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CITATION

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

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

DENNIS W. COOPER
Code Reviser

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.

1980-1981
DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION
(Revised 6/12/80)

Issue No.	Distribution Date	First Agency Action Date ²	Closing Dates ¹		
			OTS ³ 10 pages maximum (14 days)	Non-OTS and 11 to 29 pages (28 days)	Non-OTS and 30 pages or more (42 days)
80-06	Jun 18	Jul 8	Jun 4	May 21	May 7
80-07	Jul 2	Jul 22	Jun 18	Jun 4	May 21
80-08	Jul 16	Aug 5	Jul 2	Jun 18	Jun 4
80-09	Aug 6	Aug 26	Jul 23	Jul 9	Jun 25
80-10	Aug 20	Sep 9	Aug 6	Jul 23	Jul 9
80-11	Sep 3	Sep 23	Aug 20	Aug 6	Jul 23
80-12	Sep 17	Oct 7	Sep 3	Aug 20	Aug 6
80-13	Oct 1	Oct 21	Sep 17	Sep 3	Aug 20
80-14	Oct 15	Nov 4	Oct 1	Sep 17	Sep 3
80-15	Nov 5	Nov 25	Oct 22	Oct 8	Sep 24
80-16	Nov 19	Dec 9	Nov 5	Oct 22	Oct 8
80-17	Dec 3	Dec 23	Nov 19	Nov 5	Oct 22
80-18	Dec 17	Jan 6, 1981	Dec 3	Nov 19	Nov 5
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81-01	Jan 7, 1981	Jan 27	Dec 24, 1980	Dec 10	Nov 26
81-02	Jan 21	Feb 10	Jan 7	Dec 24, 1980	Dec 10
81-03	Feb 4	Feb 24	Jan 21	Jan 7	Dec 24, 1980
81-04	Feb 18	Mar 10	Feb 4	Jan 21	Jan 7
81-05	Mar 4	Mar 24	Feb 18	Feb 4	Jan 21
81-06	Mar 18	Apr 7	Mar 4	Feb 18	Feb 4
81-07	Apr 1	Apr 21	Mar 18	Mar 4	Feb 18
81-08	Apr 15	May 5	Apr 1	Mar 18	Mar 4
81-09	May 6	May 26	Apr 22	Apr 8	Mar 25
81-10	May 20	Jun 9	May 6	Apr 22	Apr 8
81-11	Jun 3	Jun 23	May 20	May 6	Apr 22
81-12	Jun 17	Jul 7	Jun 3	May 20	May 6

¹All 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.

²"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 immediate preceding Register.

³OTS 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 80-10-001
ADOPTED RULES
DEPARTMENT OF AGRICULTURE
 [Order 1704—Filed July 24, 1980]

I, Bob J. Mickelson, director of the Washington State Department of Agriculture, do promulgate and adopt at Olympia, Washington, the annexed rules relating to forest reproductive material certification standards, amending WAC 16-319-020, 16-319-030, 16-319-041, 16-319-051 and 16-319-061.

This action is taken pursuant to Notice Nos. WSR 80-04-116, 80-06-099, 80-08-006, 80-08-046 and 80-09-031 filed with the code reviser on April 2, 1980, May 30, 1980, June 20, 1980, June 30, 1980 and July 10, 1980. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to chapter 15.49 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 July 21, 1980.

By Bob J. Mickelson
 Director

AMENDATORY SECTION (Amending Order No. 1625, filed 4/30/79)

WAC 16-319-020 FOREST REPRODUCTIVE MATERIAL CERTIFICATION STANDARDS. (1) Purpose. The purpose of certification of forest reproductive material is to make available reproductive material properly identified by species or species and cultivar, and by source or source and origin.

(2) Definitions:

(a) Applicant means person or organization who submits application for certification of forest reproductive material to certifying agency and who assumes responsibility for compliance with these standards.

(b) Audit means periodic examination and check by certifying agency of any part or all of the records and procedures specified in field standards and processing standards, and of additional records pertinent to inventory and distribution of reproductive material including verification of corresponding physical inventory to assure that no significant errors or omissions exist.

(c) Batch means all or part of a lot of reproductive material of a single species collected during one crop season from within stated ~~((seed))~~ breeding zone(s) ~~((and))~~ or from within stated 500-foot elevation increments(s) ~~((and))~~ in stated seed zone(s) that is collected or processed at one time. ~~((Batches may be combined subsequently with other batches into a lot. Batches shall be identified distinctively as they are processed by number and/or code or as specified on the Certificate of Genetic Identity.))~~

(d) Breeding zone means a specific designated unit of land, the description of which is on file at the certifying agency, for which an improved population of trees of a specific species or species cross is being produced.

~~((d))~~(e) Buyer means person who first receives reproductive material from the collector.

~~((e))~~(f) Certificate of Genetic Identity means a document furnished by the producer on demand and verified by the certifying agency describing the ancestry and breeding behavior of a lot of reproductive material.

~~((f) Certificate of Origin means a document issued by certifying agency which verifies source and origin of reproductive material by field inspection and audit.))~~

(g) Certification of reproductive material means execution by certifying agency of field inspection, plant/warehouse inspection and/or audit to accomplish the purpose described in paragraph (1).

(h) Certifying Agency means the duly designated agent of the state agency: In Oregon State, the Oregon Seed Certification Service, ~~((Cooperative Extension Service.))~~ 102 Farm Crops Building, Oregon State University, Corvallis, Oregon 97331~~((-))~~; in Washington State, Washington State Crop Improvement Association, Inc., 513 North Front Street, Yakima, Washington 98901.

(i) Certificate of Origin means a document issued by certifying agency which verifies source and origin of reproductive material by field inspection and audit.

~~((i))~~(j) Character means a distinctive trait, but not necessarily an invariable feature, exhibited by all individuals of a group and capable of being described or measured: e.g., growth; form; color; resistance to disease, insects, weather, animals, etc.

~~((j))~~(k) Code means a unique identification of a group of pertinent records about a lot of forest reproductive material.

~~((k))~~(l) Collector means a person who collects forest reproductive material at its source.

~~((l))~~(m) Elevation means altitude above sea level and is ~~((coded in 500-foot increments as follows.))~~ divided in 500-foot increments as shown below, or may mean appropriate elevational bands as provided for under code and/or breeding zone.

0 - 500 feet — Code 05	2501 - 3000 feet — Code 30
501 - 1000 feet — Code 10	3001 - 3500 feet — Code 35
1001 - 1500 feet — Code 15	3501 - 4000 feet — Code 40
1501 - 2000 feet — Code 20	4001 - 4500 feet — Code 45
2001 - 2500 feet — Code 25	4501 - 5000 feet — Code 50

and so forth.

~~((m))~~(n) Field inspection means observation by certifying agency of all activities and records involved in propagation, collection, buying, production, and transportation of forest reproductive material to assure compliance with field standards.

~~((n))~~(o) Forest reproductive material means plant material of genera and species of trees which will be used for forestry.

~~((o))~~(p) Genetic identity means the ancestry and breeding background of selected and tested classes only of the forest reproductive material.

~~((p))~~(q) Genetic superiority means that forest reproductive material originated from tree(s) whose superiority in one or more characters important to forestry has been proven by tests conducted in specified environments.

~~((q))~~(r) Location means description by seed zone or portion thereof and elevation and/or breeding zone or code.

~~((r))~~(s) Lot means a homogeneous quantity of forest reproductive material.

(i) For Tested and Selected classes, it is of a single species, ~~((s))~~ cultivar, or cross collected during one crop season from a distinctively described and recorded population of trees ~~((as specified on the Certificate of Genetic Identity)).~~

(ii) For Source Identified class, it is a single species collected during one crop season from within ~~((state))~~ stated seed zone(s) and from within 500-foot elevation increment(s) and/or breeding zones or appropriate codes.

(iii) For Audit class, it is a single species collected during one crop season from within stated seed zone(s) and from within 500-foot elevation increment(s).

(iv) Lots shall be identified by number and/or code or breeding zone.

~~((s))~~(t) Origin means the location of the indigenous parents; for nonindigenous parents, it is the location from which the seed or plants were originally introduced.

~~((t))~~(u) Plant/warehouse inspection means observation by certifying agency of all activities and records involved in receiving, processing, storage and labeling of forest reproductive material to assure compliance with processing standards.

~~((u))~~(v) Producer means person, company, bureau or agency with overall responsibility for producing forest reproductive material.

~~((v))~~(w) Provenance means the original geographic source of seed, pollen or propagules.

~~((w))~~(x) Reproductive material means seed, pollen, trees, cuttings, scions, etc., originating from forest trees.

~~((x))~~(y) Seed zone means a geographic area delineated on Western Forest Tree Seed Council's Tree Seed Zone Map published July 1973, or similarly authoritative maps of seed zones as approved by certifying agency.

~~((y))~~(z) Source means the location of the immediate parents, the origin of which may be indigenous, nonindigenous, or unknown.

~~((z))~~(aa) Test means evaluation of parents by comparing the performance of their offspring under more controlled conditions ~~((than))~~ that exist for the parent(s) or other applicable tests which evaluate specific character(s) of the parents or the offspring.

~~((aa))~~(bb) Unit of measure means a consistent volume of measure, i.e., bushels, pounds, grams, number, cubic centimeters, etc.

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.

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.

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.

AMENDATORY SECTION (Amending Order No. 1506, filed 4/11/77)

WAC 16-319-030 CLASSES OF REPRODUCTIVE MATERIAL. (1) Tested class means that forest reproductive material came from tree(s) which have been tested for specific character(s) as determined by progeny or other applicable tests and under specified conditions ~~((as described in the Certificate of Genetic Identity)).~~ Further, such forest reproductive material is produced and processed in a manner assuring genetic identity common with the tested material, and, for nursery stock, that it was produced from tested reproductive material. Said forest reproductive material shall be labeled with a blue label stating "Tested". Certifying agency shall examine trees and reproductive material; exercise field, plant, and warehouse inspection, and audit all pertinent records involved.

(2) Selected class means that reproductive material came from trees that were selected for specific character(s) ~~((as described in the Certificate of Genetic Identity)).~~ Two subclasses are recognized:

Subclass A: Reproductive material is obtained from selected trees and, in addition for tree seed, the male parent(s) is also selected.

Subclass B: Applies to tree seed when only one parent is selected.

Both subclasses shall be labeled with a green label stating "Selected" and the subclass. Certifying agency shall examine trees and reproductive material; exercise field, plant, and warehouse inspection, and audit all pertinent records involved.

(a) Selected Subclass A means that the donor or parents of the reproductive material are selected, known, and of record, but have no test results of record, and, for nursery stock, that it was produced from Selected Subclass A or better reproductive material.

(b) Selected Subclass B means that only one parent of the tree seed is selected, known, and of record and reproductive material has not been tested, and, for nursery stock, that it was produced from Selected Subclass B or better reproductive material.

(3) Source Identified Class means that the reproductive material came from within a seed zone(s) or portion thereof and from within a 500-foot elevation increment(s) or breeding zones(s) or code(s). ~~((Two subclasses are recognized:))~~

Subclass A: Personally supervised production.

Subclass B: Procedurally supervised production.

Both classes of said reproductive material shall be labeled with a yellow label stating "Source Identified" and the subclass. Certifying agency shall exercise field inspection, plant/warehouse inspection, and audit.

(a) Subclass A Source Identified means that applicant and certifying agency personally know beyond a reasonable doubt the seed zone(s) or portion thereof and 500-

foot elevation increment(s) within which cones and/or reproductive material were collected; and, for nursery stock, that it was produced from Subclass A Source Identified or better reproductive material. Certifying agency knows location from applicant's prior written plan of his reproductive material collecting and/or producing activities.

(b) Subclass B Source Identified means that applicant and certifying agency know reproductive material is identified as collected from within a seed zone(s) or portion thereof and from within a 500-foot elevation increment(s), and for nursery stock, that it was produced from Subclass B Source Identified or better reproductive material.

(4) Audit Class means that the applicant's records of procurement, processing, storage, and distribution state that the reproductive material was collected from within stated seed zone(s) or described portions thereof and from within 500-foot elevation increment(s), and, for nursery stock, certifying agency knows that it was produced from Audit Class or better reproductive material. Containers of said reproductive material shall carry a serially numbered brown and white label stating "Audit Certificate". All records of the applicant for this class of reproductive material are subject to audit.

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 No. 1625, filed 4/30/79)

WAC 16-319-041 APPLICATION FOR CERTIFICATION OF FOREST REPRODUCTIVE MATERIAL. (1) The conditions of applicant's submittal and of certifying agency's acceptance of application are:

(a) The application should show all classes for which certification services are requested.

~~((a))~~(b) All reproductive material acquired or distributed by applicant of a type for which certification is requested is subject to audit.

~~((b))~~(c) Applicant shall be responsible for payment of fees for certification services.

~~((c))~~(d) Applicant is responsible for developing a record keeping system and labels available and satisfactory to the certifying agency.

~~((d))~~(e) Certifying agency reserves the right to refuse certification service to applicant.

~~((e))~~(f) Application for audit ~~((certificate))~~ certification reproductive material shall be filed with certifying agency of the state in which warehouse, nursery, etc., is located with a copy to the certifying agency in the state where the reproductive material is collected.

~~((2))~~ The application, with a copy of the Certificate of Genetic Identity form for Tested and Selected classes, for current year's production of reproductive material shall be received by certifying agency from applicant not later than three days prior to initiation of collection, production, or propagation of reproductive material. Payment for requested services is prescribed below:

(3) Schedule of fees. Fees may be adjusted at the beginning of a crop year if certifying agency determines

that costs are significantly more or less than anticipated: ~~PROVIDED, That increases shall not exceed twenty-five percent of the following schedules:~~

~~(a) Service for certification of Tested and Selected classes, including review of test plans, audit of pertinent records and field inspection, shall be charged for at the rate of \$15.00 per man-hour job time payable as services are performed. This fee shall apply whether or not approved for such.~~

~~(b) The fee for Source Identified classes of tree seed is sixty cents (\$0.60) per bushel of cones collected for each lot containing 60 bushels or more collected in one crop year of a single species from single zone or portion thereof and from a single elevation increment.~~

~~(i) The fee for each lot as defined above containing less than 60 bushels of cones shall be a maximum of \$36.00. PROVIDED, That the certifying agency, due to specific circumstances, may waive this maximum fee or a part thereof.~~

~~(ii) Sixty percent of the fee for the estimated collection of cones shall be paid with the application, the remainder to be paid when billed by the certifying agency after processing is completed. The full \$0.60 per bushel fee shall apply to all bushels presented for source identified certification whether or not approved for such.~~

~~(iii) Source identified certification services for other types of reproductive material shall be at the rate of \$15.00 per man-hour job time payable as services are performed. These fees shall apply for source identified certification whether or not approved for such.~~

~~(c) The fee for Audit Class reproductive material is: \$15.00 per man-hour job time for audit payable as services are performed. This fee shall apply for audit class whether or not offered material qualifies.~~

~~(d) The fee for audit of reproductive material not entered for certification service is payable as services are performed at the rate of \$15.00 per man-hour job time required by and satisfactory to certifying agency to exercise said audit simultaneously with audit of reproductive material for which applicant has requested certification service.~~

~~(e) Other services requested by applicant, i.e., education to comply with these standards, advising on the development of record keeping system directly connected with certification needs, etc., may be provided at the rate of \$15.00 per man-hour job time payable as services are performed.))~~

(2) Timing of application requests for certification services:

(a) Application requests for all certification classes for the current year's production of reproductive material shall be received by certifying agency from applicant not later than three days prior to initiation of collection, production, or propagation of forest reproductive material.

(b) Application requests for all other services shall be received by certifying agency from applicant not later than seven days before need.

(3) The certifying agency establishes the fee schedule for certification services. These may be adjusted at the beginning of a crop year if certifying agency determines that costs are significantly more or less than anticipated:

PROVIDED, That increases shall not exceed twenty-five percent.

(a) Cones and Seed:

(i) Tested and Selected – The service includes review of test plans, audit of pertinent records and field inspection.

(ii) Source Identified classes – The fee includes field inspection and audit.

(A) The fee for each lot containing less than sixty bushels shall be a maximum of \$36.00: PROVIDED, That the certifying agency, due to specific circumstances, may waive this maximum fee or a part thereof.

(B) Sixty percent of the fee for the estimated collection of cones shall be paid with the application, the remainder to be paid when billed by the certifying agency after processing is complete.

(iii) Audit Class – The fee includes audit of applicant's field and processing records.

(b) Trees: The fee includes the verification of the source of the trees from the seed source, stratification, sowing, bed identification, lifting, sorting, packing, package identification, and storing.

(c) Not entered for certification: The fee for audit of reproductive material not entered for certification service is performed as required by and satisfactory to certifying agency to exercise said audit simultaneously with audit of reproductive material which applicant has requested certification service.

(d) The fee for certification classes applied for shall be charged whether or not offered material qualifies.

(e) The certifying agency may provide other services, such as training to comply with these standards, advising on the development of record-keeping systems directly connected with certification needs if requested by the applicant.

(4) FEE SCHEDULE:

(a) Tree cones and seed –

<u>Certification Classes</u>	<u>Field Inspection</u>	<u>Audit</u>	<u>Fee Due</u>
<u>Tested and Selected</u>	<u>\$15/hr.</u>	<u>\$15/hr.</u>	<u>When billed</u>
<u>Source Identified Classes:</u>			
<u>Lots 11 bu. and more</u>	<u>\$0.60/bu.</u>	<u>\$15/hr.</u>	
<u>*Lots 6-10 bu.</u>	<u>\$15/lot</u>	<u>\$15/hr.</u>	
<u>*Lots 0-5 bu.</u>	<u>\$ 9/lot</u>	<u>\$15/hr.</u>	
<u>Total bushels X \$0.36/bu.</u>			<u>With application</u>
<u>Audit</u>	<u>None</u>	<u>\$15/hr.</u>	<u>When billed</u>

*Small lot fee applies when over twenty percent of total lots audited range between 0 and 10 bu. inclusive.

(b) Tree certification –

(i) Bare Root Seedlings – \$.20/m with a minimum of \$600 per growing site.

(ii) Container and Tubling Seedlings – \$.50/m for a total of less than two million with a minimum of \$600 per growing site; \$.30/m for quantities over two million per growing site.

(iii) Forty percent of the fee to accompany the application at the beginning stage of the crop. Final billing will be based on the number when packed.

(c) Other services including education to comply with the standards, development of record system, verification

of source of pollen, signs, cuttings, audit of forest reproductive material not offered for certification by applicant, etc. at \$15/hr. payable when billed.

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 No. 1506, filed 4/11/77)

WAC 16-319-051 FIELD STANDARDS. (1) Tested and Selected Classes. Applicant shall maintain continuous record(s) satisfactory to certifying agency which maintains the identity of the reproductive material through all stages of production, collection, processing, storage, and disbursement from stores, and, in addition, such records as needed to trace the pedigree and document the performance of the reproductive material. The records shall include but are not limited to those involving:

(a) Selection, location, and origin of the parent trees.

(b) Pollen, seed, scions, etc., collection, processing, inventory, storage, and use in tree improvement and breeding programs.

(c) Design, establishment and management of test(s) and the collection, analysis and interpretation of test data.

(d) Nursery stock production.

Certifying agency shall inspect all phases of the field operation including periodic checks of parent trees, pollen and scion collections; pollinations; cone harvest, storage, processing and inventory; and tests, together with appropriate records used in the field. Certifying agency shall record and identify each lot of reproductive material produced in the field for use in tree improvement program(s) unless the applicant has provided an accurate and safe method of accountability from the field through processing and use.

(2) Source Identified Reproductive Material. Applicant shall develop and make ((correct)) correct use of collector and buyer labels, collector registration, and transportation ((logs)) records, and for nursery stock, labels and records identifying the stock as originating from Source Identified or better reproductive material.

(a) Subclass A.

(i) Control of collectors shall be such that applicant and certifying agency personally know beyond a reasonable doubt the seed zone or breeding zone or code or portions thereof and 500-foot elevation increment or specified elevation increment for breeding zone(s) or code(s) within which reproductive material was collected. Control of producers of nursery stock shall be such that applicant and certifying agency personally know beyond a reasonable doubt that the nursery stock was produced from Source Identified Subclass A or better reproductive material.

(ii) Applicant shall provide certifying agency with a written reproductive material collection and/or nursery stock production plan (not later than three days) prior to collection of reproduction material or production of nursery stock.

(iii) Further, all following requirements of Subclass B shall be met.

(b) Subclass B.

(i) All collectors shall be supervised sufficiently so that either buyers know where reproductive material was collected, or buyers shall purchase all reproductive material that collectors present for sale without differential of acceptance stated or implied, as to source, location, seed zone, or elevation.

(ii) Buyer shall require collector to sign collector's registration ((tog)) record prior to collection of reproductive material. He shall also issue collector's labels and direct collector to complete them and place them in or attach them to each container of reproductive material before it is transported from point of collection. Coincident with purchase of reproductive material, he shall complete description on labels including species, source by seed zone, breeding zone or code, elevation increment, special collection area if any, certification class, date of purchase and his signature or initials.

(iii) Buyer shall maintain a buyer ((tog)) record on a form for all reproductive material received, listing species, seed zone, elevation increment, units of reproductive material, date of purchase, collector's name and buyer's name.

(iv) Buyer shall maintain transportation ((tog)) record showing species, seed zone, elevation increment, units of reproductive material, and date shipped.

(v) Producers of nursery stock shall be supervised sufficiently so that applicant knows that the stock was produced from Source Identified Subclass B or better reproductive material.

(vi) The certifying agency shall advise the applicant of problems or conditions that affect competent verification or execution of these standards by certifying agency and applicant.

(vii) Unless other arrangements are made, the certification class shown by the producer on all containers of reproductive material must be verified by the certifying agency before being transported from the receiving station. The producer is responsible for evidence of verification of the certification class applied for.

(3) Audit Class Reproductive Material.

(a) Buyer shall require collector to sign collector's registration ((tog)) record and to complete collector's labels prior to purchase of reproductive material.

(b) Buyer shall maintain a buyer ((tog)) record on a form for all reproductive material received, listing species, seed zone, elevation increment, units of reproductive material, date of purchase, collector's name and buyer.

(c) Buyer or other shipper of reproductive material shall maintain a transportation ((tog)) record showing species, seed zone, elevation increment, units of reproductive material and date shipped.

(d) Producers of nursery stock shall maintain auditable records identifying the stock as being produced from Audit Class or better reproductive material.

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 No. 1506, filed 4/11/77)

WAC 16-319-061 PROCESSING STANDARDS.

(1) Applicant shall maintain a continuous record for each lot and batch of reproductive material at each plant or warehouse, showing lot and batch number or code, species, seed zone, breeding zone or code, elevation increment, date received and units of reproductive material. Reproductive material stored at plant or warehouse prior to processing shall be assembled by lot or batch and so arranged as to be reasonably accessible for audit. The auditor will advise producer before making changes in the certification class of cones or seed offered by the producer.

(2) Labels shall be maintained on containers until reproductive material is processed. During processing, labels shall be removed and immediately deposited in a container marked with the lot or batch designation or code. Upon completely emptying the containers for each lot or batch of Audit or Source Identified classes, the package of labels from it shall be closed and set aside for examination by the certifying agency auditor. All labels for Tested and Selected classes shall be attached to or placed inside of the seed containers by the producer for examination by the certifying agency auditor. These labels will remain with the seed until the lot is depleted.

(3) All reproductive material shall be handled in a manner to prevent lot mixture and maintain lot identity. All machinery, containers, and equipment shall be thoroughly cleaned before processing another lot or batch.

(4) Specific requirement: Certifying agency may refuse to certify reproductive material failing to meet the following maximum standards: Other distinguishable species or cultivars: Seed 0.5% by weight; trees, cuttings, scions, etc. 1% by number; pollen 1% by number.

(5) Labeling and sealing of Tested, Selected, or Source Identified reproductive material shall be done by the certifying agency.

(a) Labeling of Audit Class reproductive material will be done by the applicant with the label being affixed to the container: PROVIDED, That for small sales (any quantity of reproductive material less than a full container of a size normally used by the applicant) the label may be affixed to the invoice or sales slip.

(6) For each lot of Tested or Selected reproductive material, a Certificate of Genetic Identity shall be prepared and affirmed by the producer upon demand and, if verified by the certifying agency, must be signed and ((sealed by the certifying agency before labels and seals are affixed to containers. Certificate shall include the following information)) placed in or attached to each container before other labels or seals are affixed. The Certificate of Genetic Identify shall include the following information:

(a) For both Tested and Selected reproductive material, the lot number, breeding zone or code and information on:

(i) The donor or parents which produced the reproductive material, including their selection generation, type of selection made, selected character(s), seed

zone(s) and elevation increment(s) in which selection was made, and selection procedure.

(ii) For each prior selection generation, the same information.

(iii) For sexual reproductive material, whether pollination was controlled or not(;;): If controlled, the pollen situation; if controlled, the pollen or pollen mix used, including identification of pollen parent(s), also the number of maternal parents, and, if applicable, the crossing design used.

(b) For Tested Reproductive Material only.

(i) A progeny, clonal, or other applicable test plan shall normally be submitted to the certifying agency for review and acceptance before installation. Acceptance of the test plan may be made after installation providing requirements in WAC 16-319-051(1) and WAC 16-319-061(6)(b)(ii) are met. Applicant may request assistance from the certifying agency in the development of a plan.

(ii) The plan shall include in the test both randomization and replication for the material to be tested and the identity and background of the check material to be ((use)) used.

(iii) Complete randomization and balanced randomized blocks are recommended. The actual design of the established test must be recorded in detail.

(iv) Trees to be planted for tests must be grown together in soil as uniform as possible, or, if they are grown in different soils, must be so distributed that like proportions of all clones or progenies are produced in each distinct class of soil.

(v) Test measurements are to be presented in numerical form. Each character to be evaluated is to be measured separately. The genetic superiority as compared with the check must be clearly demonstrated for at least one of the characters being tested. Characters of economic importance in forestry identified in the test must be clearly reported if they are significantly inferior at the 95% ((confidence)) level to those of the check material.

(vi) The results of the test measurements and data shall be readily available to the certifying agency and prospective user or purchaser.

(7) A document, acceptable to the certifying agency for informing the purchaser of species and certification information of each item, and, for auditing purposes, shall be issued by the producer for each sale of Tested, Selected, Source Identified, and Audit Class reproductive material. Such document may be a Certificate of Origin for Tested, Selected, or Source Identified reproductive material, or an invoice, shipping order, or sales slip for Audit Class reproductive material. The certifying agency may authorize use of said Certificate of Origin for portions of reproductive material from labeled and sealed containers in lieu of labels and seals when relabeling and resealing by the certifying agency is impractical. No items of reproductive material ineligible for any class of certification shall be included on any Certificate of Origin.

(8) If a lot is composed of reproductive material from more than one seed zone, elevation increment or code in excess of seven percent ((+7%)) if of contiguous seed

zones, elevation increments, or codes or if in excess of two percent ((+2%)) of other than contiguous seed zones, elevation increments, or codes, the certification label must show all seed zones, elevation increments, or codes either with or without the percentage of each.

(9) The allowance for accidental mixing of non-certifiable reproductive material with Audit Class, or non-certifiable or Audit Class reproductive material with Source Identified classes is two percent. When in excess of two percent, the lot must drop to the lowest class represented. No mixing of lower classes with Selected or Tested classes is permissible.

((9))(10) Any lot may be rejected if certifying agency determines that said lot fails to meet these standards. The privilege of certification may be withdrawn by certifying agency for a definite period of time in case of flagrant violations of these standards. If applicant believes an erroneous decision has been rendered, he may make written appeal to certifying agency for review by its governing body.

WSR 80-10-002
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 80-72—Filed July 24, 1980]

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 for the protection of Skagit River and Canadian chinook salmon.

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 July 24, 1980.

By Gordon Sandison
Director

NEW SECTION

WAC 220-28-006A0P MESH RESTRICTION.

(1) *Effective immediately through September 6, 1980, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon, for*

commercial purposes with gillnet gear having a mesh size greater than 5-7/8 inches in Puget Sound Salmon Management and Catch Reporting Area 6A.

(2) Effective immediately through August 4, 1980, it shall be unlawful for any fisherman, including treaty Indian fishermen, to retain chinook salmon taken for commercial purposes with purse seine gear in that portion of Puget Sound Salmon Management and Catch Reporting Area 6A inside, easterly and northerly of a line projected from Point Partridge Light to the most northeasterly of the Lawson Reef lighted buoys (RB 1 Qk FI Bell.)

NEW SECTION

WAC 220-28-00800A **CLOSED AREA** Effective immediately through August 4, 1980, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes in Puget Sound Salmon Management and catch Reporting Area 8.

NEW SECTION

WAC 220-28-008F0B **MESH RESTRICTION**
(1) Effective immediately 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 immediately through August 4, 1980, that portion of the Skagit River from the mouth upstream to the mouth of Gilligan Creek.

(b) effective immediately through August 13, 1980, that portion of the Skagit River from the mouth of Gilligan Creek upstream to Old Faber Ferry Landing above Concrete.

(c) effective immediately through September 16, 1980, that portion of the Skagit River upstream from the Old Faber Ferry Landing above Concrete including all tributaries.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 220-28-006A0N **MESH RESTRICTION**
(80-48)
WAC 220-28-00800Z **CLOSED AREA** (80-39)
WAC 220-28-008F0A **MESH RESTRICTION** (80-39)

WSR 80-10-003
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 80-73—Filed July 24, 1980]

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 these rules were discussed at a public hearing July 11, 1980 and adopted July 18, 1980. This order is necessary for immediate implementation of the fishery.

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 July 24, 1980.

By Gordon Sandison
Director

NEW SECTION

WAC 220-47-30700A **CLOSED AREAS—PUGET SOUND SALMON.** It shall be unlawful to take, fish for, or possess salmon for commercial purposes with any type of gear from the following portions of Puget Sound Salmon Management and Catch Reporting Areas:

Area 7B – Fidalgo Bay Salmon Preserve.

Area 7C – that portion inside a line projected from the mouth of Oyster Creek 237° true to a fishing boundary marker on Samish Island.

NEW SECTION

WAC 220-47-41100R **GILL NET—SEASONS.** It shall be unlawful to take, fish for or possess salmon taken with gill net gear for commercial purposes except in the following designated Puget Sound Salmon Management and Catch Reporting Areas during the seasons provided for hereinafter in each respective fishing area:

Area 7B – July 27 through November 1.

Area 7C – July 27 through August 23

NEW SECTION

WAC 220-47-41200A **GILL NET—WEEKLY PERIODS.** It shall be unlawful during any open season to take, fish for or possess salmon taken with gill net gear except during the weekly open periods hereinafter designated in the following Puget Sound Salmon Management and Catch Reporting Areas:

Areas 7B and 7C – Weeks beginning July 27 and August 10: Monday, Tuesday and Wednesday nights.
Week beginning August 3: Tuesday, Wednesday and Thursday nights.

NEW SECTION

WAC 220-47-41300A *GILL NET—DAILY HOURS.* It shall be unlawful during any open day to take, fish for or possess salmon taken with gill net gear except during the daily open hours hereinafter designated in the following Puget Sound Salmon Management and Catch Reporting Areas:

7B and 7C - July 27 through August 16 - 7:00 p.m. to 9:30 a.m. Pacific Daylight Time.

August 17 through September 20 - 6:00 p.m. to 9:00 a.m. Pacific Daylight Time.

NEW SECTION

WAC 220-47-41400B *GILL NET—MESH SIZES.* It shall be unlawful to take, fish for or possess salmon taken with gill net gear containing mesh smaller than the minimum size stretch measure as hereinafter designated in the following Puget Sound Salmon Management and Catch Reporting Areas during the periods specified:

7B and 7C - July 27 through September 6 - 7-1/2 inch minimum mesh size.

WSR 80-10-004

**NOTICE OF PUBLIC MEETINGS
WASHINGTON STATE LIBRARY
(Library Commission)**

[Memorandum—July 22, 1980]

The Washington State Library Commission will hold the following meetings:

August 28 - Olympia area

September 11 - Spokane area

WSR 80-10-005

**PROPOSED RULES
COMMISSION ON EQUIPMENT**

[Filed July 25, 1980]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Commission on Equipment intends to adopt, amend, or repeal rules concerning Quartz halogen headlamps, chapter 204-64 WAC and Standards for mounting, adjusting and aiming of lamps, chapter 204-72 WAC;

that such agency will at 1:30 p.m., Friday, October 17, 1980, in the 1st floor, large conference room, General Administration Building, Olympia, Washington 98504, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 1:30 p.m., Friday, October 17, 1980, in the 1st floor, large conference room, General Administration Building, Olympia, Washington 98504.

The authority under which these rules are proposed is RCW 46.37.005 and 46.37.320.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this

agency prior to October 17, 1980, and/or orally at 1:30 p.m., Friday, October 17, 1980, 1st floor, large conference room, General Administration Building, Olympia, Washington 98504.

This notice is connected to and continues the matter noticed in Notice No. WSR 80-06-081 filed with the code reviser's office on May 28, 1980.

Dated: July 24, 1980

By: Lt. R. C. Dale
Secretary

WSR 80-10-006

**ADOPTED RULED
COMMISSION ON EQUIPMENT**

[Order 80-07-01—Filed July 25, 1980]

Be it resolved by the Commission on Equipment, acting at the General Administration Building, Olympia, Washington 98504 that it does promulgate and adopt the annexed rules relating to Towing Businesses, chapter 204-66 WAC, Standards for School Bus Warning Lights, chapter 204-74 WAC and Standards for Brake Systems, chapter 204-76 WAC.

This action is taken pursuant to Notice Nos. WSR 80-06-048 and 80-06-082 filed with the code reviser on 5/14/80 and 5/28/80. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 46.37.290 (chapter 204-74 WAC) and is intended to administratively implement that statute.

This rule is promulgated pursuant to RCW 46.61.567 which directs that the Washington State Commission on Equipment has authority to implement the provisions of RCW 46.61.567 (chapter 204-66 WAC).

This rule is promulgated under the general rule-making authority of the Washington State Commission on Equipment as authorized in RCW 46.37.005 (chapter 204-76 WAC).

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 July 18, 1980.

By Lt. R. C. Dale
Secretary

AMENDATORY SECTION (Amending Order 7720K, filed 1-23-80)

WAC 204-66-060 *INSPECTIONS.* Upon receipt of an application for a letter of appointment, the secretary of the commission shall cause the patrol to conduct an inspection of the applicant's place of business, facilities, and equipment to determine if the applicant qualifies for the issuance of a letter of appointment pursuant to ~~((these regulations))~~ chapter 204-66 WAC. Verification must be shown to the inspector that the applicant's request for a letter of appointment complies with ~~((or is~~

authorized variance from)) all applicable local laws and regulations as prescribed for the geographical area where the towing business will be established.

(1) Inspections will be conducted at least once a year.

(2) Inspectors will be designated by the district commander.

(3) After a letter of appointment has been issued, the district commander will cause to be affixed to each qualified tow truck a decal indicating that a particular tow truck has been "approved" by the commission. A qualified tow truck shall be any tow truck which the commission has approved.

(a) The decal will be affixed to the windshield on the lower right corner.

(b) Upon a subsequent inspection of a tow truck which has previously been found qualified and to which a decal has been affixed, the inspector may remove the decal from the tow truck if it is no longer found to be qualified, subject to the following procedures:

(i) In the event of a safety related defect which would render the truck a safety hazard upon the public highway, the decal may be removed immediately by the inspector. Upon a protest by the operator that the defect does not represent a safety hazard, the decal may not be removed until such time as the defect is verified as a safety hazard by the inspector's supervisor.

(ii) In the event of missing or defective equipment which is not a safety hazard, but which was required for approval initially, the inspector shall advise the operator of the defect. If after ten days, the operator fails or refuses to repair the defect, the decal may be removed.

(iii) Upon repair of a defect which had previously caused removal of a decal, the inspector shall reinspect the equipment which had been defective. If the specified corrections have been satisfactorily completed, the inspector shall reapply the decal to the windshield. In the event that the inspector is not readily available to reinspect and reapply the decal, such other patrol officer as may be appointed by the inspector may reinspect and reapply the decal. The reinspection and reapplication shall be done as soon as possible after the operator advises that the defect has been repaired.

(c) Upon termination of a letter of appointment, the decal will immediately be removed.

(d) Upon sale or other transfer of the truck from the business, the operator shall so advise the secretary to the commission and shall remove the decal prior to the sale or transfer of the vehicle.

(e) Upon the purchase or acquisition of any additional tow truck to be used pursuant to this ((~~regulation~~)) chapter, the operator shall immediately notify the commission and request an inspection of the new unit by the patrol.

AMENDATORY SECTION (Amending Order 7720E, filed 5/2/79)

WAC 204-66-160 MINIMUM STANDARDS FOR TOW TRUCKS. (1) Except as provided in WAC 204-66-170, tow trucks used in response to requests from the patrol shall have a minimum manufacturer's gross ((~~vehicle~~)) vehicle weight rating of 10,000

pounds or its equivalent. Tow trucks shall be equipped with dual tires on the rear axle or duplex type tires, sometimes referred to as super single, with a load rating that is comparable to dual tire rating. Each tow truck shall also be equipped as follows:

((~~1~~)) (a) With all legal light, equipment, and licensing requirements for trucks and/or tow trucks and the operation thereof.

((~~2~~)) (b) Dual or single boom capacity of not less than six tons with dual winches to control a minimum of two service cables.

((~~3~~)) (c) A minimum of one hundred feet of 3/8 inch continuous length cable, or its equivalent, in safe working condition on each drum.

(i) Each cable shall be capable of being fully extended from and fully wound onto its drum.

(ii) Cables, or wire ropes, shall be free from the following defects or conditions:

(A) more than six randomly distributed broken wires in one rope lay, or more than three broken wires in one strand in one rope lay.

(B) evidence of any heat damage from any cause.

(C) core protrusion along the main length of the cable unless tension applied to the cable restores proper rope structure.

(D) end attachments that are cracked, deformed, worn or loosened.

(E) Where a wire rope is attached to a hook with clamps instead of being swaged, a minimum of three clamps shall be used. Clamps shall be spaced at least six rope diameters apart and attached with the base or saddle of the clamp against the longer or "live" end of the rope. The "U" bolt will be placed over the short or "dead" end of the rope.

((~~4~~)) (d) One revolving or intermittent red light with 360 degree visibility. Such red light will not be used when responding to a call, but only at the scene when necessary to warn approaching traffic of impending danger.

((~~5~~)) (e) A broom and shovel.

((~~6~~)) (f) A tow sling or other comparable device made of a material designed to protect vehicles/motorcycles while being towed.

((~~7~~)) (g) A 20 BC rating fire extinguisher(s) or equivalent.

((~~8~~)) (h) A minimum of two snatch blocks or their equivalent in working condition.

((~~9~~)) (i) A portable dolly, or its equivalent, for hauling vehicles that are not towable.

((~~10~~)) (j) Two pinch bars or equivalent ((~~devices~~)) devices.

((~~11~~)) (k) A two-way radio having the ability to communicate with a base station.

((~~12~~)) (1) Portable lights for unit being towed including, but not limited to, taillights, stop lights, and directional signals.

(2) In addition to the preceding, the following is required:

((~~1~~)) (a) Tow truck interior will be reasonably clean.

((~~2~~)) (b) Tow truck drivers will clean accident/incident scenes of all glass and debris.

~~((3))~~ (c) All equipment used in conjunction with the tow truck must be commensurate with the manufacturer's ~~((basic))~~ basic boom rating.

~~((4))~~ (d) All tow trucks shall display the firm's name, address, and telephone number. Such information shall be painted on or permanently affixed to both sides of the vehicle in letters or numerals at least three inches high.

~~((5))~~ (e) When a tow truck is added to the business, or when the reinspection of a tow truck is necessary, the district commander will be contacted to ascertain where and when the inspection will be given.

AMENDATORY SECTION (Amending Order 7720B, filed 7/27/78)

WAC 204-66-170 TOW TRUCK CLASSIFICATIONS. (1) Class "A": Tow trucks that are capable of towing and recovery operations for passenger cars, pickup trucks, small trailers, or equivalent vehicles. The minimum standards stated in WAC 204-66-160 shall apply to class "A" tow trucks.

(2) Class "B": Tow trucks that are capable of towing and recovery operations for medium size trucks, trailers, motor homes, or equivalent vehicles. Class "B" tow trucks shall have:

(a) A minimum manufacturer's gross vehicle weight rating of 16,000 pounds or its equivalent.

(b) Boom capacity of not less than ten tons.

(c) A minimum of one hundred and fifty feet of 7/16 inch continuous length cable, or its equivalent, on each drum in working condition and subject to the same limitations and requirements as stated in WAC 204-66-160 (c), (i) and (ii).

(d) The remaining minimum standards stated in WAC 204-66-160.

(3) Class "C": Tow trucks that are capable of towing and recovery operations for large trucks, road tractors, trailers, or equivalent vehicles. Class "C" tow trucks shall have:

(a) Tandem rear axle truck chassis.

(b) Boom capacity of not less than twenty tons.

(c) A minimum of one hundred and fifty feet of 9/16 inch continuous length cable, or its equivalent, on each drum in working condition and subject to the same limitations and requirements as stated in WAC 204-66-160 (c), (i) and (ii).

(d) Air brakes and an air system capable of supplying air to the towed unit.

(e) The remaining minimum standards stated in WAC 204-66-160; provided portable dollies shall not be required.

(4) Class "D": All other tow trucks that do not meet the classification requirements in WAC 204-66-160 and 204-66-170, and which are specially approved by the commission. Prior to special approval, the district commander concerned shall have stated in writing the need for, capabilities, size, and equipment of the tow truck.

NEW SECTION

WAC 204-74-010 PROMULGATION. By the authority of RCW 46.37.005 and RCW 46.37.290, the

Commission on Equipment hereby adopts the following regulations relating to warning light systems on school buses.

NEW SECTION

WAC 204-74-020 PURPOSE. The purpose of this regulation is to require all publicly owned school buses within the state of Washington to be equipped with an eight light warning system which shall be used pursuant to the regulations set forth in WAC 392-145 regarding the operating rules for school bus transportation.

NEW SECTION

WAC 204-74-030 SCOPE. (1) This regulation shall apply only to those school buses which are owned and operated by any school district and all school buses which are privately owned and operated under contract or otherwise with any school district in the state for the transportation of common school children.

(2) No privately owned school bus or private carrier bus shall be permitted to use this eight light warning system unless such use is in conformance with the rules and regulations set forth by the Superintendent of Public Instruction in WAC 392-145.

NEW SECTION

WAC 204-74-040 STANDARDS FOR WARNING LAMPS. (1) All school bus red warning lamps shall be designed and constructed in conformance with SAE Standard J887a, "School Bus Red Signal Lamps" or that standard which is in effect for such lamps at the time of manufacture of such lamps.

(2) The amber colored lamps shall meet the standard for the red lamps except for the lens color and candle power requirements. Candle power of amber lamps shall be at least two and one-half times that specified for red lamps.

(3) All lamps shall be sealed beam type, the lenses of which shall be at least five and one-half inches in diameter.

(4) All lamps shall be of a type approved by the Commission on Equipment.

NEW SECTION

WAC 204-74-050 MOUNTING OF LAMPS. (1) School bus warning lamps shall be mounted as high as practicable on the bus body and as near the outside edges of the body as curvature permits. Metal shielding shall be provided to protect the lamps from the elements, and the background upon which the lamps are mounted shall be painted black. Such background shall extend a minimum of three inches outward from the lamps.

(2) The warning system shall consist of a total of eight lamps, two amber and two red on the front, and two amber and two red on the rear. The amber lamps shall be mounted inboard of the red lamps. All lamps shall be mounted as specified in Federal Motor Vehicle Safety Standard 108 and SAE Standard J887a, and shall be clearly visible from a distance of at least five hundred feet in normal sunlight.

NEW SECTION

WAC 204-74-060 AIMING OF LAMPS. School bus warning lamps shall be aimed to comply with the requirements set forth in Society of Automotive Engineers standard J887a, School Bus Red Signal Lamps, and Federal Motor Vehicle Safety Standard 108.

NEW SECTION

WAC 204-74-070 OPERATION OF LAMPS. (1) Operation of the warning lamp system shall be in compliance with FMVSS 108. Activation of the warning lamp sequence shall begin only by means of a manually-operated switch. Such activation will cause the right and left amber lamps to flash alternately until the bus entrance door is opened or the stop arm is extended, at which time the amber lamps shall be automatically deactivated and the right and left red lamps shall be automatically activated. All lamps shall flash at a rate from sixty to one-hundred twenty times per minute and shall reach full brilliance during each cycle.

(2) Lamp controls shall consist of:

(a) the master or sequencing switch which shall be in plain view and mounted within easy reach of the driver, and which shall activate the system sequencing and deactivate the system at any time during the sequence.

(b) an override switch which shall automatically activate the red lamps whenever the stop arm is extended even though the master control switch is turned off, and which shall automatically deactivate the amber lamps if previously activated regardless of the then present normal state of sequencing or entrance door position. Such override switch shall be designed and installed so as to function with air, vacuum, electric, or manually operated stop arms. The stop arm shall be capable of being extended at any time, regardless of the position of the entrance door. The opening of the entrance door shall not cause the activation of the red lamps unless the master switch has been activated.

(c) a minimum of two pilot lamps, one amber and one red, each of which shall flash when the like colored warning lamps are in operation. Pilot lamps which show the operation of each individual lamp are permissible. All pilot lamps shall be located so as to be clearly visible to the driver.

(3) The warning lamp system shall be operated in accordance with the regulations set forth in WAC 392-145.

NEW SECTION

WAC 204-74-080 EFFECTIVE DATE. (1) After September 1, 1980, all buses which are equipped with an eight light warning system shall use that system pursuant to the regulations set forth in WAC 392-145.

(2) All buses ordered, bid, or purchased from a manufacturer or dealer for the purposes of pupil transportation after September 1, 1980, shall be ordered with the eight light warning system as a part of the specifications.

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.

Chapter 204-76 WAC

Standards for Brake Systems

NEW SECTION

WAC 204-76-010 PROMULGATION. By authority of RCW 46.37.005, the State Commission on Equipment hereby adopts the following rules relating to brake systems.

NEW SECTION

WAC 204-76-020 SCOPE. These rules shall apply only to brake systems on vehicles with a gross vehicle weight rating of 10,000 pounds or more.

NEW SECTION

WAC 204-76-030 DEFINITIONS. (1) "Air brake hose" means any flexible hose used as an integral part of a service or auxiliary (emergency stopping) air brake system, where flexibility in a connection is mandatory due to vehicle design and includes the service and emergency air hoses between vehicles in a combination of vehicles.

(2) "Air brake reservoir" means a storage container for compressed air.

(3) "Air compressor" means a device which compresses air used for actuation of the brakes and/or other components of the vehicle.

(4) "Air gauge" means a gauge usually mounted on the instrument panel which indicates the air pressure in the air reservoir tanks, brake application pressure, or other air system pressures.

(5) "Air governor" means a regulator which controls the supply of air pressure for the brake system, generally by controlling the air compressor cut-in and cut-out pressure within a preset range.

(6) "Air over hydraulic brake system" means a hydraulic type brake system actuated by an air-powered master cylinder.

(7) "Air pressure protection valve" means a unit through which air flow is prevented except when a preselected input pressure is exceeded.

(8) "Brake" means an energy conversion mechanism used to retard, stop, or hold a vehicle.

(9) "Brake assembly" means an assembly of brake parts, the components of which are determined according to the type or design of the brake system.

(10) "Brake cam" means a cam mounted on the camshaft and located between the ends of the brakeshoes. When rotated by the brake camshaft, the cam expands the brakeshoes against the brakedrum.

(11) "Brake camshaft" means the camshaft which is held to the vehicle axle housing or backing plate by bosses containing bronze or nylon bushings. Air pressure is converted into mechanical force by the brake chamber which is attached by a push rod to the slack adjuster. The slack adjuster multiplies the force by the lever principle and applies the force to the brakeshoes.

(12) "Brake chamber or actuator" means a unit in which a diaphragm converts pressure to mechanical force for actuation of the brakes.

(13) "Brake cylinder" means a unit in which a piston converts pressure to mechanical force for actuation of the brakes.

(14) "Brake master cylinder" means the primary unit for displacing hydraulic fluid under pressure in the brake system.

(15) "Brake pedal" means a foot-operated lever which, when actuated, causes the brake(s) to be applied.

(16) "Brakeshoe" means a rigid half-moon shaped device with friction material affixed to the outer surface. The brakeshoes are generally mounted on a backing plate and are located inside the brakedrum. When expanded by the brake mechanism, the brakeshoes press the brake lining against the brakedrum, which creates friction to stop the rotation of the wheels, which in turn stops the vehicle.

(17) "Brakeshoe anchor pin" means a pin which holds the brakeshoe in its proper place within the brakedrum and serves as a pivot for the brakeshoes. One end of each brakeshoe is generally connected to the backing plate or spider by anchor pins.

(18) "Brake system" means a combination of one or more brakes and the related means of operation and control.

(19) "Brake wheel cylinder" means a unit for converting hydraulic fluid pressure to mechanical force for actuation of a brake.

(20) "Diaphragm" means a rubber partition placed between the two halves of the brake chamber. When air pressure is introduced into the chamber on one side of the diaphragm, the pressure flexes the diaphragm and exerts force on the pushplate attached to the push rod. The pushplate is held up against the diaphragm by a light duty return spring.

(21) "Disc brake" means a brake in which the friction forces act on the faces of a disc.

(22) "Disc brake caliper assembly" means the nonrotational components of a disc brake, including its actuating mechanism for development of friction forces at the disc.

(23) "Disc (Rotor)" means the parallel-faced circular rotational member of a disc brake assembly acted upon by the friction material.

(24) "Drum" means the cylindrical rotational member of a drum brake assembly acted upon by the friction material.

(25) "Drum brake" means a brake in which the friction forces act on the cylindrical surfaces of the drum.

(26) "Foot valve" means a brake application and release valve located on the floor or firewall of the motor vehicle between the throttle and the clutch. It may be either a treadle or a pedal and is operated by foot pressure applied by the driver to apply air pressure to the service brake system. The valve may be either attached to the treadle or may be remotely mounted under the floor and connected to the pedal by means of a rod. This valve generally applies air pressure to all braking axles on all vehicles in the combination.

(27) "Hydraulic brake system" means a brake system in which brake operation and control utilizes hydraulic brake fluid.

(28) "Pedal reserve" means the amount of total pedal travel left in reserve when the brake pedal is depressed to the "brake applied" position.

(29) "Push rod" means the sliding rod projecting from a brake chamber and connected to the slack adjuster by which the force of compressed air in the brake chamber is transmitted to the brakeshoes through connecting linkage during a brake application.

(30) "Safety valve" means a pressure release unit used to protect the air system against excessive pressure.

(31) "Service brake system" means the primary brake system used for retarding and stopping a vehicle.

(32) "Slack" means the sum of all clearances in the braking system and total system elasticity.

(33) "Slack adjuster" means a lever attached to the brake camshaft and connected to the brake chamber push rod. The slack adjuster provides a means of adjusting the brakes to compensate for brake lining wear.

(34) "Straight air brake system" means a mechanical type brake system actuated by air pressure in brake cylinders or brake chambers.

(35) "Supply air" means the air that is under pressure in the air supply system of a vehicle. It consists of those lines or tanks, except protected air tanks, which are under pressure when the system is fully charged and when all valves are in the normal position with the brakes unapplied.

(36) "Vacuum assisted hydraulic brake system" means a hydraulic type brake system which utilizes vacuum to assist the driver's effort to apply the brakes.

(37) "Vacuum brake reservoir" means a storage container for vacuum.

(38) "Wedge brake" means a wheel brake which uses air or hydraulic pressure to force wedges instead of cams between the brakeshoes to apply the shoes against the brakedrums. In air applied wedge brake systems, the brake actuator axis is parallel to the axle and pushes directly on the wedge in this direction instead of being mounted at right angles to push a slack adjuster and rotate a cam as in the conventional type of air brake system.

NEW SECTION

WAC 204-76-040 STRAIGHT AIR BRAKES. Straight air brake systems shall be subject to the following requirements and limitations:

(1) Supply system.

(a) The air compressor for a straight air brake system shall cut in at not less than 85 pounds per square inch and shall cut out at not more than 130 pounds per square inch.

(b) Air compressor buildup time shall not be more than two minutes to increase the air pressure from 60 pounds per square inch to 90 pounds per square inch. Engine speed shall not exceed 1500 RPM to meet this requirement.

(c) Air loss from the air system shall not exceed:

(i) 3 pounds per square inch per minute for a single vehicle.

(ii) 4 pounds per square inch per minute for a two vehicle combination.

(iii) 5 pounds per square inch per minute for a three or more vehicle combination. Air losses shall be measured by the air gauge in the vehicle.

(d) The air system shall contain no more than one quart of contaminants. Water and oil shall be considered contaminants.

(2) Brake assembly.

(a) Adjustment of all brakes shall comply with the manufacturer's recommended specifications as set forth in WAC 204-76-99001, WAC 204-76-99002, WAC 204-76-99003, and WAC 204-76-99004.

(b) Brake system components shall meet all the requirements of RCW 46.37.360.

(i) Brake hoses and their attachments shall meet the requirements of RCW 46.37.360 and shall comply with Part 393.45 of Title 49 CFR.

(ii) Brake hose splices shall consist of only those unions specifically manufactured for that purpose and shall be properly installed.

(iii) Brakedrums shall not be cracked or broken to the extent that such crack or break appears on the outside of the drum.

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

WAC 204-76-050 AIR OVER HYDRAULIC BRAKES. Air over hydraulic brake systems shall be subject to the following requirements and limitations:

(1) Supply system.

(a) The air compressor for an air over hydraulic brake system shall cut in at not less than 85 pounds per square inch and shall cut out at not more than 105 pounds per square inch.

(b) Air compressor buildup time shall not be more than one minute to increase the air pressure from 60 pounds per square inch to 90 pounds per square inch. Engine speed shall not exceed 1500 RPM to meet this requirement.

(c) Air loss from the air system shall not exceed:

(i) 3 pounds per square inch per minute for a single vehicle.

(ii) 4 pounds per square inch per minute for a two vehicle combination.

(iii) 5 pounds per square inch per minute for a three or more vehicle combination. Air losses shall be measured by the air gauge in the vehicle.

(d) The air system shall contain no more than one quart of contaminants. Water and oil shall be considered contaminants.

(e) Hydraulic fluid shall be maintained in excess of 50 percent of the brake master cylinder capacity.

(2) Brake assembly.

(a) Adjustment of all brakes shall comply with the manufacturer's recommended specifications.

(b) Brake system components shall meet all the requirements of RCW 46.37.360, and brake drums shall not be cracked or broken to the extent that such crack or break appears on the outside of the drum.

NEW SECTION

WAC 204-76-060 VACUUM ASSISTED HYDRAULIC BRAKES. Vacuum assisted hydraulic brake systems shall be subject to the following requirements and limitations:

(1) Supply system.

(a) When equipped with a protected vacuum reservoir, there shall be no more than three inches drop in vacuum in one minute after turning off the engine.

(b) When not equipped with a protected vacuum reservoir, a slight drop of the brake pedal should be felt after starting the engine when moderate pressure is applied to the pedal. If a slight drop of the pedal does not occur, the vacuum system shall be deemed to be defective.

(c) Hydraulic fluid shall be maintained in excess of 50 percent of the brake master cylinder capacity.

(d) The hydraulic portion of the system shall pass the following test procedures.

(i) With the engine off, a hard brake pedal application shall be made.

(ii) Pedal pressure shall be reduced but not released.

(iii) Pedal pressure shall be gradually reapplied and pedal reserve shall be checked.

(iv) No pedal reserve drop should occur. Any such drop in pedal reserve shall cause the system to be deemed defective.

(2) Brake assembly.

(a) Adjustment of all brakes shall comply with the manufacturer's recommended specifications.

(b) Brake system components shall meet all the requirements of RCW 46.37.360, and brake drums shall not be cracked or broken to the extent that such crack or break appears on the outside of the drum.

NEW SECTION

WAC 204-76-070 HYDRAULIC BRAKES. Hydraulic brake systems shall be subject to the following requirements and limitations:

(1) Supply system.

(a) Hydraulic fluid shall be maintained in excess of 50 percent of the brake master cylinder capacity.

(b) The hydraulic system shall pass the following test procedures.

(i) With the engine off, a hard brake pedal application shall be made.

(ii) Pedal pressure shall be reduced but not released.

(iii) Pedal pressure shall be gradually reapplied and pedal reserve shall be checked.

(iv) No pedal reserve drop should occur. Any such drop in pedal reserve shall cause the system to be deemed defective.

(2) Brake assembly.

(a) Adjustment of all brakes shall comply with the manufacturer's recommended specifications.

(b) Brake system components shall meet all the requirements of RCW 46.37.360, and brake drums shall not be cracked or broken to the extent that such crack or break appears on the outside of the drum.

NEW SECTION

WAC 204-76-99001 BOLT TYPE BRAKE
CHAMBER DATA.

BOLT TYPE BRAKE CHAMBER DATA (Dimensions in inches)					
Type	Effective Area (Square Inches)	* Outside Diameter	Maximum Stroke	Maximum Stroke With Brakes Adjusted	Maximum Stroke At Which Brakes Should Be Readjusted
A	12	6 15/16	1 3/4	Should be as short as possible without brakes dragging	1 3/8
B	24	9 3/16	2 1/4		1 3/4
C	16	8 1/16	2 1/4		1 3/4
D	6	5 1/4	1 5/8		1 1/4
E	9	6 3/16	1 3/4		1 3/8
F	36	11	3		2 1/4
**G	30	9 7/8	2 1/2		2

NEW SECTION

WAC 204-76-99002 CLAMP TYPE BRAKE CHAMBER DATA.

CLAMP TYPE BRAKE CHAMBER DATA (Dimensions in inches)					
Type	Effective Area (Square Inches)	* Outside Diameter	Maximum Stroke	Maximum Stroke With Brakes Adjusted	Maximum Stroke At Which Brakes Should Be Readjusted
6	6	4 1/2	1 5/8	Should be as short as possible without brakes dragging	1 1/4
9	9	5 1/4	1 3/4		1 3/8
12	12	5 11/16	1 3/4		1 3/8
16	16	6 3/8	2 1/4		1 3/4
20	20	6 25/32	2 1/4		1 3/4
24	24	7 7/32	2 1/4		1 3/4
**30	30	8 3/32	2 1/2	2	
36	36	9	3	2 1/4	

*Dimensions listed do not include capscrew head projections for bolt clamp projections for clamp type brake chambers.

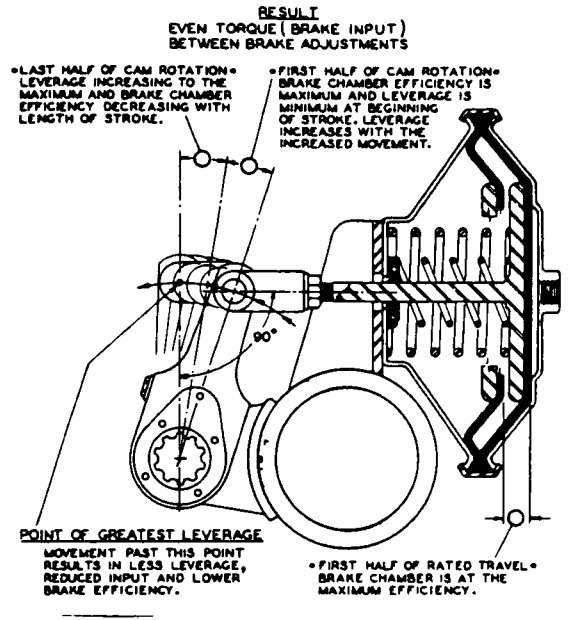
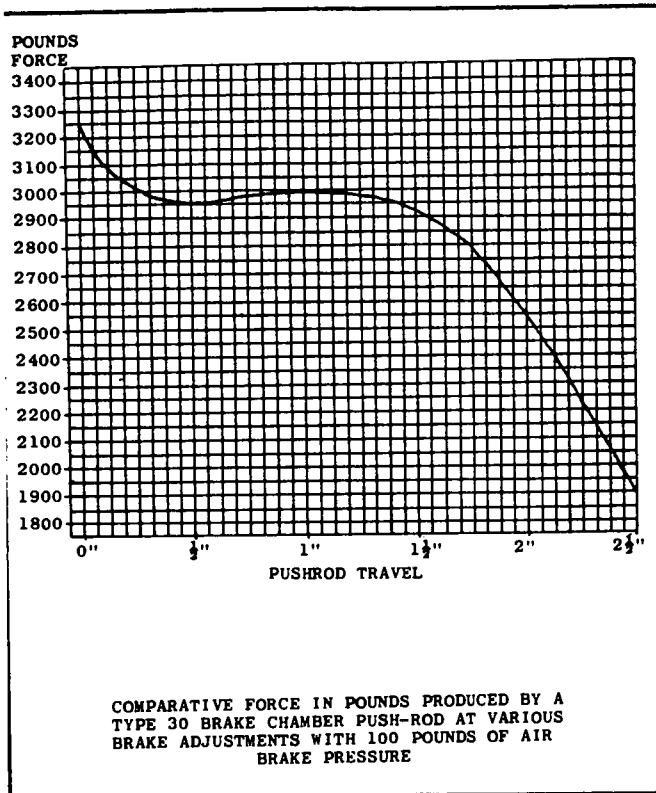
**Most common types.

NEW SECTION

WAC 204-76-99003 PUSH ROD FORCE VS. TRAVEL.

NEW SECTION

WAC 204-76-99004 RELATIONSHIP OF PUSH ROD AND SLACK ADJUSTER ANGLE TO BRAKE FORCE.



WSR 80-10-007
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 80-74—filed July 25, 1980]

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 implement I.P.S.F.C. regulations pursuant to RCW 75.40.060.

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

This rule is promulgated pursuant to RCW 75.40.060 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 July 25, 1980.

By Gordon Sandison
Director

NEW SECTION

WAC 220-28-801 COMMERCIAL AND TREATY INDIAN SOCKEYE SALMON FISHERY. *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 Puget Sound waters under I.P.S.F.C. control except that:*

Treaty Indian fishermen possessing Makah, Lower Elwha or Port Gamble tribal fishing rights may fish with gillnets under lawfully promulgated United States Department of Interior regulations in Puget Sound Salmon Management and Catch Reporting Areas 4B and 5 from 7:00 p.m. July 26 to 9:30 a.m. July 28, 1980.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-47-900 COMMERCIAL SOCKEYE SALMON FISHERY (80-68)

**WSR 80-10-008
NOTICE OF PUBLIC MEETINGS
DATA PROCESSING AUTHORITY
[Memorandum—July 25, 1980]**

The regular meeting of the Washington State Data Processing Authority scheduled for 1:30 p.m. on Wednesday, August 6, 1980 has been cancelled.

The next regular meeting of the Data Processing Authority will be on Wednesday, September 3, 1980. It will be held at 1:30 p.m. in Room 431 of the House Office Building in Olympia, Washington.

**WSR 80-10-009
NOTICE OF PUBLIC MEETINGS
OFFICE OF FINANCIAL MANAGEMENT
[Memorandum—July 17, 1980]**

This is to inform you that the Patient Care Classification and Standards Task Force met on July 1, 1980, at the Green Room of the Seattle-Tacoma International Airport. The Task Force will meet again at 9:00 a.m., July 18, at the Crestview Conference Center located at 16200-42nd Ave. South, Seattle and at 1:00 p.m., July 29, at the Seattle quarters of the Legislature, Suite 500, Rainier Bank Building, 1800 Pacific Highway South, Seattle.

**WSR 80-10-010
ADOPTED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Order 80-29—Filed July 28, 1980]**

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Olympia, Washington, the annexed rules relating to procedures and conditions governing the distribution of state basic education allocations to the common schools.

This action is taken pursuant to Notice Nos. WSR 80-06-176 and 80-09-014 filed with the code reviser on 6/4/80 and 7/9/80. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28A.41-.055 and is intended to administratively implement that statute.

This rule is promulgated pursuant to RCW 28A.41-.170 which directs that the Superintendent of Public Instruction has authority to implement the provisions of chapter 28A.41 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 July 28, 1980.

By Frank B. Brouillet
Superintendent of Public Instruction

NEW SECTION

WAC 392-121-100 AUTHORITY AND PURPOSE. This chapter is adopted pursuant to authority vested in the superintendent of public instruction by RCW 28A.41.170, RCW 28A.41.055, and the provisions of legislative appropriations acts currently in effect. It is the intent and purpose of this chapter to implement the above referenced laws and, together with such laws, govern the distribution of basic education allocation funds to the common schools.

NEW SECTION

WAC 392-121-105 DEFINITIONS. As used in this chapter, the terms:

(1) "Enrolled" shall mean that, after the close of the prior school year, a student has presented himself or herself, or has been presented, to the appropriate school official to be entered on the rolls for the purpose of attending school and has actually attended school on a school day during the current school year.

(2) "Full-time-equivalent student" shall mean each student who is enrolled in the school district as of the fourth school day following the commencement of the school year (September 1 through August 31) and/or as of the first school day of any of the subsequent eight months for the number of hours set forth below, inclusive of class periods and normal class change passing time, but exclusive of noon intermissions: PROVIDED,

That the hours set forth below shall be construed as annual average hours for the purposes of compliance with this chapter: PROVIDED FURTHER, That for districts commencing basic education programs prior to September first, the first month enrollment count shall be made on the fourth school day in September:

(a) Kindergarten (full-day): 20 hours each week, or 4 hours (240 minutes) for 90 scheduled school days;

(b) Kindergarten (half-day): 10 hours each week, or 2 hours (120 minutes) each scheduled school day;

(c) Primary (grades 1 through 3): 20 hours each week, or 4 hours (240 minutes) each scheduled school day;

(d) Elementary (grades 4 through 6): 25 hours each week, or 5 hours (300 minutes) each scheduled school day;

(e) Secondary (grades 7 through 12): 25 hours each week, or 5 hours (300 minutes) each scheduled school day.

(3) "Average annual full-time-equivalent students" shall mean the quotient obtained by dividing the annual total of full-time-equivalent students enrolled and reported to the superintendent of public instruction pursuant to subsection (2) above by nine.

(4) "Enrollment decline" shall mean the number of average annual full-time-equivalent students which is obtained by subtracting the district's average annual full-time-equivalent students in the current school year from the district's average annual full-time-equivalent students in the prior school year as calculated by the superintendent of public instruction not later than August 31 of each school year: PROVIDED, That the enrollment for the current year is less than the enrollment for the prior year.

(5) "Kindergarten" shall mean an instructional program conducted pursuant to RCW 28A.35.010 for students who meet the entry age requirements pursuant to WAC 180-16-166.

(6) The definitions in this section shall apply for apportionment purposes only and shall not apply to program approval standards for basic education entitlement.

(7) No student shall be counted as more than one full-time-equivalent for purposes of basic education allocation.

NEW SECTION

WAC 392-121-110 ADDITIONAL DEFINITIONS. As used in this chapter, the terms:

(1) "Residence," "resident student" and "nonresident student" shall be defined as those terms are defined in WAC 392-137-010.

(2) "Part-time student" shall mean a student who is enrolled pursuant to chapter 392-134 WAC (part-time attendance and ancillary services) for less time than the minimum time required for a full-time-equivalent student.

(3) "School day" shall mean a calendar day except school holidays on which all students enrolled in the school district are afforded the opportunity to be engaged in educational activity which is planned, supervised, and conducted by or under the supervision of the school district certificated staff, and on which day all or

any portion of the students enrolled in the program actually participate in such educational activity.

(4) "School year" shall mean the annual period commencing on the first day of September of one calendar year and ending the last day of August of the next ensuing calendar year: PROVIDED, That for those school districts commencing basic education programs prior to September 1, school days scheduled prior to September 1 shall be considered to be within the school year that commences September 1.

NEW SECTION

WAC 392-121-115 OTHER DEFINITIONS. As used in this chapter the terms:

(1) "Certificated employee" shall mean an individual who is contracted to provide services for a school district in a position requiring a certificate issued by the superintendent of public instruction pursuant to chapters 180-75, 180-77, 180-79, 180-80, and 180-84 WAC.

(2) "Full-time-equivalent certificated employee" shall mean each certificated employee of the school district who, as of October 1 of each school year, is contracted to provide services for not less than 180 full work days, the length of such days to be determined by the district. In cases where an employee is contracted to provide services for 180 partial days, the employee shall be counted as a part of a full-time-equivalent employee, such part to be the quotient to the nearest tenth obtained by dividing that part of the day worked by the full day as determined by the district. In cases where an employee is contracted to provide services for less than 180 full work days, the employee shall be counted as a part of a full-time-equivalent employee, such part to be the quotient obtained by dividing the number of work days contracted for by 180 and rounding to the nearest tenth: PROVIDED, That if the normal annual full-time contract for the position exceeds 180 working days, the greater number of work days normally contracted for shall be used as the divisor. No certificated employee shall be counted as more than one full-time-equivalent employee.

(3) "Full-time-equivalent classified employee" shall mean an employee who is employed in a position which does not require certification for not less than 2,080 hours during a school year. A classified employee who is employed for less than 2,080 hours shall be counted as that part of a full time employee as the number of hours employed bears to 2,080 hours as determined by the school district and rounded to the nearest tenth. No classified employee shall be counted as more than one full-time-equivalent employee.

(4) "Certificated staff salaries" shall mean those monies which a school district has agreed to pay all certificated employees who are employed on or before October 1 of each school year under terms of basic or regular employment contracts between the district and certificated employees, exclusive of those monies which are to be paid for a certificated employee's summer or extracurricular duties, regardless of whether such duties are a part of the regular employment contract or a supplemental employment contract.

(5) "Classified staff salaries" shall mean monies which a district has agreed to pay to all classified employees who are employed on or before November 1 of each school year for employment services to the district for that school year, exclusive of overtime pay, as reported to the superintendent of public instruction as of the first school day in November of each school year.

NEW SECTION

WAC 392-121-120 ADDITIONAL DEFINITION. As used in this chapter, the term "staff mix table (LEAP Document 1)" shall mean the list of factors to which incremental values have been assigned in order to provide appropriate recognition of certificated staff salary costs pursuant to RCW 28A.41.140(1) attributable to the various levels of educational training and years of professional experience of certificated employees. The staff mix table is set forth below:

STAFF MIX FACTOR TABLE DEVELOPED BY LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM (LEAP Table from LEAP Document 1) EDUCATION EXPERIENCE

Years of Service	BA	BA + 15	BA + 30	BA + 45	BA + 90
0	1.000	1.027	1.055	1.083	1.173
1	1.037	1.065	1.094	1.124	1.217
2	1.075	1.104	1.134	1.167	1.262
3	1.115	1.145	1.176	1.211	1.308
4	1.156	1.188	1.220	1.257	1.357
5	1.199	1.232	1.265	1.305	1.407
6	1.244	1.277	1.312	1.355	1.459
7	1.290	1.324	1.360	1.406	1.513
8	1.337	1.373	1.410	1.460	1.569
9		1.424	1.463	1.515	1.627
10			1.517	1.573	1.687
11				1.633	1.750
12					1.815
13					1.882

Years of Service	BA + 135	MA	MA + 45	PHD or MA + 90	PHD + 45
0	1.231	1.173	1.244	1.305	1.368
1	1.276	1.217	1.290	1.353	1.419
2	1.323	1.262	1.338	1.403	1.471
3	1.372	1.308	1.387	1.455	1.526
4	1.423	1.357	1.438	1.509	1.582
5	1.476	1.407	1.492	1.564	1.641
6	1.530	1.459	1.547	1.622	1.701
7	1.587	1.513	1.604	1.682	1.764
8	1.646	1.569	1.663	1.745	1.830
9	1.707	1.627	1.725	1.809	1.897
10	1.770	1.687	1.789	1.876	1.968
11	1.835	1.750	1.855	1.945	2.040
12	1.903	1.815	1.924	2.017	2.116
13	1.973	1.882	1.995	2.092	2.194
14	2.046	1.951	2.069	2.169	2.275

NEW SECTION

WAC 392-121-125 ADDITIONAL DEFINITION. As used in this chapter the term "district staff mix factor" shall mean that number calculated to three decimal places as determined by:

(1) Assigning a staff mix factor from the staff mix factor table to each certificated employee of the school

district who is employed in the school district's basic education program as determined by the school district on October 1 of each school year depending upon the employee's placement on the appropriate years of service line and on the appropriate education column. Placement on the staff mix table shall be according to the following criteria:

(a) Number of years of experience as defined in WAC 392-121-130: PROVIDED, That the employee shall be placed on the line of fewer years of experience in cases where the employee's years of experience accumulate to less than half of a year or the employee shall be placed on the line of greater years of experience in cases where the employee's years of experience accumulate to one-half of a year or more; and

(b) The highest degree level as defined in WAC 392-121-135 and credits earned after that degree as defined in WAC 392-121-140 at the highest placement level for each employee: PROVIDED, That in cases where the number of credits earned after a degree by an employee falls between the education columns, that employee shall be placed on the lower column except in cases where the credit equivalency is one-half a quarter hour or less below the next highest education column, that person shall be placed on the higher column;

(2) Multiplying the number of full-time-equivalent employees as of October 1 with assigned mix factors by those mix factors;

(3) Adding the products obtained in (2) above; and

(4) Dividing the total obtained in (3) above by the district's total number of full-time-equivalent employees in basic education as of October 1 with assigned staff mix factors.

NEW SECTION

WAC 392-121-130 ADDITIONAL DEFINITION. Regardless of the experience factors used by a school district for the purposes of its salary schedule(s), as used in this chapter the term "years of experience" shall mean the number of years of accumulated full-time and part-time professional education employment prior to the current reporting year in Washington and out-of-state, and shall be reported by the school district to the nearest tenth. School districts shall report all years of experience including those beyond the experience limit of the school district's salary schedule. The traditional nine-month academic year shall be considered as one school year. Not more than one school year of experience may be counted for any twelve-month period. Professional education experience shall be limited to the following:

(1) Employment in public or private preschools or elementary and secondary schools in positions which require certification;

(2) Employment in public or private vocational-technical schools, community/junior colleges, colleges, and universities in positions comparable to those which require certification in the common schools;

(3) Employment in educational institutions in any professional position, including but not limited to C.P.A., architect, business manager, physician, if employment is in an education agency or institution such as

an educational service district, office of superintendent of public instruction, or United States Department of Education; and

(4) Experience in the following areas if recognized by the district for placement on the district salary schedule:

(a) Military, Peace Corps, or Vista service which interrupted professional employment;

(b) Sabbatical leave; and

(c) For vocational instructors who hold no degree, up to a maximum of six years of management experience acquired after the instructor meets the minimum vocational certification requirements.

NEW SECTION

WAC 392-121-135 **ADDITIONAL DEFINITION.** As used in this chapter, the term "highest degree level" shall mean the highest degree earned by the employee from an accredited college or university.

NEW SECTION

WAC 392-121-140 **ADDITIONAL DEFINITION.** As used in this chapter, the term "credits earned since highest degree" shall mean for certificated employees who hold degrees, the number of quarter hours or units or semester hours, each converted to quarter hours, earned from accredited community colleges, colleges, or universities after the awarding or conferring of the highest degree. Districts may not include:

(1) Credits in excess of degree requirements which were earned prior to awarding or conferring of the degree.

(2) Inservice credits awarded by agencies other than accredited colleges or universities.

(3) Community college or college or university credits which are not transferrable or applicable to a bachelor's level degree program.

NEW SECTION

WAC 392-121-145 **PLACEMENT OF NONDEGREE CERTIFICATED PERSONNEL ON STAFF MIX TABLE.** Certificated employees without college degrees shall be placed on the staff mix table as follows:

(1) Persons holding a valid initial or provisional certificate as a school nurse, a life teaching certificate, or a valid certificate as a special elementary or secondary consultant, or special crafts teacher shall be placed on the BA column.

(2) Persons holding a valid continuing or standard school nurse certificate shall be placed on the BA + 30 credits column.

(3) Persons holding valid vocational certificates as provided for in chapter 180-77 WAC shall be placed upon the staff mix factor table as follows:

(a) Persons meeting the minimum certification requirements shall be placed on the BA column; and

(b) Additional quarter credit hours earned shall be recognized on the basis of one quarter hour for each ten clock hours of approved teacher training and/or one quarter hour for each 100 clock hours of occupational experience as defined in WAC 180-77 each earned after

meeting the minimal vocational certification requirements. Persons reaching the BA + 135 credits column with this process shall be placed on the MA column.

NEW SECTION

WAC 392-121-150 **PLACEMENT OF CERTIFICATED STAFF WITH DEGREES ON STAFF MIX TABLE.** Districts shall report each certificated employee's actual degree level pursuant to this chapter. If an employee holds two or more degrees of the same level, the first degree conferred or awarded shall be the degree after which additional credits are counted. A certificated employee who holds a valid vocational certificate acquired as the result of industrial experience rather than college training, and who also holds an earned college degree which is incidental to or not related to the vocational certificate shall be reported by the school district as holding no degree.

NEW SECTION

WAC 392-121-155 **PLACEMENT ON STAFF MIX TABLE—DOCUMENTATION REQUIRED.** School districts shall have documentation on file and available for review which substantiates each certificated employee's placement on the staff mix table.

Districts shall document the date of awarding or conferring of the degree. Documentation shall include the date upon which the degree was awarded or conferred as recorded on the diploma or official transcript: PROVIDED, That if the degree was awarded by an institution which does not confer degrees after each term, and all degree requirements were completed at a time other than the date recorded on the diploma or transcript, an official notarized statement from the institution verifying a prior completion date shall be adequate documentation.

For certificated employees having no degree of bachelor's level or higher, no credits earned beyond degree may be reported: PROVIDED, That if a person has no degree and has current vocational certification, districts may count and should report as quarter hour credits earned the following:

(1) Approved vocational teacher training at the rate of one quarter hour credit for each ten clock hours of training received after meeting minimum vocational certification requirements;

(2) Occupational experience at the rate of one quarter hour credit for each 100 clock hours of occupational experience gained after meeting minimal vocational certification requirements.

NEW SECTION

WAC 392-121-160 **REPORTING REQUIREMENTS—GENERAL.** Each school district shall provide upon request of the superintendent of public instruction such data as the superintendent deems appropriate to serve as a basis of calculating and making payments of basic education allocation funds to school districts.

The superintendent of public instruction shall provide each district with necessary report forms and shall advise each district of the due dates established by the superintendent for the return of such completed forms to the educational service districts or to the superintendent of public instruction as now or hereafter established by the superintendent of public instruction and published in bulletins of the division of financial services.

NEW SECTION

WAC 392-121-165 **PAYMENT OF BASIC EDUCATION ALLOCATION FUNDS.** From the basic education allocation funds appropriated to the superintendent of public instruction, the superintendent shall make twelve monthly payments during each school year pursuant to RCW 28A.48.010 to each school district operating a program approved by the state board of education: **PROVIDED**, That each school district submits data in a timely manner as requested by the superintendent of public instruction.

Initial monthly payments shall be based on estimates of such data as the superintendent of public instruction deems necessary to commence payment for the school year, such estimates to be submitted by school districts to the educational service districts or superintendent of public instruction on forms provided by the superintendent of public instruction. The latest date on which a school district may make changes in these data shall be the date on which the school district files its budget with the educational service district.

As the school year progresses, monthly payments to school districts shall be adjusted to reflect actual full-time-equivalent enrollment levels, full-time-equivalent staffing levels, certificated and classified salaries and benefits, other school district characteristics, deductible revenues and such other data as are deemed necessary by the superintendent and reported by school districts and other governmental agencies on forms provided or approved by the superintendent of public instruction. The superintendent of public instruction annually shall advise each school district and educational service district of the dates on which data are required to be submitted to educational service districts or the superintendent of public instruction and dates on which payments will be made to school districts.

NEW SECTION

WAC 392-121-170 **BASIC EDUCATION ALLOCATION—RESIDENT AND NONRESIDENT STUDENTS.** (1) State basic education allocation funds shall be paid for students enrolled in grades kindergarten through twelve who are under twenty-one years of age at the beginning of the school year.

(2) State basic education allocation funds shall be granted to each school district for resident students and nonresident students who are enrolled pursuant to chapter 392-135 WAC (interdistrict cooperation) or chapter 392-137 WAC (nonresident attendance), such funds shall be paid to the school district in which the student attends school.

NEW SECTION

WAC 392-121-175 **BASIC EDUCATION ALLOCATION—DEDUCTIBLE REVENUES.** In addition to those funds appropriated by the legislature for basic education allocation purposes, the deductible revenues expressly identified in RCW 28A.41.130 and the following deductible general fund revenues shall be included in the computation of the total annual basic education allocation of each school district pursuant to RCW 28A.41.130 and 140:

- (1) Proceeds from the sale of tax title real property managed by a county or of property rights appurtenant thereto;
- (2) Proceeds from the sale, rental or lease of stone, minerals, timber, forest products, other crops and matter, and improvement from or on tax title real property managed by a county;
- (3) State forest funds;
- (4) Proceeds from the state timber excise tax reserve fund; and
- (5) Federal in-lieu-of tax payments.

NEW SECTION

WAC 392-121-180 **ENROLLMENT TIME CREDIT-OFF-CAMPUS—ALTERNATIVE LEARNING EXPERIENCES—STUDY TIME—NATIONAL GUARD—ABSENCES.** (1) Off-campus instruction. Enrollment time for teaching/learning experiences primarily conducted off-campus may be credited towards full-time-equivalent student enrollment counts: **PROVIDED**, That the program operates in compliance with an approved written program plan on file in the appropriate school building. Off-campus program plans shall include but not be limited to:

- (a) The objective(s) of the program;
- (b) The teaching component(s) of the program, including where and when teaching activities will be conducted by school district certificated staff;
- (c) A schedule of the duration of the program, including beginning and ending dates within the school year;
- (d) A description of how student performance will be supervised, evaluated, and recorded by the certificated staff or by qualified school district employees under the direct supervision of the certificated staff; and
- (e) A description of intervention techniques and criteria for their use.

(2) Alternative learning experience. Alternative learning experience on or off-campus may be credited towards full-time-equivalent student enrollment counts: **PROVIDED**, That:

- (a) A written plan is on file as described in subsection (1);
- (b) The student is working toward course credit in courses of study formally established by the school district; and
- (c) The student's performance is subject to the direction of and evaluation by the district's certificated staff. Each course credit which is actively being pursued in an

alternative learning experience and which is the equivalent of one course credit may supplement or replace one hour of minimum time toward a scheduled school day.

