5	5	5
Conifer Utility	CU	5	15	15	15	15	15

<sup>1</sup>Includes Western and Mountain Hemlock.

<sup>2</sup>Includes Pacific Silver Fir, Grand Fir, and Alpine Fir.

<sup>3</sup>Includes Alaska Yellow Cedar.

**TABLE 18--STUMPAGE VALUE TABLE**  
**STUMPAGE VALUE AREA 5**  
 (for 1/1/79 through 6/30/79)  
**YOUNG GROWTH FINAL HARVEST**  
 (Under 100 years of age and not including thinning)

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir	DF	1	\$220	\$214	\$208	\$202	\$196
		2	186	180	174	168	162
		3	133	127	121	115	109
		4	94	88	82	76	70
Western Hemlock <sup>1</sup>	WH	1	160	154	148	142	136
		2	147	141	135	129	123
		3	98	92	86	80	74
		4	86	80	74	68	62

TABLE 18—CONT.

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
True Fir <sup>2</sup>	TF	1	160	154	148	142	136
		2	147	141	135	129	123
		3	98	92	86	80	74
		4	86	80	74	68	62
Western Red Cedar <sup>3</sup>	RC	1	221	215	209	203	197
		2	168	162	156	150	144
		3	133	127	121	115	109
Other Conifer	OC	1	160	154	148	142	136
		2	147	141	135	129	123
		3	98	92	86	80	74
		4	86	80	74	68	62
Red Alder	RA	1	41	35	29	23	17
Cottonwood	BC	1	38	32	26	20	14
Other Hardwoods	OH	1	48	42	36	30	24
Hardwood Utility	HU	5	5	5	5	5	5
Conifer Utility	CU	5	15	15	15	15	15

<sup>1</sup>Includes Western and Mountain Hemlock.

<sup>2</sup>Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Alpine Fir.

<sup>3</sup>Includes Alaska Yellow Cedar.

TABLE 19—STUMPAGE VALUE TABLE  
STUMPAGE VALUE AREA 5  
(for 1/1/79 through 6/30/79)  
THINNING  
See definition WAC 458-40-18625(9)(d)

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Douglas Fir	DF	1	\$202	\$196	\$190	\$184	\$178
		2	168	162	156	150	144
		3	115	109	103	97	91
		4	76	70	64	58	52
Western Hemlock <sup>1</sup>	WH	1	142	136	130	124	118
		2	129	123	117	111	105
		3	80	74	68	62	56
		4	68	62	56	50	44
True Fir <sup>2</sup>	TF	1	142	136	130	124	118
		2	129	123	117	111	105
		3	80	74	68	62	56
		4	68	62	56	50	44
Other Conifer	OC	1	142	136	130	124	118
		2	129	123	117	111	105
		3	80	74	68	62	56
		4	68	62	56	50	44
Red Alder	RA	1	41	35	29	23	17
Cottonwood	BC	1	38	32	26	20	14
Other Hardwoods	OH	1	48	42	36	30	24
Hardwood Utility	HU	5	5	5	5	5	5
Conifer Utility	CU	5	15	15	15	15	15

<sup>1</sup>Includes Western and Mountain Hemlock.

<sup>2</sup>Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Alpine Fir.

TABLE 20—STUMPAGE VALUE TABLE  
STUMPAGE VALUE AREA 5  
(for 1/1/79 through 6/30/79)  
SPECIAL FOREST PRODUCTS

Species Name and Product	Species Code	Quality Code Number	Rates Per Unit by Hauling Distance Zone Number				
			1	2	3	4	5
Western Red Cedar-Shake, Blocks & Boards <sup>1</sup>	RCS	1	\$261	\$257	\$253	\$249	\$245
Western Red Cedar Flatsawn & Shingle Blocks <sup>1</sup>	RCF	1	91	87	83	79	75
Western Red Cedar & Other Posts <sup>2</sup>	RCP	1	0.15	0.15	0.15	0.15	0.15
Douglas Fir Christmas Trees <sup>3</sup>	DFX	1	0.13	0.13	0.13	0.13	0.13
True fir & Other Christmas Trees <sup>3</sup>	TFX	1	0.35	0.35	0.35	0.35	0.35

<sup>1</sup>Stumpage value per MBF net Scribner Scale.

<sup>2</sup>Stumpage Value per 8 lineal feet or portion thereof.

<sup>3</sup>Stumpage value per lineal foot.

TABLE 21—STUMPAGE VALUE TABLE  
STUMPAGE VALUE AREA 6, 7, 8, AND 9  
(for 1/1/79 through 6/30/79)  
MERCHANTABLE SAWTIMBER, ALL AGES

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Ponderosa Pine	PP	1	\$170	\$166	\$162	\$158	\$154
		2	96	92	88	84	80
Douglas Fir	DF	1	99	95	91	87	83
Western Larch	WL	1	99	95	91	87	83
Western Hemlock <sup>1</sup>	WH	1	102	98	94	90	86
True fir <sup>2</sup>	TF	1	102	98	94	90	86
Engelmann Spruce	ES	1	95	91	87	83	79
White Pine	WP	1	141	137	133	129	125
Western Red Cedar	RC	1	141	137	133	129	125
Lodgepole Pine	LP	1	62	58	54	50	46
Hardwoods	OH	1	14	10	6	2	1
Utility	CU	4	9	9	9	9	9

<sup>1</sup>Includes Western and Mountain Hemlock.

<sup>2</sup>Includes Pacific Silver fir, Noble Fir, Grand Fir, and Alpine Fir.

TABLE 22—STUMPAGE VALUE TABLE  
STUMPAGE VALUE AREA 6, 7, 8, AND 9  
(for 1/1/79 through 6/30/79)  
SPECIAL FOREST PRODUCTS

Species Name and Product	Species Code	Quality Code Number	Rates Per Unit by Hauling Distance Zone Number				
			1	2	3	4	5
Western Red Cedar Flatsawn & Shingle Blocks <sup>1</sup>	RCF	1	\$80	\$76	\$72	\$68	\$64
Western Larch Flatsawn Blocks <sup>1</sup>	WLF	1	65	61	57	53	49
Lodgepole Pine & Other Posts <sup>2</sup>	LPP	1	0.15	0.15	0.15	0.15	0.15
Pine Christmas Trees <sup>3</sup>	PX	1	0.13	0.13	0.13	0.13	0.13
Douglas Fir & Other Christmas Trees <sup>4</sup>	DFX	1	0.13	0.13	0.13	0.13	0.13

<sup>1</sup>Stumpage value per MBF net Scribner scale.  
<sup>2</sup>Stumpage value per 8 lineal feet or portion thereof.  
<sup>3</sup>Stumpage value per lineal foot. Includes Ponderosa Pine, White Pine, and Lodgepole Pine.  
<sup>4</sup>Stumpage value per lineal foot.

TABLE 29—STUMPAGE VALUE TABLE  
STUMPAGE VALUE AREA 10  
(for 1/1/79 through 6/30/79)  
MERCHANTABLE SAWTIMBER, ALL AGES

Species Name	Species Code	Timber Quality Code Number	Stumpage Values Per Thousand Board Feet Net Scribner Log Scale by Hauling Distance Zone Number				
			1	2	3	4	5
Ponderosa Pine	PP	1	\$214	\$210	\$206	\$202	\$198
		2	192	188	184	180	176
		3	109	105	101	97	93
Douglas Fir	DF	1	219	215	211	207	203
		2	175	171	167	163	159
		3	131	127	123	119	115
Western Larch	WL	1	219	215	211	207	203
		2	175	171	167	163	159
		3	131	127	123	119	115
Western Hemlock <sup>1</sup>	WH	1	211	207	203	199	195
		2	183	179	175	171	167
		3	155	151	147	143	139
True Fir <sup>2</sup>	TF	1	211	207	203	199	195
		2	183	179	175	171	167
		3	155	151	147	143	139
Other Conifer	OC	1	211	207	203	199	195
		2	175	171	167	163	159
		3	109	105	101	97	93
Hardwoods	OH	1	14	10	6	2	1
Utility	CU	1	12	12	12	12	12

<sup>1</sup>Includes Western and Mountain Hemlock.  
<sup>2</sup>Includes Pacific Silver Fir, Noble Fir, Grand Fir, and Alpine Fir.

TABLE 30—STUMPAGE VALUE TABLE  
STUMPAGE VALUE AREA 10  
(for 1/1/79 through 6/30/79)  
SPECIAL FOREST PRODUCTS

Species Name and Product	Species Code	Quality Code Number	Rates Per Unit Hauling Distance Zone Number				
			1	2	3	4	5
Western Red Cedar Flatsawn & Shingle Blocks <sup>1</sup>	RCF	1	\$80	\$76	\$72	\$68	\$64
Western Larch Flatsawn Blocks <sup>1</sup>	WLF	1	65	61	57	53	49
Lodgepole Pine & Other Posts <sup>2</sup>	LPP	1	0.15	0.15	0.15	0.15	0.15
Pine Christmas Trees <sup>3</sup>	PX	1	0.13	0.13	0.13	0.13	0.13
Douglas Fir & Other Christmas Trees <sup>4</sup>	DFX	1	0.13	0.13	0.13	0.13	0.13

<sup>1</sup>Stumpage value per MBF Scribner scale.  
<sup>2</sup>Stumpage value per 8 lineal feet or portion thereof.  
<sup>3</sup>Stumpage value per lineal foot. Includes Ponderosa Pine, White Pine, and Lodgepole Pine.  
<sup>4</sup>Stumpage value per lineal foot.

NEW SECTION

WAC 458-40-18630 HARVESTER ADJUSTMENTS—TABLES FOR 1/1/79 THROUGH 6/30/79. In order to make reasonable and adequate allowances for costs of removal and size of logging operation in computation of stumpage value rates as required by RCW 82.04.291(3), the department has prepared tables which allow for adjustments to the stumpage value rates derived from the stumpage value tables of WAC 458-40-18629.

Harvest adjustments relating to harvest volume per acre, logging conditions and average volume per log shall be allowed against the stumpage value rates for the designated harvest types and in the designated stumpage value areas as set forth in the following tables with the following limitations:

- (1) No harvest adjustment shall be allowed against "special forest products".
- (2) No harvest adjustment shall be allowed against "utility", "conifer utility", and "hardwood utility".
- (3) Rates for the harvest type "old growth final harvest", shall be adjusted to a value no lower than \$10 per thousand board feet.
- (4) Rates for the harvest type "young growth final harvest", conifers, shall be adjusted to a value no lower than \$5 per thousand board feet.
- (5) Stumpage value rates for conifers within the harvest type "merchantable sawtimber, all ages", shall be adjusted to a value no lower than \$5 per thousand board feet.
- (6) Stumpage value rates for "hardwood" and for "thinning harvest" shall be adjusted to a value no lower than \$1 per thousand board feet.

A small harvest adjustment table for use in all stumpage value areas is set forth below providing for adjustment of stumpage value rates if the total volume of timber harvested in a given quarter is within the volume classes provided therein.

The following harvest adjustment tables are hereby adopted for use during the period of January 1, 1979 through June 30, 1979.

**TABLE 1—HARVEST ADJUSTMENT TABLE  
STUMPAGE VALUE AREAS 1, 2, 3, 4 AND 5  
(for 1/1/79 through 6/30/79)  
OLD GROWTH FINAL HARVEST  
(100 years and older)**

<u>Type of Adjustment</u>	<u>Definition</u>	<u>Dollar Adjustment Per Thousand Board Feet Net Scribner Scale</u>
<b>I. Volume Per Acre</b>		
Class 1	Harvest of more than 40 thousand board feet per acre.	0
Class 2	Harvest of 15 thousand board feet to 40 thousand board feet per acre.	-\$4.00
Class 3	Harvest of less than 15 thousand board feet per acre.	-\$7.00
<b>II. Logging Conditions</b>		
Class 1	Favorable logging conditions and easy road construction. No rock outcrops or swamp barriers. Generally flat to gentle slopes under 40%.	+\$5.00
Class 2	Average logging conditions and average road construction. Some rock outcrops or swamp barriers. Generally slopes between 40% to 60%.	0
Class 3	Difficult logging and road building conditions because of numerous rock outcrops and bluffs. Generally rough, broken ground with slopes in excess of 60%.	-\$12.00
Class 4	For logs which are yarded from stump to landing by helicopter. This does not include "Special Forest Products".	-\$60.00

**TABLE 2—HARVEST ADJUSTMENT TABLE  
STUMPAGE VALUE AREAS 1, 2, 3, 4 AND 5  
(for 1/1/79 through 6/30/79)  
YOUNG GROWTH FINAL HARVEST  
(under 100 years old)**

<u>Type of Adjustment</u>	<u>Definition</u>	<u>Dollar Adjustment Per Thousand Board Feet Net Scribner Scale</u>
<b>I. Volume Per Acre</b>		
Class 1	Harvest of more than 30 thousand board feet per acre.	0
Class 2	Harvest of 10 thousand board feet to 30 thousand board feet per acre.	-\$2.00
Class 3	Harvest of less than 10 thousand board feet per acre.	-\$6.00
<b>II. Logging Conditions</b>		
Class 1	Favorable logging conditions and easy road construction. No rock outcrops or swamp barriers. Generally flat to gentle slopes under 40%.	+\$4.00
Class 2	Average logging conditions and average road construction. Some rock outcrops or swamp barriers. Generally slopes between 40% to 60%.	0
Class 3	Difficult logging and road building conditions because of numerous rock outcrops and bluffs. Generally rough, broken ground with slopes in excess of 60%.	-\$14.00

**TABLE 2—CONT.**

<u>Type of Adjustment</u>	<u>Definition</u>	<u>Dollar Adjustment Per Thousand Board Feet Net Scribner Scale</u>
Class 4	For logs which are yarded from stump to landing by helicopter. This does not include "Special Forest Products".	-\$60.00

**TABLE 3—HARVEST ADJUSTMENT TABLE  
STUMPAGE VALUE AREAS 1, 2, 3, 4 AND 5  
(for 1/1/79 through 6/30/79)  
THINNING  
See definition WAC 458-40-18625(9)(d)**

<u>Type of Adjustment</u>	<u>Definition</u>	<u>Dollar Adjustment Per Thousand Board Feet Net Scribner Scale</u>
<b>I. Volume Per Acre</b>		
Class 1	Harvest of more than 10 thousand board feet per acre.	0
Class 2	Harvest of 5 thousand board feet to 10 thousand board feet per acre.	-\$3.00
Class 3	Harvest of less than 5 thousand board feet per acre.	-\$5.00
<b>II. Logging Conditions</b>		
Class 1	Favorable wheel tractor logging conditions and easy road construction. No rock outcrops or swamp barriers. Generally flat to gentle slopes under 20%.	+\$5.00
Class 2	Average logging conditions and average road construction. Some rock outcrops or swamp barriers. Generally slopes between 20% and 40%.	0
Class 3	Difficult logging and road building conditions because of numerous rock outcrops and bluffs. Generally rough, broken ground with slopes in excess of 40%. Normally a tower yarding operation.	-\$14.00
Class 4	For logs which are yarded from stump to landing by helicopter. This does not include "Special Forest Products".	-\$60.00
<b>III. Average Log Size</b>		
Class 1	50 board feet or more.	0
Class 2	Less than 50 board feet.	-\$10.00

**TABLE 4—HARVEST ADJUSTMENT TABLE  
STUMPAGE VALUE AREAS 6, 7, 8, 9 AND 10  
(for 1/1/79 through 6/30/79)  
MERCHANTABLE SAWTIMBER, ALL AGES**

<u>Type of Adjustment</u>	<u>Definition</u>	<u>Dollar Adjustment Per Thousand Board Feet Net Scribner Scale</u>
<b>I. Volume Per Acre</b>		
Class 1	Harvest of more than 8 thousand board feet per acre.	0
Class 2	Harvest of 3 thousand board feet to 8 thousand board feet per acre.	-\$7.00
Class 3	Harvest of less than 3 thousand board feet per acre.	-\$10.00

TABLE 4—CONT.

Dollar Adjustment Per  
Thousand Board Feet  
Net Scribner Scale

Timber Quality Code Number  
by Species and by Harvest Type

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale	Timber Quality Code Number by Species and by Harvest Type						
			Douglas Fir		Western Red Cedar				
			Young Growth Final Harvest Type	Thinning Harvest Type	Young Growth Final Harvest Type	Thinning Harvest Type			
<b>II. Logging Conditions</b>									
Class 1	Favorable logging conditions and easy road construction. No rock outcrops or swamp barriers. Generally flat to gentle slopes under 20%.	+ \$6.00							
Class 2	Average logging conditions and average road construction. Some rock outcrops or swamp barriers. Generally slopes between 20% to 40%.	0	25'	Pole Length	Pole Class <sup>1</sup>	Total Pole Volume <sup>2/3</sup>			
				1	60	4	4	3	4
				2	60	4	4	3	4
				3	50	4	4	3	4
				4	50	4	4	3	4
Class 3	Difficult logging and road building conditions because of numerous rock outcrops and bluffs. Generally rough, broken ground with slopes in excess of 40%.	- \$13.00	30'	5	40	4	4	3	4
				6	40	4	4	3	4
				7	30	4	4	3	4
				9	30	4	4	3	4
				10	30	4	4	3	4
Class 4	For logs which are yarded from stump to landing by helicopter. This does not include "Special Forest Products".	- \$60.00	30'	1	110	4	4	3	4
				2	70	4	4	3	4
				3	60	4	4	3	4
				4	60	4	4	3	4
				5	50	4	4	3	4
				6	50	4	4	3	4
				7	40	4	4	3	4
				9	40	4	4	3	4

TABLE 5—SMALL HARVEST ADJUSTMENT TABLE  
ALL STUMPAGE VALUE AREAS  
(for 1/1/79 through 6/30/79)

A small harvest adjustment is allowed where the total net volume harvested from all units, a selected unit, or a combination of units (including conifer special cull or utility and hardwood utility) in a given quarter is within the volume classes shown below. A harvester may report and claim this adjustment on no more than 250 MBF of harvest each reporting quarter.

Small Harvest Class	Net Volume Harvested Per Quarter	Dollar Adjustment Per Thousand Board Feet
Class 1	0 - 125 MBF	-\$20.00
Class 2	126 - 250 MBF	-\$15.00

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AMENDATORY SECTION (Amending Order FT 78-2, filed 6/30/78)

WAC 458-40-19000 TIMBER POLE VOLUME TABLE FOR WEST OF CASCADE SUMMIT. Harvesters of poles in stumpage value areas 1, 2, 3, 4 and 5 shall use the following timber pole volume table to determine the Scribner board foot volume and timber quality code number for each pole length and class.

Pole Length	Pole Class <sup>1</sup>	Total Pole Volume <sup>2/3</sup>	Timber Quality Code Number by Species and by Harvest Type				
			Douglas Fir		Western Red Cedar		
			Young Growth Final Harvest Type	Thinning Harvest Type	Young Growth Final Harvest Type	Thinning Harvest Type	
20'	1	50	4	4	3	4	
	2	50	4	4	3	4	
	3	40	4	4	3	4	
	4	40	4	4	3	4	
	5	30	4	4	3	4	
	6	30	4	4	3	4	
	7	20	4	4	3	4	
	9	20	4	4	3	4	
	10	20	4	4	3	4	
	25'	H2	160	4	4	3	4
H2		160	4	4	3	4	
1		130	4	4	3	4	
2		100	4	4	3	4	
3		80	4	4	3	4	
4		80	4	4	3	4	
5		60	4	4	3	4	
6		60	4	4	3	4	
7		50	4	4	3	4	
30'		H4	240(240)	1	1	3	4
	H3	200(200)	1	1	3	4	
	H2	180	4	4	3	4	
	H1	180	4	4	3	4	
	1	150	4	4	3	4	
	2	120	4	4	3	4	
	3	120	4	4	3	4	
	4	90	4	4	3	4	
	5	70	4	4	3	4	
	6	60	4	4	3	4	
35'	H6	380(380)	1	1	3	4	
	H5	340(340)	1	1	3	4	
	H4	340(340)	1	1	3	4	
	H3	280(270)	1	1	3	4	
	H2	230(130)	2	2	3	4	
	H1	230(130)	2	2	3	4	
	1	190(110)	2	2	3	4	
	2	150	4	4	3	4	
	3	120	4	4	3	4	
	4	120	4	4	3	4	
40'	5	90	4	4	3	4	
	6	90	4	4	3	4	
	H6	430(430)	1	1	3	4	
	H5	370(370)	1	1	3	4	
	H4	370(370)	1	1	3	4	
	H3	300(300)	1	1	3	4	
	H2	260(260)	1	1	3	4	
	H1	260(150)	2	2	3	4	
	1	210(120)	2	2	3	4	
	2	160	4	4	3	4	
45'	3	140	4	4	3	4	
	4	140	4	4	3	4	
	5	100	4	4	3	4	
	H6	470(470)	1	1	3	4	
	H5	410(410)	1	1	3	4	
	H4	410(410)	1	1	3	4	
	H3	330(330)	1	1	3	4	
	H2	280(160)	2	2	3	4	
	H1	280(160)	2	2	3	4	
	1	230(130)	2	2	3	4	
50'	2	180	4	4	3	4	
	3	150	4	4	3	4	
	4	150	4	4	3	4	
	55'	1	150	4	4	3	4

		Timber Quality Code Number by Species and by Harvest Type					Timber Quality Code Number by Species and by Harvest Type							
		Douglas Fir			Western Red Cedar		Douglas Fir			Western Red Cedar				
Pole Length	Pole Class <sup>1</sup>	Total Pole Volume <sup>2/3</sup>	Young Growth Final Harvest Type	Thinning Harvest Type	Young Growth Final Harvest Type	Thinning Harvest Type	Pole Length	Pole Class <sup>1</sup>	Total Pole Volume <sup>2/3</sup>	Young Growth Final Harvest Type	Thinning Harvest Type	Young Growth Final Harvest Type	Thinning Harvest Type	
60'	H6	540(540)	1	1	3	4	95'	H6	1170(1170)	1	1	1	2	
	H5	470(470)	1	1	3	4		H5	1000(1000)	1	1	3	4	
	H4	470(470)	1	1	3	4		H4	1000(1000)	1	1	3	4	
	H3	410(410)	1	1	3	4		H3	870(870)	1	1	3	4	
	H2	340(210)	2	2	3	4		H2	870(870)	1	1	3	4	
	H1	340(210)	2	2	3	4		H1	750(600)	1	1	3	4	
	1	290(180)	2	2	3	4		1	640(510)	1	1	3	4	
	2	220(150)	2	2	3	4		2	540(440)	1	1	3	4	
	3	190	4	4	3	4		100'	H6	1190(1190)	1	1	1	2
	4	190	4	4	3	4			H5	1030(1030)	1	1	3	4
65'	H6	610(610)	1	1	3	4	H4		1030(1030)	1	1	3	4	
	H5	520(520)	1	1	3	4	H3		900(900)	1	1	3	4	
	H4	520(520)	1	1	3	4	H2		900(900)	1	1	3	4	
	H3	420(420)	1	1	3	4	H1		760(610)	1	1	3	4	
	H2	380(230)	2	2	3	4	1		660(530)	1	1	3	4	
	H1	380(230)	2	2	3	4	2		550(450)	1	1	3	4	
	1	320(190)	2	2	3	4	105'		H6	1310(1310)	1	1	1	1
	2	260(160)	2	2	3	4			H5	1160(1160)	1	1	1	1
	3	210	4	4	3	4		H4	1160(1160)	1	1	1	1	
	4	210	4	4	3	4		H3	1000(1000)	1	1	3	4	
70'	H6	650(650)	1	1	3	4		H2	1000(1000)	1	1	3	4	
	H5	560(560)	1	1	3	4		H1	860(700)	1	1	3	4	
	H4	560(560)	1	1	3	4		1	740(600)	1	1	3	4	
	H3	480(480)	1	1	3	4		2	610(510)	1	1	3	4	
	H2	400(240)	2	2	3	4		110'	H6	1370(1370)	1	1	1	1
	H1	400(240)	2	2	3	4			H5	1220(1220)	1	1	1	1
	1	350(210)	2	2	3	4	H4		1220(1220)	1	1	1	1	
	2	270(170)	2	2	3	4	H3		1050(1050)	1	1	3	4	
	3	230	4	4	3	4	H2		1050(1050)	1	1	3	4	
	4	230	4	4	3	4	H1		910(740)	1	1	3	4	
75'	H6	700(700)	1	1	3	4	1		780(640)	1	1	3	4	
	H5	600(600)	1	1	3	4	2		650(540)	1	1	3	4	
	H4	600(600)	1	1	3	4	115'		H6	1440(1440)	1	1	1	1
	H3	520(520)	1	1	3	4			H5	1280(1280)	1	1	1	1
	H2	520(520)	1	2	3	4		H4	1280(1280)	1	1	1	1	
	H1	520(330)	2	2	3	4		H3	1100(1100)	1	1	3	4	
	1	440(270)	2	2	3	4		H2	1100(1100)	1	1	3	4	
	2	290(180)	2	2	3	4		H1	960(780)	1	1	3	4	
	3	250	4	4	3	4		1	860(670)	1	1	3	4	
	80'	H6	820(820)	1	1	3		4	2	680(570)	1	1	3	4
H5		700(700)	1	1	3	4		120'	H6	1660(1660)	1	1	1	1
H4		700(700)	1	1	3	4			H5	1460(1460)	1	1	1	1
H3		600(600)	1	1	3	4	H4		1460(1460)	1	1	1	1	
H2		600(600)	1	1	3	4	H3		1300(1300)	1	1	1	1	
H1		540(360)	2	2	3	4	H2		1300(1300)	1	1	1	1	
1		440(290)	2	2	3	4	H1		1140(960)	1	1	3	4	
2		360(240)	2	2	3	4	1		970(820)	1	1	3	4	
3		290(200)	2	2	3	4	2		820(700)	1	1	3	4	
85'		H6	910(910)	1	1	3	4		125'	H6	1840(1840)	1	1	1
	H5	800(800)	1	1	3	4	H5			1600(1600)	1	1	1	2
	H4	800(800)	1	1	3	4	H4	1600(1600)		1	1	1	2	
	H3	660(660)	1	1	3	4	H3	1410(1410)		1	1	1	2	
	H2	660(660)	1	1	3	4	H2	1410(1410)		1	1	1	2	
	H1	660(520)	1	1	3	4	H1	1250(1100)		1	1	3	4	
	1	570(450)	1	1	3	4	1	1080(940)		1	1	3	4	
	2	490(340)	2	2	3	4	2	930(830)		1	1	3	4	
	3	360(200)	2	2	3	4	130'	H6		1920(1920)	1	1	1	1
	90'	H6	1080(1080)	1	1	1		2		H5	1680(1680)	1	1	1
H5		930(930)	1	1	3	4		H4	1680(1680)	1	1	1	2	
H4		930(930)	1	1	3	4		H3	1490(1490)	1	1	1	2	
H3		820(820)	1	1	3	4		H2	1490(1490)	1	1	1	2	
H2		820(820)	1	1	3	4		H1	1310(1160)	1	1	1	2	
H1		690(560)	1	1	3	4		1	1120(990)	1	1	3	4	
1		590(480)	1	1	3	4		2	970(870)	1	1	3	4	
2		490(420)	1	1	3	4								
3		400(210)	2	2	3	4								

<sup>1</sup>Pole class definitions as per American National Standard specifications and dimensions for wood poles as approved August 7, 1976 under American Nation Standard Institute, Inc. codified ANSI 05.1-1972.

<sup>2</sup>Long log volume calculations are based on Official Log Scaling and Grading Rules, revised January 1, 1978, published by The Puget Sound Log Scaling Bureau. These rules are also used by The Columbia River and the Grays Harbor Log Scaling and Grading Bureau.

<sup>3</sup>The number, enclosed in parenthesis after the total Scribner pole volume for each pole length and class, is the volume per pole for Number 2 sawmill and better log grade, where applicable.

**AMENDATORY SECTION** (Amending Order FT 78-2, filed 6/30/78)

**WAC 458-40-19001 TIMBER PILING VOLUME TABLE FOR WEST OF CASCADE SUMMIT.** Harvesters of piling in stumpage value areas of 1, 2, 3, 4 and 5 shall use the following piling table to determine the Scribner board foot volume and timber quality code number for each piling length and class.

Piling Length	Piling Class	Total Scribner Board Foot Volume <sup>2/3</sup>	Timber Quality Code Number ((by Species)) ((and)) by Harvest Type	
			Young Growth Final Harvest Type	Thinning Harvest Type
20'	A	80	4	4
	B	70	4	4
25'	A	100	4	4
	B	90	4	4
30'	A	130	4	4
	B	110	4	4
35'	A	130	4	4
	B	110	4	4
40'	A	150	4	4
	B	120	4	4
45'	A	150	4	4
	B	120	4	4
50'	A	160	4	4
	B	140	4	4
55'	A	180	4	4
	B	150	4	4
60'	A	190	4	4
	B	160	4	4
65'	A	210	4	4
	B	180	4	4
70'	A	230	4	4
	B	190	4	4
75'	A	230	4	4
	B	200	4	4
80'	A	250	4	4
	B	210	4	4
85'	A	260(140)	2	2
	B	210	4	4
90'	A	260(150)	2	2
	B	220	4	4
95'	A	290(150)	2	2
	B	240	4	4
100'	A	310(160)	2	2
	B	250	4	4
105'	A	330(170)	2	2
	B	270	4	4
110'	A	380(220)	2	2
	B	300(180)	2	2
115'	A	400(230)	2	2
	B	310(190)	2	2
120'	A	500(290)	2	2
	B	400(240)	2	2

<sup>1</sup>Piling class definitions as per American Society for Testing and Materials for "Round Timber Piles". As the Designation: D 25-58 (Reapproved 1964).

<sup>2</sup>Long log volume calculations are based on Official Log Scaling and Grading Rules revised January 1, 1978, published by The Puget Sound Log Scaling Bureau. These rules are also used by the Columbia River and the Grays Harbor Log Scaling and Grading Bureau.

<sup>3</sup>The number, enclosed in parenthesis after the total Scribner board foot volume for each piling length and class, is the volume per piling for Number 2 sawmill and better log grade, where applicable.

**AMENDATORY SECTION** (Amending Order FT 78-2, filed 6/30/78)

**WAC 458-40-19002 TIMBER POLE VOLUME TABLE FOR EAST OF CASCADE SUMMIT.** Harvesters of poles in stumpage value areas 6, 7, 8, 9 and 10 shall use the following timber pole volume table to determine the Scribner board foot volume. The timber quality code number shall be determined by ((reference to Tables 4 and 5 of WAC 458-40-16822)) the procedure contained herein under the tables titled "Timber Quality Code Table, Stumpage Value Areas 6, 7, 8 and 9 Merchantable Sawtimber, All Ages," and "Timber Quality Code Table, Stumpage Value Area 10, Merchantable Sawtimber, All Ages."

Pole Length	Pole Class <sup>1</sup>	Total Scribner Board Foot Volume <sup>2</sup>	
20'	1	70	
	2	60	
	3	50	
	4	50	
	5	30	
	6	30	
	7	20	
	9	20	
	10	20	
	25'	1	80
2		70	
3		50	
4		50	
5		40	
6		40	
7		30	
9		30	
10		20	
30'		1	110
	2	90	
	3	60	
	4	60	
	5	50	
	6	50	
	7	50	
	9	40	
	35'	H2	190
		H1	160
1		140	
2		100	
3		100	
4		70	
5		60	
6		60	
7		50	
40'		H3	240
	H2	240	
	H1	200	
	1	170	
	2	120	
	3	110	
4	100		
5	70		
6	70		

Pole Length	Pole Class <sup>1</sup>	Total Scribner Board Foot Volume <sup>2</sup>	Pole Length	Pole Class <sup>1</sup>	Total Scribner Board Foot Volume <sup>2</sup>	
45'	H6	390	75'	H6	810	
	H5	330		H5	700	
	H4	330		H4	700	
	H3	270		H3	600	
	H2	270		H2	600	
	H1	220		H1	500	
	1	180		1	440	
	2	150		2	340	
	3	110		3	270	
	4	110		H6	960	
	5	80		H5	830	
6	70	H4	830			
50'	H6	460	80'	H3	710	
	H5	390		H2	710	
	H4	390		H1	610	
	H3	340		1	510	
	H2	340		2	420	
	H1	280		3	340	
	1	240		H6	1020	
	2	190		H5	870	
	3	150		H4	870	
	4	150		H3	760	
	5	120		H2	760	
55'	H6	510	85'	H1	640	
	H5	430		1	550	
	H4	430		2	450	
	H3	370		3	360	
	H2	360		H6	1110	
	H1	300		H5	970	
	1	250		H4	970	
	2	190		H3	840	
	3	150		H2	840	
	4	150		H1	720	
	60'	H6		610	90'	1
H5		530	2	500		
H4		530	3	420		
H3		440	H6	1160		
H2		440	H5	1010		
H1		380	H4	1010		
1		310	H3	870		
2		240	H2	870		
3		200	H1	740		
4		200	1	640		
65'		H6	650	95'		2
	H5	570	H6		1380	
	H4	570	H5		1210	
	H3	490	H4		1210	
	H2	480	H3		1060	
	H1	410	H2		1060	
	1	350	H1		910	
	2	280	1		780	
	3	220	2		650	
	4	220	H6		1430	
	70'	H6	750		100'	H5
H5		650	H4	1250		
H4		650	H3	1100		
H3		550	H2	1100		
H2		560	H1	940		
H1		470	1	820		
1		410	2	690		
2		320	105'			
3		260				
4		260				
		260				



Pole Length	Pole Class <sup>1</sup>	Total Scribner Board Foot Volume <sup>2</sup>	Piling Length	Piling Class	Total Scribner Board Foot Volume per Piling Class <sup>2</sup>
110'	H6	1580	20'	A	90
	H5	1390		B	70
	H4	1390	25'	A	100
	H3	1220		B	80
	H2	1220	30'	A	130
	H1	1070		B	110
	1	920	35'	A	140
2	770	B		100	
115'	H6	1660	40'	A	140
	H5	1470		B	100
	H4	1470	45'	A	150
	H3	1280		B	110
	H2	1280	50'	A	190
	H1	970		B	150
	1	810	55'	A	190
2	680	B		150	
120'	H6	1880	60'	A	240
	H5	1680		B	200
	H4	1680	65'	A	240
	H3	1480		B	200
	H2	1480	70'	A	260
	H1	1290		B	210
	1	1130	75'	A	270
2	950	B		220	
125'	H6	1910	80'	A	220
	H5	1690		B	220
	H4	1690	85'	A	300
	H3	1490		B	240
	H2	1490	90'	A	280
	H1	1140		B	280
	1	970	95'	A	360
2	810	B		280	
130'	H6	2170	100'	A	360
	H5	1920		B	280
	H4	1920	105'	A	400
	H3	1710		B	300
	H2	1710	110'	A	460
	H1	1510		B	340
	1	1320	115'	A	470
2	1140	B		360	
130'	H6	2170	120'	A	560
	H5	1920		B	450
	H4	1920			
	H3	1710			
	H2	1710			
	H1	1510			
	1	1320			
2	1140				

<sup>1</sup>Pole class definitions as per American National Standard specifications and dimensions for wood poles as approved August 7, 1976 under American National Standard Institute, Inc. codified ANSI 05.1-1972.

<sup>2</sup>Volumes are based on the Scribner Decimal C log rule in the U.S.F.S. Log Scaling Handbook. Poles over 16 feet long were segment scaled in accordance with the rules set forth in the U.S.F.S. Log Scaling Handbook, using the average top diameter by size and class and assuming a 1" in 10' taper.

**AMENDATORY SECTION** (Amending Order FT 78-2, filed 6/30/78)

WAC 458-40-19003 TIMBER PILING VOLUME TABLE FOR EAST OF CASCADE SUMMIT. Harvesters of piling in stumpage value areas 6, 7, 8, 9 and 10 shall use the following piling table to determine the Scribner board foot of volume. The timber quality code number for each piling length and class shall be determined by ((reference to Tables 4 and 5 of WAC 458-40-18622:)) the procedure contained herein under the tables titled "Timber Quality Code Table, Stumpage Value Areas 6, 7, 8 and 9 Merchantable Sawtimber, All Ages" and "Timber Quality Code Table, Stumpage Value Area 10, Merchantable Sawtimber, All Ages."

<sup>1</sup>Piling class definitions as per American Society for Testing and Materials for "Round Timber Piles". As the Designation: D 25-56 (Reapproved 1964).

<sup>2</sup>Volumes are based on the Scribner Decimal C log rule in the U.S.F.S. Log Scaling Handbook. Poles over 16 feet long were segment scaled in accordance with the rules set forth in the U.S.F.S. Log Scaling Handbook, using the average top diameter by size and class and assuming a 1" in 10' taper.

**AMENDATORY SECTION** (Amending Order FT 78-2, filed 6/30/78)

WAC 458-40-19004 CONVERSION DEFINITIONS AND FACTORS FOR ((7/1/78)) 1/1/79 THROUGH ((12/31/78)) 6/30/79. (1) The following standard conversion definitions and factors

shall be used in determining Scribner board foot volume scale for timber harvested that was not originally scaled in Scribner board foot volume scale.

## Table

Table No.	Conversion Method
1	<p><b>Standard Cord</b> For logs on the average of 8 inches and larger on the small end of the log the conversion factor is 400 Scribner board feet per cord and for logs on the average of less than 8 inch on the small end of the log the conversion factor is 330 Scribner board feet per cord.</p>
2	<p><b>Shake Blocks and Boards</b> A cord consisting of Cedar shingle or shake blocks based on stacked dimensions of 4 feet by 4 feet by 8 feet is equivalent to 600 Scribner board feet.</p>
3	<p><b>Cants or Lumber from Portable Mills</b> Payment for cants is generally based on the board foot volume (lumber tally) cut from them. Payment for lumber cut from a portable mill is also generally based on the lumber tally from the log. To convert from lumber tally to Scribner log volume, multiply the lumber tally for the individual species by 75% and round to the nearest one thousand board feet Scribner scale.</p>
4	<p><b>Log Length Conversion Western Washington Only (Stumpage Value Areas 1, 2, 3, 4 and 5).</b> Operations that cut and scale logs in short lengths (16 feet to 20 feet) shall adjust the volume downward to correspond to the long log scale basis used in the Stumpage Value Tables. To convert to long log scale, multiply the short log scale for each species by 82% and round to the nearest thousand board feet.</p>
5	<p><b>Log Length Conversion Eastern Washington Only (Stumpage Value Areas 6, 7, 8, 9 and 10).</b> Operations that cut and scale logs in long lengths (32 feet to 40 feet) shall adjust the volume upward to correspond to the short log scale basis used in the Stumpage Value Tables. To convert to short log scale, multiply the long log scale for each species by 118% and round to the nearest thousand board feet.</p>
6	<p><b>Some standard converting factors and equivalents:</b></p> <ul style="list-style-type: none"> <li>(a) 1 standard cord equals 128 cubic feet, gross</li> <li>(b) 1 standard cord equals 85 cubic feet, solid wood</li> <li>(c) 1 standard cord equals 2.4069 cubic meters of solid wood</li> <li>(d) 1 cunit equals 100 cubic feet, log scale</li> <li>(e) 1 meter equals 39.37 inches</li> <li>(f) 1 cubic meter equals 35.315 cubic feet log scale</li> <li>(g) 1 cunit equals 2.832 cubic meters, log scale</li> <li>(h) 1 pound equals 0.454 kilograms</li> <li>(i) 1 kilogram equals 2.2046 pounds</li> <li>(j) 1 short ton equals 2000 pounds</li> <li>(k) 1 short ton equals 907.18 kilograms</li> <li>(l) 1 long ton equals 2240.0 pounds</li> <li>(m) 1 long ton equals 1016.05 kilograms</li> <li>(n) 1 metric ton (or tonne) equals 1000 kilograms or approximately 2204.62 pounds.</li> </ul>

(2) If the harvester chooses not to use the designated conversion definitions and/or factors, the harvester shall obtain approval of the procedure from the department before harvesting.

**EXAMPLE: Weight or Cubic Measurement.** If the original unit of measure was by weight (pounds or tons) or cubic feet (cunits or units), the harvester shall convert to Scribner Board Foot volume, but may use only such conversion procedures and factors as have been given prior approval by the department.

**WSR 78-11-079**  
**PROPOSED RULES**  
**UTILITIES AND TRANSPORTATION**  
**COMMISSION**

[Filed November 1, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington Utilities and Transportation Commission intends to adopt, amend, or repeal rules concerning WAC 480-149-120, relating to Tariff Circular No. 6 with particular reference to garbage and/or refuse collection companies. The proposed amendatory section is attached as Appendix A, Cause No. TV-1182. Written and/or oral submissions may also contain data, views, and arguments concerning the effect of the proposed amendment on economic values pursuant to chapters 43.21H RCW and WAC 480-08-050(17);

and that the adoption, amendment, or repeal of such rules will take place at 8:00 a.m., Wednesday, December 6, 1978, in the Commission's Conference Room, Sixth Floor, Highways-Licenses Building, Olympia, Washington.

The authority under which these rules are proposed is RCW 80.01.040(4) and 81.77.030(4).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to December 1, 1978, and/or orally at 8:00 a.m., Wednesday, December 6, 1978, Commission's Conference Room, Sixth Floor, Highways-Licenses Building, Olympia, Washington.

Dated: November 1, 1978

By: David Rees  
Secretary

**AMENDATORY SECTION** (Amending Order R-16, filed 2/30/70)

**WAC 480-149-120 NOTICE REQUIRED.** (1) Unless two copies are specifically requested by the commission, one copy of every tariff, supplement or revised page must be filed with the commission and notice must be given to the public by posting copies in a conspicuous place at each station affected thirty days before the effective date thereof except as provided for in the following sections of this rule or unless specifically authorized by the commission. Filings received on Saturdays, Sundays or holidays will be considered as being received on the following office day.

(2) The following tariffs may be filed on one day's notice to the commission and to the public:

(a) Providing for the opening or closing of navigation or traffic on rivers, harbors, lakes, highways or roads of the state.

(b) Providing for the movement of circuses.

(c) Providing rates for new lines or extensions of lines or service not heretofore covered by any similar form of transportation or service or not competitive with any similar form of transportation or service.

If the new line, extension or service is covered by any form of transportation or service, and/or is competitive therewith, the tariff or supplement so filed, must provide the same rates or fares as those of the existing company unless full statutory notice is given prior to the beginning of operations.

(d) Adoption, suspension or vacating supplements as provided for in WAC 480-149-110.

(e) Excursion passenger tariffs as provided for in WAC 480-149-070(1).

(3) In cases of actual emergency, or when real merit is shown, the commission may, in its discretion, permit tariffs to become effective on less than ((30)) thirty days' notice. Application for such authority must be on a form supplied by the commission. On every tariff or supplement that is issued on less than ((30)) thirty days' notice by permission or order or regulation of the commission, notation must be made that it is issued under L.S.N. order of the Washington Utilities

and Transportation Commission, number . . . . . of        (date)       , or by authority of Rule . . . . . W.U.T.C. Tariff Circular No. 6, or by authority of decision of the commission in Cause No. . . . . .

(4) Whenever a carrier files a tariff on not less than ~~((30))~~ thirty days' notice, containing increased rates and charges for collection and disposal of garbage, refuse, and debris, such carrier shall at the same time, or prior thereto, notify affected customers that a tariff of increased rates and charges is being filed with the Washington Utilities and Transportation Commission, Olympia, Washington, proposed to become effective on a particular date. The amount of increased charges must also be indicated. Notice shall be in writing and sent to customers by United States mail or delivered to their premises. The notice shall state that the proposed rates shall not become effective until reviewed by the commission. The notice shall also include a statement that affected customers who oppose the increase may express that opposition in writing to reach the Washington Utilities and Transportation Commission, Highways-Licenses Building, Olympia, Washington 98504 not later than fourteen days from the date of the notice. A copy of the notice shall also be mailed or delivered to at least one newspaper of general circulation in the area. The tariff filed with the commission must be accompanied by a letter of transmittal fully setting forth the reasons justifying the proposed increased charges. The letter shall also state ~~((whether or not affected customers have been notified))~~ that notice has been given in the manner outlined above.

**WSR 78-11-080**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
 [Order 1354—Filed November 1, 1978]

I, David Hogan, Exec. Assist. of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to income deduction, amending WAC 388-54-485.

I, David Hogan, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is emergency filing is necessary to meet a deadline set by the Food and Nutrition Service, U. S. Department of Agriculture.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 74.04.510 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED November 1, 1978.  
 By David Hogan  
 Executive Assistant

AMENDATORY SECTION (Amending Order 1342, filed 9/22/78)

WAC 388-54-485 INCOME DEDUCTIONS. (1) Household expenses shall be deducted in the order listed

in this section. In determining monthly food stamp income only the expenses listed shall be deducted. No exceptions shall be approved. The household must pay the expense or anticipate payment during the certification period in which the deduction is claimed. The expenses are deductible even if payment is made from resources. If payments are made by a nonhousehold member on behalf of the household, the expenses are deductible if the payments have been counted as income to the household.

(2) Deductible work expense

(a) Nonassistance household: Ten percent of gross income not to exceed ~~((30))~~ thirty dollars per household, from:

(i) Compensation for services performed as an employee; ~~((or))~~

(ii) A training allowance to an individual working and learning a trade at a work site~~((:));~~ or

(iii) Any income attributable to the furnishing of housing to a household by an employer. Any vendor payments made on behalf of an employee by an employer or a trainee by the training program or sponsor.

(b) Assistance household: The public assistance standard deduction for transportation and clothing. (See 388-28-515(4)(b) and (4)(d)).

(3) Mandatory deductions from earned income which are not elective at the option of the employee such as local, state, and federal income taxes, FICA taxes, mandatory retirement payments, and union dues. Garnishments may be deducted only when they are made for items which would be deductible if paid when incurred, for example, medical costs of more than ~~((10))~~ ten dollars a month.

(4) The total payments for medical expenses, exclusive of special diets, when the costs exceed ten dollars per household.

(a) Medical expenses may include actual payments for physician and dental services, hospitalization, nursing care in or out of the home, prescription drugs, prescribed medical services, health insurance, Medicare payments, the care and feeding of a seeing eye dog, and reasonable medically-related transportation costs.