(3) Contracting. Enrollment time in an educational institution other than a school district may be credited towards full-time-equivalent student enrollment count(s): **PROVIDED**, That:

(a) The student is working towards course credits which satisfy high school graduation requirements; and

(b) The school district has a contractual agreement with the educational institution to provide instruction at no cost to the student for tuition or fees.

(4) National guard. Enrollment time in a national guard high school career training program for which credit is being given toward either required high school or elective high school credits pursuant to RCW 28A-.04.133 and WAC 180-56-056 may be credited towards the full-time-equivalent student enrollment counts of the school district if an individual so enrolled last attended prior to enrollment in such national guard program.

(5) Study time. Enrollment time for nonclass study time may be credited towards full-time-equivalent student enrollment counts: **PROVIDED**, That the nonclass study time is scheduled in conjunction with other educational activity during the school day, and participation in such study time is monitored.

(6) Absences. A student whose consecutive days of absence from school encompasses two consecutive monthly enrollment report days as specified in WAC 392-121-105(2) shall be dropped from the rolls and shall not be counted as an enrolled student unless one of the following requirements is met:

(a) Attendance is resumed; or

(b) There is an agreement between the appropriate school official and the student's parent or guardian pursuant to RCW 28A.27.010 that the student's temporary absence is not deemed to cause a serious adverse effect upon the student's educational progress: **PROVIDED**, That such temporary absence shall not exceed twenty consecutive school days.

NEW SECTION

WAC 392-121-185 ADVANCE PAYMENTS—EMERGENCY. (1) Petition for emergency advance. A school district may petition the superintendent of public instruction for an emergency advance not to exceed ten percent of the total amount to become due and apportionable to the district from September 1 through June 30 of the school year. Emergency advances may be granted on the basis of the following conditions:

(a) It is probable that the district will be on an interest-bearing, warrant-issuing basis two months following the petition if an advance is not paid.

(b) It is probable that the district will be on warrant interest for at least three months during the period September through June if an advance is not paid.

(c) The district shall not have cash investments of the general fund or an interfund loan from the general fund during the months it expects to be on warrant interest.

(d) The petition shall be adopted by the board of directors of the district and shall set forth the following:

(i) The nature of the emergency requiring the advance;

(ii) The net cash balance of the general fund as of the date of petition;

(iii) A forecast of the general fund net cash balance for each month remaining in the fiscal year; and

(iv) The percentage requested to be advanced.

(2) Forfeiture of earnings on emergency advance. Any earnings by a school district on the investment of a temporary cash surplus materializing as a consequence of a previously obtained advance shall be deducted from the basic education allocation apportionment entitlement of the district.

NEW SECTION

WAC 392-121-190 REPORTING REQUIREMENTS. (1) Each school district shall provide, upon request of the superintendent of public instruction, such data as the superintendent deems appropriate to substantiate the district's entitlement to state basic education apportionment.

(2) The superintendent of public instruction shall provide each district with necessary report forms and shall advise each district of the due dates established by the superintendent for the return of such completed report forms to the educational service districts or to the superintendent of public instruction as now or hereafter established by the superintendent of public instruction and published in bulletins of the division of financial services. There shall be no adverse action taken by the superintendent as the result of any late submission of data unless educational service districts and school districts are notified in advance by bulletin of the division of financial services that adverse action in the form of a delay in the apportionment of state funds or otherwise may be taken.

(3) In the event any district fails to submit data in the form required by the superintendent of public instruction or submits data so that it is received by the educational service district superintendent or the superintendent of public instruction after the close of business on the date now or hereafter established by the superintendent of public instruction, but not later than the close of business on the fifth business day after the date the report is due, the district's then current monthly payment of basic education apportionment funds shall be delayed a minimum of ten calendar days from the first day of the next ensuing month.

In the event any district submits data so that it is received by the educational service district or the superintendent of public instruction later than the close of business of the fifth business day following the due date established by the superintendent of public instruction pursuant to bulletins of the division of financial services, the district's then current monthly payment of basic education apportionment funds shall be delayed until the next monthly payment date: **PROVIDED**, That the superintendent of public instruction has a reasonable period of time to edit and process the data submitted according to the monthly apportionment schedule established annually by the superintendent and now or hereafter published in bulletins of the division of financial services.

(4) In the event a district has extenuating circumstances, the district may deliver required reports directly to the superintendent of public instruction: PROVIDED, That not later than the due date(s) established pursuant to this section, the school district notifies the educational service district superintendent or designee of the extenuating circumstances and the decision to deliver such report to the superintendent of public instruction; such reports are received by the superintendent of public instruction not later than the close of business on the date established by the superintendent of public instruction; and the school district provides the educational service district superintendent with a copy of such report(s) within a reasonable amount of time following the due date.

REPEALER

The following sections of chapter 392-121 WAC entitled Finance—General Apportionment are hereby repealed:

WAC 392-121-005	Authority and purpose.
WAC 392-121-010	Definitions.
WAC 392-121-015	Additional definitions.
WAC 392-121-020	Annual distribution of apportionment funds.
WAC 392-121-025	Payment schedule.
WAC 392-121-030	Apportionment credit—Resident and nonresident students.
WAC 392-121-035	Apportionment funds resources and computation data.
WAC 392-121-040	Average annual base enrollment—Conversion to weighted student enrollment.
WAC 392-121-045	Enrollment time credit—off-campus—Alternative learning experiences—Study time—National guard—Absences.
WAC 392-121-050	Per weighted student guarantee—Method of computation.
WAC 392-121-055	District entitlement—Computation of.
WAC 392-121-060	Advance payments—Emergency.
WAC 392-121-065	Reporting requirements.

WSR 80-10-011
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 80-75—Filed July 28, 1980]

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 affords an opportunity to harvest salmon with troll gear in Area 6B.

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 July 28, 1980.

By Gordon Sandison
Director

NEW SECTION

WAC 220-28-006B0R **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 net gear in Puget Sound Salmon Management and Catch Reporting Area 6B.

REPEALER

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

WAC 220-28-006B0Q **CLOSED AREA (80-50)**

WSR 80-10-012
PROPOSED RULES
URBAN ARTERIAL BOARD
 [Filed July 29, 1980]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Urban Arterial Board intends to adopt, amend, or repeal rules concerning registered engineer in charge. The board proposes to amend the existing rule to allow plan review by the chairman if the supervision of a UAB project is being performed by an engineering consultant, WAC 479-16-015;

and that the adoption, amendment, or repeal of such rules will take place at 1:30 p.m., Thursday, October 16, 1980, in the Highway Administration Building Board Room, Olympia, Washington.

The authority under which these rules are proposed is chapter 47.26 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to October 1, 1980, and/or orally in Room 1D26, Highway Administration Building, Olympia, Washington 98504.

This notice is connected to and continues the matter noticed in Notice No. WSR 80-06-063 filed with the code reviser's office on May 22, 1980.

Dated: July 17, 1980
By: Robert A. Plaquet
Executive Secretary

WSR 80-10-013
ADOPTED RULES
URBAN ARTERIAL BOARD
[Order 80-01, Resolution 643—Filed July 29, 1980]

Be it resolved by the Urban Arterial Board, acting at Olympia, Washington, that it does promulgate and adopt the annexed rules relating to administration of projects by the Urban Arterial Board, WAC 479-20-036.

This action is taken pursuant to Notice No. WSR 80-06-063 filed with the code reviser on May 22, 1980. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Urban Arterial Board as authorized in chapter 47.26 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 July 17, 1980.

By Robert A. Plaquet
Executive Secretary

AMENDATORY SECTION (Amending Order #461, filed 9/16/77)

WAC 479-20-036 CONSIDERATION OF REQUESTS FOR AN INCREASE IN AUTHORIZED AMOUNT OF URBAN ARTERIAL TRUST FUNDS. ((Requests submitted to the Board at the project prospectus stage for an increase in participation of urban arterial trust funds over that amount set forth in the current six year construction program of the local agency in the last even-numbered year will not be approved by the Board.)) Local agencies may request an increase in the participation of urban arterial trust funds over the amount set forth in the current six year construction program at the preliminary prospectus, construction prospectus or contract completion stage of a project in accordance with the following procedures:

(1) At the preliminary or construction prospectus stage all requests shall be reviewed by the Chairman of the Board and he shall report his findings to the Board for its review, consideration and final action. The Board shall not grant a request for increase at these stages if:

((+))(a) ((if)) the original amount requested and approved by the Board was not based upon reasonable engineering estimates;

((2))(b) ((if)) the requested increase is for funds to pay for an expansion of the scope of the work originally proposed;

((3))(c) ((if)) after a full investigation the Board determines that the project can be developed within the limits of the funds already approved;

((4))(d) ((if)) the project can be reduced in scope while retaining a usable and functional segment by:

((A))(i) reduction in termini of the project in such a manner that the improvement will continue to improve the conditions underlying the project's position of priority and will continue to connect to adjacent traffic facilities capable of handling traffic volumes at the point of intersection; or

((B))(ii) inclusion within the termini of the project only the following items of cost as required:

((+))(A) right of way (desirable minimum right of way widths as set forth in the Urban Arterial Board design standards);

((+))(B) grading and paving;

((+))(C) structures;

((+))(D) drainage;

((+))(E) relocation of existing illumination and traffic control devices;

(e) the granting of the request will in any way adversely affect the construction program previously approved by the Board. In deciding on projects in federal urban areas or nonfederal urban areas, the Board shall endeavor to leave an amount equal to 10% of all approved projects or \$50,000 whichever is less in reserve in the appropriate account to insure that the Board has funds to deal with unanticipated cost overruns at the contract completion stage of those projects.

((5) if the project is in federal urban area and the total of all requests for increased urban arterial trust funds to be passed upon at a particular time exceeds the amount of urban arterial trust funds estimated to be remaining and available for allocation to the appropriate functional class in the region after considering:

(A) the amount of urban arterial trust funds necessary to fund all the urban arterial projects within that functional class in the region as previously approved by the Board; plus

(B) the amount of urban arterial trust funds estimated to be required to provide an increase of 10 percent, not to exceed \$50,000, of the amount of urban arterial trust funds previously authorized for each project previously approved by the Board for that functional class in the region.

(6) if the project is in the nonfederal urban area and the total of all requests for increased urban arterial trust funds to be passed upon at a particular time exceeds the amount of urban arterial trust funds estimated to be remaining and available for allocation to the appropriate region after considering:

(A) the amount of urban arterial trust funds necessary to fund all the urban arterial projects within that region as previously approved by the Board; plus

(B) the amount of urban arterial trust funds estimated to be required to provide an increase of 10 percent, not to exceed \$50,000, of the amount of urban arterial trust

funds previously authorized for each project previously approved by the Board for that region.

(7) if the granting of the request for increase will in any way adversely affect the construction program previously approved by the Board.

The Chairman of the Board shall review each request for an increase submitted at the project prospectus stage and shall report his findings to the Board for its review, consideration and final action.)

(2) Requests for increases in urban arterial trust funds submitted to the Board at the ((final estimate, bid, and)) contract completion stage((s)) shall be reviewed by the Chairman of the Board. The Chairman may authorize increases above the amount originally approved by the Board not to exceed ten percent, or \$50,000, whichever is the lesser when:

((+))(a) the additional funds are not requested because of an expansion in the scope of the work originally proposed to the Board by the local agency for the project; and

((2))(b) the request is substantiated with reasons for the increase and the Chairman determines that the increased funds ((are, in fact, needed to complete the requested project)) should not have been anticipated by the local agency at the preliminary or construction prospectus stage of the project.

(3) If the Board does not approve the request of a local agency ((of government)) for an increase at the ((project)) preliminary prospectus, construction prospectus, or contract completion stage, the administering agency may:

((+))(a) proceed with the project, paying for any additional costs with local or other funds; or

((2))(b) withdraw the request for urban arterial trust fund participation; or, if applicable

((3))(c) within the original amount requested, and subject to approval by the Chairman of the Urban Arterial Board, reduce the scope of the project while retaining a usable and functional segment ((by:)) through the use of techniques set out in subsection (1)(d) above.

((A) reduction in termini of the project in such a manner that the improvement will continue to improve the conditions underlying the project's position of priority and will continue to connect to adjacent traffic facilities capable of handling traffic volumes at the point of intersection; or

(B) inclusion within the termini of the project only the following items of cost as required:

(i) right of way (desirable minimum right of way widths as set forth in the urban arterial board design standards);

(ii) grading and paving;

(iii) structures;

(iv) drainage;

(v) relocation of existing illumination and traffic control devices.

Any local agency having a request for an increase at the final estimate, bid, and/or contract completion stages which is not authorized by the Chairman, or any local agency which does not submit a request for increase, may proceed in any of the following ways:

(1) it may pay for all additional costs of the project with local and other funds and proceed with the project;

(2) within the original amount requested, and subject to approval by the Chairman of the Urban Arterial Board, reduce the scope of the project while retaining a usable and functional segment by:

(A) reduction in termini of the project in such a manner that the improvement will continue to improve the conditions underlying the project's position of priority and will continue to connect to adjacent traffic facilities capable of handling traffic volumes at the point of intersection; or

(B) inclusion within the termini of the project only the following items of cost as required;

(i) right of way (desirable minimum right of way widths as set forth in the Urban Arterial Board design standards);

(ii) grading and paving;

(iii) structures;

(iv) drainage;

(v) relocation of existing illumination and traffic control devices.

(3) the local agency may withdraw its request for urban arterial trust funds for the project.)

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.

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 80-10-014
PROPOSED RULES
FORT STEILACOOM
COMMUNITY COLLEGE
[Filed July 30, 1980]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030, that Community College District No. 11, Fort Steilacoom Community College, intends to adopt, amend, or repeal rules concerning:

New	WAC 132K-104-101	Introduction.
New	WAC 132K-104-105	Statutory authority.
New	WAC 132K-104-110	Official seal.
New	WAC 132K-104-115	Office of the board.
New	WAC 132K-104-120	Board organization.
New	WAC 132K-104-125	Board meetings.
New	WAC 132K-104-130	Records of board action.
New	WAC 132K-104-135	Parliamentary procedure;

that such institution will at 2:00 p.m., Tuesday, September 9, 1980, in the Fort Steilacoom Community College, P 12 Board Room, 9401 Farwest Dr. S.W., Tacoma, WA 98498, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 2:00 p.m., Tuesday, September 9, 1980, in the Fort Steilacoom College, P 12 Board Room, 9401 Farwest Dr. S. W., Tacoma, WA 98498.

The authority under which these rules are proposed is RCW 28B.50.140.

Interested persons may submit data, views, or arguments to this institution in writing to be received by this

institution prior to September 9, 1980, and/or orally at 2:00 p.m., Tuesday, September 9, 1980, Fort Steilacoom Community College, P 12 Board Room, 9401 Farwest Dr. S. W., Tacoma, WA 98498.

Dated: July 9, 1980
By: Dr. Robert H. Stauffer
President

STATEMENT OF PURPOSE

Title: Board of Trustees-Bylaws, Community College District No. 11, Fort Steilacoom Community College.

Description of purpose: To establish operating procedure of policies applicable to the operation of Fort Steilacoom Community College.

Statutory authority: RCW 28B.50.140 (1)(14)(15)(19).

Summary of rule: To meet the requirement of Notice for the procedure of policies of Fort Steilacoom Community College.

Reasons supporting proposed action: To provide sufficient Notice of the policies and procedures of Fort Steilacoom Community College, and to comply with the Open Public Meeting Act, chapter 42.30 RCW.

Agency personnel responsible for:

Drafting: (name, office address, telephone)
Dr. Robert H. Stauffer, President, Fort Steilacoom Community College, 9401 Farwest Drive S. W., Tacoma, Washington 98498, Tel. (206) 964-6591.

Person or organization proposing rule, and whether public, private, or governmental:

Board of Trustees - 2 year public institution.

Agency comments or recommendations regarding statutory language, implementation, enforcement, fiscal matters:

None.

Whether rule is necessary as result of federal law or federal or state court action: (if so, attach copy of law or court decision)

Not applicable.

NEW SECTION

WAC 132K-104-101 INTRODUCTION. Community College District No. 11 (Fort Steilacoom Community College) is administered under law by the Board of Trustees. The district includes all of Pierce County except that portion lying within the common boundaries of the Tacoma and Peninsula school districts. The board is assisted in carrying out its powers and duties by a District President to whom certain authorities are delegated.

NEW SECTION

WAC 132K-104-105 STATUTORY AUTHORITY. The board operates under statutory authority generally contained in the Community College Act of 1967, as amended, chapter 28B.50 RCW.

NEW SECTION

WAC 132K-104-110 OFFICIAL SEAL. The Board of Trustees shall maintain an official seal for use upon any or all of official documents of the board. The seal shall have inscribed upon it the name of the college which shall be:

COMMUNITY COLLEGE DISTRICT NO. 11 FORT STEILACOOM COMMUNITY COLLEGE STATE OF WASHINGTON

NEW SECTION

WAC 132K-104-115 OFFICE OF THE BOARD. The Board of Trustees shall maintain an office on the main college campus. The office shall be located in Building P 12, 9401 Farwest Drive S.W., Tacoma, Washington 98498. This address is the official mailing address for the board. All regular meetings of the board shall be held at this location unless otherwise announced. Board records, minutes of meetings and the college seal shall likewise be kept at this location.

The office shall be open during normal business office hours to any resident of the state of Washington.

NEW SECTION

WAC 132K-104-120 BOARD ORGANIZATION. (1) The Board of Trustees consists of five members appointed by the governor, each for a five year term, beginning on 1 October of the year selected.

The board at the June meeting shall elect officers to serve 1 July to 30 June of each year. These officers shall include a chairman, and a vice-chairman. The District President shall serve as the Board Secretary without a vote.

(2) Officers. The chairman, in addition to any duties imposed by the state board shall preside at all regular and special meetings of the board, authenticate all legal and official documents of the board, and review the agenda prepared for each meeting. The chairman is the board spokesman unless in individual instances this authority is delegated to another board member by board action.

The vice-chairman, shall act as chairman in the absence of the chairman and is vested with the same power and duties in those instances.

The Secretary of the Board, shall be the District President and shall keep the official board seal, maintain records of all meetings and other official actions and correspondence of the board. He shall serve public notice of all meetings of the board as required by these bylaws and state law.

The secretary shall prepare the meeting agenda, insure pre-meeting distribution of agenda to board members and other authorized recipients, and distribute the minutes of meetings and related reports. The secretary shall also insure distribution of available documentation to board members concerning action items appearing on a given agenda in sufficient time to allow board members adequate study time of the items.

The Treasurer, a Treasurer of the Board shall be appointed to serve at the pleasure of the board. The treasurer shall render a true and faithful account of all moneys received and paid out by him or her and comply with the provisions of RCW 28B.50.143. The treasurer shall give bond for the faithful performance of the duties of the office in an amount as established by the board. The College District shall pay the fees for the bond.

The treasurer shall be supervised by the District President.

(3) Board and board member authority. Legal authority is vested in the Board of Trustees, and may be exercised only by action of the board, taken in regular or special meetings. No individual member may speak or act on behalf of the board unless specifically authorized by board approval. Every member of the board shall be under obligation to support any decision or policy adopted by the majority (a minimum of three concurring votes) and shall not publicly oppose such a decision or policy after it has been adopted. Any system of telephone voting is not considered legal or consistent with legislative intent.

The board will comply with the spirit and letter of the Open Meeting Law.

NEW SECTION

WAC 132K-104-125 BOARD MEETINGS. (1) Regular. Meetings will be held on the first Tuesday of each month at 2:00 p.m. Regular meetings normally will be held in the Board Room, Building P 12, 9401 Farwest Drive Southwest, Tacoma, Washington 98498. From time-to-time regular meetings may be held at other locations within the district. At no time will a meeting be held in a private home.

All regular meetings of the board are open to the public and will be advertised in local newspapers at least ten days in advance.

(2) Special. Meetings other than regular meetings may be called at anytime by the chairman or a majority vote of the board. These meetings will take place at an appropriate place within the district. Special meetings will be publicly advertised at least twenty-four hours prior to being convened, and are open to the public.

(3) Meeting agenda. (a) Preparation. The agenda is prepared by the Board Secretary and approved by the chairman. Items for the agenda must be submitted to the secretary by 12:00 noon, six working days prior to the meeting concerned to be included on the agenda. The chairman or secretary may include an item on the agenda, submitted by a board member without reference to the six-working day suspense.

When a proposed agenda item requires supporting materials for distribution to board members or others attending, ten copies of such material must be provided the secretary at the same time as the agenda item.

(b) Agenda order. The order of the agenda governing all regular meetings of the board shall be as follows:

- (i) Call to order
- (ii) Roll call and verifying a quorum
- (iii) Approval of previous meeting minutes
- (iv) Board actions
- (v) Reports to the board
 - (A) Regular
 - (B) Special
- (vi) Calendar
- (vii) Correspondence
- (viii) Future agenda items
- (ix) Next meeting
- (x) Adjournment

The order of the agenda may be adjusted by the chairman based on an unusual circumstance occurring at the time of the meeting.

The agenda for special meetings will be as required by the nature of the meeting.

(4) Study session. This gathering of the board and secretary is not a constituted meeting. The purpose is to receive presentations; review programs, proposals, or to study information relative to issues or actions. The study session is open to the public. No action may be taken at a study session.

(5) Executive session. While all official business must be conducted in open meeting, the board may hold an executive session during a regular or special meeting which shall be closed. The following may be considered in executive session:

- (a) Matters affecting national security.
- (b) To consider the selection of a site or the acquisition or real estate when publicity would cause a likelihood of increased price.
- (c) To consider the appointment, employment or dismissal of members of employees of the district.
- (d) To hear complaints or charges brought against an employee, unless the employee requests a public hearing.
- (e) During the examination of a witness, in connection with any investigation of complaints or charges against an employee.
- (f) To consider position concerning contract negotiations.
- (g) To consult with legal counsel.

NEW SECTION

WAC 132K-104-130 RECORDS OF BOARD ACTION. (1) Policy Manual. A Policy Manual shall be maintained by the secretary which shall contain those policy decisions taken by the board which are designated for inclusion. Policies will be grouped by subject matter for easy reference and will include at the bottom of the first page the statement "include in Policy Manual" along with the date of decision.

(2) Procedures Manual. The President of the District shall establish a Procedures Manual which will contain directives implementing board policy decisions, and such procedures as are developed through negotiation or originated by the president and his staff.

(3) Minutes of the meetings. The secretary shall insure the accurate and faithful reporting of board meeting activities through a system of written minutes. The recording of notes and production of minutes may be done by a member of the staff selected by the secretary. In each case the minutes will be approved and authenticated by the secretary or in his absence, a specific designee, prior to final publication and distribution. Minutes will be distributed to each board member and to others holding books of record of board meetings.

NEW SECTION

WAC 132K-104-135 PARLIAMENTARY PROCEDURE. Roberts Rules of Order 1970 newly revised especially that portion which pertains to small boards, shall pertain except where contrary to state law or Regulations of the State Board.

Three members of the board constitute a quorum and any action shall be approved by at least three members of the board.

Normally, voting shall be viva voce. However, a roll call vote may be called for by any member of the board for purposes of record.

WSR 80-10-015
PROPOSED RULES
FORT STEILACOOM
COMMUNITY COLLEGE
 [Filed July 30, 1980]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030, that Community College District No. 11, Fort Steilacoom Community College, intends to adopt, amend, or repeal rules concerning:

Rep	WAC 132K-104-001	Introduction.
Rep	WAC 132K-104-005	Office of board.
Rep	WAC 132K-104-010	Board meetings.
Rep	WAC 132K-104-015	Information for board members.
Rep	WAC 132K-104-020	Executive sessions.
Rep	WAC 132K-104-025	Agenda.
Rep	WAC 132K-104-030	Records of board action.
Rep	WAC 132K-104-035	Parliamentary procedure.
Rep	WAC 132K-104-040	Officers of the board.
Rep	WAC 132K-104-045	Restriction of individual authority.
Rep	WAC 132K-104-050	Fiscal year.
Rep	WAC 132K-104-055	Official seal.
Rep	WAC 132K-104-060	Revision of bylaws—Procedure.
Rep	WAC 132K-104-065	Delegation of responsibility;

that such institution will at 2:00 p.m., Tuesday, September 9, 1980, in the Fort Steilacoom Community College, P 12 Board Room, 9401 Farwest Dr. S. W., Tacoma, WA 98498, conduct a hearing relative thereto; and that the adoption, amendment, or repeal of such rules will take place at 2:00 p.m., Tuesday, September 9, 1980, in the Fort Steilacoom Community College, P 12 Board Room, 9401 Farwest Dr. S. W., Tacoma, WA 98498.

The authority under which these rules are proposed is RCW 28B.50.140.

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution prior to September 9, 1980, and/or orally at 2:00 p.m., Tuesday, September 9, 1980, Fort Steilacoom Community College, P 12 Board Room, 9401 Farwest Dr. S. W., Tacoma, WA 98498.

Dated: July 9, 1980
 By: Dr. Robert H. Stauffer
 President

STATEMENT OF PURPOSE

Title: Board of Trustees—Bylaws, Community College District No. 11, Fort Steilacoom Community College.

Description of purpose: To establish operating procedure of policies applicable to the operation of Fort Steilacoom Community College.

Statutory authority: RCW 28B.50.140 (1)(14)(15)(19).

Summary of rule: To meet the requirement of Notice for the procedure of policies of Fort Steilacoom Community College.

Reasons supporting proposed action: To provide sufficient Notice of the policies and procedures of Fort Steilacoom Community College, and to comply with the Open Public Meeting Act, chapter 42.30 RCW.

Agency personnel responsible for: Drafting: (name, office address, telephone) Dr. Robert H. Stauffer, President, Fort Steilacoom Community College, 9401 Farwest Drive S. W., Tacoma, Washington 98498, Tel. (206) 964-6591.

Person or organization proposing rule, and whether public, private, or governmental: Board of Trustees - 2 year public institution.

Agency comments or recommendations regarding statutory language, implementation, enforcement, fiscal matters: None.

Whether rule is necessary as result of federal law or federal or state court action: (if so, attach copy of law or court decision) Not applicable.

Ecology, Air and Land Offices, Rowsix, Building 4, 4224 6th Avenue S. E., Lacey, WA.

The authority under which these rules are proposed is chapter 70.107 RCW.

This notice is connected to and continues the matter noticed in Notice Nos. WSR 80-06-165 and 80-09-051 filed with the code reviser's office on 6/4/80 and 7/14/80.

Dated: July 28, 1980
By: Wilbur G. Hallauer
Director

WSR 80-10-017
ADOPTED RULES
DEPARTMENT OF ECOLOGY
[Order DE 80-30—Filed July 31, 1980]

I, Wilbur G. Hallauer, director of the Department of Ecology, do promulgate and adopt at the Department of Ecology, Lacey, Washington, the annexed rules relating to Hoquiam, City Of, amending WAC 173-19-2204.

This action is taken pursuant to Notice Nos. WSR 80-04-140, 80-06-049, 80-07-006 and 80-08-051 filed with the code reviser on 4/2/80, 5/14/80, 6/6/80 and 6/30/80. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 90.58.120 and 90.58.200 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 July 29, 1980.
By Wilbur G. Hallauer
Director

AMENDATORY SECTION (Amending Order DE 79-34, filed 1/30/80)

WAC 173-19-2204 HOQUIAM, CITY OF. City of Hoquiam master program approved April 14, 1976. Revisions approved July 29, 1980.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- (1) WAC 132K-104-001 INTRODUCTION.
- (2) WAC 132K-104-005 OFFICE OF BOARD.
- (3) WAC 132K-104-010 BOARD MEETINGS.
- (4) WAC 132K-104-015 INFORMATION FOR BOARD MEMBERS.
- (5) WAC 132K-104-020 EXECUTIVE SESSIONS.
- (6) WAC 132K-104-025 AGENDA.
- (7) WAC 132K-104-030 RECORDS OF BOARD ACTION.
- (8) WAC 132K-104-035 PARLIAMENTARY PROCEDURE.
- (9) WAC 132K-104-040 OFFICERS OF THE BOARD.
- (10) WAC 132K-104-045 RESTRICTION OF INDIVIDUAL AUTHORITY.
- (11) WAC 132K-104-050 FISCAL YEAR.
- (12) WAC 132K-104-055 OFFICIAL SEAL.
- (13) WAC 132K-104-060 REVISION OF BYLAWS—PROCEDURE.
- (14) WAC 132K-104-065 DELEGATION OF RESPONSIBILITY.

WSR 80-10-016
PROPOSED RULES
DEPARTMENT OF ECOLOGY
[Filed July 31, 1980]

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 motor vehicle noise performance standards, amending chapter 173-62 WAC;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Wednesday, September 3, 1980, in the Hearings Room, Department of

WSR 80-10-018
ATTORNEY GENERAL OPINION
Cite as: AGO 1980 No. 17
[July 30, 1980]

CITIES AND TOWNS—POLICE POWERS—MOTOR VEHICLES—INTOXICATING LIQUOR—PENALTY FOR DRIVING WHILE INTOXICATED IN VIOLATION OF MUNICIPAL ORDINANCE

While a city or a town which adopts an ordinance defining and establishing as a municipal offense the crime driving while intoxicated must do so in terms identical to

the statutory provisions of RCW 46.61.502, it is not also required to fix the same penalties for a violation as are fixed by the provisions of RCW 46.61.515.

Requested by:

Honorable Rod Chandler
State Representative, 45th Dist.
6522 - 20th N.E.
Redmond, Washington 98052

WSR 80-10-019
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 80-76—Filed July 31, 1980]

I, Gordon Sandison, director of the 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 adopted pursuant to the Columbia River Compact.

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

This rule is promulgated pursuant to RCW 75.40.010 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 July 30, 1980.

By Gordon Sandison
Director

NEW SECTION

WAC 220-32-04000I STURGEON - SETLINE.

(1) Notwithstanding the provisions of WAC 220-32-040, it shall be unlawful to take, fish for or possess sturgeon for commercial purposes with setline gear in Columbia River Salmon Management and Catch Reporting Areas 1A, 1C, 1D, that portion of 1B south of a line projected from Grays Point light to Harrington Point, and that portion of Area 1E downstream of a line projected due north from the mouth of Oneonta Creek on the Oregon side to a deadline marker on the Washington shore except at those times, with the gear and provisions designated below:

12 noon August 1 until 12 noon October 31, 1980.

Setline gear will be limited to 3 lines with not more than 500 hooks per line.

Buoys must be marked on each end with the fishing license number.

(2) *It shall be unlawful to retain any sturgeon not of lawful size, as provided in WAC 220-20-020(1).*

WSR 80-10-020
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 80-77—Filed July 31, 1980]

I, Gordon Sandison, director of the 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 restrictions in Area 6A are for the protection of Skagit River and Canadian chinook stocks. Area 8 and the Skagit River are closed to protect Skagit River chinook salmon.

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 July 31, 1980.

By Gordon Sandison
Director

NEW SECTION

WAC 220-28-006A0Q MESH RESTRICTION.

(1) Effective immediately through September 6, 1980, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take fish for or possess salmon, for commercial purposes with gillnet gear having a mesh size greater than 5-7/8 inches in Puget Sound Salmon Management and Catch Reporting Area 6A.

(2) Effective immediately until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to retain chinook salmon taken for commercial purposes with purse seine gear in that portion of Puget Sound Salmon Management and Catch Reporting Area 6A inside, easterly and northerly of a line projected from Point Partridge Light to the most northeasterly of the Lawson Reef lighted buoys (RB 1 QK Fl Bell).

NEW SECTION

WAC 220-28-00800B **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 in Puget Sound Salmon Management and Catch Reporting Area 8.*

NEW SECTION

WAC 220-28-008F0C **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 from the waters of the Skagit River, including all tributaries.*

REPEALER

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

- WAC 220-28-006A0P **MESH RESTRICTION** (80-72)
- WAC 220-28-00800A **CLOSED AREA** (80-72)
- WAC 220-28-008F0B **MESH RESTRICTION** (80-72)

WSR 80-10-021
PROPOSED RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)
 [Filed August 1, 1980]

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:

- Amd WAC 356-06-010 Definition.
- Amd WAC 356-15-120 Special assignment pay provisions.
- Amd WAC 356-26-060 Certification—General methods.
- Amd WAC 356-42-010 Membership in employee organization.
- Amd WAC 356-42-020 Determination of bargaining unit;

that such agency will at 10:00 a.m., Thursday, September 11, 1980, in the Board Hearing 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, September 11, 1980, in the Board Hearing Room, 600 South Franklin, Olympia, WA 98504.

The authority under which these rules are proposed is RCW 41.06.040 and .050.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 9, 1980, and/or orally at 10:00 a.m., Thursday, September 11, 1980, Board

Hearing Room, 600 South Franklin, Olympia, WA 98504.

Dated: July 30, 1980
By: Leonard Nord
Secretary

STATEMENT OF PURPOSE

Amend WAC 356-06-010

Title: Definitions.

Purpose: Provides the definitions for common words or terms used throughout the WAC.

Statutory authority: chapter 41.06 RCW.

Summary: Proposal would delete the terms "executive management" and "supervisor" from the list of definitions.

Reasons: Sponsors maintain that these two definitions were designed exclusively for use in excluding certain positions from bargaining units. As the State Court of Appeals has ruled that such exclusions are not proper and the State Personnel Board is modifying its Rules to reflect this order, sponsors feel use of the definitions is no longer necessary. Responsibility for Drafting: John Calhoun, Dept. of Transportation, Highway Administration Bldg., Olympia, Phone: 753-7337; Larry Goodman, Washington Federation of State Employees, 201 W. 5th, Room 401, Olympia, Phone: 352-7603.

Implementation and Enforcement: State Personnel Board, Leonard Nord, Secretary, 600 South Franklin, Olympia, Phone: 753-5358.

Proposed by: Department of Transportation Governmental Organization, Washington Federation of State Employees, AFL-CIO, Private Organization (union).

Comments: The Department of Personnel is reviewing the use of these definitions to determine the impact of their deletion on position classification determinations.

Amend WAC 356-15-120

Title: Special Assignment Pay Provisions

Purpose: Specifies those classes and/or responsibilities which have been determined to merit special pay in addition to standard pay.

Statutory authority: chapter 41.06 RCW.

Summary: New paragraph (10) would provide for payment of basic salary plus 10% for employees of the Department of Social and Health Services working in an institution whose duties include involvement with residents in a way not typical of their job classification (i.e., supervision, training, therapy, security, custody, or counseling).

Reasons: Sponsor feels financial recognition should be given to those positions expected to performing duties above and beyond those normally expected.

Responsibility for Drafting: Larry Goodman, Washington Federation of State Employees, 201 W. 5th Ave., Room 401, Olympia, Phone: 352-7603; Implementation and Enforcement: Brick Kane, Personnel Director, Dept. of Social and Health Services, Office Building 2, Olympia, Phone: 753-2620.

Proposed by: Washington Federation of State Employees, AFL-CIO, Private Organization (union).

Comments: The Department of Personnel and the Department of Social and Health Services are opposed to the proposed change. It is felt the language is too vague, i.e., does not specify which classes would be involved, and does not define degrees of involvement required to qualify for special pay. Implementation would be extremely difficult for the foregoing reasons and enforcement would be inconsistent due to the fact that duties may fluctuate. Fiscal impact cannot be determined at this time but is considered to be substantial.

Amend WAC 356-26-060

Title: Certification-General Methods

Purpose: Specifies the various methods by which names of eligible candidates are submitted to agencies for consideration of appointment to State Civil Service positions.

Statutory authority: chapter 41.06 RCW.

Summary: Proposal would require the Department of Personnel to notify each incumbent state employee whenever their name is referred to an agency for consideration for appointment. Would also require that a state employee be notified of the decision of the appointing authority.

Reasons: Sponsor states that state employees who submit their names for consideration of other appointments and career opportunities in state government should be kept apprised of any actions resulting from their application.

Responsibility for Drafting: Larry Goodman, Washington Federation of State Employees, 201 W. 5th Ave., Room 401, Olympia, Phone: 352-7603; Implementation and Enforcement: Carol Schmitt, Personnel Analyst, Department of Personnel, 600 South Franklin, Olympia, Phone: 753-2374. Proposed by: Washington Federation of State Employees, AFL-CIO, Private Organization (union).

Comments: This proposal is under review by the Department of Personnel and will be presented to other affected State agencies for comment at the Merit System Rule Meeting to be held September 2, 1980. Based upon a cursory review, this proposal

would appear unfeasible from the standpoint of additional costs and workload.

Amend WAC 356-42-010 and 356-42-020
Titles: Membership in Employee Organization and Determination of Bargaining Unit
Purpose: Delineates the rights of state employees to belong to an employee organization; specifies procedures to be followed and factors to be considered when establishing or modifying a bargaining agreement.

Statutory authority: chapter 41.06 RCW.

Summary: Effect of proposed change is to extend bargaining rights to state employees previously defined as "executive management" and "supervisor", providing for separate bargaining units for these groups of employees.

Reasons: To comply with January, 1980, Court of Appeals Order invalidating WAC 356-42-010(2).

Responsibility for Drafting: Garry Hull, Personnel Analyst, Labor Relations Division, Department of Personnel, 600 South Franklin, Olympia, Phone: 753-2290; Implementation and Enforcement: Same as above.

Proposed by: Departments of Personnel, Transportation, Social and Health Services, Fisheries, Agriculture, Natural Resources, Veterans Affairs, Employment Security, and Liquor Control Board. Governmental Organizations, Washington Federation of State Employees, AFL-CIO, Private Organization (union).

Comments: Proposals submitted by the Department of Personnel, other agencies, and the Federation do vary slightly due to differing interpretations of meaning of the WAC's and of the Court Order.

Court of Appeal Order: **STATE EMPLOYEES v. PERSONNEL BOARD** 25 Wn. App. 198 (1980)

AMENDATORY SECTION (Amending Order 145, filed 7/8/80)

WAC 356-06-010 DEFINITIONS. The following definitions apply throughout these rules unless the context clearly indicates another meaning:

ACTING APPOINTMENT - An appointment of limited duration made from within the classified service to a supervisory or managerial position.

ADMINISTRATIVE PERSONNEL - Employees who regularly exercise discretion and independent judgment in the performance of: (1) Work related directly to management policy; or, (2) work providing direct assistance to executive or administrative personnel.

AGENCY - An office, department, board, commission, or other separate unit or division, however designated, of the state government and all personnel thereof. It includes any unit of state government established by law, the executive officer or members of which are either elected or appointed, upon which the statutes confer powers and impose duties in connection with operations of either a governmental or proprietary nature.

AGRICULTURAL PERSONNEL - Employees performing work which includes farming and all its branches, including cultivating the soil, or growing or harvesting crops, or raising livestock, bees, fur-bearing animals, or poultry; or doing any practices performed by a

farmer or on a farm as an incident to or in conjunction with such farming operations.

ALLIED REGISTER – A register for a class for which the duties and minimum or desirable qualifications are equivalent to or above those for another class.

ALLOCATION – The assignment of a position to a job classification.

ANNIVERSARY DATE – Original entry date into state service as adjusted by leave without pay or break in service.

APPOINTING AUTHORITY – A person or group of persons lawfully authorized to make appointments.

BARGAINING UNIT – The group of employees in positions determined by the personnel board to constitute a unit appropriate for collective bargaining purposes under these rules.

BASIC SALARY RANGE – The dollar amount of the step of the salary range to which the employee is entitled, before any deduction, and exclusive of additional compensation of any kind.

BOARD – The state personnel board.

BUMPING – The replacement of an incumbent by another employee subject to reduction-in-force, who has greater seniority.

CAREER PLANNING – A programmed process designed to assist employee career growth through job experience, training and/or continuing education.

CERTIFICATION – Providing an agency with the appropriate number of names of candidates who have passed the examination for a given class and are eligible to be considered for vacancies.

CLASS – Identification of a position, or a group of positions, sufficiently similar in duties so that the same requirements of training, experience, or skill and the same title, examination, and salary range may be applied.

CLASSIFIED SERVICE – All positions and employees in the state service subject to the provisions of chapter 41.06 RCW and these rules.

COLLECTIVE BARGAINING OR COLLECTIVE NEGOTIATION – The performance of the mutual obligation of the appointing authority, or designee, and the certified exclusive representative of a bargaining unit to meet in an attempt to reach an agreement on all personnel matters over which the appointing authority may lawfully exercise discretion.

COMPENSATORY TIME – Time off in lieu of cash payment for overtime.

COMPETITIVE SERVICE – All positions in the classified service for which a competitive examination is required as a condition precedent to appointment.

DATE OF ELECTION – The date of election is the date the Director of Personnel certifies the results of the election.

DEMOTION – A change of a permanent employee from a position in one class to a position in another class having a lower maximum salary.

DESIRABLE QUALIFICATIONS – The levels of education and/or experience deemed desirable or preferable for admission to the examination in lieu of fixed minimum qualifications.

DIRECTOR – The director of the department of personnel.

DISABILITY – An employee's bodily inability to perform adequately the essential duties of the job class. (For purposes of WAC 356-35-010, this definition shall not include maternity.)

DISMISSAL – The termination of employment of a permanent employee (for cause) or of a probationary employee as specified in these rules.

EDUCATION LEAVE OF ABSENCE – An authorized leave of absence for educational purposes.

ELEVATION – Restoring an employee to the higher classification, with permanent status, which was held prior to being granted a demotion.

ELIGIBLE – An applicant whose name is on a register.

EMERGENCY APPOINTMENT – An appointment, for emergency reasons, not to exceed 60 calendar days.

EMPLOYEE – Any person employed under the jurisdiction of these rules.

EMPLOYEE ORGANIZATION – Any organization having the authority, as specified in WAC 356-42-010, to represent state employees on personnel matters.

((EXECUTIVE MANAGEMENT (As used in Chapter 42 of these rules) – All personnel who have substantial responsibility for the formulation of personnel and labor relations policies, or for directing and

controlling program operations of an agency, department or major administrative division thereof or employees regularly engaged in personnel work in other than a clerical capacity but including the secretary to an agency personnel officer.))

EXECUTIVE PERSONNEL (As used in chapter 15 of these rules) – Employees who customarily and regularly exercise discretionary powers in directing and controlling program operations of an agency or division or customarily recognized subdivision thereof and personnel who are responsible for (1) hiring or firing or making substantial recommendation for same and (2) directing the work of and (3) regulating the working hours of two or more employees.

EXEMPT POSITION – Any position designated as exempt from the application of these rules as specified in WAC 356-06-020.

FULL TIME EMPLOYMENT – Regularly scheduled employment requiring an average of 40 hours of work per week. However, for certification from a register, work between 32 – 40 hours per week shall be considered full time.

HANDICAPPED – Persons with physical, mental or sensory impairments that would impede that individual in obtaining and maintaining permanent employment and promotional opportunities. The impairments must be material rather than slight; static and permanent in that they are seldom fully corrected by medical replacement, therapy or surgical means.

HOLIDAYS – Paid nonwork days for state employees as established by RCW 1.16.050.

HOUSED PERSONNEL – Employees whose duties require that they reside at the place of their employment or who otherwise spend a substantial portion of their work time subject to call and not engaged in the performance of active duties.

HUMAN RESOURCE DEVELOPMENT – The function of achieving agency goals by changing or enhancing employees' knowledge, skills, attitudes and behaviors.

INTERMITTENT EMPLOYMENT – Employment without any understanding of continuity, fitting no particular pattern and performed for no more than a total of (nine months) 1560 hours during any consecutive 12-month period.

INTERVENING SALARY STEPS – All increment steps in a salary range, except the lowest and highest.

LAW ENFORCEMENT PERSONNEL – Employees empowered by statute to enforce laws designed to maintain public peace and order, protect life and property, and detect and prevent crimes. Employees in these positions must have the power of arrest, and have been trained in rules of evidence, laws of arrest, search and seizure and legal rights of citizens.

MINIMUM QUALIFICATIONS – The training, experience, and other qualifications established for a given class and required of an applicant for admission to the examination for that class.

NONCOMPETITIVE POSITIONS – Positions designated by the board as not requiring a competitive examination.

ORIENTATION – An introduction to the organization and to tasks, jobs, procedures and other activities new to the employee.

OVERTIME – Work authorized and performed in accordance with WAC 356-15-030.

PART TIME EMPLOYMENT – Work of less than 40 hours per week. However, for certification from registers, work of less than 32 hours per week shall be considered part time.

PERIODIC INCREMENT DATE – The date established in accordance with the Merit System Rule on which an employee is entitled to a salary increase within a salary schedule range as prescribed in the Merit System Rules.

PERMANENT EMPLOYEE – An employee who has successfully completed a probationary period and has had no break in service.

PERSONNEL RECORD – Such information having pertinence to the employment of an employee and which is retained in a specific location as required by WAC 356-46-060(2)A.

POSITION – A group of duties and responsibilities normally assigned to an employee. Such position may be filled or vacant, full-time or part-time, seasonal, temporary or permanent.

PREMIUM PAYMENT – Wage payment over and above the basic salary rate authorized by the board for extraordinary conditions of employment.

PROBATIONARY PERIOD – The trial period of employment following certification and appointment to, or reemployment in, the classified service and continuing for six months.

PROFESSIONAL PERSONNEL – Employees performing work which requires consistent exercise of independent judgment and is in a specialized field requiring advanced knowledge normally gained

through achieving a baccalaureate degree but which may be gained through equivalent experience.

PROJECT EMPLOYMENT – A program designated by the Director of Personnel as "Project Employment", that is separately financed by a grant, federal funds, or by state funds, or by a combination of funds to provide training or employment opportunities or expertise or additional employees to carry out a specific project or goal and which, either because of the nature of the project, funding requirements, or potential harmful impact on employment opportunities for regular Civil Service employees, cannot be facilitated through the regular Civil Service system. Such a program may last upward to two years and beyond, but has an end in sight.

PROMOTION – A change of a permanent employee from a position in one class to a position in a class having a higher maximum salary.

PROVISIONAL APPOINTMENT – An appointment to a position pending the establishment of a register for that class.

REDUCTION-IN-FORCE – A separation resulting from a lack of funds, lack of work, good faith reorganization for efficiency purposes, or from there being fewer positions than the employees entitled to the positions because of exercising their rights to return to the classified service. When a reduction-in-force occurs, it is a separation from service without cause on the part of the employee.

REDUCTION IN SALARY – Placement of an employee's salary at a lower step within the range as a result of a disciplinary action.

REEMPLOYMENT – An appointment, made from the reemployment register, of a former employee who had permanent status.

REGISTER – A list of eligible names established for employment or reemployment in a class.

REINSTATEMENT – Return of an employee to full employment rights by board action following appeal hearing.

RESIGNATION – A voluntary separation from employment.

REVERSION – Voluntary or involuntary movement of an employee during a six-month trial service period to the lower class which was held prior to the employee's last promotion.

SALARY RANGE – A sequence of minimum, intervening, and maximum dollar amounts designated by the board as the monthly compensation for a class.

SEASONAL EMPLOYMENT – Work that is cyclic in nature beginning and ending at approximately the same time every year and lasting for no more than nine months.

SENIORITY – A measure of the last period of unbroken time served in positions in the classified service under the jurisdiction of the state personnel board. Service in positions brought under the jurisdiction of the state personnel board by statute is counted as though it had previously been under the jurisdiction of the state personnel board. Leaves of absence granted by agencies and separations due to reduction-in-force are not considered a break in service. Time spent on leaves of absence without pay is not credited unless it is for educational leaves, or statutes require it be credited; or it is taken at the specific request of an agency so employees may perform work specifically related to state work. Time spent off the state payroll due to reduction-in-force is not credited. Time spent in exempt appointments listed in RCW 41.06.070 will be credited and the service will not be regarded as broken when employees return from exempt service in accordance to RCW 41.06.070(22), WAC 356-06-055, 356-30-045 and 356-30-330. Time spent under the jurisdiction of the higher education personnel board will be added when the employee comes under the jurisdiction of the state personnel board through the provisions of WAC 356-06-055(4). The length of active military service of a veteran, not to exceed five years, shall be added to the state service for such veteran or his widow.

SERIES – A group of classes of positions to which the same kind of work is assigned but which is at different levels of difficulty and responsibility.

(SUPERVISOR – Any individual having substantial responsibility on behalf of management regularly to participate in the performance of all or most of the following functions: Employ, promote, transfer, suspend, discharge or adjudicate grievances of other employees, if in connection with the foregoing, the exercise of such responsibility is not of a merely routine nature but requires the exercise of independent judgment:))

SUSPENSION – An enforced absence without pay for disciplinary purposes.

TANDEM EMPLOYMENT – Any position filled by more than one employee as voluntarily agreed between management and employee(s) who jointly fulfill the responsibilities and duties of the position(s).

TEMPORARY EMPLOYMENT – Single or multiple periods of employment during the absence of a permanent employee on leave; or for work done at a workload peak and normally lasting for less than nine months and having an end in sight.

TERMINATION – Separation from employment for reasons beyond the control of the employee.

TRAINING – An organized learning process designed to provide needed changes in the skills, knowledges, attitudes or behaviors of employees.

TRANSFER – The change of an employee who has gained permanent status in a class with no break in service from one to another classified position having the same salary range number.

TRIAL SERVICE PERIOD – A six-month trial period of employment of a permanent employee beginning with the effective date of the promotion or demotion or appointment from the promotional register.

TUITION REIMBURSEMENT – A full or partial reimbursement to eligible employees by the employing agency for tuition paid to attend approved courses.

UNDERFILL – The filling of a position with an employee in a lower related class in the absence of an adequate eligible register for the classification.

UNION SHOP – A form of union security that requires that all employees within a bargaining unit become members of the certified bargaining representative within 30 calendar days of the union shop election or 30 calendar days from an employee's date of hire, whichever is later.

UNION SHOP FEE – The union shop fee, sometimes known as a representation fee, is the fee paid by an employee to a union shop representative in lieu of holding membership in that union. An employee who has been certified for nonmembership status because of bona fide religious tenets of a church or religious body of which the employee is a member, shall pay a fee equivalent to the regular monthly dues of the union shop representative minus any included monthly premiums for union sponsored insurance programs.

UNION SHOP REPRESENTATIVE – A union shop representative is an employee organization that is certified as exclusive bargaining representative for a bargaining unit and which has also been certified as union shop representative by the Director of Personnel. To be certified as union shop representative, a majority of all employees in the bargaining unit must vote in favor of having the petitioning employee organization as their union representative.

VETERAN – For the purpose of granting preference during layoffs and subsequent reemployment, any person who has one or more years of active military service in any branch of the armed forces of the United States or who has less than one year's service and is discharged with a disability incurred in the line of duty or is discharged at the convenience of the government and who, upon termination of such service, has received an honorable discharge, a discharge for physical reasons with an honorable record, or a release from active military service with evidence of service other than that for which an undesirable, bad conduct, or dishonorable discharge is given: PROVIDED, That the person has not voluntarily retired with 20 or more years of active military service and has military retirement pay in excess of \$500 per month.

VETERAN'S WIDOW – For the purpose of granting preference during layoffs and subsequent reemployment, the unmarried wife of a deceased veteran as defined in WAC 356-06-010 except that such veteran's one-year minimum length of active military service shall be disregarded.

VOLUNTEER EXPERIENCE – Work experience for which no salary was received, which may be credited toward meeting the minimum qualifications for a classification: Provided such experience is equivalent to and not prohibited by the minimum qualifications of the classification. Volunteer experience for which academic credit was granted may be used to satisfy either the educational or the experience requirements of a class, but may not be used for both.

WORK DAY – A 24-hour period beginning at a time determined by the appointing authority. For scheduled standard work period positions the work day begins at the scheduled starting time of the employee.

WORK PERIOD DESIGNATION – Identification of each classification's and position's criteria for hours of work as defined in WAC 356-15-020 and qualifications for premium pay as defined in chapter 356-15 WAC.

WORK SCHEDULE – A series of workshifts and work days within the workweek.

WORKSHIFT – Scheduled working hours within the workday.

WORKWEEK – A regular recurring period of 168 hours beginning at a time determined by the appointing authority and continuing for seven consecutive 24-hour periods. For scheduled standard work period positions the workweek begins at the scheduled starting time of the first shift of the employee's uniform shifts.

Y-RATE – A salary amount which either exceeds the maximum step for the salary range of an employee's class or a salary amount that falls between the steps of a salary range of an employee's class.

AMENDATORY SECTION (Amending Order 137, filed 11/13/79)

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 two salary ranges 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 two ranges 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 four-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 Personnel Board may approve special pay provisions to the Compensation Plan to reflect hazardous/dangerous working conditions of specific positions when: ((+)) (a) such conditions are not normally expected of those positions assigned to the respective classes; and ((+)) (b) 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 four 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 four 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).

(9) Basic salary range plus four ranges for each day employees within the classification of Custodian are assigned specific duties which

require the use of scaffolding or safety harnesses when cleaning windows from the outside and above the first floor. Also, basic salary plus two ranges for employees within the classification of Custodian who are assigned fulltime to a floor care crew and operate heavy duty floor cleaning and waxing equipment.

(10) Basic salary range plus 10% shall be paid to those employees working in an institution of the Department of Social and Health Services whose duties include involvement with residents for purposes of supervision, training, therapy, security, custody or counseling, or any combination thereof, provided said duties are foreign to the traditional expectation of the job classification.

AMENDATORY SECTION (Amending Order 142, filed 3/14/80)

WAC 356-26-060 CERTIFICATION—GENERAL METHODS. Upon receipt of a request for certification, the Director of Personnel shall normally certify to the appointing authority a list of names equal in number to two more than there are vacancies to be filled from the ranked registers except:

(1) One name will constitute a complete certification when referrals are made from the agency reduction-in-force register; the service-wide reduction-in-force register; or the dual agency reversion register provided such eligible candidate meets a selective certification requirement that was approved by the Department of Personnel based upon special qualifications as intended by the first paragraph in MSR 356-26-130 when the position was last filled.

(2) Where all names are certified exclusively from an open competitive register, the Director of Personnel may certify in ranked order up to all of the names from the open competitive register: PROVIDED, That the appointing authority shall select from those eligibles available from the highest ranking names which constitute three names per vacancy to be filled.

(3) When more than one candidate has the same examination rating, three names shall be certified as determined by lot.

(4) Additional names may be referred from the unranked registers when completing a certification. When an unranked register is used to complete a certification, all names appearing on that register shall be certified; however, if a complete certification is possible when an unranked register is used, then the next register shall not be utilized.

(5) The Director of Personnel, upon request and after consultation with the employing department and employee representatives, may declare positions, groups of positions or classes of positions as training positions. Such positions may be filled from the next lower level register in the class series as designated by the Director of Personnel with employees being automatically advanced after completion of one year's service in the lower level class.

(6) When the vacancy to be filled is identified as part of an agency's Affirmative Action goals as established by their approved Affirmative Action Plan, the Director of Personnel may, except where there are employees on the reduction-in-force register, refer up to three additional names per vacancy of individuals who are on existing registers and who are members of the protected groups under Title VII of the 1964 Civil Rights Act and chapter 49.60 RCW, State Law Against Discrimination, or for Federal Contract Compliance Purposes, veterans and disabled veterans as defined in the Vietnam Era Veteran's Readjustment Act of 1974, Title 41, CFR, Chapter 60, Part 60-250, "Affirmative Action Obligations of Contractors and Subcontractors for Disabled Veterans and Veterans of the Vietnam Era." This action may be taken when necessary to comply with the best standards of personnel administration as contemplated by chapter 41.06 RCW.

Agencies shall request from the Department of Personnel a determination prior to the utilization of this rule as to whether there are members of the protected groups on existing registers. If there are no such members on the registers, active recruitment will be initiated.

(7) The Director of Personnel or his/her designee may refer, for the following classes, a sufficient number of names to assure that requesting agencies have not less than three names available to fill the position:

Messenger Clerk
Receptionist
Clerk-Steno 1 Visually Handicapped
Clerk-Steno 2 Visually Handicapped
Clerk-Typist 1
Clerk-Typist 2
Dictating Machine Transcriber
Power Keyboard Operator 1
Power Keyboard Operator 2

PBX Operator

~~((Remote Terminal Typist 1))~~
 Remote Job Entry Operator 1
~~((Remote Terminal Typist 2))~~
 Remote Job Entry Operator 2
~~Remote Job Entry Operator 3~~
 Data Entry Operator 1
 Data Entry Operator 2

If such certification contains three or more available promotional candidates, agencies shall appoint from the promotional candidates.

(8) All incumbent state employees referred by certification to the appointing authority for consideration of appointment shall be notified at the time of the referral. Upon appointment of a certified name the appointing authority shall advise those state employees certified, but not appointed, of the action taken.

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.

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 69, filed 9/30/74)

WAC 356-42-010 MEMBERSHIP IN EMPLOYEE ORGANIZATION. (1) State employees shall have the right to affiliate with, be represented by and participate in, the management of employee organizations. ~~((Pursuant to WAC 356-42-010(2),))~~ State employees shall have the right to be represented by such organizations in collective negotiations with appointing authorities. No persons or parties shall directly or indirectly interfere with, restrain, coerce or discriminate against any State employee or group of State employees in the free exercise of these rights. However, the right not to affiliate with employee organizations shall be modified by the certification of a union shop representative according to WAC 356-42-043.

~~((2)) The provisions of WAC 356-42-020 through 356-42-050 shall not extend to employees with duties as defined under "executive management" and "supervisor" and to individuals regularly privy to confidential matters affecting the employer-employee relationship.)~~

~~((3))~~ (2) Any employee organization or person desiring to represent State employees before the State Personnel Board or in collective negotiations with an appointing authority must first file a Notice of Intent to Represent State Employees with the Director of Personnel. Such Notice of Intent to Represent State Employees must set forth the name of the person or employee organization, and if the latter, the name of an agent authorized to speak on its behalf; a mailing address and telephone number; a general description of the types of employment falling within the intended area of representation; and a copy of a constitution, by-laws, or any other documents defining powers and authorizing representation of the parties filing the Notice of Intent.

AMENDATORY SECTION (Amending Order 42, filed 1/11/72)

WAC 356-42-020 DETERMINATION OF BARGAINING UNIT. (1) Determination, alteration, or modification of an appropriate bargaining unit shall be made by the Personnel Board upon petition from an employee organization, or upon the Board's own motion after 20 days' notice has been given to the appointing authority and to affected employees and their representatives.

(2) Prior to an employee organization petitioning the Personnel Board for creation or modification of a bargaining unit, the petitioning employee organization will confer with the appointing authority on the proposed unit creation or unit modification.

(3) If an appointing authority has reason to believe that an existing bargaining unit in the appointing authority's agency or department is no longer appropriate, the appointing authority may request the Personnel Board to consider modification of the bargaining unit. However, if there is an employee organization certified as exclusive bargaining representative for that unit, the appointing authority will first confer with the certified employee organization on the proposed modification prior to presenting the request to the Personnel Board. The Personnel Board may choose to consider such unit modification questions and would act on its own motion as designated in 356-42-020(1).

(4) In determining a bargaining unit, the Personnel Board shall consider the following factors:

(a) Duties, skills and working conditions of the employees.
 (b) History of collective bargaining by the employees and their representatives.

(c) Extent of organization among the employees.

(d) Desires of the employees.

(5) Any petition filed hereunder should set forth all pertinent facts and supporting reasons, as comprehensively as possible, to aid the Personnel Board in its determination.

(6) After a hearing on a petition, the Personnel Board shall enter an appropriate order containing findings of fact and conclusions.

WSR 80-10-022**EMERGENCY RULES****DEPARTMENT OF FISHERIES**

[Order 80-78—Filed August 1, 1980]

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 implements I.P.S.F.C. rules pursuant to RCW 75.40.060.

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

This rule is promulgated pursuant to RCW 75.40.060 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 August 1, 1980.

By Gordon Sandison
 Director

NEW SECTION

WAC 220-47-901 COMMERCIAL SOCKEYE SALMON FISHERY. I, Gordon Sandison, Director of Fisheries, hereby adopt for the State of Washington the following rules of the United States Department of Commerce in effect on August 1, 1980 and as published in the Federal Register June 30, 1980:

Title 50 – Wildlife and Fisheries, Chapter III – International Regulatory Agencies (Fishing and Whaling), Subchapter C – International Pacific Salmon Fisheries Commission, Part 371 – Fraser River Sockeye and Pink Salmon Regulations.

The Federal Register is generally available at law libraries and larger public libraries.

REPEALER

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

WAC 220-28-801 **COMMERCIAL AND TREATY INDIAN SOCK-EYE SALMON FISHERY.**
(80-74)

WSR 80-10-023
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 80-79—Filed August 1, 1980]

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 implements I.P.S.F.C. rules pursuant to RCW 75.40.060.

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

This rule is promulgated pursuant to RCW 75.40.060 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 August 1, 1980.

By Gordon Sandison
Director

NEW SECTION

WAC 220-28-802 **TREATY INDIAN SOCKEYE FISHERY.** Effective immediately through August 6, 1980, treaty Indian sockeye salmon fishing rules of the United States Department of Interior, as adopted by Order 80-68 of the Director of Fisheries and as published in the Federal Register July 14, 1980 are superceded in part by this section.

(1) No treaty Indian shall fish for sockeye salmon in U.S. Convention waters in Puget Sound Management and Catch Reporting Areas 4B and 5 except with lawful gear from 5:00 a.m. Saturday, August 2 to 9:30 a.m. Wednesday, August 6, 1980.

(2) No treaty Indian shall fish for sockeye salmon in the U.S. Convention waters in Puget Sound Management and Catch Reporting Areas 6, 6A, 6C, 7, 7A and 7D except as follows:

Gill Net

7:00 p.m. Saturday August 2 to 9:30 a.m. Monday, August 4, 1980

7:00 p.m. Monday August 4 to 9:30 a.m. Tuesday, August 5, 1980

Purse Seine and Reef Net

5:00 a.m. to 9:30 p.m. Sunday, August 3, 1980

5:00 a.m. to 9:30 p.m. Monday, August 4, 1980

(3) It shall be unlawful for any treaty Indian fisherman to take, fish for or possess salmon for commercial purposes in Puget Sound waters under I.P.S.F.C. control except while exercising treaty Indian fishing rights at usual and accustomed grounds and stations.

WSR 80-10-024
PROPOSED RULES
DEPARTMENT OF TRANSPORTATION
[Filed August 4, 1980]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 47.44 RCW, that the Department of Transportation intends to adopt, amend, or repeal rules concerning determination of need for franchise hearings, as required by chapter 47.44 RCW and chapter 28, Laws of 1980;

that such agency will at 10:00 a.m., Monday, September 15, 1980, in the Board Room, Highway 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., Monday, September 15, 1980, in the Board Room, Highway Administration Building, Olympia, Washington.

The authority under which these rules are proposed is chapter 47.44 RCW and chapter 28, Laws of 1980.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 15, 1980, and/or orally at 10:00 a.m., Monday, September 15, 1980, Board Room, Highway Administration Building, Olympia, Washington.

Dated: August 1, 1980

By: V. W. Korf
Deputy Secretary

STATEMENT OF PURPOSE

1. TITLE: New section WAC 468-34-030. Establishes procedures for determining whether a hearing or hearing opportunity is required for a franchise application.
2. RESULT OF FEDERAL LAW OR FEDERAL OR STATE COURT ACTION: Not applicable.
3. STATUTORY AUTHORITY: RCW 47.44.010 and 47.44.020 as amended by chapter 28, Laws of 1980.
4. SUMMARY OF RULE: Establishes procedures and outlines criteria to be used for determining whether a hearing or hearing opportunity is required for a franchise application.

5. **REASON FOR RULE:** This rule is necessary to comply with chapter 28, Laws of 1980 which was enacted to eliminate advertising which appeared to serve no public purpose.
6. **FOR FURTHER INFORMATION:** Mr. A. D. Andreas, Design Engineer for the Department of Transportation, Room 2B4, Highway Administration Building, phone 753-7355, is responsible for the drafting and implementation of this rule.
7. **PROponents OF RULE:** The Washington State Department of Transportation is the proponent of the rule.
8. **AGENCY COMMENTS OR RECOMMENDATIONS:** The Washington State Department of Transportation is responsible for administration of the rule.

NEW SECTION

WAC 468-34-030 DETERMINATION OF NEED FOR FRANCHISE HEARING. (1) Upon the filing of an application for franchise, the department shall determine whether the work involved with the franchise may (a) during construction, significantly disrupt the flow of traffic or use of driveways or other facilities within the right of way, or (b) during or following construction, cause a significant and adverse effect upon the surrounding environment, in order to determine whether a hearing or hearing opportunity is required.

(2) If the department deems it to be in the public interest a hearing or hearing opportunity may be required for any franchise application. A hearing or hearing opportunity will normally be required for a franchise which involves any of the following:

- (a) Overhead transmission lines in excess of 35 kV.
- (b) Facilities involving the installation of pipe larger than 18 inches nominal diameter.
- (c) Conduits requiring an excavation wider than three feet.
- (d) Pipelines carrying transmittants which are flammable, corrosive, expansive, energized or unstable and are larger than four inches nominal diameter.
- (e) Pressurized carrier pipes larger than twelve inches nominal diameter.
- (f) Underground installations of any size that require excavation through landscaped areas which are authorized by permit and which are maintained by owners of abutting property.

(3) The department may dispense with holding a hearing where the planned facility has already been or is the subject of environmental land use or other hearings of where the applicant presents evidence or a direct contact with owners of abutting property.

(4) Those franchise applications which the department determines warrant a hearing or hearing opportunity shall be processed in accordance with WAC 468-34-040 through WAC 468-34-090. All other franchise applications may be approved by the department without being processed in accordance with WAC 468-34-040 through WAC 468-34-090, including franchises previously filed but not advertised.

WSR 80-10-025
EMERGENCY RULES
DEPARTMENT OF GAME
(Game Commission)
 [Order 103—Filed August 4, 1980]

Be it resolved by the undersigned, Ralph W. Larson, Director, Washington State Department of Game, that I promulgate and adopt at Olympia, Washington, as emergency rule of this governing body, the annexed rule relating to emergency season extension on Picnic Point

Pond Lake (Snohomish County), Geneva Lake (King County), Pine Lake (King County), Fazon Lake (Whatcom County), Spearfish Lake (Klickitat County), Potholes Lake (Klickitat County), Joe's Lake (Klickitat County), and Clear Lake (Bald Hills) (Thurston County), beginning September 1, 1980, until October 31, 1980, WAC 232-28-60206.

I, Ralph W. Larson, 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 the public interest. A statement of facts constituting such emergency is Picnic Point Pond Lake (Snohomish County), Geneva Lake (King County), Pine Lake (King County), Fazon Lake (Whatcom County), Spearfish Lake (Klickitat County), Potholes Lake (Klickitat County), Joe's Lake (Klickitat County), and Clear Lake (Bald Hills) (Thurston County), are approved for lake rehabilitation programs. The purpose of this emergency, beginning September 1, 1980, and terminating on October 31, 1980, is to allow maximum harvest and recreation on the fish stocks before the lakes are rehabilitated. Such rules are therefore adopted as emergency rules to take effect upon filing with the Code Reviser.

This rule is promulgated under the authority of the Director of Game as authorized in RCW 77.12.150 with the approval of the Game Commission as provided in that statute.

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 July 7, 1980.

Ralph W. Larson
Director

NEW SECTION

WAC 232-28-60206 EMERGENCY SEASON EXTENSION ON PICNIC POINT POND LAKE (SNOHOMISH COUNTY), GENEVA LAKE (KING COUNTY), PINE LAKE (KING COUNTY), FAZON LAKE (WHATCOM COUNTY), SPEARFISH LAKE (KLICKITAT COUNTY), POTHOLE LAKE (KLICKITAT COUNTY), JOE'S LAKE (KLICKITAT COUNTY), AND CLEAR LAKE (BALD HILLS) (THURSTON COUNTY) BEGINNING SEPTEMBER 1, 1980 UNTIL OCTOBER 31, 1980. Notwithstanding the provisions of WAC 232-28-602, Picnic Point Pond Lake, Geneva Lake, Pine Lake, Fazon Lake, Spearfish Lake, Potholes Lake, Joe's Lake and Clear Lake (Bald Hills) shall have an emergency extension on the fishing season beginning September 1, 1980 until October 31, 1980.

WSR 80-10-026
EMERGENCY RULES
DEPARTMENT OF GAME
(Game Commission)
 [Order 105—Filed August 4, 1980]

Be it resolved by the undersigned, Ralph W. Larson, Director, Washington State Department of Game, that I promulgate and adopt at Olympia, Washington, as emergency rule of this governing body, the annexed rule relating to cancellation of the 1980 Mountain Goat Hunting Season in Goat Unit No. 17, Goats Rocks Area and Goat Unit No. 40, Smith Creek Area, WAC 232-28-80201.

I, Ralph W. Larson, 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 the public interest. A statement of the facts constituting such emergency is because of public access closure of lands by the U. S. National Forest Service in the vicinity of Mt. St. Helens, and Goat Unit No. 17, Goat Rocks Area and Goat Unit No. 40, Smith Creek Area lie in this vicinity, and because the Department of Game has not had time to evaluate the impact of heavy ash fallout on goat populations, it is necessary to cancel the 1980 mountain goat hunting season. Such rules are therefore adopted as emergency rules to take effect upon filing with the Code Reviser.

This rule is promulgated under the authority of the Director of Game as authorized in RCW 77.12.150 with the approval of the Game Commission as provided in that statute.

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 July 7, 1980.

Ralph W. Larson
Director

NEW SECTION

WAC 232-28-80201 CANCELLATION OF THE 1980 MOUNTAIN GOAT HUNTING SEASON IN GOAT UNIT NO. 17 - GOAT ROCKS AREA AND GOAT UNIT NO. 40 - SMITH CREEK AREA Notwithstanding the provisions of WAC 232-28-802, Goat Unit No. 17 - Goat Rocks Area and Goat Unit No. 40 - Smith Creek Area shall have an emergency closure on the 1980 mountain goat hunting season beginning September 6, 1980 until October 31, 1980.

WSR 80-10-027
EMERGENCY RULES
DEPARTMENT OF GAME
(Game Commission)
 [Order 110—Filed August 4, 1980]

I, Jack Wayland, Interim Director, Washington State Department of Game, do promulgate and adopt at Olympia, Washington, the annexed rule relating to Steelhead Closure on the Columbia River, WAC 232-28-60207.

I, Jack Wayland, 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 the public interest. A statement of the facts constituting such emergency is steelhead returns passing through the Columbia River to the Snake River drainage are predicted to be critically low in 1980, and the entire run of mature steelhead, which are defined as those over 20 inches in length, will be necessary to meet spawning escapement needs. It is therefore necessary for the purposes of conservation to protect the critically low run of steelhead trout to prohibit the taking of those mature steelhead over 20 inches in length as they pass into and through the Columbia River, including Drano Lake, from the Megler-Astoria bridge upstream to Highway 12 bridge at Pasco.

Such rule is therefore adopted as an emergency.

This rule is promulgated under the authority of the Director of Game as authorized in RCW 77.12.150 with the approval of the Game Commission as provided in that statute.

The undersigned hereby declared 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 August 1, 1980.

Jack Wayland

NEW SECTION

WAC 232-28-60207 STEELHEAD CLOSURE ON THE COLUMBIA RIVER. Notwithstanding the provisions of WAC 232-28-602, it shall be unlawful for any sports fishermen to take, fish for, or possess steelhead trout over 20 inches in length in the Columbia River, including Drano Lake, from the Megler-Astoria bridge upstream to Highway 12 at Pasco.

This regulation shall become effective 12:01 a.m., August 5, 1980.

WSR 80-10-028
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 1528—Filed August 4, 1980]

I, N. Spencer Hammond, Ex. Assistant, of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

- Amd ch. 388-29 WAC AFDC and GAU—Eligibility.
- Amd WAC 388-35-070 GAN—Requirements.
- Amd WAC 388-42-150 Funeral standards.

I, N. Spencer Hammond, 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 rules were previously adopted on an emergency basis by Order No. 1513 on July 1, 1980. The secretary does not wish to adopt them permanently but does wish them to be effective until November 1, 1980.

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 August 4, 1980.

By N. S. Hammond
 Executive Assistant

AMENDATORY SECTION (Amending Order 1434, filed 9/21/79)

WAC 388-29-100 MONTHLY STANDARDS FOR BASIC REQUIREMENTS—AFDC AND CONTINUING GENERAL ASSISTANCE. (1) The state-wide monthly standards for food, clothing, personal maintenance and necessary incidentals, household maintenance and shelter for those owning (including life estate), buying or renting an apartment or house shall be:

Recipients in Household	State Standard	Area Differential for King, Pierce, Snohomish, Kitsap and Thurston Counties	State Standard Plus Area Differential for King, Pierce, Snohomish, Kitsap and Thurston Counties
1	(\$220) \$244	(\$13) \$15	(\$233) \$259
2	((305)) 339	((34)) 37	((339)) 376
3	((363)) 425	((30)) 33	((413)) 458
4	((453))	((30))	((483))

Recipients in Household	State Standard	Area Differential for King, Pierce, Snohomish, Kitsap and Thurston Counties	State Standard Plus Area Differential for King, Pierce, Snohomish, Kitsap and Thurston Counties
5	((523)) 581	((30)) 33	((553)) 614
6	((593)) 659	((30)) 33	((623)) 692
7	((663)) 737	((30)) 33	((693)) 770
8	((733)) 815	((30)) 33	((763)) 848
9	((803)) 893	((30)) 33	((833)) 926
10	((873)) 971	((30)) 33	((903)) 1,004
11	((943)) 1,049	((30)) 33	((973)) 1,082
12	((1,013)) 1,127	((30)) 33	((1,043)) 1,160
13	((1,083)) 1,205	((30)) 33	((1,113)) 1,238
14	((1,153)) 1,283	((30)) 33	((1,183)) 1,316
15	((1,223)) 1,361	((30)) 33	((1,253)) 1,394
16	((1,293)) 1,439	((30)) 33	((1,323)) 1,472
17	((1,363)) 1,517	((30)) 33	((1,393)) 1,550
18 or more	((1,433)) 1,595	((30)) 33	((1,463)) 1,628

(2) Deleted

(3) Household with supplied shelter.

The monthly standard for supplied shelter includes requirements for food, clothing, personal maintenance and necessary incidentals, and household maintenance.

Recipients in household – all counties

1	\$ ((43)) 159
2	((208)) 231
3	((276)) 306
4	((344)) 381
5	((412)) 456
6	((480)) 531
7	((548)) 606
8	((616)) 681
9	((684)) 756
10	((752)) 831
11	((820)) 906
12	((888)) 981
13	((956)) 1,056
14	((1,024)) 1,131
15	((1,092)) 1,206
16	((1,160)) 1,281
17	((1,228)) 1,356
18 or more	((1,296)) 1,431

(4) These standards are effective July 1, ~~((+979))~~ 1980.

AMENDATORY SECTION (Amending Order 1434, filed 9/21/79)

WAC 388-29-110 **MAXIMUMS TO MONTHLY STANDARDS FOR BASIC REQUIREMENTS.** (1) Grants to families of 7 or more shall not exceed the following maximums. In computing the grant amount non-exempt income and resources which are available to meet need shall be deducted from the monthly standard specified in WAC 388-29-100.

	Number of recipients in household					
	7	8	9	10	11	12
Maximum	(\$694)	(\$727)	(\$758)	(\$787)	(\$814)	(\$839)
	<u>\$771</u>	<u>\$804</u>	<u>\$835</u>	<u>\$864</u>	<u>\$891</u>	<u>\$916</u>
	13	14	15	16	17	18
Maximum	(\$862)	(\$883)	(\$902)	(\$919)	(\$934)	(\$947)
	<u>\$939</u>	<u>\$960</u>	<u>\$979</u>	<u>\$996</u>	<u>\$1,011</u>	<u>\$1,024</u>

(2) These standards are effective July 1, ((+979)) 1980.

AMENDATORY SECTION (Amending Order 1434, filed 9/21/79)

WAC 388-29-135 **COST STANDARDS FOR REQUIREMENTS—MATERNITY HOME CARE.** (1) The payment standard for a recipient of AFDC residing in a maternity home shall be ((~~\$457.80~~)) \$504.60 per month, which includes \$32.50 for clothing and personal incidentals.

(2) The standard for maternity home care for an unmarried child eligible for foster care payment shall be the rate established in the agreement between the department and the maternity home agency.

(3) These standards are effective July 1, ((+979)) 1980.

AMENDATORY SECTION (Amending Order 1434, filed 9/21/79)

WAC 388-29-155 **STANDARDS FOR ADDITIONAL REQUIREMENTS UNDER SPECIFIED CIRCUMSTANCES—CHILD CARE EXPENSES FOR EMPLOYED PERSONS.** (1) The expense of child care shall be authorized as an additional requirement only when financial services has determined the care is necessary due to employment and there is no one reasonably available to perform such service without cost, except that child care expenses for employed WIN participants shall be authorized as specified in WAC 388-57-057.

(2) The cost allowed for child care shall be the most reasonable which can be obtained for the type of care required.

(a) Out-of-home day care

(i) An additional requirement shall be authorized for licensed out-of-home day care. Licensure is not required of those persons exempted in RCW 74.15.020.

(ii) Recipients utilizing unlicensed out-of-home day care will be given thirty days to obtain appropriate care.

Such thirty-day period shall begin on the date the client is given written notice of this requirement. Payment will not be withheld from recipients whose out-of-home day care provider has made application for licensure.

(iii) The part-time payment standard for day care of less than seven hours per day shall be ((~~\$1.04~~)) \$1.11 per hour for each child.

(iv) The full-time payment standard for day care of seven hours or more per day shall be ((~~\$7.27~~)) \$7.78 per day for each child.

(b) In-home child care

(i) The payment standard for in-home care shall be ((~~\$1.04~~)) \$1.11 per hour for the care of three children or less in the family, or ((~~\$1.35~~)) \$1.44 per hour for care of four or more children in the family.

(ii) If total payments to an individual providing in-home care are expected to be \$50 or more in any one quarter, the employer's share of the FICA tax must be added to the amount authorized for in-home care.

(3) No payments shall be allowed for child care provided by the child's parent or stepparent.

(4) The payment standards in subsection (2)(a) and (b) of this section may be exceeded provided that the actual rate is the least expensive rate available to the client, for the type of care required.

(5) Payment based upon the rate incurred through an enrollment contract can be made provided that:

(a) The requirements in subsection (4) of this section are met; and

(b) No other noncontractual child care is reasonably available to the client; and

(c) Any absence in excess of two days per month is attributable to illness.

(6) "Enrollment contract" shall be defined as a legally binding written agreement between a client and a day care facility in which fees are set on the basis of the child's registration for attendance in the facility.

(7) These rules shall be effective July 1, ((+979)) 1980.

AMENDATORY SECTION (Amending Order 1434, filed 9/21/79)

WAC 388-29-160 **STANDARDS FOR ADDITIONAL REQUIREMENTS UNDER SPECIFIC CIRCUMSTANCES—RESTAURANT MEALS.** (1) Restaurant meals shall be an additional requirement only when:

(a) The individual is physically or mentally unable to prepare any of his meals, and

(b) Board, or board and room, is not available or the use of such facilities is not feasible for an individual.

(2) The monthly additional requirement for restaurant meals shall be ((~~\$72.40~~)) \$80.35.

(3) These standards are effective July 1, ((+979)) 1980.

AMENDATORY SECTION (Amending Order 1434, filed 9/21/79)

WAC 388-29-170 **STANDARDS FOR ADDITIONAL REQUIREMENTS UNDER SPECIFIED CIRCUMSTANCES—DAILY RESTAURANT**

MEALS. (1) The standard for emergency restaurant meals shall be (~~(\$3.85)~~) \$4.30 per day.

(2) The daily restaurant meal standard shall be used only when such assistance is required pending full determination of eligibility, or for temporary assistance of a week or less. The emergency standard shall be used not to exceed one week within a thirty-day period. When need for restaurant meals continues beyond one week, the standard in WAC 388-29-160 shall be used.

(3) The emergency restaurant meal allowance is a subsistence standard and does not provide adequate nutrition for a prolonged period.

(4) These standards are effective July 1, (~~(+1979)~~) 1980.

AMENDATORY SECTION (Amending Order 1434, filed 9/21/79)

WAC 388-29-200 STANDARDS FOR ADDITIONAL REQUIREMENTS UNDER SPECIFIED CIRCUMSTANCES—FOOD FOR GUIDE DOG. (1) The cost of food for a guide dog shall be an additional requirement when an applicant for SSI or an assistance grant has a guide dog assigned to him by an accredited guide dog organization. The cost standard for food for a guide dog shall be (~~(\$23.25)~~) \$25.80.

(2) These standards are effective July 1, (~~(+1979)~~) 1980.

AMENDATORY SECTION (Amending Order 1434, filed 9/21/79)

WAC 388-29-220 STANDARDS FOR ADDITIONAL REQUIREMENTS UNDER SPECIFIED CIRCUMSTANCES—LAUNDRY. (1) Laundry is an additional requirement when:

(a) The applicant or recipient is physically unable to do his laundry, and

(b) He has no one able to perform this service for him.

(2) The monthly cost standard for laundry shall be (~~(\$6.35)~~) \$7.05.

(3) These standards are effective July 1, (~~(+1979)~~) 1980.

AMENDATORY SECTION (Amending Order 1434, filed 9/21/79)

WAC 388-29-260 REQUIREMENTS OF PERSON IN BOARDING HOME—CONTINUING GENERAL ASSISTANCE. (1) The standard for board and room shall be (~~(\$160.00)~~) \$177.60 per month or (~~(\$5.26)~~) \$5.85 per day.

(2) The monthly standard for clothing and personal maintenance and necessary incidentals shall be \$27.50.

(3) These standards are effective July 1, (~~(+1979)~~) 1980.

AMENDATORY SECTION (Amending Order 1436, filed 9/21/79)

WAC 388-35-070 NONCONTINUING GENERAL ASSISTANCE—REQUIREMENTS. (1) The standards for monthly requirements for a noncontinuing

general assistance applicant/recipient, effective July 1, (~~(+1979)~~) 1980, shall be:

Number of GA-N recipients in assistance unit

1	2	3	4	5	6	7	8	9
(\$ 66)	\$105	\$138	\$173	\$213	\$251	\$286	\$323	\$360
<u>\$ 73</u>	<u>\$117</u>	<u>\$153</u>	<u>\$192</u>	<u>\$236</u>	<u>\$279</u>	<u>\$317</u>	<u>\$359</u>	<u>\$400</u>

10 11 12 13 14 15 16 17 18 or more

(\$397)	\$436	\$473	\$510	\$549	\$585	\$623	\$659	\$697
<u>\$444</u>	<u>\$483</u>	<u>\$525</u>	<u>\$566</u>	<u>\$609</u>	<u>\$649</u>	<u>\$692</u>	<u>\$731</u>	<u>\$774</u>

(2) An emergency shelter requirement shall be authorized by the CSO in the following circumstances:

(a) The applicant/recipient has been given, and presents to the CSO, a notice to quit premises or pay rent.

(b) The CSO has contacted the landlord and has been assured that payment of up to one month's rent standard will be sufficient to forestall eviction.

(c) The amount authorized shall be the actual amount needed to forestall eviction, not to exceed the following standards:

Number of GA-N recipients in assistance unit

1	2	3	4	5	6	7	8	9
(\$ 90)	\$131	\$136	\$139	\$139	\$142	\$146	\$149	\$152
<u>\$100</u>	<u>\$145</u>	<u>\$151</u>	<u>\$154</u>	<u>\$154</u>	<u>\$158</u>	<u>\$162</u>	<u>\$165</u>	<u>\$169</u>

10 11 12 13 14 15 16 17 18 or more

(\$155)	\$157	\$160	\$162	\$165	\$167	\$168	\$173	\$175
<u>\$172</u>	<u>\$174</u>	<u>\$178</u>	<u>\$180</u>	<u>\$183</u>	<u>\$185</u>	<u>\$186</u>	<u>\$192</u>	<u>\$194</u>

(3) An emergency utility requirement shall be authorized by the CSO in the following circumstances:

(a) The applicant/recipient has been given, and presents to the CSO, a notice of impending utility shut-off issued by the company providing the service, or it is otherwise verified by the CSO that the applicant or recipient is without necessary fuel for heating or cooking.

(b) The CSO has contacted the utility company or other provider of fuel to determine the amount necessary to forestall shut-off or otherwise provide necessary fuel.

(c) The amount authorized shall be the actual amount needed to forestall shut-off or to purchase one month's supply of fuel, not to exceed the following standards:

Number of GA-N recipients in assistance unit

1	2	3	4	5	6	7	8	9
(\$ 46)	\$ 48	\$ 67	\$ 77	\$ 83	\$ 88	\$ 95	\$101	\$111
<u>\$ 51</u>	<u>\$ 53</u>	<u>\$ 74</u>	<u>\$ 85</u>	<u>\$ 92</u>	<u>\$ 98</u>	<u>\$105</u>	<u>\$112</u>	<u>\$123</u>

10 11 12 13 14 15 16 17 18 or more

(\$120)	\$130	\$140	\$151	\$162	\$172	\$183	\$193	\$204
<u>\$133</u>	<u>\$144</u>	<u>\$155</u>	<u>\$168</u>	<u>\$180</u>	<u>\$191</u>	<u>\$203</u>	<u>\$214</u>	<u>\$226</u>

AMENDATORY SECTION (Amending Order 1434, filed 9/21/79)

WAC 388-42-150 MAXIMUM COST STANDARDS FOR FUNERAL DIRECTOR'S SERVICES AND BURIAL OR CREMATION SERVICES. (1) Funeral director's services—Actual charges, but not to exceed

- (a) *Minimum service*
 Adult or older child (casket 5 feet or larger) . . \$((~~217~~))232
 Child (casket 2 feet 6 inches, less than 5 feet) . \$((~~169~~))181
 Child (casket less than 2 feet 6 inches) \$ ((~~81~~))87
- (b) *Regular service*
 Adult or older child (casket 5 feet or larger) . . \$((~~496~~))531
 Child (casket 2 feet 6 inches, less than 5 feet) . \$((~~209~~))224
 Child (casket less than 2 feet 6 inches) \$ ((~~81~~))87
- (2) *Burial or cremation services*
 (a) *Burial only* \$((~~223~~))239
 Burial in grave of another \$((~~223~~))239
 Burial with lot included \$((~~251~~))261
 (b) *Cremation only* \$((~~223~~))239
 Cremation with burial place included \$((~~230~~))246
- (3) *These standards include all applicable taxes.*
- (4) *These standards shall be effective July 1, ((~~1979~~))*
1980.

WSR 80-10-029
EXECUTIVE ORDER
OFFICE OF THE GOVERNOR
 [EO 80-11]

3RD AMENDED EXECUTIVE ORDER
 (In Reference to Mt. St. Helens Proclamation)
 (April 3, 1980)

WHEREAS, on June 2, 1980, I amended Executive Order 80-08 by issuing Executive Order 80-09, prohibiting any person or persons, subject to certain exceptions, from entering and/or occupying, at any time, the area designated as the RED zone; and

WHEREAS, since that time the potential for major eruptions, earthquakes and ashfall from Mt. St. Helens continues to exist throughout large portions of the state threatening to cause more destruction of life, health and property; and

WHEREAS, the majority of the land ownership within the east half of the RED zone is administered by the U. S. Forest Service, it is the intent of this order to have each jurisdiction's rules and procedures complement each other to maximize the public safety.

NOW, THEREFORE, I, Dixy Lee Ray, Governor of the state of Washington, do by virtue of the power vested in me pursuant to the Revised Code of Washington (hereinafter RCW) 43.06.010(12), 43.06.210, 43.06.220(2), (8) and (9), 38.52.050 (3)(a) and (f) and 38.52.010 (7), hereby order that no person or persons shall enter and/or occupy at any time and by any means the area which shall be designated as the RED zone and which shall be described within the following boundaries:

From the intersection of township 11 north, range 2 east just north of Kid Valley, Cowlitz County; then east to the northwest corner of section 5, township 10 north, range 2 east; then south along the section line to the southwest corner of section 8, township 10 north, range 2 east; then west to the west boundary of range 2 east; then south along the west boundary of range 2 east to the northwest corner of section 18, township 6

north, range 2 east; then east along the section line to the point of intersect with the Lewis River Road, then southwest along the northwest shoulder of the road to the intersection of State Highway 503; crossing the Lewis River Road at that point and proceeding northeast along the southeast shoulder of the road to the intersection of Lewis River Road and Reese Road; then southwest along Reese Road to a point of intersection with the high water mark of Yale Lake, then following the high water mark south to Yale Dam, across the top of the dam then along the high water mark to the section line dividing sections 32 and 33 of township 6 north, range 4 east to the northwest corner of section 4, township 5 north, range 4 east; then south to the southwest corner of section 33, township 5 north, range 4 east; then east along the south boundary of township 5 north to the southwest corner of section 31, township 5 north, range 7 east; then north along the west boundary of range 7 east to the northwest corner of section 6, township 5 north, range 7 east; then east along the north boundary of township 5 north to the southeast corner of section 34, township 6 north, range 8 east; then north along the section line to the northwest corner of section 26, township 6 north, range 8 east; then east along the section line to the southeast corner of section 24, township 6 north, range 8 east; then north along the east boundary of range 8 east to the northeast corner of section 1, township 10 north, range 8 east, which is also the Lewis County boundary; then west along the north boundary of township 10 north to the southeast corner of section 36, township 11 north, range 7 east; then north along the east boundary of range 7 east to the northeast corner of section 24, township 11 north, range 7 east; then west along the section line to the southeast corner of section 15, township 11 north, range 6 east; then north along the section line to the northeast corner of section 15, township 11 north, range 6 east; then west along the section line to the northeast corner of section 16, township 11 north, range 6 east; then south along the section line to the southeast corner of section 16, township 11 north, range 6 east; then west along the section line to the southeast corner of section 17, township 11 north, range 6 east; then north along the section line to the northeast corner of section 17, township 11 north, range 6 east; then west along the section line to the northeast corner of section 13, township 11 north, range 2 east; then south along the west boundary of range 3 east; to the northeast corner of section 24, township 11 north, range 2 east; then west to the northwest

corner of section 19, township 11 north, range 2 east; then south along the west boundary of range 2 east to the point of beginning.

This Executive Order shall supersede all prior Executive Orders pertaining to Mt. St. Helens.

I hereby delegate to the Washington State Director of Emergency Services, and the Sheriffs of the counties of Cowlitz, Clark, Skamania and Lewis, or their designee(s), the authority stated below pursuant to RCW 38.52.050 (3)(f).

The following shall be exempted from this order prohibiting entry and/or occupation of the RED zone, as described above, subject to limitations provided in the paragraphs below.

1. Scientific research personnel as determined by the United States Geological Survey.
2. Search and rescue personnel registered or as identified pursuant to RCW 38.52.010(5) on official search and rescue missions within the RED zone.
 - a. The Sheriffs of Lewis, Cowlitz, Clark, and Skamania Counties or their designee(s) shall have the authority to approve entry and/or occupation by search and rescue personnel.
3. Federal, state, county or local law enforcement and firefighting personnel whose jurisdiction is within the RED zone and who are on official business within the RED zone.
4. Federal, state, county or local administrative personnel on official business within the RED zone.
 - a. The Director, Washington State Department of Emergency Services, or his designee(s), shall have the authority to approve entry and/or occupation by state, county and local administrative personnel on official business.
 - b. Federal administrative personnel will be required to obtain and possess a permit.
5. Individual(s) who own and/or control real property or personal property being used as a residence and whose official permanent residence is within the RED zone.
6. Individual(s) with a legitimate business reason for being within the RED zone, provided they are approved by the Washington State Director of Emergency Services or his designee(s).
7. News media personnel, provided they are approved by the Washington State Director of Emergency Services or his designee(s).
8. Individual(s) not included in one through seven above, provided they are approved by

the Washington State Director of Emergency Services or his designee(s).

Each individual and personnel given permission to enter and/or occupy the RED zone under one and four through eight above, shall obtain a special identification permit from the Washington State Department of Licensing prior to entry into the RED zone. This entry permit must be carried upon the person of the individual at all times.

Prior to entry and/or occupation within the RED zone each individual and personnel under one and five through eight, shall be required to sign a "Waiver of Rights" form releasing and discharging the state of Washington and all its political subdivisions, their officers or agents or employees from all liability for any damages or losses incurred by the individual while within the RED zone or as a result of entering or occupying that zone. The "Waiver of Rights" form shall be issued by the Washington State Department of Licensing.

Any person willfully violating this order shall be guilty of a gross misdemeanor pursuant to RCW 46.06.220 and shall be punished by imprisonment in the county jail for a maximum term of not more than one year, or a fine in an amount of not more than one thousand dollars.

Any person who violates any other rule, regulation or order issued under the authority of Chapter 38.52 RCW shall be guilty of a misdemeanor and shall be punished by imprisonment in the county jail for a maximum term of not more than ninety days or by a fine in an amount not more than five hundred dollars or both.

IN WITNESS WHERE-
OF, I have hereunto set my
hand and caused the seal of
the state of Washington to
be affixed at Olympia this
29th day of July, A.D.,
Nineteen Hundred and
Eighty.

Dixy Lee Ray

Governor of Washington

BY THE GOVERNOR:

Robert E. Mack

Assistant Secretary of State

Reviser's Note: The citation error in the above material appeared in the original copy of the executive order and appears herein pursuant to the requirements of RCW 34.08.040.

WSR 80-10-030
ADOPTED RULES
STATE BOARD OF EDUCATION
[Order 11-80—Filed August 4, 1980]

Be it resolved by the State Board of Education, acting at Alderbrook Inn, Union, Washington, that it does promulgate and adopt the annexed rules relating to the

amending of chapter 180-40 WAC, Pupils, relating to implementation of chapter 171, Laws of 1980, by amending the definitional, procedural and substantive provisions of chapter 180-40 WAC, including but not limited to amendments providing for the exclusion of students from classes and activities by teachers and the adoption and periodic review of discipline procedures and standards by school districts.

This action is taken pursuant to Notice No. WSR 80-07-043 filed with the code reviser on 6/18/80. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to chapter 171, Laws of 1980 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 July 31, 1980.

By Wm. Ray Broadhead
Secretary

AMENDATORY SECTION (Amending Order 6-77, filed 6/2/77, effective 8/1/77)

WAC 180-40-225 SCHOOL DISTRICT RULES DEFINING MISCONDUCT—DISTRIBUTION OF RULES. (1) It shall be the responsibility and duty of each school district to adopt, publish, and make available to all students and parents written rules which state with reasonable clarity the types of misconduct for which discipline, suspension, and expulsion may be imposed. In addition, written procedures for administering corrective action shall be developed and reviewed periodically as follows:

(a) Each school district shall provide for the development with parent and community participation of written procedures for administering corrective action at each school as required by RCW 28A.58.101(3).

(b) In a manner consistent with the district procedures developed pursuant to (a) above, the principal and certificated employees in each school building shall confer at least annually for the purpose of developing, or reviewing, or both, building discipline standards and the uniform enforcement of those standards, as required by RCW 28A.58.201.

(2) Rules that establish types of misconduct pursuant to this section must have a real and substantial relationship to the lawful maintenance and operation of the school district including, but not limited to, the preservation of the health and safety of students and employees and the preservation of an educational process which is conducive to learning.

(3) The rules set forth in this chapter (~~and~~), the rules of a school district that establish types of misconduct pursuant to (~~this section~~) subsection (1) above, and the written procedures of a district for administering corrective action adopted pursuant to subsection (1)(a) above, shall be published and made available to all students and parents on an annual basis. If a school district

chooses not to distribute such rules to all students and parents, then notice which describes the contents of such rules and specifies the person(s) to contact for a copy thereof shall be provided to students and parents on an annual basis in a manner reasonably calculated to come to their attention.

AMENDATORY SECTION (Amending Order 6-77, filed 6/2/77, effective 8/1/77)

WAC 180-40-230 PERSONS AUTHORIZED TO IMPOSE DISCIPLINE, SUSPENSION, EXPULSION, OR EMERGENCY REMOVAL UPON STUDENTS. (1) Each certificated teacher, each school administrator, each school bus driver, and any other school employee designated by the board of directors of a school district shall possess the authority to impose discipline upon a student for misconduct which violates rules of the school district established pursuant to WAC 180-40-225 and to impose an emergency removal from a class, subject, or activity upon a student pursuant to WAC 180-40-290.

(2) The board of directors of any school district may delegate to the superintendent and/or his or her designee(s) the authority to impose suspensions and expulsions upon students for misconduct which violates rules of the school district established pursuant to WAC 180-40-225. Each certificated teacher and each administrator shall possess the authority to recommend suspensions and expulsions for such misconduct.

(3) Any board of directors which chooses not to delegate the authority to impose suspensions and/or expulsions, nevertheless, shall be subject to the requirements set forth in this chapter when it imposes a suspension or expulsion.

(4) Notwithstanding any provision of this section to the contrary, each teacher is empowered to exclude any student who creates a disruption of the educational process in violation of the building disciplinary standards while under the teacher's immediate supervision from his or her individual classroom and instructional or activity area for all or any portion of the balance of the school day or until the principal or designee and teacher have conferred, whichever occurs first: PROVIDED, That except in emergency circumstances as provided for in WAC 180-40-290, the teacher shall have first attempted one or more alternative forms of corrective action: PROVIDED FURTHER, That in no event without the consent of the teacher shall an excluded student be returned during the balance of the particular class or activity period from which the student was initially excluded.

WSR 80-10-031
PROPOSED RULES
DEPARTMENT OF LICENSING
(Board of Medical Examiners)
[Filed August 4, 1980]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State

Board of Medical Examiners intends to adopt, amend, or repeal rules concerning the amending of WAC 308-52-139 Physician assistant—Registration and adding a new section WAC 308-52-145 Birthday renewal registration implementation;

that such agency will at 7:30 p.m., Friday, September 19, 1980, in the Vance Airport Inn, Seattle Room, 18220 Pacific Highway South, Seattle, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 7:30 p.m., Friday, September 19, 1980, in the Vance Airport Inn, Seattle Room, 18220 Pacific Highway South, Seattle, WA.

The authority under which these rules are proposed is RCW 18.71A.020.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 19, 1980, and/or orally at 7:30 p.m., Friday, September 19, 1980, Vance Airport Inn, Seattle Room, 18220 Pacific Highway South, Seattle, WA.

Dated: August 4, 1980

By: Joanne Redmond
Assistant Administrator

STATEMENT OF PURPOSE

- I. Agency: Washington State Board of Medical Examiners
- II. Purpose: To revise the renewal registration procedure for physician assistants.
- III. Statutory Authority: RCW 18.71A.020
- IV. Summary and Reason Action Proposed: WAC 308-52-139 Physicians Assistants—Registration.
Amendment implements new section WAC 308-52-145, sets deadline for renewal applications. WAC 308-52-145 Birthday Renewal Registration Implementation.
Converts physician assistants registration renewal date to coincide with physicians assistants birthdate, provides for implementation.
Regarding WAC 308-52-139 and 308-52-145.
The board has found that renewing the registration of all physician assistants on March 1, has led to an uneven workload for staff and board, and a four month processing period for physician assistants. This rule change will even-out the workload and eliminate the long waiting period between submitting renewals and receiving the registration.
- V. Responsible Departmental Personnel: In addition to the Director of the Department of Licensing, the following agency personnel have knowledge and responsibility for drafting, implementing and enforcing this rule:

Joanne Redmond, Assistant Administrator,
Division of Professional Licensing, P.O. Box
9649, Olympia, WA 98504, (206) 753-2705
Scan 234-2205

VI. Proponents: These rules were proposed by the Washington State Board of Medical Examiners.

VII. Agency Comments: None

NEW SECTION

WAC 308-52-145 BIRTHDAY RENEWAL REGISTRATION IMPLEMENTATION. (1) Effective with the renewal period beginning March 1, 1981, the annual physician assistant registration renewal date will be changed to coincide with the physician assistant's birthdate. Physicians making application for initial registration will be issued a registration to expire on the physician assistant's next birthdate.

(2) Physicians desiring to renew a registration to utilize a physician assistant's services will pay the renewal fee plus one-twelfth of that amount for each month, or fraction thereof, in order to extend their registration so that it expires on the physician assistant's birthday next following March 1, 1982.

AMENDATORY SECTION (Amending Order PL 285, filed 3/14/78)

WAC 308-52-139 PHYSICIAN((S*)) ASSISTANT—REGISTRATION. (1) Classification. Each physician((S*)) assistant will be classified as type A, B or C, depending upon his training. Type B and type C assistants will be subdivided according to specialty or function.

(2) Registration Procedure. All applications shall be made to the board on forms supplied by the board. Applications shall be submitted 30 days prior to the meeting of the board in which consideration is desired. Applications shall be made jointly by the physician and the assistant.

(3) Registration renewal. Each registered assistant and the registering physician shall be required to submit an application for renewal of their registration ((by January of each year)) at least sixty days prior to the expiration of the registration. Application for renewal shall be submitted on forms provided by the board. A current statement of utilization, skills and supervision shall be included in the application. Registration renewals will be issued ((as of March 1 of each year)) to expire on the physician assistant's next birth anniversary date.

(4) Change of Registration. In the event that a physician((S*)) assistant who is currently registered desires to become associated with another physician, such transfer may be accomplished administratively with the approval of the chairman of the board, providing that the new physician supervisor is licensed and in good standing in the state of Washington and that evidence is submitted to document the continuing competence of the physician((S*)) assistant. This action shall be subject to approval by the board as a whole at its next regular meeting. Application for transfer of registration shall be made on forms provided by the board and may be considered at any regular meeting of the board.

(5) Utilization Plan. The application for registration of a physician((S*)) assistant must include a detailed plan describing the manner in which the physician((S*)) assistant will be utilized. The board will grant specific approval for the tasks which may be performed by the assistant based upon the curriculum of the program from which the assistant graduated as contained in the files of the board. No assistant shall be registered to perform tasks not contained in the program approval unless evidence satisfactory to the board is submitted demonstrating that he has been trained in that function and his competence has been properly and adequately tested. Request for approval of newly acquired skills may be considered at any regular meeting of the board.

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 80-10-032
EXECUTIVE ORDER
OFFICE OF THE GOVERNOR
[EO 80-12]

It has come to my attention that there exists a vacancy on the City Council of the City of Gold Bar, Washington. It is necessary for the continued operation of essential governmental services in Gold Bar for the Governor to appoint one new member of the City Council thereby constituting a quorum, which in turn will appoint the successors to the two remaining vacancies.

NOW, THEREFORE, I, Dixy Lee Ray, Governor of the State of Washington, do by virtue of the power vested in me, appoint Robert A. Ledeen as a member of the City Council of the City of Gold Bar, Washington, to serve until he or his successor is elected at the next General Municipal Election to the unexpired term to which he is appointed.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the State of Washington to be affixed at Olympia, this 31st day of July, A.D., nineteen hundred and eighty.

Dixy Lee Ray

Governor of Washington

BY THE GOVERNOR:

Bruce Chapman

Secretary of State

WSR 80-10-033
PROPOSED RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)
[Filed August 5, 1980]

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:

- Amd WAC 356-10-050 Positions-Reallocation upward, incumbents.
Amd WAC 356-10-060 Allocation-Request for review.
Amd WAC 356-18-150 Leave-Newborn or adoptive child care-Provisions.
Amd WAC 356-26-030 Register designation.
Amd WAC 356-30-320 Trial service ((service))-Reversion-Status.
Amd WAC 356-34-180 Subpoenas-Issuance-Content-Service.
Amd WAC 356-34-220 ((Orders for)) Discovery.
Amd WAC 356-39-060 Department of Personnel human resource development planning.
Amd WAC 356-39-070 Agency evaluation of human resource development activities.
Amd WAC 356-39-090 Required managerial training;

that such agency will at 10:00 a.m., Thursday, September 11, 1980, in the Board Hearing 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, September 11, 1980, in the Board Hearing Room, 600 South Franklin, Olympia, WA 98504.

The authority under which these rules are proposed is RCW 41.06.040 and .050.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 9, 1980, and/or orally at 10:00 a.m., Thursday, September 11, 1980, Board Hearing Room, 600 South Franklin, Olympia, WA 98504.

Dated: August 1, 1980

By: Leonard Nord
Secretary

STATEMENT OF PURPOSE

Amend WAC 356-10-050

(a) Title: Positions-Reallocation upward-Incumbents

Purpose: Governs the status of incumbents who are in positions that are reallocated to a higher level class.

Statutory authority: chapter 41.06 RCW.

(b) Summary: Paragraph (4) identifies those situations in which an employee retains existing appointment status in a position reallocated upward. The proposed change would require that in order for incumbents to retain status as a result of a class study, the Department of Personnel must authorize the class study in advance of Personnel Board action, if any.

Reasons: There have been occasions when it has not been clear whether the proposed reallocation action was or was not intended to be a part of a class study. Proposed change would clearly identify type of reallocation being proposed and procedures to be utilized, thus preventing possible inequities to incumbents.

(c) Responsibility for drafting: Roger Sanford, Personnel Analyst, Department of Personnel, 600 South Franklin, Olympia, Phone: 753-5928;

Implementation and Enforcement: Leonard Nord, Director, Department of Personnel, 600 South Franklin, Olympia, Phone: 753-5358.

(d) Proposed by: Department of Personnel, Governmental Organization

Amend WAC 356-10-060

(a) Title: Allocation-Request for review

Purpose: Identifies individual(s) who may request a review of the allocation or reallocation of a position.

Statutory authority: chapter 41.06 RCW.

- (b) Summary: Change would define exactly who would have the right to request a review of a position allocation or reallocation. Reasons: Present wording allows individual who requested reallocation or who was in a position at the beginning of a class study the right to request a review of the decision, but does not provide that right to the individual in the position at the conclusion of the process. Proposed change would correct this situation.
- (c) Responsibility for drafting: Roger Sanford, Personnel Analyst, Department of Personnel, 600 South Franklin, Olympia, Phone: 753-5928; Implementation and Enforcement: Leonard Nord, Director, Department of Personnel, 600 South Franklin, Olympia, Phone: 753-5358.
- (d) Proposed by: Department of Personnel, Governmental Organization.
- (e) Comments: Existing rule language constitutes an inequity in that a person hired into a position during the reallocation process has no right to request a review of the final decision.

Amend WAC 356-18-150

- (a) Title: Leave—Newborn or adoptive child care—Provision
Purpose: Governs the authorization of leave for newborn or adoptive child care. Specifies procedures to be followed for requesting and granting such leave, and grants employees the right to use annual leave as requested. In those cases where leave is denied by an agency, stipulates subsequent treatment of the employee.
Statutory authority: chapter 41.06 RCW.
- (b) Summary: Proposal changes "annual leave" to "vacation" leave; makes granting of vacation leave in conjunction with unpaid child care leave permissive rather than mandatory; and requires that such vacation leave be taken immediately prior to or immediately following unpaid child care leave rather than during period of leave.
Reasons: Change of terminology from "annual" to "vacation" leave is housekeeping only to make rule consistent with other rules dealing with vacation leave; change allowing managerial discretion in the approval or denial of vacation leave would make this rule consistent with other rules granting vacation leave; requirement that vacation leave be used at the beginning or end of unpaid leave would eliminate problems presently encountered with respect to payroll, insurance coverage, etc.
- (c) Responsibility for drafting: Reggie Taschereau, Personnel Officer, Department

of Social and Health Services, Office Building #2, Olympia, Phone: 753-2460; Implementation: Personnel Officers and Agency Managers of all agencies; Enforcement: Leonard Nord, Director, Department of Personnel, 600 South Franklin, Olympia, Phone: 753-5358.

- (d) Proposed by: Department of Social and Health Services, Governmental Organization.
- (e) Comments: The Department of Personnel supports the language change from "annual" to "vacation". The portion of the proposal dealing with allowing managerial discretion in granting vacation leave and the requirement that such vacation leave be used only at the beginning or end of the unpaid leave is under review and will be discussed with the affected agencies at the Merit System Rule Meeting to be held on September 2, 1980.

Amend WAC 356-26-030 and 356-30-320

- (a) Titles: Register designation and trial service—Reversion—Status
Purpose: WAC 356-26-030 specifies the composition, method of ranking, life of register and special provisions of registers used in the State Civil Service System; WAC 356-30-320 specifies the rights and treatment of a permanent state employee who is reverted during their trial service period.
Statutory authority: chapter 41.06 RCW.
- (b) Summary: Both rules would be modified to include coverage of employees who were demoted or appointed from a promotional register and fail to satisfactorily complete their trial service period.
Reasons: Changes would make these rules consistent with each other as well as with the existing definition of "trial service" which speaks of demotion and appointment from a promotional register as well as promotion.
- (c) Responsibility for drafting: Bill B. Turney, Personnel Analyst, Department of Personnel, 600 South Franklin, Olympia, Phone: 754-7125; Implementation and Enforcement: Carol Schmitt, Personnel Analyst, Department of Personnel, 600 South Franklin, Olympia, Phone: 753-2374.
- (d) Proposed by: Department of Personnel, Department of Social and Health Services, Governmental Organizations.

Amend WAC 356-34-180

- (a) Title: Subpoenas—Issuance—Content—Service
Purpose: Establishes the procedures for the service and content of subpoenas.
Statutory authority: chapter 41.06 RCW.

- (b) Summary: Proposal change would allow attorneys of record to issue subpoenas and subpoenas duces tecum.
Reasons: Eliminates the requirement that attorneys request the Director of Personnel to issue a subpoena. Due to hearings being held in different parts of the state, procedure has become unwieldy.
- (c) Responsibility for drafting: Larry Goodman, Washington Federation of State Employees, 201 W. 5th, Room 401, Olympia, Phone: 352-7603;
Implementation and Enforcement: Leonard Nord, Secretary, State Personnel Board, 600 South Franklin, Olympia, Phone: 753-5358.
- (d) Proposed by: Washington Federation of State Employees, Private Organization (union).
- (e) Comments: Department of Personnel is opposed. RCW 41.06.125 and .180 authorize only the Personnel Board and Hearings Officers to issue subpoenas.

Amend WAC 356-34-220

- (a) Title: (~~Orders for~~) Discovery
Purpose: Authorize the Personnel Board or Hearings Officer(s) to issue orders for discovery.
Statutory authority: chapter 41.06 RCW.
- (b) Summary: Proposed change would allow attorney to pursue discovery, permits per se party to obtain discovery order from the Personnel Board or Hearings Officer and provides for objections or challenges to discovery and have the Personnel Board or Hearings Officer to hear motion.
Reasons: Would make procedure more compatible with court practices in the state of Washington.
- (c) Responsibility for drafting: Larry Goodman, Washington Federation of State Employees, 201 West 5th, Room 401, Olympia, Phone: 352-7603;
Implementation and Enforcement: Leonard Nord, Secretary, State Personnel Board, 600 South Franklin, Olympia, Phone: 753-5358.
- (d) Proposed by: Washington Federation of State Employees, Private Organization (union).
- (e) Comments: The Department of Personnel and the Federation have agreed to a change in language from that originally submitted and, therefore, will support the proposal.

Amend WAC 356-39-060(1)

- (a) Title: Department of Personnel Human Resource Development Planning
Purpose: Provides for evaluation of agencies development plans which may include recommendations for sharing resources.
Statutory authority: Chapter 41.06 RCW.
- (b) Summary: Proposed change requires the Department of Personnel to include in the

evaluation recommendations for sharing resources.

Reasons: To be in compliance with section 4, (2c) of Substitute House Bill 38, 1980 Regular Session (RCW 41.06.400).

- (c) Responsibility for drafting, implementation and enforcement: Mary Jo Lavin, Ph.D., Division of Human Resource Development, Department of Personnel, 400 East Union Avenue, Olympia, Phone: 754-1341.
- (d) Proposed by: Department of Personnel, Governmental Agency.
- (e) Comments: Promotes the interagency sharing of resources for human resource development.
- (f) Required by 1980 Legislative action: Chapter 118, Laws of 1980.

Amend WAC 356-39-070(3)

- (a) Title: Agency Evaluation of Human Resource Development Activities.
Purpose: Requires agencies to develop an evaluation process to determine the effectiveness of its human resource development activities; requires submittal of annual summary of evaluation to the Department of Personnel.
Statutory authority: chapter 41.06 RCW.
- (b) Summary: Proposed change adds additional requirement that agencies report costs of direct learning activities used in their training and career development programs.
Reasons: To be in compliance with section 5 (3) of Substitute House Bill #38, 1980 regular session (RCW 41.06.410).
- (c) Responsibility for drafting, implementation and enforcement: Mary Jo Lavin, Ph.D., Division of Human Resource Development, Department of Personnel, 400 East Union Avenue, Olympia, Phone: 754-1341.
- (d) Proposed by: Department of Personnel, Governmental Agency.
- (e) Comments: Costs which agencies will be required to report are for direct learning activities which include: Consultant fees, course registration, charges for tuition reimbursement, and related participant travel and per diem.
- (f) Required by 1980 Legislative action: Chapter 118, Laws of 1980.

Amend WAC 356-39-090

- (a) Title: Required managerial training
Purpose: Provides an agency may require employees in supervisory or managerial positions to complete managerial training.
Statutory authority: Chapter 41.06 RCW.
- (b) Summary: Proposed change requires all employees appointed to entry-level supervisory or entry-level managerial positions after June 11, 1980 to successfully complete an entry-level management training course. Provides for suspending and waiving the

training and for agency designation of affected position.

Reasons: To be in compliance with section 6 of Substitute House Bill #38, 1980 Legislative Session (RCW 41.06.420).

- (c) Responsibility for drafting, implementation and enforcement: Mary Jo Lavin, Ph.D., Division of Human Resource Development, Department of Personnel, 400 East Union Avenue, Olympia, Phone: 754-1341.
- (d) Proposed by: Department of Personnel, Governmental Agency.
- (e) Comments: See summary of changes.
- (f) Required by 1980 Legislative action: Chapter 118, Laws of 1980.

AMENDATORY SECTION (Amending Order 128, filed 2/14/79)

WAC 356-10-050 POSITIONS—REALLOCATION UPWARD—INCUMBENTS. Employees in positions which have been reallocated upwards are affected as follows:

(1) Employee must compete and be certified from the appropriate eligible register unless otherwise determined by the Director of Personnel or designee when the position is reallocated upward based on recent or impending changes in duties and responsibilities. The employee's salary is then adjusted in accordance with the ((R))rule governing promotion.

(2) Employees in positions which have been reallocated upwards based on duties performed of a higher level classification in excess of one year(;) shall retain status in the reallocated position and shall have their salary adjusted in accordance with the rule governing promotion, provided:

(a) The incumbent meets the minimum or desirable qualifications for the new class; or, the incumbent meets acceptable qualifications as determined by the Director of Personnel or designee.

(b) The employee passes the appropriate examination.

(3) If the employee is not certified from the appropriate eligible register, transferred, promoted, demoted or otherwise retained in status within 60 days, the provisions governing reduction-in-force shall apply. This shall not preclude the employee's eligibility for a provisional appointment under these ((R))rules. Employees who do not achieve status in a reallocated position shall be paid for time worked in the higher class based on the rule governing promotion (up to a maximum of three years).

(4) The employee retains existing appointment status when the position is reallocated based on a revision of a class series, a class series study, or an agency- or major subdivision-wide classification review planned and conducted by the Department of Personnel or authorized by the Department of Personnel in advance of Personnel Board action (if any), when the reallocation involves no change in duties or responsibilities. The employee's salary then is adjusted to the same step in the new range as held in the present range.

(a) An employee in an underfill status will maintain that status.

(b) Paragraphs (1) or (2) apply when a change in duties, responsibilities, or organization coincides with a revision of a class series.

(5) The Director of Personnel or designee may approve the retention of status without examination for an incumbent in a reallocated position when it is evident that the reallocation is, in effect, the correction of a long-term inequity. The employee's salary is adjusted in accordance with the rule governing promotion. The application of this subsection shall not be denied in those cases where the employee has performed duties at a higher class for three continuous years or more.

(6) The effective date of other than competitive reallocations and appointments in (2) and (5) above will be the earliest date that a copy of the classification questionnaire, either submitted directly by the incumbent or by the agency, is received by the Department of Personnel. Receipt of such classification questionnaires shall be acknowledged by the Department of Personnel if the submitting party includes a self-addressed stamped envelope with the copy of the classification questionnaire furnished the Department of Personnel.

(7) The Department of Personnel, the Director of Personnel, and the State Personnel Board shall not award additional compensation to an employee for any period prior to the date on which the classification questionnaire was received by the Department of Personnel.

AMENDATORY SECTION (Amending Order 128, filed 2/14/79)

WAC 356-10-060 ALLOCATION—REQUEST FOR REVIEW. A review by the Director of Personnel or designee (~~of the determination~~) of the allocation or reallocation of a position may be requested by ~~((an employee who is))~~ the incumbent in the position at the time the position reallocation was requested, or any employee who is incumbent in the position on the date the allocation decision that was made is issued, or in the case of a class study by the incumbent of the position at the conclusion of the study, or by the agency director as follows:

(1) The written request for a review must be filed with the Director of Personnel within 30 calendar days following notification of the effective date of the action and must contain the reasons and basis for the review.

(2) The Director of Personnel or designee shall acknowledge receipt of the request and send a copy of the request to the agency.

(3) The agency shall make every effort to resolve the disagreement through agency procedures.

(4) During the review, the Director of Personnel or designee shall conduct a hearing and may investigate and obtain such information as may be deemed necessary.

(5) Within 30 days of the receipt of the request for review, the Director of Personnel or designee shall set a date for a hearing and shall notify the incumbent employee, employing agency, employee organization, and designated Department of Personnel analyst: provided, that the notice shall not be less than 20 calendar days. The hearing shall be informal and any of the above designated parties may present their views. The Director of Personnel or designee will enter a written determination and provide each of the participating parties with a copy.

(6) An employee or agency may request a review of the determination of the Director of Personnel or designee by the State Personnel Board. The written request for a board review must be filed with the Director of Personnel within 30 calendar days following notification of the Director of Personnel or designee's determination and must contain the reason and basis for the review. The review by the State Personnel Board will be limited to the documents from the proceedings before the director or designee, and the State Personnel Board, in its discretion, may schedule a hearing for argument or it may issue a decision without a hearing. Any of the above designated parties may submit or may be required to submit a written memorandum. The State Personnel Board will issue a written determination and provide each of the participating parties with a copy.

(7) Allocation or reallocation reviews which result from a class-wide or broader position survey need not be heard until the Director of Personnel or designee has had a reasonable period of time to re-examine the position in question and all pertinent facts.

(8) Wherever possible, agencies shall continue employee's duties unchanged, pending an allocation decision.

AMENDATORY SECTION (Amending Order 90, filed 9/9/76)

WAC 356-18-150 LEAVE—NEWBORN OR ADOPTION CHILD CARE—PROVISION. Child care leave without pay may be authorized to a permanent employee who is the parent of a newborn child or is the adoptive parent of a child if the leave is requested in advance by the employee (leave must be requested within 60 days of adoption). The duration of the leave shall be no more than six months. Prior to taking child care leave, employees shall indicate in writing the duration of the leave. Employees ~~((shall))~~ may be allowed to use their accrued ~~((annual))~~ vacation leave, or any portion thereof, ~~((in conjunction with))~~ immediately prior to or immediately following unpaid child care leave granted in accordance with this Rule. Because of operational necessity, an agency may deny child care leave. In such cases employees shall be informed of their right to petition this decision to the Director of Personnel. The Director may require that child care leave be granted by the agency upon petition by the employee. When an agency denies child care leave under this Rule, and the Director of Personnel does not require it, an employee who vacates her/his position for the purpose of child care may request reemployment at any time within a six(=)month period after vacating the position, and after such request to the Department of Personnel shall be offered the first opening in the former class and work location. This offer of employment shall take precedence over all registers except the reduction-in-force register.

AMENDATORY SECTION (Amending Order 58, filed 9/10/73)**WAC 356-26-030 REGISTER DESIGNATION.** (1) Agency Reduction-in-Force.

(a) Composition.

(i) The departmental reduction-in-force register will consist of appropriate classes and the names of all employees who have permanent status and have been notified they are scheduled for reduction-in-force; or held permanent status prior to separation due to a reduction-in-force; or who have accepted a voluntary demotion in a class in lieu of a reduction-in-force; or were in a trial service period with another department and separated due to reduction-in-force; or who were separated due to disability within the last year as provided in WAC 356-35-010 and who have submitted to the Director of Personnel a current physician's statement that they are physically able to perform the duties of the class for which the register is established.

(ii) The employee's name shall appear for all classifications for which he/she is not disabled in which he/she held permanent status or in which he/she served more than six months on a position which would have meant permanent status had it been under the jurisdiction of the State Personnel Board at the time.

(b) Method of Ranking.

(i) This register will be ranked according to seniority.

(c) Life of Register.

(i) An eligible's name will normally remain on this register for three years.

(d) Special Provisions.

(i) Employees appointed from this register will assume the same status they held prior to the reduction-in-force. Persons on this register will indicate the geographic areas in which they are available. Appointment of persons from this register to seasonal positions will be as provided in WAC 356-30-130.

(2) Service-Wide Reduction-in-Force.

(a) Composition.

(i) This register will consist of the same names as the agency reduction-in-force register.

(b) Method of Ranking.

(i) This register will be ranked according to seniority.

(c) Life of Register.

(i) An eligible's name will normally remain on this register for two years.

(d) Special Provisions.

(i) Employees appointed from this register will assume the same status they held prior to the reduction-in-force. Persons on this register will indicate the geographic areas and departments for which they are available. Appointment of persons from this register to seasonal positions will be as provided in WAC 356-30-130.

(3) Dual-Agency Reversion.

(a) Composition.

(i) This register will contain the names of those (~~permanent~~) employees who (~~promote to another agency and~~) were either voluntarily or involuntarily reverted while serving (~~to their former class during~~) a trial service period in another agency to their former class in which they held permanent status.

(b) Method of Ranking.

(i) This register will be ranked according to total unbroken classified service.

(c) Life of Register.

(i) An eligible's name will normally remain on this register for two years.

(d) Special Provisions.

(i) This register refers to the agency from which promoted and the agency from which reverted. Employees appointed from this register will assume the status they held prior to promotion. Persons on this register will indicate the geographic area in which they are available.

(4) Agency Promotional.

(a) Composition.

(i) This register will be established by appropriate classes and shall include the names of those permanent employees, or past permanent employees who have been separated due to reduction-in-force within the last year who have received a passing final grade in the total promotional examination and are eligible to be certified. The names of past permanent employees who were separated due to disability within the last year as provided in WAC 356-35-010 shall also be included on this register provided that they submit to the Director of Personnel a physician's statement that they are physically able to perform the duties of the class for which the register is established and they have

received a passing final grade as required for other promotional applicants.

(b) Method of Ranking.

(i) This register shall be ranked according to final score from the highest to the lowest.

(c) Life of Register.

(i) An eligible's name will normally remain on this register for an indefinite period unless replaced by a register established by the use of a substantially new examination.

(d) Special Provisions.

(i) An employee may convert any current open competitive rating to this register upon achieving permanent status.

(5) Service-Wide Reversion.

(a) Composition.

(i) This register will contain the names of (~~all permanent~~) those employees who (~~have promoted to another agency and~~) were either voluntarily or involuntarily reverted while serving (~~to their former class during~~) a trial service period in another agency to their former class in which they held permanent status.

(b) Method of Ranking.

(i) This register will be ranked according to total unbroken classified service.

(c) Life of Register.

(i) An eligible's name will normally remain on this register for two years.

(d) Special Provisions.

(i) This register refers to all agencies, except the two which are involved with the dual-agency transaction. Persons on this register will indicate the geographic areas and agencies for which they are available.

(6) Transfer.

(a) Composition.

(i) This register shall contain the names of all permanent employees who have submitted a request to be considered for transfer.

(b) Method of Ranking.

(i) This register will be unranked.

(c) Life of Register.

(i) An eligible's name shall normally remain on this register for one year.

(d) Special Provisions.

(i) To use this register, the employee must transfer either within the same class or the same pay range having the same salary range number.

(7) Voluntary Demotion.

(a) Composition.

(i) This register shall contain the names of all permanent employees who have submitted a request for and are eligible under the rules to be considered for a voluntary demotion.

(b) Method of Ranking.

(i) This register shall be unranked. However, employees subject to reduction-in-force shall have priority.

(c) Life of Register.

(i) An eligible's name shall normally remain on this register for one year.

(d) Special Provisions.

(i) Employees appointed from this register to a class not previously held will serve a trial service period. All examination ratings for the class from which demoted shall be nullified; however, the employee may be elevated to the class from which demoted with permanent status without benefit of certification provided permanent status was achieved at the higher level.

(8) Service-Wide Promotional.

(a) Composition.

(i) This register shall contain the names of those permanent employees or past permanent employees who have been separated due to reduction-in-force within the last year who have obtained a passing final grade in the total promotional examination. The names of past permanent employees who were separated due to disability within the last year as provided in WAC 356-35-010 shall also be included on this register provided that they submit to the Director of Personnel a physician's statement that they are physically able to perform the duties of the class for which the register is established and they have received a passing final score as required for other promotional applicants.

(b) Method of Ranking.

(i) This register shall be ranked according to final score, from the highest to the lowest.

(c) Life of Register.

(i) An eligible's name will normally remain on this register for an indefinite period unless replaced by a register established by the use of a substantially new examination.

(d) Special Provisions.

(i) An employee may convert any current open competitive rating to this register upon achieving permanent status. Persons on this register will indicate the geographic areas and agencies for which they are available.

(9) Reemployment.

(a) Composition.

(i) This register shall contain the names of all past permanent employees who have submitted a request and an application for reemployment within two years from the date of separation, provided that the names of employees separated for cause while performing similar duties shall not be placed on this register except with the approval of the agency from which they were separated for cause. This register shall also contain the names of those employees who have been in reversion or reduction-in-force status and have been offered and declined employment. The Director of Personnel may extend the time during which an employee may apply for reemployment if ~~((he))~~ the Director of Personnel has determined that a need for eligibles exists in a certain class and/or geographical area.

(b) Method of Ranking.

(i) This register shall be unranked.

(c) Life of Register.

(i) An eligible's name will normally remain on this register for two years.

(d) Special Provisions.

(i) Persons reemployed from this register will serve a probationary period. The former employee may limit or enlarge upon his/her area of availability either by department or geographic area.

(10) Open Competitive.

(a) Composition.

(i) This register will contain the names of all persons who have passed the entrance examination.

(b) Method of Ranking.

(i) This register shall be ranked by the final score.

(c) Life of Register.

(i) An eligible's name will normally remain on this register for one year unless changed by the Director of Personnel.

(d) Special Provisions.

(i) Persons on this register will indicate the geographic areas for which they are available.

AMENDATORY SECTION (Order #43, filed 3/17/72)

WAC 356-30-320 TRIAL SERVICE—~~((SERVICE—))~~REVERSION—STATUS. (1) An employee who was either promote~~((s))~~d, demoted, or appointed from a promotional register within ~~((his own))~~ an agency and fails to satisfactorily complete the trial service period shall automatically revert to a position in ~~((his))~~ the former classification.

(2) An employee who ~~((is))~~ was promoted, demoted, or appointed from a promotional register into ~~((a class within))~~ another agency and who fails to satisfactorily complete the trial service period shall be given 15 calendar days' written notice and placed ~~((at that time))~~ on the dual-agency reversion register and the service-wide reversion register for ~~((the))~~ his or her former class ~~((from which promoted))~~. Employees who are reverted do not have the right of appeal. If an employee elects not to accept the first offer of employment, his/her name is then placed on the reemployment register.

(3) Employees who are reemployed from the service-wide reversion registers shall enter a trial service period. Names of employees reverted during this period will be placed on the register from which they came.

(4) Employees who voluntarily revert to their former class may request of the Director reactivation of their promotional score for the class from which reverted.

AMENDATORY SECTION (Amending Order 36, filed 7/1/71)

WAC 356-34-180 SUBPOENAS—ISSUANCE—CONTENT—SERVICE. (1) Subpoenas may be issued by any member of the Personnel Board, the director, or the hearings officer before whom the appeal is to be heard, or by the attorney of record of the party to the hearing in whose behalf the witness is required to appear, and shall be subscribed by the signature of the issuing person. Parties desiring subpoenas which are to be signed by members of the Personnel Board or

the director shall prepare them for issuance, send them to the board's office for signature, and upon return shall make arrangements for service.

~~((+))~~(2) Every subpoena shall name the Personnel Board and the title of the proceedings, if any, and shall command the person to whom it is directed to attend and give testimony or produce designated books, documents, or things under ~~((his))~~ that person's control at a specified time and place.

~~((2))~~ Upon application of counsel or any party not represented by counsel, there shall be issued to such party subpoenas requiring the attendance and testimony of witnesses or the production of evidence in such proceeding.)

(3) Service of subpoena shall be made by delivering a copy of the subpoena to such person and by tendering ~~((him))~~ on demand, where entitled to make such a demand, the fees for one day's attendance and the mileage allowed by law.

AMENDATORY SECTION (Amending Order 89, filed 6/30/76)

WAC 356-34-220 ~~((ORDERS FOR))~~ DISCOVERY. ~~((The Board or hearings officer may issue orders for discovery by analogy to the Superior Court rules or the requirements of justice.))~~

(1) Attorneys of record may use discovery procedures in a manner consistent with the civil rules for the superior courts of the State of Washington.

(2) A party appearing pro se may obtain an order of discovery from the Personnel Board or a hearings officer and may use discovery procedures in a manner consistent with the civil rules of the superior courts of the State of Washington.

(3) The opposing counsel or party may file a motion challenging or objecting to the discovery which will be heard by the Personnel Board or hearings officer assigned to the appeal.

AMENDATORY SECTION (Amending Order 116, filed 1/19/78)

WAC 356-39-060 DEPARTMENT OF PERSONNEL HUMAN RESOURCE DEVELOPMENT PLANNING. Each agency shall submit a summary of its biennial human resource development plan to the Department of Personnel for review.

(1) The Department shall provide each agency with an evaluation of its plan. The evaluation ~~((may))~~ shall include recommendations for sharing resources to meet common objectives among the agencies.

(2) Upon agency request, the Department shall assist in the preparation of the agency's plan.

(3) The Department shall prepare a human resource development plan with objectives and identification of resources to accomplish inter-agency human resource development activities which have been proposed through agency plans. The Department shall distribute its plan to the agencies.

(4) The Department shall consider each agency's human resource development activities in preparation of the State's Classification Plan and in the Department's testing process.

AMENDATORY SECTION (Amending Order 116, filed 1/19/78)

WAC 356-39-070 AGENCY EVALUATION OF HUMAN RESOURCE DEVELOPMENT ACTIVITIES. Each agency shall develop an evaluation process to determine the effectiveness of its human resource development activities.

(1) This evaluation process shall include an assessment of:

(a) The effectiveness of the training

(b) The impact of the training on job performance

(c) The contribution of the training to achievement of career development goals

(2) The Department of Personnel shall assist agencies in the development of their evaluation process upon their request.

(3) Each agency shall submit an annual summary of evaluation data on its human resource development activities and costs to the Department of Personnel. Costs to be reported are direct learning activity costs including: consultant fees, course registration, and tuition reimbursement charges. Related costs to be reported include participant travel and per diem. The funding source, state or federal, will be identified.

AMENDATORY SECTION (Amending Order 116, filed 1/19/78)

WAC 356-39-090 REQUIRED MANAGERIAL TRAINING.

(1) An agency may require employees in positions with responsibilities

which include planning, directing or evaluating the work of other employees to complete managerial training.

(2) Agencies shall require all employees appointed to a supervisory or management position after June 11, 1980 to successfully complete an entry-level management training course as approved by the Director, Department of Personnel. The conditions under which an employee shall be required to complete such training are:

(a) The position to which the employee has been appointed is that of a first line supervisor. The employees under the supervision of the individual concerned do not supervise others.

(b) The employee leads, controls, plans, staffs, organizes and evaluates the work of others as functions of a permanent assignment.

(c) The employee has not been a supervisor previously.

(d) The employee has not completed an approved or equivalent training course within the past five years.

(e) The employee did not successfully complete prior management training.

(f) The employee is assigned to a position designated by the agency as entry-level supervisory or entry-level managerial.*

*The entry-level managerial employee performs two or more functions of management (even though the position is not supervisory) with responsibility for the technical accomplishment of work performed by others.

(3) Entry-level training shall not be required of any employee who has completed a management training course prior to the employee's appointment which is, in the judgment of the Director, Department of Personnel, at least equivalent to the entry-level course. The Department of Personnel shall establish guidelines prescribing the conditions or criteria by which such training is approved or considered equivalent.

(4) Agencies may suspend the entry-level training requirement, for up to a maximum of six months, in cases where the ability of an agency to perform its responsibilities would be adversely affected by absence of employee from work site.

(5) Agencies may waive the requirement for entry-level training in cases where an employee has occupied a designated supervisory or management position for at least one year, prior to the present appointment, and has demonstrated experience and competence as a substitute for training.

(a) Agencies shall secure written concurrence from affected individual employees in establishing waivers to this training.

(b) Records of such waivers shall be placed in individual employee personnel files and shall be reported administratively to the Department of Personnel, under procedures outlined in guidelines published by the Department of Personnel.

(6) Agencies shall designate individual positions, or groups of positions, as being supervisory or management positions. Criteria for such designations shall be contained in guidelines published by the Department of Personnel.

WSR 80-10-034

PROPOSED RULES

PARKS AND RECREATION COMMISSION

[Filed August 5, 1980]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Parks and Recreation Commission intends to adopt, amend, or repeal rules concerning meeting days for the Washington State Parks and Recreation Commission;

that such agency will at 9 a.m., Thursday, September 18, 1980, in the Auditorium, Cascade Natural Gas Company, 614 North Mission, Wenatchee, WA 98801, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9 a.m., Thursday, September 18, 1980, in the Auditorium, Cascade Natural Gas Company, 614 North Mission, Wenatchee, WA 98801.

The authority under which these rules are proposed is RCW 43.51.030.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 15, 1980, and/or orally at 9 a.m., Thursday, September 18, 1980, Auditorium, Cascade Natural Gas Company, 614 North Mission, Wenatchee, WA 98801.

Dated: August 5, 1980

By: Douglas W. Lowell

Rules Coordinator

STATEMENT OF PURPOSE

1. Title: (A description of the rule's purpose, the statutory authority for the rule, and any other information which may be of assistance in identifying the rule or its purpose). The previous rule, WAC 352-04-101 (4), established meeting dates for the Washington State Parks and Recreation Commission. The proposed amendatory section changes the date of each meeting. Statutory authority is RCW 43.51.030.
2. Summary: (A summary of the rule and a statement of the reasons supporting the proposed action). WAC 352-04-010 (4) is changed to read as follows: "One regular meeting shall be held on the third Thursday of each month, unless otherwise called by the Chairman or a majority of the Commissioners".
For several years the Commission has conducted its regular meetings on the 3rd Monday of each week preceded by a tour of parks on Sunday. The dates are being changed to bring them in line with normal work days, reduce staff overtime and facilitate faster agency response to administrative and technical support for the meeting.
3. Agency Staff: (Agency personnel, with their office location and telephone number, who are responsible for the drafting, implementation, and enforcement of the rule). Jan Tveten, Director, Washington State Parks and Recreation Commission, 7150 Cleanwater Lane (KY-11), Olympia, WA 98504, Telephone number: 753-5757.
4. Proposing: (The name of the person or organization, whether private, public, or governmental, proposing the rule). Washington State Parks and Recreation Commission
5. Agency Comments: (Recommendations, if any, regarding statutory language, implementation, enforcement, and fiscal matters pertaining to the rule). See attached for statutory language.
6. Federal Law/Court Action: (Whether the rule is necessary as the result of federal law or federal or state court action, and if so, a copy of such law or court decision shall be attached to the purpose statement). N/A

AMENDATORY SECTION (Amending Order No. 12, filed January 28, 1972)

WAC 352-04-010 DUTIES OF CHAIRMAN AND CONDUCT OF MEETINGS. (1) The Chairman shall call and preside at all regular or special meetings.

(2) The duties of the Vice-Chairman shall be to preside at all regular or special meetings in the absence of the Chairman. In addition, the Vice-Chairman shall serve as Chairman upon his resignation, death, or incapacitation for any reason, and shall so serve until the next regular election, or until the Chairman is again able to serve, whichever shall first occur.

(3) The Secretary shall cause minutes to be taken and recorded of all regular or special meetings, and shall sign such minutes when transcribed and approved by the Commission. In addition, the Secretary shall succeed to the offices of Vice-Chairman or Chairman in the same manner and under the same conditions as set forth above for the Vice-Chairman.

(4) One regular meeting shall be held on the third (~~(Monday)~~ Thursday) of each month, unless otherwise (~~(agreed by)~~ called by the Chairman or a majority of the Commissioners. (~~(present at the meeting held in the month in which no regular meeting is to be held.)~~))

(5) An annual election shall be conducted for the offices of Chairman, Vice-Chairman, and Secretary, at the first regular meeting of every year. The election shall be conducted by written ballot.

(6) The order of business at all regular meetings shall be:

- (a) The call of the roll.
- (b) Minutes of the previous meeting.
- (c) Acceptance of Agenda.
- (d) Business of the day.
- (e) Date and location of next meeting.
- (f) Adjournment.

(7) The Chairman shall be a voting member of the Commission. A majority of the appointed Commissioners shall constitute a quorum, unless otherwise required by law. A majority vote of the Commissioners present shall be sufficient to pass or defeat each measure brought to a vote, provided there is a quorum present. When a unanimous vote of the authorized membership of the Commission is required by law to pass any measure brought to a vote, the vote of any absent Commissioner may be registered by mail, or by telephone; provided that any mailed ballot shall be opened and read, or any telephoned vote shall be communicated during the meeting at which such measure is being considered; and provided further that the Chairman shall identify the absent Commissioner or Commissioners so voting, and that such identification shall be incorporated into the minutes of the meeting.

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.

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 80-10-035
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 80-81—Filed August 5, 1980]

I, Gordon Sandison, director of State Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to 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 this order is necessary to increase the sport fishing opportunity to harvest Lake

Washington sockeye salmon and restrict angling to waters south of the Evergreen Point Floating Bridge.

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 August 5, 1980.

By Gordon Sandison
Director

NEW SECTION

WAC 220-56-11500A ANGLING—LAWFUL ACTS—LAKE WASHINGTON. Notwithstanding the provisions of WAC 220-56-115, effective immediately until further notice, it shall be lawful for one person to use two lines with one lure per line or one line with two lures per line while angling for sockeye salmon in those waters of Lake Washington south of the Evergreen Point Floating Bridge.

NEW SECTION

WAC 220-57A-17500D LAKE WASHINGTON. Notwithstanding the provisions of WAC 220-57A-175, effective immediately until further notice, it shall be lawful to take, fish for and possess sockeye salmon, for personal use from those waters of Lake Washington south of the Evergreen Point Floating Bridge. All chinook salmon must be released.

The bag limit in any one day is six salmon not less than 10 inches in length. The possession limit at any one time shall not exceed the equivalent of two daily bag limits of fresh salmon. Additional salmon may be possessed in a frozen or processed form.

REPEALER

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

WAC 220-57A-17500C LAKE
WASHINGTON (80-
70)

WSR 80-10-036
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 80-80—Filed August 5, 1980]

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 for immediate implementation of changes in treaty Indian vessel and gear identification procedures.

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 August 4, 1980.

By Gordon Sandison
Director

NEW SECTION

WAC 220-47-12100A TREATY INDIAN VESSEL AND GEAR IDENTIFICATION. (1) *Notwithstanding the provisions of WAC 220-47-121, the required treaty Indian vessel identification tag shall consist of a white plaque approximately 3 inches by 14 inches with embossed numbers as follows:*

The first two digits indicate the treaty tribe, the second four digits are permanently assigned to the boat; two digits on a tab in the upper right-hand corner of the plaque indicate the year.

(2) Unattended gear must be marked with the fisherman's Bureau of Indian Affairs' identification number.

WSR 80-10-037

PROPOSED RULES

DEPARTMENT OF NATURAL RESOURCES

(Board of Natural Resources)

[Filed August 5, 1980]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, 79.01.132, 79.01.216 and 79.64.030, that the Board of Natural Resources, Department of Natural Resources, intends to adopt, amend, or repeal rules concerning the rates of interest for sales and contracts, and for repayment of expenditures to the Resource Management Cost Account as provided for in RCW 79.64.030;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Tuesday, August 6, 1980, in the Office of the Commissioner of Public Lands, Public Lands Building, Olympia, Washington.

The authority under which these rules are proposed is RCW 79.01.132, 79.01.216 and 79.64.030.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to August 6, 1980.

This notice is connected to and continues the matter noticed in Notice No. WSR 80-06-139 filed with the code reviser's office on June 3, 1980.

Dated: August 5, 1980

By: Bert L. Cole

Commissioner of Public Lands
Secretary, Board of Natural Resources

WSR 80-10-038

PROPOSED RULES

JAIL COMMISSION

[Filed August 5, 1980]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Jail Commission intends to adopt, amend, or repeal rules concerning appeals from funding decisions;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Thursday, September 18, 1980, in the Holiday Inn, Bellevue, Washington.

The authority under which these rules are proposed is chapter 70.48 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 15, 1980.

Dated: August 5, 1980

By: George Edensword-Breck
Director

STATEMENT OF PURPOSE

(a) Title: Appeals From Funding Decisions. Purpose: To establish a procedure whereby a governing unit may request reconsideration of a funding decision made by the State Jail Commission. The statutory authority is contained in RCW 70.48.060(3)(v).

(b) The new section provides that an applicant governing unit may obtain reconsideration by the commission of its decision on the governing unit's application for funding by filing a timely written request therefor. The failure to clarify appeal procedures applicable to funding decisions would delay proceeding with funding of critically needed jail work for which funds are currently available.

(c) Under the supervision of the State Jail Commission, its Director, George Edensword-Breck, is responsible for the drafting, implementation, and enforcement of chapter 289-13 WAC; his office and telephone number are 110 East 5th, Room 223, MS/GB-12, Olympia, WA 98504, 206/753-5790.

(d) Chapter 289-13 WAC was proposed to the State Jail Commission by its Director in order to implement the statutory requirements mentioned above.

(e) At this time, the commission has no comment or recommendations regarding chapter 289-13 WAC.

(f) This new section has no federal law or court action requirements.

NEW SECTION

WAC 289-13-105 APPEALS FROM FUNDING DECISIONS.

(1) Any applicant governing unit which is aggrieved by the funding decision contained in the written notice provided to it under WAC 289-13-100 may request reconsideration of such decision by filing a written request therefor with the director within fourteen days of its receipt of such notice. Such reconsideration shall constitute an "appeal" from such decision within the meaning of RCW 70.48.060(3)(v) and shall be conducted in accordance with the provisions of this rule: PROVIDED, that reconsideration of any commission funding decision under the provisions of this rule does not constitute a "contested case" within the meaning of RCW 34.04.010(3) or for purposes of the procedures set forth within Chapter 34.04 RCW.

(2) Review of any request for reconsideration by the commission will be reviewed by the commission on the basis of written submissions. Any request shall contain a detailed statement as to any new factual matters regarding the decision on the application which have not previously been submitted to the commission and any argument as to the correctness of the decision under the applicable statutes and commission rules. The chairman shall call a meeting of the commission to occur within fourteen days of the receipt of such request and the director shall notify the applicant and commission of such time at least five days prior thereto, sending each member of the commission a copy of the request. All other applicants shall be provided a written notice of any such proceeding and may submit a written statement with regard thereto.

(3) Commission action on reconsideration shall occur at the public meeting scheduled therefor and will be based entirely upon any written submissions received; additional oral argument will not be received. The commission decision on any request for reconsideration at such meeting will be reduced to written form by the director, and a notice thereof signed by the commission chairman shall be mailed by registered mail with return receipt requested to the governing unit in question. Such notice shall constitute a final funding decision by the commission subject only to such statutory review as would apply to any funding action.

**WSR 80-10-039
PROPOSED RULES
DEPARTMENT OF LICENSING
(Examining Committee of Physical Therapists)
[Filed August 5, 1980]**

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Examining Committee of Physical Therapists intends to adopt, amend, or repeal rules concerning Probationary certificates—Domestic trained applicants, adding new section WAC 308-42-055;

that such agency will at 9:30 a.m., Thursday, September 18, 1980, in the Vance Airport Inn, 18220 Pacific Highway South, Seattle, 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, September 18, 1980, in the Vance Airport Inn, 18220 Pacific Highway South, Seattle, WA.

The authority under which these rules are proposed is RCW 18.74.020.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 18, 1980, and/or orally at 9:30 a.m., Thursday, September 18, 1980, Vance Airport Inn, 18220 Pacific Highway South, Seattle, WA.

Dated: August 5, 1980

By: Yvonne Braeme
Executive Secretary

STATEMENT OF PURPOSE

- I. Agency: Washington State Examining Committee of Physical Therapists.
- II. Purpose: To clarify the probationary certificate procedures for domestic trained physical therapists.
- III. Statutory Authority: RCW 18.74.020.
- IV. Summary and Reason Action Proposed: (a) Summary: WAC 308-42-055 Probationary Certificates—Domestic Trained Applicants, sets forth the information an applicant must submit for a probationary certificate. (b) R.A.P.—This clarifies the probationary certificate procedures for domestic trained applicants.
- V. Responsible Departmental Personnel: In addition to the director, the following agency personnel have knowledge and responsibility for drafting, implementing and enforcing this rule: Yvonne Braeme, Executive Secretary, Highways-Licenses Bldg., Olympia, WA 98504, 234-0776 (Scan), 753-0776 (Comm)
- VI. Proponents: This rule was proposed by the board and the director.

NEW SECTION

WAC 308-42-055 PROBATIONARY CERTIFICATES — DOMESTIC TRAINED APPLICANTS. (1) Before a probationary certificate may be issued to a domestic trained physical therapist, the applicant must present to the examining committee a letter from the supervising R.P.T. verifying:

- (a) That an R.P.T. will provide constant on-site supervision.
- (b) That the department will be advised of severance of the supervisory relationship for any reason.
- (2) The severance of supervision would invalidate the probational certificate.
- (3) Applicants must submit a certified copy of a diploma from a school of an approved school of physical therapy.

**WSR 80-10-040
PROPOSED RULES
BOARD OF PHARMACY
[Filed August 5, 1980]**

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Pharmacy intends to adopt, amend, or repeal rules concerning:

- New WAC 360-36-105 Additional disease states or conditions to those listed in RCW 69.50.402(a)(3)(ii) which may be treated with Schedule II non-narcotic stimulants.
- Amd WAC 360-49-040 Manufacturers, wholesalers, distributors, pharmacy location, requirement that drug products offered for sale comply with 21 USC 355—Immediate suspension and subsequent revocation of licenses authorized for violation.
- Rep WAC 360-36-100 Additional Schedule I substance.
- Rep WAC 360-36-110 Additional Schedule II substance.
- Rep WAC 360-36-120 Additional Schedule III substances.
- Rep WAC 360-36-130 Additional Schedule IV substances.
- Rep WAC 360-36-140 Additional Schedule V substances;

that such agency will at 9:00 a.m., Thursday, September 18, 1980, in the Burien Police Station, 14905 Sixth S.W., Burien, WA 98168, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Thursday, September 18, 1980, in the Burien Police Station, 14905 Sixth S.W., Burien, WA 98168.

The authority under which these rules are proposed is RCW 69.50.402 and 69.41.180.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 18, 1980, and/or orally at 9:00 a.m., Thursday, September 18, 1980, Burien Police Station, 14905 Sixth S.W., Burien, WA 98168.

Dated: August 5, 1980
 By: David C. Campbell, Jr.
 Executive Secretary

STATEMENT OF PURPOSE

- I. Title, Description of Purpose and Statutory Authority for Rule:
 Title: WAC 360-36-105 Additional Disease States of Conditions to Those Listed in RCW 69.50.402(a)(3)(ii) Which May be Treated With Schedule II Non-narcotic Stimulants.
 Description of Purpose: This new section is proposed to specify additional disease states or conditions for which certain Schedule II non-narcotic stimulants may be used without violating the Controlled Substances Act.
 Statutory Authority: RCW 69.50.402.
 Title: WAC 360-49-040 Manufacturers, Wholesalers, Distributors, Pharmacy Location, Requirement That Drug Products Offered For Sale Comply With 21 USC 355—Immediate Suspension and Subsequent Revocation of Licenses Authorized for Violation.
 Description of Purpose: This amendatory section streamlines and makes more workable the board procedure for preventing the sale, dispensing, etc., of generic drugs which have not met the requirements of federal law regarding testing for safety, therapeutic equivalency, etc.
 Statutory Authority: RCW 69.41.180.
- II. Summary of Proposed Rule and Reasons Supporting Action:
 Summary of Rule: WAC 360-36-105 would provide for the use of amphetamines for treatment of motion sickness and for the use of Ritalin for treatment of mild depression and apathetic or withdrawn senile behavior. WAC 360-49-040, as proposed to be amended, would provide for notification to licensees of the contraband status of specific nonapproved drugs and would further provide that anyone who knowingly retains in stock, or promotes or advertises, nonapproved drugs after notification by the board

of their contraband status will be subject to immediate summary suspension and subsequent revocation of licenses.

Reasons Supporting Action: WAC 360-36-105. This rule is necessary to authorize the use of Schedule II non-narcotic stimulants for additional medical purposes to those listed in the Controlled Substances Act.

WAC 360-49-040. This amendment was necessary to more effectively prevent the use of unapproved generic drugs and thereby to prevent potential injury to patients which could flow from the use of such unapproved drugs. The old form of WAC 360-49-040 has not been proven to be effective because of the substantial time required for obtaining the written certification from FDA before action could be taken.

- III. Agency Personnel Responsible for Drafting, Implementing and Enforcing the Rule:
 David C. Campbell, Jr., Executive Secretary, WEA Building, 319 E. 7th Avenue, Olympia, WA 98504, 234-6834 (SCAN) 753-6834 (COMM).
- IV. Name of Person or Organization Proposing the Rule:
 WAC 360-36-105 was proposed by the Washington State Board of Pharmacy. Subsection 2 of that proposed rule was proposed by representatives of the CIBA Drug Company.
 The amendment to WAC 360-49-040 was proposed by the Washington State Board of Pharmacy.
- V. Agency Comments:
 The intention of the board in proposing WAC 360-36-105 is to update the permissible use of Schedule II non-narcotic stimulants to the current state of medical technology.
 The intention of the board in proposing the amendment to WAC 360-49-040 is to more effectively prevent the use, by those pharmacies or pharmacists who may use them for economic reasons, of generic drugs which have not been certified safe under federal law for use in place of brand name drugs.
- VI. Neither WAC 360-36-105 nor the amendment to WAC 360-49-040 were made necessary as a result of federal law of federal or state court action.

NEW SECTION

WAC 360-36-105 ADDITIONAL DISEASE STATES OR CONDITIONS TO THOSE LISTED IN RCW 69.50.402(A)(3)(II) WHICH MAY BE TREATED WITH SCHEDULE II NON-NARCOTIC STIMULANTS. Pursuant to RCW 69.50.402(a)(3)(ii) the Board of Pharmacy, in consultation with the Medical Disciplinary Board and the Osteopathic Disciplinary Board hereby establishes the following schedule of disease states or conditions for which Schedule II non-narcotic stimulants, as designated in WAC 360-36-115, may be prescribed, ordered, dispensed, administered, supplied, or given to patients by practitioners.

1. Amphetamine sulfate, dextroamphetamine sulfate, dextroamphetamine HCL, and dextroamphetamine tannate may be prescribed, ordered, dispensed, administered, supplied, or given to patients by practitioners for treatment of vertigo (motion sickness).

2. Methylphenidate (Ritalin) may be prescribed, ordered, dispensed, administered, supplied, or given to patients by practitioners for the treatment of mild depression and apathetic or withdrawn senile behavior.

AMENDATORY SECTION

WAC 360-49-040 MANUFACTURERS, WHOLESALERS, DISTRIBUTORS, PHARMACY LOCATION, REQUIREMENT THAT DRUG PRODUCTS OFFERED FOR SALE COMPLY WITH 21 USC 355—IMMEDIATE SUSPENSION AND SUBSEQUENT REVOCATION OF LICENSES AUTHORIZED FOR VIOLATION. (1) In order to provide for enforcement of RCW 69.41.100 through RCW 69.41.180 and to protect the public health and safety when generic drugs are substituted for brand name drugs pursuant to chapter 110, Laws of 1979, drug products which are offered for sale by, or stored at the premises of, any manufacturer, distributor, wholesaler or pharmacy location must have an approved new drug application (NDA) or abbreviated new drug application (ANDA) designation by the Federal Food and Drug Administration pursuant to 21 USC 355 unless they are exempt from the requirements for such a designation.

(2) In order to provide for enforcement of RCW 69.41.100 through RCW 69.41.180 and to protect the public health and safety drug products offered for sale by, or stored at the premises of, a manufacturer, wholesaler, distributor or pharmacy location which do not have the required NDA or ANDA, or exemption therefrom referenced in paragraph (1) above, are hereby declared to be contraband and subject to surrender to and destruction by the Washington State Board of Pharmacy. This surrender and destruction shall take place as specified below.

(3) ~~((Upon receipt by the board of (1) a certification from the Federal Food and Drug Administration that a specific drug does not have the NDA and ANDA required by 21 USC 355 and that it is not exempt from the requirement of such a designation, and (2) an investigative report verifying that a stock of the drug product which is the subject of the certification from the Federal Food and Drug Administration is being offered for sale, or stored at the premises of, a manufacturer, wholesaler, distributor or pharmacy location within Washington state, the Board of Pharmacy shall direct such of its investigative personnel as it deems necessary to proceed to the premises of the manufacturer, wholesaler, distributor or pharmacy location and furnish to the owner, or person in charge of the premises wherein the drug products are located a copy of the FDA certification referenced above.))~~ The board shall publish in its newsletter, the current list compiled by the Federal Food and Drug Administration of generic drugs which do not have an NDA or ANDA and are not exempt from such a requirement and are therefore contraband as provided in paragraph (2) above. The board shall publish updates to this list as they become available and shall respond to both written and telephone inquiries from any source regarding the status of any generic drug.

(4) Whenever it is made to appear to the board that a manufacturer, wholesaler, distributor or pharmacy location within the state of Washington is in possession of a stock of drugs which are contraband as defined in paragraph (2) above, a representative of the board shall confirm with the Federal Food and Drug Administration, by telephone, that the particular drug or drugs involved do not have the required NDA or ANDA and that they are not exempt from this requirement. Upon receipt of this confirmation, the board shall direct such of its investigative personnel as it deems necessary to proceed to the premises of the manufacturer, wholesaler, distributor or pharmacy location and to then inform the owner, or person in charge, of the contraband status of the drugs in question.

~~((4))~~ (5) The Pharmacy Board investigative personnel shall offer the owner, or person in charge, of the premises at which the drug products are being kept the opportunity to immediately voluntarily surrender to the board all stocks of the drug products whether kept at the premises of the manufacturer, wholesaler, distributor, or pharmacy location, or at any separate storage facility under the control of the manufacturer, wholesaler, distributor or retailer, which are contraband under subsection (2) above. A receipt shall be given to the owner, or person in charge, for all drug products voluntarily surrendered.

~~((5))~~ (6) All drug products voluntarily surrendered pursuant to subsection ~~((4))~~ (5) above shall be destroyed by the Board of Pharmacy unless they are ordered returned to the manufacturer, wholesaler, distributor or pharmacy location by order of a court of competent jurisdiction. No destruction of any drug products surrendered will be accomplished until 30 days after the date of their surrender to the board.

~~((6))~~ (7) Retention, promotion or advertisement, of any drug products by a manufacturer, wholesaler, distributor or pharmacy location, either at their business premises or at any separate storage facility after notification of their contraband status under subsection (2) above shall constitute a direct and immediate danger to the public health and safety and will be good and sufficient cause for the immediate summary suspension and subsequent revocation of any license issued by the Board of Pharmacy to the manufacturer, wholesaler, distributor or pharmacy location and will also constitute good and sufficient cause for revocation of any license issued by the Board of Pharmacy to the owner of any manufacturer, wholesaler, distributor or pharmacy location or any person in charge thereof who knowingly retains, promotes or advertises, any drug products which are contraband under subsection (2) above after notification of their status.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 360-36-100	ADDITIONAL SCHEDULE I SUBSTANCES.
WAC 360-30-110	ADDITIONAL SCHEDULE II SUBSTANCES.
WAC 360-36-120	ADDITIONAL SCHEDULE III SUBSTANCES.
WAC 360-36-130	ADDITIONAL SCHEDULE IV SUBSTANCES.
WAC 360-36-140	ADDITIONAL SCHEDULE V SUBSTANCES.

WSR 80-10-041

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 80-82—Filed August 5, 1980]

I, Gordon Sandison, director of the 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 implements I.P.S.F.C. rules pursuant to RCW 75.40.060.

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

This rule is promulgated pursuant to RCW 75.40.060 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 August 5, 1980.
By Gordon Sandison
Director

N. Spencer Hammond
Executive Assistant
Department of Social and Health Services
Mail Stop OB-44 C
Olympia, WA 98504

NEW SECTION

WAC 220-28-803 TREATY INDIAN SOCKEYE FISHERY. *Effective immediately through August 8, 1980, treaty Indian sockeye salmon fishing rules of the United States Department of Interior, as adopted by Order 80-68 of the Director of Fisheries and as published in the Federal Register July 14, 1980 are superceded in part by this section.*

(1) *No treaty Indian shall fish for sockeye salmon in U.S. Convention waters in Puget Sound Management and Catch Reporting Areas 4B and 5 except with lawful gear from 5:00 a.m. Saturday, August 2 to 9:30 a.m. Thursday, August 7, 1980.*

(2) *No treaty Indian shall fish for sockeye salmon in U.S. Convention waters in Puget Sound Management and Catch Reporting Areas 6, 6A, 6C, 7, 7A and 7D except as follows:*

Gill Net

7:00 p.m. Tuesday, August 5 to 9:30 p.m. Wednesday, August 6, 1980

Purse Seine and Reef Net

5:00 a.m. to 9:30 p.m. Wednesday, August 6, 1980

(3) *It shall be unlawful for any treaty Indian fisherman to take, fish for or possess salmon for commercial purposes in Puget Sound waters under I.P.S.F.C. control except while exercising treaty Indian fishing rights at usual and accustomed grounds and stations.*

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.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-28-802 TREATY INDIAN SOCKEYE FISHERY. (80-79)

**WSR 80-10-042
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed August 6, 1980]**

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:

- New WAC 388-08-550 Updating mailing lists.
- New WAC 388-08-560 Delegation of authority by secretary.

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

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact William B. Pope, Chief, Office of Administrative Regulations, at State Office Building #2, 12th and Jefferson, Olympia, Washington, Phone (206) 753-7015, by 8/27/80. The meeting site is in a location which is barrier free;

that such agency will at 2:00 p.m., Wednesday, September 10, 1980, in the Auditorium, State Office Building #2, 12th and Franklin, Olympia, Washington, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, September 17, 1980, in William B. Pope's Office, J-24, State Office Building #2, 12th and Franklin, Olympia, Washington.

The authority under which these rules are proposed is RCW 34.04.020.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 10, 1980, and/or orally at 2:00 p.m., Wednesday, September 10, 1980, Auditorium, State Office building #2, 12th and Franklin, Olympia, Washington.

Dated: August 5, 1980
By: N. S. Hammond
Executive Assistant

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

- A.
 - 1. Amend chapter 388-08 WAC
 - 2. Purpose of the rule or rule change is to improve administration
 - 3. The reason(s) these rules are necessary is to reduce unnecessary expenditures.
 - 4. Statutory authority for this action is found in RCW 34.04.020.
- B. Summary of the rule or rule change: WAC 388-08-550 provides for the updating of mailing lists, WAC 388-08-560 provides for public inspection of written delegations of the secretary's authority.
- C. Person or persons responsible for the drafting implementation and enforcement of the rule:
 - 1. Name of initiator: Charles Burns
 - 2. Title: Program Administrator
 - 3. Office: Administrative Regulations
Phone: 3-7015
Mail Stop: OB-44 R
- D. The person or organization (if other than DSHS) who proposed these rules is: None
- E. These rules are not necessary as a result of federal laws, federal court decisions or state court decisions.

NEW SECTION

WAC 388-08-550 **UPDATING MAILING LISTS.** (1) Periodically, the department may cause the following notice, or a notice substantially similar, to be mailed: "In order to maintain as current a mailing list as possible, and to eliminate mailing notices to those who no longer have need for such notices, the department will discontinue use of its old mailing lists, effective (date to be specified). If you wish to continue receiving copies of notices of intention to adopt, amend or repeal rules after that date, please fill out the attached form and return it to the department at the address indicated on the form. If you do not return the form indicating your desire to continue to receive notices to adopt, amend or repeal rules, your name or the names of your organization will be removed from the mailing lists."

(2) The notice regarding updating of mailing lists is to be mailed by first-class mail.

(3) The form to be filled out by those persons or organizations wishing to continue to receive department notices to adopt, amend or repeal rules shall specify interest areas covered by these notices, thereby enabling those on mailing lists to limit correspondence received.

NEW SECTION

WAC 388-08-560 **DELEGATION OF AUTHORITY BY SECRETARY.** Pursuant to RCW 43.20A.110, certain powers and duties have been delegated by the secretary, DSHS. Writings evidencing delegations of authority are on file in the secretary's office and may be inspected between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding holidays.

WSR 80-10-043
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 1529—Filed August 6, 1980]

I, N. Spencer Hammond Ex. Asst. of the Department of Social and Health Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to food stamps, amending chapter 388-54 WAC.

This action is taken pursuant to Notice No. WSR 80-06-137 filed with the code reviser on June 3, 1980. 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 July 16, 1980.

By N. S. Hammond
 Executive Assistant

AMENDATORY SECTION (Amending Order 1374, filed 3/1/79)

WAC 388-54-630 **APPLICATION AND PARTICIPATION—VERIFICATION.** (1) Mandatory verifications shall include:

(a) Gross nonexempt income. Where verification is not possible because either the person or organization

providing the income has failed to cooperate or is unavailable, the (~~eligibility worker~~) department shall determine the amount to be used for certification purposes based on the best available information.

(b) Alien status. The department shall verify the alien status of those household members identified as aliens on the application by the use of INS documents, court orders or other appropriate documentations in possession of the household member. The (~~state agency~~) department shall not contact the INS to obtain information about the alien's correct status without the alien's written consent.

(c) Social security number (SSN) for each household member eighteen years and over and children receiving countable income (effective June 1, 1980).

(i) Certification shall not be delayed solely for the verification of SSNs, even if the thirty-day processing period has not expired.

(ii) A verified SSN shall be reverified only if the SSN or the identity of the individual becomes questionable.

(iii) If verification of SSN is not completed at initial certification, it shall be completed at the time of or prior to the household's recertification.

(iv) If verification is not completed within ninety days of initial certification, only the individual whose SSN is not verified shall be disqualified if he/she is unable to show "good cause" for failure to acquire or apply for the SSN. (See WAC 388-54-687).

(d) Utility expenses. The department shall verify the utility expenses only if the household wishes to claim expenses in excess of the utility standard and the expense would actually result in a deduction:

(i) If the utility expense cannot be verified in the (~~30~~) thirty days application period, the standard utility allowance shall be used.

(ii) Expenses claimed for an unoccupied home will be the actual expenses incurred.

(2) The following need not be verified unless inconsistent with other information on the application, previous applications, or other documented information known to the department.

(a) Resource information or the exempt status of income.

(b) Nonfinancial information such as household composition, tax dependency, deductible expenses, liquid resources and loans, citizenship.

If it is necessary to verify a loan, a simple statement signed by both parties to the loan shall be sufficient.

(3) The following sources of verification shall be used:

(a) Documentary evidence shall be the primary source of verification. Documentary evidence consists of a written confirmation of a household's circumstances. Whenever documentary evidence cannot be obtained, the department shall use alternate sources of verifications such as:

(i) Collateral contacts. A collateral contact is a verbal confirmation of a household's circumstances by a person outside of the household. This contact may be made either in person or over the phone with any individual who can provide an accurate third party verification of the household's statements.

(ii) Home visits(:-) shall be made only if documentary evidence cannot be obtained and the visit is scheduled in advance with the household.

(b) Documentation shall be in sufficient detail to permit a reviewer to determine the reasonableness and accuracy of the determination.

(4) The household has primary responsibility for providing documentary evidence to support its income statements and to resolve any questionable information. If it would be difficult or impossible for the household to obtain the documentary evidence in a timely manner, the department shall offer assistance in obtaining this evidence. Designation of a collateral contact is also the responsibility of the household.