(b) The amount to be deducted for an attendant or housekeeper who is necessary for medical care reasons shall be the amount actually paid to the attendant or housekeeper. In addition, for a household which furnishes the attendant or housekeeper the majority of his meals, a deduction equal to the value of the one-person monthly coupon allotment shall be made.

(5) Payments for the care of a child or other persons when necessary for a household member to accept or continue employment, training or education.

~~((a))~~ The amount to be deducted for an attendant or housekeeper who is necessary for child care reasons shall be the amount actually paid to the attendant or housekeeper. In addition, for a household which furnishes the attendant or housekeeper the majority of his meals, a deduction equal to the one-person monthly coupon allotment shall be made.

(6) Tuition and mandatory fees for education, including such expenses which are covered by scholarships,

educational grants, loans, fellowships and veterans' educational benefits. No deduction shall be made for any other educational expenses, such as books, school supplies, meals and transportation.

(7) Unusual expenses incurred due to an individual household's disaster or casualty losses which could not be reasonably anticipated by the household. Unusual expenses shall be determined in accordance with the following criteria.

(a) The expense is essential to the continued existence of the household and is necessary to replace or repair items of property damaged or lost through vandalism, fire, theft, flood, tropical storms, or by the elements.

(b) The expense allowed is for only that portion which exceeds the amount which is paid either in goods or money by a private or public charitable organization.

(c) The expense is the result of funeral costs which are not reimbursable through Social Security, veterans' benefits, or the state government.

(d) The expense allowed will be that paid or anticipated to be paid during the certification period, even though part may be reimbursable through insurance. Insurance reimbursement payments will be treated as lump-sum payments when received, in accordance with WAC 388-54-465.

(e) The deduction is initially approved by the certification worker's immediate supervisor.

(f) The expense is not for costs of repair or replacement of property, clothing, etc., which becomes necessary due to mechanical failure, wear and tear, obsolescence, or any other occurrence not directly connected with an individual household disaster.

(g) The expense is allowed for theft or casualty loss of cash, through fire, flood or similar occurrence. In case of theft, the household shall submit an affidavit to the local office including time, date and amount of theft.

(i) If a household suffers a theft or casualty loss of cash prior to purchase of its food stamp allotment, the purchase shall be recomputed by deducting the amount of loss from the household's income. Losses suffered subsequent to purchase shall not be deductible.

(ii) A cash loss resulting from negligence (failure to act in a responsible manner) on the part of the household is not deductible.

(8) Court-ordered support and alimony payments.

(9) Shelter costs in excess of thirty percent of the household's income after the above deductions.

(a) "Shelter costs" mean rent or mortgage payment plus taxes, insurance and assessments, and utility costs such as heat, cooking fuel, electricity, water, garbage, sewage disposal and basic service fee for one telephone.

(b) The actual rent or purchase payment plus taxes, insurance and assessments (if not included in the payment) shall be used to compute shelter costs.

(c) Standardized amounts shall be used to compute the shelter costs for utilities such as heat, cooking fuel, electricity, water, garbage, sewage disposal and telephone (~~and shall be effective July 1, 1977~~). Effective November 1, 1978, seasonal standards will be implemented; a high six months standard from November 1, 1978, through April 30, 1979, and a low six months

standard effective May 1, 1979, through October 31, 1979, and each year thereafter.

Persons in Household	Food Stamp Utility Standard	
	Nov. 1 through April 30	May 1 through Oct. 30
1	\$ 94.60	(\$ 66.25)
2	102.25	((70.70))
3	110.50	((76.10))
4	119.70	((82.05))
5	126.90	((86.65))
6	133.60	((90.85))
7	140.40	((95.15))
8	145.10	((97.60))
9	150.80	((100.90))
10 or more	157.80	((105.40))

(d) If a household requests and can verify that its utility bills are higher than the standards and can reasonably be predicted to continue at a higher rate for the certification period, the actual utility costs must be used. These costs will be calculated according to bills the household anticipates receiving during the certification period, by using the most recent bills actually received or other information available.

(i) The allowance for telephone service is limited to the basic fee for one telephone plus tax on the basic fee.

(ii) A household certified for more than one month shall be allowed to switch to or from the standard during its certification period or to the standard if the standard is updated during its certification period.

(e) Included as part of the household's utility allowance will be any payment, during a certification period, of a utility bill received by the household prior to January 1, 1978, if:

(i) The bill represents an allowable utility expense which was not used in any previous shelter allowance computations; and

(ii) The expense has been paid by the household or the household intends to pay it and has sufficient income and/or resources available.

**WSR 78-11-081**

**PROPOSED RULES**

**DEPARTMENT OF AGRICULTURE**

[Filed November 1, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and 15.17.150, that the Department of Agriculture intends to adopt, amend, or repeal rules concerning changes in fees charged with respect to horticultural inspection services, amending WAC 16-400-010 and 16-400-020 and adding a new section WAC 16-400-025;

that such agency will at 10:00 a.m., Wednesday, December 13, 1978, in the Holiday Inn, Ellensburg, Washington, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Wednesday, December 20, 1978, in the Conference room, 4th floor, General Administration Bldg., Olympia.

The authority under which these rules are proposed is chapter 15.17 RCW.

Interested persons may submit data, views, or arguments to this agency orally at 10:00 a.m., Wednesday, December 13, 1978, Holiday Inn, Ellensburg, Washington.

Dated: November 1, 1978
By: C. T. Nielsen
Assistant Director

AMENDATORY SECTION (Amending Order 1578, filed 5/17/78)

WAC 16-400-010 GRADE AND CONDITION CERTIFICATES.

(1) The minimum charge for a certificate shall be \$6.00 on all fruits and vegetables.

(2) All fresh fruits. (Apples, pears and soft fruits). Fruit in containers. (Wrapped, place pack, face and fill, or loose in bulk, bins, boxes, cartons, crates, or bags). For bulk or bins, divide the net ((wt:)) weight by 40 ((lbs:)) pounds to determine the number of standard containers for charges.

((Under 12 lbs net ..... 1 1/4¢ each container))
((12 to) Under 19 lbs net ..... ((1 1/4)) 2¢ each container
20 to 29 lbs net ..... ((2 1/4)) 3¢ each container
((Districts 1 and 3))

30 to 65 lbs net ..... ((2-3/4)) 3 1/2¢ each container
(Incl. 1/2 bu. container for prunes)

((District 4 (Chelan, Douglas and Okanogan Counties)))

((30 to 65 lbs net ..... 3-1/4¢ each container
(Incl. 1/2 bu. container for prunes)

District 2 (Yakima, Kittitas, Klickitat, Skamania and a portion of Benton County)

30 to 65 lbs net ..... 2-3/4¢ each container
1/2 bu. container for prunes ..... 2-3/4¢ each container))

AMENDATORY SECTION (Amending Order 1578, filed 5/17/78)

WAC 16-400-020 LOOSE APPLES AND/OR PEARS. (In bulk for processing.)

(1) \$1.50 per ton net weight or fraction thereof.
(2) The charge for a mixture of packed and loose apples and pears, shall be based on the total of packed and loose apples and pears under WAC 16-400-010 and 16-400-020.

NEW SECTION

WAC 16-400-025 LOOSE STONE FRUIT AND GRAPES. (In bulk for processing.)

\$2.00 per net ton weight or fraction thereof.

WSR 78-11-082
PROPOSED RULES
UTILITIES AND TRANSPORTATION
COMMISSION
[Filed November 1, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington Utilities and Transportation Commission intends to adopt, amend, or repeal rules concerning the amending of WAC 480-12-180 and 480-12-195 relating to motor carrier safety and the repealing of WAC 480-12-190 relating to motor carrier drivers' hours of service. Written and/or oral submissions may also contain data, views, and arguments concerning the effect of the amendments and repealer on economic values, pursuant to chapter 43.21H RCW and WAC 480-08-050(17);

and that the adoption, amendment, or repeal of such rules will take place at 8:00 a.m., Wednesday, December 13, 1978, in the Commission's Conference Room, Seventh Floor, Highways-Licenses Building, Olympia, Washington.

The authority under which these rules are proposed is RCW 81.01.040[81.80.040], 81.80.211 and 81.80.290.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to December 8, 1978, and/or orally at 8:00 a.m., Wednesday, December 13, 1978, Commission's Conference Room, Seventh Floor, Highways-Licenses Building, Olympia, Washington.

Dated: 11/1/78
By: David Rees
Secretary

AMENDATORY SECTION (Amending Order R-5, filed 6/6/69)

WAC 480-12-180 EQUIPMENT-DRIVERS-SAFETY. In addition to other laws and regulations of this state, all motor vehicles operating under chapter 81.80 RCW shall comply with the following:

(1) ((Commercial Vehicle Trailer Couplings. Commercial vehicle-trailer coupling devices and towing methods shall be those prescribed in current Sections 193.70 and 193.71 of the Interstate Commerce Commission Revised Motor Carrier Safety Regulations which are hereby made a part of this regulation. (NOTE: Said regulations may be obtained from the U.S. Government Printing Office, Washington, D.C. at 30 cents per copy.)

(2) Electrical and Mechanical Turn Signals. Vehicles shall be equipped with, and required signal shall be given by, electrical or mechanical turn signals when the distance from the center of the top of the steering post to the left outside limit of the body cab or load exceeds 24 inches or when the distance from the center of the top of the steering post to the rear limit of the body or load thereof exceeds 14 feet. The latter measurement shall apply to any single vehicle, and also to any combination of vehicles.

The above described vehicles require the installation of Class A turn signals, which signals are divided into three types:

Type I signal units are electric lamps which indicate a change in direction by giving flashing warning lights on the side toward which the turn is made.

Type II signal units are electric lamps which indicate a change in direction by means of illuminated flashing arrow heads or other similar means on the side toward which the turn will be made.

Type III signal units include all types of illuminated semaphore signals.

Turn signals shall be of a type approved by the State Commission on Equipment:

INSTALLATION OF CLASS A, TYPES I AND II ELECTRIC TURN SIGNAL UNITS

Front turn signals: There shall be two turn signal units showing to the front. They shall be as widely spaced laterally as practicable and at the same level displaying a white or amber light. Front turn signals may be either single or double faced. If double faced units are used they shall display a white or amber light forward and amber or red to the rear. The location of the front signal units shall be such that they can be clearly distinguished when the head lamps are lighted on the lower beam.

Rear turn signals: There shall be two turn signal units on the rear of the motor vehicle or on the rear of the rearmost vehicle, showing to the rear. They shall be as widely spaced laterally as practicable and at the same level displaying an amber or red light to the rear.

Truck tractors operated alone, with or without log trailers loaded thereon, will comply with these requirements when dual or double faced signals are installed on the rear vision mirror bracket so as to be seen from both the front and the rear.

Turn signal units and/or their brackets may extend beyond the extreme left or right of the body despite the fact that this results in a

width in excess of 8 feet, but they are not to extend more than two inches on either side beyond the 8-foot limit.

Class A, Types I and II electric turn signals shall be visible from a distance of not less than 100 feet to the front and rear of the vehicle in normal sunlight.

#### INSTALLATION OF CLASS A, TYPE III TURN SIGNAL UNITS

The self-illuminated mechanical semaphore arm, if used, shall be installed on the left side of the cab and, when extended, the full length of the arm shall be visible from the front and rear of the motor vehicle or combination of vehicles from a distance of 100 feet.

(3) Vehicle Tire Chains. It shall be unlawful to operate a vehicle when, because of a hazardous condition existing on a given highway, the use thereof has been restricted by order of the State Highway Commission as indicated by traffic control signs marked "Chains Required On All Vehicles," unless such vehicle shall be properly equipped with tire chains of a type approved by the State Commission on Equipment.

Each tire chain shall have at least two side chains, to which are attached sufficient cross chains of hardened metal so that at least one cross chain is in contact with the road surface at all times which, when required, shall be placed on the tires of the drive wheels of vehicles while traversing public highways. PROVIDED, That on vehicles equipped with dual tire drive wheels, individual metal chains of hardened metal may be used on the outside drive wheels, provided a minimum of four such chains equally spaced are used on each such wheel.) Adoption of United States department of transportation motor carrier safety regulations. The rules and regulations governing motor carrier safety prescribed by the United States department of transportation in Title 49, Code of Federal Regulations, part 392, excluding section 392.2 and paragraph (c) of section 392.1; part 393, excluding paragraph (b) of section 393.1; part 395; part 396, excluding paragraph (b) of section 396.1; part 397, excluding section 397.21 and paragraph (c) of section 397.1; as well as and including all appendices and amendments thereto in effect on the effective date of this rule, are adopted and prescribed by the commission to be observed by all common, contract, and registered carriers operating under chapter 81.80 RCW.

(2) Whenever the designations "director, bureau of motor carrier safety," "director, regional motor carrier safety office," "regional highway administrator," and "federal highway administration" are used in the respective parts of Title 49, Code of Federal Regulations, as described in subsection (1) of this section, such designations for the purpose of this rule shall mean the "Washington utilities and transportation commission."

((4)) (3) Safety Chains Or Other Load Fastening Devices. ((All motor trucks, with or without trailers, hauling logs or other loads where binder devices are required, shall have the loads thereon securely fastened and protected by one of the following methods, in addition to patent stakes or chock blocks:

(a) Two safety chains, one at each end or each bunk of load. Such safety chains shall not be less than three-eighths inch diameter high test steel.

(b) Two steel cables, one at each end or each bunk of load. Steel cables shall not be less than one-half inch in diameter.

(c) Two steel strappings, one at each end or bunk of load. Steel strapping shall not be less than two inches by fifty one-thousandths inches in dimension.

All load binders shall be sufficiently strong to withstand all possible strains, and shall be used in accordance with the Safety Standards for Logging Operations prescribed by the Department of Labor and Industries of the State of Washington.) Any motor truck, truck tractor, trailer, semitrailer, or any combination thereof, transporting logs upon a public highway where binder devices are required, shall have the load thereon securely fastened and protected as follows:

(a) Placement and number of wrappers required on log trucks using stakes.

(i) In the hauling of one log loads, one wrapper chain or cable shall be required and it shall be secured to the rear bunk and the log shall be properly blocked or secured in a manner which will prevent it from rolling or shifting. An additional wrapper, secured to the front bunk, is optional.

(ii) In the hauling of two log loads, not less than two wrapper chains or cables shall be used to secure the load. The logs shall be properly blocked to prevent them from rolling or shifting.

(iii) On loads consisting of three or four logs not over forty-four feet in length, the load shall be secured by not less than two properly spaced wrapper chains or cables. Ends of short logs not secured by such wrappers shall be secured with extra wrappers. If any log is over forty-four feet in length, the load shall be secured by not less than three properly spaced wrappers.

(iv) Loads consisting of five or more logs, when the logs are all seven feet or less in length, shall be secured by not less than two properly spaced wrappers. Loads consisting of five or more logs, when any log is over seventeen feet in length, shall be secured by not less than three properly spaced wrappers.

(b) Placement and number of wrappers required on log trucks using chock blocks.

(i) In the hauling of one log load, one wrapper chain or cable shall be required and secured to the rear bunk and the log shall be properly blocked in a manner to prevent it from rolling or shifting.

(ii) One additional wrapper chain or cable shall be required on log trucks using chock blocks over and above the requirements in subparagraphs (a) (iii) and (iv) of this subsection.

(c) Placement and number of wrappers required on crosswise loaded trucks, trailers, etc. In the case of short logs loaded crosswise, the following method of securing the load shall be used if the truck trailer is not provided with solid ends of a height sufficient to prevent any log in the load from rolling off: Not less than two chock blocks shall be used at each open end of the vehicle and the load shall be held with at least two wrapper chains or cables. The wrappers shall be firmly attached to the end of the truck or trailer. Rigid standards or stakes may be used in lieu of chock blocks but each such standard or stake shall be either rigidly connected to the bed of the truck or trailer or shall be placed in a tight fitting socket at least twelve inches in depth. Other means furnishing equivalent security may be acceptable.

(d) Wrapper placement. When two wrappers are required, they shall be applied within six feet of the front and rear bunks. When more than two wrappers are required, the front and back binder shall be applied within six feet of the front and rear bunks.

(e) Short logs. To properly secure short logs, binders shall be placed near the end, not less than twelve inches from the end of the log.

(f) Log on top or in outside saddle. No log loaded on top or in outside saddles of a load shall be transported unless secured by not less than two wrapper chains or cables, one of which shall be placed near each end of such log.

(g) Fasten in place. All wrappers and binders shall be fastened in place prior to tightening to prevent the displacement of logs on the top of the load.

(h) Surround load. All wrapper chains or cables, except in the case of one log loads, shall entirely surround the load. This does not apply to gut-wrappers.

(i) Gut-wrappers. Gut-wrappers, when used, shall be adjusted so as to be tightened by, but not carry the weight of the logs above them.

(j) Wrappers and binders to be placed before leaving immediate loading area. Wrappers and binders shall be placed and tightened around the completed load before the truck leaves the immediate loading area.

(k) Construction of wrappers and binders. Wrapper chains or cables, binders, fasteners, or attachments thereof, used for any purpose as required by these standards, shall have a minimum breaking strength of not less than fifteen thousand pounds and shall be rigged so that it can be safely released.

(l) Bundle straps or banding. For the purposes of this standard, applied bundle straps or banding are not acceptable as wrappers and binders.

(m) Loose ends secured. All loose ends of wrapper chains or cables shall be securely fastened so as to prevent their swinging free in a manner that will create a hazard.

(n) Trucks in sorting yards. Trucks and trailers used around sorting yards, etc., which travel at slow speeds, will not be required to use wrappers providing all logs are contained by and lie below the height of the stakes and there are no persons on the ground exposed to such traffic.

(o) Binder hook design. Binders for securing wrappers on logging trucks shall be fitted with hooks of proper size and design for the wrapper chain being used.

(p) Defective wrappers. Wrappers shall be removed from service when any of the following conditions exist:

- (i) Excessively worn links on chains;
- (ii) Deformed or stretched chain links;
- (iii) Cracked chain links;

(iv) Frayed, stranded, knotted, or otherwise defective wire rope.

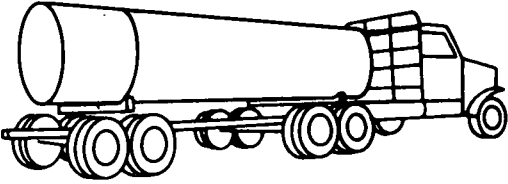
(q) Binder extensions. Pipe extension handles (swedes) for tightening or securing binders shall be limited to not longer than thirty-six inches. Care shall be taken that a sufficient amount of the pipe extends over the binder handle.

(r) Defective binders. Defective binders shall be immediately removed from service.

NOTE: See the following Diagrams I and II for illustrations of placement and number of load fastening devices.

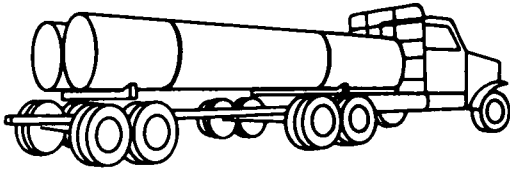
PLACEMENT AND NUMBER OF WRAPPERS

One log load



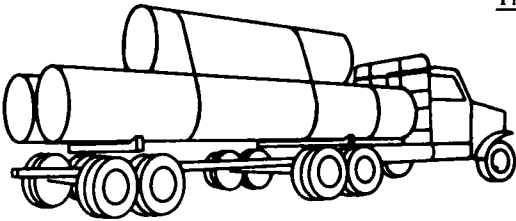
One wrapper required which shall be secured to the rear bunk. Log shall be blocked or secured in a manner to prevent it from rolling or shifting. A second wrapper secured to the front bunk is optional.

Two log load



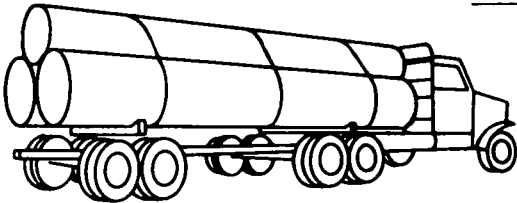
A minimum of two wrappers required. Logs shall be blocked to prevent them from rolling or shifting.

Three or four log load forty-four feet or less



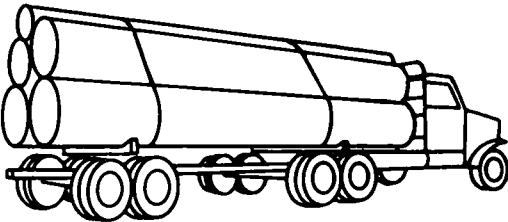
A minimum of two wrappers required.

Three or four log loads more than forty-four feet



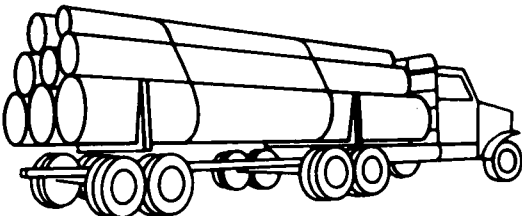
A minimum of three wrappers required.

Five or six log load  
all logs seventeen feet or less



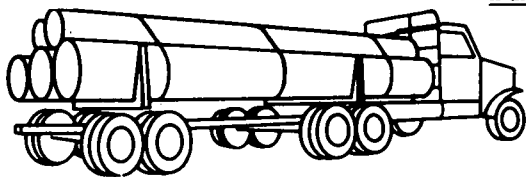
A minimum of two wrappers required.

Seven or more log load  
all logs seventeen feet or less



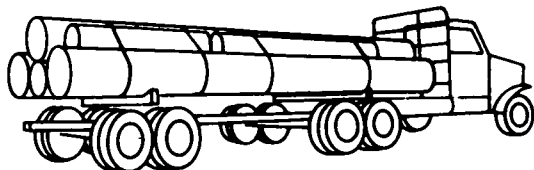
A minimum of two wrappers required.

Five or more log load  
if any logs are more than seventeen feet



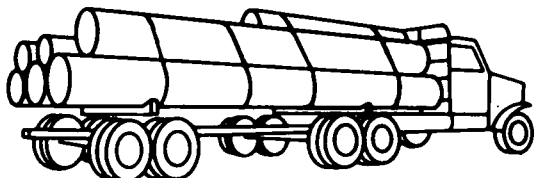
A minimum of three wrappers required.

Outside logs or top logs



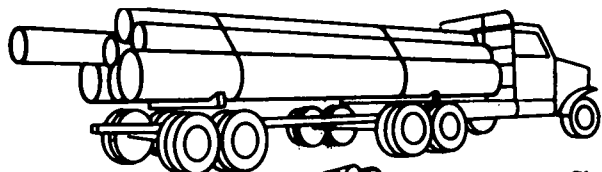
All outside or top logs shall be secured by a binder near but not within 12 inches of each end.

A wrapper shall be near each bunk



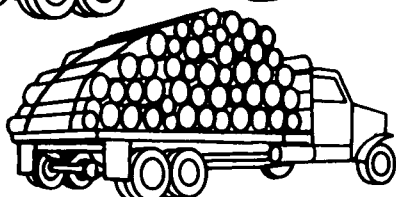
Each load shall be secured by having a wrapper within 6 feet of each bunk except on one log loads.

Proper support for logs



Not more than approximately one-third the weight of any log shall extend beyond the end of the logs or bunk supporting it.

Short logs loaded crosswise



A minimum of two wrappers are required and two chocks or stakes shall be used on the open end of the truck.

NOTE: All loads of logs on logging trucks equipped with chock blocks instead of stakes, shall have at least one additional wrapper over and above the requirements for trucks equipped with stakes, excepting on one and two log loads and trucks with short logs loaded crosswise.

(4) Approved load fastening devices. The following binder devices are hereby approved for purposes of transporting logs as referred to in subsection (3) of this section, provided that they meet a breaking strength of at least fifteen thousand pounds:

- (a) Three-eighths inch high-test steel chain;
- (b) One-half inch diameter steel cable; and
- (c) Steel strapping not less than two inches by fifty one-thousandths inches in dimension.

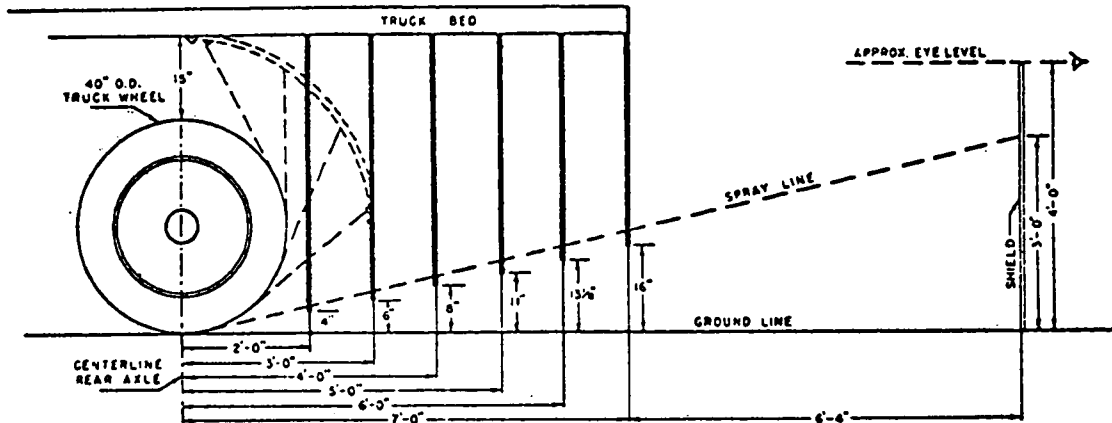


(5) Anti-Spray Devices. Every vehicle shall be equipped with a device adequate to effectively reduce the wheel spray or splash of water from the roadway to the rear thereof. The following chart contains the standards for such devices:

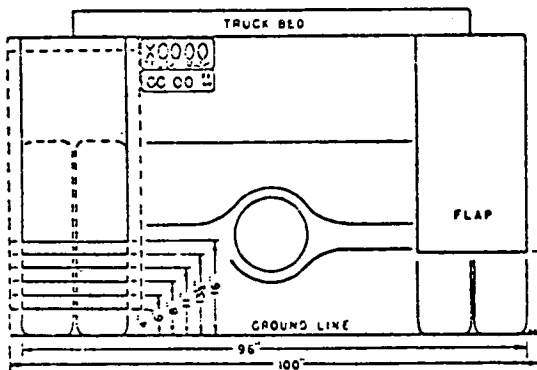
Washington Utilities & Transportation Commission  
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### VEHICLE ANTI-SPRAY DEVICE CHART



- DIAGRAM FOR WATER EFFECT AT 30 MILES PER HOUR -  
PERIMETER SPEED OF TIRE AT 30 MILES PER HOUR EQUALS 44 FEET PER SECOND. SPEEDS BELOW 30 MILES PER HOUR WILL THROW A LESSER DISTANCE TO THE REAR BUT AT THE SAME ANGLE. SPEEDS GREATER THAN 30 MILES PER HOUR WILL THROW A GREATER DISTANCE TO THE REAR BUT AT THE SAME ANGLE. FLAPS OF SUFFICIENT WIDTH AND LENGTH, PROPERLY LOCATED, WILL ACCOMPLISH THE PURPOSE FOR WHICH THEY ARE INTENDED.



- SPECIFICATIONS -

- (A) ALL DEVICES MUST BE AS WIDE AS TIRE OR TIRES.
- (B) IF BODY WIDTH IS LESS THAN TIRES AND OR DISTANCE FROM TOP OF TIRE TO LOAD OR BODY EXCEEDS 15 INCHES, DEVICE MUST EXTEND FORWARD TO THE CENTERLINE OF REAR AXLE.
- (C) DEVICE MUST BE OF SUCH MATERIAL SO AS NOT TO BE MATERIALLY AFFECTED BY WIND.
- (D) DEVICE MAY BE OF CURVED DESIGN IF DESIRED.
- (E) ALL MEASUREMENTS INDICATED ARE MAXIMUM.
- (F) DEVICE NOT REQUIRED WHERE BODY OR LOAD OVERHANG EXCEEDS 13 FEET 4 INCHES.
- (G) REAR AXLE ONLY, OF COMBINATIONS, REQUIRED TO BE EQUIPPED WITH DEVICE WHEN OPERATING IN COMBINATION.
- (H) MAXIMUM WIDTH OUTSIDE OF TIRES 96 INCHES.
- (I) MAXIMUM WIDTH, OUTSIDE TO OUTSIDE, OF PROTECTIVE FLAP 100 INCHES.

((6) Vehicle Lighting. Every vehicle shall be equipped with lights and other devices as specified on the following chart or in statutory references specified on the chart:

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Washington Utilities & Transportation Commission  
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### VEHICLE LIGHTING CHART

(Drawn in accordance with RCW Chapters 46.37 & 46.60)

**LAMPS AND EQUIPMENT REQUIRED ON ALL VEHICLES**

Note: B, C, D & E shall be identical on both truck and trailer.

- A. 2 HEAD LAMPS (RCW Sections 46.37.040 & 46.37.220 to 46.37.240 Inclusive)
- B. 2 TAIL LAMPS (RCW Section 46.37.050)
- C. 1 STOP LAMP (RCW Sections 46.37.200 & 46.60.120)
- D. 1 LICENSE PLATE LAMP - May be combined with tail lamp. (RCW Section 46.37.050)
- E. 2 RED REFLECTORS - One on each side of rear. (RCW Section 46.37.080)

**OPTIONAL LIGHTS**

- F. 2 SPOT LAMPS (RCW Section 46.37.180)
- G. 2 AUXILIARY LAMPS (RCW Section 46.37.180)
- H. 2 COWL LIGHTS OR 2 FENDER LIGHTS (RCW Section 46.37.210)
- I. 2 RUNNING BOARD LIGHTS - One on each side. (RCW Section 46.37.210)
- J. BACKUP LAMP (RCW Section 46.37.210)

**ADDITIONAL LIGHTS REQUIRED ON CERTAIN VEHICLES:**

**M.B.L.** ALL VEHICLES OR COMBINATION OF VEHICLES WHOSE BODY, CAB OR LOAD EXTENDS 24" OR MORE TO THE LEFT OF THE STEERING POST, OR THE LENGTH OF WHICH IS IN EXCESS OF 14' FROM THE TOP OF THE STEERING POST TO THE REAR LIMIT OF THE BODY OR LOAD, SHALL BE EQUIPPED WITH SELF-ILLUMINATED MECHANICAL OR ELECTRICAL SIGNAL DEVICES (RCW Sections 46.37.220 & 46.60.120)

ALL VEHICLES MANUFACTURED OR ASSEMBLED AFTER JANUARY 1, 1954, SHALL BE EQUIPPED WITH SELF-ILLUMINATED MECHANICAL TURN SIGNALS OR ELECTRICAL SELF-CANCELLING TURN SIGNALS OF A TYPE APPROVED BY THE COMMISSION ON EQUIPMENT. PROVIDED, TURN SIGNALS REQUIRED ON COMBINATIONS OF VEHICLES SHALL NOT BE SELF-CANCELLING. (RCW Section 46.37.200)

- M. 1 LIGHT OR LANTERN VISIBLE FROM THE SIDES AND REAR FOR A DISTANCE OF 500' REQUIRED FOR OVERHANGING LOADS OF MORE THAN 4'. (RCW Section 46.37.440)

**ADDITIONAL LIGHTS AND EQUIPMENT REQUIRED ON VEHICLES OVER 80" WIDE:**

- N. 2 CLEARANCE LAMPS ON THE FRONT-ONE AT EACH SIDE ON PERMANENT STRUCTURE AT HIGHEST AND WIDEST POINT, AND 2 CLEARANCE LAMPS ON THE REAR-ONE AT EACH SIDE ON PERMANENT STRUCTURE AT HIGHEST AND WIDEST POINT. (RCW Section 46.37.080)
- P. 2 SIDE MARKER LAMPS AT OR NEAR THE FRONT, AND 2 SIDE MARKER LAMPS AT OR NEAR THE REAR. (RCW Section 46.37.080)
- Note: Clearance lamps and side marker lights may be mounted in combination provided illumination is as set forth required by both. (RCW Section 46.37.090)
- R. 2 CLEARANCE LAMPS ON EVERY TRUCK-TRACTOR MOUNTED ON EACH SIDE OF CAB TOP. (RCW Section 46.37.080)
- S. 3 IN LINE IDENTIFICATION (AS INDICATED IN DRAWING) PERMITTED. (RCW Section 46.37.100)
- T. 2 AMBER SIDE MARKER REFLECTORS, ONE ON EACH SIDE AT OR NEAR THE FRONT, AND 2 RED SIDE MARKER REFLECTORS, ONE ON EACH SIDE AT OR NEAR THE REAR. (RCW Section 46.37.080)
- 3 ELECTRIC OR 3 LIQUID BURNING FUSES OR 3 PORTABLE REFLECTOR UNITS, ALSO 2 RED FLAGS ON ALL TRUCKS AND TRUCK-TRACTORS. (RCW Section 46.37.440)
- Note: Flame producing flares, fuses or signals not permitted on trucks transporting explosives or flammables. (RCW Section 46.37.440)

ALL LIGHTING EQUIPMENT SOLD OR USED MUST BE APPROVED BY THE STATE COMMISSION ON EQUIPMENT  
(RCW Sections 46.37.320 & 46.37.330)

(7) Additional Safety Devices. Every vehicle shall be equipped with the devices specified in the following list, and such devices shall be maintained and operated in accordance with the statutory references relating thereto:

- (a) Steering mechanism - must be free of defects.
- (b) Windshield - RCW 46.37.410 and 46.37.430.
- (c) Windshield wipers - RCW 46.37.410.
- (d) Rear vision mirror - RCW 46.37.400.
- (e) Brake systems - RCW 46.37.340 - 46.37.365 (inclusive).
- (f) Horn - RCW 46.37.380.
- (g) Wheel lugs, studs - Sec. 4.0.6 Order M. Commission on Equipment.
- (h) Wheels - Sec. 4.0.6 Order M. Commission on Equipment.
- (i) Fire Extinguishers - RCW 46.37.460.
- (j) Exhaust - RCW 46.37.390.
- (k) The foregoing list is not intended to relieve carriers of other safety requirements specified in State laws or regulations.
- (8) Interstate Commerce Commission Rules. Generally speaking, the Washington State safety laws and these rules are compatible with similar Interstate Commerce Commission (ICC) laws and rules although the latter are more detailed and extensive. Therefore, interstate carriers who comply with ICC regulations will also be deemed in compliance with the safety rules and regulations of this State. However, carriers which are not in compliance with ICC regulations and, in particular, carriers which engage strictly in intrastate commerce are

advised to examine and to comply with existing State laws as well as with all State regulations relating to safety of operations:))

**AMENDATORY SECTION (Amending Order R-15, filed 2/3/70)**

WAC 480-12-195 ((SAFETY REGULATIONS OF U.S.))  
**UNITED STATES DEPARTMENT OF TRANSPORTATION HAZARDOUS MATERIALS REGULATIONS.** (1) ((All interstate carriers operating on highways of the State of Washington are subject to all Federal Department of Transportation (DOT) safety regulations.

(2) Carriers operating strictly in intrastate commerce only on highways of this state are subject to and must comply with all safety rules of the Washington Utilities and Transportation Commission.

**EXCEPTION:** Such strictly intrastate carriers operating on Washington State Highways with respect to the transportation of explosives and other dangerous articles are subject to the Department of Transportation rules governing the transportation of these commodities.

(NOTE: Such rules are published in American Trucking Association's Dangerous Articles Tariff No. 14 which may be obtained at a cost of \$8.75 from American Trucking Association, Inc., 1616 P. Street, N.W., Washington, D.C. 20036. Prices subject to change without notice.)) All carriers operating under chapter 81.80 RCW, and all interstate carriers operating within this state, shall comply with the regulations governing the transportation of hazardous materials by

motor vehicle prescribed by the United States department of transportation in Title 49, Code of Federal Regulations, parts 106 to 189, as now or hereafter amended.

(2) Pursuant to an agreement with the United States, the Washington utilities and transportation commission has authority to enforce the regulations designated in subsection (1) of this section.

#### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 480-12-190 HOURS OF SERVICE—ON DUTY.

**WSR 78-11-083**  
**PROPOSED RULES**  
**GAMBLING COMMISSION**  
[Filed November 1, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Gambling Commission intends to adopt, amend, or repeal rules concerning the licensing and regulation of gambling activities. (Copy of the proposed rules are attached hereto; however, changes may be made at the public hearing);

that such agency will at 10 a.m., Friday, December 8, 1978, in the Council Chambers, City Hall, 8th and Plum, Olympia, WA, conduct a hearing relative thereto; and that the adoption, amendment, or repeal of such rules will take place at 10 a.m., Friday, December 8, 1978, in the Council Chambers, City Hall, 8th and Plum, Olympia, WA.

The authority under which these rules are proposed is chapter 9.46 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to December 8, 1978, and/or orally at 10 a.m., Friday, December 8, 1978, Council Chambers, City Hall, 8th and Plum, Olympia, WA.

Dated: November 1, 1978

By: Jeffrey O. C. Lane  
Assistant Attorney General

#### AMENDATORY SECTION (Amending Order 5, filed 12-19-73)

WAC 230-02-270 PUNCH BOARD DEFINED. A "punch board" is (1) a board or device containing a number of holes or receptacles of uniform size in which are placed mechanically and at random serially numbered slips of paper or other substance which may be punched or drawn from said hole or receptacle by any person desiring to do so, and which the public, upon payment of a consideration, may punch or draw such numbered slips of paper or other substance from such hole or receptacle and obtain an award if the number drawn corresponds to a winning number(;;); or

(2) A coin-activated electronic device which (a) visually displays on a screen a simulated conventional punchboard subdivided into a number of blocks; (b) upon which a player may select a block and; (c) which visually displays upon selection a number which is a random number selection based on a computer subroutine and; (d) dispenses a serially numbered ticket or other tangible record upon selection of a winner.

[This rule is promulgated pursuant to RCW 9.46.020(18) and is intended to administratively implement that statute. See also, RCW 9.46.070(10) and (13).]

**Reviser's Note:** The brackets and enclosed material following the text of the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

#### AMENDATORY SECTION (Amending Order #85, filed 5-25-78)

WAC 230-04-200 LICENSE FEES. The following fees shall be paid to the commission for licenses, and permits, issued by the commission. For the operation of:

- (1) BINGO
  - (a) Class A - five hundred dollars or less annual net receipts - \$20.
  - (b) Class B - over five hundred dollars through five thousand dollars annual net receipts - \$50.
  - (c) Class C - over five thousand dollars through fifteen thousand dollars annual net receipts - \$250.
  - (d) Class D - over fifteen thousand dollars through twenty-five thousand dollars annual net receipts - \$350.
  - (e) Class E - over twenty-five thousand dollars through fifty thousand dollars annual net receipts - \$750.
  - (f) Class F - over fifty thousand dollars through one hundred thousand dollars annual net receipts - \$1500.
  - (g) Class G - over one hundred thousand dollars through five hundred thousand dollars annual net receipts - \$3000.
  - (h) Class H - over five hundred thousand dollars annual net receipts - \$10,000.
- (2) RAFFLES
  - (a) Class C - five hundred dollars or less annual net receipts - \$20.
  - (b) Class D - over five hundred dollars, but not over five thousand dollars, annual net receipts - \$50.
  - (c) Class E - over five thousand dollars through fifteen thousand dollars annual net receipts - \$250.
  - (d) Class F - over fifteen thousand dollars annual net receipts - \$350.
- (3) AMUSEMENT GAMES - by bona fide charitable or bona fide nonprofit organizations.
  - (a) Class A - five hundred dollars or less annual net receipts - \$20.
  - (b) Class B - over five hundred dollars through one thousand dollars annual net receipts - \$25.
  - (c) Class C - over one thousand dollars through five thousand dollars annual net receipts - \$50.
  - (d) Class D - over five thousand dollars through fifteen thousand dollars annual net receipts - \$150.
  - (e) Class E - over fifteen thousand dollars annual net receipts - \$350.
- (4) FUND RAISING EVENT AS DEFINED IN RCW 9.46.020 - by bona fide charitable or bona fide nonprofit organizations.
  - (a) Class A - one calendar day - not to exceed five thousand dollars annual net receipts - ((\$50)) [\_\_\_\_\_].
  - (b) Class B - more than one calendar day not to exceed three consecutive days, once each calendar year - not to exceed five thousand dollars annual net receipts - ((\$100)) [\_\_\_\_\_].
- (5) SPECIAL LOCATION AMUSEMENT GAMES - other than bona fide charitable or bona fide nonprofit organizations.
  - (a) Class A - one event per year lasting no more than 12 consecutive days - \$100.
  - (b) Class B - twenty-five thousand dollars or less annual net receipts - \$250.
  - (c) Class C - over twenty-five thousand dollars through one hundred thousand dollars annual net receipts - \$750.
  - (d) Class D - over one hundred thousand dollars through five hundred thousand dollars annual net receipts - \$1500.
  - (e) Class E - over five hundred thousand dollars annual net receipts - \$3000.
- (6) CARD GAMES - bona fide charitable and nonprofit organizations.
  - (a) Class A - general (fee to play charged) - \$250.
  - (b) Class B - limited card games - to hearts, rummy, pitch, pinochle, coon-can and/or cribbage (fee to play charged) - \$100.
  - (c) Class C - tournament only (no more than ten consecutive days) per tournament - \$35.
  - (d) Class D - general (no fee is charged a player to play cards) - \$35.
  - (7) CARD GAMES - commercial stimulant - each licensee per premises.
    - (a) Class A - general - up to three tables - \$250.
    - (b) Class B - limited card games to hearts, rummy, pitch, pinochle, coon-can and/or cribbage (fee to play charged) - \$100.
    - (c) Class C - tournament only (no more than ten consecutive days) - per tournament - \$35.
    - (d) Class D - general (no fee is charged a player to play cards) - \$35.
    - (e) Class E - general - up to five tables - \$500.

- (8) PUBLIC CARD ROOM EMPLOYEE – each licensee – \$100.  
 (9) PERMITS – for operation by persons of authorized activity at agricultural fair or special property.  
 (a) Class A – one location and event only – \$10.  
 (b) Class B – annual permit for specified different events and locations – \$100.  
 (10) PUNCHBOARDS AND PULL TABS – each licensee, per premises – \$300.  
 (11) Manufacturer license – \$1250.  
 (12) Distributor license – \$1000.  
 (13) Distributor's representative license – \$100.  
 (14) Manufacturer's representative license – \$100.  
 The term annual net receipts as used above means net receipts from the activity licensed only, during the license year.

[This rule is promulgated pursuant to RCW 9.46.070(5) and is intended to administratively implement that statute.]

**Reviser's Note:** The brackets and enclosed material following the text of the above section occurred in the copy filed by the agency and appear herein 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 herein pursuant to the requirements of RCW 34.08.040.

#### AMENDATORY SECTION (Amending Order 72, filed 7-26-77)

**WAC 230-08-170 PUNCHBOARD AND PULL TAB RETENTION.** Each punchboard which is removed from operation for any reason, except for surrender to the commission, shall be retained by the operator for at least six months following the last day of operation of said board and the board so removed with the prize flare attached thereto, shall remain available for inspection by the commission or its agents and local law enforcement agencies. With respect to pull tab series, when removed from operation for any reason, except for surrender to the commission, the prize display flare for that pull tab series containing the gambling commission identification stamp, together with the unused pull tabs in that series, shall be retained by the operator for at least six months following the last day of operation of said pull tab series and remain available for inspection by the commission or its agents and local law enforcement and taxing agencies. In the case of a coin-activated electronic punchboard each winning ticket or other tangible record of selection of a winner shall be retained by the licensee. The commission may impound, store or otherwise retain any meter or other component of the coin operated electronic punchboard for any purpose authorized by law.

[This rule is promulgated pursuant to RCW 9.46.070(7) and (8) and is intended to administratively implement those statutes.]

**Reviser's Note:** The brackets and enclosed material following the text of the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

#### NEW SECTION

**WAC 230-25-120 LIMITS UPON AMOUNT FOR RENT, LEASE OR SIMILAR PAYMENTS FOR FUND RAISING EVENTS.** No licensee shall expend for rent or lease (or similar arrangements) of premises in which to hold a fund raising event, or for any equipment or service in connection with the fund raising event, an amount that exceeds the local prevailing or market price for such premises, equipment or service.

Maximum rental limits shall be:

- (1) For licensees to conduct an event for twenty-four hours or less (class A):  
 (a) Not more than [\$200] for premises in which to conduct the event;  
 (b) Not more than [\$500] for gaming equipment to conduct the event, including delivery, schooling in its use, cards, dice, cash boxes, shoes, chips and other accessories needed to conduct the event;  
 (c) Not more than [\$650] for items in (a) and (b) together.  
 (2) For licensees to conduct an event for seventy-two consecutive hours or less but more than twenty-four hours (class B):  
 (a) Not more than [\$200] for each twenty-four hour period for premises in which to conduct the event;  
 (b) Not more than [\$750] for gaming equipment to conduct the event, including delivery, schooling in its use, cards, dice, cash boxes, shoes, chips and other accessories needed to conduct the event;  
 (c) Not more than [\$900] for items in (a) and (b) together.

Payments by the licensee for any other items which are required by a person renting or leasing either premises or gambling equipment, or both, to the licensee either directly or indirectly as a condition of renting or leasing such premises or equipment shall be included when applying these maximum limits.

The above limits shall not apply to expenditures by the licensee for purchases outright, or construction of, gambling equipment, nor shall they include amounts for police and fire protection paid to bona fide governmental or quasi-governmental agencies.

[This rule is promulgated pursuant to RCW 9.46.070(15) and is intended to administratively implement that statute.]

**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 herein pursuant to the requirements of RCW 34.08.040.

**Reviser's Note:** The typographical errors in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

#### NEW SECTION [ALTERNATE]

**WAC 230-25-120 LIMITS UPON AMOUNT FOR RENT, LEASE OR SIMILAR PAYMENTS FOR FUND RAISING EVENTS.** No licensee shall expend for rent or lease (or similar arrangements) of premises in which to hold a fund raising event, or for any equipment for service in connection with the fund raising event, an amount that exceeds the local prevailing or market price for such premises, equipment or service.

Maximum rental limits shall be:

- (1) Premises and Other Goods or Services: Not more than two hundred dollars for all, or any portion, or any twenty-four hour period.

This maximum fee shall include in addition to the use of the premises themselves any and all goods or services of any kind furnished by the person renting the premises to the licensee, or furnished by anyone with a substantial interest in, or immediate family relationship with, that person: PROVIDED, That, the limit shall not include (a) fees for gambling equipment which are governed by the maximums set out in (2) below; or (b) charges for food or drink to the licensee or patrons of the fund raising event when the purchase of such food or drink is not, directly or indirectly, a condition of rental of the premises and the licensee may elect to bring in food and drink from an outside source.

- (2) Gambling Devices and Equipment: (a) Not more than three hundred and fifty dollars for all, or any portion of, the first twenty-four hour period for all gambling devices and related equipment to conduct the event, including, but not limited to, cards, dice, cash boxes, shoes, chips, delivery thereof and any schooling in its use.  
 (b) Not more than two hundred dollars for each succeeding twenty-four hour period, or any portion thereof, for the same kinds of items set out in (a) above.

- (3) Individual Gambling Station: (a) Not more than twenty-five dollars for all of the equipment needed to set up each single specific gambling station (such as a single roulette wheel station or a single twenty-one table station) for the first twenty-four hour period, or any portion thereof, including but not limited to, the equipment, delivery and schooling in its use, to an overall maximum for all items of \$350, as set out in (2)(a) above.  
 (b) Not more than fifteen dollars for each successive twenty-four hour period or any portion thereof, for the equipment needed to establish each single specific gambling station as set out in (a) above, to an overall maximum of \$200 as set out in (2)(b) above.

The limits in subsection (2) and (3) above shall not apply to expenditures by the licensee for purchases outright, or construction by the licensee of, gambling equipment.

[This rule is promulgated pursuant to RCW 9.46.070(15) and is intended to administratively implement that statute.]

**Reviser's Note:** The brackets and enclosed material following the text of the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

#### NEW SECTION

**WAC 230-25-265 FUND RAISING EVENT – REGULAR SALARY FOR FULL TIME EMPLOYEE NOT "COMPENSATION" FOR WORK ON FUND RAISING EVENT UNDER CERTAIN CONDITIONS.** The salary of a regular and full time employee of an organization licensed to conduct fund raising events shall

not be deemed "compensation" (as that term is used in RCW 9.46.020(23)) for work performed by the employee in connection with a fund raising event conducted by that organization when all of the following conditions are met:

(1) The position held by the employee has been created for purposes unrelated to the conduct of fund raising events and requires the performance of duties unrelated to fund raising events year around. The employee's contribution to fund raising events must be an incidental part of his or her total duties, consisting of less than 1% of total time worked for the organization; and

(2) The employee is paid on a recurring basis on a regular and established rate throughout the calendar year, unrelated to the income produced by any fund raising event; and

(3) The employee does not operate any gambling game or lottery at any fund raising event conducted by the organization but confines his or her services in connection with the event to assisting the organization's other members with the overall planning and organization of the event and with supervision of the supporting services for the event.

[This rule is promulgated pursuant to RCW 9.46.070(13) which directs that the Washington State Gambling Commission has authority to implement the provisions of chapter 9.46 RCW.]

**Reviser's Note:** The brackets and enclosed material following the text of the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

#### NEW SECTION

WAC 230-25-270 CERTAIN INCIDENTAL FUNCTIONS AT FUND RAISING EVENT NOT PART OF MANAGEMENT AND OPERATION OF EVENT. Persons who perform only the following incidental functions in connection with a fund raising event shall not be deemed to be participating in the "management or operation" of such an event for the purposes of that portion of RCW 9.46.020(23) requiring that persons participating in the management or operation of the event be members of the licensee organization:

(1) The serving of food and drink to participants in the event;

(2) The parking of cars;

(3) Acting as a police officer, [in uniform,] for the purposes of maintaining general crowd control and order at the event, or to detect persons cheating the participants or the house, when that person is a commissioned law enforcement officer with the power to make arrests in the jurisdiction in which the event is being held or is the employee of a commercial securities service firm licensed by the city, or county, in which the event is being conducted to provide such services;

(4) Providing janitorial functions.

(5) Persons whose participation is limited to supervising personnel carrying out the functions enumerated in (1), (2), (3) and (4).

PROVIDED, That the payment to persons to perform these functions does not exceed the local prevailing level of payment for a similar function at other than fund raising events.

[This rule is promulgated pursuant to RCW 9.46.070(13) which directs that the Washington State Gambling Commission has authority to implement the provisions of chapter 9.46 RCW.]

**Reviser's Note:** The brackets and enclosed material following the text of the above section occurred in the copy filed by the agency and appear herein 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 herein pursuant to the requirements of RCW 34.08.040.

**Reviser's Note:** The typographical errors in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

**WSR 78-11-084**  
**PROPOSED RULES**  
**DEPARTMENT OF ECOLOGY**  
[Filed November 1, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Ecology intends to adopt, amend, or repeal rules concerning the creating of chapter 173-490 WAC—Emission Standards and Controls For Sources Emitting Volatile Organic Compounds (VOC). The proposed rules establish registration requirements, control requirements, and compliance schedules for sources of volatile organic compounds. Emission controls are required for petroleum refineries, petroleum liquid storage, gasoline loading terminals on a statewide basis. Control requirements for bulk gasoline plants, gasoline dispensing facilities, surface coating, solvent metal cleaning and cutback asphalts apply within the ozone non-attainment areas. Review and approval required for all new sources;

that such agency will at 1:00 p.m., Tuesday, December 5, 1978, in the Spokane County Health Center Auditorium, West 1101 College, Spokane, WA, conduct a hearing relative thereto;

Also:

4:00 p.m., Thursday, December 7, 1978

Conference Room A, Balcony  
Food Circus Building  
Seattle Center  
Seattle, Washington

10:00 a.m., Monday, December 11, 1978

Department of Ecology  
Lacey, Washington;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Thursday, December 21, 1978, in the Hearings Room, Department of Ecology, Lacey, Washington.

The authority under which these rules are proposed is chapter 70.94 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to December 14, 1978, and/or orally at any of the above hearings.

Dated: 10/31/78

By: Elmer C. Vogel  
Deputy Director

Chapter 173-490 WAC  
**EMISSION STANDARDS AND CONTROLS FOR SOURCES  
EMITTING VOLATILE ORGANIC COMPOUNDS (VOC)**

#### NEW SECTION

WAC 173-490-010 PURPOSE. The purpose of this regulation is to establish control requirements for sources emitting volatile organic compounds.

#### NEW SECTION

WAC 173-490-020 DEFINITIONS. Unless a different meaning is indicated by context, the following words and phrases, as hereinafter used in this chapter, shall have the following meanings:

(1) "Bottom loading" means the filling of a tank through an opening that is flush with the tank bottom.

(2) "Bulk gasoline plant" means a gasoline storage and transfer facility that receives more than ninety percent of its annual gasoline throughput by transport tank, and reloads gasoline into transport tanks.

(3) "Closed refinery system" means a system that will process or dispose of those VOC collected from another system. The mass quantity of collected VOC emitted to the ambient air from the closed refinery system shall by comparison not exceed that required for a disposal system.

(4) "Cutback asphalt" means an asphalt that has been blended with petroleum distillates to reduce the viscosity for ease of handling and lower application temperature. An inverted emulsified asphalt shall be considered a cutback asphalt when the continuous phase of the emulsion is a cutback asphalt.

(5) "Demonstrate" means a presentation of the necessary data and calculations to support the required conclusion. The material is recorded for each event and made a part of air quality records or reports required by the state.

(6) "Disposal system" means a process or device that reduces the mass quantity of the VOC that would have been emitted to the ambient air by at least ninety percent prior to their actual emission.

(7) "Gasoline" means a petroleum distillate having a true vapor pressure greater than 200 mm of Hg (4 psia) at 20°C.

(8) "Gasoline dispensing facility" means any site dispensing gasoline into motor vehicle fuel tanks from stationary storage tanks.

(9) "Gasoline loading terminal" means a gasoline transfer facility that receives more than ten percent of its annual gasoline throughput solely or in combination by pipeline, ship or barge, and loads gasoline into transport tanks.

(10) "Petroleum refinery" means a facility engaged in producing gasoline, kerosene, distillate fuel oils, residual fuel oils, lubricants, or other products by distilling crude oils or redistilling, cracking, extracting or reforming unfinished petroleum derivatives.

(11) "Proper attachment points and fittings" means connecting hardware for the purpose and of a design, equal or better in function and quality, as that readily available from manufacturers specializing in such equipment and meeting the user-industry's practices, standards or specifications and the standards of other agencies or institutions responsible for safety.

(12) "Submerged fill pipe" means a pipe or tube for loading liquids into a tank, with a discharge opening entirely below the lowest normal operating drawoff level or that level determined by a liquid 15 cm deep in the lowest part of the tank.

(13) "Submerged loading" means the filling of a tank with a submerged fill pipe.

(14) "Suitable closure, cover" means a door, hatch, cover, lid, pipe cap, pipe blind, valve or similar device that prevents the accidental spilling or emitting of VOC. Pressure relief valves, aspirator vents or other devices specifically required for safety and fire protection are not included.

(15) "Transport tank" means a container with a capacity greater than 1000 liters (264 gallons) used for transport or shipment, including, but not limited to, tank trailer, railroad tank car, and metallic and nonmetallic tank or cell used on a flatbed truck or trailer.

(16) "True vapor pressure" means the equilibrium partial pressure of a petroleum liquid as determined with methods described in American Petroleum Institute Bulletin 2517, "Evaporation Loss from Floating Roof Tanks", 1962.

(17) "Volatile organic compound" means a hydrocarbon or derivative of hydrocarbon that has a vapor pressure greater than 0.1 mm of Hg (millimeters of mercury) at a temperature of 20°C and pressure of 760 mm of Hg.

#### NEW SECTION

**WAC 173-490-030 REGISTRATION AND REPORTING.** (1) The owner or operator of any stationary sources of volatile organic emissions covered by this chapter shall register the source with the department unless such registration is required by an air pollution control authority with jurisdiction over the source or unless the source is under the jurisdiction of the energy facility site evaluation council (EFSEC). Registration shall be in accordance with instructions received from the department or authority.

(2) The owner or operator of each stationary source of volatile organic compound emissions shall furnish, upon request of the department, such data as the department may require to calculate the emissions of the source and evaluate the emission control program. The

data shall be supplied in a form and according to instructions received from the department or local air pollution control authority. When required, the data shall be submitted not later than sixty days following the request.

(3) Any new source of volatile organic compound emission covered by this chapter shall register with the department or authority prior to operation of the new source, and shall submit sufficient information to demonstrate that the new source is capable of complying with the provisions of this chapter. An opportunity shall be provided for an inspection of the new source prior to its operation.

(4) All existing sources of VOC emissions in nonattainment areas covered by this chapter shall file registration notices by October 1, 1979.

(5) Sources located in other areas shall register by January 1, 1983.

(6) The sources of VOC emissions associated with paving applications of cutback asphalt are exempt from the registration and reporting requirements of this section. Reporting requirements on the uses of cutback asphalt are covered in WAC 173-490-060(8).

#### NEW SECTION

**WAC 173-490-040 STATE-WIDE REQUIREMENTS.** (1) Applicability. This section shall apply to all specified sources operating within the state of Washington.

(2) Petroleum refineries.

(a) These regulations shall apply to all petroleum refineries with a crude oil or feed stock capacity greater than 1,500,000 liters (9,000 bbl) per day.

(b) A petroleum refinery with a crude oil or feed stock capacity of 8,328,000 liters (50,000 bbl) per day or less and which is owned or controlled by a refiner with a total combined crude oil or feed stock capacity of 23,000,000 liters (137,500 bbl) per day or less shall be classified as a small refinery.

(c) Vacuum producing systems.

(i) Noncondensable VOC from vacuum producing systems shall be piped to an appropriate firebox, incinerator or to a closed refinery system.

(ii) Hot wells associated with contact condensers shall be tightly covered and the collected VOC introduced into a closed refinery system.

(d) Wastewater separators.

(i) Wastewater separator forebays shall incorporate a floating pontoon or fixed solid cover with all openings sealed totally enclosing the compartmented liquid contents, or a floating pontoon on a double deck-type cover equipped with closure seals between the cover edge and compartment wall.

(ii) Accesses for gauging and sampling shall be designed to minimize VOC emissions during actual use. All access points shall be closed with suitable covers when not in use.

(e) Process unit turnaround.

(i) The VOC contained in a process unit to be depressurized for turnaround shall be introduced to a closed refinery system, combusted by a flare, or vented to a disposal system.

(ii) The pressure in a process unit following depressurization for turnaround shall be less than 5 psig before venting to the ambient air.

(iii) Venting or depressurization to the ambient air of a process unit for turnaround at a pressure greater than 5 psig shall be allowed if the owner demonstrates the actual emission of VOC to the ambient air is less than permitted by subparagraph (e)(ii) of this subsection.

(f) Maintenance and operation of emission control equipment. Equipment for the reduction, collection or disposal of VOC shall be maintained and operated in a manner commensurate with the level of maintenance and housekeeping of the overall plant.

(3) Petroleum liquid storage.

(a) All tanks except as noted in subparagraph (d) of this subsection storing volatile organic petroleum liquids with a true vapor pressure greater than 78 mm of Hg (millimeters of mercury) (1.5 psi), but less than 570 mm of Hg (11.1 psi) and having a capacity greater than 150,000 liters (40,000 gallons) shall comply with one of the following:

(i) Meet the equipment specifications and maintenance requirements of the federal standards of performance for new stationary sources - Storage Vessels for Petroleum Liquids (40 CFR 60.110, as amended by proposed rule change, Federal Register, May 18, 1978).

(ii) Be retrofitted with a floating roof or internal floating cover using a nonmetallic resilient seal at least meeting the equipment specifications in the federal standards referred to in subparagraph (a)(i) of this subsection, or its equivalent.

(iii) Is fitted with a floating roof or internal floating cover meeting the manufacturer's equipment specifications in effect when it was installed.

(b) All seals used in subparagraphs (a)(ii) and (iii) are to be maintained in good operating condition and the seal fabric shall contain no visible holes, tears or other openings.

(c) All openings not related to safety are to be sealed with suitable closures.

(d) Tanks used for the storage of gasoline in bulk gasoline plants and equipped with vapor balance systems as required in WAC 173-490-060(2)(b) shall be exempt from the requirements of this subsection (3) Petroleum liquid storage).

(4) Gasoline loading terminals.

(a) These regulations shall apply to all gasoline loading terminals with a daily gasoline throughput greater than 76,000 liters (20,000 gallons).

(b) Loading facilities. All facilities for the purpose of loading gasoline into any transport tank shall be equipped with a vapor recovery system (VRS) as described in subparagraph (c) of this subsection, and comply with the following conditions:

(i) The VRS shall be properly installed, and maintained in good working condition at all times.

(ii) The VRS shall be connected to the transport tank being loaded and operating during the entire loading of every transport tank loaded at the facility.

(iii) The loading facility shall employ submerged loading or bottom loading for all transport tanks.

(iv) All loading lines shall be equipped with connectors that close automatically when disconnected.

(c) Vapor recovery system (VRS). The VRS shall be designed and built according to accepted industrial practices and meet the following conditions:

(i) The VRS shall prevent at least ninety percent by weight of the gasoline vapors displaced during loading of each transport tank from entering the ambient air and in no case shall the gasoline vapors emitted to the ambient air exceed 80 milligrams per liter of gasoline loaded.

(ii) All displaced vapors shall be vented only to the VRS.

(iii) The VRS shall be equipped with an interlock system to prevent the loading of gasoline when the VRS is not operating.

(iv) The back pressure in the VRS collection lines shall not exceed the transport tank's pressure relief settings.

(d) Alternative loading facility. The loading of transport tanks by other means and using other vapor control systems shall require the facility owner to demonstrate that the emission of gasoline vapors to the ambient air is less than 80 milligrams per liter of gasoline loaded.

**NEW SECTION**

**WAC 173-490-050 SCHEDULE OF CONTROL DATES.**

Sources that are subject to WAC 173-490-040 shall meet the following schedules:

(1) Petroleum refineries. Petroleum refineries shall be retrofitted to comply with this regulation in accordance with the following schedule:

	Small Refineries	Others
Notice of Construction	1/1/80	9/1/79
Contract Let	6/1/82	3/1/82
Commence Construction	9/1/82	6/1/82
Complete Construction	1/1/83	9/1/82
Final Compliance	6/1/83	1/1/83

(2) Petroleum liquid storage. Storage tanks shall be retrofitted to comply with this regulation in accordance with the following schedule:

Notice of Construction	9/1/79
Contract Let	3/1/81
Commence Construction	9/1/81
Complete Construction	12/1/81
Final Compliance	1/1/82

(3) Gasoline loading terminals. Gasoline loading terminals shall be retrofitted to comply with this regulation in accordance with the following schedule:

Notice of Construction	9/1/79
Contract Let	1/1/80

Commence Construction	3/1/80
Complete Construction	6/1/80
Final Compliance	7/1/80

**NEW SECTION**

**WAC 173-490-060 REQUIREMENTS FOR SOURCES IN NONATTAINMENT AREA.** (1) Applicability. This section shall apply to all specified sources operating within designated ozone nonattainment areas.

(2) Bulk gasoline plants.

(a) These regulations shall apply to all bulk gasoline plants with a daily gasoline throughput greater than 15,000 liters (4,000 gallons).

(b) Storage tanks. All tanks with a capacity greater than 2,000 liters (528 gallons) and used for the storage of gasoline shall comply with the following:

(i) Each tank shall be equipped with a submerged fill pipe or fill line whose discharge opening is flush with the bottom of the tank.

(ii) Each tank shall be equipped for vapor balancing of gasoline vapors with the transport tanks during both loading and unloading operations.

(iii) The gasoline and vapor line fittings on the storage tank side of break points with the transport tank connection pipe or hose shall be equipped to close automatically during planned or unintentional disconnect.

(iv) The pressure relief valves on storage tanks shall be set at the highest possible pressure consistent with local and state codes for fire and safety.

(c) Transport tanks. All transport tanks transferring gasoline with storage tanks shall comply with the following:

(i) The transport tank shall be equipped with all the proper attachment points and fittings to make leak proof, vapor tight connections for gasoline transfer and vapor balancing with the storage tanks.

(ii) The gasoline and vapor line fittings on the transport tank side of break points with the storage tank connection pipe or hose shall be equipped to close automatically during planned or unintentional disconnect.

(iii) The pressure relief valves on transport tanks shall be set at the highest possible pressure consistent with local and state codes for fire and safety.

(d) Gasoline transfer operations. No owner or operator of a bulk gasoline plant or transport tanks shall allow the transfer of gasoline between a transport tank and a storage tank except under the following conditions:

(i) Equipment shall be available at the bulk gasoline plant to provide for the submerged loading or bottom loading of each transport tank.

(ii) The vapor balance system shall be maintained in good working condition, connected, and operating during the entire gasoline transfer operation.

(iii) The transport tank hatches shall be closed at all times during gasoline transfer operations except during placement of the fill tube with top loading.

(iv) There shall be no leaks in the transport tank pressure/vacuum relief valves and hatch covers, the transport tank or storage tanks, or associated vapor and liquid lines during the entire transfer operation.

(e) Equipment or system failures. Failures or leaks in the vapor balance system shall be limited by the following conditions:

(i) During the months of June, July, August and September, failures of the vapor balance system to comply with these regulations shall require the discontinuation of gasoline transfer operations for the failed part of the system. Other transfer points that can continue to operate in compliance may be used.

(ii) The loading or unloading of the transfer tank connected to the failed part of the vapor balance system may be completed.

(iii) Breakdowns and upset conditions during all months of the year shall comply with the additional provisions of WAC 173-400-120(4).

(f) The owner or operator of a bulk gasoline plant or transport tank shall take all reasonable necessary measures to prevent the spilling, discarding in sewers, storing in open containers or handling of gasoline in a manner on the plant site that will result in evaporation to the ambient air.

(3) Gasoline dispensing facility (Stage I).

(a) These regulations shall apply to all gasoline dispensing facilities with a total annual gasoline output greater than 757,000 liters (200,000 gallons) and total gasoline storage capacity greater than 38,000 liters (10,000 gallons).

(b) Storage tanks. Tanks to be used for the storage of gasoline shall be equipped with submerged fill pipes and connections for vapor balancing with the delivery transport tank. Tanks covered by this regulation are defined below:

(i) All tanks with a capacity greater than 7500 liters (2,000 gallons) installed before January 1, 1979, except as provided for in subparagraph (c) of this subsection.

(ii) All tanks with a capacity greater than 1000 liters (260 gallons) installed on or after January 1, 1979.

(c) Gasoline storage tanks with offset fill lines shall be exempt from the requirements of subparagraph (b) of this subsection if installed prior to January 1, 1979.

(d) Vapor balance system. The vapor balance system shall (for the purpose of measuring compliance with the emission control efficiency) consist of the transport tank, gasoline transfer lines, storage tank, vapor balance lines and all tank vents. The vapor balance system shall comply with the following:

(i) The gasoline fill connector shall be of a vapor tight design.

(ii) The vapor control system shall prevent at least ninety percent of the displaced gasoline vapors from entering the ambient air.

(e) Gasoline transfer operations. The following conditions shall apply during the transfer of gasoline into storage tanks:

(i) The transport tank shall be maintained in a vapor tight condition during the entire gasoline transfer operation.

(4) Surface coating. The operation of a coating line using more than 2,000 gallons of coating a year or 10 gallons an hour shall not emit into the atmosphere volatile organic compounds in excess of the following amounts per volume of coating excluding water as delivered to the coating applicators.

Process	Limitation Grams/Liter	lb/Gal.
Can coating		
Sheet basecoat and overvarnish; two-piece can exterior	340	2.8
Two and three piece can interior body spray, two piece can exterior end	510	4.2
Side-seam spray	660	5.5
End sealing compound	440	3.7
Coil coating	310	2.6
Fabric coating	350	2.9
Vinyl coating	450	3.8
Paper coating	350	2.9
Auto and light duty truck coating		
Prime	230	1.9
Topcoat	340	2.8
Repair	580	4.8
Metal furniture coating	360	3.0
Magnet wire coating	200	1.7
Large appliance coating	340	2.8

(5) Cold cleaners.

(a) All cold cleaners shall comply with the following equipment specifications:

(i) Be equipped with a cover that is readily opened and closed.

(ii) Be equipped with a drain rack that returns the drained solvent to the solvent bath.

(iii) Have a freeboard ratio of at least 0.5.

(iv) Have a visible fill line.

(b) An owner or operator of a cold cleaner shall be responsible for following the required operating parameters and work practices. The owner shall post and maintain in the work area of each cold cleaner a pictograph or instructions clearly explaining the following work practices:

(i) The solvent level shall not be above the fill line.

(ii) The spraying of parts to be cleaned shall be performed only within the confines of the cold cleaner.

(iii) The cover of the cold cleaner shall be closed when not in use or when parts are being soaked or cleaned by solvent agitation.

(iv) Solvent-cleaned parts shall be rotated to drain cavities or blind holes and then set to drain until dripping has stopped.

(v) Waste solvent shall be stored in covered containers and returned to the supplier or a disposal firm handling solvents for final disposal.

(c) The owner or operator shall maintain cold cleaners in good working condition and free of solvent leaks.

(6) Open top vapor degreasers.

(a) All open top vapor degreasers with a vapor-air interface greater than one square meter (10 square feet) shall comply with the following equipment specifications:

(i) Be equipped with a cover that may be readily opened and closed. When a degreaser is equipped with a lip exhaust, the cover shall be located below the lip exhaust.

(ii) Have one of the following:

(A) A freeboard ratio equal to or greater than 0.75.

(B) A freeboard chiller.

(C) A closed design such that the cover opens only when the part enters or exits the degreaser.

(iii) Post a permanent and conspicuous pictograph or instructions clearly explaining the following work practices:

(A) Do not degrease porous or absorbent materials such as cloth, leather, wood or rope.

(B) The cover of the degreaser should be closed at all times except when processing workloads.

(C) When the cover is open the lip of the degreaser should not be exposed to steady drafts greater than 15.3 meters per minute (50 feet/min.).

(D) Rack parts so as to facilitate solvent drainage from the parts.

(E) Workloads should not occupy more than one-half of the vapor-air interface area.

(F) When using a powered hoist, the vertical speed of parts in and out of the vapor zone should be less than 3.35 meters per minute (11 feet/min.).

(G) The vapor level should not drop more than ten centimeters (four inches) when the workload enters the vapor zone.

(H) Degrease the workload in the vapor zone until condensation ceases.

(I) Spraying operations should be done within the vapor layer.

(J) Hold parts in the degreaser until visually dry.

(K) When equipped with a lip exhaust, the fan should be turned off when the cover is closed.

(L) The condenser water shall be turned on before the sump heater when starting up a cold vapor degreaser. The sump heater shall be turned off and the solvent vapor layer allowed to collapse before closing the condenser water when shutting down a hot vapor degreaser.

(M) Water shall not be visible in the solvent stream from the water separator.

(b) A routine inspection and maintenance program shall be implemented for the purpose of preventing and correcting solvent losses, as for example, from dripping drain taps, cracked gaskets, and malfunctioning equipment. Leaks must be repaired immediately.

(c) Sump drainage and transfer of hot or warm solvent shall be carried out using threaded or other leakproof couplings.

(d) Still and sump bottoms shall be kept in closed containers.

(7) Conveyorized degreasers.

(a) All conveyorized cold cleaners and conveyorized vapor degreasers shall comply with the following operating requirements:

(i) Exhaust ventilation should not exceed 20 cubic meters per minute of square meter (65 cfm per ft.<sup>2</sup>) of degreaser opening, unless necessary to meet OSHA requirements. Work place fans should not be used near the degreaser opening.

(ii) Post in the immediate work area a permanent and conspicuous pictograph or instructions clearly explaining the following work practices:

(A) Rack parts for best drainage.

(B) Maintain vertical speed of conveyed parts to less than 3.35 meters per minute (11 feet/min.).

(C) The condenser water shall be turned on before the sump heater when starting up a cold vapor degreaser. The sump heater shall be turned off and the solvent vapor layer allowed to collapse before closing the condenser water when shutting down a hot vapor degreaser.

(D) Water shall not be visible in the solvent stream from the water separator.



(b) A routine inspection and maintenance program shall be implemented for the purpose of preventing and correcting solvent losses, as for example, from dripping drain taps, cracked gaskets, and malfunctioning equipment. Leaks must be repaired immediately.

(c) Sump drainage and transfer of hot or warm solvent shall be carried out using threaded or other leakproof couplings.

(d) Still and sump bottoms shall be kept in closed containers.

(8) Cutback asphalts.

(a) After June 1, 1980, all paving applications of cutback asphalts are prohibited during the months of June, July, August and September, except as provided for in subparagraph (b) of this subsection.

(b) The following uses and applications of cutback asphalts shall be allowed during all months provided the cutback or blending petroleum distillate has a total vapor pressure (sum of the partial pressures of the constituents) less than 26 mm of Hg at 20°C.

(i) Solely as a penetrating prime coat for aggregate bases prior to paving.

(ii) For the manufacture of patching mixes to provide long-period storage stockpiles used exclusively for pavement maintenance.

(iii) For all uses when the forecast of the high temperature during the twenty-four-hour period following application is below 10°C. (50°F.).

(c) The official responsible for the use or application of any cutback asphalt shall submit a report on the use of cutback asphalt during the months of June, July, August and September. Such report shall be on a form and according to instructions received from the Department of Ecology or local air pollution control agency. The report shall be submitted by November 15.

NEW SECTION

WAC 173-490-070 SCHEDULE OF CONTROL DATES.

Sources that are subject to WAC 173-490-060 shall meet the following schedules:

(1) Bulk gasoline plants. Bulk gasoline plants shall be retrofitted to comply with this regulation in accordance with the following schedule:

Notice of Construction	9/1/79
Contract Let	7/1/80
Commence Construction	9/1/80
Complete Construction	12/1/80
Final Compliance	1/1/81

(2) Gasoline dispensing facility. Gasoline dispensing facilities shall be retrofitted to comply with this regulation in accordance with the following schedule:

Facility Serviced Primarily by:  
Terminals                      Plants

Notice of Construction	9/1/79	9/1/79
Contract Let	1/1/80	7/1/80
Commence Construction	3/1/80	9/1/80
Complete Construction	6/1/80	12/1/80
Final Compliance	7/1/80	1/1/81

(3) Surface coating. Sources having to do with surface coating and subject to this regulation shall comply in accordance with the following schedule:

	Solventless	Other
Plans Submitted	9/1/79	9/1/79
Contract Let	1/1/80	1/1/80
Commence Construction	3/1/81	3/1/80
Complete Construction	6/1/81	6/1/80
Final Compliance	7/1/81	7/1/80

(4) Solvent metal cleaning. Sources from open top vapor degreasers and subject to this regulation shall comply in accordance with the following schedule:

Plans Submitted	9/1/79
Contract Let	11/1/79
Commence Construction	12/1/79
Complete Construction	2/1/80

Final Compliance

3/1/80

NEW SECTION

WAC 173-490-080 EXCEPTIONS. Exceptions to volatile organic compound emission standards and requirements.

(1) Other emission reduction methods may be employed if the source operator demonstrates to the department that they are at least as effective as the required methods.

(2) The operation of natural gas-fired incinerator and associated capture systems installed for the purpose of complying with this regulation will be required only during the months of June, July, August, and September, unless the operation of such devices is required for purposes of occupational health or safety or for the control of toxic substances, malodors, or other regulated pollutants.

NEW SECTION

WAC 173-490-090 NEW SOURCE REVIEW. Any new source of VOC emissions with a potential emission rate of one hundred tons per year is required to meet the new source review provisions of WAC 173-400-110.

NEW SECTION

WAC 173-490-120 COMPLIANCE SCHEDULES. (1) Whenever a source is found to be in violation of the provisions of this chapter, the department may issue a regulatory order which will include a schedule of compliance to bring the source into compliance with this chapter. Opportunity for a public hearing on each proposed compliance schedule shall be provided by prominent advertisement of a notice identifying the proposal and announcing its availability for public inspection in at least one location in the county in which the source is located. No public hearing on a proposed compliance schedule shall be held before thirty days after the publication of the above notice.

(2) A source shall be considered to be in compliance with this chapter if all the provisions of its individual compliance schedule included within a regulatory order issued hereunder are being met.

NEW SECTION

WAC 173-490-130 REGULATORY ACTIONS. The department or authority may use the regulatory provisions of chapter 70.94 RCW to enforce the provision of this chapter.

NEW SECTION

WAC 173-490-135 CRIMINAL PENALTIES. Persons in violation of this chapter may be subject to the provisions of RCW 70.94.430.

NEW SECTION

WAC 173-490-140 APPEALS. Decisions and orders of the department may be appealed to the pollution control hearings board pursuant to chapter 43.21B RCW and chapter 371-08 WAC.

NEW SECTION

WAC 173-490-150 VARIANCE. Any person who owns or is in control of a plant, building, structure, establishment, process, or equipment may apply to the department for a variance from provisions of this chapter governing the quality, nature, duration, or extent of discharges of air contaminants in accordance with the provisions of RCW 70.94.181.

(1) Sources in any area over which a local air pollution control agency has jurisdiction shall make application to the board of that agency rather than the department. The department or board may grant such variance, but only after public hearing or due notice.

(2) Variances granted by a local agency board for sources under their jurisdiction will be accepted as variances to this regulation.

(3) No variance or renewal shall be construed to set aside or delay any requirements of the federal clean air act except with the approval and written concurrence of the federal environmental protection agency.

**WSR 78-11-085**  
**PROPOSED RULES**  
**DEPARTMENT OF ECOLOGY**  
 [Filed November 1, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Ecology intends to adopt, amend, or repeal rules concerning the amending of chapter 173-400 WAC—General Regulations for Air Pollution Sources. The proposed amendments adopt requirements of the federal Clean Air Act for non-attainment areas and new source review, requiring reasonably available control technology (RACT) for all point sources for fugitive emissions and fugitive dust sources in non-attainment areas. Lowest Achievable Emission Rate (LAER) is proposed for new sources in non-attainment areas. New sections are proposed for maintenance of pay and to adopt requirements for boards and director;

that such agency will at 1:00 p.m., Tuesday, December 5, 1978, in the Spokane County Health Center Auditorium, West 1101 College, Spokane, Washington, conduct a hearing relative thereto;

Also:

4:00 p.m., Thursday, December 7, 1978

Conference Room A, Balcony  
 Food Circus Building  
 Seattle Center  
 Seattle, Washington

10:00 a.m., Monday, December 11, 1978

Department of Ecology  
 Lacey, Washington;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Thursday, December 21, 1978, in the Hearings Room, Department of Ecology, Lacey, Washington.

The authority under which these rules are proposed is chapter 70.94 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to December 14, 1978, and/or orally at any of the above hearings.

Dated: 10/31/78  
 By: Elmer C. Vogel  
 Deputy Director

**AMENDATORY SECTION** (Amending Order DE 76-38, filed 12/21/76)

**WAC 173-400-020 APPLICABILITY.** The provisions of this chapter shall apply state-wide. Any section hereof in which applicability is not specified is applicable to all sources of air contaminants, except

(1) Those sources under the control of an activated air pollution control authority with respect to any standards or requirements now or hereafter enacted by such authority which are equivalent to or more stringent than standards or requirements on the same subject matter established by this chapter;

(2) ~~((Those))~~ For specific source categories over which the state, by separate regulation, has assumed ~~((or hereafter does assume))~~ jurisdiction. However, sections 173-400-040(3) Fugitive Emissions, 173-400-100 Registration, 173-400-110 New Source Review and 173-400-120 Monitoring and Special Report will apply to those sources with the department of ecology having jurisdiction.

(3) Automobiles, trucks, trains, aircraft.

(4) The director or board may exempt sources from the procedural requirements of WAC 173-400-100, 173-400-110, and 173-400-120.

**AMENDATORY SECTION** (Amending Order DE 76-38, filed 12/21/76)

**WAC 173-400-030 DEFINITIONS.** Unless a different meaning is plainly required by context, the following words and phrases, as hereinafter used in this chapter, shall have the following meanings:

(1) "Abnormal operation" means a process operation other than a normal operation which may result in emissions that exceed the standards. An abnormal operation can be expected to occur.

(2) "Air contaminant" means dust, fumes, mist, smoke, other particulate matter, vapor, gas, odorous substance, or any combination thereof.

~~((2))~~ (3) "Air pollution" means the presence in the outdoor atmosphere of one or more air contaminants in sufficient quantities, and of such characteristics and duration as is, or is likely to be, injurious to human health, plant or animal life, or property, or which unreasonably interfere with enjoyment of life and property.

~~((3))~~ (4) "Air pollution control authority" means any air pollution control agency whose jurisdictional boundaries are coextensive with the boundaries of one or more counties.

~~((4))~~ (5) "Ambient air" means the surrounding outside air.

~~((5))~~ (6) "Ambient air quality standard" means an established concentration, exposure time and frequency of occurrence of a contaminant or multiple contaminants in the air which shall not be exceeded.

(7) "Best available control technology" means an emission limitation of any pollutant based on the maximum degree of reduction which can be achieved through application of production processes and available methods, systems, and techniques on a case by case basis taking into account energy, environmental and economic impacts.

~~((6))~~ (8) "Capacity factor" means the ratio of the average load on a machine or equipment for the period of time considered to the capacity rating of the machine or equipment.

~~((7))~~ (9) "Combustion and incineration sources" means sources using combustion for waste disposal, steam production, chemical recovery or other process requirements; but excludes open burning.

(10) "Commence construction" means that an owner or operator has undertaken a continuous program of construction or modification or that an owner or operator has entered into a contractual obligation to undertake and complete, within a reasonable time, a continuous program of construction or modification.

(11) "Compliance schedule" means a schedule of steps to be taken to comply with emission requirements including a description of the specific steps and the date when each step will be completed.

~~((8))~~ (12) "Concealment" means any action taken to reduce the observed or measured concentrations of a pollutant in a gaseous effluent while, in fact, not reducing the total amount of pollutant discharged.

~~((9))~~ (13) "Department" means the department of ecology.

~~((10))~~ (14) "Director" means the director of the department of ecology or his duly authorized representative.

~~((11))~~ (15) "Emission" means a release of contaminants into the ambient air.

~~((12))~~ (16) "Emission standard" means a regulation (or portion thereof) setting forth an allowable rate of emissions, level of opacity, or prescribing equipment or fuel specifications that result in control of air pollution emission.

~~((13))~~ (17) "Excess emissions" means emissions of an air pollutant in excess of an emission standard.

~~((14))~~ (18) "Fossil fuel-fired steam generator" means a furnace or boiler used in the process of burning fossil fuel for the primary purpose of producing steam by heat transfer.

~~((15))~~ "Fugitive particulate" means particulate material which is generated incidental to an operation, process or procedure and is emitted into the ambient air from points other than an opening designed for emissions such as a stack or vent.)

(19) "Fugitive dust" means a type of particulate emission made airborne by forces of wind, man's activity, or both, such as unpaved roads, construction sites, or tilled land. Two major categories are anthropogenic sources (those which result directly from and during human activities) and wind erosion sources (those resulting from erosion of soil by wind). Fugitive dust is distinguished from fugitive (industrial process) emissions.

(20) "Fugitive emissions" means contaminants which are generated by industrial or other activities and which escape to the atmosphere not through primary exhaust systems, but through openings such as windows, vents or doors, ill-fitting oven closures, or poorly maintained equipment. Aggregate storage operations and active tailing piles are included in this category of sources. \*Refer to EPA's maintenance regulation in Subpart D, 40 CFR 51.

((16)) (21) "General process sources" means sources 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.

((17)) (22) "Incinerator" means a furnace used for the destruction of waste.

(23) "Lowest achievable emission rate (LAER)" means the most stringent emission limitation contained in the implementation plan of any state for such class or category of sources unless the owner or operator of the proposed source demonstrates that such limitation is not achievable, or the most stringent emission limitation which is achieved in practice by such class or category.

((18)) (24) "Masking" means the mixing of a chemically non-reactive control agent with a malodorous gaseous effluent to change the perceived odor, usually to a less offensive odor.

((19)) (25) "Materials handling" means the handling, transporting, loading, unloading, storage, and transfer of material with no significant alteration of the chemical or physical properties of the material.

((20)) (26) "New source" means a source constructed, installed or established after the effective date of this chapter. Addition to or enlargement or replacement of a source or any major alteration ((therein)) or any change in a source which has the potential to increase emissions shall be construed as construction or installation or establishment of a new source.

(27) "New source performance standards (NSPS)" means the federal regulations set forth in 40 CFR Part 60.

(28) "Nonattainment area" means a clearly delineated geographic area which has been designated by EPA promulgation as exceeding a National Ambient Air Quality Standard for one of the criteria pollutants.

((21)) (29) "Opacity" means the degree to which an object seen through a plume is obscured, stated as a percentage.

(30) "Open burning" means the combustion of material in an open fire or in an outdoor container, without providing for the control of combustion or the control of the emissions from the combustion. Wood waste disposal in wigwam burners is not considered open burning.

((22)) (31) "Particulate matter" means small discrete masses of liquid or solid, exclusive of uncombined water.

((23)) (32) "Person" means an individual, firm, public or private corporation, association, partnership, political subdivision, municipality or government agency.

(33) "Reasonably available control technology (RACT)" means a level of pollutant control which is technically feasible and economically reasonable. RACT is determined on a case by case basis using current guidelines and conditions. Emission standards set by state regulations are considered to be reasonably available control technology.

((24)) (34) "Source" means a process or operation which emits or may emit any contaminants to the ambient air.

((25)) (35) "Source category" means all sources of the same type or classification.

((26)) (36) "Standard conditions" means a temperature of 60°F. (15.6°C) and a pressure of 29.92 inches (760 mm) of mercury.

((27)) (37) "Sulfuric acid plant" means any facility producing sulfuric acid by the contact process by burning elemental sulfur, alkylation acid, hydrogen sulfide, or acid sludge.

(38) "Upset" means an unexpected sudden occurrence which may result in emissions in excess of the emission requirements.

**AMENDATORY SECTION** (Amending Order DE 76-38, filed 12/21/76)

**WAC 173-400-040 GENERAL STANDARDS FOR MAXIMUM PERMISSIBLE EMISSIONS.** All sources are required to use reasonable available control technology to control emissions from point sources.

(1) Visible emissions.

No person shall cause or permit the emission for more than three minutes, in any one hour, of an air contaminant from any source which at the emission point, or within a reasonable distance of the emission point, exceeds ((20%)) twenty percent opacity except as follows:

(a) When the person responsible for the source can demonstrate that the emissions in excess of ((20%)) twenty percent will not exceed ((15)) fifteen minutes in any consecutive ((8)) eight hours.

(b) When the owner or operator of a source supplies valid data to show that the opacity is in excess of ((20%)) twenty percent as the result of the presence of condensed water droplets, and that the concentration of particulate matter, as shown by a source test approved by the director, is less than one-tenth (0.10) grain((s)) per standard dry cubic foot. For combustion emissions the exhaust gas volume shall be corrected to ((7%)) seven percent oxygen.

(2) Preventing particulate matter from ((becoming)) being deposited. No person shall cause or permit the emission of particulate matter from any source ((which becomes)) to be 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 deposited.

(3) ((Materials handling. No person shall cause or permit materials handling without taking reasonable precautions to prevent the release of contaminants to the ambient air. Sources classified as materials handling are not subject to provisions of section 040, subsection (1):)) Fugitive emissions. The owner or operator of any source involving materials handling, construction, demolition or any other operation which is a source of fugitive emissions:

(a) If located in an attainment area and not impacting any nonattainment area, take reasonable precautions to prevent the release of air contaminants from the operation.

(b) If the source has been identified as a significant contributor to the nonattainment status of a designated nonattainment area, shall be required to use reasonably available control technology to control emissions.

(4) Odors. Any person who shall cause or allow the generation of any odor from any source which may unreasonably interfere with ((an adjoining)) any other property owner's use and enjoyment of his property must use recognized good practice and procedure to reduce these odors to a reasonable minimum.

(5) Emission of 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.

(6) Sulfur dioxide.

(a) No person shall cause or permit the emission of a gas containing sulfur dioxide from any source in excess of 1,000 parts per million (ppm) of sulfur dioxide except as follows:

(i) When the owner or operator of a source supplies emission data and can demonstrate to the director that there is no feasible method of reducing the concentration to less than 1,000 ppm and that the state and federal ambient air quality standards for sulfur dioxide ((have not been and)) will not be exceeded. In such cases, the director may require the owner or operator to equip, operate, and maintain ((as many as three)) continuous ambient air monitoring stations at locations approved by the director and using equipment approved by the director. All sampling results will be made available upon request and a monthly summary will be submitted to the department.

(ii) When a source limits such emission by a combination of constant emission controls and dispersion techniques approved by the director, as permitted by WAC 173-400-040(14).

(b) All concentrations of sulfur dioxide referred to above are by volume, dry, and, for combustion emissions the exhaust gas volume shall be corrected to ((7%)) seven percent oxygen.

(7) 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 or masks an emission of an air contaminant which would otherwise violate any provisions of this chapter.

(8) ((Fugitive particulate material. Reasonable precautions shall be taken to prevent fugitive particulate material from becoming airborne:

(a) When handling, transporting or storing particulate material;

(b) When constructing, altering, repairing or demolishing a building, its appurtenances, or a road;

(c) From an untreated open area.

(9) All sources shall utilize best practicable technology and shall be maintained and operated to minimize emissions:)) Fugitive dust sources.

(a) The owner or operator of a source shall take reasonable precautions to prevent fugitive dust from becoming airborne and shall maintain and operate the source to minimize emissions.

(b) The department may issue a regulatory order to the person responsible for a fugitive dust source and require measures to be used for control.

(9) The owner or operator of any existing fugitive dust source that has been identified as a significant contributor to the nonattainment status of a designated nonattainment area shall be required to use reasonable available control technology to control emissions.

(10) All sources of fugitive dust required to use reasonably available control technology shall be in compliance by July 1, 1980 or on a compliance schedule which will be completed by December 31, 1982.

(11) The development of specific requirements for a nonattainment area shall include consultation with local government in the area and an opportunity shall be provided for public comment on the measures.

(12) Whenever reasonably available control measures have been defined for a source or category of sources in any area, the department or local agency shall issue a regulatory order to the source or sources requiring that the defined measures be implemented and establishing a date when the implementation will be completed.

(13) Use of tall stacks or dispersion techniques.

(a) The degree of emission limitation required for control of any pollutant shall not be affected in any manner by:

(i) So much of the stack height of any source as exceeds good engineering practice, as determined by the director, or

(ii) Any other dispersion technique. This subparagraph (a) shall not apply with respect to stack heights in existence or dispersion techniques implemented before December 31, 1970.

(b) A source which utilizes a stack height in existence before December 31, 1970 which exceeds good engineering practice, or which implemented dispersion techniques before December 31, 1970 shall be permitted to use such stack height or other dispersion techniques approved by the director to achieve the degree of emission limitation required for control of an air pollutant under any state regulation, or to attain and maintain any national or state ambient air quality standard, or to comply with any applicable requirement relating to prevention of significant deterioration of air quality, or to comply with any provisions of the Washington State implementation plan, but only when such dispersion techniques are used in conjunction with constant emission controls pursuant to a program approved by the director which, in the judgment of the director, will produce compliance with national and state ambient air quality standards and applicable requirements relating to prevention of significant deterioration.

(c) For the purposes of this section, the following words and terms shall have the following meanings:

(i) "Stack" means any point in a source designed to emit solids, liquids, or gases into the air, including a pipe, duct, or flare.

(ii) "Good engineering practice" means, with respect to stack heights, the height necessary to ensure that emissions from the stack do not result in excessive concentrations of any air pollutant in the immediate vicinity of the source as a result of atmospheric downwash, eddies and wakes which may be created by the source itself, nearby structures or nearby terrain obstacles. Such height shall not exceed two and a half times the height of such source unless the owner or operator of the source demonstrates, after notice and opportunity for public hearing, to the satisfaction of the director, that a greater height is necessary as provided under the preceding sentence. In no event shall this section be construed to prohibit any increase in any stack height or restrict in any manner the stack height of any source.