(5) At recertification, a change in income or source of income, or actual utility expenses claimed, in an amount over \$25, shall be verified.

(a) All other changes shall be subject to the same verification procedures as apply at initial certification.

(b) Unchanged information shall not be verified unless questionable.

AMENDATORY SECTION (Amending Order 1374, filed 3/1/79)

WAC 388-54-645 APPLICATION AND PARTICIPATION—EXPEDITED SERVICE. The department must screen applicants at the time of application to determine which households are eligible for expedited service.

(1) If otherwise eligible, the following households are entitled to expedited service.

(a) Households with zero net monthly income;

(b) Households who are destitute as defined in WAC 388-54-655.

(2) For households eligible for expedited service.

(a) The department shall mail the ATP card or coupons no later than the close of business of the second working day following the date the application was filed; unless the household opts to pick up the ATP or coupons no later than the start of business of the third working day following the date the application was filed.

(b) For residents of drug or alcoholic treatment and rehabilitation centers who are eligible, the department shall make the ATP and coupons available within seven working days following the date the application was filed.

(3) When expediting certification and issuance the department shall:

(a) Postpone the verification usually required. The household's identity and residency shall be verified however through a collateral contact or readily available documentary evidence.

(b) Benefits shall not be delayed beyond the delivery standard described in (2) above solely because income has not been verified.

(c) The CSO shall promptly contact the collateral contact or otherwise assist the household in obtaining the necessary verification.

(4) Households that are certified on an expedited basis and have provided all necessary verification required prior to certification shall be assigned a normal certification period. When social security numbers are the only

mandatory items not verified, the household shall be certified for a three month period. Individuals required to provide SSNs for verification must do so at or prior to recertification unless able to show good cause for not meeting this requirement. If good cause is established, the participant may continue to participate provided the individual has documentation indicating he/she has applied for an SSN. If all necessary verification was postponed the household will be certified for one month only.

(a) Benefits will not be continued past the month of application if verification continues to be postponed.

(b) At the time of reapplication, the household must complete the verification requirements which were postponed.

(c) There is no limit to the number of times a household can be certified under expedited procedures, so long as prior to each expedited certification, the household either completes the verification requirements postponed at the last expedited certification, or was certified under normal processing standards since the last expedited certification.

(5) A household entitled both to expedited service and waiver of office interview shall be interviewed by the first working day following the date the application was filed. If the application is not complete and a telephone interview is conducted, the department shall complete the application for the household during the interview and mail the completed application the same day to the household for signature. Time limits shall be calculated from the date a completed and signed application is received rather than the date the application was filed.

AMENDATORY SECTION (Amending Order 1466, filed 12/19/79)

WAC 388-54-660 APPLICATION AND PARTICIPATION—SPECIAL CIRCUMSTANCES FOR PARTICIPATION. (1) Delivered meals. In order to purchase meals from a nonprofit meal delivery service authorized by FNS, eligible household members:

(a) Must be 60 years of age or over, or

(b) Must be housebound, physically handicapped or otherwise disabled to the extent that they are unable to adequately prepare all their meals, or

(c) Be the spouse of such a person.

(2) Communal dining. Members of eligible households who are 60 years of age or older and their spouses, or those receiving SSI and their spouses may use all or any part of their coupons to purchase meals prepared especially for them at a communal dining facility authorized by FNS for that purpose.

(3) Drug-alcohol treatment programs. A member of an eligible household who is a narcotics addict or an alcoholic, who regularly participates in a drug or alcoholic treatment program on a resident basis, may use food coupons to purchase food prepared for or served to him during the program, provided:

(a) The program is administered by a private nonprofit organization or institution which has been certified by the state as providing treatment that can lead to the rehabilitation of drug addicts or alcoholics pursuant to Public Law 91-616; and

(b) A resident participant shall be certified only under the following conditions:

(i) He must voluntarily elect to participate in the food stamp program;

(ii) He must be certified through the ((center as his authorized representative)) use of an authorized representative who shall be an employee of, and designated by, the private nonprofit organization administering the treatment and rehabilitation program;

(iii) He must be certified as a one-person household.

(c) The drug or alcohol treatment center which acts as the authorized representative must agree to the following conditions:

(i) The center must receive and spend the coupon allotment for meals prepared by or served to the addict or alcoholic;

(ii) The center must notify the department of changes in the participant's income, resources or household circumstances and when the addict or alcoholic leaves the treatment center, within ten days of the change;

(iii) The center shall be responsible for and can be penalized or disqualified for any misrepresentation or fraud committed in the certification of center residents and shall assume total liability for food coupons held on behalf of resident participants;

(iv) The treatment center shall provide resident addicts or alcoholics with their ID card and any untransacted ATP cards issued for the household when the household leaves the program;

(v) The treatment center shall provide the household with one half of its monthly coupon allotment when the household leaves the program prior to the ((16th)) sixteenth day of the allotment month;

(vi) The center shall provide the department with a certified list of currently participating residents on a monthly basis.

AMENDATORY SECTION (Amending Order 1374, filed 3/1/79)

WAC 388-54-665 HOUSEHOLD DETERMINATION. (1) The following individuals or groups of individuals may make up a household provided that such individuals or groups are not residents of an institution, residents of a commercial boarding house, and provided that separate household status shall not be granted to a spouse of a member of the household, or to children under ((+8)) eighteen years of age under parental control of a member of the household.

(a) An individual living alone~~((;))~~.

(b) An individual, living with others, but who customarily purchases food and prepares meals for home consumption separate and apart from the others.

(c) An individual who is a boarder, living with others and paying reasonable compensation to the others for meals for home consumption.

(d) A group of individuals, living together, for whom food is customarily purchased in common and for whom meals are prepared together for home consumption.

(e) A group of individuals who are boarders living with others and paying reasonable compensation to the others for meals for home consumption.

(f) Residents of federally subsidized housing for the elderly and residents of Food and Nutrition Service approved drug or alcoholic treatment centers or group living arrangements serving no more than sixteen residents, those being blind or disabled and receiving Title II or XVI benefits.

(2) The following individuals residing with a household shall not be considered household members in determining eligibility or allotment.

(a) Roomers. Individuals to whom a household furnishes lodging, but not meals, for compensation.

(b) Boarders. Individuals to whom a household furnishes lodging and meals with the following restrictions:

((+)) Boarder status shall not be extended to the spouse of a member of the household, children under ((+8)) eighteen under parental control of a member of the household, or persons paying less than a reasonable monthly payment for meals. Boarders whose board arrangement is for more than two meals per day shall pay an amount which equals or exceeds the thrifty food plan for the appropriate size of the boarder household. Boarders whose board arrangement is for two meals or less per day shall pay an amount which equals or exceeds two-thirds of the thrifty food plan for the appropriate size of the boarder household.

(c) Live-in attendants. Individuals who reside with a household to provide medical, housekeeping, child care or other similar personal services.

(d) Ineligible aliens. Individuals who do not meet the citizenship or eligible alien status.

(e) Student tax dependents

(f) Disqualified individuals. Individuals disqualified for fraud or failure to provide required social security numbers without good cause; or college students disqualified for failure to meet the school year work registration requirement.

(g) Other individuals who share living quarters with the household but who do not customarily purchase food and prepare meals with the household.

(3) Nonhousehold members who are otherwise eligible may participate as separate households provided that separate household status not be granted to:

(a) A spouse.

(b) Children under ((+8)) eighteen years of age under the parental control of a member of the household.

(4) Residents of commercial boarding houses are not eligible for program benefits. A boarding house shall be defined as:

(a) An establishment which is licensed as a commercial enterprise which offers meals and lodging for compensation.

(b) In project areas without licensing requirements, a boarding house is a commercial establishment which offers meals and lodging for compensation with the intention of making a profit.

(c) The household of the proprietor of a boarding house may participate separate and apart from the residents if otherwise eligible.

NEW SECTION

WAC 388-54-687 SOCIAL SECURITY NUMBER (SSN). (1) As a condition of eligibility each

household member eighteen years and over and any child receiving countable income shall be required to:

(a) Provide social security number, an individual having more than one SSN must provide each; or

(b) Apply for a social security number if it is unknown or has not been issued.

Any household member who must apply to SSA for the required SSN shall be eligible to participate for ninety days from the initial certification while waiting for the issuance of an SSN.

(2) An individual required to provide an SSN shall verify that an application accompanied by the necessary documents has been filed with SSA in order to continue to be eligible to participate beyond the ninety day certification period.

(3) An individual required to provide an SSN who cannot show good cause for failure to provide it shall be disqualified. Other household members who meet all requirements shall continue to be eligible to participate.

(4) A disqualified individual may become eligible upon providing the social security number or by verifying that an application with all necessary documents has been filed with SSA.

(5) The department shall explain to applicants and participants that refusal to provide an SSN will result in disqualification of the individual for whom an SSN is not obtained.

(6) The department shall inform the applicants/recipients where to apply for an SSN and what information will be needed. The department shall suggest that the household member ask for proof of application from SSA in the event the application is not processed within the ninety-day time period.

(7) The department shall follow the procedure outlined in subsection (6) of this section for all persons who do not know if they have an SSN or are unable to find their SSN.

AMENDATORY SECTION (Amending Order 1435, filed 9/21/79)

WAC 388-54-826 FRAUD DISQUALIFICATION—ADMINISTRATIVE FRAUD HEARING DETERMINED. (1) Fraud disqualification penalties. These rules are effective July 1, 1979. Individuals found to have committed fraud through an administrative fraud hearing shall be ineligible to participate in the program for three months. Individuals found guilty of criminal or civil fraud by a court of appropriate jurisdiction shall be ineligible for not less than six months and not more than ~~((24))~~ twenty-four months as determined by the court. The department shall disqualify only the individual and not the entire household. If the court fails to address or specify a disqualification period for the fraudulent act, the department shall impose a six month disqualification period unless it is contrary to the court order.

(2) Definition of fraud. For purpose of determining at an administrative fraud hearing whether or not fraud was committed, fraud shall consist of any action by an individual to knowingly, willfully, and with deceitful intent:

(a) Make a false statement to the state agency, either orally or in writing, to obtain benefits to which the household is not entitled;

(b) Conceal information to obtain benefits to which the household is not entitled;

(c) Alter authorization cards or coupons to obtain benefits to which the household is not entitled;

(d) Use coupons to buy expensive or conspicuous non-food items;

(e) Use or possess improperly obtained coupons or authorization cards;

(f) Trade or sell coupons or authorization cards.

(3) Administrative disqualification. The department's procedures for conducting fraud hearings are outlined in this section. An administrative fraud hearing shall be initiated by the department whenever the department has documented evidence to substantiate that a currently certified household member has committed one or more acts of fraud as defined in subsection (2) of this section. Fraud hearings shall not be conducted if the amount the department suspects has been fraudulently obtained is less than \$35 or if the value of the ineligible items that have been purchased with food stamps is under \$35. The burden of proving fraud is on the department. ~~((If the household member is not certified when the suspected fraud is discovered, the department shall initiate the hearing when the household member becomes certified. The administrative fraud hearing))~~ The department may initiate an administrative fraud hearing regardless of the current eligibility of the individual. It may still be conducted regardless of whether other legal action is planned against the household member.

(a) Consolidation of administrative fraud hearing with fair hearing. The office of hearings may combine a fair hearing and an administrative fraud hearing into a single hearing if the factual issues arise out of the same, or related, circumstances and the household receives prior notice that the hearings will be combined. If the fraud hearing and fair hearing are combined, the department shall follow the timeliness standards for conducting fraud hearings.

(b) Fraud hearing procedures.

(i) The department provides state level administrative fraud hearings. The procedure for decision rendering is described in WAC 388-54-827.

(ii) The following provisions apply to administrative fraud hearings:

(A) Hearing official. Hearings shall be conducted and decisions rendered by impartial examiners who: do not have any personal stake or involvement in the case; were not directly involved in the initial determination of the action which is being contested; and were not the immediate supervisor of the eligibility worker who took the action. The hearing official shall:

(I) Administer oaths or affirmations if required by the state;

(II) Ensure that all relevant issues are considered;

(III) Request, receive and make part of the record all evidence determined necessary to decide the issues being raised;

(IV) Regulate the conduct and course of the hearing consistent with due process to ensure an orderly hearing;

(V) Order, where relevant and useful, an independent medical assessment or professional evaluation from a source mutually satisfactory to the household and the department;

(B) Attendance at hearing. The hearing shall be attended by a representative of the department and by the household and/or its representative. The hearing may also be attended by friends or relatives of the household if the household so chooses. The hearing examiner shall have the authority to limit the number of persons in attendance at the hearing if space limitations exist.

(C) Household rights during hearing. The household may not be familiar with the rules of order and it may be necessary to make particular efforts to arrive at the facts of the case in a way that makes the household feel most at ease. The household or its representative must be given adequate opportunity to:

(I) Examine all documents and records to be used at the hearing at a reasonable time before the date of the hearing as well as during the hearing. The contents of the case file including the application form and documents of verification used by the department to establish the household's ineligibility or eligibility, and allotment shall be made available, provided that confidential information, such as the names of individuals who have disclosed information about the household without its knowledge or the nature or status of pending criminal prosecutions, is protected from release. If requested by the household or its representative, the department shall provide a free copy of the portions of the case file that are relevant to the hearing. Confidential information that is protected from release and other documents or records which the household will not otherwise have an opportunity to contest or challenge shall not be introduced at the hearing or affect the hearing official's decision.

(II) Present the case or have it presented by a legal counsel or other person.

(III) Bring witnesses.

(IV) Advance arguments without undue interference.

(V) Question or refute any testimony or evidence, including an opportunity to confront and cross-examine adverse witnesses.

(VI) Submit evidence to establish all pertinent facts and circumstances in the case.

(D) Hearing decisions.

(I) Decisions of the hearing authority shall comply with department regulations and shall be based on the hearing record. This record shall be available to the household or its representative at any reasonable time for copying and inspection.

(II) At the fraud hearing the hearing examiner shall advise the household member or representative that the household member may refuse to answer questions during the hearing.

(III) Within ((90)) ninety days of the date the household member is notified in writing that a hearing initiated by the department has been scheduled the department shall conduct the hearing, arrive at a decision, and initiate administrative action which will make the decision effective. The household member or representative is entitled to a postponement of up to ((30))

thirty days. If the hearing is postponed, the above time limits shall be extended for as many days as the hearing is postponed.

(c) Advance notice of hearing.

(i) The department shall provide written notice to the household member suspected of fraud at least ((30)) thirty days in advance of the date a fraud hearing initiated by the department has been scheduled. The notice shall be mailed certified mail return receipt requested, and shall contain, at a minimum:

(A) The date, time, and place of the hearing;

(B) The charge(s) against the household member;

(C) A summary of the evidence, and how and where the evidence can be examined;

(D) A warning that the decision will be based solely on information provided by the food stamp office if the household member fails to appear at the hearing;

(E) A warning that a determination of fraud will result in a three-month disqualification;

(F) A listing of the household member's rights as contained in WAC 388-54-826(3)(b)(ii)(C).

(G) A statement that the hearing does not preclude the state or federal government from prosecuting the household member for fraud in a civil or criminal court action, or from collecting the overissuance;

(H) A statement that the individual can call the food stamp office to get the name and phone number of someone who can give free legal advice. If free legal advice is not available, the food stamp office shall provide, when called, the phone number of a lawyer referral service of the local bar association.

(ii) A copy of the department's published hearing procedures shall be attached to the ((30)) thirty-day advance notice;

(d) Scheduling of hearing. The time and place of the hearing shall be arranged so that the hearing is accessible to the household member suspected of fraud.

((††)) If the household member or its representative cannot be located or fails to appear at a hearing initiated by the department without good cause, the hearing shall be conducted without the household member represented. Even though the household member is not represented, the hearing official is required to carefully consider the evidence and determine if fraud was committed based on clear and convincing evidence. If the household member is found to have committed fraud but a hearing official later determines that the household member or representative had good cause for not appearing, the previous decision shall no longer remain valid and the office of hearings shall conduct a new hearing. The household member has ten days from receipt of the notice of the fraud decision to present reasons indicating a good cause for failure to appear. A hearing official must enter the good cause decision into the record.

(e) Participation while awaiting a hearing. A pending fraud hearing shall not affect the individual's or the household's right to be certified and participate in the program. Since the department cannot disqualify a household member for fraud until the hearing authority finds that the individual has committed fraud, the department shall determine the eligibility and benefit level

of the household in the same manner it would be determined for any other household. The department shall also reduce or terminate the household's benefits if the department has documentation which substantiates that the household is ineligible or eligible for fewer benefits (even if these facts led to the suspicion of fraud and the resulting fraud hearing) and the household fails to request a fair hearing and continuation of benefits pending the hearing.

(f) Criteria for determining fraud. The hearing authority shall base the determination of fraud on clear and convincing evidence which demonstrates that the household member knowingly, willfully, and with deceitful intent committed fraud, as defined in subsection (2) of this section.

(g) Decision format. The hearing authority's decision shall specify the reasons for the decision, identify the supporting evidence, identify the pertinent regulation, and respond to reasoned arguments made by the household member or representative.

(h) Appeal rights of the household member. If the hearing authority rules that the household member has committed fraud, the household member may appeal the decision to court. After a household member has been found to have committed fraud by the hearing authority, the household member shall be disqualified for three months beginning with the first month which follows the date the household member has received the hearing decision. The disqualification period shall be three months, without regard to the amount of food stamps fraudulently obtained or the number of fraudulent acts the hearing finds the individual has committed. No further administrative appeal procedure exists after an adverse department hearing. The determination of fraud made by a fraud hearing official cannot be reversed by a subsequent fair hearing decision. The household member, however, is entitled to seek relief in a court having appropriate jurisdiction. The period of disqualification may be subject to stay or other injunctive remedy.

(i) Notification of hearing decision.

(ii) If the hearing authority finds that the household member did not commit fraud, the hearing authority shall provide a written notice which informs the household member of the decision.

(iii) If the administrative fraud hearing authority finds that the household member committed fraud, the department shall mail a written notice to the household member prior to disqualification. The notice shall inform the household member of the decision and the reason for the decision. The notice shall also advise the remaining household members, if any, of either the allotment they will receive during the period of disqualification or that they must reapply because the certification period has expired. The decision shall inform the household member of the date disqualification will take effect.

AMENDATORY SECTION (Amending Order 1435, filed 9/21/79)

WAC 388-54-828 FRAUD DISQUALIFICATION—COURT IMPOSED. (1) Court-ordered disqualifications of not less than six months and not more than twenty-four months may be

imposed separate and apart from any action taken by the department.

(2) The department shall recommend to the courts that a disqualification penalty as provided in section (6)(b) of the Food Stamp Act be imposed in addition to any other civil or criminal fraud penalties.

(3) The department shall disqualify an individual found guilty of fraud by the courts (~~only~~) when the court orders disqualification and (~~only~~) for the length of time specified by the court. When the court does not specify a date for initiating the disqualification period, the department shall initiate the disqualification period with the first month following the date the disqualification was ordered.

(4) The department shall not initiate or continue a court imposed or administratively imposed fraud disqualification period contrary to a court order.

(5) If the court fails to address or specify a disqualification period for the fraudulent act, the department shall impose a six month disqualification period unless it is contrary to the court order.

(6) These rules are effective July 1, 1979.

AMENDATORY SECTION (Amending Order 1374, filed 3/1/79)

WAC 388-54-840 CLAIMS AGAINST HOUSEHOLDS—FRAUD. (1) ~~((A claim shall be handled as a fraud claim only if the household member has been found guilty of fraud by an administrative fraud hearing or a court of appropriate jurisdiction.))~~ Prior to the determination of fraud, the claim against the household shall be handled as a nonfraud claim. A fraud claim shall be handled as such only if any of the following circumstances exist:

(a) The overpayment was established as a fraudulent claim prior to March 1, 1979;

(b) The household member was found guilty of fraud by a court of appropriate jurisdiction, regardless of the date of establishing the claim in question;

(c) The overpayment, all or a portion of which occurred on or after July 1, 1979, and an administrative fraud hearing found a household member to have fraudulently received benefits.

(2) The amount of the fraud claim shall be calculated back to the month the fraudulent act occurred.

~~((a))~~ In case of fraud due to failure to report a change in circumstances, the first month benefits were overissued shall be the month the change occurred.

(3) Individuals found to have committed fraud on or after July 1, 1979, shall be disqualified as follows:

(a) Administrative hearing - individuals shall be ineligible to participate in the program for three months;

(b) Court determinations of fraud, criminal/civil - individuals shall be ineligible to participate in the program for not less than six months and not more than twenty-four months as ordered by the court;

(c) The department shall impose a six month disqualification period when the court has not specified a disqualification period unless it is contrary to the court order;

(d) Only the individual(s) found to have committed fraud shall be disqualified, not the entire household.

(4) Collection of a fraud claim shall be initiated unless the household has repaid the overissuance as a result of nonfraud demand letters, or the household cannot be located or the legal representatives prosecuting a member of the household for fraud advise in writing that collection action will prejudice the case.

(a) The department shall send the household a written demand letter which ~~((informs the household))~~ specifies the amount owed, the reason for the claim, the period of time the claim covers, any offsetting that was done to reduce the claim, a repayment agreement, how the household may pay the claim and the ((household's)) household member's right to a fair hearing. Cases established as fraud prior to July 1, 1979, shall not be disqualified for lack of repayment.

(i) Because the time period covered ~~((is))~~ may be different in fraud and nonfraud claims, a fraud demand letter shall be sent even though a nonfraud letter was previously sent.

(ii) The repayment agreement shall include the repayment requirements, the types and terms of the restitution schedule, the date restitution must begin in order to avoid continuing the period of disqualification, and the right of the household to negotiate the repayment schedule should the household's economic situation change.

(b) For noncourt cases established prior to July 1, 1979, if the household does not respond to the first demand letter, additional letters shall be sent at ~~((30))~~ thirty-day intervals until the household agrees to pay, or the claim can be suspended or terminated.

(c) ~~((The department shall not disqualify a household solely because the household refuses to pay the fraud claim.))~~ For all court fraud determinations and cases found to be fraudulent by administrative fraud hearings since July 1, 1979, if the household does not respond to the demand letter, the household member found to have committed fraud shall continue to be disqualified until the signed agreement to repay is returned;

(d) If the repayment agreement is signed and returned but the household fails to adhere to the agreement, the mandatory allotment reduction method of repayment shall be utilized.

~~((4))~~ (5) The department shall suspend collection action if ~~((it has sent at least one demand letter of less than \$100, two demand letters of between \$100 and \$400 and three demand letters of more than \$400 provided one))~~ any of the following criteria is met:

(a) The household is financially unable to pay the claim;

(b) There is little likelihood that the state can collect or enforce collection of any significant sum from the household((-));

(c) The household cannot be located((-));

(d) The cost of further collection action is likely to exceed the amount that can be recovered; or

~~((5))~~ (6) After the claim has been held in suspense for three years, it shall be terminated.

~~((6))~~ (7) The department shall collect fraud or non-fraud claims in one of the following ways:

(a) Lump-sum, if the household is financially able to pay the claim this way.

(b) Installments, if the household has insufficient liquid resources or is otherwise financially unable to pay in a lump sum. If the full amount of the claim cannot be liquidated in ~~((3))~~ three years without creating a financial hardship on the household, the department shall compromise the claim by reducing it to an amount that the household can pay in ~~((3))~~ three years.

~~((7))~~ The department must inform the household in writing that its food stamp benefits cannot be denied, terminated or reduced if the sole reason is the fact that a household has either refused to sign a payment schedule or fails to make the agreed payments. Civil action, however, may be initiated to obtain repayment.))

(c) A household member found to have committed fraud through an administrative hearing or a court proceeding as set forth in subsection (1) of this section may elect to have the monthly allotment reduced by the individual's pro rata share or twenty-five percent of the total allotment whichever is less. A lesser amount can be deducted if it results in equal increments or if the full amount can be recovered within a year. If such a household member fails to make its regular payments, the household shall be sent a notice that the overdue payments must be made, or the repayment schedule renegotiated, or if no contact is made by the household the department may transfer to mandatory allotment reduction without prior notice of adverse action.

(d) If the household member found to have committed fraud has not returned a completed repayment agreement, the department shall send a subsequent notice one month prior to the end of the specified period of disqualification advising that he/she shall remain disqualified until such time as an agreement to repay is executed (effective June 1, 1980).

(e) If the household member fails to make a payment in accordance with the established cash repayment schedule, the department shall issue a notice explaining that no payment or an insufficient payment was received. The notice shall indicate that unless the overdue payments are made or the individual contacts the department to discuss renegotiating the payment schedule, the department may invoke allotment reduction without a notice of adverse action (effective June 1, 1980).

(f) If the household member responds to the notice, the department shall: (i) Permit the individual to make the overdue payments and continue payments based on the previous schedule if he/she wishes; or (ii) renegotiate a new payment schedule and execute a new written agreement letter if the individual requests it.

(8) The department shall not deny, terminate or reduce a household's benefits for failure to repay a claim, to agree to a repayment schedule or to make the agreed upon payment; except for the allotment reduction when repayment of a claim is beginning after the period of disqualification and the household member found to have committed fraud does not make agreed upon cash repayments.

REPEALER

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

- (1) WAC 388-54-507 PRELIMINARY CERTIFICATION.
- (2) WAC 388-54-509 SPECIAL CERTIFICATION FOR MIGRANT FARM LABORERS.

WSR 80-10-044
PROPOSED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES
 [Filed August 6, 1980]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, 49.17.040, 49.17.050, 49.17.240, chapters 43.22 and 42.30 RCW that the Department of Labor and Industries intends to adopt, amend, or repeal rules concerning:

New	WAC 296-24-217	Servicing multi-piece rim wheels, identical to CFR 1910.177, FR Volume 45-20, page 6713, January 29, 1980.
Amd	WAC 296-24-045	Safety and health committee plan, clarification.
Amd	WAC 296-24-060	First-aid training and certification, for clarification.

Written or oral submissions may also contain data, views, and arguments concerning the effect of the proposed rules or amendments or rules on economic values, pursuant to chapter 43.21H RCW.

The agency reserves the right to modify the text of these proposed rules before the public hearing or in response to written or oral comments received before or during the public hearing.

Correspondence relating to this notice and the proposed rules should be addressed to:

Department of Labor and Industries
 Division of Industrial Safety and Health
 P.O. Box 207, AX-31sd
 Olympia, Washington 98504;

that such agency will at 9:30 a.m., Thursday, September 18, 1980, in the 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 9:30 a.m., Thursday, November 13, 1980, in the Director's Office, General Administration Building, Olympia, Washington.

The authority under which these rules are proposed is RCW 49.17.040, 49.17.050, 49.17.240, chapters 43.22 and 42.30 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 12, 1980, and/or orally at 9:30 a.m., Thursday, September 18, 1980, Conference Room, General Administration Building, Olympia, Washington.

Dated: August 6, 1980
 By: F. Byron Swigart
 Deputy Director

STATEMENT OF PURPOSE

- (1) Title and WAC number of rule(s) or chapter:
chapter 296-24 WAC General Safety and Health.
- (2) Statutory authority for the rule(s):
RCW 49.17.040, 49.17.050, 49.17.240, chapters 43.22 and 42.30 RCW.
- (3) Summary of rule(s):
chapter 296-24 WAC, proposed new section on Servicing Multi-piece Rim Wheels and amendatory sections.
- (4) Description of the purpose of the rule(s):
chapter 296-24 WAC, new section on Rim Wheels to be in compliance with federal regulations. Amendatory sections for house-keeping and clarification.
- (5) Reasons supporting the proposed rule(s):
(a) To ensure safe and healthful working conditions for every man and woman working in the State of Washington.
(b) To be in compliance with federal regulations.
- (6) Name of agency personnel, with office location and telephone number, who are responsible for the drafting, implementation and enforcement of the rule(s):
(a) Drafting: Richard V. Milligan, Technical Services Chief, 814 East Fourth, Olympia, Washington 98504, 753-6381
(b) Implementation and Enforcement: James P. Sullivan, Assistant Director, Division of Industrial Safety and Health, 814 East Fourth, Olympia, Washington 98504, 753-6500
- (7) Names of the person or organization, whether private, public, or governmental, that is proposing the rule:
Department of Labor and Industries
Division of Industrial Safety and Health
- (8) Agency comments or recommendation, if any, regarding statutory language, implementation, enforcement and fiscal matters pertaining to the rule: None.
- (9) The rule is/is not necessary to comply with a federal law or state court decision. If the rule is so necessary, a copy of the law or court decision is attached to this statement.
- (10) Any other information that may be of assistance in identifying the rule or its purpose.
None.

AMENDATORY SECTION (Amending Order 78-22, filed 11/13/78)

WAC 296-24-045 SAFETY AND HEALTH COMMITTEE PLAN. (1) All employers of eleven or more employees, shall have a designated safety committee composed of employer and employee elected members.

(a) The terms of employee-elected members shall be a maximum of one year. Should a vacancy occur on the committee, a new member shall be elected prior to the next scheduled meeting.

(b) The number of employer-elected members shall not exceed the number of employee-elected members.

- (2) The safety committee shall have an elected chairperson.
 (3) The safety committee shall be responsible for determining the frequency of committee meetings.

NOTE: If the committee vote on the frequency of safety meetings is stalemated, the Division's Regional Safety Educational Representative may be consulted for recommendations.

(a) The committee shall be responsible for determining the date, hour and location of the meeting.

(b) The length of each meeting shall not exceed one hour except by majority vote of the committee.

(4) Minutes of each committee meeting shall be prepared and filed for a period of at least one year and shall be made available for review by noncompliance personnel, of the Division of Industrial Safety and Health.

(5) Safety and Health Committee meetings shall address the following:

(a) A review of the safety and health inspection reports to assist in correction of identified unsafe conditions or practices.

(b) An evaluation of the accident investigations conducted since the last meeting to determine if the cause of the unsafe acts or unsafe condition(s) involved was properly identified and corrected.

(c) An evaluation of the accident and illness prevention program with a discussion of recommendations for improvement where indicated.

(d) The attendance shall be documented.

(e) The subject(s) discussed shall be documented.

(6) All employers of ten or less employees and employers of eleven or more employees where the employees are segregated on different shifts or in widely dispersed locations in crews of ten or less employees, may elect to have foreman-crew meetings in lieu of a safety and health committee plan provided:

(a) Foreman-crew safety meetings be held at least once a month, or if conditions require, weekly or biweekly meetings shall be held to discuss safety problems as they arise.

(b) All items under subsection (5) above, shall be complied with.

AMENDATORY SECTION (Amending Order 78-22, filed 11/13/78)

WAC 296-24-060 FIRST-AID TRAINING AND CERTIFICATION. The purpose of this section is to assure that all employees of this state can be afforded quick and effective first-aid attention in the event that an injury occurs on the job. The means of achieving this purpose is to assure the presence of personnel trained in first-aid procedures at or near those places where employees are working. Compliance with the provisions of this section may require the presence of more than one first-aid trained person.

(1) In addition to RCW 51.36.030, every employer shall comply with the department's requirements for first-aid training and certification.

(2) There shall be present or available at all times, a person or persons holding a valid certificate of first-aid training. (A valid first-aid certificate is one which is less than three years old.)

(3) Compliance with the requirements of subsection (2) of this section may be achieved as follows:

(a) All foremen, supervisors, or persons in direct charge of crews working in physically dispersed operations, shall have a valid first-aid certificate; provided: that if the duties or work of the foreman, supervisor or person in direct charge of a crew, is absent from the crew, another person holding a valid first-aid certificate shall be present. For the purposes of this section, a crew shall mean a group of two or more employees working at a work site separate and remote from the main office or fixed work place ((f))such as occurs in construction, logging, etc.((3)) If there is no foreman, supervisor or person in direct charge assigned to the crew, at least one employee shall have a valid first-aid certificate.

((NOTE:)) In emergencies, foremen, supervisors and persons in direct charge of a crew will be permitted to work up to 30 days without having the required certificate, providing an employee in the crew or another foreman in the immediate work area has the necessary certificate.

(b) In fixed establishments, all foremen, supervisors, or persons in direct charge of a group or groups of employees shall have a valid first-aid certificate; provided: that in fixed establishments where the foreman, supervisor, or person in charge has duties which require his absence from the work site of the group, another person holding a valid first-aid certificate shall be present or available to the group.

((NOTE:)) Foremen, supervisors or persons in direct charge of a group or groups of employees will be permitted to work up to 30 days without having the required certificate, providing an employee in the crew or another foreman in the immediate ((work)) work area has the necessary certificate.

(c) In fixed establishments organized into distinct departments or equivalent organizational units such as department stores, large company offices, etc., a person or persons holding a valid first-aid certificate shall be present or available at all times employees are working within that department or organizational unit.

(d) In small businesses, offices or similar types of fixed workplaces, compliance may be achieved by having a number of such small businesses, offices, etc., combined into a single unit for the purpose of assuring the continued presence or availability of a person or persons holding a valid first-aid training certificate.

A plan for combining a number of small businesses etc., into such a group shall be submitted to the Division of Industrial Safety and Health, Safety Education Section, for approval. That section is also available to assist employers who wish to develop such a plan. Criteria for approval by the Division shall include:

(i) The businesses within the group must not be widely dispersed;
 (ii) The name(s) of the person or persons holding the first-aid certificates, their usual places of work, their phone numbers, and other appropriate information shall be posted in each establishment which is a member of the group, in a place which can reasonably be expected to give notice to employees of that establishment;

(iii) First-aid kits must be available as required by WAC 296-24-065.

((f)) (e) Valid certification shall be achieved by passing a course of first-aid instruction and participation in practical application of the following subject matter.

Bleeding control and bandaging.

Practical methods of artificial respiration, including mouth to mouth and mouth to nose resuscitation.

Closed chest heart massage.

Poisons.

Shock, unconsciousness, stroke.

Burns, scalds.

Sunstroke, heat exhaustion.

Frostbite, freezing, hypothermia.

Strains, sprains, hernias.

Fractures, dislocations.

Proper transportation of the injured.

Bites, stings.

Subjects covering specific health hazards likely to be encountered by co-workers of first-aid students enrolled in the course.

(4) In physically dispersed operations, at least one member of each crew shall have a valid first-aid certificate. A crew shall mean a group of two or more employees working at a work site separate and remote from the main office or fixed workplace such as occurs in construction, logging, etc.

(5) ~~((In fixed establishments organized into distinct departments or equivalent organizational units such as department stores, large company offices, etc., a person or persons holding a valid first-aid certificate shall be present or available at all times employees are working within that department or organizational unit.~~

~~((6) In small businesses, offices or similar types of fixed workplaces, compliance may be achieved by having a number of such small businesses, offices, etc., combined into a single unit for the purpose of assuring the continued presence or availability of a person or persons holding a valid first-aid training certificate.~~

~~A plan for combining a number of small businesses etc., into such a group shall be submitted to the Division of Industrial Safety and Health, Safety Education Section, for approval. That section is also available to assist employers who wish to develop such a plan. Criteria for approval by the Division shall include:~~

~~((a) The businesses within the group must not be widely dispersed;
 ((b) The person or persons holding the first-aid certificates, their usual places of work, their work phone numbers, and other appropriate information shall be posted in each establishment which is a member of the group, in a place which can reasonably be expected to give notice to employees of that establishment;~~

~~((c) First-aid kits must be available as required by WAC 296-24-065.~~

(7)) Industrial first-aid course instructors will, upon request, be furnished by the Division of Industrial Safety and Health, Department of Labor and Industries, either directly or through a program with the Community Colleges or vocational education.

(6) Employers of employees working in fixed establishments, meeting the following criteria, are exempt from the requirements of this section; provided:

(a) They can submit written evidence to the department, upon request, that the worksite of their employees is within a two-minute time frame of response by an aid car, medic unit or established ambulance service with first-aid trained attendants.

(b) There is a back-up aid car, medic unit or established ambulance service within the two-minute response time; or that a first-aid trained person with readily available transportation is on the site of the posted emergency phone number for immediate dispatch in the event the primary unit is not available.

(c) There are no traffic impediments, such as draw bridges, railroad track; etc., along the normal route of travel of the aid car, medic unit or established ambulance service that would delay arrival beyond the required two minute time frame.

(d) Emergency telephone numbers are posted on all first-aid kits and at all telephones on the worksite.

(e) The above services are available or exist at all times when more than one employee is on the worksite.

NOTE: A construction site that will be of more than six months duration, such as a large building, shall be considered a fixed establishment for the purposes of this section. Doctor's offices and clinics are not to be considered as alternates due to the fact that very often doctor's schedules require them to be away from their offices and they are reluctant to leave their offices on any type of unscheduled call.

NEW SECTION

WAC 296-24-217 SERVICING MULTIPIECE RIM WHEELS.

NEW SECTION

WAC 296-24-21701 SCOPE. This section applies to the servicing of vehicle wheels which have tube-type tires mounted on multipiece rims as defined in WAC 296-24-21703.

NEW SECTION

WAC 296-24-21703 DEFINITIONS APPLICABLE TO THIS SECTION. (1) Charts - the United States Department of Transportation, National Highway Traffic Safety Administration (NHTSA) publications entitled "Safety Precautions for Mounting and Demounting Tube-Type Truck/Bus Tires" and "Multipiece Rim/Wheel Matching Chart", or any other publications containing, at a minimum, the same instructions, safety precautions and other information contained on those charts that are applicable to the types of multipiece rim wheels being serviced.

(2) Installing a wheel - the transfer and attachment of an assembled wheel onto a vehicle axle hub. Removing means the opposite of installing.

(3) Mounting a tire - the assembly or putting together of rim components, tube, liner (flap) and tire to form a wheel, including inflation. Demounting means the opposite of mounting.

(4) Multipiece rim - a vehicle wheel rim consisting of two or more parts, one of which is a side or locking ring designed to hold the tire on the rim by interlocking components when the tube is inflated, regardless of the sizes of the component parts.

(5) Restraining device - a mechanical apparatus such as a safety cage, rack or safety bar arrangement or other machinery or equipment specifically designed for this purpose, that will constrain all multipiece rim wheel components following their release during an explosive separation of the wheel components.

(6) Rim manual - a publication containing instruction from the manufacturer or other qualified organization for correct mounting, demounting, maintenance and safety precautions peculiar to the multipiece rim being serviced.

(7) Service or servicing - the mounting and demounting of multipiece rim wheels, and related activity such as inflating, deflating, installing, removing, maintaining, handling or storing of multipiece rim wheels, including inflating and deflating of wheels installed on vehicles.

(8) Service area - that part of an employer's premises used for the servicing of multipiece rim wheels, or any other place where an employee services multipiece rim wheels.

(9) Trajectory - any potential path or route that a lock ring, side ring, rim base and/or tire may travel during an explosive rim separation, and includes paths which may deviate from that perpendicular to the assembled position of the components on the rim base at the time of separation. (See Illustration for examples of expected trajectories).

(10) Wheel - an assemblage of tire, tube, and multipiece rim components.

NEW SECTION

WAC 296-24-21705 EMPLOYEE TRAINING. (1) The employer shall provide a training program to train and instruct all employees who service multipiece rim wheels in the hazards involved in servicing multipiece rim wheels and the safety procedures to be followed.

(a) The employer shall assure that no employee services any multipiece rim wheel unless the employee has been trained and instructed in correct procedures of mounting, demounting, and all related services, activities, and correct safety precautions for the rim type being serviced, and the safe operating procedures described in WAC 296-24-21711.

(b) Information to be used in the training program shall include, at a minimum, the data contained on the charts and the contents of this standard.

(c) Where an employer knows or has reason to believe that any of his employees is unable to read and understand the charts or rim manual, the employer shall assure that the employee is instructed concerning the contents of the charts and rim manual in a manner which the employee is able to understand.

(2) The employer shall assure that each employee demonstrates and maintains his ability to service multipiece rim wheels safely, including performance of the following tasks:

- (a) Demounting of tires (including deflation);
- (b) Inspection of wheel components;
- (c) Mounting of tires (including inflation within a restraining device);
- (d) Use of the restraining device;
- (e) Handling of wheels;
- (f) Inflation of tires when a wheel is mounted on the vehicle; and
- (g) Installation and removal of wheels.

(3) The employer shall evaluate each employee's ability to perform these tasks and to service multipiece rim wheels safely and shall provide additional training as necessary to assure that each employee maintains his proficiency.

NEW SECTION

WAC 296-24-21707 TIRE SERVICING EQUIPMENT. (1) The employer shall furnish and shall assure that employees use a restraining device in servicing multipiece rim wheels.

(a) Each restraining device shall have the capacity to withstand the maximum force that would be transferred to it during an explosive wheel separation occurring at one hundred fifty percent of maximum tire specification pressure for the wheels being serviced.

(b) Restraining devices shall be capable of preventing rim components from being thrown outside or beyond the frame of the device for any wheel position within the device.

(c) Restraining devices shall be inspected prior to each day's use and after any explosive separation of wheel components and any restraining devices exhibiting any of the following defects shall be immediately removed from service:

- (i) cracks at welds;
- (ii) cracked or broken components;
- (iii) bent or sprung components caused by mishandling, abuse or wheel separation; or
- (iv) pitting of components due to excessive corrosion.

(d) Restraining devices removed from service in accordance with subsection (1)(c) of this section, shall not be returned to service until they are inspected, repaired, if necessary, and are certified either by the manufacturer or by a Registered Professional Engineer as meeting the strength requirements of subsection (1)(a) and (b) of this section.

(2) A clip-on-chuck with a sufficient length of hose to permit the employee to stand clear of the potential trajectory of the wheel components, and an in-line valve with gauge or a pressure regulator preset

to a desired value shall be furnished by the employer and used to inflate tires.

(3) Current charts shall be available in the service area.

(4) A current rim manual containing instructions for the type of rims being serviced shall be available in the service area.

(5) The employer shall assure that only tools recommended in the rim manual for the type of wheel being serviced are used to service the multipiece rim wheels.

NEW SECTION

WAC 296-24-21709 WHEEL COMPONENT ACCEPTABILITY. (1) Wheel components shall not be interchanged except as provided in the charts, or in the applicable rim manual.

(2) Wheel components shall be inspected prior to assembly. Rim bases, side rings or lock rings which are bent out of shape, pitted from corrosion, broken or cracked shall not be used and shall be rendered unusable and discarded.

(3) Mating surfaces of the rim gutter, rings and tire shall be free of any dirt, surface rust, scale or rubber buildup prior to mounting and inflation.

NEW SECTION

WAC 296-24-21711 SAFE OPERATING PROCEDURE. The employer shall establish a safe operating procedure for servicing multipiece rim wheels and shall assure that employees are instructed in and follow that procedure. The procedure shall include at least the following elements:

(1) Tires shall be completely deflated before demounting by removal of the valve core.

(2) Tires shall be completely deflated by removing the valve core, before a wheel is removed from the axle in either of the following situations:

(a) When the tire has been driven underinflated at eighty percent or less of its recommended pressure; or

(b) When there is obvious or suspected damage to the tire or wheel components.

(3) Rubber lubricant shall be applied to bead and rim mating surfaces during assembly of the wheel and inflation of the tire.

(4) Tires shall be inflated only when contained by a restraining device, except that when the wheel assembly is on a vehicle, tires that are underinflated but have more than eighty percent of the recommended pressure, may be inflated while the wheel is on the vehicle if remote control inflation equipment is used and no employees are in the trajectory, and except as provided in subsection (5) of this section.

(5) When a tire is being partially inflated without a restraining device for the purpose of seating the lock ring or to round out the tube, such inflation shall not exceed 3 psig (0.21 kg/cm²).

(6) Whenever a tire is in a restraining device the employee shall not rest or lean any part of his body or equipment on or against the restraining device.

(7) After tire inflation, the tire, rim and rings shall be inspected while still within the restraining device to make sure that they are properly seated and locked. If further adjustment to the tire, rim or rings is necessary, the tire shall be deflated by removal of the valve core before the adjustment is made.

(8) No attempt shall be made to correct the seating of side and lock rings by hammering, striking or forcing the components while the tire is pressurized.

(9) Cracked, broken, bent or otherwise damaged rim components shall not be reworked, welded, brazed, or otherwise heated.

(10) Whenever multipiece rim wheels are being handled, employees shall stay out of the trajectory unless the employer can demonstrate that performance of the servicing makes the employee's presence in the trajectory necessary.

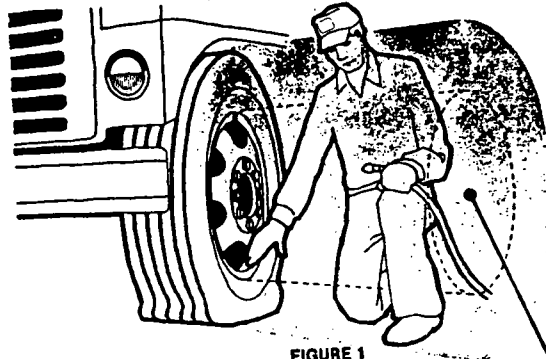


FIGURE 1



FIGURE 2

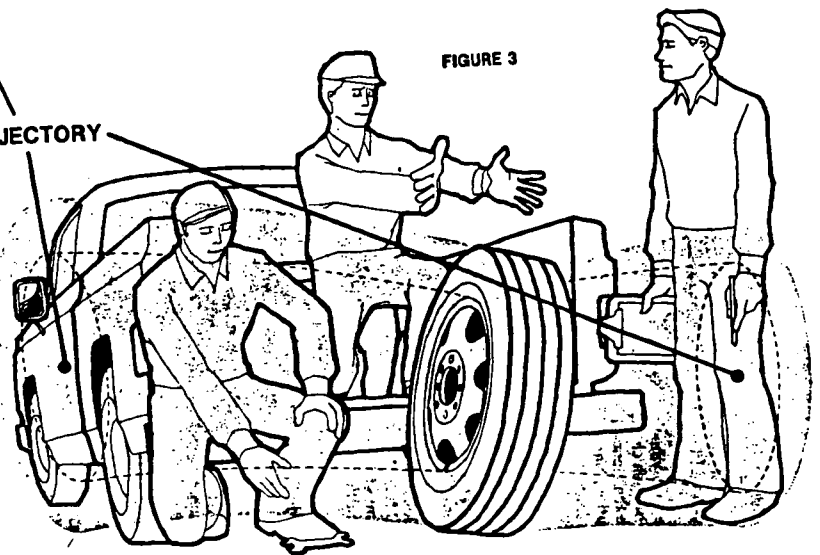


FIGURE 3

**TRAJECTORY
WARNING
STAY OUT OF
THE TRAJECTORY AS
INDICATED BY SHADED AREA**

Note: Under some circumstances, the trajectory may deviate from its expected path

BILLING CODE 4810-28-C

NOTE: ORDERING INFORMATION FOR NHTSA CHARTS

NHTSA has prepared safety information charts as part of a continuing campaign to alert truck and bus service personnel to the risk in-

volved when working with multipiece truck and bus wheels.

Individuals who service such wheels may obtain a single copy of each chart, without cost, by writing to the General Services Division/Distribution, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, D.C. 20590.

Reprints of the above mentioned charts are also available through the Occupational Safety and Health Administration (OSHA) Area Offices. The address and telephone number of the nearest OSHA Area Office can be obtained by looking in the local telephone directory under U.S. Government, U.S. Department of Labor, Occupational Safety and Health Administration. Single copies are available without charge.

Service establishments and other organizations desiring these charts may order them in any quantity desired from the Superintendent of Documents, Government Printing Office (GPO), Washington, D.C. 20402, at a cost established by the GPO. GPO ordering number for the charts are: Safety Chart - 050-003-00315-8, Cost: \$2.25; Matching Chart - 050-003-00316-6, Cost: \$2.00.

**WSR 80-10-045
PROPOSED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES
[Filed August 6, 1980]**

Notice is hereby given in accordance with the provisions of RCW 34.04.025, 49.17.040, 49.17.050, 49.17.240, chapters 43.22 and 42.30 RCW, that the Department of Labor and Industries intends to adopt, amend, or repeal rules concerning:

- New WAC 296-62-07302 List of carcinogens; compilation of WAC 296-62-07302 thru 296-62-07314, for clarification and avoid repetition.
- New WAC 296-62-07304 Definitions.
- New WAC 296-62-07306 Requirements for areas containing carcinogens listed in WAC 296-62-07302.
- New WAC 296-62-07310 Signs.
- New WAC 296-62-07312 Reports.
- New WAC 296-62-07314 Medical surveillance.
- New WAC 296-62-14533 Cotton Dust, identical to CFR 1910.1043, FR 43-122, page 27394, 6/23/78.
- New ch. 296-115 WAC Requirements for passenger vessels, implement chapter 88.04 RCW.
- New ch. 296-360 WAC Discrimination, pursuant to RCW 49.17.160.
- Amd WAC 296-24-015 Education and first-aid standards; housekeeping.
- Amd WAC 296-24-12007 Toilet facilities; housekeeping.
- Amd WAC 296-24-12009 Washing facilities; housekeeping.
- Amd WAC 296-24-19507 Safeguarding the point of operation; housekeeping.
- Amd WAC 296-24-20533 Care of equipment; housekeeping.
- Amd WAC 296-24-23509 Stops, bumpers, rail sweeps, and guards; housekeeping.
- Amd WAC 296-24-23515 Hoisting equipment; housekeeping.
- Amd WAC 296-24-23525 Rope inspection; housekeeping.
- Amd WAC 296-24-29413 Chains and cables; housekeeping.
- Amd WAC 296-24-33001 Definitions; housekeeping.
- Amd WAC 296-24-47513 Storage of containers awaiting use or resale; housekeeping.
- Amd WAC 296-24-51009 Basic rules; housekeeping.
- Amd WAC 296-24-51013 Refrigerated storage; housekeeping.
- Amd WAC 296-24-51017 Systems mounted on trucks, semi-trailers, and trailers for transportation of ammonia; housekeeping.
- Amd WAC 296-24-51021 Systems mounted on farm equipment (implements of husbandry) for the application of ammonia; housekeeping.

- Amd WAC 296-24-65501 Portable powered tools; housekeeping.
- Amd WAC 296-24-81011 Pitch; housekeeping.
- Amd WAC 297-62-020 Definitions applicable to section of this chapter; add definition of coal tar pitch volatiles, identical to CFR 1910.1002.
- Amd WAC 296-62-073 Carginogens—Scope and application; housekeeping.
- Amd WAC 296-62-11001 Definition; housekeeping.
- Amd WAC 296-79-140 Installation, inspection, and maintenance of pipes, piping systems and hoses; to be A.L.A.E. as CFR 1910.261.
- Amd WAC 296-79-170 Requirement for crawler and truck cranes; to be A.L.A.E. as CFR 1910.261.
- Amd WAC 296-79-180 Privately owned standard gauge railroad operations; to be A.L.A.E. as CFR 1910.261.
- Amd WAC 296-79-220 Deactivating and lock-out requirements; to be A.L.A.E. as CFR 1910.261.
- Amd WAC 296-79-29029 Broke hole; to be A.L.A.E. as CFR 1910.261.
- Amd WAC 296-79-300 Machine room equipment and procedures; to be A.L.A.E. as CFR 1910.261.
- Amd WAC 296-155-005 Purpose and scope; clarification.
- Amd WAC 296-350-010 Definitions; housekeeping.
- Amd WAC 296-350-030 Notice of appeal—Filing and service; housekeeping.
- Amd WAC 296-350-255 Order granting a permanent variance—Application; housekeeping.
- Amd WAC 296-350-35010 Application for extension of abatement date(s); housekeeping.
- Amd WAC 296-350-35035 Extension of abatement date(s)—Notice of application. . . ; housekeeping.
- Amd WAC 296-350-35045 Extension of abatement date(s)—Application for hearing; housekeeping.
- Amd WAC 296-350-35050 Extension of abatement date(s)—Notice of hearing; housekeeping.
- Amd WAC 296-350-35060 Extension of abatement date(s)—Decision and order; housekeeping.
- Amd WAC 296-350-460 Complaints—Inspection not warranted—Informal review; housekeeping.
- Amd WAC 296-350-470 Citation not issued following complaint; housekeeping.
- Amd WAC 296-350-990 Appendix A.

Written or oral submissions may also contain data, views, and arguments concerning the effect of the proposed rules or amendments or rules on economic values, pursuant to chapter 43.21H RCW.

The agency reserves the right to modify the text of these proposed rules before the public hearing or in response to written or oral comments received before or during the public hearing.

Correspondence relating to this notice and the proposed rules should be addressed to:

Department of Labor and Industries
Division of Industrial Safety and Health
P.O. Box 207, AX-315d
Olympia, Washington 98504;

that such agency will at 9:30 a.m., Thursday, September 18, 1980, in the 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 9:30 a.m., Thursday, November 13, 1980, in the Director's Office, General Administration Building, Olympia, Washington.

The authority under which these rules are proposed is RCW 49.17.040, 49.17.050, 49.17.240, chapters 43.22 and 42.30 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 12, 1980, and/or orally at 9:30 a.m., Thursday, September 18, 1980, Conference Room, General Administration Building, Olympia, Washington.

Dated: August 6, 1980

By: F. Byron Swigart
Deputy Director

STATEMENT OF PURPOSE

- (1) Title and WAC number of rule(s) or chapter:
chapter 296-24 WAC general safety and health; chapter 296-62 WAC occupational safety and health; chapter 296-79 WAC safety standards for pulp, paper, paperboard mills, finishing and converters; chapter 296-115 WAC safety requirements for passenger vessels; chapter 296-155 WAC safety standards for construction; chapter 296-350 WAC administrative rules; and chapter 296-360 WAC administrative rules.
- (2) Statutory authority for the rule(s):
RCW 49.17.040, 49.17.050, 49.17.240, chapters 43.22 and 42.30 RCW.
- (3) Summary of rule(s):
chapter 296-24 WAC amendatory sections; chapter 296-62 WAC proposed new section combining similar carcinogens; proposed new section on cotton dust and amendatory sections; chapter 296-79 WAC amendatory sections; chapter 296-115 WAC proposed new chapter on safety requirements for passenger vessels; chapter 296-155 WAC amendatory section; chapter 296-350 WAC amendments to various sections; chapter 296-360 WAC proposed new chapter on discrimination.
- (4) Description of the purpose of the rule(s):
chapter 296-24 WAC Amendatory sections for housekeeping and clarification; chapter 296-62 WAC A new section is proposed grouping carcinogens of the same type. Subsequent sections in this proposal will deal with the requirements regarding the handling and use of these carcinogens. The repetitious sections of the existing code will be repealed. New section on cotton dust to be in compliance with federal regulations. Amendatory sections for housekeeping purposes; chapter 296-79 WAC amendatory sections to be at least as effective as the federal standards; chapter 296-115 WAC proposed new chapter to implement mandate from the legislature, chapter 88.04 RCW; chapter 296-350 WAC amendatory sections to correct housekeeping errors; chapter 296-

350 WAC proposed new chapter on discrimination, pursuant to RCW 49.17.160.

- (5) Reasons supporting the proposed rule(s):
 - (a) To ensure safe and healthful working conditions for every man and woman working in the state of Washington.
 - (b) To be in compliance with federal regulations.
- (6) Name of agency personnel, with office location and telephone number, who are responsible for the drafting, implementation and enforcement of the rule(s):
 - (a) Drafting: Richard V. Milligan, Technical Services Chief, 814 East Fourth, Olympia, Washington 98504, 753-6381.
 - (b) Implementation and Enforcement: James P. Sullivan, Assistant Director, Division of Industrial Safety and Health, 814 East Fourth, Olympia, Washington 98504, 753-6500.
- (7) Names of the person or organization, whether private, public or governmental, that is proposing the rule: Department of Labor and Industries, Division of Industrial Safety and Health.
- (8) Agency comments or recommendation, if any, regarding statutory language, implementation, enforcement and fiscal matters pertaining to the rule: None.
- (9) The rule is necessary to comply with Pub. Law 91-596 Sec. 18(b) as amended December 29, 1970, 84 Stat. 1608.
- (10) Any other information that may be of assistance in identifying the rule or its purpose: None.

REPEALER

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

- | | | |
|------|------------------|---|
| (1) | WAC 296-62-07301 | 4-NITROBIPHENYL. |
| (2) | WAC 296-62-07303 | alpha-NAPHTHYLAMINE. |
| (3) | WAC 296-62-07305 | 4,4'-METHYLENE bis (2-CHLOROANILINE). |
| (4) | WAC 296-62-07307 | METHYL CHLOROMETHYL ETHER. |
| (5) | WAC 296-62-07309 | 3,3'-DICHLOROBENZIDINE (and its salts). |
| (6) | WAC 296-62-07311 | bis-CHLOROMETHYL ETHER. |
| (7) | WAC 296-62-07313 | beta-NAPHTHYLAMINE. |
| (8) | WAC 296-62-07315 | BENZIDINE. |
| (9) | WAC 296-62-07317 | 4-AMINODIPHENYL. |
| (10) | WAC 296-62-07319 | ETHYLENEIMINE. |
| (11) | WAC 296-62-07321 | beta-PROPIOLACTONE. |
| (12) | WAC 296-62-07323 | 2-ACETYLAMINOFUORENE. |
| (13) | WAC 296-62-07325 | 4-DIMETHYLAMINOAZOBENZENE. |
| (14) | WAC 296-62-07327 | N-NITROSODIMETHYLAMINE. |

AMENDATORY SECTION (Amending Order 73-5, filed 5/9/73 and Order 73-4, filed 5/7/73)

WAC 296-24-015 EDUCATION AND FIRST-AID STANDARDS. It shall be the duty of every employer to comply with such standards and systems of education for safety as shall be, from time to time, prescribed for such employer by the Director of Labor and Industries through the Division of Safety or by statute. (RCW ((49-16-030)) 49.17.030).

AMENDATORY SECTION (Amending Order 74-27, filed 5/7/74)

WAC 296-24-12007 TOILET FACILITIES. (1) General. (a) Except as otherwise indicated in this section, (a) toilet facilities, in toilet rooms separate for each sex, shall be provided in all places of employment in accordance with table B-1 of this section. The number of facilities to be provided for each sex shall be based on the number of employees of that sex for whom the facilities are furnished. Where toilet rooms will be occupied by no more than one person at a time, can be locked from the inside, and contain at least one water closet, separate toilet rooms for each sex need not be provided. Where such single-occupancy rooms have more than one toilet facility, only one such facility in each toilet room shall be counted for the purpose to table B-1.

TABLE B-1

Number of employees:	Minimum number of water closets
1 to 15	1
16 to 35	2
36 to 55	3
56 to 80	4
81 to 110	5
111 to 150	6
Over 150	One additional fixture for each additional 40 employees

(i) Where toilet facilities will not be used by women, urinals may be provided instead of water closets in such cases shall not be reduced to less than 2/3 of the minimum specified.

(b) The requirements of subdivision (a) of this subsection do not apply to mobile crews or to normally unattended work locations so long as employees working at these locations have transportation immediately available to nearby toilet facilities which meet the other requirements of this section.

(c) The sewage disposal method shall not endanger the health of employees.

(d) When persons other than employees are permitted the use of toilet facilities on the premises, the number of such facilities shall be appropriately increased in accordance with table B-1 of this section in determining the minimum number of toilet facilities required.

(e) Toilet paper with holder shall be provided for every water closet.

(f) Covered receptacles shall be kept in all toilet rooms used by women.

(g) For each three required toilet facilities at least one lavatory shall be located either in the toilet room or adjacent thereto. Where only one or two toilet facilities are provided at least one lavatory so located shall be provided.

(2) Construction of toilet rooms. (a) Each water closet shall occupy a separate compartment with a door and walls or partitions between fixtures sufficiently high to assure privacy.

(b) In all toilet rooms installed on or after August 31, 1971, the floor and sidewalls, including the angle formed by the floor and sidewalls, and excluding doorways and entrances, shall be watertight. The sidewalls shall be watertight to a height of at least 5 inches.

(c) The floors, walls, ceilings, partitions, and doors of all toilet rooms shall be of a finish that can be easily cleaned. In installations made on or after August 31, 1971, cove bases shall be provided to facilitate cleaning.

(3) Construction and installation of toilet facilities. (a) Every water carriage toilet facility shall be set entirely free and open from all enclosing structures and shall be so installed that the space around the facility can be easily cleaned. This provision does not prohibit the use of wall-hung-type water closets or urinals.

(b) Every water closet shall have a hinged seat made of substantial material having a nonabsorbent finish. Seats installed or replaced after June 4, 1973, shall be of the open front type.

(c) Nonwater carriage toilet facilities and disposal systems shall be in accordance with WAC 296-24-130 through WAC 296-24-13013.

AMENDATORY SECTION (Amending Order 14-27, filed 5/7/74)

WAC 296-24-12009 WASHING FACILITIES. (1) General. Facilities for maintaining personal cleanliness shall be provided in every place of employment pursuant to the provisions of this section. These shall be convenient for the employees for whom they are provided and shall be maintained in a sanitary condition.

(2) Lavatories. (a) Lavatories shall be made available in all places of employment in accordance with the requirements for lavatories as set forth in table B-2 of this section. In a multiple-use lavatory, 24 lineal inches of wash sink or 20 inches of a circular basin, when provided with water outlets for each space, shall be considered equivalent to one lavatory. The requirements of this subsection do not apply to mobile crews or to normally unattended work locations if employees working at these locations have transportation readily available to nearby washing facilities which meet the other requirements of this section.

TABLE B-2

Type of employment	Number of employees	Minimum number of lavatories
Nonindustrial— office buildings public buildings, and similar establishments	1 to 15	1
	16 to 35	2
	36 to 60	3
	61 to 90	4
	91 to 125	5
	Over 125	1 additional fixture for each additional 45 employees.
Industrial— factories, warehouses, loft buildings and similar establishments.	1 to 100	1 fixture for each 10 employees.
	Over ((+25)) 100	1 fixture for each additional 15 employees.

(b) Each lavatory shall be provided with hot and cold running water, or tepid running water.

(c) Hand soap or similar cleansing agents shall be provided.

(d) Individual hand towels or sections thereof, of cloth or paper, warm air blowers or clean individual sections of continuous cloth toweling, convenient to the lavatories, shall be provided.

(e) Receptacles shall be provided for disposal of used towels.

(f) Warm air blowers shall provide air at not less than 90°F. and shall have means to automatically prevent the discharge of air exceeding 140°F.

(g) Electrical components of warm air blowers shall meet the requirements of WAC 296-24-950 and WAC 296-24-955.

(3) Showers. (a) Whenever showers are required by a particular standard, the showers shall be provided, in accordance with subdivisions (b) through (e) of this section.

(b) One shower shall be provided for each 10 employees of each sex, or numerical fraction thereof, who are required to shower during the same shift.

(c) Body soap or other appropriate cleansing agents convenient to the showers shall be provided as specified in this section.

(d) Showers shall be provided with hot and cold water feeding a common discharge line.

(e) Employees who use showers shall be provided with individual clean towels.

AMENDATORY SECTION (Amending Order 76-6, filed 3/1/76)

WAC 296-24-19507 SAFEGUARDING THE POINT OF OPERATION. (1) General Requirements. (a) It shall be the responsibility of the employer to provide and insure the usage of "point of operation guards" or properly applied and adjusted point of operation devices on every operation performed on a mechanical power press. See Table O-10.

(b) The requirement of subdivision (a) of this section shall not apply when the point of operation opening is one-fourth inch or less. See Table O-10.

TABLE O-10

MAXIMUM OPENINGS UNDER GUARDS

Distance of Opening From Point of Operation Hazard (Inches)	Maximum Openings Under Guard (Inches)
1/2 to 1-1/2	1/4
1-1/2 to 2-1/2	3/8
2-1/2 to 3-1/2	1/2
3-1/2 to 5-1/2	5/8
5-1/2 to 6-1/2	3/4
6-1/2 to 7-1/2	7/8
7-1/2 to 12-1/2	1-1/4
12-1/2 to 15-1/2	1-1/2
15-1/2 to 17-1/2	1-7/8
17-1/2 to 31-1/2	2-1/8

MAXIMUM OPENINGS THROUGH GUARDS

Material	Guard Clearance From Hazard Point	Largest Mesh or Opening (Inches)
Woven Wire, Expanded Metal or Perforated Metal	From 2 to 4	1/2
	4 to 15	2
Wood or Metal Strips (Crossed)	From 2 to 4	3/8
	4 to 15	2
Wood or metal Strips (Not Crossed)	From 2 to 4	1/2 width of strip
	4 to 15	1 width of strip

NOTE: The specifications for the materials used for filling barrier, point of operation guards is contained in Table O-12, WAC 296-24-20531. When plastic is used as filling, it shall be 1/4 inch thick (Minimum).

(2) Point of Operation Guards. (a) Every point of operation guard shall meet the following design, construction, application and adjustment requirements:

- (i) It shall prevent entry of hands or fingers into the point of operation by reaching through, over, under or around the guard;
 - (ii) It shall conform to the maximum permissible openings of Table O-10;
 - (iii) It shall, in itself, create no pinch point between the guard and moving machine parts;
 - (iv) It shall utilize fasteners not readily removable by operator, so as to minimize the possibility of misuse or removal of essential parts;
 - (v) It shall facilitate its inspection, and
 - (vi) ~~((H-H))~~ It shall offer maximum visibility of the point of operation consistent with other requirements.
- (b) A die enclosure guard shall be attached to the die shoe or strip-
per in a fixed position.
- (c) A fixed barrier guard shall be attached securely to the frame of the pressor to the bolster plate.
- (d) An interlocked press barrier guard shall be attached to the press frame or bolster and shall be interlocked with the press clutch control so that the clutch cannot be activated unless the guard itself, or the hinged or movable sections of the guard are in position to conform to the requirements of Table O-10.
- (e) The hinged or movable sections of an interlocked press barrier guard shall not be used for manual feeding. The guard shall prevent

opening of the interlocked section and reaching into the point of operation prior to die closure or prior to the cessation of slide motion. See subdivision 19507(3)(b) of this section regarding manual feeding through interlocked press barrier devices.

(f) The adjustable barrier guard shall be securely attached to the press bed, bolster plate, or die shoe, and shall be adjusted and operated in conformity with Table O-10 and the requirements of this subsection. Adjustments shall be made only by authorized personnel whose qualifications include a knowledge of the provisions of Table O-10 and this subsection.

(g) A point of operation enclosure which does not meet the requirements of this subsection and Table O-10 shall be used only in conjunction with point of operation devices.

(3) Point of Operation Devices. (a) Point of operation devices shall protect the operator by:

- (i) Preventing and/or stopping normal stroking of the press if the operator's hands are inadvertently placed in the point of operation; or
- (ii) Preventing the operator from inadvertently reaching into the point of operation or withdrawing his/her hands if they are inadvertently located in the point of operation, as the dies close; or
- (iii) Preventing the operator from inadvertently reaching into the point of operation at all times; or
- (iv) [Reserved].

(v) Requiring application of both of the operator's hands to machine operating controls and locating such controls at such a safety distance from the point of operation that the slide completes the downward travel or stops before the operator can reach into the point of operation with his/her hands; or

(vi) Enclosing the point of operation before a press stroke can be initiated and maintaining this closed condition until the motion of the slide had ceased; or

(vii) Enclosing the point of operation before a press stroke can be initiated, so as to prevent an operator from reaching into the point of operation prior to die closure or prior to cessation of slide motion during the downward stroke.

(b) The gate or movable barrier device shall protect the operator as follows:

(i) A Type A gate or movable barrier device shall protect the operator in the manner specified in item 19507(3)(a)(vi) of this section.

(ii) A Type B gate or movable barrier device shall protect the operator in the manner specified in item 19507(3)(a)(vii) of this section.

(c) A presence sensing point of operation device shall protect the operator as provided in item 19507(3)(a)(i) of this section, and shall be interlocked into the control circuit to prevent or stop slide motion if the operator's hand or other part of his/her body is within the sensing field of the device during the downstroke of the press slide.

(i) The device may not be used on machines using full revolution clutches.

(ii) The device may not be used as a tripping means to initiate slide motion.

(iii) The device shall be constructed so that a failure within the system does not prevent the normal stopping action from being applied to the press when required, but does prevent the initiation of a successive stroke until the failure is corrected. The failure shall be indicated by the system.

(iv) Muting (bypassing of the protective function) of such device, during the upstroke of the press slide, is permitted for the purpose of parts ejection, circuit checking, and feeding.

(v) The safety distance (Ds) from the sensing field to the point of operation shall be greater than the distance determined by the following formula:

$$D_s = 63 \text{ inches/second} \times T_s \text{ where:}$$

Ds = minimum safety distance (inches);
 63 inches/second = hand speed constant; and
 Ts = stopping time of the press measured at approximately 90° position of crankshaft rotation (seconds).

(vi) Guards shall be used to protect all areas of entry to the point of operation not protected by the presence sensing device.

(d) The pull-out device shall protect the operator as specified in item 19507(3)(a)(ii) of this section and shall include attachments for each of the operator's hands.

(i) Attachments shall be connected to and operated only by the press slide or upper die.

(ii) Attachment shall be adjusted to prevent the operator from reaching into the point of operation or to withdraw the operator's hands from the point of operation before the dies close.

(iii) A separate pull-out device shall be provided for each operator if more than one operator is used on a press.

(iv) Each pull-out device in use shall be visually inspected and checked for proper adjustment at the start of each operator shift, following a new die set-up, and when operators are changed. Necessary maintenance or repair or both shall be performed and completed before the press is operated. Records of inspections and maintenance shall be kept in accordance with WAC 296-24-19511.

(e) The sweep device, shall protect the operator as specified in item 19507(3)(a)(ii) of this section, by removing his/her hands safely to a safe position if they are inadvertently located in the point of operation, as the dies close or prior to tripping the clutch. Devices operating in this manner shall have a barrier, attached to the sweep arm in such a manner as to prevent the operator from reaching into the point of operation, past the trailing edge of the sweep arm on the downward stroke of the press. This device may not be used for point of operation safeguarding after December 31, 1976.

(i) The sweep device must be activated by the slide or by motion of a foot pedal tripod.

(ii) The sweep device must be designed, installed and operated so as to prevent the operator from reaching into the point of operation before the dies close.

(iii) The sweep device must be installed so that it will not itself create an impact or shear hazard between the sweep arm and the press tie rods, dies, or any other part of the press or barrier.

(iv) Partial enclosure conforming with this subdivision 19507(3)(e), as to the area of entry which they protect, must be provided on both sides of the point of operation to prevent the operator from reaching around or behind the sweep device and into the point of operation after the dies start to close. Partial enclosures shall not themselves create a pinch point or shear hazard.

(f) A holdout or a restraint device shall protect the operator as specified in item (3)(a)(iii) of this section and shall include attachments for each of the operator's hands. Such attachments shall be securely anchored and adjusted in such a way that the operator is restrained from reaching into the point of operation. A separate set of restraints shall be provided for each operator if more than one operator is required on a press.

(g) The two hand control device shall protect the operator as specified in item 19507(3)(a)(v) of this section.

(i) When used in press operations requiring more than one operator, separate two hand controls shall be provided for each operator, and shall be designed to require concurrent application of all operators' controls to activate the slide. The removal of a hand from any control button shall cause the slide to stop.

(ii) Each two hand control shall meet the construction requirements of subdivision 19505(7)(e) of this section.

(iii) The safety distance (Ds) between each two hand control device and the point of operation shall be greater than the distance determined by the following formula:

$$D_s = 63 \text{ inches/second} \times T_s, \text{ where:}$$

Ds = minimum safety distance (inches);
 inches/second = hand speed constant; and
 Ts = stopping time of the press measured at approximately 90° position of crankshaft rotation (seconds).

(iv) Two hand control shall be fixed in position so that only a supervisor or safety engineer is capable of relocating the controls.

(h) The two hand trip device shall protect the operator as specified in item 19507(3)(a)(v) of this section.

(i) When used in press operations requiring more than one operator, separate two hand trips shall be provided for each operator, and shall be designed to require concurrent application of all operators' controls to activate the slide.

(ii) Each two hand trip shall meet the construction requirements of subsection 19505(6) of this section.

(iii) The safety distance (Dm) between the two hand trip and the point of operation shall be greater than the distance determined by the following formula:

$$D_m = 63 \text{ inches/second} \times T_m, \text{ where:}$$

Dm = minimum safety distance (inches);
 inches/second = hand speed constant; and
 Tm = the maximum time the press takes for the die closure after it has been tripped (seconds). For full revolution clutch presses with only one engaging point Tm is equal to the time necessary

for one and one-half revolutions of the crankshaft. For full revolution clutch presses with more than one engaging point, Tm shall be calculated as follows:

$$T_m = \left\{ \begin{array}{l} 1 \\ - + \\ 2 \end{array} \right. \times \left. \begin{array}{l} 1 \\ \text{Number of} \\ \text{engaging points} \\ \text{per revolution} \end{array} \right\} \times \begin{array}{l} \text{time necessary} \\ \text{to complete} \\ \text{one revolution} \\ \text{of the crank-} \\ \text{shaft (seconds)} \end{array}$$

(iv) Two hand trips shall be fixed in position so that only a supervisor or safety engineer is capable of relocating the controls.

(i) (~~Reserved~~) (Reserved).

(4) Hand Feeding Tools. Hand feeding tools are intended for placing and removing materials in and from the press. Hand feeding tools are not a point of operation guard or protection device and shall not be used in lieu of the "guards" or devices required in this section.

(5) Additional Requirements for (~~Safeguarding~~) Safeguarding. Where the operator feeds or removes parts by placing one or both hands in the point of operation, and a two hand control, presence sensing device of Type B gate or movable barrier (on a part revolution clutch) is used for safeguarding:

(i) The employer shall use a control system and a brake monitor which comply with subsections 19505(13) and (14) of this section. This requirement shall be complied with by November 1, 1975;

(ii) The exception in item 19505(7)(e)(iv) of this section for two hand controls manufactured and installed before August 31, 1971, is not applicable under this subsection 19507(5);

(iii) The control of air clutch machines shall be designed to prevent a significant increase in the normal stopping time due to a failure within the operating valve mechanism, and to inhibit further operation if such failure does occur, where a part revolution clutch is employed. The exception in subdivision 19505(7)(k) of this section for controls manufactured and installed before August 31, 1971, is not applicable under this subsection 19507(5).

AMENDATORY SECTION (Amending Order 73-5, filed 5/9/73 and Order 73-4, filed 5/7/73)

WAC 296-24-20533 CARE OF EQUIPMENT. (1) General. All power-transmission equipment shall be inspected at intervals not exceeding 60 days and be kept in good working condition at all times.

(2) Shafting. (a) Shafting shall be kept in alignment, free from rust and excess oil or grease.

(b) Where explosives, explosive dusts, flammable vapors or flammable liquids exist, the hazard of static sparks from shafting shall be carefully considered.

(3) Bearings. Bearings shall be kept in alignment and properly adjusted.

(4) Hangers. Hangers shall be inspected to make certain that all supporting bolts and screws are tight and that supports of hanger boxes are adjusted properly.

(5) Pulleys. (a) Pulleys shall be kept in proper alignment to prevent belts from running off.

(b) One or both pulleys carrying a nonshifting belt should have crowned faces.

(c) Cast-iron pulleys should be tested frequently with a hammer to disclose cracks in rim or spokes. It should be borne in mind that the sound is usually much different if the belt is or is not on the pulley.

(d) Split pulleys should be inspected to ascertain if all bolts holding together the sections of the pulley are tight.

(6) Care of Belts. (a) Quarter-twist belts when installed without an idler can be used on drives running in one direction only. They will run off a pulley when direction of motion is reversed.

(b) Inspection shall be made of belts, lacings, and fasteners and such equipment kept in good repair.

(c) Where possible, dressing should not be applied when belt or rope is in motion; but, if this is necessary, it should be applied where belts or rope leave pulley, not where they approach. The same precautions apply to lubricating chains. In the case of V-belts, belt dressing is neither necessary nor advisable.

(7) Lubrication. The regular oilers shall wear tightfitting clothing and should use cans with long spouts to keep their hands out of danger. Machinery shall be oiled when not in motion, wherever possible.

((TABLE O-12

TABLE OF STANDARD MATERIALS AND DIMENSIONS

Material	Clearance from moving part at all points	Largest mesh or opening allowable	Minimum gauge (U.S. Standard) or thickness	Minimum height of guard
				from floor or platform level
	Inches	Inches	Inches	Feet
Woven wire	Under 2	3/8	No. 16	7
	2-4	1/2	No. 16	7
	Under 4	1/2	No. 16	7
	4-15	2	No. 12	7
Expanded metal	Under 4	1/2	No. 18	7
	4-15	2	No. 13	7
Perforated metal	Under 4	1/2	No. 20	7
	4-15	2	No. 14	7
Sheet metal	Under 4		No. 22	7
	4-15		No. 22	7
Wood or metal strip crossed	Under 4	3/8	Wood 3/4 Metal No. 16	7
	4-15	2	Wood 3/4 Metal No. 16	7
Wood or metal strip not crossed	Under 4	1/2 width	Wood 3/4 Metal No. 16	7
	4-15	1 width	Wood 3/4 Metal No. 16	7
Standard rail	Min. 15			
	Max. 20			

TABLE O-13

HORIZONTAL OVERHEAD BELTS, ROPES, AND CHAINS 7 FEET OR MORE ABOVE FLOOR OR PLATFORM

[TABLE O-13: Part 1—0" to 14"]

	Width	
	From 0" to 14" inclusive	Material

MEMBERS

Framework	1 1/2"x1 1/2"x1/4"	Angle iron.
Filler (belt guards)	1 1/2"x3/16"	Flat iron.
Filler and vertical side member.	No. 20 A.W.G.	Solid sheet metal.
Filler supports	2"x5/16" flat iron	Flat and angle.
Guard supports	2"x5/16	Flat iron.

FASTENINGS

Filler supports to framework	(2) 3/16"	Rivets.
Filler flats to supports (belt guards).	(1) 5/16"	Flush rivets.
Filler to frame and supports (chain guards).	3/16" rivets spaced	
Guard supports to frame work.	(2) 3/6"	Rivets or bolts.
Guard and supports to overhead ceiling.	1/4"x3 1/2" lag screws or 1/2" bolts.	Lag screws or bolts.

[TABLE O-13: Part 1—0" to 14"]

	Width	
	From 0" to 14" inclusive	Material

DETAILS—SPACING, ETC.

Width of guards— One-quarter wider than belt, rope, or chain drive.

Spacing between filler supports. — 20" C. to C

Spacing between filler flats (belt guards). — 2" apart

Spacing between guard supports. — 36" C. to C

OTHER BELT GUARD FILLING PERMITTED

Sheet metal fastened as in chain guards. — No. 20 A.W.G. Solid or perforated.
Woven wire, 2" mesh — No. 12 A.W.G.

CLEARANCE FROM OUTSIDE OF BELT, ROPE, OR CHAIN DRIVE TO GUARD

Distance center to center of shafts. — Up to 15' inclusive Over 40'.
Clearance from belt, or chain to guard. — 6" 20'.

[TABLE O-13: Part 2—Over 14" to 24"]

	Width	
	Over 14" to 24" inclusive	Material

MEMBERS

Framework	2"x2"x5/16"	Angle iron.
Filler (belt guards)	2"x3/16"	Flat iron.
Filler and vertical side member.	No. 18 A.W.G.	Solid sheet metal.
Filler supports	2"x3/8" flat iron	Flat and angle.
Guard supports	2"x3/8"	Flat iron.

FASTENINGS

Filler supports to framework	(2) 3/6"	Rivets.
Filler flats to supports (belt guards).	(1) 5/16"	Flush rivets.
Filler to frame and supports (chain guards).	8" centers on sides and 4" centers on bottom.	
Guard supports to frame work.	(2) 7/16"	Rivets or bolts.
Guard and supports to overhead ceiling.	5/8"x4" lag screws or 5/8" bolts.	Lag screws or bolts.

DETAILS—SPACING, ETC.

Width of guards—
Spacing between filler supports. — 16" C. to C
Spacing between filler flats (belt guards). — 2 1/2" apart
Spacing between guard supports. — 36" C. to C

OTHER BELT GUARD FILLING PERMITTED

Sheet metal fastened as in chain guards. — No. 18 A.W.G. Solid or perforated.
Woven wire, 2" mesh — No. 10 A.W.G.

[TABLE O-13: Part 2—Over 14" to 24"]

	Width	
	Over 14" to 24" inclusive	Material
CLEARANCE FROM OUTSIDE OF BELT, ROPE, OR CHAIN DRIVE TO GUARD		
Distance center to center of shafts. ———	Over 15' to 25' inclusive.	Over 40'.
Clearance from belt, or chain to guard. ———	10"	20".

[TABLE O-13: Part 3—Over 24"]

	Width	
	Over 24"	Material
MEMBERS		
Framework ———	3"x3"x3/8"	Angle iron.
Filler (belt guards) ———	2"x5/16"	Flat iron.
Filler and vertical side member. ———	No. A.W.G.	Solid sheet metal.
Filler supports ———	2 1/2"x2 1/2"x1/4" angle	Flat and angle.
Guard supports ———	2 1/2"x3/8"	Flat iron.

FASTENINGS

Filler supports to framework ———	(3) 1/2"	Rivets.
Filler flats to supports (belt guards). ———	(2) 3/8"	Flush rivets.
Filler to frame and supports (chain guards). ———		
Guard supports to frame work. ———	(2) 5/8"	Rivets or bolts.
Guard and supports to overhead ceiling. ———	3/4"x6" lag screws or 3/4" bolts.	Lag screws or bolts.

DETAILS—SPACING, ETC.

Width of guards ———	
Spacing between filler supports. ———	16" C. to C.
Spacing between filler flats (belt guards). ———	4" apart
Spacing between guard supports. ———	36" C. to C.

OTHER BELT GUARD FILLING PERMITTED

Sheet metal fastened as in chain guards. ———	No. 18 A.W.G.	Solid or perforated.
Woven wire, 2" mesh ———	No. 8 A.W.G.	

CLEARANCE FROM OUTSIDE OF BELT, ROPE, OR CHAIN DRIVE TO GUARD

Distance center to center of shafts. ———	Over 25' to 40' inclusive.	Over 40'.
Clearance from belt, or chain to guard. ———	15"	20".

AMENDATORY SECTION (Amending Order 74-27, filed 5/7/74)

WAC 296-24-23509 STOPS, BUMPERS, RAIL SWEEPS, AND GUARDS. (1) Trolley Stops. (a) Stops shall be provided at the limits of travel of the trolley.

(b) Stops shall be fastened to resist forces applied when contacted.

(c) A stop engaging the tread of the wheel shall be of a height at least equal to the radius of the wheel.

(2) Bridge bumpers. (a) A crane shall be provided with bumpers or other automatic means providing equivalent effect, unless the crane travels at a slow rate of speed and has a faster deceleration rate due to the use of sleeve bearings, or is not operated near the ends of bridge and trolley travel, or is restricted to a limited distance by the nature of the crane operation and there is no hazard of striking any object in this limited distance or is used in similar operating conditions. The bumpers shall be capable of stopping the crane (not including the lifted load) at an average rate of deceleration not to exceed 3 ft/s/s when traveling in either direction at 20 percent of the rated load speed.

(i) The bumpers shall have sufficient energy absorbing capacity to stop the crane when traveling at a speed of at least 40 percent of rated load speed.

(ii) The bumpers ((~~half~~)) shall be so mounted that there is no direct shear on bolts.

(iii) Bumpers shall be so designed and installed as to minimize parts falling from the crane in case of breakage.

(3) Trolley bumpers. (a) A trolley shall be provided with bumpers or other automatic means of equivalent effect, unless the trolley travels at a slow rate of speed, or is not operated near the ends of bridge and trolley travel, or is restricted to a limited distance of the runway and there is no hazard of striking any object in this limited distance, or is used in similar operating conditions. The bumpers shall be capable of stopping the trolley (not including the lifted load) at an average rate of deceleration not to exceed 4.7 ft./s/s when traveling in either direction at one-third of the rated load speed.

(i) When more than one trolley is operated on the same bridge, each shall be equipped with bumpers or equivalent on their adjacent ends.

(b) Bumpers or equivalent shall be designed and installed to minimize parts falling from the trolley in case of age.

(4) Rail Sweeps. Bridge trucks shall be equipped with sweeps which extend below the top of the rail and project in front of the truck wheels.

(5) Guards for Hoisting Ropes. (a) If hoisting ropes run near enough to other parts to make fouling or chafing possible, guards shall be installed to prevent this condition.

(b) A guard shall be provided to prevent contact between bridge conductors and hoisting ropes if they could come into contact.

(6) Guards for Moving Parts. (a) Exposed moving parts such as gears, set screws, projecting keys, chains, chain sprockets, and reciprocating components which might constitute a hazard under normal operating conditions shall be guarded.

(b) Guards shall be securely fastened.

(c) Each guard shall be capable of supporting without permanent distortion the weight of a 200-pound person unless the guard is located where it is impossible for a person to step on it.

AMENDATORY SECTION (Amending Order 79-9, filed 7/31/79)

WAC 296-24-23515 HOISTING EQUIPMENT. (1) Sheaves.

(a) Sheave grooves shall be smooth and free from surface defects which could cause rope damage.

(b) Sheaves carrying ropes which can be momentarily unloaded shall be provided with close-fitting guards or other suitable devices to guide the rope back into the groove when the load is applied again.

(c) The sheaves in the bottom block shall be equipped with close-fitting guards that will prevent ropes from becoming fouled when the block is ((~~lying~~)) laying on the ground with ropes loose.

(d) Pockets and flanges of sheaves used with hoist chains shall be of such dimensions that the chain does not catch or bind during operation.

(e) All running sheaves shall be equipped with means for lubrication. Permanently lubricated, sealed and/or shielded bearings meet this requirement.

(2) Ropes.

(a) In using hoisting ropes, the crane manufacturer's recommendation shall be followed. The rated load divided by the number of parts of rope shall not exceed 20 percent of the nominal breaking strength of the rope.

(b) Socketing shall be done in the manner specified by the manufacturer of the assembly.

(c) Rope shall be secured to the drum as follows:

(i) No less than two wraps of rope shall remain on the drum when the hook is in its extreme low position.

(ii) Rope end shall be anchored by a clamp securely attached to the drum, or by a socket arrangement approved by the crane or rope manufacturer.

(d) Rope clips attached with U-bolts shall have the U-bolts on the dead or short end of the rope. Spacing and number of all types of clips shall be in accordance with (2)(e) of this section. Clips shall be drop-forged steel in all sizes manufactured commercially. When a newly installed rope has been in operation for an hour, all nuts on the clip bolts shall be retightened.

(e) Diameter of Rope	Number of Clips Required	Space Between Clips
1 1/2 inch	8	10 inches
1 3/8 inch	7	9 inches
1 1/4 inch	6	8 inches
1 1/8 inch	5	7 inches
1 inch	5	6 inches
7/8 inch	5	5 1/4 inches
3/4 inch	5	4 1/2 inches
3/8 to 5/8 inch	4	3 inches

(f) Swaged or compressed fittings shall be applied as recommended by the rope or crane manufacturer.

(g) Wherever exposed to temperatures, at which fiber cores would be damaged, rope having an independent wire-rope or wire-strand core, or other temperature-damage resistant core shall be used.

(h) Replacement rope shall be the same size, grade, and construction as the original rope furnished by the crane manufacturer, unless otherwise recommended by a wire rope manufacturer due to actual working condition requirements.

(3) Equalizers. If a load is supported by more than one part of rope, the tension in the parts shall be equalized.

(4) Hooks. Hooks shall meet the manufacturer's recommendations and shall not be overloaded. Safety latch-type hooks shall be used or the hook shall be moused.

AMENDATORY SECTION (Amending Order 73-5, filed 5/9/73 and Order 73-4, filed 5/7/73)

WAC 296-24-23525 ROPE INSPECTION. (1) Running Ropes. A thorough inspection of all ropes shall be made at least once a month and a full written, dated, and signed report of rope condition kept on file where readily available to appointed personnel. Any deterioration, resulting in appreciable loss of original strength, such as described below, shall be carefully noted and determination made as to whether further use of the rope would constitute a safety hazard:

- (a) Reduction of rope diameter below nominal diameter due to loss of core support, internal or external corrosion, or wear of outside wires.
- (b) A number of broken outside wires and the degree of distribution or concentration of such broken wires.
- (c) Worn outside wires.
- (d) Corroded or broken wires at end connections.
- (e) Corroded, cracked, bent, worn, or improperly applied end connections.

(f) Severe kinking, crushing, cutting, or unstranding.
 (2) Other Ropes. All rope which has been idle for a period ((~~or~~)) of a month or more due to shutdown or storage of a crane on which it is installed shall be given a thorough inspection before it is placed in service. This inspection shall be for all types of deterioration and shall be performed by an appointed person whose approval shall be required for further use of the rope. A written and dated report of the rope condition shall be available for inspection.

AMENDATORY SECTION (Amending Order 73-5, filed 5/9/73 and Order 73-4, filed 5/7/73)

WAC 296-24-29413 CHAINS AND CABLES. (1) If at any time any three foot (3') length of chain is found to have stretched one-third (1/3) the length of a link it shall be discarded.

(2) The practice of placing bolts or nails between two links to shorten chains is prohibited.

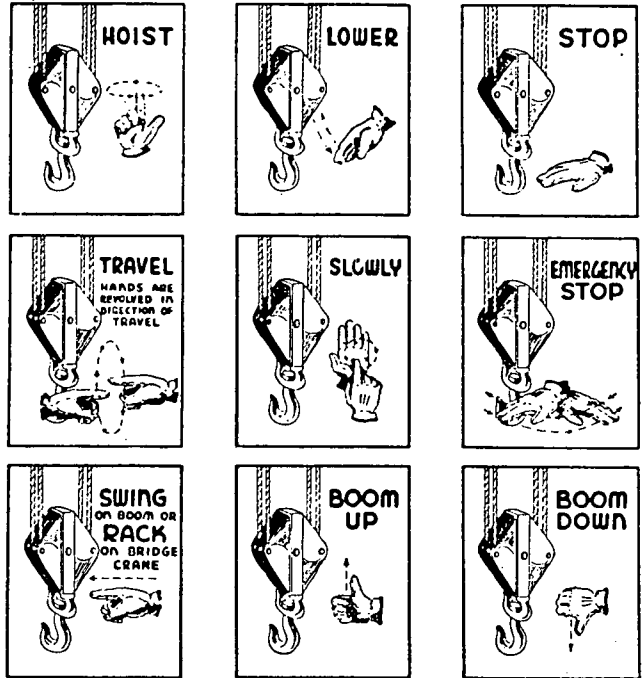
(3) Splicing broken chains by inserting a bolt between two links with the heads of the bolt and the nut sustaining the load, or passing one link through another and inserting a bolt or nail to hold it, is prohibited.

~~((3) Splicing broken chains by inserting a bolt between two links with the heads of the bolt and the nut sustaining the load, or passing one link through another and inserting a bolt or nail to hold it, is prohibited.))~~

(4) Wherever annealing of chains is attempted, it shall be done in properly equipped annealing furnaces and under the direct supervision of a competent person thoroughly versed in heat treating.

(5) Cables shall be periodically inspected. A copy of the report of the inspections of each running cable shall be filed in a place readily accessible to the Department, or authorized representative.

CRANE SIGNALS



1. Do not remove the load or the crane unless you understand the floor signal clearly.
2. Be careful that the load does not swing to injure your hook-on man/woman or other ((~~floormen~~)) floorpersons; make certain they are in the clear.
3. When raising or lowering the load, see that it will safely clear adjacent stockpiles or machinery.
4. Never pick up a load greater than the capacity of your crane. In case of doubt, call your ((~~foreman~~)) foreperson.
5. Never do ANYTHING that is not safe.
6. Co-operate with your hook-on or ((~~floorman~~)) floorperson. You and he/she are a team handling a valuable piece of equipment—Never let it become a hazard.

AMENDATORY SECTION (Amending Order 76-29, filed 9/30/76)

WAC 296-24-33001 DEFINITIONS. The following definitions are applicable to all sections of this chapter which include WAC 296-24-330 in the section number.

- (1) Aerosol shall mean a material which is dispensed from its container as a mist, spray, or foam by a propellant under pressure.
- (2) Atmospheric tank shall mean a storage tank which has been designed to operate at pressures from atmospheric through 0.5 p.s.i.g.
- (3) Automotive service station shall mean that portion of property where flammable or combustible liquids used as motor fuels are stored and dispensed from fixed equipment into the fuel tanks of motor vehicles and shall include any facilities available for the sale and service of tires, batteries, and accessories, and for minor automotive maintenance work. Major automotive repairs, painting, body and fender work are excluded.
- (4) Basement shall mean a story of a building or structure having one-half or more of its height below ground level and to which access for fire fighting purposes is unduly restricted.
- (5) Boiling point shall mean the boiling point of a liquid at a pressure of 14.7 pounds per square inch absolute (p.s.i.a.) (760 mm.). Where an accurate boiling point is unavailable for the material in question, or for mixtures which do not have a constant boiling point,

for purposes of this section the 10 percent point of a distillation performed in accordance with the Standard Method of Test for Distillation of Petroleum Products, ASTM D-86-62, may be used as the boiling point of the liquid.

(6) Boilover shall mean the expulsion of crude oil (or certain other liquids) from a burning tank. The light fractions of the crude oil burnoff producing a heat wave in the residue, which on reaching a water strata may result in the expulsion of a portion of the contents of the tank in the form of froth.

(7) Bulk plant shall mean that portion of a property where flammable or combustible liquids are received by tank vessel, pipelines, tank car, or tank vehicle, and are stored or blended in bulk for the purpose of distributing such liquids by tank vessel, pipeline, tank car, tank vehicle, or container.

(8) Chemical plant shall mean a large integrated plant or that portion of such a plant other than a refinery or distillery where flammable or combustible liquids are produced by chemical reactions or used in chemical reactions.

(9) Closed container shall mean a container as herein defined, so sealed by means of a lid or other device that neither liquid nor vapor will escape from it at ordinary temperatures.

(10) Crude petroleum shall mean hydrocarbon mixtures that have a flash point below 150°F. and which have not been processed in a refinery.

(11) Distillery shall mean a plant or that portion of a plant where flammable or combustible liquids produced by fermentation are concentrated, and where the concentrated products may also be mixed, stored, or packaged.

(12) Fire area shall mean an area of a building separated from the remainder of the building by construction having a fire resistance of at least 1 hour and having all communicating openings properly protected by an assembly having a fire resistance rating of at least 1 hour.

(13) Fire resistance or fire resistive construction shall mean construction to resist the spread of fire.

(14) Flammable aerosol shall mean an aerosol which is required to be labeled "Flammable" under the Federal Hazardous Substances Labeling Act (15 U.S.C. 1261). For the purposes of WAC 296-24-33009, such aerosols are considered Class IA liquids.

(15) "Flashpoint" means the minimum temperature at which a liquid gives off vapor within a test vessel in sufficient concentration to form an ignitable mixture with air near the surface of the liquid, and shall be determined as follows:

(a) For a liquid which has a viscosity of less than 45 SUS at 100°F. (37.8°C), does not contain suspended solids, and does not have a tendency to form a surface film while under test, the procedure specified in the Standard Method of Test for Flashpoint by Tag Closed Tester (ASTM D-56-70) shall be used.

(b) For a liquid which has a viscosity of 45 SUS or more at 100°F. (37.8°C), or contains suspended solids, or has a tendency to form a surface film while under test, the Standard Method of Test for Flashpoint by Pensky-Martens Closed Tester (ASTM D-93-71) shall be used, except that the methods specified in Note 1 to section 1.1 of ASTM D-93-71 may be used for the respective materials specified in the Note.

(c) For a liquid that is a mixture of compounds that have different volatilities and flashpoints, its flashpoint shall be determined by using the procedure specified in (20)(a) or (b) of this section on the liquid in the form it is shipped. If the flashpoint, as determined by this test, is 100°F. (37.8°C) or higher, an additional flashpoint determination shall be run on a sample of the liquid evaporated to 90 percent of its original volume, and the lower value of the two tests shall be considered the flashpoint of the material.

(d) Organic peroxides, which undergo autoaccelerating thermal decomposition, are excluded from any of the flashpoint determination methods specified in this section.

(16) Hotel shall mean buildings or groups of buildings under the same management in which there are sleeping accommodations for hire primarily used by transients who are lodged with or without meals including but not limited to inns, clubs, motels, and apartment hotels.

(17) Institutional occupancy shall mean the occupancy or use of a building or structure or any portion thereof by persons harbored or detained to receive medical, charitable or other care or treatment, or by persons involuntarily detained.

(18) Liquid shall mean, for the purpose of these standards, any material which has a fluidity greater than that of 300 penetration asphalt

when tested in accordance with ASTM Test for Penetration for Bituminous Materials, D-5-65. When not otherwise identified, the term liquid shall include both flammable and combustible liquids.

(19) "Combustible liquid" means any liquid having a flashpoint at or above 100°F. (37.8°C). Combustible liquids shall be divided into two classes as follows:

(a) "Class II liquids" shall include those with flashpoints at or above 100°F. (37.8°C.) and below 140°F. (60°C.), except any mixture having components with flashpoints of 200°F. (93.3°C.) or higher, the volume of which make up 99 percent or more of the total volume of the mixture.

(b) "Class III liquids" shall include those with flashpoints at or above 140°F. (60°C.). Class III liquids are subdivided into two subclasses:

(i) "Class IIIA liquids" shall include those with flashpoints at or above 140°F. (60°C.) and below 200°F. (93.3°C.) except any mixture having components with flashpoints of 200°F. (93.3°C.) or higher, the total volume of which make up 99 percent or more of the total volume of the mixture.

(ii) "Class IIIB liquids" shall include those with flashpoints at or above 200°F. (93.3°C.). This section does not cover Class IIIB liquids. Where the term "Class III liquids" is used in this section, it shall mean only Class IIIA liquids.

(c) When a combustible liquid is heated for use to within 30°F. (16.7°C.) of its flashpoint, it shall be handled in accordance with the requirements for the next lower class of liquids.

(20) "Flammable liquid" means any liquid having a flashpoint below 100°F. (37.8°C.), except any mixture having components with flashpoints of 100°F. (37.8°C.) or higher, the total of which make up 99 percent or more of the total volume of the mixture. Flammable liquids shall be known as Class I liquids. Class I liquids are divided into three classes as follows:

(a) Class IA shall include liquids having flashpoints below 73°F. (22.8°C.) and having a boiling point below 100°F. (37.8°C.)

(b) Class IB shall include liquids having flashpoints below 73°F. (22.8°C.) and having a boiling point at or above 100°F. (37.8°C.)

(c) Class IC shall include liquids having flashpoints at or above 73°F. (22.8°C.) and below 100°F. (37.8°C.)

(21) Unstable (reactive) liquid shall mean a liquid which in the pure state or as commercially produced or transported will vigorously polymerize, decompose, condense, or will become self-reactive under conditions of shocks, pressure, or temperature.

(22) Low-pressure tank shall mean a storage tank which has been designed to operate at pressures above 0.5 p.s.i.g. but not more than 15 p.s.i.g.

(23) Marine service station shall mean that portion of a property where flammable or combustible liquids used as fuels are stored and dispensed from fixed equipment on shore, piers, wharves, or floating docks into the fuel tanks or self-propelled craft, and shall include all facilities used in connection therewith.

(24) Mercantile occupancy shall mean the occupancy or use of a building or structure or any portion thereof for the displaying, selling, or buying of goods, wares, or merchandise.

(25) Office occupancy shall mean the occupancy or use of a building or structure or any portion thereof for the transaction of business, or the rendering or receiving of professional services.

(26) Portable tank shall mean a closed container having a liquid capacity over 60 U.S. gallons and not intended for fixed installation.

(27) Pressure vessel shall mean a storage tank or vessel which has been designed to operate at pressures above 15 p.s.i.g.

(28) Protection for exposure shall mean adequate fire protection for structures on property adjacent to tanks, where there are employees of the establishment.

(29) Refinery shall mean a plant in which flammable or combustible liquids are produced on a commercial scale from crude petroleum, natural gasoline, or other hydrocarbon sources.

(30) Safety can shall mean an approved container, of not more than 5 gallons capacity, having a spring-closing lid and spout cover and so designed that it will safely relieve internal pressure when subjected to fire exposure.

(31) Vapor pressure shall mean the pressure, measured in pounds per square inch (absolute) exerted by a volatile liquid as determined by the Standard Method of Test for Vapor Pressure of Petroleum Products (Reid Method), "American Society for Testing and Materials ASTM D323-68.

(32) Ventilation as specified in these standards is for the prevention of fire and explosion. It is considered adequate if it is sufficient to prevent accumulation of significant quantities of vapor-air mixtures in concentration over one-fourth of the lower flammable limit.

(33) Storage: Flammable or combustible liquids shall be stored in a tank or in a container that complies with WAC 296-24-33009(2).

(34) Barrel shall mean a volume of 42 U.S. gallons.

(35) Container shall mean any can, barrel, or drum.

(36) Approved unless otherwise indicated, approved, or listed by at least one of the following nationally recognized testing laboratories: Underwriters Laboratories, Inc.; Factory Mutual Engineering Corp.

(37) Listed see "approved" in WAC 296-24-33001(36).

(38) "SUS" means Saybolt Universal Seconds as determined by the Standard Method of Test for Saybolt Viscosity (ASTM D-88-56), and may be determined by use of the SUS conversion tables specified in ASTM Method D2161-66 following determination of viscosity in accordance with the procedures specified in the Standard Method of Test for Viscosity of Transparent and Opaque Liquids (ASTM D445-65).

(39) "Viscous" means a viscosity of 45 SUS or more.

NOTE: The volatility of liquids is increased when artificially heated to temperatures equal to or higher than their flashpoints. When so heated Class II and III liquids shall be subject to the applicable requirements for Class I or II liquids. These standards may also be applied to high flashpoint liquids when so heated even though these same liquids when not heated are outside of its scope.

AMENDATORY SECTION (Amending Order 76-6, filed 3/1/76)

WAC 296-24-47513 STORAGE OF CONTAINERS AWAITING USE OR RESALE. (1) Application. This paragraph shall apply to the storage of portable containers not in excess of 1,000 pounds water capacity, filled or partially filled, at user location but not connected for use, or in storage for resale by dealers or resellers. This section shall not apply to containers stored at charging plants or at plants devoted primarily to the storage and distribution of LP-Gas or other petroleum products.

(2) General. (a) Containers in storage shall be located so as to minimize exposure to excessive temperature rise, physical damage, or tampering by unauthorized persons.

(b) Containers when stored inside shall not be located near exits, stairways, or in areas normally used or intended for the safe exit of people.

(c) Container valves shall be protected while in storage as follows:

(i) By setting into recess of container to prevent the possibility of their being struck if the container is dropped upon a flat surface, or

(ii) By ventilated cap or collar, fastened to container capable of withstanding blow from any direction equivalent to that of a 30-pound weight dropped 4 feet. Construction must be such that a blow will not be transmitted to a valve or other connection.

(d) The outlet valves of containers in storage shall be closed.

(e) Empty containers which have been in LP-Gas service should preferably be stored in the open. When stored inside, they shall be considered as full containers for the purpose of determining the maximum quantity of LP-Gas permitted by this section.

(3) Storage Within Buildings Frequented by the Public. (a) DOT specification containers having a maximum individual water capacity of 2 1/2 pounds, used with completely self-contained hand torches and similar applications, are permitted to be stored or displayed in a building frequented by the public. The display of such containers shall be limited to a total of 24 units of each brand and size. The total quantity on display and in storage shall not exceed 200 pounds LP-Gas.

(b) Storage as provided in (5) of this section shall not be permitted within or attached to such a building.

(4) Storage Within Buildings Not Frequented by the Public (Such as Industrial Buildings). (a) The quantity of LP-Gas stored shall not exceed 300 pounds (approximately ((~~2,550~~)) 2,550 cubic feet in vapor form) except as provided in (5) of this section.

(b) Containers carried as a part of service equipment on highway mobile vehicles are not to be considered in the total storage capacity in (4)(a) of this section provided such vehicles are stored in private garages, and are limited to one container per vehicle with an LP-Gas capacity of not more than 100 pounds. All container valves shall be closed.

(5) Storage Within Special Buildings or Rooms. (a) The quantity of LP-Gas stored in special buildings or rooms shall not exceed 10,000 pounds.

(b) The walls, floors, and ceilings of container storage rooms that are within or adjacent to other parts of the building shall be constructed of material having at least a 2-hour fire resistance rating.

(c) A portion of the exterior walls or roof having an area not less than 10 percent of that of the combined area of the enclosing walls and roof shall be of explosion relieving construction.

(d) Each opening from such storage rooms to other parts of the building shall be protected by a 1 1/2 hour (B) fire door listed by Underwriters Laboratories Inc.

(e) Such rooms shall have no open flames for heating or lighting.

(f) Such rooms shall be adequately ventilated both top and bottom to the outside only. The openings from such vents shall be at least 5 feet away from any other opening into any building.

(g) The floors of such rooms shall not be below ground level. Any space below the floor shall be of solid fill or properly ventilated to the open air.

(h) Such storage rooms shall not be located adjoining the line of property occupied by schools, churches, hospitals, athletic fields or other points of public gathering.

(i) Fixed electrical equipment shall be installed in accordance with WAC 296-24-47505(18).

(6) Storage Outside of Buildings. (a) Storage outside of buildings, for containers awaiting use or resale, shall be located in accordance with Table H-33 with respect to; (i) the nearest important building or group of buildings; (ii) the line of adjoining property which may be built upon; (iii) busy thoroughfares; (vi) the line of adjoining property occupied by schools, churches, hospitals, athletic fields, or other points of public gathering.

TABLE H-33

Quantity of LP-Gas Stored:	Distance
500 pounds or less _____	0
501 to 2,500 pounds _____	0*
2,501 to 6,000 pounds _____	10 feet
6,001 to 10,000 pounds _____	20 feet
Over 10,000 pounds _____	25 feet

*Container or containers shall be at least 10 feet from any building on adjoining property, any sidewalk, or any of the exposures described in (6)(a)(iii) or (iv) of this section.

(b) Containers shall be in a suitable enclosure or otherwise protected against tampering.

(7) Fire Protection. Storage locations other than supply depots separated and located apart from dealer, reseller, or user establishments shall be provided with at least one approved portable fire extinguisher having a minimum rating of 8-B, C.

AMENDATORY SECTION (Amending Order 76-6, filed 3/1/76)

WAC 296-24-51009 BASIC RULES. This section applies to all sections of WAC 296-24-510 in the section number unless otherwise noted.

(1) Approval of equipment and systems. Each appurtenance shall be approved in accordance with (1)(a), (b), (c), and (d) of this section.

(a) It was installed before February 8, 1973 and was approved and tested, and installed in accordance with either the provisions of the American National Standard for the Storage and Handling of Anhydrous Ammonia, K61.1, or the Fertilizer Institute Standards for the Storage and Handling of Agricultural Anhydrous Ammonia, M-1, in effect at the time of installation; or

(b) It is accepted, or certified, or listed, or labeled, or otherwise determined to be safe by a nationally recognized testing laboratory, such as, but not limited to, Underwriter's Laboratories Inc. and Factory Mutual Research Corporation; or

(c) It is a type which no nationally recognized testing laboratory does, or will undertake to, accept, certify, list, label, or determine to be safe; and such equipment is inspected or tested by any Federal, State, municipal, or other local authority responsible for enforcing occupational safety provisions of a Federal, State, municipal or other local law, code, or regulation pertaining to the storage, handling, transport, and use of anhydrous ammonia, and found to be in compliance with

either the provisions of the American National Standard for the Storage and Handling of Anhydrous Ammonia, K61.1, or the Fertilizer Institute Standards for the Storage and Handling of Agricultural Anhydrous Ammonia, M-1, in effect at the time of installation; or

(d) It is a custom-designed and custom-built unit, which no nationally recognized testing laboratory, or Federal, State, municipal or local authority responsible for the enforcement of a Federal, State, municipal, or local law, code or regulation pertaining to the storage, transportation and use of anhydrous ammonia is willing to undertake to accept, certify, list, label or determine to be safe, and the employer has on file a document attesting to its safe condition following the conduct of appropriate tests. The document shall be signed by a registered professional engineer or other person having special training or experience sufficient to permit him/her to form an opinion as to safety of the unit involved. The document shall set forth the test bases, test data and results, and also the qualifications of the certifying person.

(e) For the purposes of this section the word "listed" means that equipment is of a kind mentioned in a list which is published by a nationally recognized laboratory which makes periodic inspection of the production of such equipment, and states such equipment meets nationally recognized standards or has been tested and found safe for use in a specified manner. "Labeled" means there is attached to it a label, symbol, or other identifying mark of a nationally recognized testing laboratory which makes periodic inspections of the production of such equipment, and whose labeling indicates compliance with nationally recognized standards or tests to determine safe use in a specified manner. "Certified" means it has been tested and found by a nationally recognized testing laboratory to meet nationally recognized standards or to be safe for use in a specified manner, or is of a kind whose production is periodically inspected by a nationally recognized testing laboratory, and it bears a label, tag, or other record of certification.

(2) Requirements for construction, original test and requalification of not-refrigerated containers.

(a) Containers used with systems covered in subsections WAC 296-24-51011 and WAC 296-24-51017 through WAC 296-24-51021 of this section shall be constructed and tested in accordance with the Code except that construction under Table UW-12 at a basic joint efficiency of under 80 percent is not authorized.

(i) Containers built according to the Code do not have to comply with Paragraphs UG-125 to UG-128, inclusive, and Paragraphs UG-132 and UG-133 of the Code.

(b) Containers exceeding 36 inches in diameter or 250 gallons water capacity shall be constructed to comply with one or more of the following:

(i) Containers shall be stress relieved after fabrication in accordance with the Code, or

(ii) Cold-formed heads, when used, shall be stress relieved or,

(iii) Hot-formed heads shall be used.

(c) Welding to the shell, head, or any other part of the container subject to internal pressure shall be done in compliance with WAC 296-24-51005(5). Other welding is permitted only on saddle plates, lugs, or brackets attached to the container by the container manufacturer.

(d) Containers used with systems covered by WAC 296-24-51009(3)(b)(iv) shall be constructed and tested in accordance with the DOT specifications.

(e) The provisions of (2)(a) of this section shall not be construed as prohibiting the continued use or reinstallation of containers constructed and maintained in accordance with the 1949, 1950, 1952, 1956, 1959, 1962, 1965 and 1968 editions of the Unfired Pressure Vessel Code of the ASME or any revisions thereof in effect at the time of fabrication.

(3) Markings on Non-Refrigerated Containers and Systems Other Than DOT Containers.

(a) System nameplates, when required, shall be permanently attached to the system so as to be readily accessible for inspection and shall include markings as prescribed in (3)(b) of this section.

(b) Each container or system covered in WAC 296-24-51011, WAC 296-24-51017, WAC 296-24-51019 and WAC 296-24-51021 shall be marked as specified in the following:

(i) With a marking identifying compliance with the rules of the Code under which the container is constructed.

(ii) With a notation on the container and system nameplate when the system is designed for underground installation.

(iii) With the name and address of the supplier of the container or the trade name of the container and with the date of fabrication.

(iv) With the water capacity of the container in pounds at 60F or gallons, U.S. Standard.

(v) With the design pressure in pounds per square inch gage.

(vi) With the wall thickness of the shell and heads.

(vii) With marking indicating the maximum level to which the container may be filled with liquid anhydrous ammonia at temperatures between 20°F. and 100°F. except on containers provided with fixed maximum level indicators, such as fixed length dip tubes, or containers that are filled by weight. Markings shall be in increments of not more than 20°F.

(viii) With the outside surface area in square feet.

(ix) With minimum temperature in Fahrenheit for which the container is designed.

(x) Marking specified on container shall be on the container itself or on a nameplate permanently affixed thereto.

(c) All main operating valves on permanently installed containers having a capacity of over three thousand water gallons shall be identified to show whether the valve is in liquid or vapor service. The recommended method of identification may be legend or color code as specified in (i) and (ii) as follows:

(i) Legend: The legend LIQUID (or LIQUID VALVE), VAPOR (or VAPOR VALVE), as appropriate, shall be placed on or within twelve inches of the valve by means of a stencil tag, or decal.

(ii) Color Code: Liquid valves shall be painted orange and vapor valves shall be painted yellow. The legend ORANGE-LIQUID, YELLOW-VAPOR shall be displayed in one or more conspicuous places at each permanent storage location. The legend shall have letters at least two inches high and shall be placed against a contrasting background. This is in accordance with American National Standard A13.1 "Schemes for Identification of Piping Systems"—1956, Page 5.

(4) Marking Refrigerated Containers. (See WAC 296-24-51013(3). Marking Refrigerated Containers).

(5) Location of Containers. (a) Consideration shall be given to the physiological effects of ammonia as well as to adjacent fire hazards in selecting the location for a storage container. Containers shall be located outside of buildings or in buildings or sections thereof especially approved for this purpose.

(b) Containers shall be located at least 50 feet from a dug well or other sources of potable water supply, unless the container is a part of a water treatment installation.

(c) The location of permanent storage containers shall be outside densely populated areas.

(d) Container locations shall comply with the following table:

Nominal Capacity of Container	Minimum Distances (feet) from Container to:		
	Line of Adjoining Property Which may be Built upon, Highways & Mainline of Railroad	Place of Public Assembly	Institution Occupancy
Over 500 to 2,000	25	150	250
Over 2,000 to 30,000	50	300	500
Over 30,000 to 100,000	50	450	750
Over 100,000	50	600	1,000

(e) Storage areas shall be kept free of readily ignitable materials such as waste, weeds and long dry grass.

(6) Container Appurtenances. (a) All appurtenances shall be designed for not less than the maximum working pressure of that portion of the system on which they are installed. All appurtenances shall be fabricated from materials proved suitable for anhydrous ammonia service.

(b) All connections to containers except safety relief devices, gaging devices, or those fitted with a No. 54 drill size orifice shall have shut-off valves located as close to the container as practicable.

(c) Excess flow valves where required by these standards shall close automatically at the rated flows of vapor or liquid as specified by the manufacturer. The connections and line including valves and fittings being protected by an excess flow valve shall have a greater capacity than the rated flow of the excess flow valve.

(d) Liquid level gaging devices that require bleeding of the product to the atmosphere and which are so constructed that outward flow will not exceed that passed by a No. 54 drill size opening need not be equipped with excess flow valves.

(e) Openings from container or through fittings attached directly on container to which pressure gage connections are made need not be equipped with excess flow valves if such openings are not larger than No. 54 drill size.

(f) Excess flow and back pressure check valves where required by these standards shall be located inside of the container or at a point outside as close as practicable to where the line enters the container. In the latter case, installation shall be made in such manner that any undue stress beyond the excess flow or back pressure check valve will not cause breakage between the container and the valve.

(g) Excess flow valves shall be designed with a bypass, not to exceed a No. 60 drill size opening to allow equalization of pressures.

(h) Shut-off valves provided with an excess flow valve shall be designed for proper installation in a container connection so that the excess flow valve will close should the shutoff valve break.

(i) All excess flow valves shall be plainly and permanently marked with the name or trade-mark of the manufacturer, the catalog number, and the rated capacity.

(7) Piping, Tubing and Fittings. (a) All piping, tubing and fittings shall be made of material suitable for anhydrous ammonia service.

(b) All piping, tubing and fittings shall be designed for a pressure not less than the maximum pressure to which they may be subjected in service.

(c) All piping shall be well supported and provision shall be made for expansion and contraction. All refrigeration system piping shall conform to the Refrigeration Piping Code (ANSI B31.5 1966 addenda B31.1a-1968), a section of the American Standard Code for Pressure Piping, as it applies to ammonia.

(d) Piping used on non-refrigerated systems shall be at least ASTM A-53-1969 Grade B Electric Resistance Welded and Electric Flash Welded Pipe or equal. Such pipe shall be at least Schedule 40 when joints are welded, or welded and flanged. Such pipe shall be at least Schedule 80 when joints are threaded. Brass, copper, or galvanized steel pipe or tubing shall not be used.

(e) All metal flexible connections for permanent installations shall have a minimum working pressure of 250 psig (safety factor of 4). For temporary installations, hose meeting the requirement of WAC 296-24-51009(8) may be used.

(f) Cast iron fittings shall not be used but this shall not prohibit the use of fittings made specially for ammonia service of malleable or nodular iron such as Specification ASTM A47 or ASTM A395.

(g) Provisions shall be made for expansion, contraction, jarring, vibration, and for settling.

(h) Adequate provisions shall be made to protect all exposed piping from physical damage that might result from moving machinery, the presence of automobiles or trucks, or any other undue strain that may be placed upon the piping.

(i) Joint compounds shall be resistant to ammonia.

(j) After assembly, all piping and tubing shall be tested and proved to be free from leaks at a pressure not less than the normal operating pressure of the system.

(8) Hose Specification. (a) Hose used in ammonia service and subject to container pressure shall conform to the joint Rubber Manufacturers Association and the Fertilizer Institute "Hose Specifications for Anhydrous Ammonia" (See Appendix B).

(b) Hose subject to container pressure shall be designed for a minimum working pressure of 350 psig and a minimum burst pressure of 1750 psig. Hose assemblies, when made up, shall be capable of withstanding a test pressure of 500 psig.

(c) Hose and hose connections located on the low pressure side of flow control or pressure reducing valves on devices discharging to atmospheric pressure shall be designed for the maximum low side working pressure. All connections shall be designed, constructed, and installed so that there will be no leakage when connected.

(d) Where liquid transfer hose is not drained of liquid upon completion of transfer operations, such hose shall be equipped with an approved shut-off valve at the discharge end. Provision shall be made to prevent excessive hydrostatic pressure in the hose. (See WAC 296-24-51009(9)(j).)

(e) On all hose one-half inch O.D. and larger, used for the transfer of anhydrous ammonia liquid or vapor, there shall be etched, cast, or impressed at five-foot intervals the following information:

"Anhydrous Ammonia"
xxx psig (Maximum working pressure)
Manufacturer's Name or Trademark
Year of Manufacture

(9) Safety Relief Devices. (a) Every container used in systems covered by WAC 296-24-51011, WAC 296-24-51017, WAC 296-24-51019 and WAC 296-24-51021 shall be provided with one or more safety relief valves of the spring-loaded or equivalent type. The discharge from safety relief valves shall be vented away from the container, upward and unobstructed to the atmosphere. All safety relief valve discharge openings shall have suitable raincaps that will allow free discharge of the vapor and prevent the entrance of water. Provision shall be made for draining condensate which may accumulate. The rate of the discharge shall be in accordance with the provisions of Appendix A.

(b) Container safety relief valves shall be set to start-to-discharge as follows, with relations to the design pressure of the container.

Containers	Minimum	Maximum*
ASME U-68, U-69	110%	125%
ASME U-200, U-201	95%	100%
ASME 1952, 1956, 1959, 1962, 1965, 1968 or 1971	95%	100%
API-ASME	95%	100%
U.S. Coast Guard		
	[As required by USCG regulations]	
DOT	[As required by DOT regulations]	

*NOTE: A relief valve manufacturer's tolerance of plus 10% is permitted.

(c) Safety relief devices used in systems covered by WAC 296-24-51011, WAC 296-24-51017, WAC 296-24-51019 and WAC 296-24-51021 shall be constructed to discharge at not less than the rates required in subsection (9)(a) before the pressure is in excess of 120% (not including the 10% tolerance referred to in subsection (9)(b) of the maximum permitted start-to-discharge pressure setting of the device.

(d) Safety relief valves shall be so arranged that the possibility of tampering will be minimized. If the pressure setting adjustment is external, the relief valves shall be provided with means for sealing the adjustment.

(e) Shut-off valves shall not be installed between the safety relief valves and the containers or systems described in WAC 296-24-51011, WAC 296-24-51017, WAC 296-24-51019 and WAC 296-24-51021, except that a shut-off valve may be used where the arrangement of this valve is such as always to afford required capacity flow through the relief valves.

NOTE: The above exception is made to cover such cases as a three-way valve installed under two safety relief valves, each of which has the required rate of discharge and is so installed as to allow either of the safety relief valves to be closed off, but does not allow both safety valves to be closed off at the same time. Another exception to this may be where two separate relief valves are installed with individual shut-off valves. In this case, the two shut-off valve stems shall be mechanically interconnected in a manner which will allow full required flow of one safety relief valve at all times. Still another exception is a safety relief valve manifold which allows one valve of two, three, four or more to be closed off and the remaining valve or valves will provide not less than the rate of discharge shown on the manifold nameplate.

(f) Safety relief valves shall have direct communication with the vapor space of the container.

(g) Each safety relief valve used with systems described in WAC 296-24-51011, WAC 296-24-51017, WAC 296-24-51019 and WAC 296-24-51021 shall be plainly and permanently marked as follows:

- (i) With the letters "AA" or the symbol "NH3".
- (ii) The pressure in pounds per square inch gage (psig) at which the valve is set to start-to-discharge.
- (iii) The rate of discharge of the valve in cubic feet per minute of air at 60F and atmospheric pressure (14.7 psia).
- (iv) The manufacturer's name and catalog number.

For example, a safety relief valve marked AA-250-4200 (air) would mean that this valve is suitable for use on an anhydrous ammonia container; that it is set to start-to-discharge at 250 psig; and that its rate of discharge (see WAC 296-24-51009(8)(a) to (c)) is 4200 cubic feet per minute of air.

(h) The flow capacity of the safety relief valve shall not be restricted by any connection to it on either the upstream or downstream side.

(i) The manufacturer or supplier of a safety relief valve manifold shall publish complete data showing the flow rating through the combined assembly of the manifold with safety relief valves installed. The manifold flow rating shall be determined by testing the manifold with all but one valve discharging. If one or more openings have restrictions not present in the remaining openings, the restricted opening or openings or those having the lowest flow shall be used to establish the flow rate marked on the manifold nameplate. The marking shall be similar to that required in subsection (9)(g) for individual valves.

(j) A hydrostatic relief valve shall be installed between each pair of valves in the liquid ammonia piping or hose where liquid may be trapped so as to relieve into the atmosphere at a safe location.

(k) Discharge from safety relief devices shall not terminate in or beneath any building.

(10) Safety. See CGA Pamphlet G-2, TFI Operational Safety Manual M-2 and MCA Safety Data Sheet SD-8 (See Appendix C for availability).

(a) Personnel required to handle ammonia shall be trained in safe operating practices and the proper action to take in the event of emergencies. Personnel shall be instructed to use the equipment listed in subsection (10)(c) in the event of an emergency. [Rev. 1-22-76]

(b) If a leak occurs in an ammonia system, the personnel trained for and designated to act in such emergencies shall:

(i) See that persons not required to deal with an emergency are evacuated from the contaminated area.

(ii) Put on a suitable gas mask.

(iii) Wear gauntlet type plastic or rubber gloves and wear plastic or rubber suits in heavily contaminated atmospheres.

(iv) Shut off the appropriate valves.

(c) All storage systems shall have on hand, as a minimum, the following equipment for emergency and rescue purposes:

*(i) One full face gas mask with anhydrous ammonia refill canisters.

** (ii) One pair of protective gloves.

** (iii) One pair of protective boots.

** (iv) One protective slicker and/or protective pants and jacket.

(v) Easily accessible shower and/or at least 50 gallons of clean water in an open top container.

(iv) Tight fitting vented goggles or one full face shield.

*An ammonia canister is effective for short periods of time in light concentrations of ammonia vapor, generally 15 minutes in concentrations of 3% and will not protect breathing in heavier concentrations. If ammonia vapors are detected when mask is applied the concentration is too high for safety. The life of a canister in service is controlled by the percentage of vapors to which it is exposed. Canisters must not be opened until ready for use and should be discarded after use. Unopened canisters may be guaranteed for as long as three years. All should be dated when received because of this limited life. In addition to this protection, an independently supplied air mask of the type used by fire departments may be used for severe emergencies.

**Gloves, boots, slickers, jackets and pants shall be made of rubber or other material impervious to ammonia.

(d) Where several persons are usually present, additional safety equipment may be desirable.

(e) Each tank motor vehicle transporting anhydrous ammonia, except farm applicator vehicles, shall carry a container of at least five gallons of water and shall be equipped with a full face gas mask, a pair of tight-fitting goggles or one full face shield. The driver shall be instructed in their use and the proper action to take to provide for his/her safety.

(f) If a leak occurs in transportation equipment and it is not practical to stop the leak, the driver should move the vehicle to an isolated location away from populated communities or heavily traveled highways.

(g) If liquid ammonia contacts the skin or eyes, the affected area should be promptly and thoroughly flushed with water. Do not use neutralizing solutions or ointments on affected areas. A physician shall treat all cases of eye exposure to liquid ammonia.

(11) Filling Densities. (See WAC 296-24-51005(9)). (a) The filling densities for nonrefrigerated containers shall not exceed the following:

	Aboveground	Underground
(i) Uninsulated	56%*	58%
(ii) Insulated	57%	
(iii) DOT containers shall be filled in accordance with DOT regulations.		

*This corresponds to 82% by volume at -28F, 85% by volume at 5F, 87.5% by volume at 30F, and 90.6% by volume at 60F.

(b) The filling density for refrigerated storage tanks temperature corresponding to the vapor pressure at the start-to-discharge pressure setting of the safety relief valve.

(c) If containers are to be filled according to liquid level by any gaging method other than a fixed length dip tube gage, each container should have a thermometer well so that the internal liquid temperature can be easily determined and the amount of liquid and vapor in the container corrected to a 60°F. basis.

(12) Transfer of Liquids. (a) Anhydrous ammonia shall always be at a temperature suitable for the material of construction and design of the receiving containers. Ordinary steels are not suitable for refrigerated ammonia. See Appendix R of API Standard 620 "Recommended Rules for Design and Construction of Large Welded Low-Pressure Storage Tanks" for materials for low temperature service.

(b) At least one attendant shall supervise the transfer of liquids from the time the connections are first made until they are finally disconnected.

(c) Flammable gases or gases which will react with ammonia (such as air) shall not be used to unload tank cars or transport trucks.

(d) Containers shall be charged or used only upon authorization of the owner.

(e) Containers shall be gaged and charged only in the open atmosphere or in buildings approved for that purpose.

(f) Pumps used for transferring ammonia shall be recommended and labeled for ammonia service by the manufacturer.

(i) Pumps shall be designed for at least 250 psig working pressure.

(ii) Positive displacement pumps shall have installed, off the discharge port, a constant differential relief valve discharging into the suction port of the pump through a line of sufficient size to carry the full capacity of the pump at relief valve setting, which setting and installation shall be according to pump manufacturer's recommendations.

(iii) On the discharge side of the pump, before the relief valve line, there shall be installed a pressure gage graduated from 0 to 400 psig.

(iv) Plant piping shall contain shutoff valves located as close as practical to pump connections.

(g) Compressors used for transferring or refrigerating ammonia shall be recommended and labeled for ammonia service by the manufacturer.

(i) Compressors, except those used for refrigeration, shall be designed for at least 250 psig working pressure. Crank cases of compressors not designed to withstand system pressure shall be protected with a suitable safety relief valve.

(ii) Plant piping shall contain shutoff valves located as close as practical to compressor connections.

(iii) A safety relief valve large enough to discharge the full capacity of the compressor shall be connected to the discharge before any shutoff valve.

(iv) Compressors shall have pressure gages at suction and discharge graduated to at least one and one-half times the maximum pressure that can be developed.

(v) Adequate means, such as drainable liquid trap, may be provided on the compressor suction to minimize the entry of liquid into the compressor.

(vi) Where necessary to prevent contamination, an oil separator shall be provided on the discharge side of the compressor.

(h) Loading and unloading systems shall be protected by suitable devices to prevent emptying of the storage container or the container being loaded or unloaded in the event of severance of the hose. Back-flow check valves or properly sized excess flow valves shall be installed where necessary to provide such protection. In the event that such valves are not practical, remotely operated shutoff valves may be installed.

(i) Meters used for the measurement of liquid anhydrous ammonia shall be recommended and labeled for ammonia service by the manufacturer.

(i) Liquid meters shall be designed for a minimum working pressure of 250 psig.

(ii) The metering system shall incorporate devices that will prevent the ((inadvertent [inadvertent])) inadvertent measurement of vapor.

(13) Tank Car Unloading Points and Operations. (a) Provisions for unloading tank cars shall conform to the Regulations of the Department of Transportation.

(b) Unloading operations shall be performed by reliable persons properly instructed and made responsible for careful compliance with all applicable procedures.

(c) Caution signs shall be so placed on the track or car as to give necessary warning to persons approaching car from open end or ends of siding and shall be left up until after car is unloaded and disconnected from discharge connections. Signs shall be of metal or other suitable material, at least 12 by 15 inches in size and bear the words "STOP—Tank Car Connected" or "STOP—Men At Work" the word "STOP", being in letters at least 4 inches high and the other words in letters at least 2 inches high. The letters shall be white on a blue background.

(d) The track of a tank car siding shall be substantially level.

(e) Brakes shall be set and wheels blocked on all cars being unloaded.

(f) Tank cars of anhydrous ammonia shall be unloaded only at approved locations meeting the requirements of WAC 296-24-51009(9)(c) and (12)(h) of this section.

(14) Liquid Level Gaging Device. (a) Each container except those filled by weight shall be equipped with an approved liquid level gaging device.

(b) All gaging devices shall be arranged so that the maximum liquid level to which the container is filled is readily determined. (See WAC 296-24-51009(4)(b)(vii)).

(c) Gaging devices that require bleeding of the product to the atmosphere such as the rotary tube, fixed tube, and slip tube devices, shall be designed so that the maximum opening of the bleed valve is not larger than No. 54 drill size unless provided with an excess flow valve. (This requirement does not apply to farm vehicles used for the application of ammonia as covered in WAC 296-24-51021.)

(d) Gaging devices shall have a design pressure equal to or greater than the design pressure of the container on which they are installed.

(e) Fixed liquid level gages shall be so designed that the maximum volume of the container filled by liquid shall not exceed 85% of its water capacity. The coupling into which the fixed liquid level gage is threaded must be placed at the 85% level of the container. If located elsewhere, the dip tube of this gage must be installed in such a manner that it cannot be readily removed.

NOTE: This does not apply to refrigerated storage.

(f) Gage glasses of the columnar type shall be restricted to stationary storage installation. They shall be equipped with shutoff valves having metallic handwheels, with excess-flow valves, and with extra heavy glass adequately protected with a metal housing applied by the gage manufacturer. They shall be shielded against the direct rays of the sun.

(15) Painting of Containers. Aboveground uninsulated containers should have a reflective surface maintained in good condition. White is recommended for painted surfaces, but other light reflecting colors are acceptable.

(16) Electrical Equipment and Wiring. (a) Electrical equipment and wiring for use in ammonia installations shall be general purpose or weather resistant as appropriate.

(b) Where concentrations of ammonia in air in excess of 16% by volume are likely to be encountered, electrical equipment and wiring shall be of a type specified by and be installed in accordance with National Electrical Code, NFPA 70 (ANSI-C1), for Class I, Group D locations.

AMENDATORY SECTION (Amending Order 76-6, filed 3/1/76)

WAC 296-24-51013 REFRIGERATED STORAGE. This section applies specifically to systems utilizing tanks for the storage of anhydrous ammonia under refrigerated conditions. All Basic Rules of WAC 296-24-51009 apply to this section unless inconsistent with the requirements of this section.

(1) Design of Tanks. (a) Tanks may be designed for any storage pressure desired as determined by economical design of the refrigerated system.

(b) The design temperature shall be the minimum temperature to which the container will be refrigerated and shall be so designated.

(c) Containers with a design pressure exceeding 15 p.s.i.g. shall be constructed in accordance with WAC 296-24-51009(2) and the material shall be selected from those listed in API Standards 620, 4th edition 1970, Recommended Rules for Design and Construction of Large, Welded Low-Pressure Storage Tanks, Tables 2.02, R.2.1, R.2.2, R.2.3 or R.2.4.

(d) Tanks with a design pressure of 15 psig and less shall be constructed in accordance with the general requirements of API Standard 620, 4th edition, 1970, including Appendix R.

(e) When austenitic steels or nonferrous materials are used, the ASME Code shall be used as a guide in selection of materials for use at the design temperature.

(f) The filling density for refrigerated storage containers shall be such that the container will not be liquid full at a liquid temperature corresponding to the vapor pressure at the start-to-discharge pressure setting of the safety-relief valve. [New 1-22-76]

(2) Installation of Storage Tanks. (a) Tanks shall be supported on suitable non-combustible foundations designed to accommodate the type of tank being used.

(b) Adequate protection against flotation or other water damage shall be provided wherever high flood water might occur.

(c) Tanks for product storage at less than 32F shall be supported in such a way, or heat shall be supplied, to prevent the effects of freezing and consequent frost heaving.

(d) The area surrounding a refrigerated tank or group of tanks shall be provided with drainage, or shall be diked to prevent accidental discharge of liquid from spreading to uncontrolled areas.

(e) When drainage is employed, a slope of not less than one percent shall be provided. The drainage system shall terminate in an impounding basin having a capacity as large as the largest tank served.

(f) Provision shall be made for drainage of rain water from the diked or impounding area. Such drainage shall not permit the release of ammonia.

(g) When a dike surrounding the tank is employed, the capacity of the diked enclosure shall be as large as the largest tank served.

(h) The walls of a diked enclosure or the wall of an impounding basin used in a drainage system shall be of earth, steel or concrete designed to be liquid tight and to withstand the hydrostatic pressure and the temperature. Earth walls shall have a flat top at least 2 feet wide. The slope shall be stable and consistent with the angle of repose of the earth used.

(i) The ground in an impounding basin or within a diked enclosure, should be graded so that small spills, or the early part of a large spill, will accumulate at one side or corner contacting a relatively small area of ground and exposing a relatively small surface area for heat gain. Shallow channels in the ground surface or low curbs of earth can help guide the liquid to these low areas without contacting a large ground area.

(3) Marking Refrigerated Containers. (a) Each refrigerated container shall be marked with a nameplate on the outer covering in an accessible place as specified in the following:

(i) With the name and address of the builder and the date of fabrication.

(ii) With the maximum volume or weight of the product whichever is most meaningful to user.

(iii) With the design pressure.

(iv) With the minimum temperature in degrees Fahrenheit for which the container was designed.

(v) With the maximum allowable water level to which the container may be filled for the test purposes.

(vi) With the density of the product in pounds per cubic foot for which the container was designed.

(vii) With the maximum level to which the container may be filled with liquid anhydrous ammonia.

(4) Tank Valves, Fill Pipes and Discharge Pipes. (a) Shut-off valves shall be:

(i) Provided for all connections except those with a No. 54 drill size restriction, plugs, safety valves, thermometer wells, and

(ii) Located as close to the tank as practicable.

(b) When operating conditions make it advisable, a check valve shall be installed on the fill connection and a remotely operated shut-off valve on other connections located below the maximum liquid level.

(5) Safety Relief Devices. (a) Safety relief valves shall be set to start-to-discharge at a pressure not in excess of the design pressure of the tank and shall have a total relieving capacity sufficient to prevent a maximum pressure in a tank of more than 120% of the design pressure.

(b) The total relieving capacity shall be the larger requirement of WAC 296-24-51013(5)(b)(i) or (ii).

(i) Possible refrigeration system upset such as (A) cooling water failure, (B) power failure, (C) instrument air or instrument failure, (D) mechanical failure (~~(wf-toff)~~) of any equipment, (E) excessive pumping rates, (F) changing atmospheric conditions.

(ii) Either one of the following formulas for fire exposure, (1) for valve manufacturers who use weight of vapors to be relieved as basis for classifying valves:

$$W = \frac{34,500 F A(\text{superscript } 0.82)}{L}$$

or (2) for valve manufacturers that classify valves on the basis of air flow:

$$Q_a = \frac{633,000 F A(\text{superscript } 0.82)}{L C} \quad (\text{See Illus.})$$

Where

W = weight of vapors to be relieved in pounds/hour at relieving conditions;

Q_a = air flow in cubic feet per minute at standard conditions (60F and 14.7 psi);

F = fireproofing credit. Use F = 1.0 except when an approved fireproofing material of recommended thickness is used, then use F = 0.2.

A = total surface area in square feet up to 25 feet above grade or to the equator of a sphere, whichever is greater;

Z = compressibility factor of ammonia at relieving conditions (if not known, use Z = 1.0);

T = temperature in degrees R (460 + temperature in degrees F of gas at relieving conditions);

M = molecular weight = 17 for ammonia;

L = latent heat of ammonia at relieving conditions;

C = constant based on relation of specific heats. (C may be obtained from the following table.)

(If K is not known use C = 315.)

K	C	K	C	K	C
1.00	315	1.26	343	1.52	366
1.02	318	1.28	345	1.54	368
1.04	320	1.30	347	1.56	369
1.06	322	1.32	349	1.58	371
1.08	324	1.34	351	1.60	372
1.10	327	1.36	352	1.62	374
1.12	329	1.38	354	1.64	376
1.14	331	1.40	356	1.66	377
1.16	333	1.42	358	1.68	379
1.18	335	1.44	359	1.70	380
1.20	337	1.46	361	2.00	400
1.22	339	1.48	363	2.20	412
1.24	341	1.50	364		

Where K = C_p/C_v at atmospheric conditions and

C_p = Specific heat of vapor at constant pressure.

C_v = Specific heat of vapor at constant volume.

(c) Shut-off valves of adequate flow (~~(capacity [capacity])~~) capacity may be provided and used to facilitate inspection and repair of safety relief valves. When a shut-off valve is provided it shall be so arranged that it can be locked or sealed open, and it shall not be closed except by an authorized person who shall remain stationed there while the valve remains closed, and who shall again lock or seal the valve open when leaving the station.

(d) Safety relief devices shall comply with the following:

(i) If stacks are used they shall be suitably designed to prevent obstruction by rain, snow, ice or condensate. The outlet size shall not be smaller than the nominal size of the safety relief valve outlet connection.

(ii) Discharge lines may be used if desired. Multiple safety relief valves on the same storage unit may be run into a common discharge header. The discharge line and header shall be designed to accommodate the maximum flow and a back pressure not exceeding 10% of the design pressure of the storage container. This back pressure shall be

included in the 120% total maximum pressure given in WAC 296-24-51013(5)(a). No other container or system shall exhaust into this discharge line or header. The vent lines shall be installed to prevent accumulation of liquid in the lines.

(e) Atmospheric storage shall be provided with vacuum breakers. Ammonia gas may be used to provide a pad.

(6) Protection of Container Appurtenances. Refrigerated storage containers shall comply with the provisions of WAC 296-24-51011(7).

(7) Reinstallation of Containers. Containers of such size as to require field fabrication shall, when moved and reinstalled, be reconstructed and reinspected in complete accordance with the code under which they were constructed. The containers shall be subjected to a pressure retest, and if rerating is necessary, it shall be done in accordance with the applicable code pressures.

(8) Damage From Vehicles. Precaution shall be taken to avoid any damage by trucks, tractors, or other vehicles.

(9) Refrigeration Load and Equipment. (a) The total refrigeration load shall be computed as the sum of the following:

(i) Load imposed by heat flow into the container caused by the temperature differential between the ambient temperature and the design storage temperature.

(ii) Load imposed by heat flow into the tank caused by maximum sun radiation.

(iii) Maximum load imposed by filling the tank with ammonia warmer than the design storage temperature.

(b) More than one storage tank may be handled by the same refrigeration system.

(c) Compressors. (See also WAC 296-24-51009(12)(g).) (i) A minimum of two compressors shall be provided, either of which if of sufficient size to handle the loads listed in WAC 296-24-51013(9)(a)(i) and (ii). Where more than two compressors are provided, minimum standby equipment equal to the largest normally operating equipment shall be installed. Compressors required for WAC 296-24-51013(9)(a)(iii) may be used as standby equipment for compressors required in WAC 296-24-51013(9)(a)(i) and (ii).

(ii) Compressors shall be sized to operate with a suction pressure at least 10% below the minimum setting of the safety relief valve(s) on the storage tank and shall withstand a suction pressure at least equal to 120% of the design pressure of the tank. Discharge pressure will be governed by condensing conditions.

(d) Compressor Drives. (i) Each compressor shall have its individual driving unit.

(ii) Any standard drive consistent with good design may be used.

(iii) An emergency source of power of sufficient capacity to handle the loads listed in WAC 296-24-51013(9)(a)(i) and (ii) shall be provided, unless facilities are provided to safely dispose of vented vapors while the refrigeration system is not operating.

(e) Automatic Control Equipment. (i) The refrigeration system shall be arranged with suitable controls to govern the compressor operation in accordance with the load as evidenced by the pressure in the container(s).

(ii) An emergency alarm system shall be installed to function in the event the pressure in the container(s) rises to the maximum or falls to the minimum allowable operating pressure.

(iii) An emergency alarm and shut-off shall be located in the condenser system to respond to excess discharge pressure caused by failure of the cooling medium.

(iv) All automatic controls shall be installed in a manner to preclude operation of alternate compressors unless the controls will function with the alternate compressors.

(f) Separators. (i) An entrainment separator of suitable size and design pressure shall be installed in the compressor suction line. The separator shall be equipped with a drain and gaging device.

(ii) An oil separator of suitable size shall be installed in the compressor discharge line. It shall be designed for at least 250 psig and shall be equipped with a gaging device and drain valve.

(g) Condensers. The condenser system may be cooled by air or water or both. The condenser shall be designed for at least 250 psig. Provision shall be made for purging non-condensibles either manually or automatically.

(h) Receiver and Liquid Drain. A receiver shall be provided which is equipped with an automatic float valve to discharge the liquid ammonia to storage or with a high pressure liquid drain trap of suitable capacity. The receiver shall be designed for at least 250 psig operating pressure and be equipped with the necessary connections, safety relief valves and gaging device.

(i) Insulation. Refrigerated containers and pipe lines which are insulated shall be covered with a material of suitable quality and thickness for the temperatures encountered. Insulation shall be suitably supported and protected against the weather. Weatherproofing shall be of a type which will not support flame propagation.

(10) Safety Equipment. All refrigerated storage plants shall have on hand the minimum safety equipment required under WAC 296-24-51009(10)(c).

AMENDATORY SECTION (Amending Order 76-6, filed 3/1/76)

WAC 296-24-51017 SYSTEMS MOUNTED ON TRUCKS, SEMI-TRAILERS, AND TRAILERS FOR TRANSPORTATION OF AMMONIA. This section applies specifically to systems mounted on trucks, semi-trailers and trailers (other than those covered under WAC 296-24-51019 and WAC 296-24-51021) used for the transportation of ammonia. All Basic Rules of WAC 296-24-51009 apply to this section unless otherwise noted. Systems for trucks and trailers for transportation of anhydrous ammonia, in addition to complying with the requirements of these standards, shall also comply where required, with the requirements of the Department of Transportation and those of any other regulatory body which may apply.

(1) Design Pressure of Containers. (a) Containers used in intrastate commerce shall be constructed in accordance with WAC 296-24-51009(2) with a minimum design pressure of 250 psig. Containers used in interstate commerce shall meet DOT Regulations.

(b) The shell or head thickness of any container shall not be less than 3/16 inch.

(c) All container openings, except safety relief valves, liquid level gaging devices and pressure gages, shall be labeled to designate whether they communicate with liquid or vapor space. Labels may be on valves.

(d) Baffles are not required for cargo tanks.

(2) Mounting Containers on Truck. (a) The means of attachment of any container to the cradle, frame or chassis of a vehicle shall be designed on a basis of two "g" loading in either direction, using a safety factor of not less than 4, based on the ultimate strength of the material used. For purposes of this requirement, two "g" of load support is equivalent to three times the static weight of the articles supported; two "g" of loading and bending, acceleration, and torsion is equivalent to twice the static weight support applied horizontally at the road surface.

(b) "Hold-down" devices, when used, shall anchor the container to the cradle, frame or chassis in a suitable and safe manner that will not introduce undue concentration of stresses. These devices shall incorporate positive means for drawing the container down tight, and suitable stops or anchors shall be provided to prevent relative movement between container and framing due to stopping, starting or changes in direction.

(c) Vehicles designed and constructed so that the cargo tanks constitute in whole or in part the stress member used in lieu of the frame shall be supported by external cradles suspending at least 120° of the shell circumference. The design calculation shall include beam stress, shear stress, torsion stress, bending moment and acceleration stress, in addition to those covered by the code under which the cargo tank was designed.

(d) If a liquid withdrawal line is installed in the bottom of a container, the connections thereto, including hose, shall not be lower than the lowest horizontal edge of the trailer axle.

(e) Provisions shall be made to secure both ends of the hose while in transit.

(f) When the cradle and the container are not welded together, suitable material shall be used between them to eliminate metal-to-metal friction.

(3) Container Appurtenances. (a) Nonrecessed container fittings and appurtenances shall be protected against physical damage by either: (i) a protected location, (ii) the vehicle frame or bumper, or (iii) a protective housing. The protective housing, if used, shall comply with the requirements under which the containers are fabricated with respect to design and construction, and shall be designed to withstand static loadings in any direction equal to twice the weight of the container and attachments when filled with the lading using a safety factor of not less than 4, based on the ultimate strength of the material to be used. The protective housing if used shall be protected with a weather cover, if necessary, to insure proper operation of valves and safety relief devices.

(b) All connections to containers, except filling connections (see WAC 296-24-51017(3)(c)), safety relief devices, and liquid level and

pressure gage connections, shall be provided with suitable automatic excess flow valves, or in lieu thereof, may be fitted with quick-closing internal valves, which shall remain closed except during delivery operations. The control mechanism for such valves may be provided with a secondary control remote from the delivery connections and such control mechanism shall be provided with a fusible section ((~~melting~~ [melting])) (melting point 208F to 220F) which will permit the internal valve to close automatically in case of fire.

(c) Filling connections shall be provided with automatic back-pressure check valves, excess-flow check valves, or quick-closing internal valves, to prevent back-flow in case the filling connection is broken. Where the filling and discharge connect to a common opening in the container shell and that opening is fitted with a quick-closing internal valve as specified in WAC 296-24-51017(3)(b), the automatic valve shall not be required.

(d) All containers shall be equipped for spray loading (filling in the vapor space) or with an approved vapor return valve of adequate capacity.

(e) All containers shall be equipped with a fixed maximum liquid level gage.

(f) All containers shall be equipped with a pressure-indicating gage having a dial graduated from 0-400 psig.

(4) Piping and Fittings. (a) All piping, tubing and fittings shall be securely mounted and protected against physical damage.

(b) Piping used on nonrefrigerated systems shall be at least ASTM A-53 Grade B Electric Resistance Welded and Electric Flash Welded Pipe or equal. Such pipe shall be at least Schedule 40 when joints are welded, or welded and flanged. Such pipe shall be at least Schedule 80 when joints are threaded. Brass, copper, or galvanized steel pipe or tubing shall not be used.

(c) The truck unloading line shall be provided with an excess flow valve at the hose connection unless an approved quick closing internal valve is provided in the container unloading connection. (See WAC 296-24-51017(3)(b).)

(5) Safety Relief Devices. The discharge from container safety relief valves shall be vented away from the container upward and unobstructed to the open air in such a manner as to prevent any impingement of escaping gas upon the container; loose fitting rain caps shall be used. Size of discharge lines from safety relief valves shall not be smaller than the nominal size of the safety relief valve outlet connection. Suitable provision shall be made for draining condensate which may accumulate in the discharge pipe.

(6) Marking of Container. Every container, whether loaded or empty, shall be conspicuously and legibly marked on each side and rear thereof on a background of sharply contrasting color with the words "COMPRESSED GAS" in letters at least four inches high; or with the words "ANHYDROUS AMMONIA" in letters at least four inches high; or in compliance with Department of Transportation Regulations.

(7) Transfer of Liquids. (a) The content of tank motor vehicle containers shall be determined by weight, by suitable liquid level gaging devices, meters, or other approved methods.

NOTE: If the content of a container is to be determined by liquid level measurement, the container shall have a thermometer well so that the internal liquid temperature can be easily determined. This volume when converted to weight shall not exceed the filling density specified by the Department of Transportation Regulations.

(b) Pumps or compressors shall be designed and installed in accordance with WAC 296-24-51009(12) and protected against physical damage when mounted upon ammonia tank trucks and trailers.

(c) Tank motor vehicles of greater than 3500 water gallons capacity shall be unloaded only at approved locations meeting the requirements of WAC 296-24-51009(10)(c) and (12)(h).

(8) Trailers and Semi-Trailers. (a) Trailers shall be firmly and securely attached to the vehicle drawing them by means of suitable drawbars, supplemented by suitable safety chain (or chains) or safety cables.

(b) Every trailer and semi-trailer shall be equipped with an emergency braking system to be activated in the event of hitch failure.

(c) Trailers shall be of a type of construction which will prevent the towed vehicle from whipping or swerving dangerously from side to side and which will cause it to follow substantially in the path of the towing vehicle.

(d) Where a fifth wheel is employed on a semi-trailer, it shall be ruggedly designed, securely fastened to both units, and equipped with a

positive locking mechanism which will prevent separation of the two units except by manual release.

(e) Every trailer or semi-trailer shall be provided with side lights and a tail light.

(9) Electrical Equipment and Lighting. Tank trucks, tank trailers, and tank semi-trailers, may not be equipped with any artificial light other than electric light. Electric lighting circuits shall have suitable overcurrent protection (fuses or automatic circuit breakers). The wiring shall have sufficient carrying capacity and mechanical strength, and shall be suitably secured, insulated and protected against physical damage.

(10) Protection Against Collision. Each tank motor vehicle shall be provided with properly attached bumpers or chassis extensions arranged to protect the tank, piping, valves and fittings from physical damage in case of collision.

(11) Chock Blocks. At least two chock blocks shall be provided. These blocks shall be placed to prevent rolling of the vehicle whenever it is parked during loading and unloading operations.

(12) Portable Tanks (Including Skid Tanks). When portable tanks are used in lieu of cargo tanks and are permanently mounted on tank motor vehicles for the transportation of ammonia, they shall comply with the requirements of WAC 296-24-51017. Where portable tanks, including those built to DOT Specification 51, 106A or 110A, are used for farm storage they shall comply with WAC 296-24-51011. When portable tanks are used as shipping containers in interstate commerce they shall comply with WAC 296-24-51015.

(13) Safety Equipment. (a) All tank trucks, trailers, and semi-trailers should be equipped with the following for emergency and rescue purposes:

- (i) One full face gas mask with anhydrous ammonia refill canisters.
- (ii) One pair of protective gloves made of rubber or other material impervious to ammonia.
- (iii) Tight-fitting goggles or one full face shield.
- (iv) A container of not less than five gallons of readily available clean water.

*An ammonia canister is effective for short periods of time in light concentrations of ammonia vapor, generally 15 minutes in concentrations of 3% and will not protect breathing in heavier concentrations. If ammonia vapors are detected when mask is applied the concentration is too high for safety. The life of a canister in service is controlled by the percentage of vapors to which it is exposed. Canisters must not be opened until ready for use and should be discarded after use. Unopened canisters may be guaranteed for as long as three years. All should be dated when received because of this limited life. In addition to this protection, an independently supplied air mask of the type used by fire departments may be used for severe emergencies.

AMENDATORY SECTION (Amending Order 73-5, filed 5/9/73 and Order 73-4, filed 5/7/73)

WAC 296-24-51021 SYSTEMS MOUNTED ON FARM EQUIPMENT (IMPLEMENTS OF HUSBANDRY) FOR THE APPLICATION OF AMMONIA. This section applies to systems mounted on farm equipment and used for the field application of ammonia. All Basic Rules of WAC 296-24-51009 apply to this section unless otherwise noted.

(1) Design of Containers. The minimum design for containers shall be in accordance with WAC 296-24-51009(2).

(2) Mounting of Containers. All containers shall be securely mounted.

(3) Container Valves and Appurtenances. (a) Each container shall have a fixed maximum liquid-level gage.

(b) The filling connection shall be fitted with combination back-pressure check valve and excess-flow valve; one double or two single back-pressure check valves; or a positive shut-off valve in conjunction with either an internal back-pressure check valve or an internal excess-flow valve.

(c) An excess-flow valve is not required in the vapor connection, provided the controlling orifice is not in excess of seven sixteenths (7/16) of an inch in diameter and the valve is hand-operated (attached hand wheel or equivalent) shut-off valve. To assist in filling applicator tanks, it is permissible to bleed vapors to the open air, providing the preceding requirements are met.

(d) Metering devices may be connected directly to the tank withdrawal valve. A union type connection is permissible between the tank valve and metering device. Remote mounting of metering devices is

permissible using hose which meets with specifications set out in Appendix B. When the applicator tank is trailed and the metering device is remotely mounted, such as on the tractor tool bar, an automatic break-a-way type, self-closing, coupling must be used.

(e) No excess-flow valve is required in the liquid withdrawal line provided the controlling orifice between the contents of the container and the outlet of the shut-off valve (see WAC 296-24-51009(6)(b)) does not exceed 7/16 inch in diameter.

APPENDIX A

Minimum required rate of discharge in cubic feet per minute of air at 120 percent of the maximum permitted start-to-discharge pressure for safety relief valves to be used on containers other than those constructed in accordance with United States Department of Transportation cylinder specifications.

Surface Area sq. ft.	Flow Rate CFM Air
20	258
25	310
30	360
35	408
40	455
45	501
50	547
55	591
60	635
65	678
70	720
75	762
80	804
85	845
90	885
95	925
100	965
105	1,010
110	1,050
115	1,090
120	1,120
125	1,160
130	1,200
135	1,240
140	1,280
145	1,310
150	1,350
155	1,390
160	1,420
165	1,460
170	1,500
175	1,530
180	1,570
185	1,600
190	1,640
195	1,670
200	1,710
210	1,780
220	1,850
230	1,920
240	1,980
250	2,050
260	2,120
270	2,180
280	2,250
290	2,320
300	2,380
310	2,450
320	2,510
330	2,570
340	2,640
350	2,700
360	2,760
370	2,830
380	2,890
390	2,950

Surface Area sq. ft.	Flow Rate CFM Air
400	3,010
450	3,320
500	3,620
550	3,910
600	4,200
650	4,480
700	4,760
750	5,040
800	5,300
850	5,590
900	5,850
950	6,120
1,000	6,380
1,050	6,640
1,100	6,900
1,150	7,160
1,200	7,410
1,250	7,660
1,300	7,910
1,350	8,160
1,400	8,410
1,450	8,650
1,500	8,900
1,550	9,140
1,600	9,380
1,650	9,620
1,700	9,860
1,750	10,090
1,800	10,330
1,850	10,560
1,900	10,800
1,950	11,030
2,000	11,260
2,050	11,490
2,100	11,720
2,150	11,950
2,200	12,180
2,250	12,400
2,300	12,630
2,350	12,850
2,400	13,080
2,450	13,300
2,500	13,520

Surface Area = Total Outside Surface Area of Container in Square Feet. When the Surface Area is not stamped on the name plate or when the marking is not legible, the area can be calculated by using one of the following formulas:

- (1) Cylindrical container with hemispherical heads
Area = overall length in feet times outside diameter in feet times 3.1416.
- (2) Cylindrical container with other than hemispherical heads
Area = (overall length in feet plus 0.3 outside diameter in feet) times outside diameter in feet times 3.1416.
- (3) Spherical container
Area = outside diameter in feet squared times 3.1416.

Flow Rate — CFM Air = cubic feet per minute of air required at standard conditions, 60F and atmospheric pressure (14.7 psia).

The rate of discharge may be interpolated for intermediate values of surface area. For containers with total outside surface area greater than 2,500 sq. ft., the required flow rate can be calculated using the formula, Flow Rate CFM Air = 22.11 A^{0.82} where A = outside surface area of the container in square feet.

APPENDIX B

TFI-RMA SPECIFICATION FOR ANHYDROUS AMMONIA HOSE
TFI-RMA STANDARD NO. M-5

(1) Scope. This specification covers hose and hose assemblies commonly referred to as "pressure transfer hose", used to convey anhydrous ammonia liquid or to convey anhydrous ammonia gas where the gas is in contact with liquid ammonia. This specification primarily covers hose and hose assemblies which have a minimum burst pressure of 1750 psig, a safety factor of 5, and a maximum working pressure of 350 psig. These figures should not be misconstrued to mean that they are the maximum pressures to which anhydrous ammonia hose and hose assemblies are built, since higher pressure hose and hose assemblies are available for special applications.

(2) Sizes and Tolerances. Anhydrous ammonia hose shall be made with the following dimensions and tolerances:

RUBBER COVERED HOSE FOR USE WITH TWO-PIECE SCREW TYPE COUPLINGS

I.D.	Tolerance	O.D.	Tolerance
1/2"	± 1/32"	15/16"	± 1/32"
3/4"	± 1/32"	1 1/4"	± 1/32"
1"	± 1/16"	1 1/2"	± 1/16"

NON-RUBBER COVERED AND RUBBER COVERED HOSE FOR USE WITH FULL FLOW COUPLINGS

I.D.	Tolerance	O.D.	Tolerance	Nominal Tubing O.D.
13/32"	+0.039" - .015"	49/64"	± .031"	1/2"
1/2"	+0.047" - .015"	59/64"	± .031"	5/8"
5/8"	+0.047" - .015"	1-5/64"	± .031"	3/4"
7/8"	+0.047" - .015"	1-15/64"	± .031"	1"
1 1/8"	+0.062" - .015"	1 1/2"	± .047"	1 1/4"
1 3/8"	+0.062" - .015"	1 3/4"	± .047"	1 1/2"
1-13/16"	+0.062" - .015"	2-7/32"	± .047"	2"

HOSE FOR USE WITH OTHER TYPES OF COUPLINGS*

I.D.	Tolerance
1/2"	± 1/32"
3/4"	± 1/32"
1"	± 1/16"
1 1/4"	± 1/16"
1 1/2"	± 1/16"
2"	± 1/16"

*The O.D. dimension and tolerance were intentionally omitted from this tabulation to provide for developments in both hose and couplings.

(3) Construction. (a) Inner Tube. The tube shall be uniform in quality and thickness and free from injurious defects. It shall meet the physical requirements of (4) of Appendix B. The material shall be resistant to hardening or other deterioration due to the action of ammonia.

(b) Reinforcement. The reinforcement shall consist of any material not adversely affected by permeating ammonia. The reinforcement shall be applied evenly and uniformly, and in such a way that it will meet the physical requirements of (4) of Appendix B. In constructions utilizing a ply or plies of wire reinforcement, the composition of the wire shall be a suitable corrosion resistant stainless steel.

(c) Cover. A rubber cover if used shall be uniform in quality and thickness and free from injurious defects. It shall meet the physical requirements of (4) of Appendix B. The cover shall be so compounded or constructed that it will not blister in service, and will be resistant to deterioration due to the action of ammonia. A gas tight cover shall be pricked to relieve pressure build-up between inner tube and cover. The cover shall be resistant to deterioration due to exposure to the elements.

(4) Physical Tests. (a) Tension Test of Tube and Cover.

	Tube	Cover
Tensile, psi. min.	800	1200
Elongation, percent, min.	150	200

(b) Adhesion Test

Adhesion lbs./in.	Tube 10	Ply 8	Cover 10
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(i) In constructions having braided wire or woven wire filler reinforcing members, only the cover adhesion requirement will apply, as it is impractical to prepare adhesion test specimens except for determining cover adhesion.

(c) Burst Test. All sizes have a minimum burst of 1750 psig. (See Scope.)

(d) Ammonia Performance Test. During the conditioning and flexing described in (7)(d) and (7)(d)(ii) of Appendix B there shall be no evidence of cover blistering or leakage. At the conclusion of the conditioning and at the conclusion of the flexing test, the burst must still meet the requirements of (4)(c) of Appendix B. There shall be no evidence of separation of the component parts when the remainder of the samples are examined.

(e) Low Temperatures Test. The hose shall not fail at minus 40F plus or minus 2°, when tested as described in (7)(e) of Appendix B.

(5) Types of Tests. (a) Acceptance Inspection. This includes all the test specified, with the exception of the ammonia performance test.

(b) Qualification Tests. The qualification tests are intended to establish that the hose is properly designed and constructed to give satisfactory service life. These tests shall be conducted by a recognized independent laboratory. The qualification tests shall consist of all the tests specified herein including the ammonia performance test.

(6) Method of Sampling. (a) Acceptance Inspection. A 24-inch sample of each size and type hose, representative of the lot, shall be selected from each lot manufactured at one time, or from each 25,000 feet, whichever is smaller.

(b) Qualification Test. In addition to the samples specified in (6)(a) of Appendix B, two 12-foot lengths of each size hose shall be selected for the ammonia performance test. Each new hose shall be subjected to a qualification test, and again whenever there has been a design change.

(7) Methods of Testing. (a) Tension Test of Tube and Rubber Cover. The tension test shall be made in accordance with ASTM D-380.

(b) Friction Test. The friction test shall be made in accordance with ASTM D-380.

(c) Burst Test. The burst test shall be made in accordance with ASTM D-380 using the method entitled "Straight Bursting Test".

(d) Ammonia Performance Test. Two 12-foot lengths of hose, to be marked "A" and "B" shall be filled with liquid anhydrous ammonia by connecting to a tank and flushing out with ammonia to remove all the air. One end of each length shall be sealed and the other end left connected to the liquid space of a tank of anhydrous ammonia. The hose shall then be conditioned for 14 days at ambient temperature of 60 to 100F. A valve between the ammonia tank and the hose may be closed providing it is opened at least once each day to completely fill the hose with liquid anhydrous ammonia. The hose shall be examined each day for visible defects. There shall be no evidence of the cover blistering or perceptible leakage. If the hose is valved off at each end when liquid full, a hydrostatic relief valve should be provided between the block valves.

(i) Conditioned Hose Burst Test. A 24-inch sample cut from hose marked "A" shall be subjected to a straight hydrostatic bursting test in accordance with (7)(c) of Appendix B.

(ii) Conditioned Hose Flexing Test. ((†)) (A) The 12-foot hose length marked "B" shall be installed in flexing test machine (Fig. 1). One end of the hose is to be connected to the traveling block and the free end passed around two pulleys with diameters as shown in Table 1. A 30-pound weight shall then be attached to the free end.

((b)) (B) From the remainder of hose length marked "A", (sizes 1 inch and under only), cut a section to length indicated in Table 1. Connect one end to the vertically traveling block as shown in Fig. 1 and connect the other end to the liquid space of a tank of anhydrous ammonia. Maintain the temperature of hose and ammonia between 70F and 90F. The test on the feeder hose does not apply to sizes over 1 inch. To conduct the flex test on the larger sizes any convenient hose may be used as a feeder hose.

((c)) (C) The flexing test shall continue for 72 hours at a rate of approximately 470 cycles per hour with a 42-inch vertical movement of the traveling block. A valve between the ammonia tank and the hose may be closed providing it is opened at least once each day to pressurize the hose. The hose shall be examined each day for visible defect. There shall be no evidence of cover blistering or leakage.

((d)) (D) At the conclusion of the flexing period, cut a 24-inch sample from hose "A" and from hose "B" and subject each sample to a straight burst test in accordance with (7)(c) of Appendix B. All samples shall have a minimum burst of 1750 psig.

TABLE 1

Hose Size	Pulley Diameter	Feeder Hose Length
1/2"	14" ± 1/4"	36"
3/4"	14" ± 1/4"	36"
1 "	14" ± 1/4"	36"
1 1/4"	15" ± 1/4"	
1 1/2"	18" ± 1/4"	
2 "	24" ± 1/4"	

((e)) (E) Low Temperature Test. A straight piece of hose at least 24 inches long, conditioned to minus 40F plus or minus 2F for 5 hours, and bent 180° within two seconds around a mandrel 12 times the nominal inside diameter of the hose, shall not break or show cracks in the tube or cover.