(iii) "Dispersion technique" means any intermittent or supplemental control of pollutants varying with atmospheric conditions, including any method which attempts to affect the concentration of a pollutant in the ambient air by varying the rate of emission of a pollutant according to atmospheric conditions or ambient concentrations of that pollutant and the manipulation of source process parameters or selective handling of exhaust gas streams. The preceding sentence does not include the reheating of a gas stream, following use of a pollution control system, for the purpose of returning the gas to the temperature at which it was originally discharged from the facility generating the gas stream.

AMENDATORY SECTION (Amending Order DE 76-38, filed 12/21/76)

WAC 173-400-050 MINIMUM EMISSION STANDARDS FOR COMBUSTION AND INCINERATION SOURCES. (1) Combustion and incineration sources must meet all requirements of

WAC 173-400-040 above and, in addition, no person shall cause or permit emissions of particulate matter in excess of 0.10 grain((s)) per standard dry cubic foot, except, (a) for sources utilizing the combustion of wood for the production of steam, no person shall allow or permit the emission of particulate matter in excess of 0.20 grain((s)) per standard dry cubic foot, as measured by procedures on file at the department.

(2) For all incinerator sources, no person shall cause or permit emissions in excess of 100 ppm of total carbonyls as measured by procedures on file at the department. Incinerators shall be operated only during daylight hours unless written permission to operate at other times is received from the director.

(3) ~~((Stated))~~ Measured concentrations for combustion and incineration sources will be ~~((determined after the))~~ adjusted for volumes ((are)) corrected to ((7%)) seven percent oxygen.

AMENDATORY SECTION (Amending Order DE 76-38, filed 12/21/76)

WAC 173-400-060 MINIMUM EMISSION STANDARDS FOR GENERAL PROCESS SOURCES. General process sources shall be required to meet all applicable provisions of WAC 173-400-040 above and in addition, no person shall cause or permit the emission of particulate material from any general process operation in excess of one-tenth (0.10) grain((s)) per standard cubic foot of dry exhaust gas.

AMENDATORY SECTION (Amending Order DE 76-38, filed 12/21/76)

WAC 173-400-070 MINIMUM STANDARDS FOR CERTAIN SOURCE CATEGORIES. The director finds that the 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. Except as specifically provided in this section, such sources shall not be required to meet the provisions of WAC 173-400-040, WAC 173-400-050 and WAC 173-400-060.

(1) Wigwam burners.

(a) All wigwam burners shall meet all provisions of subsections (2), (3), (4), (5), (6), and (7) of WAC 173-400-040.

(b) All wigwam burners shall use ~~((best practical technology and shall be maintained and operated to reduce emissions to the greatest extent possible))~~ equipment, facilities and practices which represent practical current state of technology. All facilities shall be operated and maintained to minimize emissions. These requirements may include a controlled tangential vent overfire air system, an adequate underfire system, elimination of all unnecessary openings, a controlled feed and other modifications determined necessary by the department.

(c) 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 sections WAC 173-400-040 and ~~((WAC))~~ 173-400-050, except operating hours.

(d) The director may establish additional requirements for wigwam burners located in or proposed for location in sensitive areas. These requirements may include but shall not be limited to:

(i) A requirement to meet all provisions of WAC 173-400-040 and ~~((WAC))~~ 173-400-050. Wigwam burners will be considered to be in compliance with WAC 173-400-040(1) if they meet the requirements contained therein except during a startup period not to exceed 30 minutes in any eight consecutive hours.

(ii) A requirement to apply best available control technology (BACT) in order to reduce emissions to the lowest possible level.

(iii) A requirement to reduce or eliminate emissions if the director 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.

(2) Hog fuel boilers.

(a) Hog fuel boilers shall meet all provisions of WAC 173-400-040 and ~~((WAC))~~ 173-400-050(1), except that emissions caused by conditions beyond the control of the owner or operator may exceed ~~((20%))~~ twenty percent opacity for up to ((+5)) fifteen consecutive minutes once in any ((4)) four hours provided that the operator shall take immediate action to correct the condition.

(b) All hog fuel boilers shall utilize ~~((best practical technology and shall be maintained and operated to minimize emissions))~~ equipment, facilities and practices which represent the practical current state of technology. All facilities shall be operated and maintained to minimize emissions.

(c) The director may establish additional requirements for hog fuel boilers located in or proposed for location in sensitive areas.

(3) Orchard heating.

(a) Burning of rubber materials, asphaltic products, crankcase oil or petroleum wastes, plastic, or garbage is prohibited.

(b) It shall be unlawful to burn any material or operate any orchard-heating device that causes a visible emission exceeding ~~((20%))~~ twenty percent opacity, except during the first ~~((30))~~ thirty minutes after such device or material is ignited.

(4) Grain elevators.

(a) Any grain elevator which is primarily classified as a materials handling operation shall meet all the provisions of WAC 173-400-040(2), (3), (4), and (5).

(b) The director 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 requirement to meet the provisions of WAC 173-400-040(1) and ~~((WAC))~~ 173-400-060.

(5) Catalytic cracking units.

(a) All existing catalytic cracking units shall meet all provisions of subsections (2), (3), (4), (5), (6), and (7) of WAC 173-400-040 and in addition:

(i) No person shall cause or permit the emission for more than three minutes, in any one hour, of an air contaminant from any catalytic cracking unit which at the emission point, or within a reasonable distance of the emission point, exceeds ~~((40%))~~ forty percent opacity.

(ii) No person shall cause or permit the emission of particulate material in excess of two-tenths (0.20) grain(s) per standard cubic foot of dry exhaust gas.

(b) All new catalytic cracking units shall meet all provisions of WAC 173-400-115.

(c) The director may establish additional requirements for catalytic cracking units located in, or proposed for location in, sensitive areas.

(6) Other wood waste burners.

(a) Wood waste burners not specifically provided for in this section shall meet all provisions of WAC 173-400-040.

(b) Such wood waste burners shall utilize ~~((best practical technology and shall be maintained and operated to minimize emissions:))~~ equipment, facilities and practices which represent practical current state of technology. All facilities shall be operated and maintained to minimize emissions.

(c) The director may establish additional requirements for such wood waste burners located in or proposed for location in sensitive areas. These requirements may include but shall not be limited to a requirement to eliminate all visible emissions.

#### AMENDATORY SECTION (Amending Order DE 76-38, filed 12/21/76)

WAC 173-400-075 EMISSION STANDARDS FOR SOURCES EMITTING HAZARDOUS AIR POLLUTANTS. (1) The emission standards for asbestos, beryllium, beryllium rocket motor firing, and mercury promulgated by the United States environmental protection agency prior to November 1, ~~((1976))~~ 1978, as contained in title 40, code of federal regulations, part 61, are by this reference adopted and incorporated herein.

(2) The department, at any time after the effective date of this section, may conduct source tests and require access to records, books, files and other information specific to the control, recovery or release of asbestos, beryllium or mercury, in order to determine the status of compliance of sources of these contaminants and to carry out its enforcement responsibilities.

(3) Source testing, monitoring and analytical methods for sources of asbestos, beryllium or mercury shall conform with the requirements of title 40, code of federal regulations, part 61, as promulgated prior to November 1, ~~((1976))~~ 1978.

(4) This section shall not apply to any source operating pursuant to a waiver granted by the United States environmental protection agency or an exemption granted by the president of the United States during the effective life of such waiver or exemption.

#### AMENDATORY SECTION (Amending Order DE 76-38, filed 12/21/76)

WAC 173-400-080 COMPLIANCE SCHEDULES. (1) ~~((The department shall develop and distribute forms for the submission of proposed compliance schedules. Within 60 days after receipt of such a~~

~~form, the owner or operator of a source shall submit a proposed compliance schedule for such source to the department. After reviewing a proposed compliance schedule and such views thereon as are submitted, the director or his authorized representative shall issue a regulatory order establishing a compliance schedule and progress-reporting requirements for the source))~~ Whenever a source is found to be in violation of the provisions of this chapter, the department may issue a regulatory order which will include a schedule of compliance to bring the source into compliance with this chapter. Opportunity for a public hearing on each proposed compliance schedule shall be provided by prominent advertisement of a notice identifying the proposal and announcing its availability for public inspection in at least one location in the county in which the source is located. No public hearing on a proposed compliance schedule shall be held before ~~((30))~~ thirty days after the publication of the above notice.

(2) A source shall be considered to be in compliance with this chapter if all the provisions of its individual compliance schedule included within a regulatory order issued hereunder are being met.

(3) Sources on a compliance schedule but not meeting emission standards may be subject to delayed compliance penalties as provided for in the federal clean air act.

#### AMENDATORY SECTION (Amending Order DE 76-38, filed 12/21/76)

WAC 173-400-100 REGISTRATION. The owner or operator of each stationary source within the following source categories shall register the source with the department unless such registration is required by an air pollution control authority with jurisdiction over the source or unless the source is under the jurisdiction of the state energy facility site evaluation council (EFSEC):

- (1) Agricultural drying and dehydrating operations;
- (2) Asphalt plants;
- (3) Cattle feedlots with facilities for ~~((1,000))~~ one thousand or more cattle;
- (4) Chemical plants;
- (5) Ferrous foundries;
- (6) Fertilizer plants;
- (7) Grain handling, seed processing, pea and lentil processing facilities;
- (8) Mineralogical processing plants;
- (9) Nonferrous foundries;
- (10) Oil refineries;
- (11) Other metallurgical processing plants;
- (12) Power boilers using coal, hog fuel ~~((or))~~, oil, or other solid or liquid fuel;
- (13) Rendering plants;
- (14) Scrap metal operations;
- (15) Veneer dryers;
- (16) Wood waste incinerators including wigwam burners;
- (17) Other incinerators designed for a capacity of ~~((100))~~ one hundred pounds per hour or more;
- (18) Stationary internal combustion engines rated at ~~((500))~~ five hundred horse power or more;
- (19) Pulp mills;
- (20) Primary aluminum reduction plants
- (21) Sawmills; including processing for lumber, plywood, shake, shingle, pulp-wood insulating board, or any combination thereof;
- (22) Any category of stationary sources to which a federal standard of performance applies;
- ~~((20))~~ (23) Any source which emits a contaminant subject to a national emission standard for hazardous air pollutants; and ~~((21))~~ Sawmills; including processing for lumber, plywood, shake, shingle, pulp-wood insulating board, or any combination thereof;
- (24) Any other source which has a potential emission rate of one hundred tons per year of any air contaminant except carbon monoxide.
- (25) Any source with potential emission rate of one thousand tons per year of carbon monoxide.

Registration shall be on forms to be supplied by the department within the time specified thereon.

A ~~((special))~~ report of closure shall be filed with the department whenever operations producing emissions are permanently ceased at any source within the above categories.

AMENDATORY SECTION (Amending Order DE 76-38, filed 12/21/76)

WAC 173-400-110 ((NOTICE OF CONSTRUCTION)) NEW SOURCE REVIEW. (1) Whenever the construction, installation or establishment of a new stationary source is contemplated, and such source is within a source category listed in WAC 173-400-100, the owner or operator thereof shall file a notice of construction with the department unless the filing of such a notice is required by an air pollution control authority with jurisdiction over the source. This requirement shall also apply to any source for which a federal standard of performance has been promulgated prior to the filing of the notice of construction. A list of sources for which a federal standard of performance has been promulgated, and the standards which apply to such sources, shall be available at the headquarters office and each regional office of the department of ecology.

(2) Whenever the construction, installation or establishment of any new stationary source, except single-family and duplex dwellings, is contemplated and such source is not within a source category listed in WAC 173-400-100, the department may require the owner or operator thereof to file a notice of construction with the department. The department shall impose no such requirement if such a notice is required by an air pollution control authority with jurisdiction over the source.

(3)(a) The addition to or enlargement or replacement of or major alteration in any stationary source already existing which is undertaken pursuant to an approved variance which ~~((included))~~ includes a compliance schedule for the reduction of emissions therefrom shall be exempt from ~~((any requirement to comply with the notice of construction))~~ the requirements of this section.

(b) The addition to or enlargement or replacement of or major alteration in any stationary source already existing which may increase the emission of any air pollutant or which may result in the emission again calculated on the basis of no additional emission controls of any air pollutant not previously emitted shall be construed as the construction, installation or establishment of a new source. Where nonapplicability is claimed the burden of demonstrating such nonapplicability shall be on the source owner or operator.

(c) ~~((A))~~ Any change or series of changes in process, process materials or type of fuels which ~~((may))~~ will result in cumulative potential increased emissions of twenty-five tons per year of an air contaminant are considered to be major alterations and require the filing of a Notice of Construction, except that cumulative changes in raw materials or fuel of less than 0.5% increase in average annual sulfur content over the initial emission inventory shall not require such notice. The department or authority shall be notified of any increase greater than 0.5% sulfur content. The notification shall include the information required for a notice of construction.

(4) Any contemplated new stationary source subject to the provisions of chapter 80.58 RCW, thermal power plant siting, shall comply with the provisions of that statute in lieu of the provisions of this section.

(5) Within ~~((30))~~ thirty days of receipt of a notice of construction, the department may require the submission of plans, specifications and such other information as deemed necessary for the review of the proposed project.

(6) The department shall review notices of construction and plans, specifications and other information associated therewith in order to determine the following:

(a) Whether the proposed project will be in accord with applicable rules and regulations in force pursuant to chapter 70.94 RCW, including whether the operation of the new stationary source at the location proposed will result in any applicable federal or state ambient air quality standard being exceeded. ~~((The applicable ambient air quality standards will be such standards as have, when the notice of construction is filed, been adopted under chapter 70.94 RCW, but it is recognized that the policy of said chapter for compliance with requirements of the federal clean air act dictates that ambient air quality standards in effect in this state cover all those contaminants for which federal standards have been promulgated and be equal to or more stringent than such federal standards.))~~

(b) Whether the proposed project will ~~((provide all known available and reasonable methods of))~~ utilize best available control technology (BACT) for emission control and in nonattainment areas will comply with the lowest achievable emission rate (LAER). ((Whenever a federal standard of performance is applicable to the source or whenever national)) Compliance with federal emission standards for hazardous air pollutants ~~((is))~~ and new source performance standards (NSPS)

when applicable to the source, ~~((compliance with this criterion))~~ will be required ~~((provision for emission control which will, at least, satisfy such standards)).~~

(c) Whether, ~~((if))~~ the proposed project ~~((is to be located in an area where existing ambient air quality for sulfur dioxide and suspended particulate matter is better than the level required by the applicable ambient air quality standard, the proposal will not result in significant deterioration of the existing ambient air quality for such contaminants))~~ meets all requirements of prevention of significant deterioration regulations if applicable.

(d) If the source is in a nonattainment area, whether at the time the source is to commence operation the total allowable emissions from existing sources and new or modified sources in the nonattainment area including the proposed source will be less than the allowable emissions from existing sources at the time the application for approval was filed and meet the requirements for reasonable further progress established by the implementation plan.

(e) Whether the emissions from the proposed source will not delay the attainment date for any nonattainment area.

(7) Within ~~((30))~~ thirty days after receipt of all information required by it, the department shall:

(a) Make preliminary determinations on the matters set forth in subsection (6) ~~((above))~~ of this section;

(b) Make available in at least one location in the county or counties in which the proposed project is located, a copy of the preliminary determinations and copies of or a summary of the information considered in making such preliminary determinations; and

(c) Require the applicant to publish notice to the public of the opportunity for written comment on the preliminary determinations within ~~((30))~~ thirty days from the date such notice is made.

(8) If, after review of all information received, including public comment with respect to any proposed project, the department makes the determination of (6)(a), (6)(b), ~~((or))~~ (6)(c), (6)(d) or (6)(e) in the negative, it shall issue an order for the prevention of the construction, installation or establishment of the new stationary source.

(9) If, after review of all information received, including public comment with respect to any proposed project, the department makes the determinations of (6)(a), (6)(b), and where applicable, (6)(c), (6)(d) and (6)(e) in the affirmative, it shall issue an order of approval of the construction, installation or establishment of the new stationary source. The order of approval may provide such conditions of operation as are reasonably necessary to assure the ~~((maintenance of))~~ continuous compliance with chapter 70.94 RCW and the applicable rules and regulations in force pursuant thereto.

(10) For sources ~~((such as asphalt batch plants.))~~ which locate temporarily ~~((one year or less))~~ 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 department of intent to operate at the new location at least ~~((30))~~ thirty days prior to starting the operation, and supplies sufficient information to enable the department to determine that the operation will comply with the emission standards for a new source and with the applicable ambient air standards. The permission to operate shall be for a limited period of time and the department may set specific conditions for operation during said period ~~((which shall include a requirement)).~~ A temporary source shall be required to comply with all applicable emission standards.

(11) The owner or operator of a proposed new source shall not commence operations until written permission to commence has been granted by the department or authority.

AMENDATORY SECTION (Amending Order DE 76-38, filed 12/21/76)

WAC 173-400-115 STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES. Title 40, code of federal regulations, part 60 (standards of performance for new stationary sources), as promulgated prior to November 1, ~~((1976))~~ 1978, is by this reference adopted and incorporated herein with the exception of sections 60.5 (determination of construction or modification) and 60.6 (review of plans) and 60.40 through 60.46 (fossil-fuel steam generators) and 60.100 through 60.106 (petroleum refineries) and 60.110 through 60.133 (storage vessels for petroleum liquids as detailed below). For the purpose of state administration of the federal regulations adopted by reference hereby, the term "administrator" as used therein shall refer to the department or to the appropriate air pollution control authority.

(1) Sections 60.5 and 60.6 of title 40, code of federal regulations, are not incorporated herein because they provide for preconstruction review of new stationary sources only on request. By virtue of WAC 173-400-110, such review under the state program is mandatory and an order of approval is required before the construction, installation or establishment of a new stationary source may commence.

(2) ~~((Sections 60.40 through 60.46 of title 40, code of federal regulations, are not incorporated herein because they deal with fossil-fuel fired steam generators of a size to which the thermal power plant siting statute, chapter 80.50 RCW, applies:))~~ Energy facility siting:

(a) Sections 60.40 through 60.46;

(b) Sections 60.100 through 60.106 are not incorporated herein because they deal with petroleum refineries of a size to which the energy facility siting statute, chapter 80.50 RCW applies;

(c) Sections 60.110 through 60.133 are not incorporated herein because they deal with storage vessels for petroleum liquids of a size to which the energy facility siting statute, chapter 80.50 RCW applies.

(3) As of November 1, ~~((1976))~~ 1978, the federal regulations adopted by reference hereby set standards of performance affecting facilities for the following:

(a) incinerators (more than ~~((50))~~ fifty tons per day)

(b) portland cement plants

(c) nitric acid plants

(d) sulfuric acid plants

(e) asphalt concrete plants

(f) petroleum refineries (not covered by this chapter)

(g) storage vessels for petroleum liquids (more than 40,000 gallons) (not covered by this chapter)

(h) secondary lead smelters

(i) secondary brass and ingot production plants

(j) iron and steel plants

(k) sewage treatment plants (sewage sludge incinerators)

(l) primary copper smelters

(m) primary zinc smelters

(n) primary lead smelters

(o) primary aluminum reduction plants

(p) phosphate fertilizer industry: Wet process phosphoric acid plants

(q) phosphate fertilizer industry: Super phosphoric acid plants

(r) phosphate fertilizer industry: Diammonium phosphate plants

(s) phosphate fertilizer industry: Triple super phosphate plants

(t) phosphate fertilizer industry: Granular triple super phosphate storage facilities

(u) coal preparation plants

(v) ferroalloy production

(w) steel plants: Electric arc furnaces

(x) kraft mills

(y) lime manufacturing plants

Compliance with the standards for affected facilities within these source categories shall be determined by performance tests and visual observations of opacity as set forth in the regulations adopted by reference hereby.

(4) The "appropriate air pollution control authority" as used in this section means an activated authority within whose boundaries a new stationary source is proposed and which is enforcing the regulations adopted by reference hereby or its own more stringent regulations applicable to the same subject matter.

#### AMENDATORY SECTION (Amending Order DE 76-38, filed 12/21/76)

WAC 173-400-120 MONITORING AND SPECIAL REPORTING. (1) Monitoring. The department shall conduct a continuous surveillance program to monitor the quality of the ambient atmosphere as to concentrations and movements of air contaminants.

As a part of this program, the director or his authorized representative may require any source under the jurisdiction of the department to conduct stack and/or ambient air monitoring, and to report the results to the department.

(2) Investigation of conditions. For the purpose of investigating conditions specific to the control, recovery, or release of air contaminants into the atmosphere, the director, or his authorized representative, shall have the power to enter at reasonable times upon any private or public property, excepting nonmultiple unit private dwellings housing one or two families. No person shall refuse entry or access to the director, or his authorized representative, when entry is requested for the purpose of inspection, and when appropriate credentials are presented; nor shall any person obstruct, hamper, or interfere with any such inspection.

(3) Source testing. In order to demonstrate compliance with this regulation, the director, or his authorized representative, may require that a test be made of the source in a manner approved by the department. The operator of a source may be required to provide the necessary platform and sampling ports for the department personnel to perform a test of the source. The department 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 the same time.

(4) ~~((Report of breakdown or upset condition. If a breakdown of equipment 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 department by the next working day after the breakdown occurs:))~~ Abnormal operation or upset condition.

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 director may require that the operation be curtailed or shut down. Repeated breakdowns may be subject to all penalties authorized by law. The director may issue regulatory orders specifying maintenance and operating procedures:))

(a) Abnormal operations or upset conditions that may result in emissions in excess of the standards set by this chapter must be reported to the department or appropriate air pollution control authority. All emissions in excess of the standards are considered as violations of the regulation. In determining if a penalty should be assessed, the director of authority may consider the seriousness of the violation, the frequency of similar violations, methods used to prevent the violation, and any good faith efforts to comply, as well as any other information or reports relating to the violation the source wishes to submit.

(b) Many abnormal operations can be scheduled or planned ahead of time. The owner or operator of a source shall submit a written description of planned abnormal operations to the department or authority prior to the time when such abnormal operation will occur. The submission shall include an estimate of the concentration and duration of emissions resulting from the abnormal operation.

(c) The department or local authority may require the plant to shut down a process or eliminate an abnormal operation during episode periods.

(d) Any other upset conditions must be reported to the department or local authority as soon as possible. The initial report should include an estimate of the time required for correction. When the upset condition has been corrected, the source must submit a written report describing the causes of the upset and the steps taken to minimize emissions during the period of time when correction was being made. The report should describe any steps to prevent a recurrence of the upset.

(e) If an extended time period is required to complete the corrective action, the director or authority may require that the operation be curtailed or shut down. The director or authority may issue a regulatory order to minimize emissions from abnormal operations and upset conditions.

(5) 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.

(a) Fossil fuel-fired steam generators.

(i) Opacity, except where:

(A) Steam generator capacity is less than 250 million BTU per hour heat input, or

(B) Only gaseous fuel is burned, or

(C) 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 administrative or judicial procedure, been found in violation of any visible emission standard.

(ii) Sulfur dioxide, except where:

(A) Steam generator capacity is less than 250 million BTU per hour heat input, or

(B) Sulfur dioxide control equipment has not been installed.

(iii) Percent oxygen or carbon dioxide where such measurements are necessary for the conversion of sulfur dioxide continuous emission monitoring data.

(iv) General exception. These requirements do not apply to a fossil fuel-fired steam generator with an annual average capacity factor of less than ~~((30))~~ thirty percent, as reported to the Federal Power Commission for calendar year 1974, or as otherwise demonstrated to the department by the owner or operator.

(b) Sulfuric acid plants.

Sulfur dioxide where production capacity is more than ~~((300))~~ three hundred tons per day, expressed as ~~((100))~~ one hundred percent acid, except for those facilities where conversion to sulfuric acid is utilized primarily as a means of preventing emissions to the atmosphere of sulfur dioxide or other sulfur compounds.

(c) Fluid bed catalytic cracking units catalyst regenerators at petroleum refineries.

Opacity where fresh feed capacity is more than 20,000 barrels per day.

(d) Wood residue fuel-fired steam generators.

(i) Opacity, except where:

(A) Steam generator capacity is less than 100 million BTU per hour heat input.

(ii) Continuous monitoring equipment. The requirements of WAC 173-400-120(5)(e) do not apply to wood residue fuel-fired steam generators, but continuous monitoring equipment required by WAC 173-400-120(5)(d) shall be subject to approval by the department.

(e) Owners and operators of those sources required to install continuous monitoring equipment under this regulation shall demonstrate to the department compliance with the equipment and performance specifications, and observe the reporting requirements, contained in Title 40, code of federal regulations, part 51, appendix P, sections 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 ~~((18))~~ eighteen months after adoption of this regulation by the department. 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 department determines that continuous monitoring is not a reasonable requirement, alternative monitoring and reporting procedures will be established on an individual basis. These will generally take 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. This subsection (5) does not apply to any source which is:

(i) Subject to a new source performance standard.

(ii) Not subject to an applicable emission standard.

(iii) Scheduled for retirement within ~~((5))~~ five 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 department that the malfunction was unavoidable and is being repaired as expeditiously as practicable.

(6) Emission inventory. The owner or operator of any air contaminant source shall submit an inventory of emissions from the source each year upon a form and according to instructions received from the department of ecology or local air pollution control agency. The inventory shall include stack and fugitive emissions of particulates, sulfur dioxide, carbon monoxide, TRS, fluorides, lead, volatile organic compounds, and other contaminants, and shall be submitted when required no later than forty-five days after the end of the calendar year. The inventory shall include total emissions for the year in tons per year and an estimate of the percentage of the total emitted each quarter. An estimate shall be made of the maximum emission rate for a one hour period and a twenty-four-hour period during the year. The report shall include the average sulfur content of any fuel or raw material used which will result in emissions of more than twenty-five tons per year of sulfur dioxide.

#### NEW SECTION

WAC 173-400-135 CRIMINAL PENALTIES. Persons in violation of this chapter may be subject to the provisions of RCW 70.94.430.

#### AMENDATORY SECTION (Amending Order DE 76-38, filed 12/21/76)

WAC 173-400-150 VARIANCE. Any person who owns or is in control of a plant, building, structure, establishment, process, or equipment may apply to the department for a variance from provisions of this chapter governing the quality, nature, duration, or extent of discharges of air contaminants in accordance with the provisions of RCW 70.94.181.

(1) Sources in any area ~~((m))~~ over which a local air pollution control agency has jurisdiction shall make application to the board of that agency rather than the department. The department or board may grant such variance, but only after public hearing or due notice ~~((if it finds that:))~~.

~~((a) The emissions occurring or proposed to occur do not endanger public health or safety and~~

~~((b) Compliance with the rules or regulations from which variance is sought would produce serious hardship without equal or greater benefits to the public.~~

~~(2) No variance shall be granted pursuant to this section until the department of ecology or board has considered the relative interests of the applicant, other owners of property likely to be affected by the discharges, and the general public.~~

~~(3) Any variance or renewal thereof shall be granted within the requirements of subsection (1) and for time periods and under conditions consistent with the reasons therefor, and within the following limitations:~~

~~(a) 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 alternate measures that the department of ecology or board may prescribe.~~

~~(b) If the variance is granted on the ground that compliance with the particular requirement or requirements 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.~~

~~(c) If the variance is granted on the ground that it is justified to relieve or prevent hardship of a kind other than that provided for in item (a), (b) and (c) of this subparagraph, it shall be for not more than one year.~~

~~(4) Any variance granted pursuant to this section may be renewed on terms and conditions and for periods which would be appropriate on initial granting of a variance. If a complaint is made to the department of ecology or board on account of the variance, no renewal thereof shall be granted unless following a public hearing on the complaint on due notice the state board or board finds that renewal is justified. No renewal shall be granted except on application therefor. Any such application shall be made at least sixty days prior to the expiration of the variance. Immediately upon receipt of an application for renewal, the department of ecology or board shall give public notice of such application in accordance with rules and regulations of the department of ecology or board.~~

~~(5) A variance or renewal shall not be a right of the applicant or holder thereof but shall be granted at the discretion of the department of ecology or board. However, any applicant adversely affected by the denial or the terms and conditions of the granting of an application for a variance or renewal of a variance by the department of ecology or board may obtain judicial review thereof under the provisions of chapter 34.04 RCW as now or hereafter amended.~~

~~(6) Nothing in this section and no variance or renewal granted pursuant hereto shall be construed to prevent or limit the application of the emergency provisions and procedures of RCW 70.94.415 to any person or his property.~~

~~(7) An application for a 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 department or board within~~



~~sixty-five days of receipt unless the applicant and the department of ecology or board agree to a continuance.))~~

(2) Variances granted by a local agency board for sources under their jurisdiction will be accepted as variances to this regulation.

(3) No variance or renewal shall be construed to set aside or delay any requirements of the federal clean air act except with the approval and written concurrence of the federal environmental protection agency.

#### NEW SECTION

**WAC 173-400-160 MAINTENANCE OF PAY.** Any source which uses a supplemental or intermittent control system for the purpose of meeting the requirements of orders under section 113(d) or section 119 of the clean air act, as amended, shall not temporarily reduce the pay of any employee because of the use of the supplemental or intermittent or other dispersion-dependent control systems.

#### NEW SECTION

**WAC 173-400-170 REQUIREMENTS FOR BOARDS AND DIRECTOR.** (1) A majority of the members of any local air pollution control authority board shall represent the public interest. A majority of the members of such boards, and the director, shall not derive any significant portion of their respective incomes from persons subject to permits or enforcement orders pursuant to the state and federal clean air acts. An elected public official, and the director, shall be presumed to represent the public interest. In the event that a director derives a significant portion of his income from persons subject to permits or enforcement orders, he shall delegate sole responsibility for administration of the program to the deputy director or an assistant director, as appropriate.

(2) Each member of any local board and the director, shall adequately disclose any potential conflict of interest in any matter prior to any action or consideration thereon, and the member or director shall remove himself from participation in such matter.

(3) For the purposes of this section, "significant portion of income" shall mean twenty percent of gross personal income for a calendar year. In the case of a retired person, "significant portion of income" shall mean fifty percent of income in the form of pension or retirement benefits from a single source other than social security. Income derived from employment with local or state government shall not be considered in the determination of "significant portion of income."

### WSR 78-11-086

#### NOTICE OF PUBLIC MEETINGS DEPARTMENT OF ECOLOGY [Memorandum—November 1, 1978]

The Washington State Department of Ecology gives notice of five public hearings during December 1978 to consider proposed amendments to Chapter 173-400 WAC—General Regulation for Air Pollution Sources; to adopt new rules, Chapter 173-490 WAC—Emission Standards and Controls for Sources Emitting Volatile Organic Compounds; and to consider revisions to the State Implementation Plan to comply with the requirements of the federal Clean Air Act.

Revisions to Chapter 173-400 WAC are proposed in order to adopt requirements of the federal Clean Air Act for nonattainment areas and new source review, requiring reasonably available control technology (RACT) for all point sources and for fugitive emission and fugitive dust sources in nonattainment areas. Lowest Achievable Emission Rate (LAER) is proposed for new sources in nonattainment areas. New sections are proposed for maintenance of pay and to adopt requirements for boards and director.

Proposed new rules, Chapter 173-490 WAC—Emission Standards and Controls for Sources Emitting Volatile Organic Compounds (VOC), establish registration requirements, control requirements, and compliance schedules for sources of volatile organic compounds. Emission controls are required for petroleum refineries, petroleum liquid storage, and gasoline loading terminals on a statewide basis. Control requirements for bulk gasoline plants, gasoline dispensing facilities, surface coating, solvent metal cleaning and cutback asphalt apply within the ozone nonattainment areas. Review and approval are required for all new sources.

State Implementation Plan – the department proposes to revise the state implementation plan (SIP) for attainment and maintenance of national ambient air quality standards in order to meet requirements of the federal Clean Air Act and establish a program for all nonattainment areas in the state. The revised SIP will be submitted to the federal Environmental Protection Agency to replace the current SIP.

The five public hearings to receive comments on these proposals will be held at the following locations and times:

Tuesday, December 5, 1978, 1:00 p.m. Joint hearings with Spokane County Air Pollution Control Authority to consider Chapter 173-400 WAC and Chapter 173-490 WAC and the SIP.

Spokane County Health Center Auditorium  
West 1101 College  
Spokane

Wednesday, December 6, 1978, 7:00 p.m. Joint hearings with the Puget Sound Air Pollution Control Authority Board to consider the Puget Sound area portion of the SIP.

County/City Building, Commissioners Meeting Room  
11th and Tacoma  
Tacoma

Thursday, December 7, 1978, 4:00 p.m. To consider Chapter 173-400 WAC and Chapter 173-490 WAC.

Food Circus Building, Seattle Center  
Conference Room A, Balcony  
Seattle

Thursday, December 7, 1978, 7:00 p.m. A joint hearing with the Puget Sound Air Pollution Control Authority Board to consider the SIP.

Food Circus Building, Seattle Center  
Conference Room A, Balcony  
Seattle

Monday, December 11, 1978, 10:00 a.m. To consider Chapter 173-400 WAC and Chapter 173-490 WAC and the SIP.

Department of Ecology Headquarters Office  
Lacey

Copies of the proposed new and amended rules and the revised SIP are available at the Department of Ecology Headquarters Office, and the following regional offices:

Northwest Regional Office  
4350 - 150th Avenue N. E.  
Redmond, WA 98052

Central Regional Office  
2803 Main Street  
Union Gap, WA 98903

Eastern Regional Office  
East 103 Indiana  
Spokane, WA 99207

Copies are also available at the offices of the nine activated Air Pollution Control Authorities.

Further information regarding the above proposals may be obtained by contacting:

Mr. Hank Droege, Department of Ecology Headquarters Office, Olympia, WA 98504, (206) 753-2822.

People unable to attend the hearings may forward written statements for inclusion in the hearing record to: Department of Ecology, Attn: Hearing Officer, Olympia, WA 98504, by December 14, 1978.

The revised rules will be considered for adoption at the Department of Ecology Headquarters Office, Lacey, Washington, on December 21, 1978, 10:00 a.m.

### WSR 78-11-087

#### NOTICE OF PUBLIC MEETINGS DEPARTMENT OF ECOLOGY (Ecological Commission)

[Memorandum, Chairman—November 1, 1978]

RCW 43.21A.170 requires that designated state agency heads and the public be given notice of meetings of the Washington State Ecological Commission, and that the public be given full opportunity to examine and be heard on all proposed orders, regulations or recommendations.

The regular fourth quarterly meeting schedule for December, 1978 will be postponed until January 25, 1979. The meeting will begin at 1:00 p.m. at the Department of Ecology headquarters office on the St. Martin's College Campus, Lacey, Washington in the Hearings Room.

A formal agenda will be announced before the quarterly meeting. Information regarding the Ecological Commission meeting may be obtained by contacting Susan Pratt, Ecological Commission secretary (206-753-2240) in Olympia, Washington.

### WSR 78-11-088

#### PROPOSED RULES DEPARTMENT OF ECOLOGY [Filed November 1, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Ecology intends to adopt, amend, or repeal rules concerning the amending of chapter 173-160 WAC—Minimum Standards for Construction Maintenance of Water Wells;

that such agency will at 10:00 a.m., Tuesday, December 5, 1978, in the Spokane County Health Center Auditorium, W 1101 College, Spokane, Washington, conduct a hearing relative thereto;

Also:

10:00 a.m., Wednesday, December 6, 1978  
Franklin County PUD #1  
1411 West Clark  
Pasco, Washington

9:00 a.m., Thursday, December 7, 1978  
Port of Seattle, Pier #66 – Auditorium  
Seattle, Washington;

and that the adoption, amendment, or repeal of such rules will take place at 10:15 a.m., Thursday, December 21, 1978, in the Hearings Room, Department of Ecology, Lacey, Washington.

The authority under which these rules are proposed is RCW 18.104.040(4).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to December 14, 1978, and/or orally at any of the above hearings.

Dated: October 26, 1978

By: Elmer C. Vogel  
Deputy Director

#### AMENDATORY SECTION (Amending Order 73-6, filed 4/30/73)

WAC 173-160-090 DESIGN AND CONSTRUCTION—WELL COMPLETION—GENERAL. The well may be completed with screens, perforated liners or pipe, or open bottom; these shall be of sufficient strength to withstand the forces to which they are subjected during and after construction. It is the responsibility of the well driller or designer to instruct the owner or his representative as to the most appropriate method of completion. Wells shall be completed in a manner which prevents the production of inordinate amounts of sand or turbid water.

(1) Standard Open Bottom Completion. Open bottom completion shall be considered appropriate only where the withdrawn waters are essentially free of sand, silt and turbidity.

(2) Perforated Pipe Completion. Perforated pipe completion shall be considered suitable only for a coarse-grained, permeable aquifer where the withdrawn waters are free of excessive sand, silt or turbidity.

Perforations above the static water level shall not be permitted. Wells may be completed with perforations as follows:

(a) In-place perforations with Star, Mills knife, or similar type perforators.

(b) Perforated pipe liners, either torch-cut, mill-slotted or punched. Such liners may be of steel, plastic or other suitable corrosion-resistant material, but if other than steel, a full evaluation of the structural stability of the liner must be made prior to its placement. They may be used in a natural development or gravel-packed type of construction. Where appropriate, the top of the liner shall be fitted with neoprene or lead packers or grout sealed to the well casing. The bottom of the liner shall be fitted with a suitable closure. The use of pre-perforated casing for working casing as the hole is being drilled is prohibited, except in those cases where the contractor can, through personal experience in the particular area of drilling, attest to the sufficiency of the pre-perforated casing in all respects for the specific well being constructed.

(3) Well Screens. Well screens (and well points) shall be constructed of one type of corrosion-resistant material. Where appropriate, suitable neoprene or lead packers or grout seal shall be fitted to the top of the well screen assembly. The bottom of well screens shall be fitted with a suitable closure.

(4) Alignment. A completed well must be so constructed that the drill hole and/or installed casing does not deviate from an alignment that would prevent a 20 foot dummy section of pipe of no more than one diameter size smaller than the casing liner or drilled hole to be inserted to the bottom of the well without binding.

#### AMENDATORY SECTION (Amending Order 73-6, filed 4/30/73)

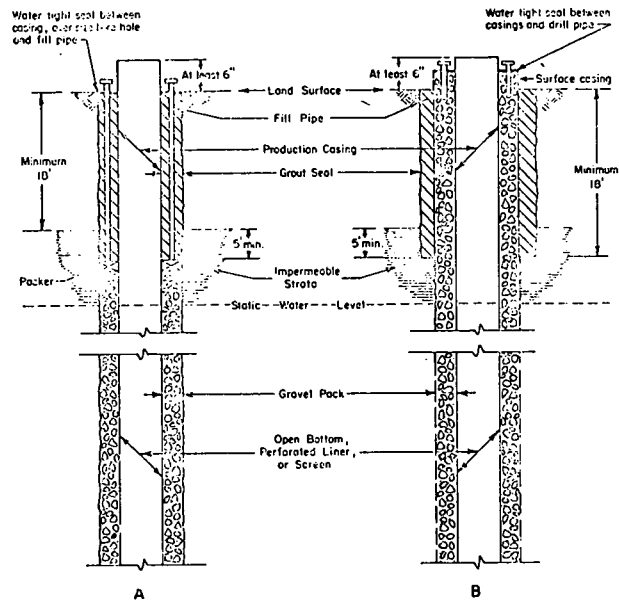
WAC 173-160-100 DESIGN AND CONSTRUCTION—SEALING MATERIALS. Puddling clay shall consist of any stable, fine-grained, impervious material with at least 50% bentonite with the maximum size of the remaining portion not exceeding that of coarse sand (.5 mm - .1 mm), which is capable of providing a water tight seal

between the casing and formation throughout the depth required to protect against objectionable matter and which is reasonably free of shrinkage. Cement grout (neat cement) shall consist of either portland cement or quick setting cement mixed with not more than six gallons of water per sack of cement. Up to 5% bentonite clay, by weight, may be added to improve flow qualities and compensate for shrinkage. Pelletized bentonite may be used in all wells sealed to a depth not to exceed the 18' minimum standard.

**AMENDATORY SECTION (Amending Order 73-6, filed 4/30/73)**

**WAC 173-160-200 UPPER TERMINAL OF WELL.** The water-tight casing or curbing of any well shall extend not less than 6 inches above the established ground surface. In the case of public water supplies where the site is not subject to flooding, the pumphouse floor must be at least 1 foot above land surface, with a minimum of 6

inches of casing projecting above the floor; where the site is subject to flooding, the pumphouse floor must be at least 2 feet above the estimated water level of a ((50)) 100-year frequency flood. Any vent opening, observation ports or air-line equipment shall extend from the upper end of the well by water-tight piping to a point not less than 1 foot above the pumphouse floor or cover installed above ground surface. The terminals of these facilities shall be shielded or sealed so as to prevent entrance of foreign matter or pollutants. A subsurface connection is permitted on domestic wells if made with approved fittings or welding procedures approved by the department, provided that the connection must be above static water level, and the pump location must not be subject to flooding.



NOT TO SCALE

- A - Well constructed without surface casing.
- B - Well constructed with surface casing

Figure 3. SEALING OF GRAVEL-PACKED WELLS

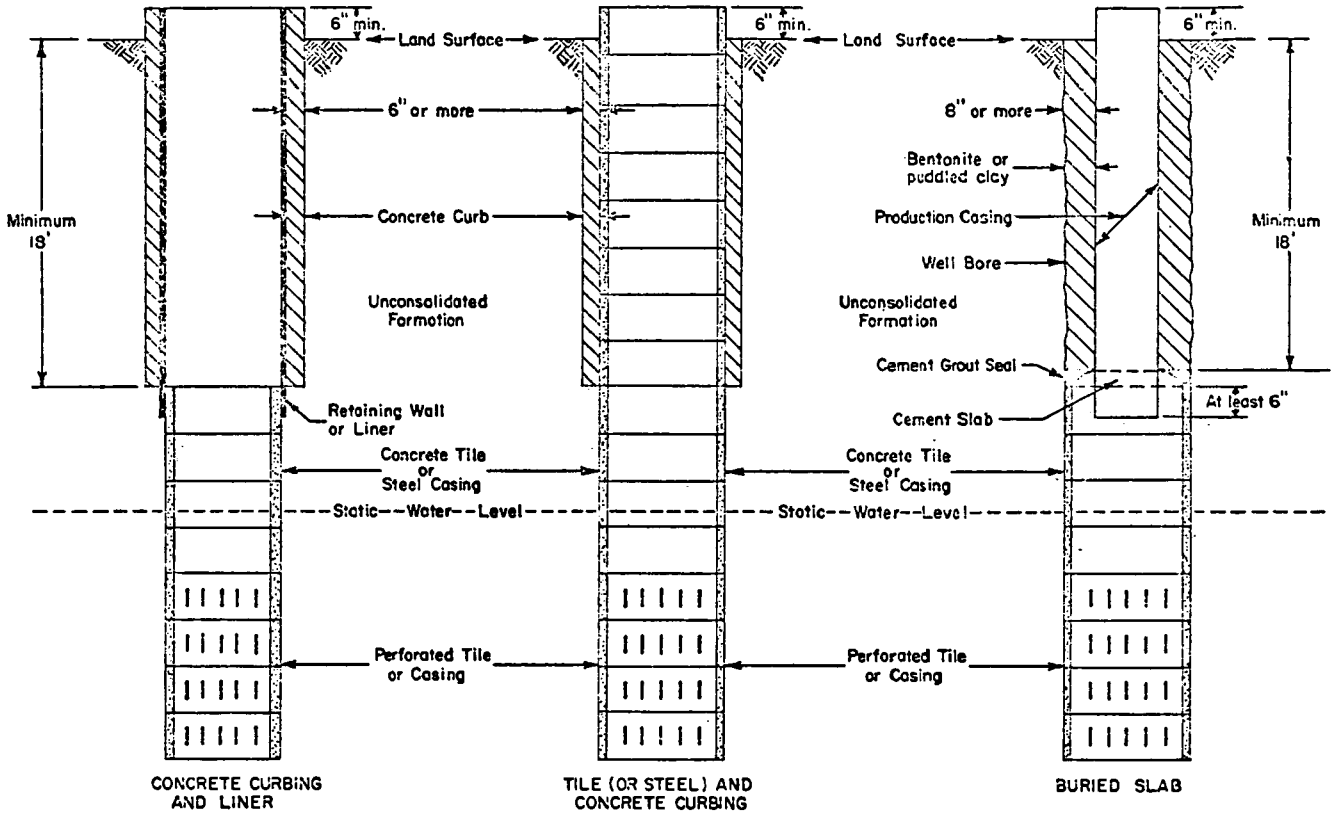
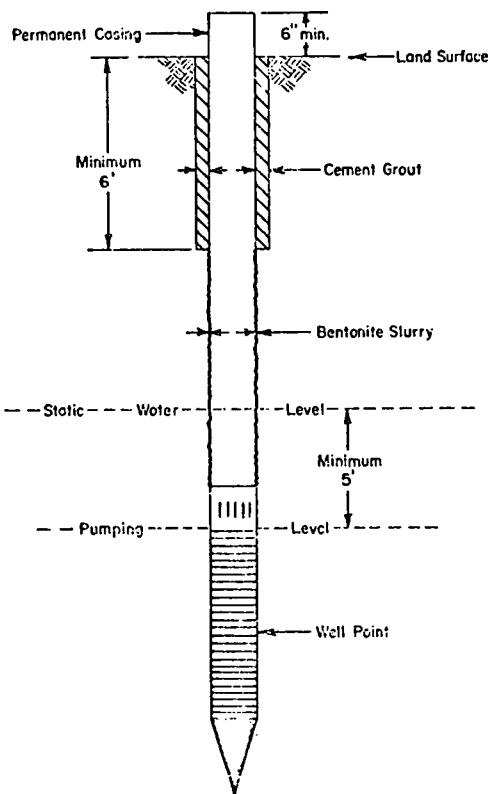


Figure 4. SEALING OF DUG WELLS



NOT TO SCALE

Figure 5. SEALING OF DRIVEN AND JETTED WELLS

**AMENDATORY SECTION** (Amending Order 73-6, filed 4/30/73)

**WAC 173-160-290 ABANDONMENT OR DESTRUCTION OF WELLS.** All wells including those which are not developed to provide a supply of water and are subsequently abandoned, shall be abandoned in the manner consistent with the meaning and intent of these regulations. The abandonment procedure of a well must be recorded and reported as required by the department.