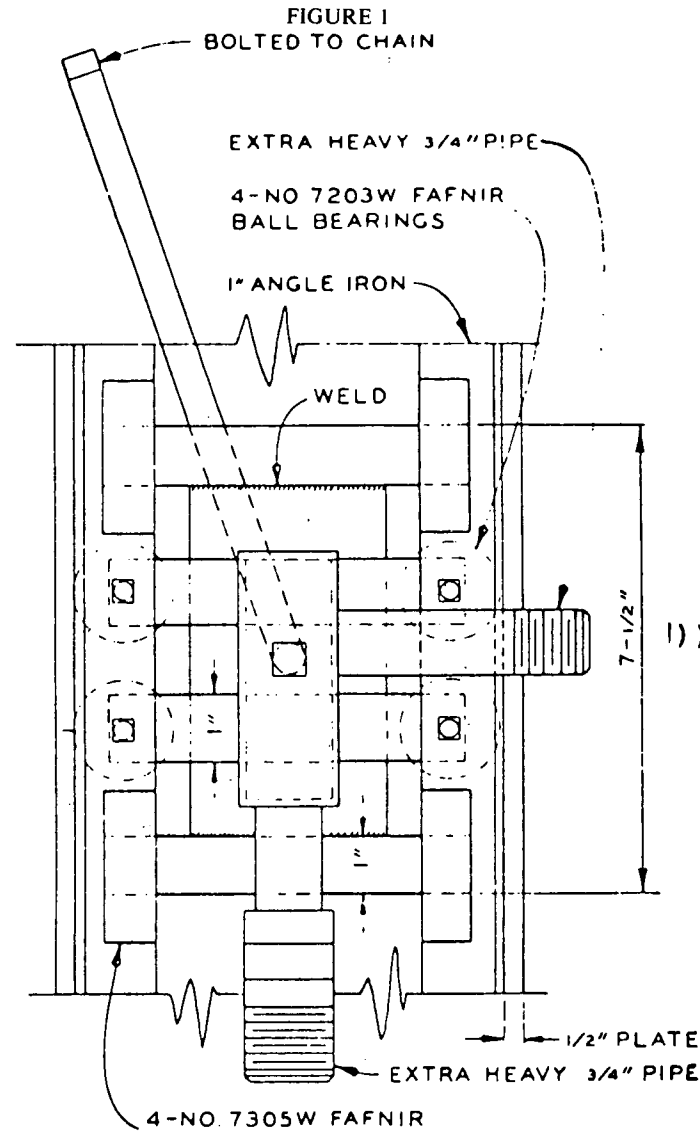
(8) Retests and Rejections. Any hose which fails in one or more tests may be resampled and retested, for which purpose two additional samples shall be selected from the hose for the test that failed to meet the requirements. Failure of either of the retested samples shall be cause for final rejection.

(9) Hose Assemblies. The couplings must be so designed and constructed, that an assembly shall have sufficient strength that it will reach the minimum burst pressure, as required by (4)(c) of Appendix B, before the end fittings leak or come off when pressure is applied as specified in ASTM D-380 for Hydrostatic Tests. Fittings must be resistant to the action of anhydrous and aqueous ammonia and in no case may assemblies be supplied with copper alloy fittings.

(10) Markings. Hose shall be clearly marked at least once every five feet with manufacturer's name or trademark, "Anhydrous Ammonia", the maximum working pressure in psig, year of manufacturer, and "TFI-RMA Spec.", for all hose manufactured after January 1, 1964. As indicated in the Scope, the maximum working pressure must not be less than 350 psig.

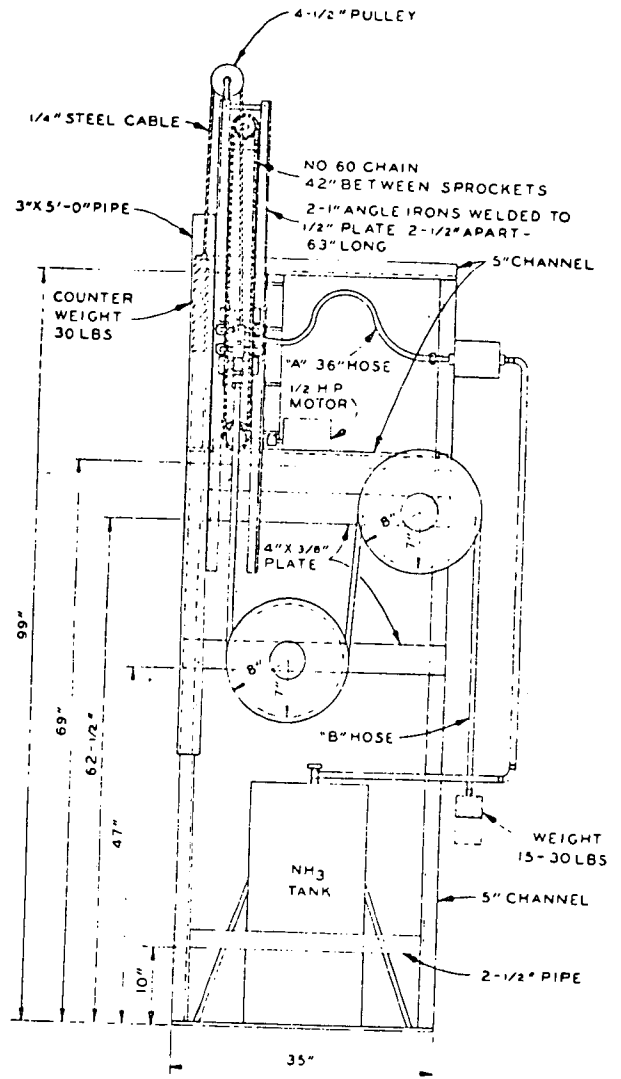
(11) Packaging (a) Packing. Unless otherwise specified, hose shall be packed in substantial commercial containers of the type, size and kind commonly used for the purpose, so constructed as to insure acceptance and safe delivery to common or other carriers, at the lowest rate, to the point of delivery specified on the order.

(b) Identification. Unless otherwise specified, shipping containers shall be marked with the size and quantity of hose therein, the name of the manufacturer, and the number of the order.



NOTE: 1/2 H.P. electric motor-1750 RPM 20:1 gear reduction unit sprockets-14 teeth.

TROLLEY



TYPICAL HOSE FLEXING MACHINE

AMENDATORY SECTION (Amending Order 74-27, filed 5/7/74)

WAC 296-24-65501 PORTABLE POWERED TOOLS. (1) Portable Circular Saws. (a) All portable, power-driven circular saws having a blade diameter greater than 2 in. shall be equipped with guards above and below the base plate or shoe. The upper guard shall cover the saw to the depth of the teeth, except for the minimum arc required to permit the base to be tilted for bevel cuts. The lower guard shall cover the saw to the depth of the teeth, except for the minimum arc required to allow proper retraction and contact with the work. When the tool is withdrawn from the work, the lower guard shall automatically and instantly return to covering position.

(b) (1)(a) of this section does not apply to circular saws used in the meat industry for meat cutting purposes.

(2) Switches and controls. (a) All hand-held powered circular saws having a blade diameter-greater than 2 inches, electric, hydraulic or pneumatic chain saws, and percussion tools without positive accessory holding means shall be equipped with a constant pressure switch or control that will shut off the power when the pressure is released. All hand-held gasoline powered chain saws shall be equipped with a constant pressure throttle control that will shut off the power to the saw chain when the pressure is released.

(b) All hand-held powered drills, tappers, fastener drivers, horizontal, vertical, and angle grinders with wheels greater than 2 inches in

diameter, disc sanders with discs greater than 2 inches in diameter, belt sanders, reciprocating saws, saber, scroll, and jig saws with blade shanks greater than a nominal one-fourth inch, and other similarly operating powered tools shall be equipped with a constant pressure switch or control and may have a lock-on control provided that turnoff can be accomplished by a single motion of the same finger or fingers that turn it on.

(c) All other hand-held powered tools, such as, but not limited to, platen sanders, grinders with wheels 2 inches in diameter or less, disc sanders with discs 2 inches in diameter or less, routers, planers, laminate trimmers, nibblers, shears, saber, scroll, and jig saws with blade shanks a nominal one-fourth of an inch wide or less, may be equipped with either a positive "on-off" control, or other controls as described by (2)(a) and (b) of this section.

((+)) (i) Saber, scroll, and jig saws with nonstandard blade holders may use blades with shanks which are nonuniform in width, provided the narrowest portion of the blade shank is an integral part in mounting the blade.

(ii) Blade shank width shall be measured at the narrowest portion of the blade shank when saber, scroll, and jig saws have nonstandard blade holders.

(iii) "Nominal" in this section means +0.05 inch.

(d) The operating control on hand-held power tools shall be so located as to minimize the possibility of its accidental operation, if such accidental operation would constitute a hazard to employees.

(e) This paragraph does not apply to concrete vibrators, concrete breakers, powered tampers, jack hammers, rock drills, garden appliances, household and kitchen appliances, personal care appliances, medical or dental equipment, or to fixed machinery.

(3) Portable belt sanding machines. Belt sanding machines shall be provided with guards at each nip point where the sanding belt runs onto a pulley. These guards shall effectively prevent the hands or fingers of the operator from coming in contact with the nip points. The unused run of the sanding belt shall be guarded against accidental contact.

(4) Cracked saws. All cracked saws shall be removed from service.

(5) Grounding. Portable electric powered tools shall meet the electrical requirements of WAC 296-24-950 and 955.

AMENDATORY SECTION (Amending Order 73-5, filed 5/9/73 and Order 73-4, filed 5/7/73)

WAC 296-24-81011 PITCH. Preferred Pitch.

(1) The preferred pitch of fixed ladders shall be considered to come in the range of 75 degrees and 90 degrees with the horizontal (fig. D-11).

(2) Substandard Pitch. Fixed ladders shall be considered as substandard if they are installed within the substandard pitch range of 60 and 75 degrees with the horizontal. Substandard fixed ladders are permitted only where it is found necessary to meet conditions of installation. This substandard pitch range shall be considered as a critical range to be avoided, if possible.

(3) Scope of Coverage in this Section. This section covers only fixed ladders within the pitch range of 60 degrees and 90 degrees with the horizontal.

(4) Pitch Greater than 90 Degrees. Ladders having a pitch in excess of 90 degrees with the horizontal are prohibited.

AMENDATORY SECTION (Amending Order 78-22, filed 11/13/78)

WAC 296-24-955 NATIONAL ELECTRICAL CODE. (1) The requirements contained in the following articles and sections of the National Electrical Code, NFPA 70-1971; ANSI C1-1971 (Rev. of 1968) shall apply to all existing electrical installations and utilization equipment:

Articles:

- 500 _____ Hazardous Locations.
- 501 _____ Class I Installations (Hazardous Locations).
- 502 _____ Class II Installations (Hazardous Locations).
- 503 _____ Class III Installations (Hazardous Locations).

Sections:

- 250-58 (a) and (b) _____ Equipment on Structural Metal.

Sections:

- 250-59 (a), (b), and (c) _____ Portable and/or Cord Connected and Plug Connected Equipment, Grounding Method.
- 400-3 (a) and (b) _____ Flexible Cords and Cable, Uses.
- 400-4 _____ Flexible Cords and Cable Prohibited.
- 400-5 _____ Flexible Cords and Cables, Splices.
- 400-9 _____ Overcurrent Protection and Ampacities of Flexible Cords.
- 400-10 _____ Pull at Joints and Terminals of Flexible Cords and Cables.
- 422-8 _____ Installation of Appliances with Flexible Cords.
- 422-9 _____ Installation of Portable Immersion Heaters.
- 422-10 _____ Installation Appliances Adjacent to Combustible Material.
- 422-11 _____ Stands for Portable Appliances.
- 422-12 _____ Signals for Heated Appliances.
- 422-14 _____ Water Heaters.
- 422-15 (a), (b), and (c). _____ Installation of Infrared Lamp and Industrial Heating Appliances.
- 110-14 (a) and (b) _____ Electric Connection.
- 110-17 (a), (b), and (c) _____ Guarding Live Parts.
- 110-18 _____ Arcing Parts.
- 110-21 _____ Marking.
- 110-22 _____ Identification.
- 240-16 (a), (b), (c), and (d) _____ Location in Premises for Overcurrent Protection Devices.
- 240-19 (a) and (b) _____ Guarding of Arcing or Suddenly Moving Parts of Overcurrent Protection Devices.
- 250-3 (a) and (b) _____ D.C. System Grounding.
- 250-5 (a), (b), and (c) _____ A.C. Circuits and Systems To Be Grounded.
- 250-7 _____ Circuits Not To Be Grounded.
- 250-42 (a), (b), (c), and (d) _____ Fixed Equipment Grounding, General.
- 250-43 (a), (b), (c), (d), (e), (f), (g), (h), and (i). _____ Fixed Equipment Grounding((+)), Specific.
- 250-44 (a), (b), (c), (d), and (e) _____ Nonelectrical Equipment, Grounding.
- 250-45 (a), (b), (c), and (d) _____ Equipment Connected by Cord and Plug, Grounding.
- 430-142 (a), (b), (c), and (d) _____ Stationary Motor, Grounding.
- 430-143 _____ Portable Motors, Grounding.
- 250-50 (a) and (b) _____ Equipment Grounding Connections.
- 250-51 _____ Effective Grounding.
- 250-57 (a) and (b) _____ Fixed Equipment Method of Grounding.
- 422-16 _____ Appliance Grounding.
- 422-17 _____ Installation of Wall-mounted Ovens and Counter-mounted Cooking Units.

(2) Every new electrical installation and all new utilization equipment installed after June 7, 1974, and every replacement, modification, or repair or rehabilitation, after June 7, 1974, of any part of any electrical installation or utilization equipment installed before June 7, 1974, shall be installed or made, and maintained, in accordance with the nonlisted articles of the 1971 National Electrical Code, NFPA 70-1971; ANSI C1-1971 (Rev. of 1968).

(3) Ground-fault protection. (a) General. Notwithstanding any other provision of this section, the requirement in section 210-7 of the 1971 National Electric Code (NFPA 70-1971; ANSI C1-1971) that all 15- and 20-ampere receptacle outlets on single-phase circuits for construction sites have approved ground-fault circuit protection for personnel does not apply. In lieu thereof, the employer shall use either ground-fault circuit interrupters as specified in subsection (3)(b) of this section or an assured equipment grounding conductor program as specified in subsection (3)(c) of this section, to protect employees on construction sites. These requirements are in addition to any other requirements for equipment grounding conductors.

(b) Ground-fault circuit interrupters. All 120-volt, single-phase, 15- and 20-ampere receptacle outlets on construction sites, which are not a part of the permanent wiring of the building or structure and which are in use by employees, shall have approved ground-fault circuit interrupters for personnel protection. Receptacles on a two-wire, single-phase portable or vehicle-mounted generator rated not more than 5kW, where the circuit conductors of the generator are insulated from the generator frame and all other grounded surfaces, need not be protected with ground-fault circuit interrupters.

(c) Assured equipment grounding conductor program. The employer shall establish and implement an assured equipment grounding conductor program on construction sites covering all cord sets, receptacles

which are not a part of the permanent wiring of the building or structure, and equipment connected by cord and plug which are available for use or used by employees. This program shall comply with the following minimum requirements:

(i) A written description of the program, including the specific procedures adopted by the employer, shall be available at the jobsite for inspection and copying by the Director and any affected employee.

(ii) The employer shall designate one or more competent persons (as defined in WAC 296-24-012(3)) to implement the program.

(iii) Each cord set, attachment cap, plug and receptacle of cord sets, and any equipment connected by cord and plug, except cord sets and receptacles which are fixed and not exposed to damage, shall be visually inspected before each day's use for external defects, such as deformed or missing pins or insulation damage, and for indication of possible internal damage. Equipment found damaged or defective may not be used until repaired.

(iv) The following tests shall be performed on all cord sets, receptacles which are not a part of the permanent wiring of the building or structure, and cord- and plug-connected equipment required to be grounded:

(A) All equipment grounding conductors shall be tested for continuity and shall be electrically continuous.

(B) Each receptacle and attachment cap or plug shall be tested for correct attachment of the equipment grounding conductor. The equipment grounding conductor shall be connected to its proper terminal.

(v) All required tests shall be performed:

(A) Before first use;

(B) Before equipment is returned to service following any repairs;

(C) Before equipment is used after any incident which can be reasonably suspected to have caused damage (for example, when a cord set is run over); and

(D) At intervals not to exceed 3 months, except that cord sets and receptacles which are fixed and not exposed to damage shall be tested at intervals not exceeding 6 months.

(vi) The employer may not make available or permit the use by employees of any equipment which has not met the requirements of subsection (3)(c) of this section.

(vii) Tests performed as required in this subsection shall be recorded. This test record shall identify each receptacle, cord set, and cord- and plug-connected equipment that passed the test, and shall indicate the last date it was tested or the interval for which it was tested. This record shall be kept by means of logs, color coding, or other effective means, and shall be maintained until replaced by a more current record. The record shall be made available on the jobsite for inspection by the director and any affected employee.

AMENDATORY SECTION (Amending Order 73-3, filed 5/7/73)

WAC 296-62-020 DEFINITIONS APPLICABLE TO ALL SECTIONS OF THIS CHAPTER. Unless the context indicates otherwise, words used in this chapter shall have the meaning given in this section.

(1) "Adequate" or "effective" means compliance with terms and intent of these standards.

(2) "Appendix" means references or recommendations to be used as guides in applying the provisions of this chapter.

(3) "Approved" means approved by the director of the Department of Labor and Industries or his authorized representative: PROVIDED, HOWEVER, That should a provision of this chapter state that approval by an agency or organization other than the Department of Labor and Industries is required, such as Underwriters' Laboratories or the Bureau of Mines, the provision of WAC 296-24-006 shall apply.

(4) "Authorized person" means a person approved or assigned by the employer to perform a specific type of duty or duties or to be at a specific location or locations at the job site.

(5) "Coal tar pitch volatiles" means the inclusion of the fused polycyclic hydrocarbons which volatilize from the distillation residues of coal, petroleum, wood, and other organic matter.

(6) "Competent person" means one who is capable of identifying existing and predictable hazards in the surroundings or working conditions which are unsanitary, hazardous, or dangerous to employees, and who has authorization to take prompt corrective action to eliminate them.

((6)) (7) "Department" means the Department of Labor and Industries.

((7)) (8) "Director" means the director of the Department of Labor and Industries, or his designated representative.

((8)) (9) "Employer" means any person, firm, corporation, partnership, business trust, legal representative, or other business entity which engages in any business, industry, profession, or activity in this state and employs one or more employees or who contracts with one or more persons, the essence of which is the personal labor of such person or persons and includes the state, counties, cities, and all municipal corporations, public corporations, political subdivisions of the state, and charitable organizations: PROVIDED, That any persons, partnership, or business entity not having employees, and who is covered by the industrial insurance act shall be considered both an employer and an employee.

((9)) (10) "Hazard" means that condition, potential or inherent, which can cause injury, death, or occupational disease.

((10)) (11) "Occupational Disease" means such disease or infection as arises naturally and proximately out of employment.

((11)) (12) "Qualified" means one who, by possession of a recognized degree, certificate, or professional standing, or who by extensive knowledge, training, and experience, has successfully demonstrated his ability to solve or resolve problems relating to the subject matter, the work, or the project.

((12)) (13) "Shall" or "Must" means mandatory.

((13)) (14) "Should" or "May" means recommended.

((14)) (15) "Suitable" means that which fits, or has the qualities or qualifications to meet a given purpose, occasion, condition, function, or circumstance.

((15)) (16) "Workmen," "personnel," "man," "person," "employee," and other terms of like meaning, unless the context of the provision containing such term indicates otherwise, mean an employee of an employer who is employed in the business of his employer whether by way of manual labor or otherwise and every person in this state who is engaged in the employment of or who is working under an independent contract the essence of which is his personal labor for an employer whether by manual labor or otherwise.

((16)) (17) "Work place" means any plant, yard, premises, room, or other place where an employee or employees are employed for the performance of labor or service over which the employer has the right of access or control, and includes, but is not limited to, all work places covered by industrial insurance under Title 51 RCW, as now or hereafter amended.

((17)) (18) Abbreviations used in this chapter:

(a) "ANSI" means American National Standards Institute.

(b) "ASHRE" means American Society of Heating and Refrigeration Engineers.

(c) "BUT" means British Thermal Unit.

(d) "BTUH" means British Thermal Unit per Hour.

(e) "CFM" means Cubic Feet per Minute.

(f) "CFR" means Code of Federal Register.

(g) "CGA" means Compressed Gas Association.

(h) "ID" means Inside Diameter.

(i) "MCA" means Manufacturing Chemist Association.

(j) "NEMA" means National Electrical Manufacturing Association.

(k) "NFPA" means National Fire Protection Association.

(l) "OD" means Outside Diameter.

(m) "WAC" means Washington Administrative Code.

(n) "WISHA" means Washington Industrial Safety and Health Act (Chapter 80, Laws of 1973).

AMENDATORY SECTION

WAC 296-62-073 CARCINOGENS—SCOPE AND APPLICATION. All sections of this chapter which include WAC 296-62-073 in the section number apply to the manufacturing, processing, repackaging, releasing, handling or storing of carcinogens ((and includes the fused polycyclic hydrocarbons identified as coal tar pitch volatiles which volatilize from the distillation residues of coal, petroleum, wood and other organic matter)).

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 296-62-07302 LIST OF CARCINOGENS. (1) The following substances are deemed to be carcinogens for the purposes of WAC 296-62-073 through 296-62-07314.

(2) Any reference to carcinogens in WAC 296-62-07304 through 296-62-07314 shall mean only those carcinogens listed in WAC 296-62-07302.

- (a) 4-Nitrobiphenyl - Chemical Abstracts Registry Number 92933.
- (b) Alpha-Naphthylamine - Chemical Abstracts Registry Number 134327.
- (c) 4,4' Methylene bis - Chemical Abstract Service Registry Number 101144.
- (d) Methyl Chloromethyl ether - Chemical Abstracts Service Registry Number 107302.
- (e) 3,3'-Dichlorobenzidine (and its salts) - Chemical Abstracts Service Registry Number 91941.
- (f) Bis-Chloromethyl ether - Chemical Abstracts Service Registry Number 542881.
- (g) Beta-Naphthylamine - Chemical Abstracts Service Registry Number 91598.
- (h) Benzidine - Chemical Abstracts Service Registry Number 92875.
- (i) 4-Aminodiphenyl - Chemical Abstracts Service Registry Number 92671.
- (j) Ethyleneimine - Chemical Abstracts Service Registry Number 151564.
- (k) Beta-Propiolactone - Chemical Abstracts Service Registry Number 57578.
- (l) 2-Acetylaminofluorene - Chemical Abstracts Service Registry Number 53963.
- (m) 4-dimethylaminoazobenzene - Chemical Abstract Service Registry Number 60117.
- (n) N-Nitrosodimethylamine - Chemical Abstracts Service Registry Number 62759.

NEW SECTION

WAC 296-62-07304 DEFINITIONS. (1) The definitions set forth in this section apply throughout WAC 296-62-073 through 296-62-07314.

(2) This section shall not apply to solid or liquid mixtures containing less than 0.1 percent by weight or volume of the carcinogens listed in WAC 296-62-07302.

- (a) Absolute filter - is one capable of retaining 99.97 percent of a mono disperse aerosol of 0.3 μ m particles.
- (b) Authorized employee - an employee whose duties require him to be in the regulated area and who has been specifically assigned to those duties by the employer.
- (c) Clean change room - a room where employees put on clean clothing and/or protective equipment in an environment free of carcinogens listed in WAC 296-62-07302. The clean change room shall be contiguous to and have an entry from a shower room, when the shower room facilities are otherwise required in this section.
- (d) Closed system - an operation involving carcinogens listed in WAC 296-62-07302 where containment prevents the release of carcinogens into regulated areas, or the external environment.
- (e) Decontamination - the inactivation of a carcinogen listed in WAC 296-62-07302 or its safe disposal.
- (f) Disposal - the safe removal of a carcinogen listed in WAC 296-62-07302 from the work environment.
- (g) Emergency - an unforeseen circumstance or set of circumstances resulting in the release of a carcinogen which may result in exposure to or contact with any carcinogen listed in WAC 296-62-07302.
- (h) External environment - any environment external to regulated and nonregulated areas.
- (i) Isolated system - a fully enclosed structure other than the vessel of containment of a listed carcinogen which is impervious to the passage of listed carcinogens and which would prevent the entry of carcinogens into regulated areas, nonregulated areas, or the external environment, should leakage or spillage from the vessel of containment occur.
- (j) Laboratory-type hood - a device enclosed on three sides and the top and bottom, designed and maintained so as to draw air inward at an average linear face velocity of 150 feet per minute with a minimum of 125 feet per minute, designed, constructed and maintained that an operation involving a listed carcinogen within the hood does not require the insertion of any portion of any employees' body other than his hands and arms.
- (k) Nonregulated area - any area under the control of the employer where entry and exit is neither restricted nor controlled.
- (l) Open-vessel system - an operation involving listed carcinogens in an open vessel, which is not in an isolated system, a laboratory-type

hood, nor in any other system affording equivalent protection against the entry of carcinogens into regulated areas, nonregulated areas, or the external environment.

(m) Protective clothing - clothing designed to protect an employee against contact with or exposure to listed carcinogens.

(n) Regulated area - an area where entry and exit is restricted and controlled.

NEW SECTION

WAC 296-62-07306 REQUIREMENTS FOR AREAS CONTAINING CARCINOGENS LISTED IN WAC 296-62-07302. (1) A regulated area shall be established by an employer where listed carcinogens are manufactured, processed, used, re-packaged, released, handled or stored.

(2) All such areas shall be controlled in accordance with the requirements for the following category or categories describing the operation involved:

(a) Isolated systems. Employees working with carcinogens within an isolated system such as a "glove box" shall wash their hands and arms upon completion of the assigned task and before engaging in other activities not associated with the isolated system.

(b) Closed system operation. Within regulated areas where carcinogens are stored in sealed containers, or contained in a closed system including piping systems with any sample ports or openings closed while carcinogens are contained within:

(i) Access shall be restricted to authorized employees only;

(ii) Employees shall be required to wash hands, forearms, face and neck upon each exit from the regulated areas, close to the point of exit and before engaging in other activities.

(c) Open vessel system operations. Open vessel system operations as defined in WAC 296-62-07304(2)(l) are prohibited.

(d) Transfer from a closed system. Charging or discharging point operations, or otherwise opening a closed system. In operations involving "laboratory-type hoods," or in locations where a carcinogen is contained in an otherwise "closed system," but is transferred, charged, or discharged into other normally closed containers, the provisions of this section shall apply.

(i) Access shall be restricted to authorized employees only;

(ii) Each operation shall be provided with continuous local exhaust ventilation so that air movement is always from ordinary work areas to the operation. Exhaust air shall not be discharged to regulated areas, nonregulated areas or the external environment unless decontaminated. Clean make-up air shall be introduced in sufficient volume to maintain the correct operation of the local exhaust system.

(iii) Employees shall be provided with, and required to wear, clean, full body protective clothing (smocks, coveralls, or long-sleeved shirt and pants), shoe covers and gloves prior to entering the regulated area.

(iv) Employees engaged in a carcinogen handling operation shall be provided with and required to wear and use a half-face, filter-type respirator for dusts, mists, and fumes, in accordance with chapter 296-24 WAC, of the General Safety and Health Standards. A respirator affording higher levels of protection may be substituted.

(v) Prior to each exit from a regulated area, employees shall be required to remove and leave protective clothing and equipment at the point of exit and at the last exit of the day, to place used clothing and equipment in impervious containers at the point of exit for purposes of decontamination or disposal. The contents of such impervious containers shall be identified, as required under WAC 296-62-07310(2), (3) and (4).

(vi) Employees shall be required to wash hands, forearms, face and neck on each exit from the regulated area, close to the point of exit, and before engaging in other activities.

(vii) Employees shall be required to shower after the last exit of the day.

(viii) Drinking fountains are prohibited in the regulated area.

(e) Maintenance and decontamination activities. In clean up of leaks or spills, maintenance or repair operations on contaminated systems or equipment, or any operations involving work in an area where direct contact with carcinogens could result, each authorized employee entering the area shall:

(i) Be provided with and required to wear, clean, impervious garments, including gloves, boots and continuous-air supplied hood in accordance with chapter 296-24 WAC, the General Safety and Health Standards;

(ii) Be decontaminated before removing the protective garments and hood;

(iii) Be required to shower upon removing the protective garments and hood.

(f) Laboratory activities. The requirements of this subdivision shall apply to research and quality control activities involving the use of carcinogens listed in WAC 296-62-07302.

(i) Mechanical pipetting aids shall be used for all pipetting procedures.

(ii) Experiments, procedures and equipment which could produce aerosols shall be confined to laboratory-type hoods or glove boxes.

(iii) Surfaces on which carcinogens are handled shall be protected from contamination.

(iv) Contaminated wastes and animal carcasses shall be collected in impervious containers which are closed and decontaminated prior to removal from the work area. Such wastes and carcasses shall be incinerated in such a manner that not carcinogenic products are released.

(v) All other forms of listed carcinogens shall be inactivated prior to disposal.

(vi) Laboratory vacuum systems shall be protected with high-efficiency scrubbers or with disposable absolute filters.

(vii) Employees engaged in animal support activities shall be:

(A) Provided with, and required to wear, a complete protective clothing change, clean each day, including coveralls or pants and shirt, foot covers, head covers, gloves and appropriate respiratory protective equipment or devices; and

(B) Prior to each exit from a regulated area, employees shall be required to remove and leave protective clothing and equipment at the point of exit and at the last exit of the day, to place used clothing and equipment in impervious containers at the point of exit for purposes of decontamination or disposal. The contents of such impervious containers shall be identified as required under WAC 296-62-07310(2), (3) and (4).

(C) Required to wash hands, forearms, face and neck upon each exit from the regulated area close to the point of exit, and before engaging in other activities; and

(D) Required to shower after the last exit of the day.

(viii) Employees, other than those engaged only in animal support activities, each day shall be:

(A) Provided with and required to wear a clean change of appropriate laboratory clothing, such as a solid front gown, surgical scrub suit, or fully buttoned laboratory coat.

(B) Prior to each exit from a regulated area, employees shall be required to remove and leave protective clothing and equipment at the point of exit and at the last exit of the day, to place used clothing and equipment in impervious containers at the point of exit for purposes of decontamination or disposal. The contents of such impervious containers shall be identified as required under WAC 296-62-07310(2), (3) and (4).

(C) Required to wash hands, forearms, face and neck upon each exit from the regulated area close to the point of exit, and before engaging in other activities.

(ix) Air pressure in laboratory areas and animal rooms where carcinogens are handled and bioassay studies are performed shall be negative in relation to the pressure in surrounding areas. Exhaust air shall not be discharged to regulated areas, nonregulated areas or the external environment unless decontaminated.

(x) There shall be no connection between regulated areas and any other areas through the ventilation system.

(xi) A current inventory of the carcinogens shall be maintained.

(xii) Ventilated apparatus such as laboratory-type hoods, shall be tested at least semi-annually or immediately after ventilation modification or maintenance operations, by personnel fully qualified to certify correct containment and operation.

NEW SECTION

WAC 296-62-07308 GENERAL REGULATED AREA REQUIREMENTS. (1) Emergencies. In an emergency, immediate measures including, but not limited to, the requirements of WAC 296-62-07308(2)(a),(b),(c),(d) and (e) shall be implemented.

(a) The potentially affected area shall be evacuated as soon as the emergency has been determined.

(b) Hazardous conditions created by the emergency shall be eliminated and the potentially affected area shall be decontaminated prior to the resumption of normal operations.

(c) Special medical surveillance by a physician shall be instituted within twenty-four hours for employees present in the potentially affected area at the time of the emergency. A report of the medical surveillance and any treatment shall be included in the incident report, in accordance with WAC 296-62-07312(2).

(d) Where an employee has a known contact with a listed carcinogen, such employee shall be required to shower as soon as possible, unless contraindicated by physical injuries.

(e) An incident report on the emergency shall be reported as provided in WAC 296-62-07312(2).

(2) Hygiene facilities and practices. (a) Storage or consumption of food, storage or use of containers of beverages, storage or application of cosmetics, smoking, storage of smoking materials, tobacco products or other products for chewing, or the chewing of such products, are prohibited in regulated areas.

(b) Where employees are required by this section to wash, washing facilities shall be provided in accordance with WAC 296-24-12009, of the General Safety and Health Standards.

(c) Where employees are required by this section to shower, shower facilities shall be provided.

(i) One shower shall be provided for each ten employees of each sex, or numerical fraction thereof, who are required to shower during the same shift.

(ii) Body soap or other appropriate cleansing agents convenient to the showers shall be provided as specified in WAC 296-24-12009, of the General Safety and Health Standards.

(iii) Showers shall be provided with hot and cold water feeding a common discharge line.

(iv) Employees who use showers shall be provided with individual clean towels.

(d) Where employees wear protective clothing and equipment, clean change rooms shall be provided and shall be equipped with storage facilities for street clothes and separate storage facilities for the protective clothing for the number of such employees required to change clothes.

(e) Where toilets are in regulated areas, such toilets shall be in a separate room.

(3) Contamination control. (a) Regulated areas, except for outdoor systems, shall be maintained under pressure negative with respect to nonregulated areas. Local exhaust ventilation may be used to satisfy this requirement. Clean makeup air in equal volume shall replace air removed.

(b) Any equipment, material, or other item taken into or removed from a regulated area shall be done so in a manner that does not cause contamination in nonregulated areas or the external environment.

(c) Decontamination procedures shall be established and implemented to remove carcinogens from the surfaces of materials, equipment and the decontamination facility.

(d) Dry sweeping and dry mopping are prohibited.

NEW SECTION

WAC 296-62-07310 SIGNS, INFORMATION AND TRAINING. (1) Signs. (a) Entrances to regulated areas shall be posted with signs bearing the legend:

CANCER-SUSPECT AGENT

AUTHORIZED PERSONNEL ONLY

(b) Entrances to regulated areas containing operations covered in WAC 296-62-07306(5) shall be posted with signs bearing the legend:

CANCER-SUSPECT AGENT EXPOSED IN THIS AREA

IMPERVIOUS SUIT INCLUDING GLOVES,
BOOTS, AND AIR-SUPPLIED HOOD
REQUIRED AT ALL TIMES

AUTHORIZED PERSONNEL ONLY

(c) Appropriate signs and instructions shall be posted at the entrance to, and exit from, regulated areas, informing employees of the procedures that must be followed in entering and leaving a regulated area.

(2) Container contents, identification. (a) Containers of carcinogens named in WAC 296-62-07302 and containers required in WAC 296-62-07306(4)(v) and 296-62-07306(6)(vii)(B) and 296-62-07306(6)(viii)(B) which are accessible only to, and handled only by authorized employees, or by other employees training in accordance with WAC 296-62-07310(5), may have contents identification limited

to a generic or proprietary name, or other proprietary identification, of the carcinogen and percent.

(b) Containers of carcinogens and containers required under WAC 296-62-07306(4)(v) and 296-62-07306(6)(vii)(B) and 296-62-07306(6)(viii)(B) which are accessible to, or handled by employees other than authorized employees or employees trained in accordance with WAC 296-62-07310(5) shall have contents identification which includes the full chemical name and Chemical Abstracts Service Registry number as listed in WAC 296-62-07302.

(c) Containers shall have the warning words "CANCER-SUSPECT AGENT" displayed immediately under or adjacent to the contents identification.

(d) Containers which have carcinogenic contents with corrosive or irritating properties shall have label statements warning of such hazards, noting, if appropriate, particularly sensitive or affected portions of the body.

(3) Lettering. Lettering on signs and instructions required by WAC 296-62-07310(1) shall be a minimum letter height of two inches. Labels on containers required under this section shall not be less than one-half the size of the largest lettering on the package, and not less than eight point type in any instance: Provided, that no such required lettering need be more than one inch in height.

(4) Prohibited statements. No statements shall appear on or near any required sign, label, or instruction which contradicts or detracts from the effect of any required warning, information or instruction.

(5) Training and indoctrination. (a) Each employee prior to being authorized to enter a regulated area, shall receive a training and indoctrination program including, but not necessarily limited to:

(i) The nature of the carcinogenic hazards of listed carcinogens, including local and systemic toxicity;

(ii) The specific nature of the operation involving carcinogens which could result in exposure;

(iii) The purpose for and application of the medical surveillance program, including, as appropriate, methods of self-examination;

(iv) The purpose for and application of decontamination practices and purposes;

(v) The purpose for and significance of emergency practices and procedures;

(vi) The employee's specific role in emergency procedures;

(vii) Specific information to aid the employee in recognition and evaluation of conditions and situations which may result in the release of listed carcinogens;

(viii) The purpose for an application of specific first-aid procedures and practices.

(b) A review of this section at the employee's first training and indoctrination program and annually thereafter.

(c) Specific emergency procedures shall be prescribed, and posted, and employees, shall be familiarized with their terms, and rehearsed in their application.

(d) All materials relating to the program shall be provided upon request to the director.

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 296-62-07312 REPORTS. (1) Operations. Not later than October 30, 1974, the information required in WAC 296-62-07312(1), (2), (3) and (4) of this section shall be reported in writing to the Industrial Hygiene Section, Division of Industrial Safety and Health. Any changes in such information shall be similarly reported in writing within 15 calendar days of such change.

(a) A brief description and inplant location of the area(s) regulated and the address of each regulated area;

(b) The name(s) and other identifying information as to the presence of listed carcinogens in each regulated area;

(c) The number of employees in each regulated area, during normal operations including maintenance activities; and

(d) The manner in which a carcinogen is present in each regulated area; e.g., whether it is manufactured, processed, used, repackaged, re-leased, stored, or otherwise handled.

(2) Incidents. Incidents which result in the release of a listed carcinogen into any area where employees may be potentially exposed shall be reported in accordance with WAC 296-62-07312.

(a) A report of the occurrence of the incident and the facts obtainable at the time including a report on any medical treatment of affected employees shall be made within 24 hours to the Industrial Hygiene Section, Division of Industrial Safety and Health.

(b) A written report shall be filed with the Industrial Hygiene Section, Division of Industrial Safety and Health, within 15 calendar days thereafter and shall include:

(i) A specification of the amount of material released, the amount of time involved, and an explanation of the procedure used in determining this figure;

(ii) A description of the area involved, and the extent of known and possible employee exposure and area contamination;

(iii) A report of any medical treatment of affected employees, and any medical surveillance program implemented; and

(iv) An analysis of the circumstances of the incident, and measures taken or to be taken, with specific completion dates, to avoid further similar releases.

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

WAC 296-62-07314 MEDICAL SURVEILLANCE. (1) At no cost to the employee, a program of medical surveillance shall be established and implemented for employees considered for assignment to enter regulated areas, and for authorized employees.

(2) Examinations. (a) Before an employee is assigned to enter a regulated area, a preassignment physical examination by a physician shall be provided. The examination shall include the personal history of the employee, family and occupation background, including genetic and environmental factors.

(b) Authorized employees shall be provided periodic physical examination, not less often than annually, following the preassignment examination.

(c) In all physical examinations, the examining physician shall be requested to consider whether there exist conditions of increased risk, including reduced immunological competence, those undergoing treatment with steroids or cytotoxic agents, pregnancy and cigarette smoking.

(3) Records. (a) Employers of employees examined pursuant to this subdivision shall cause to be maintained complete and accurate records of all such medical examinations. Records shall be maintained for the duration of the employee's employment. Upon termination of the employee's employment, including retirement or death, or in the event that the employer ceases business without a successor, records, or notarized true copies thereof, shall be forwarded by registered mail to the director.

(b) Records required by this section shall be provided upon request to the director; and upon request of an employee or former employee, to a physician designated by the employee or to a new employer.

(c) Any employer who requests a physical examination of one of his employees or prospective employees as required by this section shall obtain from the physician a statement of the employee's suitability for employment in the specific exposure.

CARCINOGEN STANDARD REPORT

Company: _____
 Plant Address: _____
 Date: _____

Prepared by: _____
 Title: _____

Compound and Other Identifying Information	Description of Inplant Location of Regulated Area*	Number of Employees in Each Regulated Area*		Manner** in which Compound is Present in each Regulated Area*
		Normally	Maintenance	

*See each Carcinogen Section for definition of "Regulated Area".
 **Indicate whether Manufactured, Processed, Used, Repackaged, Released, Stored, or if otherwise handled (describe).

AMENDATORY SECTION (Amending Order 73-3, filed 5/7/73)

WAC 296-62-11001 DEFINITION. Ventilation shall mean the provision, circulation or exhausting of air into or from an area or space.

- (1) "Local exhaust ventilation" shall mean the mechanical removal of contaminated air from the point where the contaminant is being generated or liberated.
- (2) "Dilution ventilation" means inducing and mixing uncontaminated air with contaminated air in such quantities that the resultant mixture in the breathing zone will not exceed the ((~~Threshold Limit Value (TLV)~~)) Permissible Exposure Limit (PEL) specified for any contaminant.
- (3) "Exhaust ventilation" means the general movement of air out of the area or confined space by mechanical or natural means.
- (4) "Tempered makeup air" means air which has been conditioned by changing its heat content to obtain a specific desired temperature.

NEW SECTION

WAC 296-62-14533 COTTON DUST. (1) Scope and application. (a) This section applies to the control of employee exposure to cotton dust in all workplaces, except as provided in subsection (1)(b) of this section.

- (b) This section does not apply to:
 - (i) The harvesting of cotton;
 - (ii) The ginning of cotton (exposure to cotton dust in cotton ginning is covered by WAC 296-62-14531);
 - (iii) Maritime operations are covered by chapters 296-56 and 296-304 WAC;
 - (iv) The handling or processing of woven or knitted materials; and
 - (v) The handling or processing of washed cotton.
- (c) This section provides mandatory requirements for the control of employee exposure to cotton dust. The mandatory nature of these requirements is not intended, however, to discourage or inhibit the development of different, equally effective means of providing the required protection. The variance and procedure section, WAC 296-24-010, provides a mechanism for employers to obtain variances from

the provisions of this section where the employer has developed alternative procedures which are "as safe and healthful as" those required by this section. As implemented by the procedural regulations in WAC 296-24-010, the variance provisions permit the flexibility which contributes to efficient compliance with the standard. To aid in the expeditious processing of variance applications, the procedures allow, where appropriate, for the grant of interim orders pending a decision on the merits of the variance as well as for the consideration of variances applicable to groups of employers. We encourage interested employers to utilize the variance provisions where equally safe and healthful protective means are available.

- (2) Definitions applicable to this section:
 - (a) "Blow down" - the cleaning of equipment and surfaces with compressed air.
 - (b) "Cotton dust" - dust present in the air during the handling or processing of cotton, which may contain a mixture of many substances including ground-up plant matter, fiber, bacteria, fungi, soil, pesticides, noncotton plant matter and other contaminants which may have accumulated with the cotton during the growing, harvesting and subsequent processing or storage periods. Any dust present during the handling and processing of cotton through the weaving or knitting of fabrics, and dust present in other operations or manufacturing processes using new or waste cotton fibers or cotton fiber byproducts from textile mills are considered cotton dust.
 - (c) "Director" - the director of labor and industries or his authorized representative.
 - (d) "Lint-free respirable cotton dust" - particles of cotton dust of approximately 15 microns or less aerodynamic equivalent diameter.
 - (e) "Vertical elutriator cotton dust sampler" - a dust sampler which has a particle size cut-off at approximately 15 microns aerodynamic equivalent diameter when operating at the flow rate of 7.4 ± 0.2 liters per minute.
 - (f) "Yarn manufacturing" - all textile mill operations from opening to, but not including, slashing and weaving.
 - (g) "Washed cotton" - cotton which has been thoroughly washed in hot water and is known in the cotton textile trade as purified or dyed. Washed cotton does not include steamed, autoclaved cotton or cotton washed solely in solvents.

(3) Permissible exposure limits. (a) The employer shall assure that no employee who is exposed to cotton dust in yarn manufacturing is exposed to airborne concentrations of lint-free respirable cotton dust greater than 200 µg/m³ mean concentration, averaged over an eight-hour period, as measured by a vertical elutriator or a method of equivalent accuracy and precision.

(b) The employer shall assure that no employee who is exposed to cotton dust in the textile processes known as slashing and weaving is exposed to airborne concentrations of lint-free respirable cotton dust greater than 750 µg/m³ mean concentration, averaged over an eight-hour period, as measured by a vertical elutriator or a method of equivalent accuracy and precision.

(c) The employer shall assure that no employee who is exposed to cotton dust (except for exposures in yarn manufacturing and slashing and weaving covered by subsection (3)(a) and (b) of this section is exposed to airborne concentrations of lint-free respirable cotton dust greater than 500 µg/m³ mean concentration, averaged over an eight-hour period, as measured by a vertical elutriator or a method of equivalent accuracy and precision.

(4) Exposure monitoring and measurement. (a) General. (i) For the purposes of this section, employee exposure is that exposure which would occur if the employee were not using a respirator.

(ii) The sampling device to be used shall be either the vertical elutriator cotton dust sampler or a method of equivalent accuracy and precision.

(iii) If an alternative to the vertical elutriator cotton dust sampler is used, the employer shall establish equivalency by demonstrating that the alternative sampling devices:

(A) Collect respirable particulates in the same range as the vertical elutriator (approximately 15 microns);

(B) Replicate exposure data in side-by-side field comparisons; and

(C) Are equivalent within an accuracy and precision range of plus or minus twenty-five percent for ninety-five percent of the samples over the range of 0.5 to 2 times the permissible exposure limit.

(b) Initial monitoring. Each employer who has a place of employment in which cotton dust is present, shall conduct monitoring by obtaining measurements which are representative of the exposure of all employees to airborne concentrations of lint-free respirable cotton dust over an eight-hour period. The sampling program shall include at least one determination during each shift for each work area.

(c) Periodic monitoring. (i) The employer shall repeat the measurements required by subsection (4)(b) of this section at least every six months.

(ii) Whenever there has been a production, process, or control change which may result in new or additional exposure to cotton dust, or whenever the employer has any other reason to suspect an increase in employee exposure, the employer shall repeat the monitoring and measurements required by subsection (4)(b) of this section for those employees affected by the change or increase.

(d) Employee notification. (i) Within five working days after the receipt of monitoring results, the employer shall notify each employee in writing of the exposure measurements which represent that employee's exposure.

(ii) Whenever the results indicate that the employee's exposure exceeds the applicable permissible exposure limit specified in subsection (3) of this section, the employer shall include in the written notice a statement that the permissible exposure limit was exceeded and a description of the corrective action taken to reduce exposure below the permissible exposure limit.

(5) Methods of compliance. (a) Engineering and work practice controls. The employer shall institute engineering and work practice controls to reduce and maintain employee exposure to cotton dust at or below the permissible exposure limit specified in subsection (3) of this section, except to the extent that the employer establishes that such controls are not feasible.

(b) Whenever feasible engineering and work practice controls are not sufficient to reduce employee exposure to or below the permissible exposure limit, the employer shall nonetheless institute these controls to immediately reduce exposure to the lowest feasible level, and shall supplement these controls with the use of respirators which shall comply with the provisions of subsection (6) of this section.

(c) Compliance program. (i) Each employer shall establish and implement a written program sufficient to reduce exposures to or below the permissible exposure limit solely by means of engineering controls and work practices as required by subsection (5)(a) of this section.

(ii) The written program shall include at least the following:

(A) A description of each operation or process resulting in employee exposure to cotton dust;

(B) Engineering plans and other studies used to determine the controls for each process;

(C) A report of the technology considered in meeting the permissible exposure limit;

(D) Monitoring data obtained in accordance with subsection (4) of this section;

(E) A detailed schedule for development and implementation of engineering and work practice controls, including exposure levels projected to be achieved by such controls;

(F) Work practice program; and

(G) Other relevant information.

(iii) The employer's schedule as set forth in the compliance program, shall be completed no later than March 27, 1984.

(iv) The employer shall complete the steps set forth in his program by the dates in the schedule.

(v) Written programs shall be submitted, upon request, to the director, and shall be available at the worksite for examination and copying by the director, and any affected employee or their designated representatives.

(vi) The written programs required under subsection (5)(c) of this section shall be revised and updated at least every six months to reflect the current status of the program and current exposure levels.

(d) Mechanical ventilation. When mechanical ventilation is used to control exposure, measurements which demonstrate the effectiveness of the system to control exposure, such as capture velocity, duct velocity, or static pressure shall be made at least every six months. Measurements of the system's effectiveness to control exposures shall also be made within five days of any change in production, process or control which may result in any increase in airborne concentrations of cotton dust.

(6) Use of respirators. (a) General. Where the use of respirators is required under this section, the employer shall provide, at no cost to the employee, and assure the use of respirators which comply with the requirements of this subsection (6). Respirators shall be used in the following circumstances:

(i) During the time periods necessary to install or implement feasible engineering controls and work practice controls;

(ii) During maintenance and repair activities in which engineering and work practice controls are not feasible;

(iii) In work situations where feasible engineering and work practice controls are not yet sufficient to reduce exposure to or below the permissible exposure limit;

(iv) In operations specified under subsection (7)(a) of this section; and

(v) Whenever an employee requests a respirator.

(b) Respirator selection. (i) Where respirators are required under this section, the employer shall select the appropriate respirator from Table I and shall assure that the employee uses the respirator provided.

TABLE I

Cotton dust concentration	Required respirator
Not greater than—	
(a) 5 x the applicable permissible exposure limit.	1. Any dust respirator, including single use.
(b) 10 x the applicable permissible exposure limit.	1. Any dust respirator, except single use or quarter mask; or 2. Any supplied air respirator; or 3. Any self-contained breathing apparatus.
(c) 100 x the applicable permissible exposure limit.	1. High efficiency particulate filter respirator with a full facepiece; or 2. Any supplied air respirator with full facepiece, helmet or hood; or 3. Any self-contained breathing apparatus with full facepiece.
(d) Greater than 100 x the applicable permissible exposure limit.	1. A powered air-purifying respirator with high efficiency particulate filter; or 2. A self-contained breathing apparatus with a full facepiece operated in pressure demand or other positive pressure mode; or 3. A type "C" supplied air respirator

Cotton dust
concentration

Required respirator

- operated in pressure demand or other positive pressure mode; or
4. A combination respirator which includes a type "C" supplied-air respirator with a full facepiece operated in pressure or continuous-flow mode and an auxiliary self-contained breathing apparatus operated in pressure demand or other positive pressure mode.

(ii) The employer shall select respirators from those tested and approved for protection against dust by the National Institute for Occupational Safety and Health (NIOSH) under the provisions of 30 CFR Part 11.

(iii) Whenever respirators are required by this section for concentrations not greater than 5 x the applicable permissible exposure limit, the employer shall provide and permit the employee to use, at the employee's option, single use dust respirator in preference to any respirator specified in paragraph (a) of Table I.

(iv) Whenever respirators are required by this section for concentrations not greater than 100 x the applicable permissible exposure limit, the employer shall, upon the request of the employee, provide a powered air purifying respirator with a high efficiency particulate filter in lieu of the respirator specified in paragraphs (a), (b), or (c) of Table I.

(v) Whenever a physician determines that an employee is unable to wear any form of respirator, including a power air purifying respirator, the employee shall be given the opportunity to transfer to another position which is available or which later becomes available having a dust level at or below the PEL. The employer shall assure that an employee who is transferred due to an inability to wear a respirator suffers no loss of earnings or other employment rights or benefits as a result of the transfer.

(vi) Until September 27, 1980, the employer shall provide any dust respirator, including single use, to all employees exposed to cotton dust, unless the employer has conducted the monitoring required by subsection (4)(b) of this section or otherwise has monitored employee exposure. As soon as monitoring has been conducted, the employer shall select the appropriate respirator from Table I.

(c) Respirator program. The employer shall institute a respirator program in accordance with WAC 296-24-08103, 296-24-08107, 296-24-08109 and 296-24-08111.

(d) Respirator usage. (i) The employer shall assure that the respirator used by each employee exhibits minimum facepiece leakage and that the respirator is fitted properly.

(ii) The employer shall allow each employee who uses a filter respirator, to change the filter elements whenever an increase in breathing resistance is detected by the employee. The employer shall maintain an adequate supply of filter elements for this purpose.

(iii) The employer shall allow employees who wear respirators to wash their faces and respirator facepieces to prevent skin irritation associated with respirator use.

(7) Work practices. Each employer shall, regardless of the level of employee exposure, immediately establish and implement a written program of work practices, which shall minimize cotton dust exposure for each specific job. Where applicable, the following work practices shall be included in the work practices program:

(a) Compressed air "blow down" cleaning shall be prohibited, where alternative means are feasible. Where compressed air "blow down" is done, respirators shall be worn by the employees performing the "blow down", and employees in the area whose presence is not required to perform the "blow down" shall be required to leave the area during this cleaning operation.

(b) Cleaning of clothing or floors with compressed air shall be prohibited.

(c) Floor sweeping shall be performed with a vacuum or with methods designed to minimize dispersal of dust.

(d) Cotton and cotton waste shall be stacked, sorted, baled, dumped, removed or otherwise handled by mechanical means, except where the employer can show that it is infeasible to do so. Where infeasible, the method used for handling cotton and cotton waste shall be the method which reduces exposure to the lowest level feasible.

(e) The employer shall inspect, clean, maintain, and repair, all engineering control equipment and ventilation systems including power sources, ducts, and filtration units of the equipment.

(8) Medical surveillance. (a) General. (i) Each employer who has a place of employment in which cotton dust is present shall institute a program of medical surveillance for all employees exposed to cotton dust.

(ii) The employer shall assure that all medical examinations and procedures are performed by or under the supervision of a licensed physician and are provided without cost to the employee.

(iii) Persons other than licensed physicians, who administer the pulmonary function testing required by this section shall complete a NIOSH approved training course in spirometry.

(b) Initial examinations. The employer shall provide each employee who is or may be exposed to cotton dust with an opportunity for medical surveillance. For new employees this examination shall be provided prior to initial assignment. The medical surveillance shall include at least the following:

(i) A medical history;

(ii) The standardized questionnaire contained in WAC 296-62-14537; and

(iii) A pulmonary function measurement, including a determination of forced vital capacity (FVC) and forced expiratory volume in one second (FEV₁), and the percentage that the measured values of FEV and FVC differ from the predicted values, using the standard tables in WAC 296-62-14539. The predicted FEV₁ and FVC for blacks shall be multiplied by 0.85 to adjust for racial differences.

These determinations shall be made for each employee before the employee enters the workplace on the first day of the work week, following at least thirty-five hours after previous exposure to cotton dust. The tests shall be repeated during the shift, no sooner than four and no more than ten hours after the beginning of the work shift, and, in any event, no more than one hour after cessation of exposure.

(iv) Based upon the questionnaire results, each employee shall be graded according to Schilling's byssinosis classification system.

(c) Periodic examinations. (i) The employer shall provide annual medical surveillance for all employees exposed to cotton dust which shall include at least an update of the medical history and standardized questionnaire (the abbreviated questionnaire, App. B-III) and the pulmonary function measurements in subsection (8)(b) of this section.

(ii) Medical surveillance as required in subsection (8)(c)(i) of this section shall be provided every six months for all employees in the following categories:

(A) An FEV₁ of greater than eighty percent of the predicted value, but with an FEV₁ decrement of five percent or 200 ml. on a first working day;

(B) An FEV₁ of less than eighty percent of the predicted value; or

(C) Where, in the opinion of the physician, any significant change in questionnaire findings, pulmonary function results, or other diagnostic tests has occurred.

(iii) An employee whose FEV₁ is less than sixty percent of the predicted value shall be referred to a physician for a detailed pulmonary examination.

(iv) A comparison shall be made between the current examination results and those of previous examinations and a determination made by the physician as to whether there has been a significant change.

(d) Information provided to the physician. The employer shall provide the following information to the examining physician:

(i) A copy of this regulation and its appendices;

(ii) A description of the affected employee's duties as they relate to the employee's exposure;

(iii) The employee's exposure level or anticipated exposure level;

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

(v) Information from previous medical examinations of the affected employee which is not readily available to the examining physician.

(e) Physician's written opinion. (i) The employer shall obtain and furnish the employee with a copy of a written opinion from the examining physician containing the following:

(A) The results of the medical examination and tests;

(B) The physician's opinion as to whether the employee has any detected medical conditions which would place the employee at increased risk of material impairment of the employee's health from exposure to cotton dust;

(C) The physician's recommended limitations upon the employee's exposure to cotton dust or upon the employee's use of respirators including a determination of whether an employee can wear a negative pressure respirator, and where the employee cannot, a determination of the employee's ability to wear a powered air purifying respirator; and

(D) A statement that the employee has been informed by the physician of the results of the medical examination and any medical conditions which require further examination or treatment.

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

(9) employee education and training. (a) Training program.

(i) The employer shall provide a training program for all employees in all workplaces where cotton dust is present, and shall assure that each employee in these workplaces is informed of the following:

(A) The specific nature of the operations which could result in exposure to cotton dust at or above the permissible exposure limit;

(B) The measures, including work practices required by subsection (7) of this section, necessary to protect the employee from exposures in excess of the permissible exposure limit;

(C) The purpose, proper use and limitations of respirators required by subsection (6) of this section;

(D) The purpose for and a description of the medical surveillance program required by subsection (8) of this section and other information which will aid exposed employees in understanding the hazards of cotton dust exposure; and

(E) The contents of this standard and its appendices.

(ii) The training program shall be provided prior to initial assignment and shall be repeated at least annually.

(b) Access to training materials. (i) Each employer shall post a copy of this section with its appendices in a public location at the workplace, and shall, upon request, make copies available to employees.

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

(iii) In addition to the information required by subsection (9)(a) of this section, the employer shall include as part of the training program, and shall distribute to employees, any materials, pertaining to the Washington Industrial Safety and Health Act, the regulations issued pursuant to that act, and this cotton dust standard, which are made available to the employer by the director.

(10) Signs. The employer shall post the following warning sign in each work area where the permissible exposure limit for cotton dust is exceeded:

WARNING

COTTON DUST WORK AREA

May Cause Acute or Delayed Lung Injury

(Byssinosis)

RESPIRATORS REQUIRED IN THIS AREA

(11) Recordkeeping. (a) Exposure measurements. (i) The employer shall establish and maintain an accurate record of all measurements required by subsection (4) of this section.

(ii) The record shall include:

(A) A log containing the items listed in WAC 296-62-14535(4)(a), and the dates, number, duration, and results of each of the samples taken, including a description of the procedure used to determine representative employee exposures;

(B) The type of protective devices worn, if any, and length of time worn; and

(C) The names, social security number, job classifications, and exposure levels of employees whose exposure the measurement is intended to represent.

(iii) The employer shall maintain this record for at least twenty years.

(b) Medical surveillance. (i) The employer shall establish and maintain an accurate medical record for each employee subject to medical surveillance required by subsection (8) of this section.

(ii) The record shall include:

(A) The name and social security number and description of the duties of the employee;

(B) A copy of the medical examination results including the medical history, questionnaire responses, results of all tests, and the physician's recommendation;

(C) A copy of the physician's written opinion;

(D) Any employee medical complaints related to exposure to cotton dust;

(E) A copy of this standard and its appendices, except that the employer may keep one copy of the standard and the appendices for all employees, provided that he references the standard and appendices in the medical surveillance record of each employee; and

(F) A copy of the information provided to the physician as required by subsection (8)(d) of this section.

(iii) The employer shall maintain this record for at least twenty years.

(c) Availability. (i) The employer shall make all records required to be maintained by subsection (11) of this section available to the director for examination and copying.

(ii) The employer shall make employee exposure measurement records required by this section available to affected employees or their designated representatives for examination and copying.

(iii) The employer shall make all records indicating a former employee's own exposure to cotton dust available to the former employee or his designated representative for examination and copying.

(iv) The employer shall make an employee's medical records required to be maintained by this section, available to the affected employee or former employee or to a physician or other individual designated by such affected employee or former employees, for examination and copying.

(d) Transfer of records. (i) Whenever the employer ceases to do business, the successor employer shall receive and retain all records required to be maintained by subsection (11) of this section.

(ii) Whenever the employer ceases to do business, and there is no successor employer to receive and retain the records for the prescribed period, these records shall be transmitted to the director.

(iii) At the expiration of the retention period for the records required to be maintained by this section, the employer shall notify the director at least three months prior to the disposal of such records and shall transmit those records to the director if he requests them within that period.

(12) Observation of monitoring. (a) The employer shall provide affected employees or their designated representatives an opportunity to observe any measuring or monitoring of employee exposure to cotton dust conducted pursuant to subsection (4) of this section.

(b) Whenever observation of the measuring or monitoring of employee exposure to cotton dust requires entry into an area where the use of personal protective equipment is required, the employer shall provide the observer with and assure the use of such equipment and shall require the observer to comply with all other applicable safety and health procedures.

(c) Without interfering with the measurement, observers shall be entitled to:

(i) An explanation of the measurement procedures;

(ii) An opportunity to observe all steps related to the measurement of airborne concentrations of cotton dust performed at the place of exposure; and

(iii) An opportunity to record the results obtained.

(13) Effective date. (a) General. This emergency rule is effective upon filing with the code reviser, except as otherwise provided below.

(b) Startup dates. (i) Initial monitoring. The initial monitoring required by subsection (4)(b) of this section shall be completed as soon as possible but no later than September 27, 1980.

(ii) Methods of compliance; engineering and work practice controls. Engineering and work practice controls required by subsection (5) of this section shall be implemented no later than March 27, 1984.

(iii) Compliance program. The compliance program required by subsection (5)(c) of this section shall be established no later than March 27, 1981.

(iv) Respirators. The respirators required by subsection (6) of this section shall be provided no later than April 27, 1980. Until September 27, 1980, the provisions of subsection (6)(b)(vi) of this section apply.

(v) Work practices. The work practices required by subsection (7) of this section shall be implemented no later than June 27, 1980.

(vi) Medical surveillance. The initial medical surveillance required by subsection (8) of this section shall be completed no later than March 27, 1981.

(vii) Employee education and training. The initial education and training required by subsection (9) of this section shall be completed as soon as possible but no later than June 27, 1980.

(14) Appendices. (a) Appendix B, WAC 296-62-14537, Appendix C, WAC 296-62-14539 and Appendix D, WAC 296-62-14541 are incorporated as part of this chapter and the contents of these appendices are mandatory.

(b) Appendix A, WAC 296-62-14535 contains information which is not intended to create any additional obligations not otherwise imposed or to detract from any existing obligations.

NEW SECTION

WAC 296-62-14535 APPENDIX A—AIR SAMPLING AND ANALYTICAL PROCEDURES FOR DETERMINING CONCENTRATIONS OF COTTON DUST. (1) Sampling locations. The sampling procedures must be designed so that samples of the actual dust concentrations are collected accurately and consistently and reflect the concentrations of dust at the place and time of sampling. Sufficient number of six-hour area samples in each distinct work area of the plant should be collected at locations which provide representative samples of air to which the worker is exposed. In order to avoid filter overloading, sampling time may be shortened when sampling in dusty areas. Samples in each work area should be gathered simultaneously or sequentially during a normal operating period. The daily time-weighted average (TWA) exposure of each worker can then be determined by using the following formula:

$$\frac{\text{Summation of hours spent in each location and the dust concentration in that location.}}{\text{Total hours exposed}}$$

A time-weighted average concentration should be computed for each worker and properly logged and maintained on file for review.

(2) Sampling equipment. (a) Sampler. The instrument selected for monitoring is the Lumsden-Lynch vertical elutriator. It should operate at a flow rate of 7.4 ± 0.2 liters/minute. The samplers should be cleaned prior to sampling. The pumps should be monitored during sampling.

(b) Filter holder. A three-piece cassette constructed of polystyrene designed to hold a 37-mm diameter filter should be used. Care must be exercised to insure that an adequate seal exists between elements of the cassette.

(c) Filters and support pads. The membrane filters used should be polyvinyl chloride with a 5- μ m pore size and 37-mm diameter. A support pad, commonly called a backup pad, should be used under the filter membrane in the field monitor cassette.

(d) Balance. A balance sensitive to 10 micrograms should be used.

(3) Instrument calibration procedure. Samplers shall be calibrated when first received from the factory, after repair, and after receiving any abuse. The samplers should be calibrated in the laboratory both before they are used in the field and after they have been used to collect a large number of field samples. The primary standard, such as a spirometer or other standard calibrating instruments such as a wet test meter or a large bubble meter or dry gas meter, should be used. Instructions for calibration with the wet test meter follow. If another calibration device is selected, equivalent procedures should be used:

(a) Level wet test meter. Check the water level which should just touch the calibration point at the left side of the meter. If water level is low, add water $1-2^{\circ}$ F. warmer than room temperature of till point. Run the meter for thirty minutes before calibration;

(b) Place the polyvinyl chloride membrane filter in the filter cassette;

(c) Assemble the calibration sampling train;

(d) Connect the wet test meter to the train.

The pointer on the meter should run clockwise and a pressure drop of not more than 1.0 inch of water indicated. If the pressure drop is greater than 1.0, disconnect and check the system;

(e) Operate the system for ten minutes before starting the calibration;

(f) Check the vacuum gauge on the pump to insure that the pressure drop across the orifice exceeds seventeen inches of mercury;

(g) Record the following on calibration data sheets:

(i) Wet test meter reading, start and finish;

(ii) Elapsed time, start and finish (at least two minutes);

(iii) Pressure drop at manometer;

(iv) Air temperature;

(v) Barometric pressure; and

(vi) Limiting orifice number.

(h) Calculate the flow rate and compare against the flow of 7.4 ± 0.2 liters/minute. If flow is between these limits, perform calibration again, average results, and record orifice number and flow rate. If flow is not within these limits, discard or modify orifice and repeat procedure;

(i) Record the name of the person performing the calibration, the date, serial number of the wet test meter, and the number of the critical orifices being calibrated.

(4) Sampling procedure. (a) Sampling data sheets should include a log of:

(i) The date of the sample collection;

(ii) The time of sampling;

(iii) The location of the sampler;

(iv) The sampler serial number;

(v) The cassette number;

(vi) The time of starting and stopping the sampling and the duration of sampling;

(vii) The weight of the filter before and after sampling;

(viii) The weight of dust collected (corrected for controls);

(ix) The dust concentration measured;

(x) Other pertinent information; and

(xi) Name of person taking sample.

(b) Assembly of filter cassette should be as follows:

(i) Loosely assemble three-piece cassette;

(ii) Number cassette;

(iii) Place absorbent pad in cassette;

(iv) Weigh filter to an accuracy of 10 μ g;

(v) Place filter in cassette;

(vi) Record weight of filter in log, using cassette number for identification;

(vii) Fully assemble cassette, using pressure to force parts tightly together;

(viii) Install plugs top and bottom;

(ix) Put shrink band on cassette, covering joint between center and bottom parts of cassette; and

(x) Set cassette aside until shrink band dries thoroughly.

(c) Sampling collection should be performed as follows:

(i) Clean lint out of the motor and elutriator;

(ii) Install vertical elutriator in sampling locations specified above with inlet $4-1/2$ to $5-1/2$ feet from floor (breathing zone height);

(iii) Remove top section of cassette;

(iv) Install cassette in ferrule of elutriator;

(v) Tape cassette to ferrule with masking tape or similar material for air-tight seal;

(vi) Remove bottom plug of cassette and attach hose containing critical orifice;

(vii) Start elutriator pump and check to see if gauge reads above 17 in. of Hg vacuum;

(viii) Record starting time, cassette number, and sampler number;

(ix) At end of sampling period stop pump and record time; and

(x) Controls with each batch of samples collected, two additional filter cassettes should be subjected to exactly the same handling as the samples, except that they are not opened. These control filters should be weighed in the same manner as the sample filters.

Any difference in weight in the control filters would indicate that the procedure for handling sample filters may not be adequate and should be evaluated to ascertain the cause of the difference, whether and what necessary corrections must be made, and whether additional samples must be collected.

(d) Shipping. The cassette with samples should be collected, along with the appropriate number of blanks, and shipped to the analytical laboratory in a suitable container to prevent damage in transit.

(e) Weighing of the sample should be achieved as follows:

(i) Remove shrink band;

(ii) Remove top and middle sections of cassette and bottom plug;

(iii) Remove filter from cassette and weigh to an accuracy of 10 μ g; and

(iv) Record weight in log against original weight.

(f) Calculation of volume of air sampled should be determined as follows:

(i) From starting and stopping times of sampling period, determine length of time in minutes of sampling period; and

(ii) Multiply sampling time in minutes by flow rate of critical orifice in liters per minute and divide by 1000 to find air quantity in cubic meters.

(g) Calculation of dust concentrations should be made as follows:

(i) Subtract weight of clean filter from dirty filter and apply control correction to find actual weight of sample. Record this weight (in μ g) in log; and

(ii) Divide mass of sample in μ g by air volume in cubic meters to find dust concentration in μ g/m. Record in log.

AMENDATORY SECTION (Amending Order 74-24, filed 5/6/74)

WAC 296-79-140 INSTALLATION, INSPECTION, AND MAINTENANCE OF PIPES, PIPING SYSTEMS, AND HOSES.
~~((+)) Installation and Maintenance. Pipes and piping systems should be installed and maintained in accordance with the recommendations of the American Society of Mechanical Engineers Code for Pressure~~

Piping, National Fire Protection Association, Washington State Pressure Vessel Requirements administered by the Boiler and Pressure Vessels Section of the Division of Building and Construction Safety Inspection, Department of Labor and Industries, or recommendations adopted by reputable societies, manufacturers or organizations based on sound engineering practices.))

(1) Definitions applicable to this section.

(a) Hazardous material system - any system within the following classifications:

(i) Flammable or explosive - any system containing materials which are hazardous because they are easily ignited and create a fire or explosion hazard, defined by NFPA as Class I liquids;

(ii) Chemically active or toxic - any system containing material which offers corrosion or toxic hazard in itself or can be productive of harmful gases upon release, defined by NFPA 704M as Class 3 and 4 materials;

(iii) Thermally hazardous - any system above 130°F which exposes persons to potential thermal burns.

(iv) Pressurized - any gaseous system above 200 psig or liquid system above 500 psig.

(b) Piping system - any fixed piping, either rigid pipe or flexible hose, including all fittings and valves, in either permanent or temporary application.

(2) Design and installation. All new piping systems intended to be used in hazardous material service shall be designed and installed in accordance with applicable provisions of the ASME Code for Pressure Piping or in accordance with applicable provisions of ANSI B31.1 through B31.8. The referenced edition in effect at the time of installation shall be utilized.

NOTE: both referenced standards have identical requirements.

(3) Inspection and maintenance.

(a) Management shall develop a formal program of inspections for all hazardous material piping systems. The program shall be based on sound maintenance engineering principle and shall demonstrate due consideration for the manufacturing specifications of the pipe, hose, valves and fittings, the ambient environment of the installation and the corrosive or abrasive effect of the material handled within the system.

(b) Type and frequency of tests and/or inspections and selection of inspection sites shall be adequate to give indications that minimum safe design operating tolerances are maintained. The tests may include visual or nondestructive methods.

(c) All companies shall submit their formal program of initial and ongoing inspections to the department for approval within one year after the effective date of this requirement.

(d) All existing hazardous material systems shall be inspected to the criteria of this section prior to two years after effective date.

(4) Inspection records.

(a) Results of inspections and/or tests shall be maintained as a record for each system.

(b) Past records may be discarded provided the current inspection report and the immediately preceding two reports are maintained.

(c) When a system is replaced, a new record shall be established and all past records may be discarded.

(d) The records for each system shall be made available for review by the department upon request.

(e) Portions of systems that are buried or enclosed in permanent structures in such a manner as to prevent exposure to employees even in the event of a failure, may be exempted from the inspection requirements only.

(5) Systems or sections of systems found to be below the minimum safety factor requirements for the current service shall be repaired or replaced with component parts and methods which equal the requirements for new installations.

((2)) (6) Identification of Piping Systems ((to be Identified)).

(a) Pipes containing hazardous materials shall be identified. It is recommended that USAS A13.1 "Scheme for Identification of Piping Systems" be followed.

((*) (b) Positive identification of a piping system content shall be lettered legend giving the name of the content in full or abbreviated form, or a commonly used identification system. Such identification shall be made and maintained at suitable intervals and at valves, fittings, and on both sides of walls or floors as needed. Arrows may be used to indicate the direction of flow. Where it is desirable or necessary to give supplementary information such as hazard of use of the piping system content, this may be done by additional legend or by color applied to the entire piping system or as colored bands. Legends may be placed on colored bands.

Examples of legend which may give both positive identification and supplementary information regarding hazards or use are:

Ammonia	Hazardous liquid or gas
Chlorine	Hazardous liquid or gas
Chlorine Dioxide	Hazardous liquid or gas
((Cooking Acid	Hazardous liquid or gas))
Sulphur Dioxide	Hazardous gas
((Green Liquor	Hazardous liquid))
((White Liquor	Hazardous liquid))
Liquid Caustic	Hazardous liquid
Liquid Sulphur	Hazardous liquid
Sulphuric Acid	Hazardous liquid
Sodium Chlorate	When dry, danger of fire or explosion

NOTE: Manual L-1, published by ((Manufacturing Chemists Association, Inc.)) Chemical Manufacturers Association, Inc., is a valuable guide in respect to supplementary legend.

((b)) (c) When color, applied to the entire piping system or as colored bands, is used to give supplementary information it should conform to the following:

CLASSIFICATION	PREDOMINANT COLOR
F—Fire-Protection Equipment	Red
D—Dangerous Materials	Yellow (or orange)
S—Safe Materials	Green (or the achromatic colors, white, black, gray or aluminum)
and, when required, P—Protective Materials	Bright blue

(d) Legend boards showing the color and identification scheme in use shall be located so that employees who may be exposed to hazardous material piping systems will have a frequent reminder of the identification program.

(e) All employees who work in the area of hazardous material piping systems shall be given training in the color and identification scheme in use.

((*) (7) Test holes not to be covered. Test holes in blow lines of piping systems shall not be covered with insulation or other materials.

((*) (8) Steam hoses. Steam hoses shall be specifically designed to safely carry steam at any pressures to which they may be subjected.

AMENDATORY SECTION (Amending Order 74-24, filed 5/6/74)

WAC 296-79-170 REQUIREMENTS FOR CRAWLER AND TRUCK CRANES. (1) Rated Capacity Chart. A chart indicating the manufacturer's rated capacity at all operating radii for all permissible boom lengths and jib lengths with alternate ratings for optional equipment affecting such ratings shall be posted in all mobile type cranes and shall be readily visible to the operator in his normal operating position.

(2) Boom Length Indicated. The length shall be plainly marked on each boom section of a mobile crane having a sectioned boom.

(3) Radius or Boom Angle Indicator. A radius or boom angle indicator shall be installed where it is readily visible to the operator in his normal operating position on all cranes having a movable working boom.

(4) Safety Device for Light Fixtures. Any light fixtures attached to crane boom or machinery house shall have a safety strap or other device attached which will prevent the fixture from falling.

(5) Boom Stops. Boom stops shall be installed to govern the upward travel of the boom to a safe limit. Boom stops shall be of adequate strength to prevent the boom from traveling past the vertical position.

(6) Controls Marked. Crane operating controls shall be marked or an explanation of the controls' functions shall be posted in full view of the operator.

(7) Locking Hydraulic Outriggers. Hydraulic outriggers shall be equipped with a pilot operated check valve or a mechanical lock shall be installed which will prevent outriggers from retracting in case of failure of the hydraulic system.

(8) Top of Boom Painted. The top six feet of the boom or jib shall be painted bright yellow or other bright contrasting color if the boom is yellow.

(Several makes of cranes are already "all yellow." Users say they want to retain the contrasting color theme to call attention to the boomtop.)

(9) Warning Devices. All cranes shall be equipped with a suitable warning device such as a horn or whistle.

(10) Hook Safety Device. All hooks shall be equipped with a safety device or other effective means shall be used to prevent accidental unhooking of the load.

(11) Counterweight Limited. The amount of crane counterweight shall not exceed the maximum amount specified by the crane manufacturer.

(12) Use Proper Size Wire Rope for Sheaves. The size and diameter of sheaves and wire rope shall be compatible and follow the recommendations published by the Wire Rope Institute or other acceptable engineering practices.

(13) Loading or Unloading Gear. Unloading gear such as grapples, tongs, and buckets, shall not be left suspended when not in use.

(a) Where grapples, trip tongs or similar device is used for loading, the log holding device shall be lowered to the ground whenever the machine is unattended.

(14) No One Under Load. Personnel shall not position themselves under crane loads and such loads shall not be carried over workers.

(15) Operating Clearance from Stationary Objects. A distance of 30" shall be maintained between the outermost part of a revolving crane and any stationary object within the swing radius of the crane where the area is accessible to workers or the hazardous area must be temporarily guarded or barricaded.

(16) ~~((Operating))~~ Clearance ~~((for))~~ Requirements from Unprotected ~~((Energized Lines))~~ Electrical Transmission and Distribution Lines. (a) ~~((Crane booms, lines or material shall be kept 10 feet or more from unprotected energized power lines)).~~ Except as provided in item (b), all parts of cranes and loads being handled shall maintain the following specified clearances:

(i) For lines rated 50 kv or below, minimum clearance between the lines and any part of the crane or load shall be ten feet;

~~((b))~~(ii) For ~~((unprotected))~~ lines rated over 50 kv, minimum clearance between the lines and any part of the crane or load shall be 10 feet plus 0.4 inch for each 1 kv. over 50 kv., or twice the length of the line insulator but never less than 10 feet.

~~((c))~~(iii) In transit with no load and boom lowered the equipment clearance shall be a minimum of 4 feet for voltages less than 50 kv, and 10 feet for voltages over 50 kv up to and including 345 kv, and 16 feet for voltages up to and including 750 kv.

(iv) A person shall be designated to observe clearance of the equipment and give timely warning for all operations where it is difficult for the operator to maintain the desired clearance by visual means.

(v) Any overhead wire shall be considered to be an energized line unless and until the person owning such line or the electrical utility authorities indicate that it is not an energized line and it has been visibly grounded.

(b) Cranes may be operated within the clearances specified in item (a) only when the following precautions are taken:

(i) Lines may be deenergized and visibly grounded at the point of work; or

(ii) Lines owned or under the control of the employer may be deenergized, grounded and locked out on the employer's premises; or

(iii) On N.E.C. approved metallic sheath aerial cable, insulating barriers, not a part of or an attachment to the equipment or machinery, may be erected to prevent physical contact with the line.

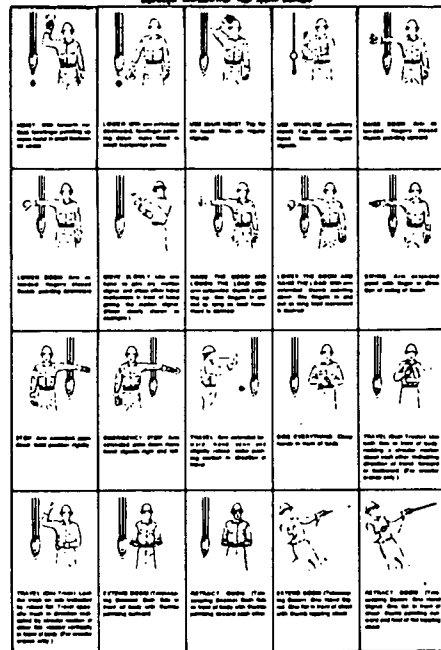
(17) ~~((Operating Clearances for Shielded Distribution or Transmission Lines. When lines are shielded to the voltage rating of the line in accordance with NFPA requirements, the operating clearance requirements for energized lines may be omitted provided, adequate care is exercised not to contact the line.))~~ Operators shall avoid contacting overhead obstructions which may damage the boom or adversely affect stability. In instances where the operator may have difficulty in observing clearances, a signal person shall be stationed where they can observe clearances and signal the operator.

(18) Safe Travel Across Thoroughfares or Railroad Tracks. When moving across thoroughfares or railroad tracks with cranes, shovels or similar types of equipment, which by its design does not allow the operator clear vision of approaching traffic, a flagman shall be stationed where he can control other traffic and signal the equipment operator.

(19) One Crew Member to Give Signals. Only a designated member of the crew shall give signals to the crane operator except that anyone may give an emergency stop signal.

(20) Standard Hand Signals. When visual signals are used standard hand signals, as illustrated in the General Safety and Health Standards, shall be used for directing crane operators.

STANDARD HAND SIGNALS FOR CRANES



(21) Signals by Use of Radio Frequencies. Class "D" citizen's band radio frequencies shall not be used for signalling crane operators.

AMENDATORY SECTION (Amending Order 74-24, filed 5/6/74)

WAC 296-79-180 PRIVATELY OWNED STANDARD GAUGE RAILROAD OPERATIONS.

(1) Blue Flag or Light. A blue signal (blue flag or blue light for nonilluminated areas) shall be displayed at one or both ends of an engine, car(s), or train, to indicate that workers are under or about the railway equipment. When such warning devices are displayed, the equipment shall not be coupled to or moved. On a dead end spur, a blue signal may be displayed adjacent to the switch opening while cars are being loaded or unloaded.

(2) Work being carried on which subjects employees to the hazard of moving railroad equipment shall be protected by blue signals and derails set a minimum of 50 feet from one or both ends of the worksite. Where the spur track switch is less than 50 feet from the work location, the switch padlocked in the open position will take the place of the derail and the blue signal shall be placed at that point.

(3) Signals Unobscured. Equipment which would obscure the blue signal shall not be placed on the track.

(4) Signals Displayed by Each Maintenance Crew. Each maintenance crew shall display and remove its own set of blue signals.

(5) Warning Device. A flashing warning light or other device shall be installed near any opening which leads to a passageway crossing railroad tracks adjacent to the building. Such light or device shall be activated prior to any switching or movement of railroad equipment to warn workers of the dangerous condition in the area.

(6) Cars to be Immobilized. Spotted cars shall either have brakes set, wheels blocked, or shall be coupled to other immobilized cars to prevent each car from rolling.

(7) Crawling Under or Between Coupled Cars Prohibited. Workers shall not crawl under or pass between coupled railroad cars to cross tracks.

(8) Warning at Road Crossing. An audible whistle, horn or bell shall be sounded by the locomotive engineer to give adequate warning prior to switching across any road crossing.

(9) Flying Switches. When switching railroad equipment in congested areas or across roadways or walkways "flying switches" shall be prohibited.

(10) Car Opening Devices. All box car doors and associated mechanisms shall be carefully inspected before workers attempt to open or close them. If the door is not free and cannot be opened safely by

hand, equipment shall be provided, where necessary, and a safe method shall be used to open or close the door.

(11) Clearance from Railroad Tracks. Materials shall not be stacked or piled closer than 8 1/2' from the center line of a standard gauge railroad track.

(12) Operating under limited visibility conditions.

(a) Unless trains are operated in a manner to allow the operator to see a safe stopping distance in the direction of travel, a flagperson(s) shall be positioned in such a manner to safely direct movement of the train.

(b) Flagperson shall remain within sight of the operator or shall be equipped to maintain visual or voice communication with the operator as conditions dictate.

(13) A flagperson shall direct the movement of trains being moved across main roads or thoroughfares which do not have adequate traffic warning lights, bells or barricades.

AMENDATORY SECTION (Amending Order 76-7, filed 3/1/76)

WAC 296-79-220 ((~~DEENERGIZING~~)) DEACTIVATING AND LOCK-OUT ((~~PROCEDURES~~)) REQUIREMENTS. ((It is recommended that tag-out systems or other alternate systems be phased out and replaced by lock-outs exclusively as soon as possible and tags used only for information purposes.

(1) Whenever the unexpected startup of machinery or electrical equipment, or the opening of valves would endanger anyone while maintenance, adjustment, cleanup, or construction work is being done on this equipment, the main disconnect(s) (line circuit breakers) or supply valve(s) shall first be locked or tagged out to avoid such accidental startup.)) (1) Tagout or other alternative security procedures shall be phased out by (1 year after effective date). In the one year interim, all requirements and procedures of this section shall apply except:

(a) Physical restraint devices other than padlocks may be used.

(b) Whenever devices other than identified padlocks are used, a warning information tag shall be required.

(c) Whenever the operating control cannot be physically blocked by the restraining device, a warning information tag shall be required.

(2) Control requirement. Whenever the unexpected startup of machinery, the energizing of electrical circuits, the flow of material in piping systems or the removal of guards would endanger workers, such exposure shall be prevented by deactivating and locking out the controls as required by this section.

EXCEPTION: In instances where any machine must be in motion for proper adjustment, for removal or replacement of materials from the machine, for machine clothing changes or for roping up, the following precautions shall be observed:

(a) The machine shall be operated at slow or jog speed;

(b) Extension tools which minimize personnel exposure shall be used where possible;

(c) The operating controls shall at all times be under the control of a qualified operator or craftsman;

(d) All personnel shall remain in view of the operator or other means of communications shall be established whenever possible;

(e) All personnel must be beyond the reach of other machine section(s) or element(s) which offer potential exposure. In any instance where such potential exposure exists, such other section(s) or element(s) shall be separately locked out.

(3) Equipment requirements.

((~~(2)~~)) (a) ((~~Padlocks, Tags, or Devices to be Supplied:~~)) The employer shall ((supply)) provide and ((the)) each employee shall use as many padlocks, tags, chains, or devices as required to ((follow these procedures)) implement these requirements.

((~~(b)~~)) Where a "tag out" system is used in deactivating equipment, the tag and attachment device shall be constructed of such material that it will not be likely to deteriorate in the environment that it is used. The attachment device shall also offer definite resistance to accidental removal.

(3) Information Required on Tags. Tags used for tagging out purposes shall contain the following information: name of person authorizing placement; reason for placing; date; signature of person placing tag; and department with which such person is associated.

(4) Provisions for Locking or Tagging Out Power Supply. Provisions shall be made whereby the source of power to all power-driven equipment can be effectively locked or tagged out.

(5) Lock or Tag-Out by Pushbutton Only Prohibited. Locking or tagging out a machine by use of a pushbutton or other local control device only will not be acceptable as meeting the intent of these rules.

(6) Coordination of Locking or Tagging Out Devices or Systems. When repair, adjustment or maintenance is required and the lock-out or tag-out procedures must be followed, any person involved who is not totally familiar with all power sources or material entry sources to any area involved shall consult with the operator, supervisor, or some person who is capable of informing him of proper lock or tag-out procedures.

(7) Lock-Out or Tag-Out Before Removing Guards. Equipment shall be stopped and tagged or locked out before personnel remove guards or reach into any potentially hazardous area. The only exception will be when the equipment must be in motion in order to make proper adjustments.

(8) Each Person Involved to Lock-Out or Tag-Out. Each person actively engaged in the repair, maintenance or clean-up shall lock-out or tag-out the affected equipment and shall personally remove his lock or tag upon completion of his work except, when it is positively determined that an employee has left the premises without removing his lock or tag, other persons may remove the locks or tags in accordance with a procedure formulated by each firm and approved by the Division of Industrial Safety and Health.

(9) Valves to be Locked or Tagged Out. Each valve which is used to control the flow of materials into, or activate, the equipment being worked on shall be locked or tagged out.

(10) Piping Systems Deactivated. Prior to working on piping systems containing pressurized or hazardous materials the valve(s) controlling the flow to the affected area shall be locked out or tagged out. The piping in the area to be worked on shall be drained and purged, if needed.

To further safeguard the workers, it is recommended that the lines to be worked on be isolated from the system by the insertion of blank flanges.

((11) Lines Without Valves to be Blank Flanged. If pipelines or ducts are constructed without valves or closures, the lines or ducts shall be broken at a flange and a blank flange inserted to stop the accidental flow of any material.))

(b) Provisions shall be made whereby the source of power or exposure can be locked out in accordance with the requirements of this section.

(c) On electrically powered equipment, "stop/start" control switches shall not be used as lockout switches. Lockout switches must be circuit disconnects and must adequately separate the power source from the prime mover so that accidental startup of the equipment being locked out is precluded.

(4) Training requirements.

(a) Each person who will be given authority to implement these requirements shall first be thoroughly trained in the requirements and procedures.

(b) Before being given authority to deactivate and lockout a particular system or piece of equipment, authorized personnel shall be made fully aware of all power sources and/or material entry sources which may offer exposure.

(c) On complex systems or equipment which contain multiple lock-out points not at the immediate work location, a complete checklist of all lockout points necessary for isolation is recommended to help eliminate the chance of human error.

(5) Control procedure.

(a) Each person who would be exposed to the hazard shall apply a personal padlock on the control mechanism. Padlocks shall be applied in such a manner as to physically block the control from being moved into the operating position. Each lock shall be personally identified or an information tag identifying the owner shall be attached to the lock.

(b) Padlocks used in lockout procedures may only be removed by the person identified on the lock, except, when it is positively determined that the owner/user of the lock has left the premises without removing a lock, the job supervisor may remove the lock in accordance with a specific procedure formulated by the local plant Labor-Management Safety Committee or approved by the department.

((~~(2)~~)) (6) Testing after ((~~Lock-Out~~)) lockout or ((~~Tag-out~~)) tag-out. After tagging or locking out equipment, a test shall be conducted to ascertain that the equipment has been made inoperative or the flow of material has been positively stopped. Precautions shall be taken to ascertain that persons will not be subjected to hazard while conducting test if power source or flow of material is not shut off.

~~((13) Procedure for Continuous Flow Digesters. Alternate lock-out or tag-out procedures, acceptable to the Division of Industrial Safety and Health, may be used to replace regular lock-out or tag-out procedures while performing work on continuous flow digesters.~~

~~(14) Making Paper Machine Clothing Change or Repairing Clothing. Whenever employees must position themselves in hazardous locations in or about the machine, the lock-out or tag-out procedure shall be followed. The machine shall be so designed that it may be run at slow or job speed when roping up or threading new clothing through the machine by using existing clothing as a guide. Any adjoining section which would create a hazardous condition for the employees making clothing changes or repairs shall be made inoperative.))~~

~~(7) Major equipment alternative procedure. An alternate lockout procedure may be used on systems which are complex or wide spread or expose numbers of employees to hazards. These systems may be deactivated and locked out by an alternate procedure which does not require each potentially exposed employee to place a personal lock on each control provided:~~

~~(a) Before the alternative procedure can be utilized, a specific written procedure shall be reviewed by the local plant Labor-Management Safety Committee and approved by the Department of Labor and Industries. The procedure for each system must include a checklist of all control devices that must be locked out to achieve isolation. The checklist shall be posted next to the special lockout box described below. The checklist shall be updated as necessary;~~

~~(b) At least two qualified people shall lock out each control with identified padlocks that are keyed differently;~~

~~(c) The keys to the two padlocks used on each control shall be placed in a special lockout box;~~

~~(d) Each potentially exposed employee shall place a personal padlock on the special lockout box in such a manner as to prevent the removal of the keys inside;~~

~~(e) All other requirements of this section are followed.~~

~~((+5)))(8) Temporary or alternate power to be avoided. Whenever possible, temporary or alternate sources of power to the equipment being worked on shall be avoided. If the use of such power is necessary, all affected employees shall be informed and the source of temporary or alternate power shall be identified.~~

~~(9) Where tags are required to implement these lockout and control procedures, the tag and attachment device shall be constructed of such material that it will not be likely to deteriorate in the environment that it will be subjected to.~~

~~(10) Provisional exception. Electrical lighting and instrument circuits of 240 volts or less on single phase systems or 277 volts on three-phase systems may be exempted from the lockout requirements of (5)(a) of this section provided that:~~

~~(a) An information tag meeting the requirements of (9) of this section is used in lieu of a padlock;~~

~~(b) The information tag shall be placed on the switch or switch cover handle in such a manner as to easily identify the deactivated switchgear.~~

~~(11) Deactivating piping systems.~~

~~(a) Hazardous material systems are defined as: Gaseous systems that are operated at more than 200 psig; systems containing any liquid at more than 500 psig; systems containing any material at more than 130°F; systems containing material which is chemically hazardous as defined by NFPA 704 M Class 3 and 4; systems containing material classified as flammable or explosive as defined in NFPA Class I.~~

~~NOTE: See Ap. I for referenced NFPA material.~~

~~(b) Lockout of piping systems shall provide isolation to the worksite, including backflow where such potential exists and the system is classified as a hazardous material system. The required method shall be applied based on the content of the system as specified below:~~

~~(i) Nonhazardous systems shall be deactivated by locking out either the pump or a single valve.~~

~~(ii) Hazardous material systems shall be deactivated by one of the following methods:~~

~~(A) Locking out both the pump and one valve between the pump and the worksite;~~

~~(B) Locking out two valves between the hazard source and the worksite;~~

~~(C) Installing and locking out a blank flange between the hazard source and worksite;~~

~~(D) On hazardous chemical systems where methods (A), (B) or (C) are not available, and where methods (A), (B) or (C) in itself create a~~

~~hazard, single valve closure isolation may be used provided that potentially exposed employees are adequately protected by other means such as personal protective equipment.~~

~~(E) On all steam systems where methods (A), (B) or (C) are not available, single valve closure isolation may be used provided that the system is equipped with valves meeting all requirements of AMSI B16.5 and ANSI B16.34. Where single valve isolation is used, the steamline must also be equipped with a bleed valve downstream from the valve closure to prove isolation of the worksite.~~

~~(12) Reactivating separated hazardous material systems. When a blank flange (blind) is used to separate off portions of hazardous material systems from a portion which is in operation, removal of the blind offers potential exposure to employees. The removal procedure shall be protected by:~~

~~(a) Two separate valve closures between the blank flange and the potential exposure, or~~

~~(b) A single valve closure with a bleeder valve or weep drain between the blank flange and the valve closure. Employees shall closely check for evidence of escapement from the bleeder valve or weep plug before starting to remove the blank flange.~~

~~(c) Where subdivisions (a) or (b) are not possible, potentially exposed employees must be adequately protected by personal protective equipment before removing the blank flange.~~

~~(d) Bleeder valves are recommended behind all primary valve closures on hazardous material systems. Consideration should be given to the nature of the material in the system when installing bleeder valves. To assist in preventing plugging, bleeder valves should generally be installed in the top one-third of the pipe. Short exhaust pipes should be installed on bleeder valves to direct the flow of possible escapement away from the position where an employee would normally be when using the bleeder valve.~~

AMENDATORY SECTION (Amending Order 74-24, filed 5/6/74)

WAC 296-79-29029 BROKE HOLE. (1) An alarm bell or flashing light shall be actuated or other suitable warning shall be given before dropping material through a broke hole when persons working below may be endangered.

(2) Broke holes shall be guarded ~~((in accordance with the provisions of WAC 296-79-030(6), of this chapter.))~~ to the fullest extent possible consistent with operational necessities. The degree of guarding provided by standard height and strength guardrails will be considered as a minimum acceptable level of protection.

(3) When repulping devices or feed conveyor systems for repulping devices are located beneath broke holes, special precautions shall be used. The broke hole opening shall be reduced to the smallest practical dimension. If such broke hole opening must be large enough to permit a worker to fall through and the opening is not guarded at least to the equivalent degree of protection provided by standard guardrails, any employee pushing broke down the broke hole shall wear a safety belt attached to a safety belt line. The safety belt line shall be fastened in such a manner that it is impossible for the person to fall into the repulping device.

(4) Guarding to the equivalent degree of protection provided by standard guardrails and meeting the requirements of subsections (2) and (3), may be achieved by the use of guard bars separated no more than 15-1/2 inches in a vertical plane and 12 inches in a horizontal plane, or any other location within that segment.

AMENDATORY SECTION (Amending Order 76-7, filed 3/1/76)

WAC 296-79-300 MACHINE ROOM EQUIPMENT AND PROCEDURES. (1) Lock-Out and Tag-Out Procedures to be Followed. Lock-out and tag-out requirements and procedures contained in these standards shall be complied with.

(2) ~~((Stopping Devices for Pulp and Paper Machines))~~ Emergency stopping controls. Pulp and paper machines shall be equipped with emergency stopping ~~((devices. The devices shall be located where they can be used readily to stop the machines or sections of the machine))~~ control(s) which can be actuated quickly from all normal operating stations. If useful for the safety of personnel, the stopping control(s) shall be interlocked with adequate retarding or braking action to stop the machine as quickly as is practical.

(3) Walkways. Steps and footwalks along the fourdrinier and press section shall have non-slip surfacing and be complete with standard handrails, when practical.

(4) Machine Lubrication. If a machine must be lubricated while in operation an automatic lubricating device shall be provided or oil cups

and grease fittings shall be provided which can be serviced safely without exposing the worker to any hazards.

(5) **Weights on Levers.** All levers carrying weights shall be so constructed that weights will not slip or fall off.

(6) **Guarding Inrunning Nip Points.** (a) The drums on pulp and paper machine winders shall be provided with suitable guards to prevent a person from being caught between the roll and the front drum on the winder when the pinch point is on the operator's side. Any such guard shall be interlocked with the drive mechanism to prevent the winder from running while the guard is not in place except that the winder may be wired to allow it to run at a slow speed only for adjustment and start-up purposes while the guard is not in position. A zero speed switch or locking device shall be installed to prevent the guard from being removed while the roll is turning.

Paper machine winders when used to produce rolls of 15 inches or less in diameter may be exempted from this subsection but must comply with the provisions of (6)(b).

(b) **Rewinders.** (i) When rewinding large rolls and the nip point is adjacent to the normal work area, the nip point shall be protected by a barrier guard. Such guard shall be interlocked with the drive mechanism to prevent operating the machine above jog speed without the guard in place. A zero speed switch shall be installed to prevent the guard from being raised while the roll is turning.

(ii) On small rolls 15 inches or less in diameter where barrier guards are impractical they shall not be required if the nip point is separated from the employees by at least 18" while operating at more than jog speed. When the rewinder is running at more than jog speed no worker shall place any part of his body closer than 18" from the nip.

(c) **Inrunning nips** where paper is not being fed into a calender should be protected by barriers.

(7) **Audible Alarm in Dryer Section.** An audible alarm shall be sounded prior to starting up any section of a pulp or paper machine. Sufficient time shall be allowed between activation of the alarm system and start-up of the equipment to allow any persons to clear the hazardous area.

(8) **Starting Up Dryer Section.** In starting up a dryer section, steam to heat the drums shall be introduced slowly and while the drums are revolving.

(9) **Starting Paper Into Nip.** When starting paper into the nip of drum type reels or calender stacks a safe method shall be used. This may be accomplished by the use of feeder belts, carrier ropes, air carriage or other device or instrument. A rope carrying system should be used wherever possible at points of transfer. Sheaves should be spaced so that they do not create a nip point with each other and the sheave and its support should be capable of withstanding the speed and breaking strength of the rope for which they are intended.

(10) **Feeding Stack with Hand Held Device.** Employees shall not feed a stack with any hand held device which is capable of going through the nip.

(11) **Broken Carrier Rope.** Employees shall not attempt to remove a broken carrier rope from a dryer while the section is running at operating speed.

(12) **Removing a Wrap.** Employees shall stop dryer to remove a wrap except in cases where it can be safely removed by using air or other safe means.

(13) **Deposits on Rolls.** To remove deposits from rolls, a specially designed scraper or tool shall be used. Scraping of rolls shall be performed on the outgoing nip side.

(14) **Cleaning Doctor Blades.** Employees shall not place their hands between the sharp edge of an unloaded doctor blade and the roll while cleaning the doctor blade.

(15) **Sharp Edges of Doctor Blades to be Covered.** Doctor blades shall have the sharp edges properly guarded during transportation and storage.

(16) **Handling Doctor Blades.** Special protective gloves shall be provided and shall be worn by employees when filing or handling sharp edged doctor blades.

(17) **Steps, Platforms or Walkways for Calender Stacks.** When steps, platforms, or walkways are necessary to perform work on calender stacks they shall have nonskid type surfaces. Guardrails shall be installed where possible.

(18) **Lifting Reels.** (a) Reels shall stop rotating before being lifted away from reel frame.

(b) All lifting equipment (clamps, cables, and slings) shall be maintained in a safe condition and inspected regularly.

(c) Exposed rotating reel shafts with square block ends shall be guarded.

(19) **Reels to be Properly Seated.** The crane operator shall ascertain that reels are properly seated at winder stand or at reel arms before he disengages the hooks.

(20) **Space Between Reels.** On stack reels, a clearance of at least 8 inches between the reels of paper shall be maintained.

(21) **Set Screws.** Set screws for securing core collars to winding and unwinding shafts shall not protrude above the face of the collar. All edges of the collar that an operator's hand may come in contact with shall be beveled to remove all sharp corners.

(22) **Properly Set Up Core Cutting Device.** The worker shall make certain that any core cutting device is properly set up and guard is in proper position before using the machine.

(23) **Winder Shaft.** All winder shafts should be equipped with a winder collar guide. The winder should have a guide rail to align the shaft for easy entrance into the opened rewind shaft bearing housing. If winder shafts are too heavy for manual handling, mechanical equipment shall be used.

(24) **Barrier Guards for Shaftless Winders.** Shaftless winders shall be provided with a barrier guard of sufficient strength and size to confine the rolls in the event they become dislodged while running.

(25) **Grounding.** All calender stacks and spreader bars shall be grounded as protection against shock induced by static electricity.

(26) **Sole Plates.** All exposed sole plates between dryers, calenders, reels and rewinders shall have a nonskid type surface.

(27) **Nonskid Type Surface Required.** A nonskid type surface shall be provided in the work areas around the winders or rewinders. Areas in front of the winder shall be kept clear of oil, broke, and other debris that may cause workers to slip, trip, or fall.

(28) **Roll Lowering Table.** If a powered roll ejector is used it should be interlocked to prevent accidental actuation until the receiving platform or roll lowering table is in position to receive the roll.

(29) **Lowerator.** Employees shall keep clear of hazardous areas around the lowerator, especially all lowerator openings in a floor and where roll is being discharged.

(30) **Rider Rolls.** Provision shall be made to hold the rider roll when in a raised position unless counterbalancing eliminates the hazard.

(31) **Gas Hood Entry Procedures.** Whenever an employee is inside a gas hood he shall be accompanied by another worker or a person shall be stationed near the entrance.

(32) **Drain Openings in Pits.** Flush floor drain openings larger than 3" in diameter in the bottom of pits shall be guarded to prevent workers from stepping through, while working in this area.

Chapter 296-115 WAC SAFETY REQUIREMENTS FOR PASSENGER VESSELS

NEW SECTION

WAC 296-115-001 FOREWORD. This chapter is adopted to implement chapter 88.04 RCW as revised in 1979. The purpose of these rules is to set reasonable guidelines and requirements to provide for the safety and health of passengers and crew on board passenger vessels. It is intended that these rules will be at least as effective as the rules adopted by the United States Coast Guard. This chapter is therefore adopted in cooperation with the United States Coast Guard.

NEW SECTION

WAC 296-115-005 SCOPE AND APPLICATION. (1) This chapter shall apply to vessels for hire that carry seven or more passengers when the vessels are operated in inland waters within the jurisdiction of the state of Washington. These rules shall not apply to vessels in the navigable waters of the United States subject to the jurisdiction of the United States Coast Guard.

(2) Pursuant to chapter 88.04 RCW, the director of the department of labor and industries shall administer this chapter. The director is authorized to use the services of the marine dock section to administer this chapter.

(3) All rules adopted by the United States Coast Guard pertaining to inland water passenger vessel service and navigation on inland waters shall be directly applicable and administered as a part of this chapter unless they conflict with specific provisions of this chapter or chapter 88.04 RCW.

(4) Special consideration. In applying the provisions of this section, the director may allow departures from the specific requirements when special circumstances or arrangements warrant such departures. (46 CFR 175.25-1)

NEW SECTION

WAC 296-115-010 APPEAL OF DECISIONS. (1) Any person aggrieved by a decision of the marine dock section may appeal the decision to the director within twenty working days after receipt of the decision.

(2) The director shall give the chief of the marine dock section notice of the appeal and shall give the chief ten working days to comment in writing. At the discretion of the director, an informal conference may be held with all affected parties invited to participate.

(3) The director shall issue a determining order within twenty working days of the receipt of the appeal or within ten working days following conclusion of an informal conference.

NEW SECTION**WAC 296-115-015 DEFINITIONS APPLICABLE TO ALL SECTIONS OF THIS CHAPTER.**

NOTE: Meaning of words. Unless the context indicates otherwise, words used in this chapter shall have the meaning given in this section.

(1) "Approved" – approved by the director; however, if a provision of this chapter states that approval by an agency or organization other than the department such as Underwriters' Laboratories or the United States Coast Guard is required, then approval by the specified authority shall be accepted.

(2) "Authorized person" – a person approved or assigned by the employer to perform a specific type of duty or duties or be at a specific location or locations at the workplace.

(3) "Competent person" – one who is capable of identifying existing and predictable hazards in the surroundings or working conditions that are unsanitary, hazardous, or dangerous to employees, and who has authorization to take prompt action to eliminate them.

(4) "Confined or enclosed space" – any space having a limited means of egress that is subject to the accumulation of toxic or flammable contaminants or has an oxygen deficient atmosphere. Confined or enclosed spaces include, but are not limited to, storage tanks, process vessels, bins, boilers, ventilation or exhaust ducts, tunnels, pipelines and open top spaces more than four feet in depth, such as pits, tubs, vaults, and vessels.

(5) "Defect" – any characteristic or condition that tends to weaken or reduce the strength of the tool, object, or structure of which it is a part.

(6) "Department" – the department of labor and industries.

(7) "Director" – the director of the department of labor and industries, or his designated representative.

(8) "Employer" – any person, firm, corporation, partnership, business trust, legal representative, or other business entity that operates a passenger vessel for hire in this state and employs one or more employees or contracts with one or more persons, the essence of which is the personal labor of such persons. Any person, partnership, or business entity that has no employees, and is covered by the industrial insurance act shall be considered both an employer and an employee.

(9) "Equipment" – all machinery, devices, tools, facilities, safeguards, and protective construction used with construction operations.

(10) "Hazard" – a condition, potential or inherent, that is likely to cause injury, death, or occupational disease.

(11) "Hazardous substance" – a substance that, because it is explosive, flammable, poisonous, corrosive, oxidizing, irritating, or otherwise harmful, is likely to cause death or injury, including all substances listed on the USCG Hazardous Materials List.

(12) "Inspection" – the examination of vessels by the director or an authorized representative of the director.

(13) "Marine dock section" – the chief and staff of the marine dock section, department of labor and industries.

(14) "Passenger vessel" – a watercraft capable of carrying seven or more passengers for hire and licensed for such service.

(15) "Passenger for hire" – a person (other than master, crew or persons employed) who is carried aboard a vessel for valuable consideration whether directly or indirectly flowing to the owner, charterer, agent or any other person interested in the vessel.

(16) "Port" – left hand side of a vessel as one faces the bow.

(17) "Starboard" – right hand side of a vessel as one faces the bow.

(18) "Steam vessel" – any vessel propelled by machinery.

(19) "Qualified" – one who, by possession of a recognized degree, certificate, or professional standing, or who by extensive knowledge,

training, and experience, has successfully demonstrated the ability to solve problems relating to the subject matter, the work, or the project.

(20) "Safety factor" – the ratio of the ultimate breaking strength of a member or piece of material or equipment to the actual working stress or safe load when in use.

(21) "Safety and health standard" – a standard that requires the adoption or use of one or more practices, means, methods, operations, or processes reasonably necessary or appropriate to provide safe or healthful employment and places of employment.

(22) "Shall" – the provision of the standard is mandatory.

(23) "Should" – recommended.

(24) "Substantial" – constructed of such strength, of such material, and of such workmanship, that the object referred to will withstand all normal wear, shock, and usage.

(25) "Standard safeguard" – a device intended to remove a hazard incidental to the machine, appliance, tool, or equipment to which the device is attached.

Standard safeguards shall be constructed of either metal, wood, other suitable material, or a combination of these. The final determination of the sufficiency of any safeguard rests with the director.

(26) "Suitable" – that which fits, or has the qualities or qualifications to meet a given purpose, occasion, condition, function, or circumstance.

(27) "Under way" – a vessel is not at anchor, or made fast to the shore, or aground.

(28) "United States Coast Guard Rules of Navigation" – rules for inland waters, CG 323 and 169 as now adopted or hereafter legally amended by the United States Coast Guard. (46 CFR)

(29) "Working day" – a calendar day, except Saturdays, Sundays, and legal holidays as set forth in RCW 1.16.050, as now or hereafter amended. The time within which an act is to be done under the provisions of this chapter shall be computed by excluding the first working day and including the last working day.

(30) "Workman," "personnel," "man," "person," "employee," and other terms of like meaning, unless the context indicates otherwise – an employee of an employer who is employed in the business of his employer whether by way of manual labor or otherwise and every person in this state who is engaged in the employment of or who is working under an independent contract the essence of which is his personal labor for an employer whether by manual labor or otherwise.

(31) Abbreviations used in this chapter:

(a) "CFR" – Code of Federal Regulations.

(b) "USCG" – United States Coast Guard.

NEW SECTION**WAC 296-115-025 VESSEL INSPECTION AND LICENSING.**

(1) The department shall inspect all vessels to ensure they are safe and seaworthy at least once each year. The department may also inspect a vessel if requested to do so by the owner, operator, or master of the vessel, and after an explosion, fire, or accident involving the vessel.

(2) The department may inspect a vessel upon receipt of a complaint from any person or, in the discretion of the department, at any other time.

(3) The department shall charge the owner of a vessel a fee for each inspection. This fee shall be determined by the director. (See WAC 296-115-120 for fee schedule.)

(4) After the department has inspected a vessel and it is satisfied the vessel is safe and seaworthy, the department shall issue a certificate of inspection for that vessel. The certificate shall be valid for one year after the date of inspection.

(5) The certificate shall set forth the date of the inspection, the names of the vessel and the owner, the number of lifeboats and life preservers required, the number of passengers allowed, and any other information the department may by rule require.

(6)(a) If at any time a vessel is found to be not safe or seaworthy, or not in compliance with the provisions of this chapter, the department may refuse to issue a certificate of inspection until the deficiencies have been corrected and may cancel any certificate of inspection currently issued.

(b) The department shall give the owner of the vessel a written statement of the reasons the vessel was found to be unsafe, unseaworthy, or not in compliance with the provisions of this chapter, including a specific reference to the statute or rule with which the vessel did not comply.

(7) An inspector of the department may, upon the presentation of his or her credentials to the owner, master, operator, or agent in

charge of a vessel, board the vessel without delay to make an inspection. The inspector shall inform the owner, master, operator, or agent in charge that his or her intent is to inspect the vessel.

(8) During the inspection, the inspector shall have access to all areas of the vessel. The inspector may question privately the owner, master, operator, or agent in charge of the vessel, or any crew member or passenger on the vessel.

(9) If any person refuses to allow an inspector to board a vessel for an inspection, or refuses to allow access to any areas of the vessel, the department may request a warrant from the superior court for the county in which the vessel is located. The court shall grant the warrant:

(a) If there is evidence that the vessel has sustained a fire or an explosion or has been involved in an accident;

(b) If there is evidence that the vessel is not safe or seaworthy; or

(c) Upon a showing that the inspection furthers a general administrative plan for enforcing the safety requirements of the act.

(10) The owner or master of a vessel shall post the certificate of inspection behind glass in a conspicuous area of the vessel.

(11) No person shall operate a passenger vessel if the vessel does not have a valid certificate of inspection.

NEW SECTION

WAC 296-115-030 MASTER'S EXAMINATION AND LICENSING. (1) The registered owner of passenger vessels for hire will be responsible to require a United States Coast Guard operator's license for the master or operator of each vessel. A physical examination will be required.

(2) The department shall penalize any person who acts as a master or operator on a vessel without having first received a United States Coast Guard license, or without having a valid license in his or her possession, or upon a vessel or class of vessels not specified in the license.

(3) The department may recommend suspension or revocation of a license to the United States Coast Guard for intemperance, incompetency, or a negligent, reckless, or willful disregard for duty.

NEW SECTION

WAC 296-115-035 SPECIFIC INSPECTION REQUIREMENTS. (1) Drydocking or hauling out.

Each vessel subject to the provisions in this section shall be drydocked or hauled out at intervals not to exceed sixty months and the underwater hull and appendages, propellers, shafting, stern bearings, rudders, through-hull fittings, sea valves and strainers shall be examined to determine that these items are in satisfactory condition. Refer to 46 CFR 176.15.

(2) At the annual inspection the marine dock inspector shall view the vessel afloat and conduct the following tests and inspections of the hull:

(a) Hull exterior and interior, bulkheads, and weather deck.

(b) Examine and test by operation all watertight closures in the hull, decks, and bulkheads.

(c) Inspect all railings and bulwarks and their attachment to the hull.

(d) Inspect weathertight closures above the weather deck and drainage or water from exposed decks and superstructure. Refer to 46 CFR 176.25-5.

(3) At the annual inspection the marine dock inspector shall examine and test the following items:

(a) Main propulsion machinery.

(b) Engine starting system.

(c) Engine control mechanisms.

(d) Auxiliary machinery.

(e) Fuel systems.

(f) Sea valves and bulkhead closure valves.

(g) Bilge and drainage systems.

(h) Electrical system, including circuit protection. Refer to 46 CFR 176.25-10 and 176.25-15.

(4) Lifesaving and fire extinguishing equipment. At each annual inspection the marine dock inspector shall inspect the life saving and fire extinguishing equipment for serviceability. Refer to 46 CFR 176.25-20 and 176.25-25.

(5) Miscellaneous systems and equipment. At each annual inspection the marine dock inspector shall inspect and test the vessel's steering apparatus, ground tackle, navigation lights, sanitary facilities,

pressure vessels, and any other equipment aboard the vessel for serviceability and safety. Refer to 46 CFR 176.25-35, 176.25-40, and 176.25-45.

NEW SECTION

WAC 296-115-040 CONSTRUCTION AND ARRANGEMENT. (1) Application.

(a) The requirements of this section shall apply to all vessels contracted for construction on or after June 7, 1979.

(b) Vessels constructed before the effective date of this chapter shall be brought into substantial compliance with the requirements of this section. Where deviation exists and strict compliance is impractical, the director may grant a temporary variance to allow a modification or a permanent variance if the intent of subsection (1)(c) of this section is met.

(c) The intent of the regulations in this part is to provide for a sound, seaworthy vessel, reasonably fit for the service it is intended to provide, and to ensure that the materials, scantlings, fastenings, and workmanship meet this intent. Primary consideration shall be given to the provision of a seaworthy hull, protection against fire, means of escape in case of casualty, guards and rails in hazardous places, ventilation of closed spaces, and necessary facilities for passengers and crew.

(2) Hull structure.

(a) In general, compliance with the standards of the United States Coast Guard rules for small passenger vessels or with the standards of a recognized classification society will be considered satisfactory evidence of the structural adequacy of a vessel. Refer to 46 CFR 177.10.

(b) Special consideration will be given by the director to materials or structural requirements not contemplated by the standards of a recognized classification society.

(3) Watertight integrity and subdivision.

(a) All vessels carrying more than forty-nine passengers shall have a collision bulkhead and watertight bulkheads (or sufficient air tankage or other internal flotation) so the vessel will remain afloat (with positive stability) with any one main compartment flooded.

(b) All watertight bulkheads required by this part shall be of substantial construction so as to be able to remain watertight with water to the top of the bulkhead.

(c) Watertight bulkheads shall extend intact to the bulkhead deck. Penetrations shall be kept to a minimum and shall be watertight.

(d) The weather deck on a flush deck vessel shall be watertight and shall not obstruct overboard drainage.

(e) Cockpits shall be watertight except that companionways may be fitted if they are provided with watertight coamings and weathertight doors. Also, ventilation openings may be provided if they are situated as high in the cockpit as possible and the opening height does not exceed two inches.

(f) Cockpits shall be self-bailing. The scuppers installed for this purpose shall be located so as to be effective considering probable list and trim.

(g) Well decks shall be watertight. Freeing ports may be installed if the provisions of 46 CFR 178.30 are followed.

(h) On vessels operating on protected waters, hatches may be weathertight. All hatches shall be provided with covers capable of being secured.

(i) The number of openings in the vessel's sides below the weather deck shall be kept to a minimum.

(j) Any openings in a vessel's sides, such as portlights, shall comply with 46 CFR 178.40.

(4) Stability.

(a) All vessels subject to the provisions of this section shall have a stability test, except that the director may dispense with the requirements for a test if he deems that a test is not required, on the basis of sufficient evidence provided by the owner that the vessel's stability is satisfactory for the service for which it is intended. Refer to 46 CFR 179.05-1.

(b) A letter stating that the vessel has met the stability requirements of this part shall be posted in the pilothouse of each vessel. Refer to 46 CFR 179.20.

NEW SECTION

WAC 296-115-050 GENERAL REQUIREMENTS. (1) Application.

(a) The following rules are applicable to all vessels operated within the scope of this chapter.

(b) Where an existing vessel does not comply with a particular requirement of this section, the director may grant a temporary variance to allow time for modifications to be made.

(c) Where an existing vessel does not exactly comply with a specific requirement contained herein but the degree of protection afforded is judged to be adequate for the service in which the vessel is used, the director may grant a permanent variance.

(2) Lifesaving equipment. Where equipment required by this section is required to be of an approved type, the equipment is required to be approved by the USCG. Refer to 46 CFR 180.05.

(3) Lifesaving equipment required.

(a) All vessels carrying passengers shall carry life floats or buoyant apparatus for all persons on board.

(b) All life floats or buoyant apparatus shall be international orange in color.

(c) In the case of vessels operating not more than one mile from land, the director may permit operation with reduced amounts of life floats or buoyant apparatus, when, in his opinion, it is safe to do so.

(d) Lifeboats, life rafts, dinghies, dories, skiffs, or similar type craft maybe substituted for the required life floats or buoyant apparatus if the substitution is approved by the director.

(e) Life floats, buoyant apparatus, or any authorized substitute shall have the following equipment:

(i) A life line around the sides at least equivalent to 3/8-inch manila, festooned in bights of at least three feet, with a seine float in the center of each bight.

(ii) Two paddles or oars not less than four feet in length.

(iii) A painter of at least thirty feet in length and of at least two-inch manila or the equivalent. Refer to 46 CFR 180.10.

(f) All vessels shall have an approved adult type life preserver for each person carried, with at least ten percent additional of a type suitable for children.

(g) Life preservers shall be stowed in readily accessible places in the upper part of the vessel, and each life preserver shall be marked with the vessel's name. Refer to 46 CFR 180.25.

(h) All vessels shall carry at least one life ring buoy of an approved type with sixty feet of line attached.

(i) The life ring buoy shall be carried in a readily accessible location and shall be capable of being cast loose at any time. Refer to 46 CFR 180.30.

(4) Fire protection.

(a) The general construction of a vessel shall minimize fire hazards. Refer to 46 CFR 177.10-5.

(b) Internal combustion engine exhausts, boiler and galley uptakes, and similar sources of ignition shall be kept clear of and suitably insulated from woodwork or other combustible material.

(c) Lamp, paint, and oil lockers and similar storage areas for flammable or combustible liquids shall be constructed of metal or lined with metal.

(5) Fire protection equipment. Equipment required by this section, when required to be of an approved type, shall be of a type approved by the USCG or other agency acceptable to the director. Refer to 46 CFR 181.05.

(6) Fire pumps.

(a) All vessels carrying more than forty-nine passengers shall carry an approved power fire pump, and all other vessels shall carry an approved hand fire pump. These pumps shall be provided with a suitable suction and discharge hose. These pumps may also serve as bilge pumps.

(b) Vessels required to have a power fire pump shall also have a fire main system, including fire main, hydrants, hose, and nozzles. The fire hose may be a good commercial grade garden hose of not less than 5/8 inch size. Refer to 46 CFR 181.10.

(7) Fixed fire extinguishing system.

(a) All vessels powered by internal combustion engines using gasoline or other fuel having a flashpoint of 110° F or lower, shall have a fixed fire extinguishing system to protect the machinery and fuel tank spaces.

(b) This system shall be an approved type using carbon dioxide and have a capacity sufficient to protect the space.

(c) Controls for the fixed system shall be installed in an accessible location outside the space protected. Refer to 46 CFR 181.20.

(8) Fire axe. All vessels shall have one fire axe located in or near the pilothouse. Refer to 46 CFR 181.35-1.

(9) Portable fire extinguishers.

(a) All vessels shall have a minimum number of portable fire extinguishers of an approved type. The number required shall be determined by the director.

(b) Portable fire extinguishers shall be inspected at least once a month. Extinguishers found defective shall be serviced or replaced.

(c) Portable fire extinguishers shall be serviced at least once a year. The required service shall consist of discharging and recharging foam and dry chemical extinguishers and weighing and inspecting carbon dioxide extinguishers.

(d) Portable fire extinguishers shall be hydrostatically tested at intervals not to exceed those specified in WAC 296-24-59007(4)(c) and table L-3.

(e) Portable fire extinguishers of the vaporizing liquid type such as carbon tetrachloride and other toxic vaporizing liquids are prohibited and shall not be carried on any vessel.

(f) Portable fire extinguishers shall be mounted in brackets or hangers near the space protected. The location shall be marked in a manner satisfactory to the director. Refer to 46 CFR 181.30.

(10) Means of escape.

(a) Except as otherwise provided in this section, all vessels shall be provided with not less than two avenues of escape from all general areas accessible to the passengers or where the crew may be quartered or normally employed. The avenues shall be located so that if one is not available the other may be. At least one of the avenues should be independent of watertight doors.

(b) Where the length of the compartment is less than twelve feet, one vertical means of escape will be acceptable under the following conditions:

(i) There is no source of fire in the space, such as a galley stove or heater and the vertical escape is remote from the engine and fuel tank space; or

(ii) The arrangement is such that the installation of two means of escape does not materially improve the safety of the vessel or those aboard.

(11) Ventilation.

(a) All enclosed spaces within the vessel shall be properly vented or ventilated. Where such openings would endanger the vessel under adverse weather conditions, means shall be provided to close them.

(b) All crew and passenger space shall be adequately ventilated in a manner suitable to the purpose of the space. Refer to 46 CFR 117.20-5.

(12) Crew and passenger accommodations.

(a) Vessels with crew members living aboard shall have suitable accommodations.

(b) Vessels carrying passengers shall have fixed seating for the maximum number of passengers permitted to be carried.

(c) Fixed seating shall be installed with spacing to provide for ready escape in case of fire or other casualty.

(d) Fixed seating shall be installed as follows, except that special consideration may be given by the director if escape over the side can be readily through windows or other openings in the way of the seats:

(i) Aisles not over fifteen feet long shall be not less than twenty-four inches wide.

(ii) Aisles over fifteen feet long shall be not less than thirty inches wide.

(iii) Where seats are in rows the distance from seat front to seat front shall be not less than thirty inches.

(e) Portable or temporary seating may be installed but shall be arranged in general as provided for fixed seating. Refer to 46 CFR 177.25 and 177.30.

(13) Toilet facilities and drinking water.

(a) Vessels shall be provided with toilets and wash basins as specified in WAC 296-24-12007 and 296-24-12009, except that in the case of vessels used exclusively on short runs of approximately thirty minutes or less, the director may approve other arrangements.

(b) All toilets and wash basins shall be fitted with adequate plumbing. Facilities for men and women shall be in separate compartments, except in the case of vessels carrying forty-nine passengers and less, the director may approve other arrangements.

(c) Potable drinking water shall be provided for all passengers and crew. The provisions of WAC 296-24-12005 shall apply.

(d) Covered trash containers shall be provided in passenger areas. Refer to 46 CFR 177.30-5 and 7.

(14) Rails and guards.

(a) Except as otherwise provided in this section, rails or equivalent protection shall be installed near the periphery of all weather decks accessible to passengers and crews. Where space limitations make deck

rails impractical, such as at narrow catwalks in the way of deckhouse sides, hand grabs may be substituted.

(b) Rails shall consist of evenly spaced courses. The spacing shall not be greater than twelve inches except as provided in subdivision (f) of this subsection. The lower rail courses may not be required where all or part of the space below the upper rail course is fitted with a bulwark, chain link fencing, wire mesh, or the equivalent.

(c) On passenger decks of vessels engaged in ferry or excursion type operation, rails shall be at least forty-two inches high. The top rail shall be pipe, wire, chain, or wood and shall withstand at least two hundred pounds of side loading. The space below the top rail shall be fitted with bulwarks, chain link fencing, wire mesh, or the equivalent.

(d) On vessels in other than passenger service, the rails shall be not less than thirty-six inches high, except that where vessels are used in special service, the director may approve other arrangements, but in no case less than thirty inches.

(e) Suitable storm rails or hand grabs shall be installed where necessary in all passageways, at deckhouse sides, and at ladders and hatches where passengers or crew might have normal access.

(f) Suitable covers, guards, or rails shall be installed in the way of all exposed and hazardous places such as gears or machinery. (See WAC 296-24-150 for detailed requirements.) Refer to 46 CFR 177.3.

(15) Machinery installation. (Refer to 46 CFR 182.)

(a) Propulsion machinery. (Refer to 46 CFR 182.05.)

(i) Propulsion machinery shall be suitable in type and design for the propulsion requirements of the hull in which it is installed. Installations meeting the requirements of the USCG or other classification society will be considered acceptable to the director.

(ii) Installations using gasoline as a fuel shall meet the requirements of 46 CFR 182.15.

(iii) Installations using diesel fuel shall meet the requirements of 46 CFR 182.20.

(b) Auxiliary machinery and bilge systems. (Refer to 46 CFR 182.10 and 182.25.)

(i) All vessels shall be provided with a suitable bilge pump, piping and valves for removing water from the vessel.

(ii) Vessels carrying more than forty-nine passengers shall have a power operated bilge pump. The source of power shall be independent of the propulsion machinery. Other vessels shall have a hand operated bilge pump, but may have a power operated pump if it is operated by an independent power source.

(c) Steering apparatus and miscellaneous systems. (Refer to 46 CFR 182.30.)

(i) All vessels shall be provided with a suitable steering apparatus.

(ii) All vessels shall be provided with navigation lights and shapes, whistles, fog horns, and fog bells as required by law and regulation.

(iii) All vessels shall be equipped with a suitable number of portable battery lights.

(d) Electrical installations. The electrical installations of all vessels shall be at least equal to 46 CFR 183, or as approved by the director.

NEW SECTION

WAC 296-115-060 OPERATIONS. (1) This section shall apply to all passenger vessel operations within the scope of this chapter.

(2) Notice of casualty. (Refer to 46 CFR 185.15.)

(a) The owner or person in charge of any vessel involved in a marine accident or casualty involving any of the following shall report the incident immediately to the department.

(i) Damage to property in excess of one thousand five hundred dollars.

(ii) Major damage affecting the seaworthiness or safety of the vessel.

(iii) Loss of life or an injury to a person that incapacitates the person for more than seventy-two hours.

(b) The report shall be in writing to the director and upon receipt of the report the director may request an investigation by a marine dock inspector.

(3) Miscellaneous operating requirements. (Refer to 46 CFR 185.20.)

(a) In the case of collision, accident, or other casualty involving a vessel the operator, shall, so far as he can do so without serious danger to his own vessel or persons aboard, render any necessary assistance to other persons affected by the collision, accident, or casualty to save them from danger. He shall also give his name and address and the name of his vessel to any person injured and to the owner of any property damaged.

(b) The person in charge of the vessel shall see that the provisions of the certificate of inspection are strictly adhered to. This shall not be construed as limiting the person in charge from taking any action in an emergency that he deems necessary to help vessels in distress or to prevent loss of life.

(c) Persons operating vessels shall comply with the provisions of the USCG Rules of the Road for Inland Waters. (Refer to USCG Publication 169.)

(d) The operator of a vessel shall test the vessel's steering gear, signaling whistle, controls, and communication system before getting under way for the day's operation.

(e) Vessels using fuel having a flashpoint of 110° F or lower shall not take on fuel when passengers are on board.

(f) All vessels shall enforce "No Smoking" provisions when fueling. Locations on the vessel where flammable or combustible liquids are stored shall be posted "No Smoking."

(g) All vessels shall prepare and post emergency check-off lists in a conspicuous place accessible to crew and passengers, covering the following:

(i) Man overboard.

(ii) Fire.

(h) The persons in charge shall conduct emergency drills to ensure that the crew is familiar with their duties in an emergency.

(i) The carriage of hazardous substances is prohibited on vessels. However, the director may authorize a vessel to carry specific types and quantities of hazardous substances if he deems it necessary.

(j) All areas accessible to passengers or crew shall be kept in a clean and sanitary condition. All walking surfaces shall be free of slipping or tripping hazards and in good repair.

(4) First-aid training. There shall be present or available on all passenger vessels, at all times, a person holding a valid certificate of first-aid training from the Department of Labor and Industries, United States Bureau of Mines, or the American Red Cross, or equivalent training that can be verified by documentary evidence. A valid first-aid certificate is one that is less than three years old.

(5) First-aid equipment. A first-aid kit or first-aid room shall be provided on all passenger vessels. The size and quantity of first-aid supplies or equipment required shall be determined by the number of persons normally dependent upon each kit or equipment. The first-aid kit or supplies shall be in a weatherproof container with individually sealed packages for each type of item. The first-aid station or kit location shall be posted or on the container.

NEW SECTION

WAC 296-115-070 RULES OF NAVIGATION. (1) Application. The following rules shall be observed in navigating all steam vessels on the waters within the jurisdiction of the state, excepting the waters which are under the jurisdiction of the United States.

(2) When two steam vessels are meeting, end on, or nearly end on, so as to involve risk of collision, each shall alter her course to starboard, so that each may pass on the port side of the other.

(3) When two steam vessels are crossing so as to involve risk of collision, the vessel that has the other on her own starboard side shall keep out of the way of the other.

(4) When a steam vessel and a sailing vessel are proceeding in such directions as to involve risk of collision, the steam vessel shall keep out of the way of the sailing vessel.

(5) When, by any of these rules, one of two vessels is to keep out of the way, the other shall keep her course and speed.

(6) Every steam vessel, when approaching another steamboat or small boat or vessel of any kind, so as to involve the risk of collision, shall slacken her speed, or if necessary, shall stop and reverse her engine, and every steam vessel shall, when in a fog, go at a moderate speed.

(7) Any steam vessel overtaking another steam vessel shall keep out of the way of the overtaken steam vessel.

(8)(a) When steam vessels are running in the same direction, and the vessel that is astern desires to pass on the starboard hand of the vessel ahead, she shall give one short blast of the steam whistle, as a signal of the desire, and if the vessel ahead answers with one blast, she shall direct her course to starboard; or if she desires to pass on the port side of the vessel ahead, she shall give two short blasts of the steam whistle as a signal of the desire, and if the vessel ahead answers with two blasts, shall direct her course to port. If the vessel ahead does not think it safe for the vessel astern to attempt to pass at that point, she shall immediately signify it by giving several short and rapid blasts of the steam whistle, not less than four, and under no circumstances shall

the vessel astern attempt to pass the vessel ahead until they have reached a point where it can be safely done, when the vessel ahead shall signify her willingness by blowing the proper signals. The vessel ahead shall in no case attempt to cross the bow or crowd upon the course of the passing vessel.

(b) Every vessel coming up with another vessel from any direction more than two points abaft her beam, that is, in such a position with reference to the overtaken vessel that at night she would be unable to see either of that vessel's side lights, shall be deemed to be an overtaking vessel; and no subsequent alteration of the bearing between the two vessels shall make the overtaking vessel a crossing vessel within the meaning of the rules in this part, or relieve her of the duty of keeping clear of the overtaken vessel until she is finally past and clear.

(c) As by day the overtaking vessel cannot always know with certainty whether she is forward of or abaft this direction from the other vessel she should, if in doubt, assume that she is an overtaking vessel and keep out of the way.

(9)(a) When two steam vessels are approaching each other at right angles or obliquely so as to involve risk of collision, other than when one steam vessel is overtaking another, the steam vessel that has the other on her own port side shall hold her course and speed; and the steam vessel that has the other on her own starboard side shall keep out of the way of the other by directing her course to starboard so as to cross the stern of the other steam vessel or, if necessary to do so, slacken her speed, stop, or reverse.

(b) If from any cause the conditions covered by this situation prevent immediate compliance with each other's signals, the misunderstanding or objection shall be at once made apparent by blowing the danger signal, and both steam vessels shall be stopped and backed if necessary, until signals for passing with safety are made and understood.

(10) When two steam vessels are approaching each other, and if the courses of the steam vessels are so far on the starboard side of each as not to be considered by the operators as meeting end on, or nearly so, or if the steam vessels are approaching each other, in such manner that passing to the right as in subsection (2) of this section is deemed unsafe by the operator of either steam vessel, the operator first deciding shall give two short and distinct blasts on his steam whistle, which the operator of the other steam vessel shall answer promptly by two blasts of his steam whistle, and they shall pass on the starboard side of each other.

(11) When two steam vessels are approaching each other and the operator of either steam vessel fails to understand the course or intention of the other, whether from the signals being given, answered erroneously, or from other cause, the operator in doubt shall immediately signify it by giving several short and rapid blasts of the whistle, not less than four, and if the vessels have approached within five hundred yards of each other, both shall be immediately slowed to a speed barely sufficient for steerageway until the proper signals are given, answered and understood, or until the boats have passed each other.

(12) When a steam vessel is running in a fog or thick weather the operator shall give a long blast of the whistle at intervals not exceeding one minute.

(13) Distress signals. When a vessel is in distress and requires assistance from other vessels or from the shore the following signal shall be used or displayed by her, either together or separately.

(a) In the daytime — A continuous sounding with any fog-signal apparatus, or firing a gun.

(b) At night — Flames on the vessel as from a burning tar barrel or oil barrel, a continuous sounding with any fog-signal apparatus, or firing a gun.

(14) In construing these provisions, due regard must be had to all the dangers of navigation, and to any special circumstances that may exist, rendering a departure from these provisions necessary to avoid immediate danger.

(15) Every steam vessel that is under sail and not under steam is to be considered a sailing vessel, and every vessel propelled by machinery, whether under sail or not, is to be considered a steam vessel.

(16) All steam vessels shall conform to and obey other rules and regulations prescribed by the United States Coast Guard that are not inconsistent with these rules.

(17) Lights. Every steam vessel, when navigating between sunset and sunrise, shall carry the following lights:

(a) At the foremast head, a bright white light that is visible, on a dark night with a clear atmosphere, for at least two miles; that shows a uniform and unbroken light over an arc of the horizon of twenty points

of the compass; and that throws the light ten points on each side of the vessel from right ahead to two points abaft the beam on either side.

(b) On the starboard side a green light that is visible, on a dark night with a clear atmosphere, for at least two miles; that shows a uniform and unbroken light over an arc of the horizon of ten points of the compass; and that throws the light from right ahead to two points abaft the beam on the starboard side.

(c) On the port side a red light that is visible, on a dark night with a clear atmosphere, for at least two miles; that shows a uniform and unbroken light over an arc of the horizon of ten points of the compass; and that throws the light from right ahead to two points abaft the beam on the port side. The green and red lights shall be fitted with in-board screens, projecting at least three feet forward from the lights, to prevent them from being seen across the bow.

(d) A vessel when underway, if not otherwise required by these rules to carry one or more lights visible from aft, shall carry at her stern a white light that shows an unbroken light over an arc of the horizon of twelve points of the compass; that shows the light six points from right aft on each side of the vessel; and that is visible for at least two miles. The light shall be carried as nearly as practicable on the same level as the side lights.

NEW SECTION

WAC 296-115-100 VIOLATIONS AND SETTING OF PENALTIES. (1) Violations of the mandatory provisions of this chapter shall be subject to penalty. The amount of the penalty will be assessed in accordance with the guidelines and fixed schedules contained herein.

(2) Fixed schedule penalties.

(a) Failure to display certificate of inspection as required: fifty dollars to owner of the vessel.

(b) Operation of vessel in passenger service without a valid certificate of inspection: to owner of vessel, two hundred dollars per violation; to person who operates vessel, one hundred dollars per violation.

(c) Operation of vessel in passenger service while not in possession of valid USCG operator's license: one hundred dollars per violation to owner of vessel.

NEW SECTION

WAC 296-115-120 FEE SCHEDULE.

ANNUAL CERTIFICATE OF INSPECTION FEE

Passenger Vessels Up to 30 Ft. Long	\$ 55.00
Passenger Vessels 30 Ft. Long to 50 Ft. Long	\$ 67.50
Passenger Vessels 50 Ft. Long and Over	\$ 87.50

Additional inspection service when required will be at the rate of \$25.00 per hour, plus travel and per diem.

AMENDATORY SECTION (Amending Order 76-29, filed 9/30/76)

WAC 296-155-005 PURPOSE AND SCOPE. (1) The standards included in this chapter apply throughout the state of Washington, to any and all work places subject to the Washington Industrial Safety and Health Act (chapter 49.17 RCW), where construction, alteration, demolition, and/or maintenance and repair work, including painting and decorating, is performed. ~~((These standards shall not apply to maintenance or repair work performed by a person, persons or agency to a building, structure, machine, roadway, etc. owned or otherwise belonging to that person, persons or agency.))~~ These standards are minimum safety requirements with which all ~~((construction))~~ industries must comply when engaged in the above listed types of work.

(2) When a provision of this chapter conflicts with a provision of any chapter of ~~((specific application (otherwise known as a vertical standard or chapter), the provision of the chapter of specific application))~~ another vertical safety standard applying to the employers' specific type of work place, the provision of the vertical safety standard of specific application shall prevail. If a provision of this chapter conflicts with a provision of the General Safety and Health Standard (chapter 296-24 WAC) or the General Occupational Health Standard (chapter 296-62 WAC), the provision of this chapter shall prevail.

AMENDATORY SECTION (Amending Order 75-14, filed 4/14/75)

WAC 296-350-010 DEFINITIONS. (1) The definitions and interpretations of RCW 49.17.020 shall apply to the provisions of this chapter unless the context of the provision clearly requires otherwise.

(2) "Presiding officer" means that person designated by the Director as being responsible for the conducting of the informal conference provided for in RCW 49.17.140(3) and WAC 296-350-070.

(3) "Act" means the Washington Industrial Safety and Health Act (chapter 80, Laws of 1973; chapter 49.17 RCW) as now or hereafter amended.

(4) ("~~Supervisor~~") "Assistant Director" shall mean the (~~(Supervisor)~~) Assistant Director of Industrial Safety and Health of the Department, or his designated representative.

(5) "Citation" shall mean that CITATION issued to an employer in accordance with the provisions of RCW 49.17.120, otherwise known as a CITATION AND NOTICE. (Form No. WISHERS-110.)

(6) "Abatement Date" shall mean the date identified as such on the CITATION. The "abatement date" is the date by which the condition identified in the CITATION must be brought into compliance with the cited safety and health standard.

(7) "Division" shall mean the Division of Industrial Safety and Health of the Department.

AMENDATORY SECTION (Amending Order 75-14, filed 4/14/75)

WAC 296-350-030 NOTICE OF APPEAL—FILING AND SERVICE. Any party authorized to appeal from an action of the Department as set forth in RCW 49.17.140(3), may do so by filing a Notice of Appeal in writing in the recommended manner and containing the recommended subject matter as hereinafter set forth with fifteen working days of the communication of the notice, by serving a copy of such Notice of Appeal either in person or by mail upon the (~~(Supervisor)~~) Assistant Director of the Division of Industrial Safety and Health, 308 E. 4th Avenue, Olympia, Washington 98504.

AMENDATORY SECTION (Amending Order 75-14, filed 4/14/75)

WAC 296-350-255 ORDER GRANTING A PERMANENT VARIANCE—APPLICATION. (1) Application for a permanent variance. Any employer, or class of employers, desiring a variance authorized by Section 9 of the Act (RCW 49.17.090) may file a written application containing the information specified in this section with the (~~(Supervisor)~~) Assistant Director of Industrial Safety and Health, P.O. Box 207, Olympia, Washington, 98504.

(2) Contents. An application filed pursuant to subsection (1) of this section shall include:

- (a) The name(s) and address(es) of the applicant or applicants;
- (b) The address(es) of the place or places of employment involved;
- (c) A specification of the standard or portion thereof from which the applicant(s) seek(s) a variance; to include a reference to the appropriate code section or sections;
- (d) A description of the conditions, practices, means, methods, operations, or processes used or proposed to be used by the applicant or applicants;
- (e) A statement showing how the conditions, practices, means, methods, operations, or processes used or proposed to be used would provide employment and places of employment to employees which are as safe and healthful as those required by the standard from which a variance is sought;
- (f) A certification that the applicant(s) has (have) informed his/her (their) employees of the application by:
 - (i) Giving a copy thereof to their authorized representative;
 - (ii) Posting a statement giving a summary of the application and specifying where a copy may be examined, at the place or places where notices to employees are normally posted (or in lieu of such summary, the posting of the application itself); and
 - (iii) By other appropriate means.
- (g) Any request for a hearing, as provided in WAC 296-350-280; and
- (h) A description of how employees have been informed of the application and of their right to petition the Director for a hearing.

AMENDATORY SECTION (Amending Order 75-14, filed 4/14/75)

WAC 296-350-280 HEARINGS ON APPLICATIONS FOR VARIANCES—TEMPORARY AND PERMANENT. (1) Any affected employee or employees, or an authorized representative of affected employees may request of the (~~(Supervisor)~~) Assistant Director of Industrial Safety and Health that a hearing be held on the application for a temporary or permanent variance.

(2) The employer applicant(s) or his/her (their) representative may request of the (~~(Supervisor)~~) Assistant Director of Industrial Safety

and Health that a hearing be held on the application for a temporary or permanent variance.

(3) Requests for hearings authorized by section 8 and 9 of the Act (RCW 49.17.080 and RCW 49.17.090) and subsections (1) and (2) of this section shall be in writing, signed by the applicant(s), and must be received by the (~~(Supervisor)~~) Assistant Director of Industrial Safety and Health within twenty-one (~~((21))~~) calendar days of the date of the application for a variance.

(4) After receipt of a request for a hearing filed pursuant to these rules, the Department, not later than ten (~~((10))~~) working days from the date of the receipt of such request, shall issue a notice of hearing advising that the opportunity will be afforded to all interested parties as prescribed in this section to participate in a hearing on the application for a variance. The notice of hearing shall fix the time for such hearing, such that the affected parties can reasonably be expected to receive the NOTICE OF HEARING not less than twenty (~~((20))~~) days in advance of the date set for the hearing, and shall indicate the time, date and place at which such hearing is to be conducted. Such notice of hearing shall be immediately communicated to affected employees by giving a copy thereof to their authorized representative and posting a copy thereof with the application for a variance or a summary of said application as prescribed in WAC 296-350-250(2)(i) or WAC 296-350-250(2)(f). In addition to the forwarding of the notice of hearing, the Department may give telephonic or telegraphic notice of the time, date and place for any such hearing.

(5) The Director shall designate personnel of the staff of the Division of Industrial Safety and Health to act as presiding officers at hearings on applications for variances.

(6) The duties of the presiding officer include but are not limited to the following:

(a) A presiding officer shall be present and preside over the proceedings at all hearings conducted. He/She may be accompanied by an assistant attorney general who shall be able to render legal advice to the presiding officer. The assistant attorney general may, at the presiding officer's request, preside over the proceedings.

(b) Prior to the commencement of the hearing, the presiding officer may confer with the parties attending the hearing concerning the material to be presented for the record in order to determine an orderly method of procedure. The designated presiding officer may admit and give effect to evidence which possesses probative value commonly accepted by reasonably prudent (~~((men))~~) people in the conduct of their affairs. Effect shall be given to the rules of privilege recognized by law. The presiding officer may exclude incompetent, irrelevant, immaterial and unduly repetitious evidence. Documentary evidence may be received in the form of copies of exhibits or by incorporation in the record by reference. Every party shall have the right to ask questions of other parties present. The designated presiding officer may take notice of judicially cognizable facts, and in addition may take notice of general, technical or scientific facts within the specialized knowledge of the Department's officers relating to industrial safety and health.

(c) All proceedings relating to a hearing under this section shall be recorded mechanically or otherwise. Copies of transcripts of such recordings will be made available to any party at cost upon request of the party.

AMENDATORY SECTION (Amending Order 76-29, filed 9/30/76)

WAC 296-350-35010 APPLICATION FOR EXTENSION OF ABATEMENT DATE(S). Applications for extensions of abatement dates shall be submitted in writing by the employer, or his representative, whose workplace is the subject of the CITATION containing the abatement date for which the extension(s) is (are) sought. Subject to the provisions of WAC 296-350-35015, applications received by telephone or personal nonwritten communication may be acted upon by the (~~(Supervisor)~~) Assistant Director.

AMENDATORY SECTION (Amending Order 75-14, filed 4/14/75)

WAC 296-350-35030 EXTENSION OF ABATEMENT DATE(S)—PROVISIONAL DETERMINATION. Upon receipt of the application the (~~(Supervisor)~~) Assistant Director shall make a provisional determination to extend the subject abatement date(s) or to deny the application. The (~~(Supervisor)~~) Assistant Director may conduct whatever investigation he/she deems proper prior to making the determination. The determination shall be in effect unless a hearing is requested in accordance with the provisions of these rules.

AMENDATORY SECTION (Amending Order 75-14, filed 4/14/75)

WAC 296-350-35035 EXTENSION OF ABATEMENT DATE(S)—NOTICE OF APPLICATION—NOTICE OF OPPORTUNITY FOR HEARING—NOTICE OF PROVISIONAL DETERMINATION. (1) Following the making of the provisional determination according to WAC 296-350-35030 but no later than five (~~((5))~~) working days after the receipt of the application the ((Supervisor)) Assistant Director shall issue the following notices:

- (a) A notice of receipt of the application, which shall include reference to the subject abatement dates;
 - (b) A notice of opportunity for a hearing on the application;
 - (c) A notice of provisional determination on the application.
- (2) The ((Supervisor)) Assistant Director may combine the notices required by the section on one document.
- (3) The notices required by this section shall be signed by the ((Supervisor)) Assistant Director, shall include the date of issuance by the ((Supervisor)) Assistant Director and shall include the address to which requests for a hearing, if any, shall be sent.

AMENDATORY SECTION (Amending Order 75-14, filed 4/14/75)

WAC 296-350-35045 EXTENSION OF ABATEMENT DATE(S)—APPLICATION FOR HEARING. (1) A hearing on the application for extension of abatement(s) may be applied for by the employer, an affected employee or employees of the employer or an authorized representative of such affected employees.

(2) Applications for hearings on application for extension of abatement date(s) shall be made to the ((Supervisor)) Assistant Director at the address identified on the notice(s) issued pursuant to WAC 296-350-35035.

(3) Applications for hearings shall be served on the ((Supervisor)) Assistant Director, according to the provisions of WAC 296-350-35020, at the address identified in the applicable notice not later than ten (~~((10))~~) calendar days following the issuance of the notice.

AMENDATORY SECTION (Amending Order 75-14, filed 4/14/75)

WAC 296-350-35050 EXTENSION OF ABATEMENT DATE(S)—NOTICE OF HEARING. (1) Upon receipt of a request for a hearing filed in accordance with WAC 296-350-35045 the ((Supervisor)) Assistant Director shall issue a notice of hearing to the applicant and the employer stating that the opportunity will be afforded to all interested parties to participate in a hearing on the application for an extension of abatement date(s).

(2) The NOTICE OF HEARING shall fix the time and date for such hearing such that the parties can reasonably be expected to receive the NOTICE OF HEARING not less than twenty (~~((20))~~) days in advance of the date set for the hearing.

(3) The NOTICE OF HEARING shall state the time, place, and nature of the proceeding; the legal authority and jurisdiction under which the hearing is to be held; a reference to the particular sections of the statute and the rules involved; and a short and plain statement of the matters asserted.

(4) The NOTICE OF HEARING, or a complete copy thereof, shall be posted by the employer with the CITATION containing the abatement date(s) for which an extension is sought and the notice(s) issued in accordance with WAC 296-350-35035, and shall remain posted until the date and time set for the hearing.

AMENDATORY SECTION (Amending Order 75-14, filed 4/14/75)

WAC 296-350-35055 EXTENSION OF ABATEMENT DATE(S)—HEARINGS. (1) The ((Supervisor)) Assistant Director shall designate personnel of the staff of the Division of Industrial Safety and Health to act as hearing officers at hearings on applications for extension of abatement date(s).

(2) A hearing officer shall be present and preside over the proceedings at all hearings conducted. The hearing officer may be accompanied by an assistant attorney general who shall be able to render legal advice to the hearing officer. The assistant attorney general may, at the hearing officer's request, preside over the proceedings.

(3) Prior to the commencement of the hearing, the hearing officer may confer with the parties attending the hearing concerning the material to be presented for the record in order to determine an orderly method of procedure.

(4) The provisions of chapter 34.04 RCW and chapter 296-08 WAC relating to practice and procedure in contested cases, as now or

hereafter amended, are applicable to hearings conducted pursuant to the provisions of this section.

(5) All proceedings relating to a hearing under this section shall be recorded mechanically or otherwise. Copies of transcripts of such recordings will be made available to any parties involved, upon request therefore and payment of the reasonable costs thereof.

AMENDATORY SECTION (Amending Order 75-14, filed 4/14/75)

WAC 296-350-35060 EXTENSION OF ABATEMENT DATE(S)—DECISION AND ORDER. (1) Following the conclusion of a hearing conducted pursuant to the provisions of this section, the ((Supervisor)) Assistant Director shall issue an order affirming or modifying the abatement date(s) which is the subject of the application for extension of abatement date(s). Such order shall be in conformance with the provisions of chapter 34.04 RCW and chapter 296-08 WAC relating to practice and procedure in contested cases, as now or hereafter amended.

(2) A complete and unedited copy of the order issued pursuant to subsection (6) of this section shall be posted, immediately upon receipt, with the CITATION or CITATIONS which include the abatement date(s) to which the order applies.

AMENDATORY SECTION (Amending Order 75-41, filed 12/19/75)

WAC 296-350-460 COMPLAINTS—INSPECTION NOT WARRANTED—INFORMAL REVIEW. (1) If it is determined that an inspection is not warranted because there are no reasonable grounds to believe that a violation or danger exists with respect to a complaint received pursuant to WAC 296-350-450, the complaining party shall be notified in writing of such determination. The complaining party may obtain informal review of such determination by submitting a written statement of position with the ((Supervisor)) Assistant Director of Industrial Safety and Health requesting such review. Upon the request of the complaining party, the ((Supervisor)) Assistant Director of Industrial Safety and Health or his/her designee, at his/her discretion, may hold an informal conference in which the complaining party may present his/her views orally or in writing. After considering all written and oral views presented, the ((Supervisor)) Assistant Director of Industrial Safety and Health or his/her designee shall affirm, modify, or reverse the original determination and furnish the complaining party with written notification of his/her decision and the reasons therefor.

(2) If the ((Supervisor)) Assistant Director of Industrial Safety and Health or his/her designee, determines that an inspection is not warranted because the requirements of WAC 296-350-460(1) have not been met, he/she shall notify the complaining party in writing of such determination. Such determination shall be without prejudice to the filing of a new complaint meeting the requirements of WAC 296-350-460(1).

AMENDATORY SECTION (Amending Order 75-14, filed 4/14/75)

WAC 296-350-470 CITATION NOT ISSUED FOLLOWING COMPLAINT. (1) If a citation or notice of de minimis violations is issued for a violation alleged in a request for inspection under WAC 296-350-450(3), a copy of the citation or notice of de minimis violations shall also be sent to the employee or representative of employees who gave such notification.

(2) After an inspection, if it is determined that a citation is not warranted with respect to a danger or violation alleged to exist in a request for inspection under WAC 296-350-360(1), or a notification of violation under WAC 296-350-450(3), the informal review procedures prescribed in WAC 296-350-460(1) shall be applicable. After considering all views presented, the ((Supervisor)) Assistant Director of Industrial Safety and Health, or his/her designee, shall affirm the determination, order a re-inspection, or issue a citation if he/she believes that the inspection disclosed a violation.

(3) The ((Supervisor)) Assistant Director of Industrial Safety and Health or his/her designee shall furnish the complaining party and the employer with written notification of his/her determination and the reasons therefor.

AMENDATORY SECTION (Amending Order 75-14, filed 4/14/75)

WAC 296-350-500 CITATION AND NOTICE—COPY TO EMPLOYEE REPRESENTATIVE. (1) RCW 49.17.120 provides in pertinent part

"The Director shall provide by rule for procedures to be followed by an employee representative upon written application to receive copies of CITATIONS AND NOTICES issued to any employer having employees who are represented by such employee representative. Such rule may prescribe the forms of such application, the time for renewal of applications, and the eligibility of the applicant to receive copies of CITATIONS AND NOTICES".

- (2) "Employee representative" means:
 - (a) Any officer of the recognized bargaining agent of employees, acting on behalf of the employees of the employer.
 - (b) Any employee representative of an employer-employee safety committee within an establishment or the firm of the employer.
 - (c) Any employee of an employer who has been selected by the employees of that employer to act as their representative for the purposes indicated in subsection (1) of this section. Such selection shall be evidenced by a letter or other written communication to the Division of Industrial Safety and Health stating the name of the employee so selected and signed by not less than one-half of the employees of the employer so represented.

(3) An employee representative may receive copies of CITATIONS AND NOTICES issued to any employer having employees who are represented by such employee representative upon the filing of a complete application Form ((WISHERS #300)) LI-418-23, a facsimile of which constitutes Appendix A of this section, with the Division of Industrial Safety and Health, Department of Labor and Industries, Olympia, Washington 98504.

(4) In the event that the Director or his/her authorized representative finds that application for copies of the CITATION AND NOTICE have been received by more than one employee representative of the same employees of the employer, the Director or his/her authorized representative may elect which of the applicants to which the copies of the CITATION AND NOTICE shall be sent.

(5) The Director or his/her authorized representative may deny an application for copies of CITATIONS AND NOTICES upon finding that the applicant is not an employee representative as defined in subsection (2) of this section or upon finding that more than one employee representative of the same employees has applied for copies of CITATIONS AND NOTICES.

(6) An application for copies of CITATIONS AND NOTICES may be granted for a period not exceeding one year and may be renewed upon re-application for another one year period. The Director or his/her authorized representative may, at the request of the applicant, waive the one year limitation.

(7) Upon the granting of the application for copies of CITATIONS AND NOTICES, the applicant shall be informed of the granting and of the date on which that grant shall expire.

AMENDATORY SECTION (Amending Order 75-14, filed 4/14/75)

WAC 296-350-990 APPENDIX A—FORM ((300)) LI 418-23—APPLICATION FOR COPIES OF CITATIONS AND NOTICES.

APPENDIX A

APPLICATION FOR COPIES OF CITATIONS and NOTICES ISSUED PURSUANT TO THE WASHINGTON INDUSTRIAL SAFETY AND HEALTH ACT

DIVISION OF INDUSTRIAL SAFETY AND HEALTH
P.O. BOX 207, Olympia, Wa 98504
DEPARTMENT OF LABOR AND INDUSTRIES

- 1) Name and address of employer having employees who are represented by the applicant:

- 2) Name and address of applicant to which copies of CITATIONS and NOTICES should be sent:

- 3) Applicant is an employee representative by virtue of (see WAC ((296-27-400(2))) 296-350-500 reproduced below)

(check the appropriate category):
(3)(a) (3)(b) (3)(c)

- 4) How long does applicant desire to receive copies of CITATIONS and NOTICES? (Unless a longer time is requested, application will be granted for not longer than one year.)

.....
For Departmental use only

Application received
 Application granted by
 Date application granted
 Applicant notified
 Expiration date
 Comment

.....
CERTIFICATION: I hereby certify under penalty of perjury that the above entries are true to the best of my knowledge.

(Signed)
 Position
 Date

(1) If employee representative is such by virtue of WAC ((296-27-400(2)(c))) 296-350-500, evidence of that capacity, such as a letter indicating the number of employees and signed by at least one-half of them, as specified in WAC 296-27-400(2)(c), must accompany this application.

(2) The director or his authorized representative may deny this application if he finds that more than one employee representative has applied or if the applicant does not qualify as an employee representative.

(3) WAC ((296-27-400(2))) 296-350-500 "Employee representative" means:

(a) Any officer of the recognized bargaining agent of employees, acting on behalf of the employees of the employer.

(b) Any employee representative of an employer-employee safety committee within an establishment or the firm of the employer.

(c) Any employee of an employer who has been selected by the employees of that employer to act as their representative for the purposes indicated in subsection (1) of this section. Such selection shall be evidenced by a letter or other written communication to the Division of Industrial Safety and Health stating the name of the employee so selected and signed by not less than one-half of the employees of the employer.

Chapter 296-360 WAC
DISCRIMINATION, PURSUANT TO RCW 49.17.160

NEW SECTION

WAC 296-360-005 DEFINITIONS. For the purposes of this chapter.

- (1) "Assistant director" - the assistant director for the division of industrial safety and health.
- (2) "Division" - the division of industrial safety and health of the department of labor and industries.

NEW SECTION

WAC 296-360-010 INTRODUCTION. (1) Chapter 49.17 RCW, the Washington Industrial Safety and Health Act (WISHA), is designed to regulate employment conditions affecting industrial safety and health and to achieve safer and healthier work places throughout the state. WISHA requires every person who has employees to furnish each of his or her employees employment and a place of employment free from recognized hazards that are causing or likely to cause death or serious physical harm, and to comply with industrial safety and health standards promulgated under WISHA.

(2) Employees and representatives of employees are afforded a wide range of substantive and procedural rights under WISHA. Effective implementation of WISHA and achievement of its goals depend in large part upon the active but orderly participation of employees, individually and through their representatives.

(3) This chapter deals essentially with the rights of employees afforded under RCW 49.17.160. RCW 49.17.160 prohibits reprisals, in any form, against employees who exercise rights under WISHA. The purpose of this chapter is to make available in one place interpretations of the various provisions of section 16 of WISHA that will guide the assistant director in the performance of his or her duties thereunder.

NEW SECTION

WAC 296-360-020 GENERAL REQUIREMENTS OF RCW 49.17.160 OF WISHA. RCW 49.17.160 provides that no person shall discharge or in any manner discriminate against any employee because the employee has filed any complaint under or related to WISHA, instituted or caused to be instituted any proceeding under or related to WISHA, or exercised on his or her own behalf or on behalf of others any right afforded by WISHA. Any employee who believes that he has been discriminated against in violation of section 16 of WISHA may, within thirty days after the violation occurs, file a complaint with the assistant director alleging the violation. The division shall investigate the complaint, and, if the assistant director determines that section 16 of WISHA has been violated, the division may bring a civil action against the violator in superior court. The suit may ask the court to restrain violations of RCW 49.17.160 and to grant other appropriate relief, including rehiring or reinstating the employee to his or her former position with back pay.

NEW SECTION

WAC 296-360-030 FILING A COMPLAINT OF DISCRIMINATION. (1) Who may file. A complaint of RCW 49.17.160 discrimination may be filed by the employee him- or herself, or by a representative authorized to do so on his or her behalf.

(2) Nature of filing. No particular form of complaint is required, but the complaint must be in writing.

(3) Place of filing. The complaint should be filed with the division.

(4) Time for filing. RCW 49.17.160(3) provides that an employee who believes that he or she has been discriminated against in violation of RCW 49.17.160 "may, within thirty days after such violation occurs" file a complaint with the assistant director. A major purpose of the thirty-day period is to allow the assistant director to decline to entertain complaints that have become stale. Accordingly, the division will presume that complaints not filed within thirty days of an alleged violation are untimely. There may be circumstances, however, that justify tolling the thirty-day period on recognized equitable principles or because strongly extenuating circumstances exist, e.g., where the employer has concealed, or misled the employee regarding, the grounds for discharge or other adverse action. In the absence of circumstances justifying a tolling of the thirty-day period, the division shall not accept untimely complaints.

NEW SECTION

WAC 296-360-040 NOTIFICATION OF ASSISTANT DIRECTOR'S DETERMINATION. RCW 49.17.160(3) provides that the assistant director is to notify a complainant within ninety days of the complaint of his determination whether prohibited discrimination has occurred. This ninety-day provision is directory, not mandatory. Although every effort will be made to notify complainants of the assistant director's determination within ninety days, there may be instances when it is not possible to do so.

NEW SECTION

WAC 296-360-050 WITHDRAWAL OF COMPLAINT. Enforcing the provisions of RCW 49.17.160 is not only a matter of protecting rights of individual employees, but also of protecting the public interest. Attempts by an employee to withdraw a filed complaint will not necessarily result in termination of the division's investigation. The division's jurisdiction cannot be foreclosed as a matter of law by unilateral action of the employee. However, a voluntary and uncoerced request from a complainant to withdraw his complaint shall generally be accepted.

NEW SECTION

WAC 296-360-060 ARBITRATION OR OTHER AGENCY PROCEEDINGS. (1) General.

(a) An employee who files a complaint under RCW 49.17.160 may pursue remedies under grievance arbitration proceedings in collective bargaining agreements, and may also resort to other agencies, such as the National Labor Relations Board, for relief. The division's jurisdiction to entertain RCW 49.17.160 complaints, to investigate, and to determine whether discrimination has occurred, is independent of the jurisdiction of other agencies or bodies. The division may file an action in superior court regardless of the pendency of other proceedings.

(b) Where it is possible, however, the division favors voluntary resolution of disputes under procedures in collective bargaining agreements. Also, the division should defer to the jurisdiction of other forums established to resolve disputes that may also be related to RCW 49.17.160 complaints. Thus, where a complainant is pursuing remedies other than those provided by RCW 49.17.160 it may be proper to postpone the assistant director's determination whether discrimination has occurred, and defer to the results of such proceedings.

(2) Postponement of determination. Postponement of determination is justified where the rights asserted in other proceedings are substantially the same as rights under RCW 49.17.160 and those proceedings are not likely to violate the rights guaranteed by RCW 49.17.160. The factual issues in the such proceedings must be substantially the same as those raised by the RCW 49.17.160 complaint, and the forum hearing the matter must have the power to determine the ultimate issue of discrimination. See *Rios v. Reynolds Metals Co.*, F.2d (5th Cir., 1972), 41 U.S.L.W. 1049 (Oct. 10, 1972); *Newman v. Avco Corp.*, 451 F.2d 743 (6th Cir., 1971).

(3) Deferral to outcome of other proceedings. Determinations to defer to the outcome of another proceeding begun by a complainant must be made after careful scrutiny. It must be clear that the proceeding dealt adequately with all factual issues, that it was fair, regular, and free of procedural infirmities, and that its outcome did not violate the purpose and policy of WISHA. If another action begun by a complainant is dismissed without an adjudicatory hearing on the merits, the division will not necessarily regard the dismissal as determinative of the merits of the RCW 49.17.160 complaint.

NEW SECTION

WAC 296-360-070 PERSONS PROHIBITED FROM DISCRIMINATING. RCW 49.17.160 specifically states that "no person shall discharge or in any manner discriminate against any employee" because the employee has exercised rights under WISHA. RCW 49.17.020(5), defines "person" as "one or more individuals, partnerships, associations, corporations, business trusts, legal representatives, or any organized group of persons." Consequently, the prohibitions of RCW 49.17.160 are not limited to actions taken by employers against their own employees. A person may be charged with discriminating against an employee of another person. RCW 49.17.160 extends to such entities as organizations representing employees in collective bargaining, employment agencies, or any other person in a position to discriminate against an employee. See *Meek v. United States*, 136 F.2d 679 (6th Cir., 1943); *Bowe v. Judson C. Burns*, 137 F.2d 37 (3rd Cir., 1943).

NEW SECTION

WAC 296-360-080 PERSONS PROTECTION BY RCW 49.17.160. (1) All employees are afforded the full protection of RCW 49.17.160. WISHA defines an employee as "an employee of an employer who is employed in a business of his employer which affects commerce." RCW 49.17.020(4). WISHA does not define "employ"; however, the broad remedial nature of WISHA demonstrates a clear intent that the existence of an employment relationship, for purposes of RCW 49.17.160, is to be based upon economic realities rather than upon common law doctrines and concepts. See *U.S. v. Silk*, 331 U.S. 704 (1947); *Rutherford Food Corporation v. McComb*, 331 U.S. 722 (1947).

(2) For purposes of RCW 49.17.160, an applicant for employment could be considered an employee. See *NLRB v. Lamar Creamery*, 246 F.2d 8 (5th Cir., 1957).

NEW SECTION

WAC 296-360-090 UNPROTECTED ACTIVITIES DISTINGUISHED. (1) An employer or others may base actions that adversely affect an employee upon nondiscriminatory grounds. An employee's engagement in activities protected by WISHA does not automatically render him immune from discharge or discipline for legitimate reasons, or from adverse action dictated by nonprohibited considerations. See *NLRB v. Dixie Motor Coach Corp.* 128 F.2d 201 (5th Cir., 1942).

(2) To establish a violation of RCW 49.17.160, the employee's engagement in protected activity need not be the sole consideration behind discharge or other adverse action. If protected activity was a substantial reason for the action, or if the discharge or other adverse action would not have taken place "but for" the employee's engagement in protected activity, RCW 49.17.160 has been violated.

NEW SECTION

WAC 296-360-100 DISCRIMINATION BECAUSE OF A COMPLAINT UNDER OR RELATED TO WISHA. RCW 49.17.160 prohibits discharge of, or discrimination against, an employee because the employee has filed "any complaint under or related to this act."

(1) An example of a complaint made "under" WISHA would be an employee request for inspection pursuant to section 11 (RCW 49.17.110). This is not the only type of complaint protected by RCW 49.17.160, however. The range of complaints "related to" WISHA is commensurate with the broad remedial purposes of this legislation and the sweeping scope of its application.

(2) Complaints registered with other state or federal agencies that have the authority to regulate or investigate industrial safety and health conditions are complaints "related to" WISHA.

(3) The protection offered employees by WISHA would be seriously undermined if employees were discouraged from lodging complaints about industrial safety and health matters with their employers. Complaints to employers, if made in good faith, are related to WISHA, and an employee is protected against discharge or discrimination caused by a complaint to the employer.