**WSR 78-11-089  
PROPOSED RULES  
DEPARTMENT OF AGRICULTURE**  
[Filed November 1, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and 15.17.150, that the Department of Agriculture intends to adopt, amend, or repeal rules concerning change in fees charged with respect to horticultural inspection services, amending WAC 16-400-040;

that such agency will at 10:00 a.m., Wednesday, December 13, 1978, in the Holiday Inn, Ellensburg, Washington, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Wednesday,

December 20, 1978, in the Conference room, 4th floor, General Administration Bldg., Olympia.

The authority under which these rules are proposed is chapter 15.17 RCW.

Interested persons may submit data, views, or arguments to this agency orally at 10:00 a.m., Wednesday, December 13, 1978, Holiday Inn, Ellensburg, Washington.

Dated: November 1, 1978  
By: Arthur R. Hurd  
Assistant Supervisor  
Plant Industry Division

**AMENDATORY SECTION** (Amending Order 1578, filed 5/17/78)

**WAC 16-400-040 VEGETABLES.**

Asparagus in 12 lb containers	2¢ each
Asparagus in 26 - 35 lb containers	3 1/2¢ each
Corn - crates	6¢ each
Cantaloupe (60 lb container unit)	6¢ each
Tomatoes - L.A. Lugs or loose in containers	3¢ each
Tomatoes - In flats	2 1/4¢ each
Onions	5¢ cwt.
Potatoes and seed potatoes	4¢ cwt.
Potatoes where percentage grade needed or major fraction thereof (diversion program or similar program)	50¢ per ton
Processing potatoes	((3)) 4¢ per cwt.
Complete inspection (Rate reduced for service required)	

Inspection fees for cabbage, celery, lettuce, cauliflower, grapes, rhubarb, rutabagas, watermelons, squash, carrots, etc., shall be at the regular hourly rate of \$12.00 per hour, or \$24.00 for a carload, with a maximum of 2 hours time, for domestic use only.

**Reviser's Note:** RCW 34.04.058 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 78-11-090  
PROPOSED RULES  
THE EVERGREEN STATE COLLEGE**  
[Filed November 1, 1978]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030 and 28B.40.120(11), that The Evergreen State College intends to adopt, amend, or repeal rules concerning Facilities Usage for On-Campus Events and Appearances;

and that the adoption, amendment, or repeal of such rules will take place at 11:00 a.m., Monday, November 13, 1978, in the Board of Trustees Room, Library Bldg. 3112, The Evergreen State College, Olympia.

The authority under which these rules are proposed is RCW 28B.40.120(11).

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution prior to November 6, 1978, and/or orally at 11:00 a.m., Monday, November 13, 1978, Board of Trustees Room, Library Bldg., Room 3112, The Evergreen State College, Olympia.

This notice is connected to and continues the matter noticed in Notice No. WSR 78-09-111 filed with the code reviser's office on September 5, 1978.

Dated: October 30, 1978  
By: Daniel J. Evans  
President

**WSR 78-11-091**  
**PROPOSED RULES**  
**DEPARTMENT OF REVENUE**  
[Filed November 1, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and 84.33.120, that the Department of Revenue intends to adopt, amend, or repeal rules concerning Forest Land Values for Year 1977, WAC 458-40-19100;

that such agency will at 2:30 p.m., Wednesday, December 6, 1978, in the Large Conference Room, 1st Floor, General Administration Building, Olympia, Washington, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10:30 a.m., Friday, December 8, 1978, in the Director's Office, 415 General Admin. Bldg., Olympia, Wa 98504.

The authority under which these rules are proposed is RCW 84.33.120.

Interested persons may submit date, views, or arguments to this agency in writing to be received by this agency prior to December 6, 1978, and/or orally at 2:30 p.m., Wednesday, December 6, 1978, Large Conference Room, 1st Floor, General Admin. Bldg., Olympia, WA.

Dated: November 1, 1978  
By: Charles W. Hodde  
Director

AMENDATORY SECTION (Amending Order FT 76-3, filed December 1, 1976)

WAC 458-40-19100 FOREST LAND VALUES FOR YEAR 1977. The true and fair values, per acre, for each grade of forest land for the 1977 assessment year are determined to be as follows:

1977			
FOREST LAND VALUES			
Land Quality	Accessibility & Topography	Western Washington <sup>1</sup>	Eastern Washington <sup>2</sup>
GOOD	Favorable	<del>(\$132.00)</del> \$111.00	<del>(\$50.00)</del> \$33.00
	Average	<del>(\$114.00)</del> \$93.00	<del>(\$46.00)</del> \$29.00
	Difficult	<del>(\$84.00)</del> \$62.00	<del>(\$39.00)</del> \$22.00
	Inoperable	\$ 5.00	\$ 1.00
AVERAGE	Favorable	<del>(\$94.00)</del> \$79.00	<del>(\$30.00)</del> \$20.00
	Average	<del>(\$82.00)</del> \$66.00	<del>(\$27.00)</del> \$17.00
	Difficult	<del>(\$58.00)</del> \$43.00	<del>(\$24.00)</del> \$13.00
	Inoperable	\$ 3.00	\$ 1.00
POOR	Favorable	<del>(\$52.00)</del> \$44.00	<del>(\$14.00)</del> \$ 9.00
	Average	<del>(\$45.00)</del> \$37.00	<del>(\$12.00)</del> \$ 8.00
	Difficult	<del>(\$32.00)</del> \$24.00	<del>(\$10.00)</del> \$ 6.00
	Inoperable	\$ 1.00	\$ 1.00

**WSR 78-11-092**

**ADOPTED RULES**

**THE EVERGREEN STATE COLLEGE**

[Order 78-3, Resolution Motion 78-50--Filed November 1, 1978]

Be it resolved by the board of trustees of The Evergreen State College, acting at The Evergreen State College, that it does promulgate and adopt the annexed rules relating to Social Contract.

This action is taken pursuant to Notice No. WSR 78-09-111 filed with the code reviser on 9/5/78. Such rules shall take effect pursuant to RCW 28B.19.050(2).

This rule is promulgated under the general rule-making authority of The Evergreen State College as authorized in RCW 28B.40.120(11).

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED October 19, 1978.

By Daniel J. Evans  
President

AMENDATORY SECTION (Amending Order 2, filed 2/22/72)

WAC 174-124-020 BASIC PURPOSES—INDIVIDUAL RESPONSIBILITY OF MEMBERS OF THE COLLEGE COMMUNITY. ~~((1) The Evergreen State College is an association of people who come together to learn and to help each other learn. Such a community of learners can thrive only if each member respects the rights of others while enjoying his own rights. It depends heavily on a network of mutual trust and an atmosphere of civility, and it grows in its human utility only if each of its members lives up to the responsibilities for honesty, fairness, tolerance, and the giving of his best efforts as those efforts are entailed by his membership. Students, faculty, administrators, and staff members may differ widely in their specific interests, in the degrees and kinds of experience they bring to Evergreen, and in the functions which they have agreed to perform. But all must share alike in prizing academic and inter-personal honesty, in responsibly obtaining and providing full and accurate information, and in resolving their differences through due process and with a strong will to collaboration.~~

~~((2) These considerations directly imply the necessity of an organized structure to achieve the goals of more effective learning, a system of governance that encourages widespread participation in the making of college decisions (See Governance and Decision-Making at Evergreen, statement of 10 June, 1971), and a full awareness on the part of every member of the community of how his behavior influences the climate and the spirit of the campus. If the spirit and climate of the college are to promote learning most effectively, then each member of the community must protect in an active, thoughtful, and concerned way (a) the fundamental rights of others in the community as citizens, (b) the right of each~~

<sup>1</sup>For Western Washington: All private land lying west of the Summit of the Cascade Range of mountains.

<sup>2</sup>For Eastern Washington: All private land lying east of the Summit of the Cascade Range of mountains.

member of the community to pursue different learning objectives within the limits defined by Evergreen's resources in people, materials and equipment, and money, (c) the rights and obligations of Evergreen as an institution established by the state of Washington, and (d) the rights of all members of the community to fair and equitable procedures for determining how, when, and against whom the community must act when its safety or its integrity has been damaged. Even more important, however, is the requirement, difficult to define and impossible to legislate, that each member of the Evergreen community concern himself with how the college can become a more productive, more humane, and more supportive place in which to learn. This requirement entails an explicit and continuing consideration of the delicate balances in the relationship of the members of the Evergreen community to each other and to the institution itself.) (1) The Evergreen State College is an association of people who work together as learners and teachers. Such a community can thrive only if members respect the rights of others while enjoying their own rights. Students, faculty, administrators and staff members may differ widely in their specific interests, in the degrees and kinds of experiences they bring to Evergreen, and in the functions which they have agreed to perform, but all must share alike in prizing academic and interpersonal honesty, in responsibly obtaining and in providing full and accurate information, and in resolving their differences through due process and with a strong will to collaboration. In its life as a community The Evergreen State College requires a social contract rather than a list of specific prohibitions and essentially negative rules.

(2) The individual members of the Evergreen community have the responsibility for protecting each other and visitors on campus from physical harm, from personal threats, and from uncivil abuse. Similarly, the institution is obligated, both by principle and by the general law, to protect its property from damage and unauthorized use and its operating processes from interruption. At the same time, it also must guarantee the right of the members of the community to voice their opinions with respect to basic matters of policy and other issues.

(3) As a community, Evergreen, through its governance structures, has both the right and the obligation to establish reasonable standards of conduct for its members in order to safeguard the processes of learning, to provide for the safety of its members, to protect the investment of the people of the state of Washington in its properties and to insure a suitable respect for the very different tastes and sensibilities of its members. For these reasons, the law empowers the president or presidential designees to intercede whenever sound judgment points to a clear and present danger to these concerns.

(4) Each member of the community must protect: (a) The fundamental rights of others in the community as citizens, (b) the right of each member in the community to pursue different learning objectives within the limits defined by Evergreen's curriculum or resources in people, materials, equipment and money, (c) the rights and obligations of Evergreen as an institution established by the state of Washington, and (d) individual rights to fair

and equitable procedures when the institution acts to protect the safety of its members.

AMENDATORY SECTION (Amending Order 2, filed 2/22/72)

WAC 174-124-030 INDIVIDUAL RIGHTS OF MEMBERS OF THE EVERGREEN COMMUNITY.

(1) Members of the Evergreen community recognize that the college is ((inherently and inescapably a)) part of the larger society as represented by the state of Washington, which funds it, and by the community of greater Olympia, in which it is located. From this state of affairs flow certain rights for the members of the Evergreen community, certain conditions of campus life, and certain obligations.

(2) Among the basic rights are freedom of speech, freedom of the press, freedom of peaceful assembly and association, freedom of belief, and freedom from ((personal force and violence, from threats of violence, and from personal abuse)) intimidation, violence and abuse.

(3) ((Freedom of the press implies the right to freedom from censorship in campus newspapers and other media. Concomitantly, such publications are subject to the usual canons of responsible journalism, to the law of the press, and to the same conditions of self-maintenance that apply to other forms of public communication.

(4)) There may be no discrimination at Evergreen with respect to race, sex, sexual orientation, religious or political belief, or national origin ((with respect to)) in considering individuals' admission, employment, or promotion. To this end the college has adopted an affirmative action policy (references Evergreen Administrative Code WAC 174-148, Equal Opportunity Policies and Procedures - Affirmative Action Program).

((5)) (4) Because the Evergreen community is ((not separate or segregated from)) part of the larger society, the campus is not a sanctuary from the general law or invulnerable to ((the)) general public ((interest)) opinion. ((The members of the Evergreen community are therefore obligated to deal with the relationship between the campus and the larger society with a balance of forthrightness and sensitivity, criticism and respect, and an appreciation of the complexities of social change and personal differences.

(6)) (5) The Evergreen community will support the right of its members, individually or in groups, to express ideas, judgments, and opinions in speech or writing. The members of the community, however, are obligated to make ((their)) statements in their own names and not as expressions on behalf of the college.

((7)) (6) ((Each member of the college community has the right to organize his own personal life and conduct according to his own values and preferences so long as his actions accord with the general law, are in keeping with agreements voluntarily entered into, evince an appropriate respect for the rights of others to organize their lives differently, and advance (or at least do not interfere with) the community-wide purpose of more effective learning. In short, Evergreen does not stand in loco parentis for its members.)) All members of the college community have the right to organize their personal



lives and conduct according to their own values and preferences, with an appropriate respect for the rights of others to organize their lives differently.

(7) Evergreen does not stand in loco parentis for its members.

(8) The right to use the mediation and adjudication process is enjoyed by all members of the Evergreen community. (Reference: WAC 174-108-06001 Mediation and Adjudication of Disputes, Grievances and Appeals).

AMENDATORY SECTION (Amending Order 2, filed 2/22/72)

WAC 174-124-040 CONDITIONS OF LEARNING—FREEDOM—PRIVACY—HONESTY. (1)

((As a community of people who have come together to learn and to help one another to learn more effectively, Evergreen's members live under a special set of rights and responsibilities. Foremost among these rights is that of enjoying full freedom to explore the nature and implications of ideas, to generate new ideas, and to discuss their explorations and discoveries in both speech and print without let or hindrance. Both institutional censorship and intolerance by individuals or groups are at a variance with this basic freedom. By a similar token, research or other intellectual efforts, the results of which must be kept secret or may be used only for the benefit of a special interest group, also violate the principle of free inquiry.)) Evergreen's members live under a special set of rights and responsibilities, foremost among which is that of enjoying full freedom to explore ideas and to discuss their explorations in both speech and print without let or hindrance. Both institutional and individual censorship are at variance with this basic freedom. Research or other intellectual efforts, the results of which must be kept secret or may be used only for the benefit of a special interest group, also violate the principle of free inquiry.

(2) ((Serious thought and learning entail privacy. Although human accessibility is a basic value, and although meetings of public significance cannot properly be held in secret,)) All members of the Evergreen community are entitled to privacy in the college's offices, facilities devoted to educational programs, and housing. The same right of privacy extends to personal papers, confidential records, and personal effects, whether maintained by the individual or by the institution. Meetings of public significance cannot be properly held in secret.

(3) All members of the Evergreen community enjoy the right to hold and to participate in public meetings, to post notices on the campus, and to engage in peaceful demonstrations. ((In order to protect the safety of the community and to respect the equal rights of those who choose not to participate,)) Reasonable and impartially applied rules((, following established procedures of governance (See Governance and Decision-Making at Evergreen);)) may be set with respect to time, place and use of Evergreen facilities in these activities.

(4) Honesty is an essential condition of learning. Honesty includes ((although it is not limited to)) the presentation of only one's own work in one's own name,

the full consideration of evidence and logic ((even when they contradict a cherished personal point of view)), and the recognition((=insofar as it is humanly possible=))of biases and prejudices in oneself ((as one strives to become a more effective learner)).

(5) Another essential condition of learning is the full freedom and right on the part of individuals and groups to the expression of minority, unpopular, or controversial points of view. ((If the Evergreen community is to prove valuable to all its members, this right must be especially cherished, particularly when the predominant current of opinion, regardless of its character or its content, runs strong:))

(6) Related to this point is the way in which civility is a fundamental condition of learning. Only if minority and unpopular points of view are accorded respect, are listened to, and are given full opportunity for expression will Evergreen provide bona fide opportunities for significant learning ((as opposed to pressures, subtle or overt, to ride the main tides of purely contemporary opinion)).

(7) All members of the Evergreen community((=students, staff, faculty, administrators, trustees, and all others=are under an obligation to protect the integrity of Evergreen as a community of learners from external and internal attacks, and)) should strive to prevent the financial, political, or other exploitation of the campus by any individual or group.

AMENDATORY SECTION (Amending Order 2, filed 2/22/72)

WAC 174-124-050 INSTITUTIONAL RIGHTS AND OBLIGATIONS. (1) As an institution, Evergreen has the obligation to provide an open forum for the members of its community to present and to debate public issues, to consider the problems of the college, and to serve as a mechanism of widespread involvement in the life of the larger community. ((Sec Governance and Decision-Making at Evergreen, sections on the college forum and on the college sounding board.))

(2) The college has the obligation to prohibit the use of its name, its finances, and its facilities for commercial purposes.

(3) Evergreen has the right to prohibit individuals and groups who are not members of its community from using its name, its financial or other resources, and its facilities for commercial, religious, or political activities. ((This right is balanced by an obligation to formulate and to administer its policies in this regard in an even-handed manner.))

(4) The college is obligated not to take a position, as an institution, in electoral politics or on public issues except for those matters which directly affect((s)) its integrity, the freedom of the members of its community, its financial support, and its educational programs. At the same time, Evergreen has the obligation to support the right of its community's members to engage, as citizens of the larger society, in political affairs, in any way that they may elect within the provision of the general law.

((5) The individual members of the Evergreen community have the responsibility for protecting each other

~~and visitors on campus from physical harm, from personal threats, and from uncivil abuse. Similarly, the institution is obligated, both by principle and by the general law, to protect its property from damage and unauthorized use and its operating processes from interruption. At the same time, it also must guarantee the right of the members of its community to be heard at appropriate levels of decision-making with respect to basic matters of policy and other issues of direct concern. As a community, Evergreen, through its governance structures, has both the right and the obligation to establish reasonable standards of conduct for its members in order to safeguard the processes of learning, to provide for the safety of its members, to protect the investment of the people of the state of Washington in its properties, and to insure a suitable respect for the very different tastes and sensibilities of its members. For these reasons, the law empowers the president or his designees to intercede whenever, in his (or their) judgment, a clear and present danger to these concerns exists:))~~

AMENDATORY SECTION (Amending Order 2, filed 2/22/72)

~~WAC 174-124-120 PROCEDURAL REVIEW—SUBSEQUENT MODIFICATION OF ((RULES)) THE SOCIAL CONTRACT. ((+)) In both this statement of the Evergreen social contract and in Governance and Decision-Making at Evergreen, a number of important procedural clarifications are still necessary. Several members of the present task force on the social contract have expressed interest in helping to formulate those procedures and to work them out in the necessary greater detail. If acceptable to the community, then the appropriate members of the task force and interested members of the committee on governance could profitably assemble to identify the problems and to begin to move toward their speedy solution.~~

~~(2) This document is subject to review and change by processes analogous to those which brought it into being:)) This document shall be reviewed with each review of the covenant on governance.~~

REPEALER

The following sections of the Washington Administrative Code are repealed:

(1) WAC 174-124-010 INTRODUCTION—DECLARATIONS OF COLLEGE POLICY.

(2) WAC 174-124-060 THE ISSUE OF STRIKES—BOYCOTTS—SANCTIONS.

(3) WAC 174-124-070 JUDICIAL ACTION.

(4) WAC 174-124-080 INFORMAL MEDIATION.

(5) WAC 174-124-090 FORMAL MEDIATION—COMMUNITY SERVICE LIST.

(6) WAC 174-124-100 APPEAL PROCEDURE—BOARD OF JUDGMENT.

(7) WAC 174-124-110 OFF-CAMPUS OFFENSES OR CONVICTIONS—ALL-CAMPUS HEARING BOARD.

WSR 78-11-093  
PROPOSED RULES  
DEPARTMENT OF GAME  
(STATE GAME COMMISSION)  
[Filed November 1, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 42.30 RCW, that the State Game Commission intends to adopt, amend, or repeal rules concerning:

Rep	WAC 232-28-700	1978 Spring and Summer Hunting Seasons.
New	WAC 232-28-701	1979 Spring and Summer Hunting Seasons.
Amd	WAC 232-12-510	Requirements of license dealers;

that such agency will at 9 a.m., Monday, January 8, 1979, in the Town Plaza Motor Inn, 607 E. Yakima Avenue, Yakima, Washington, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9 a.m., Monday, January 8, 1979, in the Town Plaza Motor Inn, 607 E. Yakima Avenue, Yakima, Washington.

The authority under which these rules are proposed is RCW 77.12.040.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to January 8, 1979, and/or orally at 9 a.m., Monday, January 8, 1979, Town Plaza Motor Inn, 607 E. Yakima Avenue, Yakima, Washington.

Dated: November 1, 1978

By: Wallace F. Kramer  
Wildlife Management Chief

AMENDATORY SECTION

WAC 232-12-510 REQUIREMENTS OF LICENSE DEALERS. (1) The Director of Game, with the approval of the state game commission, may deputize persons, firms or corporations as license dealers in such numbers as deemed necessary, for the purpose of issuing hunting and fishing licenses.

(2) All persons, firms, or corporations so deputized shall provide the Director of Game with a good and sufficient bond in such amount as the director shall determine, such bond to guarantee full and complete payment for any and all licenses sold or not remitted by the dealer.

(3) License dealers shall remit all moneys collected from the sale of completely sold books of hunting and fishing licenses ((on or before the end of each calendar month:)) by the 10th day of the following month in which the licenses are sold. At the end of each license year, license dealers shall remit for all remaining sold licenses by the final date specified by the Director of Game. Failure to comply with this regulation may result in the cancellation of a license dealership.

**Reviser's Note:** RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

NEW SECTION

WAC 232-28-701 1979 SPRING AND SUMMER HUNTING SEASONS. Reviser's note: The text and accompanying map comprising the 1979 Spring and Summer Hunting Seasons Rules proposed by the Department of Game have been omitted from publication in the Register under the authority of RCW 34.04.050(3) as being unduly cumbersome to publish. Copies of the proposed rules may be obtained from the main office of the Department of Game, 600 North Capitol Way, Olympia, Washington, 98504, and upon final adoption are available in pamphlet form from the Department, its six regional offices, and at numerous drug and sporting goods stores throughout the state.

**REPEALER**

The following section of the Washington Administrative Code is repealed:

- (1) WAC 232-28-700 1978 Spring and Summer Hunting Seasons

















Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
132W-170-050	REP-P	78-10-001	172-114-040	AMD-P	78-04-010	173-14-110	AMD	78-07-011
132W-170-051	REP-P	78-10-001	172-114-040	AMD-P	78-06-044	173-14-115	AMD-P	78-04-063
132W-170-060	REP-P	78-10-001	172-114-040	AMD-E	78-06-117	173-14-115	AMD	78-07-011
132W-276-001	AMD-P	78-10-002	172-114-040	AMD	78-09-029	173-14-120	AMD-P	78-04-063
132W-276-005	AMD-P	78-10-002	172-114-050	AMD-E	78-03-078	173-14-120	AMD	78-07-011
132W-276-010	AMD-P	78-10-002	172-114-050	AMD-P	78-04-010	173-14-130	AMD-P	78-04-063
132W-276-030	REP-P	78-10-002	172-114-050	AMD-P	78-06-044	173-14-130	AMD	78-07-011
132W-276-040	REP-P	78-10-002	172-114-050	AMD-E	78-06-117	173-14-140	AMD-P	78-04-063
132W-276-050	REP-P	78-10-002	172-114-050	AMD	78-09-029	173-14-140	AMD	78-07-011
132W-276-060	AMD-P	78-10-002	172-114-060	AMD-E	78-03-078	173-14-150	AMD-P	78-04-063
132W-276-070	AMD-P	78-10-002	172-114-060	AMD-P	78-04-010	173-14-150	AMD	78-07-011
132W-276-080	AMD-P	78-10-002	172-114-060	AMD-P	78-06-044	173-14-160	REP-P	78-04-063
132W-276-090	AMD-P	78-10-002	172-114-060	AMD-E	78-06-117	173-14-160	REP	78-07-011
132W-276-100	AMD-P	78-10-002	172-114-060	AMD	78-09-029	173-14-170	AMD-P	78-04-063
132W-276-110	AMD-P	78-10-002	172-114-070	AMD-E	78-03-078	173-14-170	AMD	78-07-011
132W-276-200	REP-P	78-10-002	172-114-070	AMD-P	78-04-010	173-14-174	NEW-P	78-04-063
132W-276-210	REP-P	78-10-002	172-114-070	AMD-P	78-06-044	173-14-174	NEW	78-07-011
132W-276-220	REP-P	78-10-002	172-114-070	AMD-E	78-06-117	173-14-180	AMD-P	78-04-063
135-10-030	AMD-P	78-06-130	172-114-070	AMD	78-09-029	173-14-180	AMD	78-07-011
135-10-030	AMD	78-08-045	172-114-090	AMD-E	78-03-078	173-14-190	AMD-P	78-04-063
135-10-040	AMD-P	78-06-130	172-114-090	AMD-P	78-04-010	173-14-190	AMD	78-07-011
135-10-040	AMD	78-08-045	172-114-090	AMD-P	78-06-044	173-19-390	AMD-P	78-05-017
136-10-050	AMD-P	78-06-095	172-114-090	AMD-E	78-06-117	173-19-390	AMD	78-08-076
136-18-020	AMD-P	78-06-093	172-114-090	AMD	78-09-029	173-22	AMD-P	78-06-126
136-18-020	AMD-P	78-09-117	172-114-110	AMD-E	78-03-078	173-22	AMD	78-09-028
136-18-030	AMD-P	78-06-093	172-114-110	AMD-P	78-04-010	173-24	AMD-P	78-03-018
136-18-030	AMD-P	78-09-117	172-114-110	AMD-P	78-06-044	173-24-010	AMD-P	78-02-076
136-18-040	AMD-P	78-06-093	172-114-110	AMD-E	78-06-117	173-24-010	AMD	78-04-015
136-18-040	AMD-P	78-09-117	172-114-110	AMD	78-09-029	173-24-030	AMD-P	78-02-076
136-18-050	AMD-P	78-06-093	172-150-165	NEW-P	78-03-027	173-24-030	AMD	78-04-015
136-18-050	AMD-P	78-09-117	172-180-010	AMD-P	78-03-028	173-24-060	AMD-P	78-02-076
136-18-060	AMD-P	78-06-093	172-180-010	AMD	78-06-006	173-24-060	AMD	78-04-015
136-18-060	AMD-P	78-09-117	172-180-020	AMD-P	78-03-028	173-24-070	AMD-P	78-02-076
136-18-070	AMD-P	78-06-093	172-180-020	AMD	78-06-006	173-24-070	AMD	78-04-015
136-18-070	AMD-P	78-09-117	172-180-030	AMD-P	78-03-028	173-24-080	AMD-P	78-02-076
136-20-010	AMD-P	78-09-116	172-180-030	AMD	78-06-006	173-24-080	AMD	78-04-015
136-20-020	AMD-P	78-09-116	172-180-040	AMD-P	78-03-028	173-24-100	AMD-P	78-02-076
136-20-030	AMD-P	78-09-116	172-180-040	AMD	78-06-006	173-24-100	AMD	78-04-015
136-20-040	AMD-P	78-09-116	173-02	REP	78-02-041	173-24-110	AMD-P	78-02-076
136-20-050	AMD-P	78-09-116	173-03-010	NEW	78-02-041	173-24-110	AMD	78-04-015
136-20-060	AMD-P	78-09-116	173-03-020	NEW	78-02-041	173-24-140	AMD-P	78-02-076
136-32-030	AMD-E	78-05-084	173-03-030	NEW	78-02-041	173-24-140	AMD	78-04-015
136-32-030	AMD-P	78-06-094	173-03-040	NEW	78-02-041	173-24-150	AMD-P	78-02-076
139-04-010	AMD	78-02-032	173-03-050	NEW	78-02-041	173-24-150	AMD	78-04-015
139-14-010	NEW	78-02-037	173-03-060	NEW	78-02-041	173-58-010	NEW-P	78-09-104
139-16-010	AMD	78-02-033	173-03-070	NEW	78-02-041	173-58-020	NEW-P	78-09-104
139-18-010	AMD	78-02-034	173-03-080	NEW	78-02-041	173-58-030	NEW-P	78-09-104
139-20-010	AMD	78-02-035	173-03-090	NEW	78-02-041	173-58-040	NEW-P	78-09-104
139-22-010	AMD	78-02-036	173-03-100	NEW	78-02-041	173-58-050	NEW-P	78-09-104
142-12-026	NEW-P	78-08-110	173-14-010	AMD-P	78-04-063	173-58-060	NEW-P	78-09-104
142-12-026	NEW	78-11-025	173-14-010	AMD	78-07-011	173-58-070	NEW-P	78-09-104
162-04-024	NEW	78-02-065	173-14-020	AMD-P	78-04-063	173-58-080	NEW-P	78-09-104
162-04-026	NEW	78-02-065	173-14-020	AMD	78-07-011	173-58-090	NEW-P	78-09-104
162-04-050	NEW	78-02-065	173-14-030	AMD-P	78-04-063	173-70-010	NEW-P	78-09-105
162-08-024	REP	78-02-065	173-14-030	AMD	78-07-011	173-70-020	NEW-P	78-09-105
162-08-026	REP	78-02-065	173-14-040	AMD-P	78-04-063	173-70-030	NEW-P	78-09-105
162-08-050	REP	78-02-065	173-14-040	AMD	78-07-011	173-70-040	NEW-P	78-09-105
162-08-093	AMD	78-02-065	173-14-050	AMD-P	78-04-063	173-70-050	NEW-P	78-09-105
172-114-010	AMD-E	78-03-078	173-14-050	AMD	78-07-011	173-70-060	NEW-P	78-09-105
172-114-010	AMD-P	78-04-010	173-14-060	AMD-P	78-04-063	173-70-070	NEW-P	78-09-105
172-114-010	AMD-P	78-06-044	173-14-060	AMD	78-07-011	173-70-080	NEW-P	78-09-105
172-114-010	AMD-E	78-06-117	173-14-062	AMD-P	78-04-063	173-70-090	NEW-P	78-09-105
172-114-010	AMD	78-09-029	173-14-062	AMD	78-07-011	173-70-100	NEW-P	78-09-105
172-114-020	AMD-E	78-03-078	173-14-064	AMD-P	78-04-063	173-70-110	NEW-P	78-09-105
172-114-020	AMD-P	78-04-010	173-14-064	AMD	78-07-011	173-124-06001	NEW	78-05-007
172-114-020	AMD-P	78-06-044	173-14-070	AMD-P	78-04-063	173-160-090	AMD-P	78-11-088
172-114-020	AMD-E	78-06-117	173-14-070	AMD	78-07-011	173-160-100	AMD-P	78-11-088
172-114-020	AMD	78-09-029	173-14-080	AMD-P	78-04-063	173-160-200	AMD-P	78-11-088
172-114-030	AMD-E	78-03-078	173-14-080	AMD	78-07-011	173-160-290	AMD-P	78-11-088
172-114-030	AMD-P	78-04-010	173-14-090	AMD-P	78-04-063	173-164-010	NEW	78-08-026
172-114-030	AMD-P	78-06-044	173-14-090	AMD	78-07-011	173-164-020	NEW	78-08-026
172-114-030	AMD-E	78-06-117	173-14-100	AMD-P	78-04-063	173-164-030	NEW	78-08-026
172-114-030	AMD	78-09-029	173-14-100	AMD	78-07-011	173-164-040	NEW	78-08-026
172-114-040	AMD-E	78-03-078	173-14-110	AMD-P	78-04-063	173-164-050	NEW	78-08-026

**Table of WAC Sections Affected**

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
173-164-060	NEW	78-08-026	173-240-100	NEW-P	78-10-121	173-531-040	NEW	78-09-015
173-164-070	NEW	78-08-026	173-240-105	NEW-P	78-10-121	173-531-050	NEW	78-09-015
173-166-010	NEW-E	78-02-007	173-240-110	NEW-P	78-06-124	173-531-060	NEW	78-09-015
173-166-010	NEW-P	78-02-077	173-240-110	NEW-P	78-10-121	173-531-070	NEW	78-09-015
173-166-010	NEW	78-04-019	173-240-120	NEW-P	78-10-121	173-800-010	REP-P	78-03-083
173-166-020	NEW-E	78-02-007	173-240-130	NEW-P	78-10-121	173-800-010	REP	78-04-090
173-166-020	NEW-P	78-02-077	173-240-140	NEW-P	78-10-121	173-800-015	REP-P	78-03-083
173-166-020	NEW	78-04-019	173-240-150	NEW-P	78-10-121	173-800-015	REP	78-04-090
173-166-030	NEW-E	78-02-007	173-240-160	NEW-P	78-10-121	173-800-020	REP-P	78-03-083
173-166-030	NEW-P	78-02-077	173-240-170	NEW-P	78-10-121	173-800-020	REP	78-04-090
173-166-030	NEW	78-04-019	173-240-180	NEW-P	78-10-121	173-800-030	REP-P	78-03-083
173-166-040	NEW-E	78-02-007	173-240-990	NEW-P	78-06-124	173-800-030	REP	78-04-090
173-166-040	NEW-P	78-02-077	173-250-010	NEW-P	78-06-129	173-800-035	REP-P	78-03-083
173-166-040	NEW	78-04-019	173-250-010	NEW	78-09-067	173-800-035	REP	78-04-090
173-166-050	NEW-E	78-02-007	173-250-020	NEW-P	78-06-129	173-800-040	REP-P	78-03-083
173-166-050	NEW-P	78-02-077	173-250-020	NEW	78-09-067	173-800-040	REP	78-04-090
173-166-050	NEW	78-04-019	173-250-030	NEW-P	78-06-129	173-800-050	REP-P	78-03-083
173-166-060	NEW-E	78-02-007	173-250-030	NEW	78-09-067	173-800-050	REP	78-04-090
173-166-060	NEW-P	78-02-077	173-250-040	NEW-P	78-06-129	173-800-060	REP-P	78-03-083
173-166-060	NEW	78-04-019	173-250-040	NEW	78-09-067	173-800-060	REP	78-04-090
173-201-010	AMD	78-02-043	173-255-010	NEW-P	78-06-128	173-800-070	REP-P	78-03-083
173-201-020	AMD	78-02-043	173-255-010	NEW	78-09-066	173-800-070	REP	78-04-090
173-201-025	NEW	78-02-043	173-255-020	NEW-P	78-06-128	173-800-080	REP-P	78-03-083
173-201-030	REP	78-02-043	173-255-020	NEW	78-09-066	173-800-080	REP	78-04-090
173-201-035	NEW	78-02-043	173-255-030	NEW-P	78-06-128	173-800-090	REP-P	78-03-083
173-201-040	REP	78-02-043	173-255-030	NEW	78-09-066	173-800-090	REP	78-04-090
173-201-045	NEW	78-02-043	173-255-040	NEW-P	78-06-128	173-800-100	REP-P	78-03-083
173-201-050	AMD	78-02-043	173-255-040	NEW	78-09-066	173-800-100	REP	78-04-090
173-201-060	REP	78-02-043	173-255-050	NEW-P	78-06-128	173-800-105	REP-P	78-03-083
173-201-070	AMD	78-02-043	173-255-050	NEW	78-09-066	173-800-105	REP	78-04-090
173-201-080	AMD	78-02-043	173-255-060	NEW	78-09-066	173-800-110	REP-P	78-03-083
173-201-085	NEW	78-02-043	173-302-165	NEW-P	78-06-127	173-800-110	REP	78-04-090
173-201-090	AMD	78-02-043	173-302-165	NEW	78-08-021	173-800-120	REP-P	78-03-083
173-201-100	AMD	78-02-043	173-302-390	AMD-P	78-06-127	173-800-120	REP	78-04-090
173-201-110	AMD	78-02-043	173-302-390	AMD	78-08-021	173-800-120	REP-P	78-03-083
173-201-120	AMD	78-02-043	173-400-020	AMD-P	78-11-085	173-800-140	REP	78-04-090
173-201-130	REP	78-02-043	173-400-030	AMD-P	78-11-085	173-800-145	REP-P	78-03-083
173-201-140	AMD	78-02-043	173-400-040	AMD-P	78-11-085	173-800-145	REP	78-04-090
173-230-010	AMD-P	78-09-106	173-400-050	AMD-P	78-11-085	173-800-150	REP-P	78-03-083
173-230-010	AMD	78-11-016	173-400-060	AMD-P	78-11-085	173-800-150	REP	78-04-090
173-230-020	AMD-P	78-09-106	173-400-070	AMD-P	78-11-085	173-800-160	REP-P	78-03-083
173-230-020	AMD	78-11-016	173-400-075	AMD-P	78-11-085	173-800-160	REP	78-04-090
173-230-030	AMD-P	78-09-106	173-400-080	AMD-P	78-11-085	173-800-170	REP-P	78-03-083
173-230-030	AMD	78-11-016	173-400-100	AMD-P	78-11-085	173-800-170	REP	78-04-090
173-230-040	AMD-P	78-09-106	173-400-110	AMD-P	78-11-085	173-800-180	REP-P	78-03-083
173-230-040	AMD	78-11-016	173-400-115	AMD-P	78-11-085	173-800-180	REP	78-04-090
173-230-050	AMD-P	78-09-106	173-400-120	AMD-P	78-11-085	173-800-190	REP-P	78-03-083
173-230-050	AMD	78-11-016	173-400-135	NEW-P	78-11-085	173-800-190	REP	78-04-090
173-230-090	AMD-P	78-09-106	173-400-150	AMD-P	78-11-085	173-800-200	REP-P	78-03-083
173-230-090	AMD	78-11-016	173-400-160	NEW-P	78-11-085	173-800-200	REP	78-04-090
173-230-100	AMD-P	78-09-106	173-400-170	NEW-P	78-11-085	173-800-210	REP-P	78-03-083
173-230-100	AMD	78-11-016	173-490-010	NEW-P	78-11-084	173-800-210	REP	78-04-090
173-230-140	AMD-P	78-09-106	173-490-020	NEW-P	78-11-084	173-800-220	REP-P	78-03-083
173-230-140	AMD	78-11-016	173-490-030	NEW-P	78-11-084	173-800-220	REP	78-04-090
173-240	NEW-P	78-09-065	173-490-040	NEW-P	78-11-084	173-800-230	REP-P	78-03-083
173-240-010	NEW-P	78-06-124	173-490-050	NEW-P	78-11-084	173-800-230	REP	78-04-090
173-240-010	NEW-P	78-10-121	173-490-060	NEW-P	78-11-084	173-800-240	REP-P	78-03-083
173-240-020	NEW-P	78-06-124	173-490-070	NEW-P	78-11-084	173-800-240	REP	78-04-090
173-240-020	NEW-P	78-10-121	173-490-080	NEW-P	78-11-084	173-800-250	REP-P	78-03-083
173-240-030	NEW-P	78-06-124	173-490-090	NEW-P	78-11-084	173-800-250	REP	78-04-090
173-240-030	NEW-P	78-10-121	173-490-120	NEW-P	78-11-084	173-800-260	REP-P	78-03-083
173-240-040	NEW-P	78-06-124	173-490-130	NEW-P	78-11-084	173-800-260	REP	78-04-090
173-240-040	NEW-P	78-10-121	173-490-135	NEW-P	78-11-084	173-800-270	REP-P	78-03-083
173-240-050	NEW-P	78-06-124	173-490-140	NEW-P	78-11-084	173-800-270	REP	78-04-090
173-240-050	NEW-P	78-10-121	173-490-150	NEW-P	78-11-084	173-800-280	REP-P	78-03-083
173-240-060	NEW-P	78-06-124	173-530-940	AMD-P	78-09-107	173-800-280	REP	78-04-090
173-240-060	NEW-P	78-10-121	173-530-940	AMD	78-11-039	173-800-300	REP-P	78-03-083
173-240-070	NEW-P	78-06-124	173-530-940	AMD-E	78-11-040	173-800-300	REP	78-04-090
173-240-070	NEW-P	78-10-121	173-531	NEW-P	78-02-042	173-800-310	REP-P	78-03-083
173-240-080	NEW-P	78-06-124	173-531	NEW-P	78-05-066	173-800-310	REP	78-04-090
173-240-080	NEW-P	78-10-121	173-531	NEW-P	78-07-070	173-800-320	REP-P	78-03-083
173-240-090	NEW-P	78-06-124	173-531-010	NEW	78-09-015	173-800-320	REP	78-04-090
173-240-090	NEW-P	78-10-121	173-531-020	NEW	78-09-015	173-800-330	REP-P	78-03-083
173-240-100	NEW-P	78-06-124	173-531-030	NEW	78-09-015	173-800-330	REP	78-04-090

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
173-800-340	REP-P	78-03-083	173-800-652	REP-P	78-03-083	174-124-060	REP-P	78-09-111
173-800-340	REP	78-04-090	173-800-652	REP	78-04-090	174-124-060	REP	78-11-092
173-800-345	REP-P	78-03-083	173-800-660	REP-P	78-03-083	174-124-070	REP-P	78-09-111
173-800-345	REP	78-04-090	173-800-660	REP	78-04-090	174-124-070	REP	78-11-092
173-800-350	REP-P	78-03-083	173-800-690	REP-P	78-03-083	174-124-080	REP-P	78-09-111
173-800-350	REP	78-04-090	173-800-690	REP	78-04-090	174-124-080	REP	78-11-092
173-800-355	REP-P	78-03-083	173-800-695	REP-P	78-03-083	174-124-090	REP-P	78-09-111
173-800-355	REP	78-04-090	173-800-695	REP	78-04-090	174-124-090	REP	78-11-092
173-800-360	REP-P	78-03-083	173-800-710	REP-P	78-03-083	174-124-100	REP-P	78-09-111
173-800-360	REP	78-04-090	173-800-710	REP	78-04-090	174-124-100	REP	78-11-092
173-800-370	REP-P	78-03-083	173-800-810	REP-P	78-03-083	174-124-110	REP-P	78-09-111
173-800-370	REP	78-04-090	173-800-810	REP	78-04-090	174-124-110	REP	78-11-092
173-800-375	REP-P	78-03-083	173-800-830	REP-P	78-03-083	174-124-120	AMD-P	78-09-111
173-800-375	REP	78-04-090	173-800-830	REP	78-04-090	174-124-120	AMD	78-11-092
173-800-380	REP-P	78-03-083	173-800-840	REP-P	78-03-083	174-128-010	NEW-P	78-10-042
173-800-380	REP	78-04-090	173-800-840	REP	78-04-090	174-128-010	NEW-P	78-10-042
173-800-390	REP-P	78-03-083	173-800-910	REP-P	78-03-083	174-128-020	NEW-P	78-10-042
173-800-390	REP	78-04-090	173-800-910	REP	78-04-090	174-128-020	NEW-P	78-10-042
173-800-400	REP-P	78-03-083	173-801-010	NEW-P	78-03-083	174-128-040	NEW-P	78-10-042
173-800-400	REP	78-04-090	173-801-010	NEW	78-04-090	174-128-042	NEW-P	78-10-042
173-800-405	REP-P	78-03-083	173-801-020	NEW-P	78-03-083	174-128-046	NEW-P	78-10-042
173-800-405	REP	78-04-090	173-801-020	NEW	78-04-090	174-128-050	NEW-P	78-10-042
173-800-410	REP-P	78-03-083	173-801-030	NEW-P	78-03-083	174-128-060	NEW-P	78-10-042
173-800-410	REP	78-04-090	173-801-030	NEW	78-04-090	174-128-062	NEW-P	78-10-042
173-800-420	REP-P	78-03-083	173-801-040	NEW-P	78-03-083	174-128-064	NEW-P	78-10-042
173-800-420	REP	78-04-090	173-801-040	NEW	78-04-090	174-128-066	NEW-P	78-10-042
173-800-425	REP-P	78-03-083	173-801-045	NEW-P	78-03-083	174-128-070	NEW-P	78-10-042
173-800-425	REP	78-04-090	173-801-045	NEW	78-04-090	174-128-080	NEW-P	78-10-042
173-800-440	REP-P	78-03-083	173-801-050	NEW-P	78-03-083	174-128-090	NEW-P	78-10-042
173-800-440	REP	78-04-090	173-801-050	NEW	78-04-090	174-128-990	NEW-P	78-10-042
173-800-442	REP-P	78-03-083	173-801-060	NEW-P	78-03-083	174-136	AMD-P	78-11-092
173-800-442	REP	78-04-090	173-801-060	NEW	78-04-090	174-136-015	AMD-P	78-09-111
173-800-444	REP-P	78-03-083	173-801-070	NEW-P	78-03-083	174-136-016	AMD-P	78-09-111
173-800-444	REP	78-04-090	173-801-070	NEW	78-04-090	174-136-017	AMD-P	78-09-111
173-800-450	REP-P	78-03-083	173-801-080	NEW-P	78-03-083	174-136-019	AMD-P	78-09-111
173-800-450	REP	78-04-090	173-801-080	NEW	78-04-090	174-136-021	AMD-P	78-09-111
173-800-460	REP-P	78-03-083	173-801-090	NEW-P	78-03-083	180-16-165	REP-P	78-04-083
173-800-460	REP	78-04-090	173-801-090	NEW	78-04-090	180-16-165	REP	78-06-097
173-800-465	REP-P	78-03-083	173-801-100	NEW-P	78-03-083	180-16-167	AMD-P	78-04-083
173-800-465	REP	78-04-090	173-801-100	NEW	78-04-090	180-16-167	AMD	78-06-097
173-800-470	REP-P	78-03-083	173-801-110	NEW-P	78-03-083	180-16-191	NEW-P	78-04-083
173-800-470	REP	78-04-090	173-801-110	NEW	78-04-090	180-16-191	NEW	78-06-097
173-800-480	REP-P	78-03-083	173-801-120	NEW-P	78-03-083	180-16-195	NEW-P	78-04-083
173-800-480	REP	78-04-090	173-801-120	NEW	78-04-090	180-16-195	NEW	78-06-097
173-800-485	REP-P	78-03-083	173-801-130	NEW-P	78-03-083	180-16-200	NEW-P	78-04-083
173-800-485	REP	78-04-090	173-801-130	NEW	78-04-090	180-16-200	NEW	78-06-097
173-800-490	REP-P	78-03-083	173-805-020	AMD-P	78-03-084	180-16-205	NEW-P	78-04-083
173-800-490	REP	78-04-090	173-805-020	AMD	78-04-091	180-16-205	NEW	78-06-097
173-800-495	REP-P	78-03-083	173-805-030	AMD-P	78-03-084	180-16-210	NEW-P	78-04-083
173-800-495	REP	78-04-090	173-805-030	AMD	78-04-091	180-16-210	NEW	78-06-097
173-800-500	REP-P	78-03-083	173-805-070	AMD-P	78-03-084	180-16-215	NEW-P	78-04-083
173-800-500	REP	78-04-090	173-805-070	AMD	78-04-091	180-16-215	NEW	78-06-097
173-800-510	REP-P	78-03-083	173-805-120	AMD-P	78-03-084	180-16-220	NEW-P	78-04-083
173-800-510	REP	78-04-090	173-805-120	AMD	78-04-091	180-16-220	NEW	78-06-097
173-800-520	REP-P	78-03-083	173-805-121	NEW-P	78-03-084	180-16-225	NEW-P	78-04-083
173-800-520	REP	78-04-090	173-805-121	NEW	78-04-091	180-16-225	NEW	78-06-097
173-800-530	REP-P	78-03-083	173-805-125	REP-P	78-03-084	180-16-230	NEW-P	78-04-083
173-800-530	REP	78-04-090	173-805-125	REP	78-04-091	180-16-230	NEW	78-06-097
173-800-535	REP-P	78-03-083	173-805-130	AMD-P	78-03-084	180-16-235	NEW-P	78-04-083
173-800-535	REP	78-04-090	173-805-130	AMD	78-04-091	180-16-235	NEW	78-06-097
173-800-540	REP-P	78-03-083	174-104-010	AMD-P	78-02-116	180-16-240	NEW-P	78-04-083
173-800-540	REP	78-04-090	174-104-010	AMD	78-05-008	180-16-240	NEW	78-06-097
173-800-545	REP-P	78-03-083	174-116-150	AMD-P	78-06-113	180-56-315	AMD-P	78-04-083
173-800-545	REP	78-04-090	174-116-150	AMD	78-08-088	180-56-315	AMD	78-06-065
173-800-550	REP-P	78-03-083	174-124-010	REP-P	78-09-111	180-75-005	NEW-P	78-07-060
173-800-550	REP	78-04-090	174-124-010	REP	78-11-092	180-75-005	NEW	78-09-095
173-800-570	REP-P	78-03-083	174-124-020	AMD-P	78-09-111	180-75-015	NEW-P	78-07-060
173-800-570	REP	78-04-090	174-124-020	AMD	78-11-092	180-75-015	NEW	78-09-095
173-800-580	REP-P	78-03-083	174-124-030	AMD-P	78-09-111	180-75-020	NEW-P	78-07-060
173-800-580	REP	78-04-090	174-124-030	AMD	78-11-092	180-75-020	NEW	78-09-095
173-800-600	REP-P	78-03-083	174-124-040	AMD-P	78-09-111	180-75-025	NEW-P	78-07-060
173-800-600	REP	78-04-090	174-124-040	AMD	78-11-092	180-75-025	NEW	78-09-095
173-800-650	REP-P	78-03-083	174-124-050	AMD-P	78-09-111	180-75-030	NEW-P	78-07-060
173-800-650	REP	78-04-090	174-124-050	AMD	78-11-092	180-75-030	NEW	78-09-095

**Table of WAC Sections Affected**

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
180-75-035	NEW-P	78-07-060	180-78-020	NEW-P	78-04-084	180-79-085	NEW-P	78-04-082
180-75-035	NEW	78-09-095	180-78-020	NEW	78-06-069	180-79-085	NEW	78-06-070
180-75-040	NEW-P	78-07-060	180-78-020	REP-P	78-07-053	180-79-085	REP-P	78-07-058
180-75-040	NEW	78-09-095	180-78-020	REP	78-09-096	180-79-085	REP	78-09-097
180-75-045	NEW-P	78-07-060	180-78-025	NEW-P	78-04-084	180-79-090	NEW-P	78-04-082
180-75-045	NEW	78-09-095	180-78-025	NEW	78-06-069	180-79-090	NEW	78-06-070
180-75-050	NEW-P	78-07-060	180-78-030	NEW-P	78-04-084	180-79-090	REP-P	78-07-058
180-75-050	NEW	78-09-095	180-78-030	NEW	78-06-069	180-79-090	REP	78-09-097
180-75-055	NEW-P	78-07-060	180-78-035	NEW-P	78-04-084	180-79-095	NEW-P	78-04-082
180-75-055	NEW	78-09-095	180-78-035	NEW	78-06-069	180-79-095	NEW	78-06-070
180-75-060	NEW-P	78-07-060	180-78-040	NEW-P	78-04-084	180-79-095	REP-P	78-07-058
180-75-060	NEW	78-09-095	180-78-040	NEW	78-06-069	180-79-095	REP	78-09-097
180-75-065	NEW-P	78-07-060	180-78-045	NEW-P	78-04-084	180-79-100	NEW-P	78-04-082
180-75-065	NEW	78-09-095	180-78-045	NEW	78-06-069	180-79-100	NEW	78-06-070
180-75-070	NEW-P	78-07-060	180-78-050	NEW-P	78-04-084	180-79-100	AMD-P	78-07-058
180-75-070	NEW	78-09-095	180-78-050	NEW	78-06-069	180-79-100	AMD	78-09-097
180-75-075	NEW-P	78-07-060	180-78-055	NEW-P	78-04-084	180-79-105	NEW-P	78-04-082
180-75-075	NEW	78-09-095	180-78-055	NEW	78-06-069	180-79-105	NEW	78-06-070
180-75-080	NEW-P	78-07-060	180-78-060	NEW-P	78-04-084	180-79-105	REP-P	78-07-058
180-75-080	NEW	78-09-095	180-78-060	NEW-P	78-07-053	180-79-105	REP	78-09-097
180-75-085	NEW-P	78-07-060	180-78-060	NEW	78-09-096	180-79-110	NEW-P	78-04-082
180-75-085	NEW	78-09-095	180-78-065	NEW-P	78-04-084	180-79-110	NEW	78-06-070
180-75-090	NEW-P	78-07-060	180-78-070	NEW-P	78-04-084	180-79-110	REP-P	78-07-058
180-75-090	NEW	78-09-095	180-78-075	NEW-P	78-04-084	180-79-110	REP	78-09-097
180-75-100	NEW-P	78-07-060	180-78-080	NEW-P	78-04-084	180-79-112	NEW-P	78-04-082
180-75-100	NEW	78-09-095	180-78-085	NEW-P	78-04-084	180-79-115	NEW-P	78-04-082
180-77-003	NEW-P	78-07-059	180-79-005	NEW-P	78-04-082	180-79-115	NEW	78-06-070
180-77-003	NEW	78-10-003	180-79-005	NEW	78-06-070	180-79-115	AMD-P	78-07-058
180-77-005	NEW-P	78-07-059	180-79-010	NEW-P	78-04-082	180-79-115	AMD	78-09-097
180-77-005	NEW	78-10-003	180-79-010	NEW	78-06-070	180-79-120	NEW-P	78-04-082
180-77-010	NEW-P	78-07-059	180-79-015	NEW-P	78-04-082	180-79-120	NEW	78-06-070
180-77-010	NEW	78-10-003	180-79-015	NEW	78-06-070	180-79-125	NEW-P	78-04-082
180-77-015	NEW-P	78-07-059	180-79-015	REP-P	78-07-058	180-79-125	NEW	78-06-070
180-77-015	NEW	78-10-003	180-79-015	REP	78-09-097	180-79-125	AMD-P	78-07-058
180-77-020	NEW-P	78-07-059	180-79-020	NEW-P	78-04-082	180-79-125	AMD	78-09-097
180-77-020	NEW	78-10-003	180-79-020	NEW	78-06-070	180-79-130	NEW-P	78-04-082
180-77-025	NEW-P	78-07-059	180-79-020	REP-P	78-07-058	180-79-130	NEW	78-06-070
180-77-025	NEW	78-10-003	180-79-020	REP	78-09-097	180-79-135	NEW-P	78-04-082
180-77-030	NEW-P	78-07-059	180-79-025	NEW-P	78-04-082	180-79-135	NEW	78-06-070
180-77-030	NEW	78-10-003	180-79-025	NEW	78-06-070	180-79-150	NEW-P	78-04-082
180-77-035	NEW-P	78-07-059	180-79-025	REP-P	78-07-058	180-79-150	NEW	78-06-070
180-77-035	NEW	78-10-003	180-79-025	REP	78-09-097	180-79-155	NEW-P	78-04-082
180-77-040	NEW-P	78-07-059	180-79-030	NEW-P	78-04-082	180-79-155	NEW	78-06-070
180-77-040	NEW	78-10-003	180-79-030	NEW	78-06-070	180-79-160	NEW-P	78-04-082
180-77-045	NEW-P	78-07-059	180-79-030	REP-P	78-07-058	180-79-160	NEW	78-06-070
180-77-045	NEW	78-10-003	180-79-030	REP	78-09-097	180-79-165	NEW-P	78-04-082
180-77-050	NEW-P	78-07-059	180-79-035	NEW-P	78-04-082	180-79-170	NEW-P	78-04-082
180-77-050	NEW	78-10-003	180-79-040	NEW-P	78-04-082	180-79-170	NEW	78-06-070
180-77-055	NEW-P	78-07-059	180-79-040	NEW	78-06-070	180-79-175	NEW-P	78-04-082
180-77-055	NEW	78-10-003	180-79-040	REP-P	78-07-058	180-79-175	NEW	78-06-070
180-77-060	NEW-P	78-07-059	180-79-040	REP	78-09-097	180-79-180	NEW-P	78-04-082
180-77-060	NEW	78-10-003	180-79-045	NEW-P	78-04-082	180-79-180	NEW	78-06-070
180-77-065	NEW-P	78-07-059	180-79-045	NEW	78-06-070	180-79-185	NEW-P	78-04-082
180-77-065	NEW	78-10-003	180-79-050	NEW-P	78-04-082	180-79-185	NEW	78-06-070
180-77-070	NEW-P	78-07-059	180-79-050	NEW	78-06-070	180-79-190	NEW-P	78-04-082
180-77-070	NEW	78-10-003	180-79-050	REP-P	78-07-058	180-79-190	NEW	78-06-070
180-77-075	NEW-P	78-07-059	180-79-050	REP	78-09-097	180-79-195	NEW-P	78-04-082
180-77-075	NEW	78-10-003	180-79-055	NEW-P	78-04-082	180-79-195	NEW	78-06-070
180-77-080	NEW-P	78-07-059	180-79-055	NEW	78-06-070	180-79-200	NEW-P	78-04-082
180-77-080	NEW	78-10-003	180-79-055	REP-P	78-07-058	180-79-200	NEW	78-06-070
180-77-085	NEW-P	78-07-059	180-79-055	REP	78-09-097	180-79-205	NEW-P	78-04-082
180-77-085	NEW	78-10-003	180-79-060	NEW-P	78-04-082	180-79-205	NEW	78-06-070
180-77-090	NEW-P	78-07-059	180-79-060	NEW	78-06-070	180-79-210	NEW-P	78-04-082
180-77-090	NEW	78-10-003	180-79-065	NEW-P	78-04-082	180-79-210	NEW	78-06-070
180-77-095	NEW-P	78-07-059	180-79-065	NEW	78-06-070	180-79-215	NEW-P	78-04-082
180-77-095	NEW	78-10-003	180-79-065	AMD-P	78-07-058	180-79-215	NEW	78-06-070
180-78-005	NEW-P	78-04-084	180-79-065	AMD	78-09-097	180-79-230	NEW-P	78-04-082
180-78-005	NEW	78-06-069	180-79-070	NEW-P	78-04-082	180-79-230	NEW	78-06-070
180-78-010	NEW-P	78-04-084	180-79-070	NEW	78-06-070	180-79-235	NEW-P	78-04-082
180-78-010	NEW	78-06-069	180-79-070	REP-P	78-07-058	180-79-235	NEW	78-06-070
180-78-010	AMD-P	78-07-053	180-79-070	REP	78-09-097	180-79-235	REP-P	78-07-058
180-78-010	AMD	78-09-096	180-79-075	NEW-P	78-04-082	180-79-235	REP	78-09-097
180-78-015	NEW-P	78-04-084	180-79-075	NEW	78-06-070	180-79-240	NEW-P	78-04-082
180-78-015	NEW	78-06-069	180-79-080	NEW-P	78-04-082	180-79-240	NEW	78-06-070







Table of WAC Sections Affected

Table with 6 columns: WAC #, WSR #, WAC #, WSR #, WAC #, WSR #. Lists affected WAC sections and their corresponding WSR numbers, categorized by status (NEW, NEW-E, REP-E, AMD).









### Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
248-60A-110	REP-P 78-09-123	248-102-050	REP-P 78-07-081	251-08-110	AMD-P 78-04-100
248-60A-120	REP-P 78-03-123	248-102-050	REP-P 78-09-121	251-08-112	AMD-P 78-04-100
248-60A-120	REP-P 78-09-123	248-102-060	REP-P 78-07-081	251-08-112	AMD 78-06-068
248-60A-130	REP-P 78-03-123	248-102-060	REP-P 78-09-121	251-09-025	AMD-P 78-04-100
248-60A-130	REP-P 78-09-123	248-116-010	REP-P 78-07-082	251-09-030	AMD-P 78-04-100
248-60A-140	REP-P 78-03-123	248-116-010	REP 78-10-075	251-09-030	AMD 78-06-068
248-60A-140	REP-P 78-09-123	248-116-020	REP-P 78-07-082	251-09-090	AMD-P 78-04-100
248-60A-150	REP-P 78-03-123	248-116-020	REP 78-10-075	251-09-090	AMD-E 78-05-058
248-60A-150	REP-P 78-09-123	248-116-030	REP-P 78-07-082	251-09-090	AMD 78-06-068
248-60A-160	REP-P 78-03-123	248-116-030	REP 78-10-075	251-10-055	AMD-P 78-04-100
248-60A-160	REP-P 78-09-123	248-116-040	REP-P 78-07-082	251-10-055	AMD 78-06-068
248-60A-170	REP-P 78-03-123	248-116-040	REP 78-10-075	251-10-060	AMD-P 78-08-062
248-60A-170	REP-P 78-09-123	248-116-050	REP-P 78-07-082	251-10-060	AMD 78-10-090
248-61-001	REP-P 78-03-122	248-116-050	REP 78-10-075	251-10-140	AMD-P 78-04-100
248-61-001	REP-P 78-09-122	248-116-060	REP-P 78-07-082	251-10-140	AMD 78-06-068
248-61-010	REP-P 78-03-122	248-116-060	REP 78-10-075	251-12-095	NEW-P 78-04-100
248-61-010	REP-P 78-09-122	248-116-900	REP-P 78-07-082	251-12-095	NEW 78-06-068
248-61-015	REP-P 78-03-122	248-116-900	REP 78-10-075	251-12-240	AMD-P 78-04-100
248-61-015	REP-P 78-09-122	248-116-901	REP-P 78-07-082	251-12-240	AMD 78-06-068
248-61-020	REP-P 78-03-122	248-116-901	REP 78-10-075	251-14-040	AMD-P 78-03-098
248-61-020	REP-P 78-09-122	248-116-902	REP-P 78-07-082	251-14-040	AMD-P 78-05-059
248-61-030	REP-P 78-03-122	248-116-902	REP 78-10-075	251-14-040	AMD-P 78-06-067
248-61-030	REP-P 78-09-122	248-116-903	REP-P 78-07-082	251-14-040	AMD 78-07-072
248-61-040	REP-P 78-03-122	248-116-903	REP 78-10-075	251-14-080	AMD-P 78-03-098
248-61-040	REP-P 78-09-122	248-116-904	REP-P 78-07-082	251-14-080	AMD 78-05-060
248-61-050	REP-P 78-03-122	248-116-904	REP 78-10-075	251-18-030	AMD-P 78-04-100
248-61-050	REP-P 78-09-122	248-120	REP-P 78-07-080	251-18-030	AMD 78-06-068
248-61-060	REP-P 78-03-122	248-120	REP 78-10-076	251-18-070	AMD 78-02-094
248-61-060	REP-P 78-09-122	248-136-110	REP-P 78-06-009	251-18-110	AMD 78-02-094
248-61-070	REP-P 78-03-122	248-136-110	REP 78-08-086	251-18-115	AMD 78-02-094
248-61-070	REP-P 78-09-122	248-136-120	REP-P 78-06-009	251-18-130	AMD-P 78-08-062
248-61-080	REP-P 78-03-122	248-136-120	REP 78-08-086	251-18-130	AMD 78-10-090
248-61-080	REP-P 78-09-122	248-136-130	REP-P 78-06-009	251-18-140	AMD 78-02-094
248-61-090	REP-P 78-03-122	248-136-130	REP 78-08-086	251-18-140	AMD-P 78-04-100
248-61-090	REP-P 78-09-122	248-136-140	REP-P 78-06-009	251-18-140	AMD 78-06-068
248-61-100	REP-P 78-03-122	248-136-140	REP 78-08-086	251-18-160	AMD-P 78-04-100
248-61-100	REP-P 78-09-122	248-136-150	REP-P 78-06-009	251-18-160	AMD 78-06-068
248-61-110	REP-P 78-03-122	248-136-150	REP 78-08-086	251-18-176	AMD-P 78-04-100
248-61-110	REP-P 78-09-122	248-136-160	REP-P 78-06-009	251-18-176	AMD 78-06-068
248-61-120	REP-P 78-03-122	248-136-160	REP 78-08-086	251-18-181	AMD 78-02-094
248-61-120	REP-P 78-09-122	248-136-170	REP-P 78-06-009	251-18-181	AMD-P 78-04-100
248-61-130	REP-P 78-03-122	248-136-170	REP 78-08-086	251-18-181	AMD 78-06-068
248-61-130	REP-P 78-09-122	248-136-180	REP-P 78-06-009	251-18-230	AMD 78-02-094
248-61-140	REP-P 78-03-122	248-136-180	REP 78-08-086	251-18-240	AMD 78-02-094
248-61-140	REP-P 78-09-122	248-136-990	REP-P 78-06-009	251-18-260	AMD-P 78-04-100
248-61-150	REP-P 78-03-122	248-136-990	REP 78-08-086	251-18-260	AMD 78-06-068
248-61-150	REP-P 78-09-122	248-136-App.A	REP-P 78-06-009	251-18-330	AMD 78-02-094
248-61-160	REP-P 78-03-122	248-136-App.A	REP 78-08-086	251-18-340	AMD 78-02-094
248-61-160	REP-P 78-09-122	248-148-020	AMD 78-06-085	251-20-010	NEW-P 78-04-100
248-61-170	REP-P 78-03-122	250-16-001	NEW 78-05-023	251-20-010	NEW 78-06-068
248-61-170	REP-P 78-09-122	250-16-010	AMD 78-05-023	251-20-020	NEW-P 78-04-100
248-61-180	REP-P 78-03-122	250-16-020	AMD 78-05-023	251-20-020	NEW 78-06-068
248-61-180	REP-P 78-09-122	250-16-030	AMD 78-05-023	251-20-030	NEW-P 78-04-100
248-76-201	REP-P 78-11-077	250-16-040	AMD 78-05-023	251-20-030	NEW 78-06-068
248-76-210	REP-P 78-11-077	250-16-050	AMD 78-05-023	251-20-040	NEW-P 78-04-100
248-76-220	REP-P 78-11-077	250-20-021	AMD-P 78-02-085	251-20-040	NEW 78-06-068
248-76-230	REP-P 78-11-077	250-20-021	AMD 78-05-063	251-20-050	NEW-P 78-04-100
248-76-240	REP-P 78-11-077	250-40-050	AMD-P 78-02-084	251-20-050	NEW 78-06-068
248-76-250	REP-P 78-11-077	250-40-050	AMD-P 78-05-056	251-20-060	NEW-P 78-04-100
248-76-260	REP-P 78-11-077	250-40-050	AMD-P 78-06-015	251-20-060	NEW 78-06-068
248-76-270	REP-P 78-11-077	250-40-050	AMD 78-08-007	251-22-200	AMD-P 78-04-100
248-76-280	REP-P 78-11-077	251-04-020	AMD-P 78-04-100	251-22-200	AMD 78-06-068
248-76-290	REP-P 78-11-077	251-04-020	AMD 78-06-068	252-09-010	AMD-P 78-05-032
248-76-300	REP-P 78-11-077	251-04-040	AMD-P 78-08-062	252-09-010	AMD 78-07-083
248-76-310	REP-P 78-11-077	251-04-040	AMD 78-10-090	252-09-020	AMD-P 78-05-032
248-76-320	REP-P 78-11-077	251-06-060	AMD-P 78-03-098	252-09-020	AMD 78-07-083
248-76-330	REP-P 78-11-077	251-06-060	AMD 78-05-060	252-09-025	AMD-P 78-05-032
248-76-340	REP-P 78-11-077	251-06-065	AMD-P 78-04-100	252-09-025	AMD 78-07-083
248-76-350	REP-P 78-11-077	251-06-070	AMD-P 78-04-100	252-09-040	AMD-P 78-05-032
248-100-450	AMD 78-03-059	251-06-070	AMD 78-06-068	252-09-040	AMD 78-07-083
248-102-030	REP-P 78-07-081	251-06-080	AMD-P 78-08-062	252-09-055	AMD-P 78-05-032
248-102-030	REP-P 78-09-121	251-06-080	AMD 78-10-090	252-09-055	AMD 78-07-083
248-102-040	REP-P 78-07-081	251-08-100	AMD-P 78-04-100	252-09-060	AMD-P 78-05-032
248-102-040	REP-P 78-09-121	251-08-100	AMD 78-06-068	252-09-060	AMD 78-07-083

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
252-09-170	AMD-P 78-05-032	275-14-035	REP-P 78-06-009	275-18-120	NEW 78-08-086
252-09-170	AMD 78-07-083	275-14-035	REP 78-08-086	275-18-130	NEW-P 78-06-009
252-09-180	AMD-P 78-05-032	275-14-040	REP-P 78-06-009	275-18-130	NEW 78-08-086
252-09-180	AMD 78-07-083	275-14-040	REP 78-08-086	275-18-140	NEW-P 78-06-009
252-09-185	AMD-P 78-05-032	275-14-050	REP-P 78-06-009	275-18-140	NEW 78-08-086
252-09-185	AMD 78-07-083	275-14-050	REP 78-08-086	275-18-150	NEW-P 78-06-009
252-09-205	REP-P 78-05-032	275-14-055	REP-P 78-06-009	275-18-150	NEW 78-08-086
252-09-205	REP 78-07-083	275-14-055	REP 78-08-086	275-18-160	NEW-P 78-06-009
252-09-520	AMD-P 78-05-032	275-14-060	REP-P 78-06-009	275-18-160	NEW 78-08-086
252-09-520	AMD 78-07-083	275-14-060	REP 78-08-086	275-18-170	NEW-P 78-06-009
252-09-550	AMD-P 78-05-032	275-14-070	REP-P 78-06-009	275-18-170	NEW 78-08-086
252-09-550	AMD 78-07-083	275-14-070	REP 78-08-086	275-18-180	NEW-P 78-06-009
252-09-820	AMD-P 78-05-032	275-14-080	REP-P 78-06-009	275-18-180	NEW 78-08-086
252-09-820	AMD 78-07-083	275-14-080	REP 78-08-086	275-18-190	NEW-P 78-06-009
252-09-830	REP-P 78-05-032	275-14-090	REP-P 78-06-009	275-18-190	NEW 78-08-086
252-09-830	REP 78-07-083	275-14-090	REP 78-08-086	275-18-200	NEW-P 78-06-009
252-09-990	AMD-P 78-05-032	275-14-100	REP-P 78-06-009	275-18-200	NEW 78-08-086
252-09-990	AMD 78-07-083	275-14-100	REP 78-08-086	275-20-010	AMD 78-03-029
252-20-040	AMD-P 78-04-051	275-14-110	REP-P 78-06-009	275-20-020	REP 78-03-029
252-20-040	AMD-E 78-05-033	275-14-110	REP 78-08-086	275-20-030	AMD 78-03-029
252-20-040	AMD-E 78-06-041	275-14-120	REP-P 78-06-009	275-20-030	AMD-E 78-08-096
252-20-040	AMD 78-06-059	275-14-120	REP 78-08-086	275-20-030	AMD-P 78-08-097
252-20-040	AMD-E 78-06-089	275-14-130	REP-P 78-06-009	275-20-030	AMD 78-10-057
252-20-040	AMD-E 78-10-005	275-14-130	REP 78-08-086	275-20-035	NEW 78-03-029
252-24-150	AMD-P 78-06-061	275-14-140	REP-P 78-06-009	275-20-040	REP 78-03-029
252-24-150	AMD-P 78-09-050	275-14-140	REP 78-08-086	275-20-050	REP 78-03-029
252-24-150	AMD 78-11-038	275-14-150	REP-P 78-06-009	275-20-060	REP 78-03-029
252-24-312	AMD-P 78-06-060	275-14-150	REP 78-08-086	275-20-070	REP 78-03-029
252-24-312	AMD-P 78-09-049	275-14-160	REP-P 78-06-009	275-25-010	AMD-P 78-06-009
252-24-312	AMD 78-11-037	275-14-160	REP 78-08-086	275-25-010	AMD 78-08-086
252-32-002	AMD-P 78-02-088	275-14-170	REP-P 78-06-009	275-25-020	AMD-P 78-06-009
252-32-002	AMD 78-04-052	275-14-170	REP 78-08-086	275-25-020	AMD 78-08-086
252-32-011	AMD-P 78-05-031	275-14-180	REP-P 78-06-009	275-25-510	REP-P 78-01-037
252-32-011	AMD 78-07-049	275-14-180	REP 78-08-086	275-25-510	REP 78-04-002
252-32-101	AMD-P 78-09-031	275-14-190	REP-P 78-06-009	275-25-520	AMD-P 78-01-037
252-32-101	AMD-E 78-09-032	275-14-190	REP 78-08-086	275-25-520	AMD 78-04-002
252-32-101	AMD 78-11-028	275-14-200	REP-P 78-06-009	275-25-525	REP-P 78-01-037
252-32-539	AMD 78-02-078	275-14-200	REP 78-08-086	275-25-525	REP 78-04-002
252-50-010	AMD-P 78-06-090	275-14-210	REP-P 78-06-009	275-25-700	AMD-P 78-06-009
252-50-010	AMD 78-08-038	275-14-210	REP 78-08-086	275-25-700	AMD 78-08-086
252-50-020	AMD-P 78-06-090	275-16-010	AMD 78-03-029	275-25-720	AMD-P 78-06-009
252-50-020	AMD 78-08-038	275-16-020	REP 78-03-029	275-25-720	AMD 78-08-086
252-50-030	AMD-P 78-06-090	275-16-030	AMD 78-03-029	275-25-730	AMD-P 78-06-009
252-50-030	AMD 78-08-038	275-16-040	AMD 78-03-029	275-25-730	AMD 78-08-086
252-300(Part)	REP 78-06-040	275-16-045	NEW 78-03-029	275-25-750	AMD-P 78-06-009
252-990	-P 78-05-034	275-16-050	REP 78-03-029	275-25-750	AMD 78-08-086
252-990	AMD 78-07-050	275-16-060	REP 78-03-029	275-25-770	AMD-P 78-06-009
252-990	AMD-P 78-07-075	275-16-070	REP 78-03-029	275-25-770	AMD 78-08-086
252-990	AMD 78-09-030	275-16-080	REP 78-03-029	275-25-800	NEW-P 78-06-009
260-40-100	AMD-P 78-06-092	275-16-090	REP 78-03-029	275-25-800	NEW 78-08-086
260-40-100	AMD 78-08-089	275-16-100	REP 78-03-029	275-25-810	NEW-P 78-06-009
260-70-010	AMD-P 78-03-095	275-18-010	NEW-P 78-06-009	275-25-810	NEW 78-08-086
260-70-020	AMD-P 78-03-095	275-18-010	NEW 78-08-086	275-25-820	NEW-P 78-06-009
260-70-020	AMD 78-06-001	275-18-020	NEW-P 78-06-009	275-25-820	NEW 78-08-086
260-70-050	AMD-P 78-03-095	275-18-020	NEW 78-08-086	275-25-830	NEW-P 78-06-009
260-70-050	AMD 78-06-001	275-18-030	NEW-P 78-06-009	275-25-830	NEW 78-08-086
260-70-060	AMD-P 78-03-095	275-18-030	NEW 78-08-086	275-25-840	NEW-P 78-06-009
260-70-060	AMD 78-06-001	275-18-040	NEW-P 78-06-009	275-25-840	NEW 78-08-086
260-70-070	AMD-P 78-03-095	275-18-040	NEW 78-08-086	275-27-020	AMD-P 78-01-039
260-70-070	AMD 78-06-001	275-18-050	NEW-P 78-06-009	275-27-020	AMD 78-04-033
260-70-080	AMD-P 78-03-095	275-18-050	NEW 78-08-086	275-27-040	AMD-P 78-01-039
260-70-080	AMD 78-06-001	275-18-060	NEW-P 78-06-009	275-27-040	AMD 78-04-033
260-70-090	AMD-P 78-03-095	275-18-060	NEW 78-08-086	275-27-050	AMD-P 78-01-039
260-70-170	AMD-P 78-03-095	275-18-070	NEW-P 78-06-009	275-27-050	AMD 78-04-033
260-70-170	AMD 78-06-001	275-18-070	NEW 78-08-086	275-27-060	AMD-P 78-01-039
260-70-200	AMD-P 78-03-095	275-18-080	NEW-P 78-06-009	275-27-060	AMD 78-04-033
260-70-200	AMD 78-06-001	275-18-080	NEW 78-08-086	275-27-230	AMD-P 78-01-039
260-70-220	AMD-P 78-03-095	275-18-090	NEW-P 78-06-009	275-27-230	AMD 78-04-033
275-14-010	REP-P 78-06-009	275-18-090	NEW 78-08-086	275-27-300	NEW-P 78-01-039
275-14-010	REP 78-08-086	275-18-100	NEW-P 78-06-009	275-27-300	NEW 78-04-033
275-14-020	REP-P 78-06-009	275-18-100	NEW 78-08-086	275-27-310	NEW-P 78-01-039
275-14-020	REP 78-08-086	275-18-110	NEW-P 78-06-009	275-27-310	NEW 78-04-033
275-14-030	REP-P 78-06-009	275-18-110	NEW 78-08-086	275-27-320	NEW-P 78-01-039
275-14-030	REP 78-08-086	275-18-120	NEW-P 78-06-009	275-27-320	NEW 78-04-033

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
275-27-400	AMD-P	78-01-039	284-30-320	NEW	78-08-082	289-14-005	NEW-P	78-08-074
275-27-400	AMD	78-04-033	284-30-330	NEW-P	78-06-028	289-14-010	NEW-P	78-08-074
275-27-500	AMD-P	78-01-039	284-30-330	NEW	78-08-082	289-14-020	NEW-P	78-08-074
275-27-500	AMD	78-04-033	284-30-340	NEW-P	78-06-028	289-14-030	NEW-P	78-08-074
275-27-600	NEW-P	78-01-038	284-30-340	NEW	78-08-082	289-16-010	NEW-P	78-08-074
275-27-600	NEW	78-04-003	284-30-350	NEW-P	78-06-028	289-16-020	NEW-P	78-08-074
275-27-605	NEW-P	78-01-038	284-30-350	NEW	78-08-082	289-16-030	NEW-P	78-08-074
275-27-605	NEW	78-04-003	284-30-360	NEW-P	78-06-028	289-16-040	NEW-P	78-08-074
275-27-610	NEW-P	78-01-038	284-30-360	NEW	78-08-082	289-18-010	NEW-P	78-08-074
275-27-610	NEW	78-04-003	284-30-370	NEW-P	78-06-028	289-18-020	NEW-P	78-08-074
275-27-615	NEW-P	78-01-038	284-30-370	NEW	78-08-082	289-18-030	NEW-P	78-08-074
275-27-615	NEW	78-04-003	284-30-380	NEW-P	78-06-028	289-18-040	NEW-P	78-08-074
275-27-620	NEW-P	78-01-038	284-30-380	NEW	78-08-082	289-18-050	NEW-P	78-08-074
275-27-620	NEW	78-04-003	284-30-390	NEW-P	78-06-028	289-20-010	NEW-P	78-08-074
275-27-630	NEW-P	78-01-038	284-30-390	NEW	78-08-082	289-20-020	NEW-P	78-08-074
275-27-630	NEW	78-04-003	284-30-400	NEW-P	78-06-028	289-20-030	NEW-P	78-08-074
275-27-635	NEW-P	78-01-038	284-30-400	NEW	78-08-082	289-20-040	NEW-P	78-08-074
275-27-635	NEW	78-04-003	284-30-410	NEW-P	78-06-028	289-20-050	NEW-P	78-08-074
275-27-640	NEW-P	78-01-038	284-30-410	NEW	78-08-082	289-22-010	NEW-P	78-08-074
275-27-640	NEW	78-04-003	284-50-450	NEW-P	78-03-077	289-22-020	NEW-P	78-08-074
275-27-660	NEW-P	78-01-038	284-50-450	NEW	78-05-039	289-24-010	NEW-P	78-08-074
275-27-660	NEW	78-04-003	284-50-455	NEW-P	78-03-077	289-24-020	NEW-P	78-08-074
275-27-665	NEW-P	78-01-038	284-50-455	NEW	78-05-039	289-24-030	NEW-P	78-08-074
275-27-665	NEW	78-04-003	284-50-460	NEW-P	78-03-077	289-24-040	NEW-P	78-08-074
275-27-680	NEW-P	78-01-038	284-50-460	NEW	78-05-039	289-24-050	NEW-P	78-08-074
275-27-680	NEW	78-04-003	284-50-460	AMD-P	78-06-071	290-12-010	REP-P	78-10-040
275-27-685	NEW-P	78-01-038	284-50-460	AMD	78-08-024	290-16-010	REP-P	78-10-040
275-27-685	NEW	78-04-003	284-50-465	NEW-P	78-03-077	290-16-020	REP-P	78-10-040
275-32-115	NEW	78-03-030	284-50-465	NEW	78-05-039	290-16-030	REP-P	78-10-040
275-32-125	NEW	78-03-030	286-04-020	AMD	78-03-032	290-16-040	REP-P	78-10-040
275-32-135	NEW	78-03-030	286-04-060	NEW-P	78-02-101	290-16-050	REP-P	78-10-040
275-32-145	NEW	78-03-030	286-04-060	NEW	78-03-032	290-16-060	REP-P	78-10-040
275-32-155	NEW	78-03-030	286-06-020	AMD	78-03-032	290-16-070	REP-P	78-10-040
275-32-165	NEW	78-03-030	286-06-040	AMD	78-03-032	290-16-080	REP-P	78-10-040
275-32-175	NEW	78-03-030	286-06-060	AMD	78-03-032	290-16-090	REP-P	78-10-040
275-34-010	NEW-P	78-03-117	286-06-140	AMD	78-03-032	290-20-010	REP-P	78-10-040
275-34-010	NEW	78-05-020	286-16-010	AMD	78-03-032	290-20-020	REP-P	78-10-040
275-34-020	NEW-P	78-03-117	286-16-020	AMD	78-03-032	290-20-030	REP-P	78-10-040
275-34-020	NEW	78-05-020	286-16-030	AMD	78-03-032	290-24-010	REP-P	78-10-040
275-34-030	NEW-P	78-03-117	286-16-040	AMD	78-03-032	290-24-020	REP-P	78-10-040
275-34-030	NEW	78-05-020	286-16-070	AMD	78-03-032	290-24-030	REP-P	78-10-040
275-34-040	NEW-P	78-03-117	286-16-080	AMD	78-03-032	290-24-040	REP-P	78-10-040
275-34-040	NEW	78-05-020	286-20-010	AMD	78-03-032	290-24-050	REP-P	78-10-040
275-34-050	NEW-P	78-03-117	286-20-030	REP	78-03-032	290-24-060	REP-P	78-10-040
275-34-050	NEW	78-05-020	286-24-010	AMD	78-03-032	290-24-070	REP-P	78-10-040
275-34-060	NEW-P	78-03-117	286-24-020	AMD	78-03-032	290-24-080	REP-P	78-10-040
275-34-060	NEW	78-05-020	286-24-040	AMD	78-03-032	290-24-090	REP-P	78-10-040
275-34-070	NEW-P	78-03-117	286-26-010	AMD	78-03-032	290-24-100	REP-P	78-10-040
275-34-070	NEW	78-05-020	286-26-020	AMD	78-03-032	290-24-110	REP-P	78-10-040
275-34-080	NEW-P	78-03-117	286-26-030	AMD	78-03-032	290-24-120	REP-P	78-10-040
275-34-080	NEW	78-05-020	286-26-040	AMD	78-03-032	290-24-130	REP-P	78-10-040
275-34-090	NEW-P	78-03-117	286-26-050	REP	78-03-032	290-28-010	REP-P	78-10-040
275-34-090	NEW	78-05-020	286-26-060	AMD	78-03-032	290-28-020	REP-P	78-10-040
275-34-100	NEW-P	78-03-117	286-26-070	AMD	78-03-032	290-32-010	REP-P	78-10-040
275-34-100	NEW	78-05-020	289-02-010	NEW-P	78-08-074	290-32-020	REP-P	78-10-040
275-34-110	NEW-P	78-03-117	289-02-020	NEW-P	78-06-077	290-32-030	REP-P	78-10-040
275-34-110	NEW	78-05-020	289-04-010	NEW-P	78-06-077	290-32-040	REP-P	78-10-040
275-82-015	AMD-P	78-08-018	289-04-020	NEW-P	78-06-077	290-32-050	REP-P	78-10-040
275-82-015	AMD	78-10-055	289-04-030	NEW-P	78-06-077	290-32-060	REP-P	78-10-040
275-82-025	AMD-P	78-08-018	289-04-040	NEW-P	78-06-077	290-32-070	REP-P	78-10-040
275-82-025	AMD	78-10-055	289-06-010	NEW-P	78-06-077	290-36-010	REP-P	78-10-040
275-82-030	AMD-P	78-08-018	289-06-020	NEW-P	78-06-077	290-36-020	REP-P	78-10-040
275-82-030	AMD	78-10-055	289-06-030	NEW-P	78-06-077	290-36-030	REP-P	78-10-040
275-96-005	AMD-P	78-10-066	289-06-040	NEW-P	78-06-077	290-36-040	REP-P	78-10-040
275-96-021	AMD-P	78-10-066	289-06-050	NEW-P	78-06-077	290-36-050	REP-P	78-10-040
275-96-030	AMD-P	78-10-066	289-06-060	NEW-P	78-06-077	290-36-060	REP-P	78-10-040
275-96-055	AMD-P	78-10-066	289-06-070	NEW-P	78-06-077	290-36-070	REP-P	78-10-040
275-96-060	AMD-P	78-10-066	289-06-080	NEW-P	78-06-077	290-36-080	REP-P	78-10-040
275-96-070	AMD-P	78-10-066	289-06-090	NEW-P	78-06-077	290-36-090	REP-P	78-10-040
284-30-300	NEW-P	78-06-028	289-06-100	NEW-P	78-06-077	290-36-100	REP-P	78-10-040
284-30-300	NEW	78-08-082	289-12-010	NEW-P	78-08-074	290-36-110	REP-P	78-10-040
284-30-310	NEW-P	78-06-028	289-12-020	NEW-P	78-08-074	290-40-010	REP-P	78-10-040
284-30-310	NEW	78-08-082	289-12-030	NEW-P	78-08-074	290-40-020	REP-P	78-10-040
284-30-320	NEW-P	78-06-028	289-12-040	NEW-P	78-08-074	290-44-010	REP-P	78-10-040



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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
290-48-010	REP-P	78-10-040	296-17-895	AMD-P	78-10-122	296-37-080	REP-E	78-09-060
290-48-020	REP-P	78-10-040	296-17-920	AMD-P	78-10-122	296-37-080	REP	78-10-094
290-48-030	REP-P	78-10-040	296-24	AMD-P	78-11-054	296-37-081	REP-P	78-04-079
290-48-040	REP-P	78-10-040	296-24-020	AMD-P	78-04-079	296-37-081	REP-E	78-06-016
290-48-050	REP-P	78-10-040	296-24-040	AMD-P	78-04-079	296-37-081	REP-E	78-09-060
290-48-060	REP-P	78-10-040	296-24-045	NEW-P	78-04-079	296-37-081	REP	78-10-094
290-48-070	REP-P	78-10-040	296-24-045	NEW-P	78-11-054	296-37-082	REP-P	78-04-079
290-48-080	REP-P	78-10-040	296-24-060	AMD-P	78-04-079	296-37-082	REP-E	78-06-016
290-48-090	REP-P	78-10-040	296-24-955	AMD-P	78-04-079	296-37-082	REP-E	78-09-060
290-48-100	REP-P	78-10-040	296-27-010	AMD-E	78-04-078	296-37-082	REP	78-10-094
290-48-110	REP-P	78-10-040	296-27-010	AMD-P	78-04-079	296-37-090	REP-P	78-04-079
290-48-120	REP-P	78-10-040	296-27-010	AMD	78-07-052	296-37-090	REP-E	78-06-016
290-48-130	REP-P	78-10-040	296-27-020	AMD-E	78-04-078	296-37-090	REP-E	78-09-060
290-48-140	REP-P	78-10-040	296-27-020	AMD-P	78-04-079	296-37-090	REP	78-10-094
App.A	REP-P	78-10-040	296-27-020	AMD	78-07-052	296-37-100	REP-P	78-04-079
296-04-160	AMD-P	78-06-012	296-27-030	AMD-E	78-04-078	296-37-100	REP-E	78-06-016
296-04-160	AMD-P	78-09-113	296-27-030	AMD-P	78-04-079	296-37-100	REP-E	78-09-060
296-04-165	NEW-P	78-06-012	296-27-030	AMD	78-07-052	296-37-100	REP	78-10-094
296-04-165	NEW-P	78-09-113	296-27-050	AMD-E	78-04-078	296-37-110	REP-P	78-04-079
296-04-275	NEW-P	78-06-012	296-27-050	AMD-P	78-04-079	296-37-110	REP-E	78-06-016
296-04-275	NEW	78-09-056	296-27-050	AMD	78-07-052	296-37-110	REP-E	78-09-060
296-04-275	AMD-P	78-09-113	296-27-060	AMD-E	78-04-078	296-37-110	REP	78-10-094
296-04-300	AMD-P	78-09-061	296-27-060	AMD-P	78-04-079	296-37-300	REP-P	78-04-079
296-04-300	AMD-E	78-09-063	296-27-060	AMD	78-07-052	296-37-300	REP-E	78-06-016
296-04-330	AMD-P	78-09-061	296-27-077	NEW-E	78-04-078	296-37-300	REP-E	78-09-060
296-04-330	AMD-E	78-09-063	296-27-077	NEW-P	78-04-079	296-37-300	REP	78-10-094
296-04-340	AMD-P	78-09-061	296-27-077	NEW	78-07-052	296-37-310	REP-P	78-04-079
296-04-340	AMD-E	78-09-063	296-27-120	AMD-E	78-04-078	296-37-310	REP-E	78-06-016
296-04-350	AMD-P	78-09-061	296-27-120	AMD-P	78-04-079	296-37-310	REP-E	78-09-060
296-04-350	AMD-E	78-09-063	296-27-120	AMD	78-07-052	296-37-310	REP	78-10-094
296-04-360	AMD-P	78-09-061	296-27-140	AMD-E	78-04-078	296-37-320	REP-P	78-04-079
296-04-360	AMD-E	78-09-063	296-27-140	AMD-P	78-04-079	296-37-320	REP-E	78-06-016
296-04-370	AMD-P	78-09-061	296-27-140	AMD	78-07-052	296-37-320	REP-E	78-09-060
296-04-370	AMD-E	78-09-063	296-27-150	AMD-E	78-04-078	296-37-320	REP	78-10-094
296-04-400	AMD-P	78-09-061	296-27-150	AMD-P	78-04-079	296-37-330	REP-P	78-04-079
296-04-400	AMD-E	78-09-063	296-27-150	AMD	78-07-052	296-37-330	REP-E	78-06-016
296-04-410	AMD-P	78-09-061	296-37-010	REP-P	78-04-079	296-37-330	REP-E	78-09-060
296-04-410	AMD-E	78-09-063	296-37-010	REP-E	78-06-016	296-37-330	REP	78-10-094
296-04-420	AMD-P	78-09-061	296-37-010	REP-E	78-09-060	296-37-340	REP-P	78-04-079
296-04-420	AMD-E	78-09-063	296-37-010	REP	78-10-094	296-37-340	REP-E	78-06-016
296-04-440	AMD-P	78-09-061	296-37-020	REP-P	78-04-079	296-37-340	REP-E	78-09-060
296-04-440	AMD-E	78-09-063	296-37-020	REP-E	78-06-016	296-37-340	REP	78-10-094
296-04-460	AMD-P	78-09-061	296-37-020	REP-E	78-09-060	296-37-350	REP-P	78-04-079
296-04-460	AMD-E	78-09-063	296-37-020	REP	78-10-094	296-37-350	REP-E	78-06-016
296-11-001	AMD-P	78-07-032	296-37-030	REP-P	78-04-079	296-37-350	REP-E	78-09-060
296-11-001	AMD	78-09-057	296-37-030	REP-E	78-06-016	296-37-350	REP	78-10-094
296-11-003	NEW-P	78-07-032	296-37-030	REP-E	78-09-060	296-37-360	REP-P	78-04-079
296-11-003	NEW	78-09-057	296-37-030	REP	78-10-094	296-37-360	REP-E	78-06-016
296-17-330	AMD-P	78-10-122	296-37-040	REP-P	78-04-079	296-37-360	REP-E	78-09-060
296-17-350	AMD-P	78-10-122	296-37-040	REP-E	78-06-016	296-37-360	REP	78-10-094
296-17-351	AMD-P	78-10-122	296-37-040	REP-E	78-09-060	296-37-370	REP-P	78-04-079
296-17-352	AMD-P	78-10-122	296-37-040	REP	78-10-094	296-37-370	REP-E	78-06-016
296-17-450	AMD-P	78-10-122	296-37-050	REP-P	78-04-079	296-37-370	REP-E	78-09-060
296-17-576	AMD-P	78-10-122	296-37-050	REP-E	78-06-016	296-37-370	REP	78-10-094
296-17-57601	NEW-P	78-10-122	296-37-050	REP-E	78-09-060	296-37-380	REP-P	78-04-079
296-17-57602	NEW-P	78-10-122	296-37-050	REP	78-10-094	296-37-380	REP-E	78-06-016
296-17-581	AMD-P	78-10-122	296-37-060	REP-P	78-04-079	296-37-380	REP-E	78-09-060
296-17-58201	NEW-P	78-10-122	296-37-060	REP-E	78-06-016	296-37-380	REP	78-10-094
296-17-599	AMD-P	78-10-122	296-37-060	REP-E	78-09-060	296-37-390	REP-P	78-04-079
296-17-630	AMD-P	78-10-122	296-37-060	REP	78-10-094	296-37-390	REP-E	78-06-016
296-17-646	AMD-P	78-10-122	296-37-070	REP-P	78-04-079	296-37-390	REP-E	78-09-060
296-17-64901	NEW-P	78-10-122	296-37-070	REP-E	78-06-016	296-37-390	REP	78-10-094
296-17-659	AMD-P	78-10-122	296-37-070	REP-E	78-09-060	296-37-395	REP-P	78-04-079
296-17-66001	NEW-P	78-10-122	296-37-070	REP	78-10-094	296-37-395	REP-E	78-06-016
296-17-675	AMD-P	78-10-122	296-37-071	REP-P	78-04-079	296-37-395	REP-E	78-09-060
296-17-677	AMD-P	78-10-122	296-37-071	REP-E	78-06-016	296-37-395	REP	78-10-094
296-17-682	AMD-P	78-10-122	296-37-071	REP-E	78-09-060	296-37-400	REP-P	78-04-079
296-17-683	REP-P	78-10-122	296-37-071	REP	78-10-094	296-37-400	REP-E	78-06-016
296-17-75301	NEW-P	78-10-122	296-37-072	REP-P	78-04-079	296-37-400	REP-E	78-09-060
296-17-754	NEW-P	78-10-122	296-37-072	REP-E	78-06-016	296-37-410	REP	78-10-094
296-17-870	AMD-P	78-10-122	296-37-072	REP-E	78-09-060	296-37-410	REP-P	78-04-079
296-17-875	AMD-P	78-10-122	296-37-072	REP	78-10-094	296-37-410	REP-E	78-06-016
296-17-880	AMD-P	78-10-122	296-37-080	REP-P	78-04-079	296-37-410	REP-E	78-09-060
296-17-885	AMD-P	78-10-122	296-37-080	REP-E	78-06-016	296-37-410	REP	78-10-094



**Table of WAC Sections Affected**

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
297-15-010	REP	78-03-023	297-40-430	REP	78-03-023	308-26-005	AMD-P	78-05-061
297-20-010	REP	78-03-023	297-40-440	REP	78-03-023	308-26-005	AMD-P	78-07-033
297-20-020	REP	78-03-023	297-40-450	REP	78-03-023	308-26-005	AMD	78-07-073
297-20-030	REP	78-03-023	297-40-460	REP	78-03-023	308-26-011	NEW-P	78-05-061
297-25-010	REP	78-03-023	297-40-470	REP	78-03-023	308-26-011	NEW-P	78-07-033
297-25-020	REP	78-03-023	297-40-480	REP	78-03-023	308-26-011	NEW	78-07-073
297-25-030	REP	78-03-023	297-40-490	REP	78-03-023	308-52-050	REP-P	78-02-115
297-25-040	REP	78-03-023	297-40-500	REP	78-03-023	308-52-050	REP	78-04-028
297-25-050	REP	78-03-023	297-40-510	REP	78-03-023	308-52-136	NEW-P	78-02-115
297-30-010	REP	78-03-023	297-40-520	REP	78-03-023	308-52-136	NEW	78-04-029
297-30-020	REP	78-03-023	297-40-530	REP	78-03-023	308-52-137	NEW-P	78-02-115
297-30-030	REP	78-03-023	297-40-540	REP	78-03-023	308-52-137	NEW	78-04-029
297-30-040	REP	78-03-023	297-40-550	REP	78-03-023	308-52-138	NEW-P	78-02-115
297-30-050	REP	78-03-023	297-45-010	REP	78-03-023	308-52-138	NEW	78-04-029
297-30-060	REP	78-03-023	297-45-020	REP	78-03-023	308-52-139	NEW-P	78-02-115
297-30-070	REP	78-03-023	297-45-010	REP	78-03-023	308-52-139	NEW	78-04-029
297-30-080	REP	78-03-023	297-50-010	REP	78-03-023	308-52-140	NEW-P	78-02-115
297-35-010	REP	78-03-023	297-50-020	REP	78-03-023	308-52-140	NEW	78-04-029
297-35-020	REP	78-03-023	297-50-030	REP	78-03-023	308-52-141	NEW-P	78-02-115
297-35-030	REP	78-03-023	297-50-040	REP	78-03-023	308-52-141	NEW	78-04-029
297-35-040	REP	78-03-023	297-50-050	REP	78-03-023	308-52-142	NEW-P	78-02-115
297-35-050	REP	78-03-023	297-50-060	REP	78-03-023	308-52-142	NEW	78-04-029
297-35-060	REP	78-03-023	297-50-070	REP	78-03-023	308-52-143	NEW-P	78-02-115
297-35-070	REP	78-03-023	297-50-080	REP	78-03-023	308-52-143	NEW	78-04-029
297-35-080	REP	78-03-023	297-50-090	REP	78-03-023	308-52-143	NEW	78-04-029
297-35-090	REP	78-03-023	297-50-100	REP	78-03-023	308-52-144	NEW-P	78-02-115
297-35-100	REP	78-03-023	297-50-110	REP	78-03-023	308-52-144	NEW	78-04-029
297-35-110	REP	78-03-023	297-50-120	REP	78-03-023	308-52-144	NEW	78-04-029
297-35-120	REP	78-03-023	297-50-130	REP	78-03-023	308-52-260	AMD-P	78-02-115
297-35-130	REP	78-03-023	297-50-140	REP	78-03-023	308-52-260	AMD	78-04-028
297-35-140	REP	78-03-023	297-50-150	REP	78-03-023	308-52-260	AMD-E	78-04-030
297-35-150	REP	78-03-023	297-50-160	REP	78-03-023	308-52-260	AMD-P	78-02-115
297-35-160	REP	78-03-023	297-50-170	REP	78-03-023	308-52-270	AMD	78-04-028
297-40-010	REP	78-03-023	297-50-180	REP	78-03-023	308-52-270	AMD	78-04-028
297-40-040	REP	78-03-023	297-50-190	REP	78-03-023	308-53-030	NEW	78-02-030
297-40-050	REP	78-03-023	297-50-200	REP	78-03-023	308-53-070	NEW	78-02-030
297-40-060	REP	78-03-023	297-50-210	REP	78-03-023	308-53-190	REP-P	78-02-115
297-40-070	REP	78-03-023	297-50-220	REP	78-03-023	308-53-160	AMD	78-02-030
297-40-080	REP	78-03-023	297-50-230	REP	78-03-023	308-53-205	NEW	78-02-030
297-40-090	REP	78-03-023	297-50-240	REP	78-03-023	308-53-230	AMD	78-02-030
297-40-100	REP	78-03-023	297-50-250	REP	78-03-023	308-53-235	NEW	78-02-030
297-40-110	REP	78-03-023	297-50-260	REP	78-03-023	308-53-260	NEW	78-02-030
297-40-120	REP	78-03-023	297-50-270	REP	78-03-023	308-53-260	NEW	78-02-030
297-40-130	REP	78-03-023	297-55-010	REP	78-03-023	308-54-010	AMD	78-02-009
297-40-140	REP	78-03-023	297-55-020	REP	78-03-023	308-54-040	AMD	78-02-009
297-40-150	REP	78-03-023	297-55-030	REP	78-03-023	308-54-095	NEW	78-02-009
297-40-160	REP	78-03-023	297-55-040	REP	78-03-023	308-54-160	AMD	78-02-009
297-40-170	REP	78-03-023	297-55-050	REP	78-03-023	308-54-170	AMD	78-02-009
297-40-180	REP	78-03-023	297-55-060	REP	78-03-023	308-54-200	AMD	78-02-009
297-40-190	REP	78-03-023	297-55-070	REP	78-03-023	308-54-210	REP	78-02-009
297-40-200	REP	78-03-023	297-55-080	REP	78-03-023	308-54-220	AMD	78-02-009
297-40-210	REP	78-03-023	297-55-090	REP	78-03-023	308-54-225	NEW	78-02-009
297-40-220	REP	78-03-023	297-55-100	REP	78-03-023	308-54-240	AMD	78-02-009
297-40-230	REP	78-03-023	297-55-110	REP	78-03-023	308-104-045	AMD-P	78-02-087
297-40-240	REP	78-03-023	297-55-120	REP	78-03-023	308-104-045	AMD	78-04-041
297-40-250	REP	78-03-023	297-55-130	REP	78-03-023	308-116-295	AMD-P	78-08-114
297-40-260	REP	78-03-023	297-55-140	REP	78-03-023	308-116-295	AMD-P	78-10-025
297-40-265	REP	78-03-023	297-55-190	REP	78-03-023	308-116-295	AMD	78-10-049
297-40-270	REP	78-03-023	297-60-010	REP	78-03-023	308-120-160	AMD-P	78-03-080
297-40-280	REP	78-03-023	304-16-010	AMD-P	78-11-067	308-120-160	AMD	78-05-085
297-40-290	REP	78-03-023	304-16-020	AMD-P	78-11-067	308-120-185	AMD-P	78-03-080
297-40-300	REP	78-03-023	308-04-010	AMD-P	78-02-086	308-120-185	AMD	78-05-085
297-40-310	REP	78-03-023	308-04-010	AMD	78-04-040	308-120-260	AMD-P	78-06-118
297-40-320	REP	78-03-023	308-08-005	AMD-E	78-06-030	308-120-260	AMD-P	78-08-113
297-40-330	REP	78-03-023	308-08-005	AMD-P	78-06-078	308-120-260	AMD-P	78-10-037
297-40-340	REP	78-03-023	308-08-005	AMD	78-08-054	308-120-260	AMD	78-10-050
297-40-350	REP	78-03-023	308-12-030	AMD-P	78-10-026	308-120-340	NEW-P	78-03-079
297-40-360	REP	78-03-023	308-12-080	AMD-P	78-10-026	308-120-340	NEW	78-05-085
297-40-370	REP	78-03-023	308-12-090	REP-P	78-10-026	308-120-350	NEW-P	78-03-079
297-40-380	REP	78-03-023	308-12-100	REP-P	78-10-026	308-120-350	NEW	78-05-085
297-40-390	REP	78-03-023	308-12-120	AMD-P	78-10-026	308-120-400	NEW-P	78-03-068
297-40-400	REP	78-03-023	308-12-130	AMD-P	78-10-026	308-120-400	NEW-P	78-06-119
297-40-410	REP	78-03-023	308-12-310	AMD-P	78-10-026	308-120-400	NEW-P	78-08-115
297-40-420	REP	78-03-023	308-24-335	NEW-P	78-10-083	308-120-410	NEW-P	78-03-068
			308-24-335	NEW-E	78-10-084	308-120-410	NEW-P	78-06-119
						308-120-420	NEW-P	78-03-068
						308-120-420	NEW-P	78-06-119

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
308-120-420	NEW-P 78-08-115	308-200-225	REP-P 78-05-038	308-200-490	REP-P 78-05-038
308-120-430	NEW-P 78-03-068	308-200-225	REP 78-09-002	308-200-490	REP 78-09-002
308-120-430	NEW-P 78-06-119	308-200-230	REP-P 78-05-038	308-200-495	REP-P 78-05-038
308-120-430	NEW-P 78-08-115	308-200-230	REP 78-09-002	308-200-495	REP 78-09-002
308-120-440	NEW-P 78-03-068	308-200-235	REP-P 78-05-038	308-200-500	REP-P 78-05-038
308-120-440	NEW-P 78-06-119	308-200-235	REP 78-09-002	308-200-500	REP 78-09-002
308-120-440	NEW-P 78-08-115	308-200-240	REP-P 78-05-038	308-200-510	REP-P 78-05-038
308-120-450	NEW-P 78-03-068	308-200-240	REP 78-09-002	308-200-510	REP 78-09-002
308-122-200	AMD-P 78-06-045	308-200-245	REP-P 78-05-038	308-200-520	REP-P 78-05-038
308-122-210	AMD-P 78-06-045	308-200-245	REP 78-09-002	308-200-520	REP 78-09-002
308-124-021	AMD-P 78-09-124	308-200-260	REP-P 78-05-038	308-200-530	REP-P 78-05-038
308-124-021	AMD 78-11-052	308-200-260	REP 78-09-002	308-200-530	REP 78-09-002
308-124A-010	AMD-P 78-09-124	308-200-270	REP-P 78-05-038	308-200-535	REP-P 78-05-038
308-124A-010	AMD 78-11-052	308-200-270	REP 78-09-002	308-200-535	REP 78-09-002
308-124H-010	AMD-P 78-09-124	308-200-300	REP-P 78-05-038	308-200-540	REP-P 78-05-038
308-124H-010	AMD 78-11-052	308-200-300	REP 78-09-002	308-200-540	REP 78-09-002
308-124H-020	AMD-P 78-09-124	308-200-305	REP-P 78-05-038	308-200-545	REP-P 78-05-038
308-124H-030	AMD-P 78-09-124	308-200-305	REP 78-09-002	308-200-545	REP 78-09-002
308-124H-030	AMD 78-11-052	308-200-310	REP-P 78-05-038	308-200-550	REP-P 78-05-038
308-124H-040	AMD-P 78-09-124	308-200-310	REP 78-09-002	308-200-550	REP 78-09-002
308-124H-040	AMD 78-11-052	308-200-320	REP-P 78-05-038	308-200-570	REP-P 78-05-038
308-124H-045	NEW 78-11-052	308-200-320	REP 78-09-002	308-200-570	REP 78-09-002
308-124H-050	AMD-P 78-09-124	308-200-330	REP-P 78-05-038	308-200-580	REP-P 78-05-038
308-124H-050	AMD 78-11-052	308-200-330	REP 78-09-002	308-200-580	REP 78-09-002
308-124H-055	NEW-P 78-09-124	308-200-340	REP-P 78-05-038	308-200-600	REP-P 78-05-038
308-124H-055	NEW 78-11-052	308-200-340	REP 78-09-002	308-200-600	REP 78-09-002
308-124H-060	AMD-P 78-09-124	308-200-345	REP-P 78-05-038	308-200-650	REP-P 78-05-038
308-124H-060	AMD 78-11-052	308-200-345	REP 78-09-002	308-200-650	REP 78-09-002
308-124H-070	AMD-P 78-09-124	308-200-350	REP-P 78-05-038	308-200-652	REP-P 78-05-038
308-124H-070	AMD 78-11-052	308-200-350	REP 78-09-002	308-200-652	REP 78-09-002
308-128F-020	AMD-P 78-05-086	308-200-355	REP-P 78-05-038	308-200-660	REP-P 78-05-038
308-128F-020	AMD 78-08-027	308-200-355	REP 78-09-002	308-200-660	REP 78-09-002
308-200-010	REP-P 78-05-038	308-200-360	REP-P 78-05-038	308-200-690	REP-P 78-05-038
308-200-010	REP 78-09-002	308-200-360	REP 78-09-002	308-200-690	REP 78-09-002
308-200-020	REP-P 78-05-038	308-200-365	REP-P 78-05-038	308-200-695	REP-P 78-05-038
308-200-020	REP 78-09-002	308-200-365	REP 78-09-002	308-200-695	REP 78-09-002
308-200-025	REP-P 78-05-038	308-200-370	REP-P 78-05-038	308-200-700	REP-P 78-05-038
308-200-025	REP 78-09-002	308-200-370	REP 78-09-002	308-200-700	REP 78-09-002
308-200-030	REP-P 78-05-038	308-200-375	REP-P 78-05-038	308-200-710	REP-P 78-05-038
308-200-030	REP 78-09-002	308-200-375	REP 78-09-002	308-200-710	REP 78-09-002
308-200-040	REP-P 78-05-038	308-200-390	REP-P 78-05-038	308-200-820	REP-P 78-05-038
308-200-040	REP 78-09-002	308-200-390	REP 78-09-002	308-200-820	REP 78-09-002
308-200-050	REP-P 78-05-038	308-200-400	REP-P 78-05-038	308-200-830	REP-P 78-05-038
308-200-050	REP 78-09-002	308-200-400	REP 78-09-002	308-200-830	REP 78-09-002
308-200-055	REP-P 78-05-038	308-200-405	REP-P 78-05-038	308-200-835	REP-P 78-05-038
308-200-055	REP 78-09-002	308-200-405	REP 78-09-002	308-200-835	REP 78-09-002
308-200-060	REP-P 78-05-038	308-200-410	REP-P 78-05-038	308-200-840	REP-P 78-05-038
308-200-060	REP 78-09-002	308-200-410	REP 78-09-002	308-200-840	REP 78-09-002
308-200-100	REP-P 78-05-038	308-200-420	REP-P 78-05-038	308-200-860	REP-P 78-05-038
308-200-100	REP 78-09-002	308-200-420	REP 78-09-002	308-200-860	REP 78-09-002
308-200-150	REP-P 78-05-038	308-200-425	REP-P 78-05-038	308-200-900	REP-P 78-05-038
308-200-150	REP 78-09-002	308-200-425	REP 78-09-002	308-200-900	REP 78-09-002
308-200-160	REP-P 78-05-038	308-200-440	REP-P 78-05-038	308-200-910	REP-P 78-05-038
308-200-160	REP 78-09-002	308-200-440	REP 78-09-002	308-200-910	REP 78-09-002
308-200-170	REP-P 78-05-038	308-200-442	REP-P 78-05-038	308-200A-010	NEW-P 78-05-038
308-200-170	REP 78-09-002	308-200-442	REP 78-09-002	308-200A-010	NEW 78-09-002
308-200-175	REP-P 78-05-038	308-200-444	REP-P 78-05-038	308-200A-020	NEW-P 78-05-038
308-200-175	REP 78-09-002	308-200-444	REP 78-09-002	308-200A-020	NEW 78-09-002
308-200-180	REP-P 78-05-038	308-200-446	REP-P 78-05-038	308-200A-025	NEW-P 78-05-038
308-200-180	REP 78-09-002	308-200-446	REP 78-09-002	308-200A-025	NEW 78-09-002
308-200-190	REP-P 78-05-038	308-200-450	REP-P 78-05-038	308-200A-030	NEW-P 78-05-038
308-200-190	REP 78-09-002	308-200-450	REP 78-09-002	308-200A-030	NEW 78-09-002
308-200-200	REP-P 78-05-038	308-200-455	REP-P 78-05-038	308-200A-040	NEW-P 78-05-038
308-200-200	REP 78-09-002	308-200-455	REP 78-09-002	308-200A-040	NEW 78-09-002
308-200-203	REP-P 78-05-038	308-200-460	REP-P 78-05-038	308-200A-050	NEW-P 78-05-038
308-200-203	REP 78-09-002	308-200-460	REP 78-09-002	308-200A-050	NEW 78-09-002
308-200-205	REP-P 78-05-038	308-200-465	REP-P 78-05-038	308-200A-055	NEW-P 78-05-038
308-200-205	REP 78-09-002	308-200-465	REP 78-09-002	308-200A-055	NEW 78-09-002
308-200-210	REP-P 78-05-038	308-200-470	REP-P 78-05-038	308-200A-060	NEW-P 78-05-038
308-200-210	REP 78-09-002	308-200-470	REP 78-09-002	308-200A-060	NEW 78-09-002
308-200-215	REP-P 78-05-038	308-200-480	REP-P 78-05-038	308-200A-100	NEW-P 78-05-038
308-200-215	REP 78-09-002	308-200-480	REP 78-09-002	308-200A-100	NEW 78-09-002
308-200-220	REP-P 78-05-038	308-200-485	REP-P 78-05-038	308-200A-150	NEW-P 78-05-038
308-200-220	REP 78-09-002	308-200-485	REP 78-09-002	308-200A-150	NEW 78-09-002

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308-200A-160	NEW	78-09-002	308-200A-425	NEW	78-09-002	308-200A-910	NEW	78-09-002
308-200A-170	NEW-P	78-05-038	308-200A-440	NEW-P	78-05-038	308-300-030	AMD-P	78-09-103
308-200A-170	NEW	78-09-002	308-200A-440	NEW	78-09-002	308-300-030	AMD-P	78-11-066
308-200A-175	NEW-P	78-05-038	308-200A-442	NEW-P	78-05-038	308-300-060	AMD-P	78-09-103
308-200A-175	NEW	78-09-002	308-200A-442	NEW	78-09-002	308-300-110	AMD-P	78-09-103
308-200A-177	NEW-P	78-05-038	308-200A-444	NEW-P	78-05-038	308-300-110	AMD-P	78-11-066
308-200A-177	NEW	78-09-002	308-200A-444	NEW	78-09-002	314-16-190	AMD-P	78-05-083
308-200A-180	NEW-P	78-05-038	308-200A-446	NEW-P	78-05-038	314-16-190	AMD	78-07-002
308-200A-180	NEW	78-09-002	308-200A-446	NEW	78-09-002	314-20-030	AMD	78-02-031
308-200A-190	NEW-P	78-05-038	308-200A-450	NEW-P	78-05-038	314-20-100	AMD-P	78-02-016
308-200A-190	NEW	78-09-002	308-200A-450	NEW	78-09-002	314-20-100	AMD	78-02-056
308-200A-200	NEW-P	78-05-038	308-200A-455	NEW-P	78-05-038	314-24-080	AMD-P	78-07-044
308-200A-200	NEW	78-09-002	308-200A-455	NEW	78-09-002	314-24-080	AMD	78-09-012
308-200A-203	NEW-P	78-05-038	308-200A-460	NEW-P	78-05-038	314-24-190	AMD-P	78-02-016
308-200A-203	NEW	78-09-002	308-200A-460	NEW	78-09-002	314-24-190	AMD	78-02-056
308-200A-205	NEW-P	78-05-038	308-200A-465	NEW-P	78-05-038	314-52-070	AMD-P	78-02-016
308-200A-205	NEW	78-09-002	308-200A-465	NEW	78-09-002	314-52-070	AMD	78-02-056
308-200A-210	NEW-P	78-05-038	308-200A-470	NEW-P	78-05-038	314-52-080	AMD-P	78-02-016
308-200A-210	NEW	78-09-002	308-200A-470	NEW	78-09-002	314-52-080	AMD	78-02-056
308-200A-215	NEW-P	78-05-038	308-200A-480	NEW-P	78-05-038	314-52-090	AMD-P	78-02-016
308-200A-215	NEW	78-09-002	308-200A-480	NEW	78-09-002	314-52-090	AMD	78-02-056
308-200A-220	NEW-P	78-05-038	308-200A-485	NEW-P	78-05-038	314-52-111	AMD-P	78-02-016
308-200A-220	NEW	78-09-002	308-200A-485	NEW	78-09-002	314-52-111	AMD	78-02-056
308-200A-225	NEW-P	78-05-038	308-200A-490	NEW-P	78-05-038	314-52-113	AMD-P	78-02-016
308-200A-225	NEW	78-09-002	308-200A-490	NEW	78-09-002	314-52-113	AMD	78-02-056
308-200A-230	NEW-P	78-05-038	308-200A-495	NEW-P	78-05-038	314-52-120	AMD-P	78-02-016
308-200A-230	NEW	78-09-002	308-200A-495	NEW	78-09-002	314-52-120	AMD	78-02-056
308-200A-235	NEW-P	78-05-038	308-200A-500	NEW-P	78-05-038	314-62-010	NEW	78-02-039
308-200A-235	NEW	78-09-002	308-200A-500	NEW	78-09-002	314-62-020	NEW	78-02-039
308-200A-240	NEW-P	78-05-038	308-200A-510	NEW-P	78-05-038	314-62-020	AMD-P	78-03-005
308-200A-240	NEW	78-09-002	308-200A-510	NEW	78-09-002	314-62-020	AMD	78-05-003
308-200A-245	NEW-P	78-05-038	308-200A-520	NEW-P	78-05-038	332-17-010	NEW-P	78-09-120
308-200A-245	NEW	78-09-002	308-200A-520	NEW	78-09-002	332-17-020	NEW-P	78-09-120
308-200A-260	NEW-P	78-05-038	308-200A-530	NEW-P	78-05-038	332-17-030	NEW-P	78-09-120
308-200A-260	NEW	78-09-002	308-200A-530	NEW	78-09-002	332-17-100	NEW-P	78-09-120
308-200A-270	NEW-P	78-05-038	308-200A-535	NEW-P	78-05-038	332-17-110	NEW-P	78-09-120
308-200A-270	NEW	78-09-002	308-200A-535	NEW	78-09-002	332-17-120	NEW-P	78-09-120
308-200A-300	NEW-P	78-05-038	308-200A-540	NEW-P	78-05-038	332-17-130	NEW-P	78-09-120
308-200A-300	NEW	78-09-002	308-200A-540	NEW	78-09-002	332-17-140	NEW-P	78-09-120
308-200A-305	NEW-P	78-05-038	308-200A-545	NEW-P	78-05-038	332-17-150	NEW-P	78-09-120
308-200A-305	NEW	78-09-002	308-200A-545	NEW	78-09-002	332-17-160	NEW-P	78-09-120
308-200A-310	NEW-P	78-05-038	308-200A-550	NEW-P	78-05-038	332-17-165	NEW-P	78-09-120
308-200A-310	NEW	78-09-002	308-200A-550	NEW	78-09-002	332-17-200	NEW-P	78-09-120
308-200A-320	NEW-P	78-05-038	308-200A-570	NEW-P	78-05-038	332-17-300	NEW-P	78-09-120
308-200A-320	NEW	78-09-002	308-200A-570	NEW	78-09-002	332-17-310	NEW-P	78-09-120
308-200A-330	NEW-P	78-05-038	308-200A-580	NEW-P	78-05-038	332-17-320	NEW-P	78-09-120
308-200A-330	NEW	78-09-002	308-200A-580	NEW	78-09-002	332-17-340	NEW-P	78-09-120
308-200A-340	NEW-P	78-05-038	308-200A-600	NEW-P	78-05-038	332-17-400	NEW-P	78-09-120
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308-200A-345	NEW	78-09-002	308-200A-650	NEW	78-09-002	332-17-430	NEW-P	78-09-120
308-200A-350	NEW-P	78-05-038	308-200A-652	NEW-P	78-05-038	332-17-440	NEW-P	78-09-120
308-200A-350	NEW	78-09-002	308-200A-652	NEW	78-09-002	332-17-450	NEW-P	78-09-120
308-200A-355	NEW-P	78-05-038	308-200A-660	NEW-P	78-05-038	332-17-460	NEW-P	78-09-120
308-200A-355	NEW	78-09-002	308-200A-660	NEW	78-09-002	332-24-090	AMD-E	78-04-025
308-200A-360	NEW-P	78-05-038	308-200A-690	NEW-P	78-05-038	332-24-090	AMD-E	78-05-014
308-200A-360	NEW	78-09-002	308-200A-690	NEW	78-09-002	332-24-090	AMD-E	78-10-089
308-200A-365	NEW-P	78-05-038	308-200A-695	NEW-P	78-05-038	332-24-090	AMD-E	78-10-102
308-200A-365	NEW	78-09-002	308-200A-695	NEW	78-09-002	332-26-010	NEW-E	78-08-006
308-200A-370	NEW-P	78-05-038	308-200A-700	NEW-P	78-05-038	332-26-020	NEW-E	78-08-006
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308-200A-375	NEW	78-09-002	308-200A-710	NEW	78-09-002	332-26-050	NEW-E	78-08-006
308-200A-390	NEW-P	78-05-038	308-200A-820	NEW-P	78-05-038	332-26-070	NEW-E	78-08-006
308-200A-390	NEW	78-09-002	308-200A-820	NEW	78-09-002	332-26-503	NEW-E	78-08-063
308-200A-400	NEW-P	78-05-038	308-200A-831	NEW-P	78-05-038	332-26-503	AMD-E	78-08-073
308-200A-400	NEW	78-09-002	308-200A-831	NEW	78-09-002	332-26-503	NEW-E	78-08-087
308-200A-405	NEW-P	78-05-038	308-200A-840	NEW-P	78-05-038	332-26-503	AMD-E	78-08-101
308-200A-405	NEW	78-09-002	308-200A-840	NEW	78-09-002	332-26-503	AMD-E	78-09-001
308-200A-410	NEW-P	78-05-038	308-200A-860	NEW-P	78-05-038	332-26-503	AMD-E	78-09-007
308-200A-410	NEW	78-09-002	308-200A-860	NEW	78-09-002	332-26-504	NEW-E	78-09-007
308-200A-420	NEW-P	78-05-038	308-200A-900	NEW-P	78-05-038	332-26-504	AMD-E	78-09-010
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332-26-504	NEW-E 78-09-023	332-40-440	AMD-P 78-03-115	352-10-177	AMD 78-07-023
332-26-504	AMD-E 78-09-023	332-40-440	AMD 78-05-015	352-10-180	AMD-P 78-04-089
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332-26-505	NEW-E 78-09-010	332-40-442	AMD 78-05-015	352-10-190	AMD-P 78-04-089
332-26-505	AMD-E 78-09-011	332-40-444	AMD-P 78-03-115	352-10-190	AMD 78-07-023
332-26-505	NEW-E 78-09-023	332-40-444	AMD 78-05-015	352-10-203	AMD-P 78-04-089
332-26-505	AMD-E 78-09-026	332-40-450	AMD-P 78-03-115	352-10-203	AMD 78-07-023
332-26-508	NEW-E 78-05-014	332-40-450	AMD 78-05-015	352-10-205	AMD-P 78-04-089
332-26-508	AMD-E 78-05-069	332-40-455	NEW-P 78-03-115	352-10-205	AMD 78-07-023
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332-40-055	AMD-P 78-03-115	332-40-500	AMD-P 78-03-115	352-10-240	AMD 78-07-023
332-40-055	AMD 78-05-015	332-40-500	AMD 78-05-015	352-10-260	AMD-P 78-04-089
332-40-060	AMD-P 78-03-115	332-40-535	AMD-P 78-03-115	352-10-260	AMD 78-07-023
332-40-060	AMD 78-05-015	332-40-535	AMD 78-05-015	352-10-300	AMD-P 78-04-089
332-40-100	AMD-P 78-03-115	332-40-540	AMD-P 78-03-115	352-10-300	AMD 78-07-023
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332-40-170	AMD-P 78-03-115	332-40-545	AMD-P 78-03-115	352-10-305	AMD 78-07-023
332-40-170	AMD 78-05-015	332-40-545	AMD 78-05-015	352-10-310	AMD-P 78-04-089
332-40-175	AMD-P 78-03-115	332-40-570	AMD-P 78-03-115	352-10-310	AMD 78-07-023
332-40-175	AMD 78-05-015	332-40-570	AMD 78-05-015	352-10-320	AMD-P 78-04-089
332-40-177	AMD-P 78-03-115	332-40-580	AMD-P 78-03-115	352-10-320	AMD 78-07-023
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332-40-180	AMD-P 78-03-115	332-40-600	AMD-P 78-03-115	352-10-330	AMD 78-07-023
332-40-180	AMD 78-05-015	332-40-600	AMD 78-05-015	352-10-340	AMD-P 78-04-089
332-40-190	AMD-P 78-03-115	332-40-650	AMD-P 78-03-115	352-10-340	AMD 78-07-023
332-40-190	AMD 78-05-015	332-40-650	AMD 78-05-015	352-10-345	AMD-P 78-04-089
332-40-203	AMD-P 78-03-115	332-40-660	AMD-P 78-03-115	352-10-345	AMD 78-07-023
332-40-203	AMD 78-05-015	332-40-660	AMD 78-05-015	352-10-350	AMD-P 78-04-089
332-40-205	AMD-P 78-03-115	332-40-690	AMD-P 78-03-115	352-10-350	AMD 78-07-023
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332-40-220	AMD-P 78-03-115	332-40-695	AMD-P 78-03-115	352-10-355	AMD 78-07-023
332-40-220	AMD 78-05-015	332-40-695	AMD 78-05-015	352-10-360	AMD-P 78-04-089
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332-40-240	AMD 78-05-015	332-40-710	NEW 78-05-015	352-10-365	AMD-P 78-04-089
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332-40-260	AMD 78-05-015	332-40-800	AMD 78-05-015	352-10-370	AMD-P 78-04-089
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332-40-330	AMD-P 78-03-115	352-10-010	AMD 78-07-023	352-10-400	AMD 78-07-023
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332-40-340	AMD-P 78-03-115	352-10-020	AMD 78-07-023	352-10-405	AMD 78-07-023
332-40-340	AMD 78-05-015	352-10-025	AMD-P 78-04-089	352-10-410	AMD-P 78-04-089
332-40-345	AMD-P 78-03-115	352-10-025	AMD 78-07-023	352-10-410	AMD 78-07-023
332-40-345	AMD 78-05-015	352-10-040	AMD-P 78-04-089	352-10-420	AMD-P 78-04-089
332-40-350	AMD-P 78-03-115	352-10-040	AMD 78-07-023	352-10-420	AMD 78-07-023
332-40-350	AMD 78-05-015	352-10-050	AMD-P 78-04-089	352-10-440	AMD-P 78-04-089
332-40-355	AMD-P 78-03-115	352-10-050	AMD 78-07-023	352-10-440	AMD 78-07-023
332-40-355	AMD 78-05-015	352-10-055	AMD-P 78-04-089	352-10-442	AMD-P 78-04-089
332-40-360	AMD-P 78-03-115	352-10-055	AMD 78-07-023	352-10-442	AMD 78-07-023
332-40-360	AMD 78-05-015	352-10-060	AMD-P 78-04-089	352-10-444	AMD-P 78-04-089
332-40-365	AMD-P 78-03-115	352-10-060	AMD 78-07-023	352-10-444	AMD 78-07-023
332-40-365	AMD 78-05-015	352-10-100	AMD-P 78-04-089	352-10-450	AMD-P 78-04-089
332-40-370	AMD-P 78-03-115	352-10-100	AMD 78-07-023	352-10-450	AMD 78-07-023
332-40-370	AMD 78-05-015	352-10-150	AMD-P 78-04-089	352-10-455	AMD-P 78-04-089
332-40-405	AMD-P 78-03-115	352-10-150	AMD 78-07-023	352-10-455	AMD 78-07-023
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352-10-480	AMD	78-07-023	356-10-060	AMD-P	78-04-018	356-22-190	AMD	78-06-017
352-10-485	AMD-P	78-04-089	356-10-060	AMD-P	78-06-019	356-22-200	AMD-P	78-04-068
352-10-485	AMD	78-07-023	356-10-060	AMD-P	78-06-029	356-22-200	AMD	78-06-017
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352-10-510	AMD	78-07-023	356-10-060	AMD-P	78-07-007	356-22-230	AMD-P	78-04-018
352-10-520	AMD-P	78-04-089	356-10-060	AMD-P	78-08-028	356-22-230	AMD-P	78-06-019
352-10-520	AMD	78-07-023	356-10-060	AMD	78-10-070	356-30-005	NEW-P	78-04-068
352-10-535	AMD-P	78-04-089	356-10-060	AMD-P	78-10-095	356-30-005	NEW	78-06-017
352-10-535	AMD	78-07-023	356-14-025	REP-P	78-03-074	356-30-015	NEW-P	78-07-056
352-10-540	AMD-P	78-04-089	356-14-025	REP	78-05-025	356-30-015	NEW-P	78-08-083
352-10-540	AMD	78-07-023	356-14-030	AMD-P	78-03-074	356-30-015	NEW	78-10-092
352-10-545	AMD-P	78-04-089	356-14-030	AMD	78-05-025	356-30-070	AMD-P	78-02-099
352-10-545	AMD	78-07-023	356-14-050	AMD-P	78-03-074	356-30-070	AMD-P	78-07-056
352-10-550	AMD-P	78-04-089	356-14-050	AMD	78-05-025	356-30-070	AMD-P	78-08-083
352-10-550	AMD	78-07-023	356-14-110	AMD-P	78-04-068	356-30-070	AMD-P	78-10-095
352-10-570	AMD-P	78-04-089	356-14-110	AMD	78-06-017	356-30-080	AMD-P	78-09-089
352-10-570	AMD	78-07-023	356-14-140	AMD-P	78-04-068	356-30-080	AMD-P	78-10-095
352-10-580	AMD-P	78-04-089	356-14-140	AMD	78-06-017	356-30-143	NEW-P	78-04-068
352-10-580	AMD	78-07-023	356-14-180	AMD-P	78-04-068	356-30-143	NEW	78-06-017
352-10-600	AMD-P	78-04-089	356-14-180	AMD	78-06-017	356-30-143	AMD-P	78-07-056
352-10-600	AMD	78-07-023	356-14-200	AMD-P	78-04-068	356-30-143	AMD-P	78-08-083
352-10-650	AMD-P	78-04-089	356-14-200	AMD	78-06-017	356-30-143	AMD	78-10-070
352-10-650	AMD	78-07-023	356-14-210	AMD-P	78-04-068	356-30-210	AMD-P	78-08-083
352-10-660	AMD-P	78-04-089	356-14-210	AMD	78-06-017	356-30-210	AMD	78-10-070
352-10-660	AMD	78-07-023	356-14-270	AMD-P	78-04-068	356-30-300	AMD-P	78-09-089
352-10-690	AMD-P	78-04-089	356-14-270	AMD	78-06-017	356-30-300	AMD-E	78-10-032
352-10-690	AMD	78-07-023	356-15-030	AMD-P	78-02-099	356-30-300	AMD-P	78-10-095
352-10-695	AMD-P	78-04-089	356-15-030	AMD-P	78-04-018	356-34-170	AMD-P	78-08-083
352-10-695	AMD	78-07-023	356-15-030	AMD-P	78-06-018	356-34-170	AMD	78-10-070
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352-10-700	AMD	78-07-023	356-15-050	AMD	78-07-008	356-38-020	REP	78-02-049
352-10-830	AMD-P	78-04-089	356-15-120	AMD-E	78-05-024	356-38-030	REP	78-02-049
352-10-830	AMD	78-07-023	356-15-120	AMD-P	78-05-047	356-38-040	REP	78-02-049
352-10-920	AMD-P	78-04-089	356-15-120	AMD	78-07-008	356-38-050	REP	78-02-049
352-10-920	AMD	78-07-023	356-15-120	AMD-P	78-09-089	356-38-060	REP	78-02-049
352-32-030	AMD-P	78-03-088	356-15-120	AMD-P	78-10-095	356-38-070	REP	78-02-049
352-32-030	AMD	78-05-082	356-15-120	AMD-E	78-11-027	356-38-080	REP	78-02-049
352-32-250	AMD-P	78-03-088	356-15-120	AMD-P	78-11-064	356-38-090	REP	78-02-049
352-32-250	AMD	78-05-082	356-18-020	AMD-P	78-02-099	356-38-100	REP	78-02-049
352-32-260	AMD	78-02-038	356-18-020	AMD	78-04-014	356-38-110	REP	78-02-049
352-32-280	AMD-P	78-03-088	356-18-030	AMD-P	78-02-099	356-38-120	REP	78-02-049
352-32-280	AMD	78-05-082	356-18-030	AMD	78-04-014	356-38-130	REP	78-02-049
352-32-285	NEW-P	78-03-088	356-18-040	AMD-P	78-04-068	356-38-140	REP	78-02-049
352-32-285	NEW	78-05-082	356-18-040	AMD	78-06-017	356-38-150	REP	78-02-049
352-44-025	NEW-P	78-06-035	356-18-060	AMD-P	78-09-089	356-38-160	REP	78-02-049
356-06-010	AMD	78-02-049	356-18-060	AMD-P	78-10-095	356-38-170	REP	78-02-049
356-06-020	AMD-P	78-03-074	356-18-070	AMD-P	78-04-068	356-39-010	NEW	78-02-049
356-06-020	AMD	78-05-025	356-18-070	AMD	78-06-017	356-39-020	NEW	78-02-049
356-06-060	AMD-P	78-03-074	356-18-080	AMD-P	78-04-068	356-39-030	NEW	78-02-049
356-06-060	AMD	78-05-025	356-18-080	AMD	78-06-017	356-39-040	NEW	78-02-049
356-06-070	AMD-P	78-03-074	356-18-100	AMD-P	78-04-068	356-39-050	NEW	78-02-049
356-06-070	AMD	78-05-025	356-18-100	AMD	78-06-017	356-39-060	NEW	78-02-049
356-06-080	AMD-P	78-03-074	356-18-140	AMD-P	78-07-056	356-39-070	NEW	78-02-049
356-06-080	AMD	78-05-025	356-18-140	AMD-P	78-08-083	356-39-080	NEW	78-02-049
356-07-030	AMD-P	78-03-074	356-18-140	AMD	78-10-070	356-39-090	NEW	78-02-049
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356-10-030	AMD-P	78-02-100	356-18-160	AMD	78-06-017	356-39-110	NEW	78-02-049
356-10-030	AMD-P	78-04-018	356-18-220	AMD-P	78-07-056	356-39-120	NEW	78-02-049
356-10-030	AMD-P	78-06-019	356-18-220	AMD-P	78-08-083	356-39-130	NEW	78-02-049
356-10-030	AMD-P	78-06-029	356-18-220	AMD	78-10-070	356-39-140	NEW	78-02-049
356-10-030	AMD-P	78-06-112	356-22-070	AMD-P	78-04-068	356-46-010	AMD-P	78-08-083
356-10-030	AMD-P	78-07-007	356-22-070	AMD	78-06-017	356-46-010	AMD	78-10-070
356-10-030	AMD-P	78-08-028	356-22-090	AMD-P	78-03-074	356-46-020	AMD-P	78-08-083
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356-10-050	AMD-P	78-02-100	356-22-100	AMD	78-06-017	356-46-030	AMD-P	78-05-047
356-10-050	AMD-P	78-04-018	356-22-120	AMD-P	78-04-068	356-46-030	AMD	78-07-008
356-10-050	AMD-P	78-06-019	356-22-120	AMD	78-06-017	356-46-030	AMD-P	78-08-083
356-10-050	AMD-P	78-06-029	356-22-130	AMD-P	78-04-068	356-46-030	AMD	78-10-070
356-10-050	AMD-P	78-06-112	356-22-130	AMD	78-06-017	356-46-050	AMD-P	78-05-047
356-10-050	AMD-P	78-07-007	356-22-170	AMD-P	78-04-068	356-46-050	AMD	78-07-008
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388-63-120	REP-P	78-05-089	388-70-270	REP	78-09-098	388-73-068	NEW	78-10-006
388-63-120	REP	78-10-006	388-70-275	REP-P	78-05-094	388-73-070	NEW-P	78-05-089
388-63-125	REP-P	78-05-089	388-70-275	REP	78-09-098	388-73-070	NEW	78-10-006
388-63-125	REP	78-10-006	388-70-280	REP-P	78-05-094	388-73-072	NEW-P	78-05-089
388-70	AMD-P	78-07-078	388-70-280	REP	78-09-098	388-73-072	NEW	78-10-006
388-70	AMD-P	78-08-057	388-70-320	REP-P	78-05-094	388-73-074	NEW-P	78-05-089
388-70-010	AMD-P	78-05-094	388-70-320	REP	78-09-098	388-73-074	NEW	78-10-006
388-70-010	AMD	78-09-098	388-70-700	NEW-P	78-05-094	388-73-076	NEW-P	78-05-089
388-70-012	AMD-P	78-05-094	388-70-700	NEW	78-09-098	388-73-076	NEW	78-10-006
388-70-012	AMD	78-09-098	388-73	NEW-P	78-07-047	388-73-078	NEW-P	78-05-089
388-70-013	AMD-P	78-05-094	388-73	NEW-P	78-08-056	388-73-078	NEW	78-10-006
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388-70-014	REP-P	78-05-094	388-73-010	NEW	78-10-006	388-73-080	NEW	78-10-006
388-70-014	REP	78-09-098	388-73-012	NEW-P	78-05-089	388-73-100	NEW-P	78-05-089
388-70-016	REP-P	78-05-094	388-73-012	NEW	78-10-006	388-73-100	NEW	78-10-006
388-70-016	REP	78-09-098	388-73-014	NEW-P	78-05-089	388-73-102	NEW-P	78-05-089
388-70-017	REP-P	78-05-094	388-73-014	NEW	78-10-006	388-73-102	NEW	78-10-006
388-70-017	REP	78-09-098	388-73-016	NEW-P	78-05-089	388-73-104	NEW-P	78-05-089
388-70-019	REP-P	78-05-094	388-73-016	NEW	78-10-006	388-73-104	NEW	78-10-006
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388-70-022	AMD-P	78-05-094	388-73-018	NEW	78-10-006	388-73-106	NEW	78-10-006
388-70-022	AMD	78-09-098	388-73-019	NEW-P	78-05-089	388-73-108	NEW-P	78-05-089
388-70-024	AMD-P	78-05-094	388-73-019	NEW	78-10-006	388-73-108	NEW	78-10-006
388-70-024	AMD	78-09-098	388-73-020	NEW-P	78-05-089	388-73-110	NEW-P	78-05-089
388-70-044	AMD-P	78-05-094	388-73-020	NEW	78-10-006	388-73-110	NEW	78-10-006
388-70-044	AMD	78-09-098	388-73-022	NEW-P	78-05-089	388-73-112	NEW-P	78-05-089
388-70-047	AMD-P	78-05-094	388-73-022	NEW	78-10-006	388-73-112	NEW	78-10-006
388-70-047	AMD	78-09-098	388-73-024	NEW-P	78-05-089	388-73-114	NEW-P	78-05-089
388-70-048	AMD-P	78-05-094	388-73-024	NEW	78-10-006	388-73-114	NEW	78-10-006
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388-70-051	AMD-P	78-05-094	388-73-028	NEW	78-10-006	388-73-118	NEW	78-10-006
388-70-051	AMD	78-09-098	388-73-030	NEW-P	78-05-089	388-73-120	NEW-P	78-05-089
388-70-056	AMD-P	78-05-094	388-73-030	NEW	78-10-006	388-73-120	NEW	78-10-006
388-70-056	AMD	78-09-098	388-73-032	NEW-P	78-05-089	388-73-122	NEW-P	78-05-089
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388-70-066	AMD	78-09-098	388-73-034	NEW-P	78-05-089	388-73-124	NEW-P	78-05-089
388-70-110	REP-P	78-05-094	388-73-034	NEW	78-10-006	388-73-124	NEW	78-10-006
388-70-110	REP	78-09-098	388-73-036	NEW-P	78-05-089	388-73-126	NEW-P	78-05-089
388-70-111	REP-P	78-05-094	388-73-036	NEW	78-10-006	388-73-126	NEW	78-10-006
388-70-111	REP	78-09-098	388-73-038	NEW-P	78-05-089	388-73-128	NEW-P	78-05-089
388-70-112	REP-P	78-05-094	388-73-038	NEW	78-10-006	388-73-128	NEW	78-10-006
388-70-112	REP	78-09-098	388-73-040	NEW-P	78-05-089	388-73-130	NEW-P	78-05-089
388-70-114	REP-P	78-05-094	388-73-040	NEW	78-10-006	388-73-130	NEW	78-10-006
388-70-114	REP	78-09-098	388-73-042	NEW-P	78-05-089	388-73-132	NEW-P	78-05-089
388-70-116	REP-P	78-05-094	388-73-042	NEW	78-10-006	388-73-132	NEW	78-10-006
388-70-116	REP	78-09-098	388-73-044	NEW-P	78-05-089	388-73-134	NEW-P	78-05-089
388-70-118	REP-P	78-05-094	388-73-044	NEW	78-10-006	388-73-134	NEW	78-10-006
388-70-118	REP	78-09-098	388-73-046	NEW-P	78-05-089	388-73-136	NEW-P	78-05-089
388-70-160	AMD-P	78-05-094	388-73-046	NEW	78-10-006	388-73-136	NEW	78-10-006
388-70-160	AMD	78-09-098	388-73-048	NEW-P	78-05-089	388-73-138	NEW-P	78-05-089
388-70-201	REP-P	78-05-094	388-73-048	NEW	78-10-006	388-73-138	NEW	78-10-006
388-70-201	REP	78-09-098	388-73-050	NEW-P	78-05-089	388-73-140	NEW-P	78-05-089
388-70-211	REP-P	78-05-094	388-73-050	NEW	78-10-006	388-73-140	NEW	78-10-006
388-70-211	REP	78-09-098	388-73-052	NEW-P	78-05-089	388-73-142	NEW-P	78-05-089
388-70-221	REP-P	78-05-094	388-73-052	NEW	78-10-006	388-73-142	NEW	78-10-006
388-70-221	REP	78-09-098	388-73-054	NEW-P	78-05-089	388-73-144	NEW-P	78-05-089
388-70-230	REP-P	78-05-094	388-73-054	NEW	78-10-006	388-73-144	NEW	78-10-006
388-70-230	AMD-P	78-07-022	388-73-056	NEW-P	78-05-089	388-73-146	NEW-P	78-05-089
388-70-230	REP	78-09-098	388-73-056	NEW	78-10-006	388-73-146	NEW	78-10-006
388-70-235	REP-P	78-05-094	388-73-057	NEW-P	78-05-089	388-73-200	NEW-P	78-05-089
388-70-235	REP	78-09-098	388-73-057	NEW	78-10-006	388-73-200	NEW	78-10-006
388-70-240	REP-P	78-05-094	388-73-058	NEW-P	78-05-089	388-73-202	NEW-P	78-05-089
388-70-240	REP	78-09-098	388-73-058	NEW	78-10-006	388-73-202	NEW	78-10-006
388-70-245	REP-P	78-05-094	388-73-060	NEW-P	78-05-089	388-73-204	NEW-P	78-05-089
388-70-245	REP	78-09-098	388-73-060	NEW	78-10-006	388-73-204	NEW	78-10-006
388-70-250	REP-P	78-05-094	388-73-062	NEW-P	78-05-089	388-73-206	NEW-P	78-05-089
388-70-250	REP	78-09-098	388-73-062	NEW	78-10-006	388-73-206	NEW	78-10-006
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388-70-260	REP-P	78-05-094	388-73-066	NEW-P	78-05-089	388-73-210	NEW-P	78-05-089
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391-70-010	NEW-E 78-06-007	391-70-170	NEW-E 78-11-036	392-139-025	NEW-P 78-11-075
391-70-010	NEW-E 78-08-048	391-70-170	NEW-P 78-11-061	392-139-030	NEW-E 78-10-041
391-70-010	NEW-E 78-11-036	391-70-180	NEW-E 78-06-007	392-139-030	NEW-P 78-11-075
391-70-010	NEW-P 78-11-061	391-70-180	NEW-E 78-08-048	392-139-035	NEW-E 78-10-041
391-70-020	NEW-E 78-03-011	391-70-180	NEW-E 78-11-036	392-139-035	NEW-P 78-11-075
391-70-020	NEW-E 78-06-007	391-70-190	NEW-E 78-06-007	392-139-040	NEW-E 78-10-041
391-70-020	NEW-E 78-08-048	391-70-190	NEW-E 78-08-048	392-139-040	NEW-P 78-11-075
391-70-020	NEW-E 78-11-036	391-70-190	NEW-E 78-11-036	392-139-045	NEW-E 78-10-041
391-70-020	NEW-P 78-11-061	391-70-200	NEW-E 78-06-007	392-139-045	NEW-P 78-11-075
391-70-030	NEW-E 78-03-011	391-70-200	NEW-E 78-08-048	392-164-015	AMD-P 78-06-054
391-70-030	NEW-E 78-06-007	391-70-200	NEW-E 78-11-036	392-164-015	AMD 78-08-037
391-70-030	NEW-E 78-08-048	391-70-210	NEW-E 78-06-007	392-171	AMD-P 78-09-114
391-70-030	NEW-E 78-11-036	391-70-210	NEW-E 78-08-048	392-171	AMD-P 78-10-023
391-70-030	NEW-P 78-11-061	391-70-210	NEW-E 78-11-036	392-171	AMD-P 78-10-064
391-70-040	NEW-E 78-03-011	391-70-220	NEW-E 78-03-011	392-171-005	REP-P 78-07-093
391-70-040	NEW-E 78-06-007	391-70-220	NEW-E 78-06-007	392-171-005	REP-E 78-11-014
391-70-040	NEW-E 78-08-048	391-70-220	NEW-E 78-08-048	392-171-005	REP 78-11-074
391-70-040	NEW-E 78-11-036	391-70-220	NEW-E 78-11-036	392-171-010	REP-P 78-07-093
391-70-040	NEW-P 78-11-061	391-70-220	NEW-P 78-11-061	392-171-010	REP-E 78-11-014
391-70-050	NEW-E 78-03-011	391-70-230	NEW-E 78-06-007	392-171-010	REP 78-11-074
391-70-050	NEW-E 78-06-007	391-70-230	NEW-E 78-08-048	392-171-015	REP-P 78-07-093
391-70-050	NEW-E 78-08-048	391-70-230	NEW-E 78-11-036	392-171-015	REP-E 78-11-014
391-70-050	NEW-E 78-11-036	391-70-240	NEW-E 78-06-007	392-171-015	REP 78-11-074
391-70-050	NEW-P 78-11-061	391-70-240	NEW-E 78-08-048	392-171-020	REP-P 78-07-093
391-70-060	NEW-E 78-06-007	391-70-240	NEW-E 78-11-036	392-171-020	REP-E 78-11-014
391-70-060	NEW-E 78-08-048	391-70-245	NEW-E 78-03-011	392-171-020	REP 78-11-074
391-70-060	NEW-E 78-11-036	391-70-245	NEW-P 78-11-061	392-171-025	REP-P 78-07-093
391-70-070	NEW-E 78-03-011	391-70-250	NEW-E 78-03-011	392-171-025	REP-E 78-11-014
391-70-070	NEW-E 78-06-007	391-70-250	NEW-E 78-06-007	392-171-025	REP 78-11-074
391-70-070	NEW-E 78-08-048	391-70-250	NEW-E 78-08-048	392-171-030	REP-P 78-07-093
391-70-070	NEW-E 78-11-036	391-70-250	NEW-E 78-11-036	392-171-030	REP-E 78-11-014
391-70-070	NEW-P 78-11-061	391-70-260	NEW-E 78-03-011	392-171-030	REP 78-11-074
391-70-080	NEW-E 78-03-011	391-70-260	NEW-E 78-06-007	392-171-035	REP-P 78-07-093
391-70-080	NEW-E 78-06-007	391-70-260	NEW-E 78-08-048	392-171-035	REP-E 78-11-014
391-70-080	NEW-E 78-08-048	391-70-260	NEW-E 78-11-036	392-171-035	REP 78-11-074
391-70-080	NEW-E 78-11-036	391-70-260	NEW-P 78-11-061	392-171-040	REP-P 78-07-093
391-70-080	NEW-P 78-11-061	391-70-270	NEW-E 78-06-007	392-171-040	REP-E 78-11-014
391-70-080	NEW-E 78-03-011	391-70-270	NEW-E 78-08-048	392-171-040	REP 78-11-074
391-70-090	NEW-E 78-06-007	391-70-270	NEW-E 78-11-036	392-171-045	REP-P 78-07-093
391-70-090	NEW-E 78-08-048	391-70-280	NEW-E 78-03-011	392-171-045	REP-E 78-11-014
391-70-090	NEW-E 78-11-036	391-70-280	NEW-E 78-06-007	392-171-045	REP 78-11-074
391-70-090	NEW-P 78-11-061	391-70-280	NEW-E 78-08-048	392-171-050	REP-P 78-07-093
391-70-100	NEW-E 78-06-007	391-70-280	NEW-E 78-11-036	392-171-050	REP-E 78-11-014
391-70-100	NEW-E 78-08-048	391-70-290	NEW-E 78-06-007	392-171-050	REP 78-11-074
391-70-100	NEW-E 78-11-036	391-70-290	NEW-E 78-08-048	392-171-055	REP-P 78-07-093
391-70-105	NEW-E 78-03-011	391-70-290	NEW-E 78-11-036	392-171-055	REP-E 78-11-014
391-70-105	NEW-P 78-11-061	391-70-300	NEW-E 78-03-011	392-171-055	REP 78-11-074
391-70-110	NEW-E 78-03-011	391-70-300	NEW-E 78-06-007	392-171-060	REP-P 78-07-093
391-70-110	NEW-E 78-06-007	391-70-300	NEW-E 78-08-048	392-171-060	REP-E 78-11-014
391-70-110	NEW-E 78-08-048	391-70-300	NEW-E 78-11-036	392-171-060	REP 78-11-074
391-70-110	NEW-E 78-11-036	391-70-300	NEW-P 78-11-061	392-171-065	REP-P 78-07-093
391-70-110	NEW-P 78-11-061	392-109-006	NEW-P 78-06-115	392-171-065	REP-E 78-11-014
391-70-120	NEW-E 78-03-011	392-109-006	NEW 78-08-033	392-171-065	REP 78-11-074
391-70-120	NEW-E 78-06-007	392-109-010	AMD-P 78-06-115	392-171-070	REP-P 78-07-093
391-70-120	NEW-E 78-08-048	392-109-010	AMD 78-08-033	392-171-070	REP-E 78-11-014
391-70-120	NEW-E 78-11-036	392-109-026	NEW-P 78-06-115	392-171-070	REP 78-11-074
391-70-120	NEW-P 78-11-061	392-109-026	NEW 78-08-033	392-171-075	REP-P 78-07-093
391-70-130	NEW-E 78-06-007	392-121-010	AMD-E 78-11-003	392-171-075	REP-E 78-11-014
391-70-130	NEW-E 78-08-048	392-121-010	AMD-P 78-11-073	392-171-075	REP 78-11-074
391-70-130	NEW-E 78-11-036	392-123-165	NEW-P 78-06-053	392-171-080	REP-P 78-07-093
391-70-140	NEW-E 78-03-011	392-123-165	NEW 78-08-035	392-171-080	REP-E 78-11-014
391-70-140	NEW-E 78-06-007	392-125-080	NEW-P 78-06-052	392-171-080	REP 78-11-074
391-70-140	NEW-E 78-08-048	392-125-080	NEW 78-08-036	392-171-090	REP-P 78-07-093
391-70-140	NEW-E 78-11-036	392-137-020	AMD-P 78-06-051	392-171-090	REP-E 78-11-014
391-70-140	NEW-P 78-11-061	392-137-020	AMD 78-08-034	392-171-090	REP 78-11-074
391-70-150	NEW-E 78-06-007	392-139-005	NEW-E 78-10-041	392-171-095	REP-P 78-07-093
391-70-150	NEW-E 78-08-048	392-139-005	NEW-P 78-11-075	392-171-095	REP-E 78-11-014
391-70-150	NEW-E 78-11-036	392-139-010	NEW-E 78-10-041	392-171-095	REP 78-11-074
391-70-160	NEW-E 78-06-007	392-139-010	NEW-P 78-11-075	392-171-097	REP-P 78-07-093
391-70-160	NEW-E 78-08-048	392-139-015	NEW-E 78-10-041	392-171-097	REP-E 78-11-014
391-70-160	NEW-E 78-11-036	392-139-015	NEW-P 78-11-075	392-171-097	REP 78-11-074





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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
392-171-480	NEW-P	78-07-093	392-171-600	NEW	78-11-074	392-171-725	NEW-E	78-11-014
392-171-480	NEW-E	78-11-014	392-171-605	NEW-P	78-07-093	392-171-725	NEW	78-11-074
392-171-480	NEW	78-11-074	392-171-605	NEW-E	78-11-014	392-171-730	NEW-P	78-07-093
392-171-485	NEW-P	78-07-093	392-171-605	NEW	78-11-074	392-171-730	NEW-E	78-11-014
392-171-485	NEW-E	78-11-014	392-171-610	NEW-P	78-07-093	392-171-730	NEW	78-11-074
392-171-485	NEW	78-11-074	392-171-610	NEW-E	78-11-014	392-171-735	NEW-P	78-07-093
392-171-490	NEW-P	78-07-093	392-171-610	NEW	78-11-074	392-171-735	NEW-E	78-11-014
392-171-490	NEW-E	78-11-014	392-171-615	NEW-P	78-07-093	392-171-735	NEW	78-11-074
392-171-490	NEW	78-11-074	392-171-615	NEW-E	78-11-014	392-171-740	NEW-P	78-07-093
392-171-495	NEW-P	78-07-093	392-171-615	NEW	78-11-074	392-171-740	NEW-E	78-11-014
392-171-495	NEW-E	78-11-014	392-171-620	NEW-P	78-07-093	392-171-740	NEW	78-11-074
392-171-495	NEW	78-11-074	392-171-620	NEW-E	78-11-014	392-171-745	NEW-P	78-07-093
392-171-500	NEW-P	78-07-093	392-171-620	NEW	78-11-074	392-171-745	NEW-E	78-11-014
392-171-500	NEW-E	78-11-014	392-171-625	NEW-P	78-07-093	392-171-750	NEW	78-11-074
392-171-500	NEW	78-11-074	392-171-625	NEW-E	78-11-014	392-171-750	NEW-P	78-07-093
392-171-505	NEW-P	78-07-093	392-171-625	NEW	78-11-074	392-171-750	NEW-E	78-11-014
392-171-505	NEW-E	78-11-014	392-171-630	NEW-P	78-07-093	392-171-750	NEW	78-11-074
392-171-505	NEW	78-11-074	392-171-630	NEW-E	78-11-014	392-171-755	NEW-P	78-07-093
392-171-510	NEW-P	78-07-093	392-171-630	NEW	78-11-074	392-171-755	NEW-E	78-11-014
392-171-510	NEW-E	78-11-014	392-171-635	NEW-P	78-07-093	392-171-755	NEW	78-11-074
392-171-510	NEW	78-11-074	392-171-635	NEW-E	78-11-014	392-171-760	NEW-P	78-07-093
392-171-515	NEW-P	78-07-093	392-171-635	NEW	78-11-074	392-171-760	NEW-E	78-11-014
392-171-515	NEW-E	78-11-014	392-171-640	NEW-P	78-07-093	392-171-760	NEW	78-11-074
392-171-515	NEW	78-11-074	392-171-640	NEW-E	78-11-014	392-185-005	NEW	78-03-008
392-171-520	NEW-P	78-07-093	392-171-640	NEW	78-11-074	392-185-010	NEW	78-03-008
392-171-520	NEW-E	78-11-014	392-171-645	NEW-P	78-07-093	392-185-020	NEW	78-03-008
392-171-520	NEW	78-11-074	392-171-645	NEW-E	78-11-014	392-185-030	NEW	78-03-008
392-171-525	NEW-P	78-07-093	392-171-645	NEW	78-11-074	392-185-040	NEW	78-03-008
392-171-525	NEW-E	78-11-014	392-171-650	NEW-P	78-07-093	392-185-050	NEW	78-03-008
392-171-525	NEW	78-11-074	392-171-650	NEW-E	78-11-014	392-185-060	NEW	78-03-008
392-171-530	NEW-P	78-07-093	392-171-650	NEW	78-11-074	392-185-070	NEW	78-03-008
392-171-530	NEW-E	78-11-014	392-171-655	NEW-P	78-07-093	392-185-080	NEW	78-03-008
392-171-530	NEW	78-11-074	392-171-655	NEW-E	78-11-014	392-185-090	NEW	78-03-008
392-171-535	NEW-P	78-07-093	392-171-655	NEW	78-11-074	392-185-100	NEW	78-03-008
392-171-535	NEW-E	78-11-014	392-171-660	NEW-P	78-07-093	392-185-110	NEW	78-03-008
392-171-535	NEW	78-11-074	392-171-660	NEW-E	78-11-014	392-185-120	NEW	78-03-008
392-171-540	NEW-P	78-07-093	392-171-660	NEW	78-11-074	392-185-130	NEW	78-03-008
392-171-540	NEW-E	78-11-014	392-171-665	NEW-P	78-07-093	392-185-140	NEW	78-03-008
392-171-540	NEW	78-11-074	392-171-665	NEW-E	78-11-014	392-185-150	NEW	78-03-008
392-171-545	NEW-P	78-07-093	392-171-665	NEW	78-11-074	392-195-005	NEW-P	78-07-094
392-171-545	NEW-E	78-11-014	392-171-670	NEW-P	78-07-093	392-195-015	NEW	78-09-115
392-171-545	NEW	78-11-074	392-171-670	NEW-E	78-11-014	392-195-010	NEW-P	78-07-094
392-171-550	NEW-P	78-07-093	392-171-670	NEW	78-11-074	392-195-010	NEW	78-09-115
392-171-550	NEW-E	78-11-014	392-171-675	NEW-P	78-07-093	392-195-015	NEW-P	78-07-094
392-171-550	NEW	78-11-074	392-171-675	NEW-E	78-11-014	392-195-025	NEW	78-09-115
392-171-555	NEW-P	78-07-093	392-171-675	NEW	78-11-074	392-195-020	NEW-P	78-07-094
392-171-555	NEW-E	78-11-014	392-171-680	NEW-P	78-07-093	392-195-020	NEW	78-09-115
392-171-555	NEW	78-11-074	392-171-680	NEW-E	78-11-014	392-195-025	NEW-P	78-07-094
392-171-560	NEW-P	78-07-093	392-171-680	NEW	78-11-074	392-195-025	NEW	78-09-115
392-171-560	NEW-E	78-11-014	392-171-685	NEW-P	78-07-093	415-02-040	NEW	78-03-023
392-171-560	NEW	78-11-074	392-171-685	NEW-E	78-11-014	415-02-050	NEW	78-03-023
392-171-565	NEW-P	78-07-093	392-171-685	NEW	78-11-074	415-02-060	NEW	78-03-023
392-171-565	NEW-E	78-11-014	392-171-690	NEW-P	78-07-093	415-02-070	NEW	78-03-023
392-171-565	NEW	78-11-074	392-171-690	NEW-E	78-11-014	415-02-080	NEW	78-03-023
392-171-570	NEW-P	78-07-093	392-171-690	NEW	78-11-074	415-100-010	NEW-P	78-10-040
392-171-570	NEW-E	78-11-014	392-171-695	NEW-P	78-07-093	415-100-020	NEW-P	78-10-040
392-171-570	NEW	78-11-074	392-171-695	NEW-E	78-11-014	415-100-040	NEW-P	78-10-040
392-171-575	NEW-P	78-07-093	392-171-695	NEW	78-11-074	415-100-050	NEW-P	78-10-040
392-171-575	NEW-E	78-11-014	392-171-700	NEW-P	78-07-093	415-100-060	NEW-P	78-10-040
392-171-575	NEW	78-11-074	392-171-700	NEW-E	78-11-014	415-100-100	NEW-P	78-10-040
392-171-580	NEW-P	78-07-093	392-171-700	NEW	78-11-074	415-100-110	NEW-P	78-10-040
392-171-580	NEW-E	78-11-014	392-171-705	NEW-P	78-07-093	415-100-120	NEW-P	78-10-040
392-171-580	NEW	78-11-074	392-171-705	NEW-E	78-11-014	415-100-130	NEW-P	78-10-040
392-171-585	NEW-P	78-07-093	392-171-705	NEW	78-11-074	415-100-140	NEW-P	78-10-040
392-171-585	NEW-E	78-11-014	392-171-710	NEW-P	78-07-093	415-100-150	NEW-P	78-10-040
392-171-585	NEW	78-11-074	392-171-710	NEW-E	78-11-014	415-100-160	NEW-P	78-10-040
392-171-590	NEW-P	78-07-093	392-171-710	NEW	78-11-074	415-100-170	NEW-P	78-10-040
392-171-590	NEW-E	78-11-014	392-171-715	NEW-P	78-07-093	415-100-180	NEW-P	78-10-040
392-171-590	NEW	78-11-074	392-171-715	NEW-E	78-11-014	415-104-010	NEW	78-03-023
392-171-595	NEW-P	78-07-093	392-171-715	NEW	78-11-074	415-104-020	NEW	78-03-023
392-171-595	NEW-E	78-11-014	392-171-720	NEW-P	78-07-093	415-104-030	NEW	78-03-023
392-171-595	NEW	78-11-074	392-171-720	NEW-E	78-11-014	415-104-100	NEW	78-03-023
392-171-600	NEW-P	78-07-093	392-171-720	NEW	78-11-074	415-104-105	NEW	78-03-023
392-171-600	NEW-E	78-11-014	392-171-725	NEW-P	78-07-093	415-104-110	NEW	78-03-023

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
415-104-120	NEW	78-03-023	415-108-070	NEW	78-03-023	419-32-120	NEW-P	78-09-003
415-104-140	NEW	78-03-023	415-108-100	NEW	78-03-023	419-32-130	NEW-P	78-09-003
415-104-150	NEW	78-03-023	415-108-110	NEW	78-03-023	419-32-140	NEW-P	78-09-003
415-104-160	NEW	78-03-023	415-108-120	NEW	78-03-023	419-32-150	NEW-P	78-09-003
415-104-170	NEW	78-03-023	415-108-130	NEW	78-03-023	419-32-160	NEW-P	78-09-003
415-104-180	NEW	78-03-023	415-108-150	NEW	78-03-023	419-32-170	NEW-P	78-09-003
415-104-190	NEW	78-03-023	415-108-160	NEW	78-03-023	434-24-050	AMD-P	78-05-098
415-104-200	NEW	78-03-023	415-108-170	NEW	78-03-023	434-24-050	AMD-P	78-10-119
415-104-210	NEW	78-03-023	415-108-180	NEW	78-03-023	434-79-010	NEW-P	78-06-133
415-104-220	NEW	78-03-023	415-108-190	NEW	78-03-023	434-79-010	NEW-E	78-08-031
415-104-230	NEW	78-03-023	415-108-200	NEW	78-03-023	434-79-010	NEW	78-08-032
415-104-240	NEW	78-03-023	415-108-210	NEW	78-03-023	434-80-010	NEW-P	78-07-092
415-104-250	NEW	78-03-023	415-108-220	NEW	78-03-023	434-80-010	NEW-E	78-09-017
415-104-260	NEW	78-03-023	415-108-230	NEW	78-03-023	434-80-010	NEW	78-09-018
415-104-270	NEW	78-03-023	415-108-240	NEW	78-03-023	434-80-020	NEW-P	78-07-092
415-104-300	NEW	78-03-023	415-108-250	NEW	78-03-023	434-80-020	NEW-E	78-09-017
415-104-310	NEW	78-03-023	415-108-260	NEW	78-03-023	434-80-020	NEW	78-09-018
415-104-320	NEW	78-03-023	415-108-270	NEW	78-03-023	434-80-030	NEW-P	78-07-092
415-104-400	NEW	78-03-023	415-108-280	NEW	78-03-023	434-80-030	NEW-E	78-09-017
415-104-410	NEW	78-03-023	415-108-290	NEW	78-03-023	434-80-030	NEW	78-09-018
415-104-500	NEW	78-03-023	415-108-300	NEW	78-03-023	434-80-040	NEW-P	78-07-092
415-104-510	NEW	78-03-023	415-108-400	NEW	78-03-023	434-80-040	NEW-E	78-09-017
415-104-520	NEW	78-03-023	415-108-410	NEW	78-03-023	434-80-040	NEW	78-09-018
415-104-530	NEW	78-03-023	415-108-420	NEW	78-03-023	434-80-050	NEW-P	78-07-092
415-104-540	NEW	78-03-023	415-108-430	NEW	78-03-023	434-80-050	NEW-E	78-09-017
415-104-550	NEW	78-03-023	415-108-440	NEW	78-03-023	434-80-050	NEW	78-09-018
415-104-555	NEW	78-03-023	415-112-010	NEW	78-03-023	434-80-060	NEW-P	78-07-092
415-104-560	NEW	78-03-023	415-112-020	NEW	78-03-023	434-80-060	NEW-E	78-09-017
415-104-570	NEW	78-03-023	415-112-030	NEW	78-03-023	434-80-060	NEW	78-09-018
415-104-580	NEW	78-03-023	415-112-100	NEW	78-03-023	434-80-070	NEW-P	78-07-092
415-104-584	NEW	78-03-023	415-112-110	NEW	78-03-023	434-80-070	NEW-E	78-09-017
415-104-588	NEW	78-03-023	415-112-200	NEW	78-03-023	434-80-070	NEW	78-09-018
415-104-590	NEW	78-03-023	415-112-210	NEW	78-03-023	458-20-119	AMD-P	78-05-072
415-104-595	NEW	78-03-023	415-112-220	NEW	78-03-023	458-20-119	AMD-E	78-05-073
415-104-600	NEW	78-03-023	415-112-230	NEW	78-03-023	458-20-119	AMD	78-07-045
415-104-605	NEW	78-03-023	415-112-240	NEW	78-03-023	458-20-135	AMD-P	78-05-072
415-104-610	NEW	78-03-023	415-112-250	NEW	78-03-023	458-20-135	AMD-E	78-05-073
415-104-615	NEW	78-03-023	415-112-260	NEW	78-03-023	458-20-135	AMD	78-07-045
415-104-620	NEW	78-03-023	415-112-270	NEW	78-03-023	458-20-136	AMD-P	78-05-072
415-104-624	NEW	78-03-023	415-112-280	NEW	78-03-023	458-20-136	AMD-E	78-05-073
415-104-628	NEW	78-03-023	415-112-290	NEW	78-03-023	458-20-136	AMD	78-07-045
415-104-630	NEW	78-03-023	415-112-300	NEW	78-03-023	458-20-154	AMD-P	78-04-104
415-104-634	NEW	78-03-023	415-112-310	NEW	78-03-023	458-20-154	AMD	78-06-083
415-104-638	NEW	78-03-023	415-112-320	NEW	78-03-023	458-20-157	AMD-P	78-05-072
415-104-640	NEW	78-03-023	415-112-400	NEW	78-03-023	458-20-157	AMD-E	78-05-073
415-104-644	NEW	78-03-023	415-112-410	NEW	78-03-023	458-20-157	AMD	78-07-045
415-104-648	NEW	78-03-023	415-112-420	NEW	78-03-023	458-20-161	AMD-P	78-05-072
415-104-650	NEW	78-03-023	415-112-430	NEW	78-03-023	458-20-161	AMD-E	78-05-073
415-104-660	NEW	78-03-023	415-112-440	NEW	78-03-023	458-20-161	AMD	78-07-045
415-104-663	NEW	78-03-023	415-112-500	NEW	78-03-023	458-20-166	AMD-P	78-05-072
415-104-666	NEW	78-03-023	415-112-510	NEW	78-03-023	458-20-166	AMD-E	78-05-073
415-104-668	NEW	78-03-023	415-112-520	NEW	78-03-023	458-20-166	AMD	78-07-045
415-104-670	NEW	78-03-023	415-112-530	NEW	78-03-023	458-20-167	AMD-P	78-05-072
415-104-680	NEW	78-03-023	415-112-540	NEW	78-03-023	458-20-167	AMD-E	78-05-073
415-104-684	NEW	78-03-023	415-112-550	NEW	78-03-023	458-20-167	AMD	78-07-045
415-104-688	NEW	78-03-023	415-112-600	NEW	78-03-023	458-20-168	AMD-P	78-05-072
415-104-690	NEW	78-03-023	415-112-610	NEW	78-03-023	458-20-168	AMD-E	78-05-073
415-104-700	NEW	78-03-023	415-112-620	NEW	78-03-023	458-20-168	AMD	78-07-045
415-104-705	NEW	78-03-023	415-112-630	NEW	78-03-023	458-20-169	AMD-P	78-05-072
415-104-710	NEW	78-03-023	415-112-700	NEW	78-03-023	458-20-169	AMD-E	78-05-073
415-104-715	NEW	78-03-023	415-112-710	NEW	78-03-023	458-20-169	AMD	78-07-045
415-104-720	NEW	78-03-023	419-14-010	AMD-P	78-10-117	458-20-176	AMD-P	78-05-072
415-104-725	NEW	78-03-023	419-18-010	AMD-P	78-10-118	458-20-176	AMD-E	78-05-073
415-104-730	NEW	78-03-023	419-32-010	NEW-P	78-09-003	458-20-176	AMD	78-07-045
415-104-740	NEW	78-03-023	419-32-020	NEW-P	78-09-003	458-20-183	AMD-P	78-05-072
415-104-745	NEW	78-03-023	419-32-030	NEW-P	78-09-003	458-20-183	AMD-E	78-05-073
415-104-750	NEW	78-03-023	419-32-040	NEW-P	78-09-003	458-20-183	AMD	78-07-045
415-104-755	NEW	78-03-023	419-32-050	NEW-P	78-09-003	458-20-187	AMD-P	78-05-072
415-108-010	NEW	78-03-023	419-32-060	NEW-P	78-09-003	458-20-187	AMD-E	78-05-073
415-108-020	NEW	78-03-023	419-32-070	NEW-P	78-09-003	458-20-187	AMD	78-07-045
415-108-030	NEW	78-03-023	419-32-080	NEW-P	78-09-003	458-20-18801	AMD-P	78-05-072
415-108-040	NEW	78-03-023	419-32-090	NEW-P	78-09-003	458-20-18801	AMD-E	78-05-073
415-108-050	NEW	78-03-023	419-32-100	NEW-P	78-09-003	458-20-18801	AMD	78-07-045
415-108-060	NEW	78-03-023	419-32-110	NEW-P	78-09-003	458-20-210	AMD-P	78-05-072

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458-20-210	AMD-E	78-05-073	458-40-19004	AMD-P	78-05-087	462-08-320	REP	78-03-023
458-20-210	AMD	78-07-045	458-40-19004	AMD	78-07-065	462-08-330	REP	78-03-023
458-20-214	AMD-P	78-05-072	458-40-19004	AMD-E	78-07-066	462-08-340	REP	78-03-023
458-20-214	AMD-E	78-05-073	458-40-19004	AMD-P	78-11-078	462-08-350	REP	78-03-023
458-20-214	AMD	78-07-045	458-40-19100	AMD-P	78-11-091	462-08-360	REP	78-03-023
458-20-244	NEW-P	78-03-070	458-40-19102	NEW-P	78-10-110	462-08-370	REP	78-03-023
458-20-244	NEW	78-05-041	458-52-010	NEW	78-02-052	462-08-380	REP	78-03-023
458-30-035	REP-E	78-05-049	458-52-020	NEW	78-02-052	462-08-390	REP	78-03-023
458-30-035	REP-P	78-05-050	458-52-030	NEW	78-02-052	462-08-400	REP	78-03-023
458-30-035	REP	78-07-027	458-52-040	NEW	78-02-052	462-08-410	REP	78-03-023
458-30-040	REP-E	78-05-049	458-52-050	NEW	78-02-052	462-08-420	REP	78-03-023
458-30-040	REP-P	78-05-050	458-52-060	NEW	78-02-052	462-08-430	REP	78-03-023
458-30-040	REP	78-07-027	458-52-070	NEW	78-02-052	462-08-440	REP	78-03-023
458-30-056	NEW-E	78-05-049	458-52-080	NEW	78-02-052	462-08-450	REP	78-03-023
458-30-056	NEW-P	78-05-050	458-52-090	NEW	78-02-052	462-08-460	REP	78-03-023
458-30-056	NEW	78-07-027	458-52-100	NEW	78-02-052	462-08-470	REP	78-03-023
458-30-057	NEW-E	78-05-049	458-52-110	NEW	78-02-052	462-08-480	REP	78-03-023
458-30-057	NEW-P	78-05-050	458-52-120	NEW	78-02-052	462-08-490	REP	78-03-023
458-30-057	NEW	78-07-027	458-52-130	NEW	78-02-052	462-08-500	REP	78-03-023
458-30-065	REP-E	78-05-049	458-52-140	NEW	78-02-052	462-08-510	REP	78-03-023
458-30-065	REP-P	78-05-050	458-52-150	NEW	78-02-052	462-08-520	REP	78-03-023
458-30-065	REP	78-07-027	458-276-010	NEW	78-02-064	462-08-530	REP	78-03-023
458-30-120	AMD-E	78-05-049	458-276-020	NEW	78-02-064	462-08-540	REP	78-03-023
458-30-120	AMD-P	78-05-050	458-276-030	NEW	78-02-064	462-08-550	REP	78-03-023
458-30-120	AMD	78-07-027	458-276-040	NEW	78-02-064	462-08-560	REP	78-03-023
458-30-135	AMD-E	78-05-049	458-276-050	NEW	78-02-064	462-08-570	REP	78-03-023
458-30-135	AMD-P	78-05-050	458-276-060	NEW	78-02-064	462-08-580	REP	78-03-023
458-30-135	AMD	78-07-027	458-276-070	NEW	78-02-064	462-08-590	REP	78-03-023
458-30-145	AMD-E	78-05-049	458-276-080	NEW	78-02-064	462-16-010	REP	78-03-023
458-30-145	AMD-P	78-05-050	458-276-090	NEW	78-02-064	462-16-020	REP	78-03-023
458-30-145	AMD	78-07-027	458-276-100	NEW	78-02-064	462-20-005	REP	78-03-023
458-30-146	NEW-E	78-05-049	458-276-110	NEW	78-02-064	462-20-010	REP	78-03-023
458-30-146	NEW-P	78-05-050	458-276-120	NEW	78-02-064	462-20-015	REP	78-03-023
458-30-146	NEW	78-07-027	458-276-130	NEW	78-02-064	462-20-020	REP	78-03-023
458-40-18619	NEW-P	78-05-087	458-276-140	NEW	78-02-064	462-20-025	REP	78-03-023
458-40-18619	NEW	78-07-065	458-276-150	NEW	78-02-064	462-20-030	REP	78-03-023
458-40-18619	NEW-E	78-07-066	462-04-010	REP	78-03-023	462-20-035	REP	78-03-023
458-40-18620	NEW-P	78-05-087	462-05-001	REP	78-03-023	462-20-040	REP	78-03-023
458-40-18620	NEW	78-07-065	462-05-002	REP	78-03-023	462-20-045	REP	78-03-023
458-40-18620	NEW-E	78-07-066	462-05-003	REP	78-03-023	462-20-050	REP	78-03-023
458-40-18621	NEW-P	78-05-087	462-05-004	REP	78-03-023	462-20-055	REP	78-03-023
458-40-18621	NEW	78-07-065	462-05-005	REP	78-03-023	462-20-060	REP	78-03-023
458-40-18621	NEW-E	78-07-066	462-05-006	REP	78-03-023	462-20-065	REP	78-03-023
458-40-18622	NEW-P	78-05-087	462-05-007	REP	78-03-023	462-20-070	REP	78-03-023
458-40-18622	NEW	78-07-065	462-05-008	REP	78-03-023	462-24-010	REP	78-03-023
458-40-18622	NEW-E	78-07-066	462-05-009	REP	78-03-023	462-24-020	REP	78-03-023
458-40-18623	NEW-P	78-05-087	462-05-010	REP	78-03-023	462-24-030	REP	78-03-023
458-40-18623	NEW	78-07-065	462-05-011	REP	78-03-023	462-24-040	REP	78-03-023
458-40-18623	NEW-E	78-07-066	462-05-012	REP	78-03-023	462-24-050	REP	78-03-023
458-40-18624	NEW-P	78-05-087	462-05-013	REP	78-03-023	462-28-005	REP	78-03-023
458-40-18624	NEW	78-07-065	462-05-App.A	REP	78-03-023	462-28-010	REP	78-03-023
458-40-18624	NEW-E	78-07-066	462-08-010	REP	78-03-023	462-28-015	REP	78-03-023
458-40-18625	NEW-P	78-11-078	462-08-020	REP	78-03-023	462-28-020	REP	78-03-023
458-40-18626	NEW-P	78-11-078	462-08-030	REP	78-03-023	462-28-025	REP	78-03-023
458-40-18627	NEW-P	78-11-078	462-08-040	REP	78-03-023	462-28-030	REP	78-03-023
458-40-18628	NEW-P	78-11-078	462-08-050	REP	78-03-023	462-28-035	REP	78-03-023
458-40-18629	NEW-P	78-11-078	462-08-060	REP	78-03-023	462-28-040	REP	78-03-023
458-40-18630	NEW-P	78-11-078	462-08-070	REP	78-03-023	462-28-045	REP	78-03-023
458-40-19000	AMD-P	78-05-087	462-08-080	REP	78-03-023	462-28-050	REP	78-03-023
458-40-19000	AMD	78-07-065	462-08-090	REP	78-03-023	462-32-010	REP	78-03-023
458-40-19000	AMD-E	78-07-066	462-08-100	REP	78-03-023	462-32-020	REP	78-03-023
458-40-19000	AMD-P	78-11-078	462-08-110	REP	78-03-023	462-32-050	REP	78-03-023
458-40-19001	AMD-P	78-05-087	462-08-120	REP	78-03-023	462-32-060	REP	78-03-023
458-40-19001	AMD	78-07-065	462-08-130	REP	78-03-023	462-36-010	REP	78-03-023
458-40-19001	AMD-E	78-07-066	462-08-140	REP	78-03-023	462-36-020	REP	78-03-023
458-40-19001	AMD-P	78-11-078	462-08-230	REP	78-03-023	463-06-020	AMD-P	78-06-098
458-40-19002	AMD-P	78-05-087	462-08-240	REP	78-03-023	463-06-020	AMD	78-09-077
458-40-19002	AMD	78-07-065	462-08-250	REP	78-03-023	463-14-040	AMD-P	78-06-099
458-40-19002	AMD-E	78-07-066	462-08-260	REP	78-03-023	463-14-040	AMD	78-09-078
458-40-19002	AMD-P	78-11-078	462-08-270	REP	78-03-023	463-18-060	AMD-P	78-06-100
458-40-19003	AMD-P	78-05-087	462-08-280	REP	78-03-023	463-18-060	AMD	78-09-079
458-40-19003	AMD	78-07-065	462-08-290	REP	78-03-023	463-18-070	AMD-P	78-06-100
458-40-19003	AMD-E	78-07-066	462-08-300	REP	78-03-023	463-18-070	AMD	78-09-079
458-40-19003	AMD-P	78-11-078	462-08-310	REP	78-03-023	463-18-080	AMD-P	78-06-100

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463-18-080	AMD	78-09-079	463-58-080	NEW	78-05-054	478-160-140	AMD-P	78-05-013
463-22-060	AMD-P	78-06-101	468	-P	78-04-103	478-160-140	AMD-P	78-05-026
463-22-060	AMD	78-09-080	468-300-010	NEW-P	78-02-097	478-160-140	AMD	78-07-018
463-26-020	AMD-P	78-06-102	468-300-010	NEW	78-06-040	478-325-025	NEW-P	78-09-090
463-26-020	AMD	78-09-081	468-300-020	NEW-P	78-02-097	478-325-040	AMD-P	78-09-090
463-26-050	AMD-P	78-06-102	468-300-020	NEW	78-06-040	478-325-050	AMD-P	78-09-090
463-26-050	AMD	78-09-081	468-300-030	NEW-P	78-02-097	478-325-060	AMD-P	78-09-090
463-28-010	NEW-P	78-04-073	468-300-030	NEW	78-06-040	478-325-070	AMD-P	78-09-090
463-28-010	NEW	78-07-036	468-300-040	NEW-P	78-02-097	478-325-080	AMD-P	78-09-090
463-28-020	NEW-P	78-04-073	468-300-040	NEW	78-06-040	478-325-090	AMD-P	78-09-090
463-28-020	NEW	78-07-036	468-300-050	NEW-P	78-02-097	478-325-100	AMD-P	78-09-090
463-28-030	NEW-P	78-04-073	468-300-050	NEW	78-06-040	478-325-110	AMD-P	78-09-090
463-28-030	NEW	78-07-036	468-300-060	NEW-P	78-02-097	478-325-120	AMD-P	78-09-090
463-28-040	NEW-P	78-04-073	468-300-060	NEW	78-06-040	478-325-130	AMD-P	78-09-090
463-28-040	NEW	78-07-036	478-116-010	AMD-P	78-05-103	478-325-140	REP-P	78-09-090
463-28-050	NEW-P	78-04-073	478-116-010	AMD	78-07-019	478-325-150	REP-P	78-09-090
463-28-050	NEW	78-07-036	478-116-020	AMD-P	78-05-103	478-325-160	REP-P	78-09-090
463-28-060	NEW-P	78-04-073	478-116-020	AMD	78-07-019	478-325-170	REP-P	78-09-090
463-28-060	NEW	78-07-036	478-116-050	AMD-P	78-05-103	478-325-180	REP-P	78-09-090
463-28-070	NEW-P	78-04-073	478-116-050	AMD	78-07-019	478-325-190	REP-P	78-09-090
463-28-070	NEW	78-07-036	478-116-055	NEW-P	78-05-103	480-04-100	AMD	78-02-020
463-28-080	NEW-P	78-04-073	478-116-055	NEW	78-07-019	480-08-070	AMD-P	78-03-094
463-28-080	NEW	78-07-036	478-116-070	AMD-P	78-05-103	480-08-070	AMD	78-05-037
463-28-090	NEW	78-07-036	478-116-070	AMD	78-07-019	480-08-080	AMD-P	78-03-094
463-30-420	AMD-P	78-06-103	478-116-080	AMD-P	78-05-103	480-08-080	AMD	78-05-037
463-30-420	AMD	78-09-082	478-116-080	AMD	78-07-019	480-08-100	AMD-P	78-03-094
463-43-010	NEW-P	78-03-069	478-116-085	NEW-P	78-05-103	480-08-100	AMD	78-05-037
463-43-010	NEW	78-05-054	478-116-085	NEW	78-07-019	480-12-130	AMD-E	78-11-017
463-43-020	NEW-P	78-03-069	478-116-090	AMD-P	78-05-103	480-12-130	AMD-P	78-11-018
463-43-020	NEW	78-05-054	478-116-090	AMD	78-07-019	480-12-180	AMD-P	78-11-082
463-43-030	NEW-P	78-03-069	478-116-095	NEW-P	78-05-103	480-12-190	REP-P	78-11-082
463-43-030	NEW	78-05-054	478-116-095	NEW	78-07-019	480-12-195	AMD-P	78-11-082
463-43-040	NEW-P	78-03-069	478-116-100	AMD-P	78-05-103	480-12-285	AMD-E	78-11-031
463-43-040	NEW	78-05-054	478-116-100	AMD	78-07-019	480-12-285	AMD-P	78-11-032
463-43-050	NEW-P	78-03-069	478-116-110	AMD-P	78-05-103	480-62-010	NEW-P	78-03-072
463-43-050	NEW	78-05-054	478-116-110	AMD	78-07-019	480-62-010	NEW	78-05-053
463-43-060	NEW-P	78-03-069	478-116-120	AMD-P	78-05-103	480-62-020	NEW-P	78-03-072
463-43-060	NEW	78-05-054	478-116-120	AMD	78-07-019	480-62-020	NEW	78-05-053
463-43-070	NEW-P	78-03-069	478-116-355	NEW-P	78-05-103	480-62-030	NEW-P	78-03-072
463-43-070	NEW	78-05-054	478-116-355	NEW	78-07-019	480-62-030	NEW	78-05-053
463-43-080	NEW-P	78-03-069	478-116-450	AMD-P	78-05-103	480-62-040	NEW-P	78-03-072
463-43-080	NEW	78-05-054	478-116-450	AMD	78-07-019	480-62-040	NEW	78-05-053
463-50-020	AMD-P	78-06-104	478-116-520	AMD-P	78-05-103	480-62-050	NEW-P	78-03-072
463-50-020	AMD	78-09-083	478-116-520	AMD	78-07-019	480-62-050	NEW	78-05-053
463-54-010	AMD-P	78-04-073	478-116-576	REP-P	78-05-103	480-62-060	NEW-P	78-03-072
463-54-010	AMD	78-07-036	478-116-576	REP	78-07-019	480-62-060	NEW	78-05-053
463-54-020	AMD-P	78-04-073	478-116-578	REP-P	78-05-103	480-62-070	NEW-P	78-03-072
463-54-020	AMD	78-07-036	478-116-578	REP	78-07-019	480-62-070	NEW	78-05-053
463-54-030	AMD-P	78-04-073	478-116-582	AMD-P	78-05-103	480-149-120	AMD-P	78-11-079
463-54-030	AMD	78-07-036	478-116-582	AMD	78-07-019	490-04A	AMD-P	78-11-001
463-54-040	AMD-P	78-04-073	478-116-584	AMD-P	78-05-103	490-04A-010	AMD-P	78-06-110
463-54-040	AMD	78-07-036	478-116-584	AMD	78-07-019	490-04A-040	AMD-P	78-06-110
463-54-050	AMD-P	78-04-073	478-116-588	AMD-P	78-05-103	490-04A-050	AMD-P	78-06-110
463-54-050	AMD	78-07-036	478-116-588	AMD	78-07-019	490-04A-060	NEW-P	78-06-110
463-54-060	NEW-P	78-04-073	478-116-600	AMD-E	78-04-046	490-08A	AMD-P	78-11-001
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