(4) To come within the protection of RCW 49.17.160, a complaint must relate to conditions at the work place, as distinguished from complaints touching only upon general public safety and health.

NEW SECTION

WAC 296-360-110 DISCRIMINATION BECAUSE OF A PROCEEDING UNDER OR RELATED TO THE ACT. (1) RCW 49.17.160 prohibits discharge of, or discrimination against, any employee because the employee has "instituted or caused to be instituted any proceeding under or related to WISHA." Proceedings that can arise specifically under WISHA include inspections of worksites under RCW 49.17.070, employee contest of an abatement date under RCW 49.17.140, employee initiation of proceedings for promulgation of an industrial safety and health standard, employee application for modification or revocation of a variance under RCW 49.17.080, employee judicial challenge of a standard, and employee appeal of Board of Industrial Insurance Appeals order under RCW 49.17.140. In determining whether a "proceeding" is "related to" WISHA, the considerations discussed in WAC 296-360-100 are also applicable.

(2) An employee need not directly institute a proceeding. It is sufficient if he or she sets into motion acts of others that result in proceedings under or related to WISHA.

NEW SECTION

WAC 296-360-120 DISCRIMINATION BECAUSE OF TESTIMONY. RCW 49.17.160 prohibits discharge of, or discrimination against, any employee because the employee "has testified or is about to testify" in proceedings under or related to WISHA. This protection is not limited to testimony in proceedings instituted or caused to be instituted by the employee, but extends to any statements given in the course of judicial, quasijudicial, and administrative proceedings, including inspections, investigations, administrative adjudications, and rules hearings.

NEW SECTION

WAC 296-360-130 DISCRIMINATION BECAUSE OF EXERCISE OF ANY RIGHT AFFORDED BY WISHA—IN GENERAL. In addition to protecting employees who file complaints,

institute proceedings, or testify in proceedings under or related to WISHA, RCW 49.17.160 also protects employees from discrimination occurring because of the exercise "of any right afforded by this chapter." Certain rights are explicitly stated in WISHA. Other rights exist by necessary implication. For example, employees may request information from the occupational safety and health administration or the department of labor and industries. Also, employees interviewed by agents of the division in the course of inspections or investigations cannot subsequently be discriminated against because of their cooperation.

NEW SECTION

WAC 296-360-140 DISCRIMINATION BECAUSE OF EXERCISE OF RIGHT AFFORDED BY WISHA—WALKAROUND PAY. Employee participation in walkaround inspections under RCW 49.17.100 is essential. Employees are a vital source of information to the safety division about work place hazards. Employees must be able freely to exercise their statutory right to participate in walkarounds without fear of economic loss, such as the denial of pay for the time spent helping WISHA inspectors during the walkaround. To ensure the unimpeded flow of information to the inspectors, and the unfettered statutory right of employees to participate in walkaround inspections, an employer's failure to pay employees for time they spend in walkaround inspections is discrimination under RCW 49.17.160. In addition, an employer's failure to pay employees for time spent in other inspection-related activities, such as answering questions of inspectors or participating in the opening and closing conferences, is discrimination under RCW 49.17.160.

NEW SECTION

WAC 296-360-150 DISCRIMINATION BECAUSE OF EXERCISE OF RIGHT AFFORDED BY WISHA—REFUSAL TO WORK IN AN UNSAFE CONDITION. (1) Review of WISHA and examination of the legislative history discloses that, as a general matter, WISHA grants no specific right to employees to walk off the job because of potential unsafe conditions at the work place. A hazardous condition that may violate WISHA will ordinarily be corrected by the employer, once brought to its attention. If the employer does not correct a hazard, or if there is a dispute about the existence of a hazard, the employee normally can ask the division to inspect the work place pursuant to RCW 49.17.110, or can seek help from other public agencies that have responsibility for safety and health. Under such circumstances, an employer would not violate RCW 49.17.160 by disciplining an employee who refuses to work because of an alleged safety or health hazard.

(2) Occasions arise, however, when an employee is confronted with a choice between not performing assigned tasks or subjecting him- or herself to serious injury or death arising from a hazard at the work place. If the employee, with no reasonable alternative, refuses in good faith to expose him- or herself to the dangerous condition, he or she is protected against subsequent discrimination.

(3) The most common situation in which an employee may refuse to work is when a hazard arises without warning. For example, a high wind may endanger persons working on a skyscraper. In such situations, the employee is protected if he or she meets the following requirements:

(a) The refusal to work must be in good faith, and must not be a disguised attempt to harass the employer or disrupt the employer's business;

(b) The hazard causing the employee's apprehension of death or injury must be such that a reasonable person, under the circumstances then confronting the employee, would conclude that there is a real danger of death or serious injury; and

(c) There must be insufficient time, due to the urgency of the situation, to eliminate the danger through resort to regular statutory enforcement channels.

(4) A situation may also arise in which an employee refuses to work in a hazardous condition that has existed for some time. The refusal to work occurs because the employer consistently refuses to remedy the hazard, and the employee is unable, through resort to normal statutory procedures, to compel the employer to remedy the hazard. In such situations, the employee is protected if he or she meets the following requirements:

(a) The refusal to work must be in good faith and must not be a disguised attempt to harass the employer or disrupt the employer's business;

(b) The hazard causing the employee's apprehension of death or injury must be such that a reasonable person would conclude that there is a real danger of death or serious injury;

(c) The employee must have sought from the employer, and have been unable to obtain, a correction of the hazard; and

(d) The employee must have sought from the division, and have been unable to obtain, a correction of the hazard.

The protection offered by this subsection comes close to being a "strike with pay" provision similar to the provision rejected by the United States Congress when it adopted OSHA. It differs, however, in that the employee has taken all steps possible to remedy the hazard, including requesting an inspection by the division. Under such circumstances, the employee should not be penalized for his or her good faith attempt to remedy a hazard through resort to statutory channels.

(5) As indicated in subsections (3) and (4), an employee's refusal to work is not protected unless it is a good faith response to a hazardous condition. To determine whether an employee has acted in good faith, the division will consider, among other factors, whether the employee:

(a) Asked the employer to correct the hazard;

(b) Asked for other work;

(c) Remained on the job until ordered to leave by the employer; or

(d) Informed the employer that, if the hazard was not corrected, the employee would refuse to work.

The division will also consider whether the employer knew that the hazard could cause serious injury or death, or that the hazard was prescribed by a specific safety standard promulgated under WISHA or any other law that relates to the safety and health of a place of employment.

NEW SECTION

WAC 296-360-160 PAYMENT OF DAMAGES TO EMPLOYEE DISCRIMINATED AGAINST. (1) If an employer discriminates against an employee such that the employee earns less than he or she would have earned absent the discrimination, the employer shall pay the employee the difference between the wages that the employee would have earned absent the discrimination and the wages the employee actually earned after the discrimination.

(2) If an employer discriminates against an employee for a refusal to work that is protected under WAC 296-360-150, the employer need not pay the employee's wages for the time spent fixing the hazard, or that would have been spent fixing the hazard, if the employer (a) had to or would have had to shut down the job to make the repair and (b) had not other work the employee could have done.

NEW SECTION

WAC 296-360-170 EMPLOYEE'S REFUSAL TO COMPLY WITH SAFETY RULES. (1) An employee who refuses to comply with industrial safety and health standards or valid safety rules implemented by the employer in furtherance of WISHA is not exercising a right afforded by WISHA. Discipline taken by employers solely in response to an employee's refusal to comply with appropriate safety rules and regulations is not discrimination prohibited by RCW 49.17.160. This situation should be distinguished from refusals to work discussed in WAC 296-360-150.

(2) An employee who files a safety complaint about a hazard that the employee knows or has reason to know is within his or her power or duty to remedy is not exercising a right afforded by WISHA. Such a complaint is considered harassment of the employer, and the employer may discipline the employee without committing an act prohibited by RCW 49.17.160.

WSR 80-10-046

PROPOSED RULES

COMMISSION FOR THE BLIND

[Filed August 6, 1980]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and 74.16.040, that the Washington State Commission for the Blind intends to adopt, amend, or repeal rules concerning vending facility

program for the blind, to adopt a new section providing for a hearing officer for certain purposes in the conduct of the vending facility program for the blind in the state of Washington, chapter 67-32 WAC;

that such agency will at 10:00 a.m., Saturday, September 13, 1980, in the Commission for the Blind, 3411 South Alaska Street, Seattle, WA 98118, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Saturday, September 13, 1980, in the Commission for the Blind, 3411 South Alaska Street, Seattle, WA 98118.

The authority under which these rules are proposed is chapters 74.16 and 74.17 RCW, Rehab. Act of 1973, P.L. 93-112 as amended, 29 U.S. Code Chapter 16, Randolph Sheppard Act, P.L. 74-732, as amended by P.L. 83-565, and P.L. 93-516, 20 U.S. Code Chapter 6A Section 107, Title 45 CFR Part 1361 Vocational Rehab. Title 45 CFR part 1369 Vending Facility Program for the Blind.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 12, 1980, and/or orally at 10:00 a.m., Saturday, September 13, 1980, Commission for the Blind, 3411 South Alaska Street, Seattle, WA 98118.

Dated: August 4, 1980

By: William E. Gannon
Acting Director

STATEMENT OF PURPOSE

- (a) A proposed new section to chapter 67-32 WAC—Commission for the Blind, Vending Facility Program for the Blind.
- (b) Proposed/New—WAC 67-32-525 Hearing Officer—Certain Purposes. Establishes provisions for a contracted attorney as hearing officer to decide disputes between vendors or licensees under the vending facility program and the Commission for the Blind. Also provides for orientation and training of the hearing officer and the source of payment for such training as well as the source of payment for the hearing officer's services.
- (c) Sue Ammeter, Assistant Director of Administrative Services, is responsible for the drafting of the rules. Lori Engles, Business Enterprises Supervisor, is responsible for implementing the rules. Don C. Crawford, Vocational Rehabilitation Administrator 2, is responsible for enforcement of the rules. All are located at the Commission headquarters at 3411 South Alaska Street, Seattle, Washington 98118, telephone number (206) 721-4422; SCAN 339-4422.
- (d) This proposed rule has been set for hearing and possible adoption at a Commission Board meeting on September 13, 1980. The rule has been discussed and refined at Commission Board meetings on April 12 and

June 21, 1980, as well as at least one meeting of the State Committee of Blind Vendors. There is no known opposition to the proposed new section.

- (e) This proposed rule reflects intensive review, discussion and contributions from Commission staff members; the Commission Board; the State Blind Vendors Committee and other vendors. Ample opportunity for public review and comment has been provided in accordance with RCW 34.08.020 and 34.04.025.

NEW SECTION

WAC 67-32-525 HEARING OFFICER—CERTAIN PURPOSES. For the purposes of administering the provisions of WAC 67-32-490, 67-32-520, and 67-32-070(7) the director with the advice of the commissioners will contract with a hearing officer. The hearing officer will be an attorney licensed to practice in the state of Washington and will receive orientation to the commission programs including, with the assistance from members of the State Committee of Blind Vendors, an orientation to the vending facilities program. The fee for the training of the hearing officer will be paid by vocational rehabilitation funds. When conducting a hearing for a vendor or licensee, the hearing officer may be paid, within funds available, as a management service as set forth in WAC 67-32-150.

WSR 80-10-047
PROPOSED RULES
INSURANCE COMMISSIONER
STATE FIRE MARSHAL
[Filed August 6, 1980]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Insurance Commissioner/State Fire Marshal intends to adopt, amend, or repeal rules concerning standards for fire protection residential treatment facilities for psychiatrically impaired children and youth, chapter 212-42 WAC;

that such agency will at 10:00 a.m., Friday, September 19, 1980, in the State Fire Marshal's Office, 325 Insurance Building, Olympia, Washington 98504, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Tuesday, October 21, 1980, in the State Fire Marshal's Office, 325 Insurance Building, Olympia, Washington 98504.

The authority under which these rules are proposed is RCW 71.12.485.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 19, 1980, and/or orally at 10:00 a.m., Friday, September 19, 1980, State Fire Marshal's Office, 325 Insurance Building, Olympia, Washington 98504.

Dated: August 6, 1980

By: Thomas R. Brace
Director, Division of State Fire Marshal

STATEMENT OF PURPOSE

Residential Treatment Facilities for Psychiatrically Impaired Children and Youth.

Rules of the State Fire Marshal governing fire and life safety in facilities to be licensed by the state of Washington pursuant to RCW 71.12.485.

These standards establish minimum regulations for fire and life safety for the protection of clients occupying residential treatment facilities for psychiatrically impaired children and youth.

This rule is necessary to ensure that a uniform program of inspection and hazard abatement may take place in these facilities to be licensed by the Department of Social and Health Services.

This rule prescribes the requirements for fire and life safety regarding new and existing facilities to ensure that clients are properly forewarned of the presence of fire, that staff is properly trained in emergency procedures to isolate the fire and transfer clients to areas of refuge or evacuate the building.

Implementing this rule will not expand the responsibilities currently embodied in the laws governing the State Fire Marshal's Office. The agency personnel responsible for the drafting, implementing and enforcement of this rule is Mr. Paul Gallagher, Supervisor, Medical Affairs Support Team, Office of State Fire Marshal, Airdustrial Park Building 12, Mail Stop LM-14, Olympia, Washington 98504 - Telephone Number (206) 753-3658.

The Office of State Fire Marshal is proposing this rule.

This rule is not made necessary by either a change in the federal law or state court action.

Chapter 212-42 WAC
**STANDARDS FOR FIRE PROTECTION RESIDENTIAL
TREATMENT FACILITIES FOR PSYCHIATRICALY IM-
PAIRED CHILDREN AND YOUTH**

NEW SECTION

WAC 212-42-001 PURPOSE. The purpose of this regulation is to adopt recognized standards for the protection of life against the cause and spread of fire and fire hazards pursuant to RCW 71.12.485, with respect to all facilities to be licensed as residential treatment facilities for psychiatrically impaired children and youth.

NEW SECTION

WAC 212-42-005 DEFINITIONS. The following definitions shall apply to this regulation:

(1) "Building official" means the person or agency appointed by the governing body of each city, town or county for the administration and enforcement of the Uniform Fire Code, adopted by reference by the State Building Code Act.

(2) "Fire chief" means the chief of the fire department providing fire protection services to the facility.

(3) "Fire official" means the person or agency appointed by the governing body of each city, town or county for the administration and

enforcement of the Uniform Fire Code, adopted by reference by the State Building Code Act.

(4) "Licensing agency" means the Washington state department of social and health services.

(5) "Psychiatric impairment" means severe emotional disturbance corroborated by clear psychiatric diagnosis provided that one or more of the following symptomatic behaviors is exhibited:

(a) Bizarreness, severe self-destructiveness, schizophrenic ideation, chronic school failure, or other signs or symptoms which are the result of gross, ongoing distortions in thought processes;

(b) School phobias, suicide attempts, or other signs or symptoms associated with marked severe or chronic effective disorders as defined in the most recent edition of "American Psychiatric Association Diagnostic and Statistical Manual;"

(c) Chronic sexual maladjustment, history of aggressive unmanageability including violent, chronic, grossly maladaptive behaviors which are associated with (a) or (b) above.

(6) "Residential treatment facility for psychiatrically impaired children and youth" means a residence, place or facility designed and organized to provide twenty-four hour residential care and long-term individualized, active treatment for clients who have been diagnosed or evaluated as psychiatrically impaired.

(7) "State Building Code Act" means chapter 19.27 RCW, effective January 1, 1975, which establishes state-wide building and fire prevention codes and mandates enforcement by each city, town and county.

NEW SECTION

WAC 212-42-010 **APPLICABILITY.** This regulation applies to all facilities licensed or subject to licensure as residential treatment facilities for psychiatrically impaired children and youth by the department of social and health services under chapter 71.12 RCW.

NEW SECTION

WAC 212-42-015 **COMPLIANCE.** All facilities licensed by the department of social and health services as residential treatment facilities for psychiatrically impaired children and youth shall comply with the provisions of this regulation.

NEW SECTION

WAC 212-42-020 **INSPECTION.** The licensing agency, upon receipt of an application for a license or at least thirty days before the expiration date of an existing license, shall submit to the state fire marshal in writing, a request for an inspection. The state fire marshal or his authorized representative shall make an inspection of the facility, and if it is found that the facility does not comply with the standards contained in this regulation, a written report shall be made to the facility listing the violations found, corrective actions necessary and time allowed for correction. As soon as practicable after the expiration date of the time allowed to effect the corrective measures, a reinspection shall be made to determine compliance.

NEW SECTION

WAC 212-42-025 **APPROVAL.** Upon the completion of the inspection, if the facility is in reasonable compliance with applicable standards, a notice of approval for licensing shall be forwarded to the licensing agency.

NEW SECTION

WAC 212-42-030 **RIGHT OF APPEAL.** A facility, aggrieved by the corrective orders of the state fire marshal or his authorized representative may appeal to the state fire marshal within five days of the order. If the state fire marshal confirms the order, it shall remain in force.

NEW SECTION

WAC 212-42-035 **LOCAL CODES.** Approvals are issued or denied on the basis of applicant's compliance with the state fire marshal's minimum fire and life safety standards. The enforcement of local fire and building codes is the responsibility of the respective fire and building officials.

NEW SECTION

WAC 212-42-040 **STANDARDS.** The following standards shall be applicable to all facilities built or licensed after the effective date of this regulation.

NEW SECTION

WAC 212-42-045 **CONSTRUCTION REQUIREMENTS.** New construction or major remodeling shall comply with the Group I, Division 1 requirements of the 1976 Uniform Building Code. This classification is advisory but not binding on local building officials charged with the administration and enforcement of the State Building Code Act.

NEW SECTION

WAC 212-42-050 **MODERNIZATION OR RENOVATION.** No construction in either modernization or renovation projects shall diminish the fire safety features of the facility below the level of new construction, as required elsewhere in this regulation. Alterations or installations of new building services equipment shall be accomplished as near as possible in conformance with the requirements for new construction.

NEW SECTION

WAC 212-42-055 **ADDITIONS.** Any addition shall be separated from any existing nonconforming structure by a noncombustible or limited-combustible fire partition having at least a two hour fire-resistance rating. Communicating openings in dividing fire partitions shall occur only in corridors and shall be protected by approved self-closing doors.

NEW SECTION

WAC 212-42-060 **DESIGN, OPERATION.** All facilities shall be so designed, constructed, maintained and operated as to minimize the possibility of a fire emergency requiring the evacuation of clients. The protection of clients from fire shall be provided by appropriate arrangement of facilities, adequate staffing and careful development of operating and maintenance procedures composed of the following:

- (1) Proper design, construction and compartmentation.
- (2) Provision for detection, alarm and extinguishment.
- (3) Fire prevention and planning, training and drilling programs for the isolation of fire, transfer of clients to areas of refuge or evacuation of the building.

NEW SECTION

WAC 212-42-065 **COMPARTMENTATION.** Every story used by clients for sleeping or treatment or any story having an occupant load of fifty or more persons, shall be divided into at least two compartments by smoke partitions having a fire resistance of at least one hour. No one compartment shall contain more than twenty-two thousand five hundred square feet or be over one hundred fifty feet in length or width.

NEW SECTION

WAC 212-42-070 **SMOKE DETECTION.** An approved, automatic smoke detection system shall be installed in all corridors. Detectors shall not be spaced further than thirty feet apart or more than fifteen feet from any wall, and shall be electrically interconnected with the fire alarm system. **EXCEPTION:** Where each client sleeping room is protected by such an approved detection system and a local detector is provided at the smoke partition and horizontal exits, such corridor systems will not be required on the client sleeping room floors.

NEW SECTION

WAC 212-42-075 **FIRE ALARM.** Every facility shall have an approved electrically supervised manual fire alarm system. Operation of any fire alarm activating device shall automatically, without delay, accomplish general alarm indication and sound an audible alarm in the affected fire zone. Coded systems shall be permitted. The fire alarm system shall be arranged to transmit an alarm automatically to the fire department legally committed to serve the area in which the facility is located or to an approved central station providing the alarm service.

NEW SECTION

WAC 212-42-080 EMERGENCY LIGHTING. Emergency lighting for means of egress shall be provided for every facility and shall comply with the following provisions:

(1) Where maintenance of illumination depends upon changing from one energy source to another, there shall be no appreciable interruption of illumination during the changeover. Where emergency lighting is provided by a prime mover-operated electric generator, a delay of not more than ten seconds shall be permitted.

(2) Emergency lighting facilities shall be arranged to maintain illumination to values of not less than one foot-candle measured at the floor for a period of one and one-half hours in the event of failure of normal lighting.

(3) Electric battery-operated emergency lights shall use only reliable types of storage batteries, provided with suitable facilities for maintenance in properly charged condition.

(4) An emergency lighting system shall be so arranged as to provide the required illumination automatically in the event of any interruption of normal lighting, such as any failure of public utility or other outside electrical power supply, opening of a circuit breaker or fuse, or any manual act(s), including accidental opening of a switch controlling normal lighting facilities.

NEW SECTION

WAC 212-42-085 SPRINKLER PROTECTION. Complete, approved automatic fire extinguishing protection shall be provided throughout all residential treatment facilities. The main sprinkler control valve(s) shall be electrically supervised and the system electrically interconnected with the fire alarm system. The fire department connection shall be located as directed by the fire chief.

NEW SECTION

WAC 212-42-090 RESTRAINED CLIENTS. In buildings housing occupancies in which the personal liberties of clients are restrained within the building, reliable means shall be provided to permit the prompt release of clients confined in locked sections, spaces, or rooms in the event of fire or other emergency.

NEW SECTION

WAC 212-42-095 CLIENT RELEASE. Prompt release shall be guaranteed by adequate staff personnel that are continuously on duty (24 hours a day) and keys which shall be readily accessible.

NEW SECTION

WAC 212-42-100 LOCKED EXITS. Any emergency entrance which is locked may be classified as an exit provided that keys are readily available to attendants.

NOTE: Although locking exit doors and barring windows is always undesirable from the view of life safety, the code recognizes that this is necessary in some cases to restrain people. In these instances, provision shall be made for the continuous supervision and prompt release of restrained persons. Release of occupants shall be accomplished either by a system capable of automatically unlocking the doors in a means of egress, or by the presence of attendants who are continuously available and equipped with keys. In any event, continuous supervision is considered essential.

NEW SECTION

WAC 212-42-105 FIRE AND EVACUATION PLAN. The administration of every residential treatment facility for psychiatrically impaired children and adults shall have in effect and available to all supervisory personnel written copies of a plan for the protection of all persons in the event of fire and for their evacuation to areas of refuge and from the building when necessary. All employees shall be instructed and kept informed respecting their duties under the plan.

NEW SECTION

WAC 212-42-110 SMOKE CONTROL. Every client room shall have an outside window or outside door arranged and located so that it

can be opened from the inside without the use of tools or keys to permit the venting of products of combustion and to permit any occupant to have direct access to fresh air in case of emergency.

EXCEPTION: Buildings designed with an engineered smoke control system in accordance with NFPA 90A need not comply with this requirement.

NEW SECTION

WAC 212-42-115 FIRE DRILLS. At least twelve fire drills shall be held every year. Drills shall be conducted quarterly on each shift to familiarize personnel with signals and emergency action required under varied conditions. When drills are conducted between 9:00 p.m. and 6:00 a.m., a coded announcement may be used instead of audible alarm. Fire drills shall include the transmission of a fire alarm signal and simulation of emergency fire conditions, except that the movement of infirm or bedridden clients to safe areas is not required.

NEW SECTION

WAC 212-42-120 EQUIPMENT MAINTENANCE. Every required automatic sprinkler system, fire detection and alarm system, exit lighting, fire door and other items or equipment required by this regulation or the applicable building and/or fire code shall be continuously maintained in proper operating condition. Equipment shall be tested or operated in accordance with manufacturers' recommendations and/or at sufficient intervals to assure reliability. Records of all tests and inspections shall be maintained for review. Tests and inspections shall be under the supervision of a responsible person.

NEW SECTION

WAC 212-42-125 SEVERABILITY. If any provision of this regulation or its application to any person is held invalid, the remainder of the regulation or the application of the provision to other persons or circumstances is not affected.

**WSR 80-10-048
PROPOSED RULES
INSURANCE COMMISSIONER
STATE FIRE MARSHAL
[Filed August 6, 1980]**

Notice is hereby given in accordance with the provisions of RCW 34.04.025 that the Insurance Commissioner/Fire Marshal intends to adopt, amend, or repeal rules concerning maternity homes, standards for fire protection, chapter 212-44 WAC;

that such agency will at 10:00 a.m., Thursday, September 18, 1980, in the State Fire Marshal's Office, 325 Insurance Building, Olympia, Washington 98504, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Monday, October 20, 1980, in the State Fire Marshal's Office, 325 Insurance Building, Olympia, Washington 98504.

The authority under which these rules are proposed is RCW 18.46.110.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 18, 1980, and/or orally at 10:00 a.m., Thursday, September 18, 1980, State Fire Marshal's Office, 325 Insurance Building, Olympia, Washington 98504.

Dated: August 6, 1980

By: Thomas R. Brace
Director, Division of State Fire Marshal

STATEMENT OF PURPOSE

Rules of the State Fire Marshal governing fire and life safety in facilities to be licensed by the state of Washington to provide birth services pursuant to RCW 18.46.110.

These standards establish minimum regulation for fire and life safety for the protection of clients and support persons occupying the childbirth center during the process of vaginal childbirth (the three stages of labor, and recovery of a woman and the newborn). This rule is necessary to ensure that a uniform program of inspection and hazard abatement may take place in birthing centers to be licensed by the Department of Social and Health Services.

Implementing this rule will not expand the responsibilities currently embodied in the laws governing the State Fire Marshal's Office. The agency personnel responsible for the drafting, implementation, and enforcement of this rule is Mr. Paul Gallagher, Supervisor, Medical Affairs Support Team, Office of State Fire Marshal, Airdustrial Park, Building 12, Mail Stop LM-14, Olympia, Washington 98504 - Telephone Number (206) 753-3658.

The Office of State Fire Marshal is proposing this rule.

This rule is not made necessary by either a change in the federal law or state court action.

AMENDATORY SECTION (Amending Order FM-77-3, filed 12/8/77)

WAC 212-44-001 PURPOSE. The purpose of this regulation is to adopt recognized standards for the protection of life against the cause and spread of fire and fire hazards pursuant to RCW 18.46.110, with respect to all facilities to be licensed ~~((as maternity homes))~~ by the department of social and health services and maintained and operated to provide birth services.

AMENDATORY SECTION (Amending Order FM-77-3, filed 12/8/77)

WAC 212-44-005 DEFINITIONS. The following definitions shall apply to this regulation:

(1) "Maternity home"(:;) means any home, place, hospital or institution in which facilities are maintained for the care of four or more women, not related by blood or marriage to the operator, during pregnancy or during or within ten days after delivery: PROVIDED, HOWEVER, That this regulation shall not apply to any hospital approved by the American College of Surgeons, American Osteopathic Association or its successor.

(2) "Licensing agency"(:;) means the Washington state department of social and health services.

(3) "Building official"(:;) means the person or agency appointed by the governing body of each city, town or county for the administration and enforcement of the Uniform Building Code, adopted by reference by the State Building Code Act.

(4) "Fire official"(:;) means the person or agency appointed by the governing body of each city, town or county for the administration and enforcement of the Uniform Fire Code, adopted by reference by the State Building Code Act.

(5) "Fire chief"(:;) means the chief of the fire department providing fire protection services to the ~~((maternity home))~~ child birth centers.

(6) "State Building Code Act"(:;) means chapter 19.27 RCW, effective January 1, 1975, which establishes state-wide building and fire prevention codes and mandates enforcement by each city, town and county.

(7) "Ambulatory" means physically and mentally capable of walking a normal path to safety, including the ascent and descent of stairs.

(8) "Birth center" or "child birth center" means a type of maternity home which is a house, building, or equivalent, organized to provide facilities and staff to support a birth service: PROVIDED, That the birth service includes or is limited to low-risk maternal clients during the intrapartum period.

(9) "Birthing room" means a room designed, equipped and arranged to provide for the care of a woman and newborn and to accommodate her support person(s) during the process of vaginal birth (the three stages of labor and recovery of a woman and newborn).

(10) "Birth service" means the prenatal, intrapartum, and postpartum care provided for individuals with uncomplicated pregnancy, labor, and vaginal birth, to include the newborn care during the recovery period.

AMENDATORY SECTION (Amending Order FM-77-3, filed 12/8/77)

WAC 212-44-010 APPLICABILITY. This regulation applies to all facilities licensed or subject to licensure as ~~((maternity homes))~~ child birth centers by the department of social and health services.

AMENDATORY SECTION (Amending Order FM-77-3, filed 12/8/77)

WAC 212-44-015 COMPLIANCE. All facilities licensed as ~~((maternity homes))~~ child birth centers shall comply with the provisions of this regulation.

AMENDATORY SECTION (Amending Order FM-77-3, filed 12/8/77)

WAC 212-44-035 LOCAL ((REQUIREMENTS)) CODES. ~~((All maternity homes shall comply with the applicable portions of the Uniform Building Code and the Uniform Fire Code, as administered by the local building official and fire official.))~~ Approvals are issued or denied on the basis of the applicant's compliance with the state fire marshal's minimum fire and life safety standards. The enforcement of local fire and building codes is the responsibility of the respective fire and building officials.

AMENDATORY SECTION (Amending Order FM-77-3, filed 12/8/77)

WAC 212-44-040 STANDARDS. The following standards shall be applicable to all ~~((maternity homes))~~ child birth centers built or licensed after the effective date of this regulation. ~~((Maternity homes licensed prior to the effective date of this regulation shall be subject to the construction requirements in effect at the time of licensing, provided continued use does not compromise resident safety, and the use and maintenance standards of this regulation.))~~

AMENDATORY SECTION (Amending Order FM-77-3, filed 12/8/77)

WAC 212-44-045 CONSTRUCTION REQUIREMENTS. ~~((Maternity homes, or portions thereof providing medical, obstetrical or nursing care shall comply with the minimum standards specified for hospitals. Maternity homes, or portions thereof, limited to residential care for women, may comply with the minimum standards specified for boarding homes. (See chapter 212-28 WAC, Hospitals, Standards for Fire Protection, and/or chapter 212-36 WAC, Boarding homes, Standards for Fire Protection.)))~~ (1) New construction or major remodeling shall comply with the Group B, Division 2 requirements of the 1976 Uniform Building Code. This classification is advisory, but not binding on local building officials charged with the administration and enforcement of the State Building Code Act.

(2) New and existing buildings not over two stories in height, to be occupied as a child birth center, may be of any recognized construction type: PROVIDED, That the building has been maintained to the extent that the fire and life safety features have not been reduced.

(3) Buildings three stories in height shall be of at least one hour fire-resistive construction.

AMENDATORY SECTION (Amending Order FM-77-3, filed 12/8/77)

WAC 212-44-050 MODERNIZATION OR RENOVATION. No construction in either modernization or renovation projects shall diminish the fire safety features of the facility below the level of new construction, as required elsewhere in this regulation. Alterations or installations of new building services equipment shall be accomplished as near as possible in conformance with the requirements for new construction.

AMENDATORY SECTION (Amending Order FM-77-3, filed 12/8/77)

WAC 212-44-055 ADDITIONS. Any addition shall be separated from any existing nonconforming structure ~~((by a noncombustible or limited-combustible fire partition. Communications in dividing fire partitions shall occur only in corridors and shall be protected by approved self-closing doors))~~ as required in Table 5B of the Uniform Building Code.

AMENDATORY SECTION (Amending Order FM-77-3, filed 12/8/77)

WAC 212-44-065 DESIGN, OPERATION. All ~~((maternity homes))~~ child birth centers shall be so designed, constructed, maintained and operated as to minimize the possibility of a fire emergency endangering the residents or patients. The protection of residents or patients from fire shall be provided by appropriate arrangement of facilities, adequate staffing and careful development of operating and maintenance procedures composed of the following: (1) Proper design, construction and separation; (2) provision for detection, alarm and evacuation; and (3) fire prevention and the planning, training and drilling in programs for the notification of fire and the safe evacuation of residents or patients from the building or affected fire area.

NEW SECTION

WAC 212-44-067 EXITING. (1) Not less than two exits shall be accessible from every part of each floor being used for birth services or uses incidental thereto, including floor levels below the street floor.

(2) Exits shall be remote from each other and shall be arranged to minimize the possibility that both may be blocked by any emergency.

NEW SECTION

WAC 212-44-069 VERTICAL OPENINGS. Every stairway, elevator shaft, light and ventilation shaft, chute, and other opening between stories shall be enclosed or protected to prevent the spread of fire or smoke from one floor to another.

NEW SECTION

WAC 212-44-072 FIRE EXTINGUISHERS. At least one approved fire extinguisher suitable for use on fires in ordinary combustibles shall be provided on each floor level. Additional fire extinguishers may also be required due to area, travel distance or special hazards.

NEW SECTION

WAC 212-44-073 LIGHTING. (1) Illumination of the means of egress shall be continuous during the time that conditions of occupancy require that the means of egress be available for use.

(2) Automatic emergency lighting shall be provided and so arranged as to provide the required illumination automatically in the event of any interruption of normal lighting, such as the failure of public utility or other outside electrical power supply, opening of a circuit breaker or fuse, or any manual act(s) including accidental opening of a switch controlling normal lighting facilities.

(3) Electric battery-operated emergency lights shall use only reliable types of storage batteries, provided with suitable facilities for maintenance in properly charged condition. Electric storage batteries used in such lights or units shall be approved for their intended use and shall comply with the National Electrical Code, NFPA 70.

NEW SECTION

WAC 212-44-077 PROTECTION FROM HAZARDS. Any area used for general storage, and boiler or furnace rooms shall be separated from other parts of the building by construction having a

fire-resistance rating conforming to the general construction requirements of the building type.

Central heating plants and other fuel-burning appliances shall be properly maintained and cleaned at frequent intervals. The surrounding area shall be kept free of rubbish and combustible storage.

AMENDATORY SECTION (Amending Order FM-77-3, filed 12/8/77)

WAC 212-44-080 FIRE ALARM. Every ~~((maternity home))~~ child birth center shall have an electrically supervised manual fire alarm system. Operation of any fire alarm activating device shall automatically, without delay, accomplish general alarm indication and sound an audible alarm throughout the building or affected portion thereof. ~~((The fire alarm system shall be so arranged to transmit an alarm automatically to the fire department legally committed to serve the area in which the maternity home is located, by the most direct and reliable method, approved by the fire chief.))~~

AMENDATORY SECTION (Amending Order FM-77-3, filed 12/8/77)

WAC 212-44-090 FIRE AND EVACUATION PLAN. The administration of every ~~((maternity home))~~ child birth center shall have in effect and available to all supervisory personnel written copies of a plan for the protection of all persons in the event of fire and for their evacuation to areas of refuge and from the building when necessary. All employees shall be instructed and kept informed respecting their duties under the plan.

AMENDATORY SECTION (Amending Order FM-77-3, filed 12/8/77)

WAC 212-44-105 ((SEPARABILITY)) SEVERABILITY. If any provision of this regulation or its application to any person is held invalid, the remainder of the regulation or the application of the provision to other persons or circumstances is not affected.

REPEALER

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

- (1) WAC 212-44-060 MIXED OCCUPANCIES.
- (2) WAC 212-44-070 COMPARTMENTATION.
- (3) WAC 212-44-075 SMOKE DETECTION.
- (4) WAC 212-44-085 SPRINKLER PROTECTION.
- (5) WAC 212-44-095 FIRE DRILLS.

WSR 80-10-049
PROPOSED RULES
HIGHER EDUCATION
PERSONNEL BOARD

* [Filed August 6, 1980]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and 28B.16.100, that the Higher Education Personnel Board intends to adopt, amend, or repeal rules concerning the repealing of WAC 251-12-095 Appeals—Limitations to delete provision which places a limitation of an employee's statutory appeals rights, and amending WAC 251-12-110 Appearance and practice before the board to clarify that institutions of higher education must be represented by attorney in hearings for which there is a statutory right of judicial review, WAC 251-14-030 Determination of bargaining unit by removing language which provides that bargaining units shall not normally include both supervisory and non-supervisory employees, WAC 251-14-090 Unfair labor practice—Hearings to delete provision which places a limitation on an employee's statutory appeal rights, WAC 251-22-240 Suspended operation

to limit use of procedure to hazardous/dangerous conditions and to modify the method of payment for individuals required to work during periods of suspended operations and new section WAC 251-14-120 Requests for mediation and arbitration to prevent employee from pursuing same charges through both statutory appeal rights and exclusively administrative appeal rights;

that such agency will at 10:00 a.m., Thursday, September 18, 1980, in the Intercollegiate Center for Nursing Education, W 2917 Fort George Wright Drive, Spokane, 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, September 18, 1980, in the Intercollegiate Center for Nursing Education, Spokane, Washington.

The authority under which these rules are proposed is RCW 28B.16.100.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 18, 1980, and/or orally at 10:00 a.m., Thursday, September 18, 1980, Intercollegiate Center for Nursing Education, Spokane, Washington.

Dated: August 6, 1980
By: Douglas E. Sayan
Director

STATEMENT OF PURPOSE

This statement is related to the notice filed with the Code Reviser on August 6, 1980 and is filed pursuant to chapter 186, Laws of 1980:

- I. WAC 251-12-095 Appeals—Limitations; Authority: RCW 28B.16.100.
 - A. Purpose of Existing Rule: Provides that appeals will not be processed if the same charges have been filed for mediation/arbitration or as a complaint of unfair labor practice.
 - B. Summary of Proposed Change: Repeals the provision which places a limitation on an employee's statutory appeal rights.
 - C. Agency Person Responsible for Drafting, Implementing and Enforcing Rules: Douglas E. Sayan, Director—HEPB, FT-11, Olympia 98504; SCAN 234-3730.
 - D. Organization Proposing Change: HEPB Staff
 - E. The agency makes no additional comments/recommendations regarding the proposal.
 - F. The change is not the result of federal law or state court action.
- II. WAC 251-12-110 Appearance and practice before the board: Authority: RCW 28B.16.100
 - A. Purpose of Existing Rule: Identifies who may represent parties in hearings before the Board.
 - B. Summary of Proposed Change: Amend rule to clarify that institutions

of higher education must be represented by attorneys in hearings for which there is a statutory right of judicial review.

- C. Agency Person Responsible for Drafting, Implementing and Enforcing Rules: Douglas E. Sayan, Director—HEPB, FT-11, Olympia 98504; SCAN 234-3730.
 - D. Organization Proposing Change: HEPB Staff
 - E. The agency makes no additional comments/recommendations regarding the proposal.
 - F. The change is not the result of federal law or state court action.
- III. WAC 251-14-030 Determination of bargaining unit; Authority: RCW 28B.16.100
 - A. Purpose of Existing Rule: Establishes the process for determination of appropriate bargaining units.
 - B. Summary of Proposed Change: Amend rule by deleting language to eliminate the distinction of supervisory v non-supervisory employees in determining appropriate bargaining units. Proponent WFSE proposes the change will bring the rules in compliance with recent state Court of Appeals action (attached).
 - C. Agency Person Responsible for Drafting, Implementing and Enforcing Rules: Douglas E. Sayan, Director—HEPB, FT-11, Olympia 98504; SCAN 234-3730.
 - D. Organization Proposing Change: Washington Federation of State Employees, an employee organization representing state employees.
 - E. The agency makes no comments/recommendations regarding the proposal.
 - IV. WAC 251-22-240 Suspended operation: Authority: RCW 28B.16.100
 - A. Purpose of Existing Rule: Provides institutions of higher education a method for treating employees during periods of suspended operations caused by emergency conditions.
 - B. Summary of Proposed Change: Amend rule to limit the use of suspended operation procedures to hazardous/dangerous conditions and to ensure proper compensation for employees who must work and those who do not receive prior notification of suspended operations. Proponent WPEA proposes the change will provide a means for more equitable treatment of all employees at institutions of higher education during periods of suspended operations.

- C. Agency Person Responsible for Drafting, Implementing and Enforcing Rules: Douglas E. Sayan, Director—HEPB, FT-11, Olympia 98504; SCAN 234-3730
 - D. Organization Proposing Change: Washington Public Employees Association, an employee organization representing state employees.
 - E. The agency makes no comments/recommendations regarding the proposal.
 - F. The change is not the result of federal law or state court action.
- V. WAC 251-14-090 Unfair labor practice—Hearings; Authority: RCW 28B.16.100
- A. Purpose of Existing Rule: To provide for hearings on charges of unfair labor practice.
 - B. Summary of Proposed Change: To amend rule to ensure that individual's statutory rights for hearing on alleged unfair labor practice and a hearing on an appeal for dismissal, etc. are not abridged.
 - C. Agency Person Responsible for Drafting, Implementing and Enforcing Rules: Douglas E. Sayan, Director—HEPB, FT-11, Olympia 98504; SCAN 234-3730.
 - D. Organization Proposing Change: HEPB Staff.
 - E. The agency makes no additional comments/recommendations regarding the proposal.
 - F. The change is not the result of federal law or state court action.
- VI. WAC 251-14-120 Requests for mediation and arbitration; Authority: RCW 28B.16.100
- A. Purpose of Existing Rule: New Rule proposed
 - B. Summary of Proposed Change: To add new section which will prevent employees from pursuing same complaint through both statutory appeal rights and exclusively administrative appeal rights.
 - C. Agency Person Responsible for Drafting, Implementing and Enforcing Rules: Douglas E. Sayan, Director—HEPB, FT-11, Olympia 98504; SCAN 234-3730.
 - D. Organization Proposing Change: HEPB Staff
 - E. The agency makes no additional comments/recommendations regarding the proposal.
 - F. the change is not the result of federal law or state court action.

Reviser's Note: Despite the above statement F, the agency attached a copy of the decision of the state court of appeals, division two, in **Washington Federation of State Employees, AFL-CIO v. Washington State Personnel Board**, cause No. 3486-II, filed January 18, 1980.

AMENDATORY SECTION (Amending Order 61, filed 8/30/77)

WAC 251-12-110 APPEARANCE AND PRACTICE BEFORE THE BOARD. Appellants shall have the right to represent themselves in all types of hearings before the board. In addition appellants or institutions may be represented by a party of their choosing, except that no person may represent an appellant or institution in hearings of unfair labor practice, demotion, reduction, suspension, dismissal, layoff, or refusal to reinstate after presumption of resignation other than the following:

(1) Attorneys at law duly qualified and entitled to practice before the supreme court of the state of Washington.

(2) Attorneys at law duly qualified and entitled to practice before the highest court of record of any other state, if the attorneys at law of the state of Washington are permitted to appear in a representative capacity before administrative agencies of such other state, and if not otherwise prohibited by Washington state law.

(3) Authorized legal interns, when accompanied by their qualified supervising attorney.

REPEALER

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

WAC 251-12-095 APPEALS—LIMITATIONS.

AMENDATORY SECTION (Amending Order 61, filed 8/30/77)

WAC 251-14-030 DETERMINATION OF BARGAINING UNIT. (1) Determination, alteration, modification or combination of appropriate bargaining units shall be made by the board upon petition from the appointing authority, an employee organization or upon the board's own motion, after twenty calendar days' notice has been given to the appointing authority and to affected employees and their representatives.

(2) In determining a bargaining unit, the board shall consider the following factors:

(a) Duties, skills and working conditions of the employees.

(b) History of collective bargaining by the employees and their bargaining representatives.

(c) Extent of organization among the employees.

(d) Desires of the employees.

(3) Any petition filed hereunder shall, in writing, set forth all pertinent facts and supporting reasons as comprehensively as possible, to aid the board in its determination.

(4) When the board combines existing bargaining units into one new unit and/or accretes additional classes and/or positions to a bargaining unit, such action shall effect an automatic decertification of any union shop representative provision in effect except in the following instances:

(a) Where the same employee organization is certified as the union shop representative in each of the existing bargaining units that are being combined into one new unit;

(b) Where results of the union shop election previously held still represent a majority vote in favor of the union shop provision in the new unit. Majority vote will be determined by adding the number of employees not previously covered by a union shop provision to the total number of employees eligible to vote in the previous election.

(5) After a hearing on a petition, the board shall enter an appropriate order containing findings of fact and conclusions of law.

~~((6) Bargaining units normally shall not include both supervisory and nonsupervisory employees.))~~

AMENDATORY SECTION (Amending Order 61, filed 8/30/77)

WAC 251-14-090 UNFAIR LABOR PRACTICE—HEARINGS. Complaints charging unfair labor practices shall be filed in writing with the board. ~~((The complaints shall not be processed per WAC 251-14-080 if the same charges have been filed for hearing either through the grievance or appeal procedures of the higher education personnel board rules.))~~ The board shall hold a hearing in the

same manner as provided for appeals from demotions, suspensions, reductions, layoffs, and dismissals, and any decision of the board shall be binding unless reversed or modified by a court of law.

NEW SECTION

WAC 251-14-120 REQUESTS FOR MEDIATION AND ARBITRATION. Mediation and arbitration requests per WAC 251-14-100(2) and 251-14-110(2) shall not be allowed if the same charges have been filed with the board for processing per WAC 251-12-090 or 251-14-090.

AMENDATORY SECTION (Amending Order 61, filed 8/30/77)

WAC 251-22-240 SUSPENDED OPERATION. (1) Notwithstanding the provisions of WAC 251-10-030, ~~((if))~~ the chief executive officer of ~~((the))~~ an institution ~~((determines it is advisable due to emergency))~~ may suspend the operation of all or any portion of the institution under the following hazardous/dangerous conditions ~~((beyond control (such as but not limited to))~~: Riot, civil disturbance, mechanical failure, severe weather ~~((conditions))~~, and/or declaration by the governor of ~~((a state of energy supply alert or energy))~~ an emergency ~~((as provided in RCW 43.21G.040, strike or work stoppage), to suspend the operation of all or any portion of the institution, the following will govern classified employees:))~~.

~~((1-When))~~ (2) Employees who fail to receive prior notification ~~((has not been given, employees released until further notice after reporting))~~ and who report to work and are subsequently released, shall receive a minimum of ~~((four))~~ eight hours pay for ~~((the first))~~ that work day ~~((with the option of using accrued compensatory time (where applicable), annual leave or leave without pay for the balance of the closure))~~. Employees released during a work shift shall not suffer any loss in pay or benefits for the remaining period of that work day.

~~((2))~~ (3) Employees not required to work ~~((may))~~ shall be allowed to use accrued compensatory time ~~((where applicable))~~, accrued annual leave, accrued sick leave, or leave without pay for the balance of the closure. Employees shall be allowed to accumulate compensatory time up to a maximum of ten days for this purpose. In addition, for purposes of this rule, employees may adjust their days off to preclude the use of annual or sick leave.

~~((3))~~ Employees required to work shall receive their regular rate of pay for work performed during the period of suspended operation. Overtime worked will be compensated as provided in WAC 251-09-030.

(4) Employees who are required to work under these hazardous/dangerous conditions shall receive compensation at a rate equivalent to one and one-half times the employees' regular rate of pay for all time worked as provided by WAC 251-09-100, Hazardous Conditions Pay.

(5) In the event a suspended operation continues for longer duration than two working days, the institution shall implement layoff procedures in accordance with WAC 251-10-030. During the required notice period employees shall continue to receive full pay and benefits without utilizing accrued leave or compensatory time.

(6) Each institution/related board, together with the appropriate exclusive representative(s), shall develop and file with the director, ~~((subject to))~~ for approval, a procedure to provide for emergency staffing during periods of suspended operation.

**WSR 80-10-050
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Institutions)
[Filed August 6, 1980]**

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 medically fragile children's facilities, new chapter 275-39 WAC.

It is the intention of the secretary to adopt these rules on an emergency basis prior to August 11, 1980.

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

N. Spencer Hammond
Executive Assistant
Department of Social and Health Services
Mail Stop OB-44 C
Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact William B. Pope, Chief, Office of Administrative Regulations, at State Office Building #2, 12th and Jefferson, Olympia, Washington, Phone (206) 753-7015, by September 3, 1980. The meeting site is in a location which is barrier free;

that such agency will at 10:00 a.m., Wednesday, September 17, 1980, in the General Administration Building, Olympia, Washington, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, October 1, 1980, in William B. Pope's office, 4th floor, State Office Building #2, 12th and Franklin, Olympia, Washington.

The authority under which these rules are proposed is RCW 74.26.040.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 17, 1980, and/or orally at 10:00 a.m., Wednesday, September 17, 1980, Auditorium, State Office Building #2, 12th and Franklin, Olympia, Washington.

Dated: August 6, 1980

By: N. S. Hammond
Executive Assistant

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045:

- A. 1. Regarding: New chapter 275-39 WAC
2. The purpose of the rules is to implement chapter 74.26 RCW relating to medically fragile children
3. These rules are necessary to provide minimum standards and qualifications for certain program elements needed in the creation of residential alternatives to hospital care for medically fragile children. The promulgation of regulations for this program was mandated by the Legislature.
4. Statutory authority for this action is found in RCW 74.26.040.

B. Summary of the rules:

The rules provide the guidelines for a specialized residential facility to be known as Medically Fragile Children's Facilities (MFCF). Approximately 90% or more of the residents to be served are expected to be developmentally disabled. Consequently, the

Title XIX Institutions for the Mentally Retarded (IMR) model was chosen. This will provide the advantage of developmental approach through an interdisciplinary team.

The intensive medical needs of this population require special emphasis which is reflected in the rules. Medically fragile children who are not developmentally disabled will be eligible for services on an exception-to-policy basis.

These regulations contain minimum standards and qualifications regarding the following elements:

1. Residential Services
 2. Medical Services
 3. Day Program
 4. Facility requirements and accessibility for all buildings in which the program is to be conducted
 5. Staff qualifications
 6. Staff training
 7. Program evaluation
 8. Protection of clients' rights, confidentiality, and informed consent.
- C. Person(s) responsible for the drafting, implementation and enforcement of the rules: Division of Developmental Disabilities and Bureau of Nursing Home Affairs.
1. James T. Lengenfelder
 2. Acting Director
 3. Division of Developmental Disabilities, Phone 753-3903/Mailstop OB-42C
- D. The person or organization (if other than DSHS) who proposed these rules is: None
- E. These rules are not necessary as a result of federal laws, federal court decisions or state court decisions.

Chapter 275-39 WAC

MEDICALLY FRAGILE CHILDREN'S FACILITIES

NEW SECTION

WAC 275-39-005 AUTHORITY. Chapter 74.26 RCW directs the department of social and health services, division of developmental disabilities to establish a controlled program to develop and review an alternative service delivery system for certain multiply handicapped children, also to be referred to as medically fragile children, who have intensive medical needs but who are not required to reside in a hospital setting for their needs to be met.

The following regulations are adopted pursuant to legislative direction to provide minimum standards and qualifications for various elements of the program.

NEW SECTION

WAC 275-39-010 FACILITY LICENSURE. A MFCF is a medically fragile children's facility licensed as an institution for the mentally retarded (IMR) for the specialized care of medically fragile children as defined in WAC 275-39-030. A MFCF is subject to the regulations of this chapter (chapter 275-39 WAC) and to the regulations and statutes applicable to institutions for the mentally retarded (IMRs).

NEW SECTION

WAC 275-39-015 PURPOSE. The purposes for establishing a residential alternative for medically fragile children are:

- (1) To provide residential care more cost efficiently than is otherwise available in a hospital setting;
- (2) To provide appropriate care in a more home-like setting than might otherwise be available in a hospital setting;
- (3) To provide "active treatment" for each child which includes an individual prescriptive plan or individual habilitation plan.

NEW SECTION

WAC 275-39-020 ELIGIBILITY FOR SERVICES OF A MFCF. To be eligible for the services of a MFCF, a person shall:

- (1) Be a medically fragile child as defined herein;
- (2) Need intensive support medical services, as described herein, which can be provided outside of a hospital setting or other residential medical facility but cannot be provided in a less restrictive environment than a MFCF. Each applicant must be individually considered as to whether their needs can be met in a less restrictive environment;
- (3) Be developmentally disabled as defined herein;
- (4) If not developmentally disabled, as defined herein:
 - (a) At risk of being or becoming developmentally disabled and/or is or is at risk of having substantial functional limitations; and
 - (b) Be granted an exception to rule by the division of developmental disabilities.

NEW SECTION

WAC 275-39-025 DEFINITIONS. As used in this chapter:

"Active treatment" in a MFCF requires the following:

- (a) The individual's regular participation, in accordance with an individual plan of care, in professionally developed and supervised activities, experiences, or therapies.
- (b) An individual written plan of care that sets forth measurable goals or objectives stated in terms of desirable behavior and that prescribes an integrated program of activities, experiences or therapies necessary for the individual to reach those goals or objectives. The overall purpose of the plan is to help the individual function at the greatest physical, intellectual, social, or vocational level he can presently or potentially achieve.
- (c) An interdisciplinary professional evaluation that:
 - (i) Is completed, for a recipient, before admission to the institution but not more than three months before and, for an individual applying for medicaid after admission, before the institution requests payment;
 - (ii) Consists of complete medical, social, and psychological diagnosis and evaluations and an evaluation of the individual's need for institutional care; and
 - (iii) Is made by a physician, a social worker and other professionals, at least one of whom is a qualified mental retardation professional.

(d) Reevaluation medically, socially, and psychologically at least quarterly by the staff involved in carrying out the resident's individual plan of care. This must include review of the individual's progress toward meeting the plan objectives, the appropriateness of the individual plan of care, assessment of his continuing need for institutional care, and consideration of alternate methods of care.

(e) An individual postinstitutionalization plan, as part of the individual plan of care, developed before discharge by a qualified mental retardation professional and other appropriate professionals. This must include provision for appropriate services, protective supervision, and other follow-up services in the resident's new environment.

"Ambulatory" means able to walk without assistance.

MFCF means an institution for the mentally retarded (also referred to an ICF/MR) which provides services exclusively for medically fragile children.

"Developmentally disabled" refers to a person who is disabled due to one or more of the following:

- (a) Mental retardation as defined in WAC 275-27-020(1); or
- (b) Cerebral palsy, epilepsy, autism, auditory impairment or visual impairment having the following additional characteristics:
 - (i) Originates before such person reaches age eighteen;
 - (ii) Has continued or can be expected to continue indefinitely; and
 - (iii) Constitutes a substantial handicap to such individual's ability to function normally in society.

"Individual habilitation plan" is a plan of care developed by an interdisciplinary team delineating training goals, plans, implementation, responsibilities, initiation and completion times, and evaluation techniques formulated for the use of direct care and special service personnel in the training and habilitation of clients in IMR facilities. The IHP is a part of the resident's total plan of care.

"Living unit" means a resident living unit that includes sleeping areas and may include dining and activity areas.

"Medical plan of care" is reflected in the physicians orders.

"Mobile nonambulatory" means unable to walk without assistance, but able to move from place to place with the use of a device such as a walker, crutches, a wheel chair, or a wheeled platform.

"Nonambulatory" means unable to walk without assistance.

"Nonmobile" means unable to move from place to place.

"Nursing care plan" is an integral part of the comprehensive individual habilitation plan.

"Qualified mental retardation professional" means a person who has specialized training or one year of experience in treating or working with the mentally retarded and is one of the following:

(1) A psychologist with a master's degree from an accredited program.

(2) A licensed doctor of medicine or osteopathy.

(3) An educator with a degree in education from an accredited program. For the purposes of the MFCF program the educators training should also include special or early childhood studies.

(4) A social worker with a bachelor's degree in:

(a) Social work from an accredited program;

(b) A field other than social work and at least three years of social work experience under the supervision of a qualified social worker; or

(c) Pediatric medical social work experience or training.

(5) A physical or occupational therapist.

(6) A speech pathologist or audiologist.

(7) A registered nurse.

(8) A therapeutic recreation specialist who:

(a) Is a graduate of an accredited program; and

(b) If the state has a licensing or registration procedure, is licensed or registered in the state.

(9) A rehabilitation counselor who is certified by the committee on rehabilitation counselor certification.

"Resident living" means pertaining to residential services provided by a MFCF.

"Total plan of care" is a term describing the entire resident record to include but not be limited to assessments and evaluations, medical and nursing orders, flow sheets, progress notes and the individual habilitation plan.

"Training and habilitation services" means those intended to aid the intellectual, sensorimotor, and emotional development of a resident.

NEW SECTION

WAC 275-39-030 **MEDICALLY FRAGILE CHILD.** A medically fragile child is a person who is:

(1) Under twenty-two years of age; and

(2) Under the care of a physician and such physician has diagnosed the child's condition as sufficiently serious to warrant eligibility; and

(3) Presently residing in, or in immediate jeopardy of residing in, a hospital or other residential medical facility for the purpose of receiving intensive support medical services; and

(4) Have disabilities within one of the following four functional/medical definitional categories:

(a) Respiratory impaired; with an acquired or congenital defect of the oropharynx, trachea, bronchial tree, or lung requiring continuing dependency on a respiratory assistive device in order to allow the disease process to heal or the individual to grow to a sufficient size to live as a normal person;

(b) Respiratory with multiple physical impairments; with acquired or congenital defects of the central nervous system or multiple organ systems requiring continued dependency on a respiratory assistive device and/or other medical, surgical, and physical therapy treatments in order to allow the disease process to heal or the individual to gain sufficient size to permit surgical correction of the defect or the individual to grow large and strong enough and acquire sufficient skills in self-care to allow survival in a nonmedical/therapy intensive environment;

(c) Multiply physically impaired; with congenital or acquired defects of multiple systems and at least some central nervous system impairment that causes loss of urine and stool sphincter control as well as paralysis or loss or reduction of two or more extremities, forcing the individual to be dependent on a wheelchair or other total body mobility device, also requiring medical, surgical, and physical therapy intervention in order to allow the individual to grow to a size that permits surgical correction of the defects or allows the individual to grow large and strong enough and acquire sufficient skills in self-care to allow survival in a nonmedical/therapy intensive environment;

(d) Static encephalopathies; with sever brain insults of acquired or congenital origin causing the individual to be medically diagnosed as totally dependent for all bodily and social functions except cardiorespiratory so that the individual requires continuous long-term daily medical/nursing care.

NEW SECTION

WAC 295-39-035 **INTENSIVE SUPPORT MEDICAL SERVICES.** Intensive support medical services shall include but not be limited to a need for one or more of the following skilled nursing services:

(1) Medication requiring observation for effect.

(2) Medications given IM or IV.

(3) Observation and control of seizure disorder.

(4) Supportive care during status epilepticus.

(5) Respiratory therapy - ultrasonic mist.

(6) Oxygen - acute and unstable conditions.

(7) Nasopharyngeal/Tracheal suctioning.

(8) Tracheostomy care.

(9) Gavage or gastrostomy feedings.

(10) Skilled oral feeding techniques.

(11) Immediate recognition and treatment of aspirations.

(12) Electrolyte therapy/hydration.

(13) Observation for shunt function and increased intracranial pressure.

(14) Care of unrepaired myelomeningocele.

(15) Maintenance of protective environment (immuno-suppressed).

(16) Maintenance of normal body temperature.

(17) Catheter insertions and sterile irrigations.

(18) Special skin care.

(19) Cleft lip and/or palate care.

(20) Post-surgical nursing care.

(21) Observations for acute conditions.

(22) Sterile dressings.

(23) Heat - active treatment.

(24) Observation and care of demineralization fractures.

(25) Rehabilitative nursing procedures.

(26) Ongoing assessment of potential.

NEW SECTION

WAC 275-39-040 **PHILOSOPHY, OBJECTIVES, AND GOALS.** (1) The MFCF shall have a written outline of the philosophy, objectives, and goals it is striving to achieve that includes, at least:

(a) The MFCF's role in the state comprehensive program for the mentally retarded;

(b) The MFCF's goals for its residents; and

(c) The MFCF's concept of its relationship to the parents or legal guardians of its residents.

(2) The outline shall be available for distribution to staff, consumer representatives, and the interested public.

NEW SECTION

WAC 275-39-045 **POLICY AND PROCEDURE MANUALS.** The MFCF shall have manuals that:

(1) Describe the policies and procedures in the major operating units of the MFCF;

(2) Are current, relevant, and available; and

(3) Are complied with by the units.

NEW SECTION

WAC 275-39-050 **GOVERNING BODY.** (1) The MFCF shall have a governing body that:

(a) Exercises general direction over the affairs of the MFCF;

(b) Establishes policies concerning the operation of the MFCF and the welfare of the individuals it serves;

(c) Establishes qualifications for the chief executive officer in the following areas:

(i) Education;

(ii) Experience;

(iii) Personal factors;

(iv) Skills; and

(d) Appoints the chief executive officer.

(2) The governing body may consist of one individual or a group.

NEW SECTION

WAC 275-39-055 CHIEF EXECUTIVE OFFICER. (1) The chief executive officer shall:

(a) Act for the governing body in the overall management of the MFCF; and

(b) Arrange for one individual to be responsible for the administrative direction of the MFCF at all times.

(2) The chief executive officer shall be an individual licensed in the state as a nursing home administrator or a qualified mental retardation professional except:

(a) If the MFCF is licensed as a nursing home, the chief executive officer shall be an individual licensed in the state as a nursing home administrator;

(b) If the MFCF is a hospital qualifying as an institution for the mentally retarded or persons with related conditions, the chief executive officer shall be a hospital administrator.

(3) Job titles for the chief executive officer may include any of the following: Superintendent, director, and administrator.

NEW SECTION

WAC 275-39-056 QUALIFIED MENTAL RETARDATION PROFESSIONAL. The MFCF shall have a qualified mental retardation professional who is responsible for:

(1) Supervising the delivery of each resident's individual plan of care;

(2) Supervising the delivery of training and habilitation services;

(3) Integrating the various aspects of the MFCF's program;

(4) Recording each resident's progress; and

(5) Initiating a monthly review of each individual plan of care for necessary changes.

NEW SECTION

WAC 275-39-060 ORGANIZATION CHART. The MFCF shall have an organization chart that shows:

(1) The major operating programs of the MFCF;

(2) The staff divisions of the MFCF;

(3) The administrative personnel in charge of the programs and divisions; and

(4) The lines of authority, responsibility, and communication for administrative personnel.

NEW SECTION

WAC 275-39-065 MANAGEMENT AUDIT PLAN. The MFCF shall have a plan for a continuing management audit to insure that the MFCF:

(1) Complies with state laws and regulations; and

(2) Effectively implements its policies and procedures.

NEW SECTION

WAC 275-39-070 RESEARCH STATEMENT. If the MFCF conducts research, it shall comply with the statement of assurance on research involving human subjects required by 45 CFR 46.104 through 46.108.

NEW SECTION

WAC 275-39-075 WRITTEN POLICIES. The MFCF shall:

(1) Have written personnel policies that are available to all employees;

(2) Make written job descriptions available for all positions; and

(3) Have written policies that prohibit employees with symptoms or signs of a communicable disease from being on duty.

NEW SECTION

WAC 275-39-080 LICENSURE AND PROFESSIONAL STANDARDS. The MFCF shall:

(1) Require the same licensure, certification, or standards for positions in the facility as are required for comparable positions in community practice; and

(2) Take into account in its personnel activities the ethical standards of professional conduct developed by professional societies.

NEW SECTION

WAC 275-39-085 SUSPENSION AND DISMISSAL. The MFCF shall have an authorized procedure, consistent with due process, for suspending or dismissing an employee.

NEW SECTION

WAC 275-39-090 SUFFICIENT STAFFING AND RESIDENT WORK. (1) The MFCF shall have a staff of sufficient size that the MFCF does not depend on residents or volunteers for services.

(2) The MFCF shall have a written policy to protect residents from exploitation if they engage in productive work.

NEW SECTION

WAC 275-39-100 STAFF TRAINING PROGRAM. (1) The MFCF shall have a staff training program, appropriate to the size and nature of the MFCF, that includes:

(a) Orientation for each new employee to acquaint him/her with the philosophy, organization, program, practices, and goals of the MFCF;

(b) Inservice training for any employee who has not achieved the desired level of competence;

(c) Continuing inservice training for all employees to update and improve their skills; and

(d) Supervisory and management training for each employee who is in, or a candidate for, a supervisory position.

(2) The MFCF shall have someone designated to be responsible for staff development and training.

NEW SECTION

WAC 275-39-105 STAFF TREATMENT OF RESIDENTS. (1) The MFCF shall have written policies that prohibit mistreatment, neglect, or abuse of a resident by an employee of the MFCF.

(2) The MFCF shall insure that all alleged violations of these policies are reported immediately.

(3) The MFCF shall have evidence that:

(a) All violations are investigated thoroughly;

(b) The results of the investigation are reported to the chief executive or his designated representative within twenty-four hours of the report of the incident; and

(c) If the alleged violation is verified, the chief executive officer imposes an appropriate penalty.

(4) Each employee must read and sign a copy of the MFCF policies describing acceptable forms of care that prohibit mistreatment.

NEW SECTION

WAC 275-39-110 ADMISSION CRITERIA AND EVALUATIONS. (1) Except as provided in subsection (3) of this section, a MFCF may not admit an individual as a resident unless his/her needs can be met by the facility and an interdisciplinary professional team has determined that admission is the best available plan for that individual.

(2) The team shall:

(a) Conduct a comprehensive evaluation of the individual covering medical, physical, emotional, social, and cognitive factors; and

(b) Before the individual's admission:

(i) Define his/her need for service without regard to the availability of those services; and

(ii) Review all available and applicable programs of care, treatment, and training and record its findings.

(3) If admission is not the best plan but the individual shall be admitted nevertheless, the MFCF shall:

(a) Clearly acknowledge that the admission is inappropriate; and

(b) Initiate plans to actively explore alternatives.

(4) The interdisciplinary team will consist of:

(a) Qualified mental retardation professional or designate;

(b) Registered nurse from the MFCF;

(c) Direct care personnel;

(d) Parent(s), guardian, and/or resident;

(e) Physician.

(5) In addition the interdisciplinary team should include other professional consultants or staff appropriate to the individual such as:

(a) Pediatrician with training and/or experience with chronic pulmonary diseases of infancy and childhood if the child is ventilation dependent or respiratory fragile;

- (b) A pediatrician with training and/or experience in rehabilitation medicine;
- (c) A pediatrician with training and/or experience in neurology and/or seizures if the child has a neurologic disorder;
- (d) Social worker;
- (e) Therapists (occupational, respiratory, physical, speech) as appropriate;
- (f) Educator;
- (g) Registered dietician.

NEW SECTION

WAC 275-39-115 AVAILABILITY OF RULES AND PROCEDURES. The facility shall make available for distribution a summary of the laws, regulations, and procedures concerning admission, readmission, and release of a resident.

NEW SECTION

WAC 275-39-120 NUMBER OF RESIDENTS. The MFCF shall admit only that number of individuals that does not exceed:

- (1) A capacity of sixteen residents; and
- (2) Its capability to provide adequate programming.

NEW SECTION

WAC 275-39-125 REVIEW OF PREADMISSION EVALUATION. Within one week after admission, the interdisciplinary professional team shall:

- (1) Review and update the preadmission evaluation with the participation of direct care personnel;
- (2) Develop, with the participation of direct care personnel, a prognosis that can be used for programming and placement;
- (3) Record the results of the evaluation in the resident's record kept in the living unit; and
- (4) Write an interpretation of the evaluation in terms of specific actions to be taken for:
 - (a) The direct care personnel and the special services staff responsible for carrying out the resident's program; and
 - (b) The resident's parents or legal guardian.

NEW SECTION

WAC 275-39-130 QUARTERLY REVIEW OF RESIDENT'S STATUS. (1) All relevant personnel of the MFCF, including personnel in the living unit, shall jointly review the status of each resident at least quarterly and produce program recommendations through the interdisciplinary team process.

- (2) This review shall include consideration of the following:
 - (a) The advisability of continued residence and alternative programs.
 - (b) When the resident legally becomes an adult:
 - (i) The need for guardianship; and
 - (ii) How the resident may exercise his/her civil and legal rights.

NEW SECTION

WAC 275-39-135 RECORD AND REPORTS OF REVIEWS. The results of the reviews required shall be:

- (1) Recorded in the resident's record kept in the living unit;
- (2) Made available to personnel involved in the direct care of the resident;
- (3) Interpreted to the resident's parents or legal guardian who are involved in planning and decisionmaking; and
- (4) Interpreted to the resident, when appropriate.

NEW SECTION

WAC 275-39-140 RELEASE FROM THE MFCF. (1) The MFCF shall establish procedures for counseling a parent or guardian who requests the release of a resident concerning the advantages and disadvantages of the release.

- (2) Planning for release of a resident shall include providing for appropriate services in the resident's new environment, including protective supervision and other followup services.
- (3) When a resident is permanently released, the MFCF shall prepare and place in the resident's record a summary of findings, progress, and plans and forward copies to concerned care providers in the new environment.

NEW SECTION

WAC 275-39-145 TRANSFER TO ANOTHER FACILITY.

(1) Except as provided in subsection (2) of this section, the MFCF shall have in effect a transfer agreement with one or more hospitals sufficiently close by to make feasible the prompt transfer of the resident and his/her records to the hospital and to support a working arrangement between the MFCF and the hospital for providing inpatient hospital services to residents when needed.

(2) When a resident is transferred to another facility, the MFCF making the transfer shall:

- (a) Record the reason for the transfer and a summary of findings, progress, and plans; and
- (b) Except in an emergency, inform the resident and his parent or guardian in advance and obtain their written consent to the transfer.

NEW SECTION

WAC 275-39-150 EMERGENCIES OR DEATH OF A RESIDENT. (1) The MFCF shall notify promptly the resident's next of kin or guardian of any unusual occurrence concerning the resident, including serious illness, accident, or death.

(2) If any autopsy is performed after a resident's death:

- (a) A qualified physician who has no conflict of interest or loyalty to the MFCF shall perform the autopsy; and
- (b) The resident's family shall be told of the autopsy findings if they so desire by a qualified physician.

NEW SECTION

WAC 275-39-155 RESIDENT'S CIVIL RIGHTS. The MFCF shall have written policies and procedures that insure the civil rights of all residents.

NEW SECTION

WAC 285-39-160 RESIDENTS' BILL OF RIGHTS. The MFCF shall have written policies and procedures that insure the following rights for each resident:

- (1) Information.
 - (a) Each resident, resident's parent(s) or guardian shall be fully informed, before or at admission, of his/her rights and responsibilities and of all rules governing resident conduct;
 - (b) If the MFCF amends its policies on residents' rights and responsibilities and its rules governing conduct, each resident in the MFCF at that time shall be informed;
 - (c) Each resident, parent or guardian shall acknowledge in writing receipt of the information and any amendments to it. A mentally retarded resident's written acknowledgement shall be witnessed by a third person;
 - (d) Each resident, parent or guardian shall be fully informed in writing of all services available in the MFCF and of the charges for these services including any charges for services not paid for by Medicaid or not included in the MFCF basic rate per day. The MFCF shall provide this information either before or at the time of admission and on a continuing basis as changes occur in services or charges during the resident's stay.

- (2) Medical condition and treatment.
 - (a) Each resident, parent and guardian shall:
 - (i) Be fully informed by a physician of his health and medical condition unless the physician decides that informing the resident is medically contraindicated;
 - (ii) Be given the opportunity to participate in planning his/her total care and medical treatment;
 - (iii) Be given the opportunity to refuse treatment; and
 - (iv) Give informed, written consent before participating in experimental research;
 - (b) If the physician decides that informing the resident of his/her health and medical condition is medically contraindicated, he shall document this decision in the resident's record.

(3) Transfer and discharge. Each resident shall be transferred or discharged only for:

- (a) Medical reasons;
 - (b) His/her welfare or that of the other residents; or
 - (c) Nonpayment except as prohibited by the Medicaid program.
- (4) Exercising rights. Each resident shall be:
- (a) Encouraged and assisted to exercise his/her rights as a resident of the MFCF and as a citizen; and

(b) Allowed to submit complaints or recommendations concerning the policies and services of the MFCF to staff or to outside representatives of the resident's choice or both, free from restraint, interference, coercion, discrimination, or reprisal.

(5) Financial affairs. Each resident shall be allowed to manage his/her personal financial affairs. If a resident requests assistance from the MFCF in managing his/her personal financial affairs:

(a) The request shall be in writing by the resident, parent or guardian; and

(b) The MFCF shall comply with the recordkeeping requirements of this chapter.

(6) Freedom from abuse and restraints.

(a) Each resident shall be free from mental and physical abuse;

(b) Each resident shall be free from chemical and physical restraints unless the restraints are:

(i) Authorized by a physician in writing for a specified period of time not to exceed eight hours;

(ii) Used in an emergency under the following conditions:

(A) The use is necessary to protect the resident from injuring himself/herself or others.

(B) The use is authorized by a professional staff member identified in the written policies and procedures of the facility as having authority to do so.

(C) The use is reported promptly to the resident's physician by that staff member; or

(iii) Used during a behavior modification session for a mentally retarded resident under the following conditions:

(A) The use is authorized in writing by a physician or a qualified mental retardation professional.

(B) The parent or legal guardian of the mentally retarded resident gives his/her informed consent to the use of restraints or aversive stimuli.

(7) Privacy.

(a) Each resident shall be treated with consideration, respect, and full recognition of his/her dignity and individuality;

(b) Each resident shall be given privacy during treatment and care of personal needs;

(c) Each resident's records, including information in an automatic data bank, shall be treated confidentially;

(d) Each resident, parent or guardian shall give written consent before the MFCF may release information from his/her record to someone not otherwise authorized by law to receive it.

(8) Work. No resident may be required to perform services for the MFCF.

(9) Freedom of association and correspondence. Each resident shall be allowed to:

(a) Communicate, associate, and meet privately with individuals of his/her choice, unless this infringes on the rights of another resident; and

(b) Send and receive personal mail unopened.

(10) Activities. Each resident shall be allowed to participate in social, religious, and community group activities unless a qualified mental retardation professional:

(a) Determines that these activities are contraindicated for a mentally retarded resident; and

(b) Documents that determination in the resident's record.

(11) Personal possessions. Each resident shall be allowed to retain and use his/her personal possessions and clothing as space permits.

NEW SECTION

WAC 275-39-165 DELEGATION OF RIGHTS AND RESPONSIBILITIES. (1) The MFCF shall have written policies and procedures that provide that all rights and responsibilities of a resident pass to the resident's guardian, next of kin, or sponsoring agency or agencies if the resident:

(a) Is adjudicated incompetent under state law; or

(b) Is determined by the interdisciplinary team to be incapable of understanding his/her rights and responsibilities.

(2) If the resident is determined to be incapable of understanding his/her rights and responsibilities, the interdisciplinary team that made the determination shall record the specific reason in the resident's record.

NEW SECTION

WAC 275-39-170 RESIDENT FINANCES. (1) The MFCF shall have written policies and procedures that protect the financial interests of each resident.

(2) If large sums accrue to a resident, the policies and procedures shall provide for appropriate protection of these funds and for counseling the resident concerning their use.

(3) Each resident shall be allowed to possess and use money in normal ways or be learning to do so.

(4) The MFCF shall maintain a current, written financial record for each resident that includes written receipts for:

(a) All personal possessions and funds received by or deposited with the MFCF; and

(b) All disbursements made to or for the resident.

(5) The financial record shall be available to the resident and his/her family.

NEW SECTION

WAC 275-39-175 STAFF-RESIDENT COMMUNICATIONS. The MFCF shall provide for effective staff, resident and parent or guardian participation and communication in the following manner.

(1) The MFCF shall establish appropriate standing committees including but not limited to human rights, research review, and infection.

(2) The committees shall meet regularly and include direct-care staff.

(3) Reports of staff meetings and standing and ad hoc committee meetings shall include recommendations and their implementation written in layman's terms; shared with the family; and filed.

NEW SECTION

WAC 275-39-180 COMMUNICATION WITH RESIDENTS AND PARENTS. (1) The MFCF shall have an active program of communication with the residents and their families or guardians that includes:

(a) Keeping residents' families or legal guardians informed of resident activities that may be of interest to them or of significant changes in the resident's condition;

(b) Answering communications from resident's relatives promptly and appropriately;

(c) Allowing close relatives and guardians to visit at any reasonable hour, without prior notice, unless the resident's needs limit visits;

(d) Allowing parents or guardians to visit any part of the MFCF that provides services to residents;

(e) Encouraging frequent and informal visits home by the residents unless medically contraindicated; and

(f) Having rules that make it easy to arrange visits home.

(2) The MFCF shall insure that individuals allowed to visit the MFCF under subsection (1)(c) of this section do not infringe on the privacy and rights of the other residents.

NEW SECTION

WAC 275-39-185 DENTAL SERVICES-DIAGNOSTIC SERVICES. (1) The MFCF shall provide each resident with comprehensive diagnostic dental services that include a complete extraoral and intraoral examination, using all diagnostic aids necessary to properly evaluate the resident's oral condition, not later than one month after a resident's admission to the MFCF unless he/she received the examination within six months before admission.

(2) The MFCF shall review the results of the examination and enter them in the resident's record.

NEW SECTION

WAC 275-39-190 DENTAL SERVICES-TREATMENT. The MFCF shall provide each resident with comprehensive dental treatment that includes:

(1) Provision for emergency dental treatment on a twenty-four hour-a-day basis by a qualified dentist; and

(2) A system that assures that each resident is reexamined as needed but at least once a year.

NEW SECTION

WAC 275-39-195 DENTAL SERVICES—ORAL HEALTH EDUCATION AND TRAINING. The MFCF shall provide education and training in the maintenance of oral health that includes:

- (1) A dental hygiene program that informs residents and all staff on nutrition and diet control measures and residents and living unit staff on proper oral hygiene methods; and
- (2) Instruction of parents or guardians in the maintenance of proper oral hygiene in appropriate instances, for example when a resident leaves the MFCF.

NEW SECTION

WAC 275-39-200 DENTAL SERVICES—RECORDS. The MFCF shall:

- (1) Keep a permanent dental record for each resident;
- (2) Enter a summary dental progress report at stated intervals in each resident's record kept in the living unit;
- (3) Provide a copy of the permanent dental record to any facility to which the resident is transferred.

NEW SECTION

WAC 275-39-205 DENTAL SERVICES—FORMAL ARRANGEMENTS. The MFCF shall have a formal arrangement for providing each resident with the dental services required under this subchapter.

NEW SECTION

WAC 275-39-210 DENTAL SERVICES—STAFF. (1) The MFCF shall have enough qualified dental personnel and support staff to carry out the dental services program.

- (2) Each dentist and dental hygienist providing services to the facility shall be licensed to practice in the state.

NEW SECTION

WAC 275-39-211 EDUCATIONAL SERVICES. The MFCF shall assist residents in participation in educational activities provided by the local school district as appropriate.

NEW SECTION

WAC 275-39-215 FOOD AND NUTRITION SERVICES—REQUIRED SERVICES. The MFCF food services should be under the direction of a registered dietician consultant and shall include:

- (1) Menu planning;
- (2) Initiating food orders or requisitions;
- (3) Establishing specifications for food purchases and insuring that the specifications are met;
- (4) Storing and handling food;
- (5) Preparing and serving food;
- (6) Maintaining sanitary standards in compliance with state and local regulations; and
- (7) Orienting, training, and supervising food service personnel.

NEW SECTION

WAC 275-39-220 FOOD AND NUTRITION SERVICES—DIET REQUIREMENTS. (1) The MFCF shall provide each resident with a nourishing, well-balanced diet.

- (2) Modified diets shall be:
 - (a) Prescribed by the resident's interdisciplinary team with a record of the prescription kept on file;
 - (b) Planned, prepared, and served by individuals who have received adequate instruction; and
 - (c) Periodically reviewed and adjusted as needed.
- (3) The MFCF shall furnish a nourishing, well-balanced diet, in accordance with the recommended dietary allowances of the food and nutrition board of the National Research Council, National Academy of Sciences, adjusted for age, sex, activity, and disability, unless otherwise required by medical needs.
- (4) A resident may not be denied a nutritionally adequate diet as a form of punishment.

NEW SECTION

WAC 275-39-225 FOOD AND NUTRITION SERVICES—MEAL SERVICE. (1) The MFCF must serve at least three meals daily, at regular times comparable to normal mealtimes in the community but consistent with the resident's age and medical condition and with:

- (a) Not more than fourteen hours between a substantial evening meal and breakfast of the following day; and
 - (b) Not less than ten hours between breakfast and the evening meal of the same day.
- (2) Food shall be served:
- (a) In appropriate quantity;
 - (b) At appropriate temperature;
 - (c) In a form consistent with the developmental level of the resident; and
 - (d) With appropriate utensils.
- (3) Food served and uneaten shall be discarded.

NEW SECTION

WAC 275-39-230 FOOD AND NUTRITION SERVICES—MENUS. (1) Menus shall:

- (a) Be written in advance;
 - (b) Provide a variety of foods at each meal; and
 - (c) Be different for the same days of each week and adjusted for seasonal changes, if age appropriate.
- (2) The MFCF shall keep on file, for at least two years, records of menus as served and of food purchased.

NEW SECTION

WAC 275-39-235 FOOD AND NUTRITION SERVICES—FOOD STORAGE. The MFCF shall store:

- (1) Dry or staple food items at least twelve inches above the floor, in a ventilated room not subject to sewage or waste water backflow or contamination by condensation, leakage, rodents or vermin; and
- (2) Perishable foods at proper temperatures to conserve nutritive values.

NEW SECTION

WAC 275-39-240 FOOD AND NUTRITION SERVICES—WORK AREAS. The MFCF shall:

- (1) Have effective procedures for cleaning all equipment and work areas; and
- (2) Provide handwashing facilities, including hot and cold water, soap, and paper towels adjacent to work areas.

NEW SECTION

WAC 275-39-245 FOOD AND NUTRITION SERVICES—DINING AREAS AND SERVICE. The MFCF shall:

- (1) Serve meals for all residents, including the mobile nonambulatory, in dining rooms, unless otherwise required for health reasons or by decision of the team responsible for the resident's program;
- (2) Provide table service for all residents who can and will eat at a table, including residents in wheelchairs;
- (3) Equip areas with table, chairs, eating utensils, and dishes designed to meet the developmental needs of each resident;
- (4) Supervise and staff dining rooms adequately to direct self-help dining procedures and to assure that each resident receives enough food; and
- (5) Dining area should be large enough to allow the children to eat together.

NEW SECTION

WAC 275-39-250 FOOD AND NUTRITION SERVICES—TRAINING OF RESIDENTS AND DIRECT-CARE STAFF. (1) The MFCF shall provide residents with systematic training to develop appropriate eating skills, using special eating equipment and utensils if it serves the developmental process.

- (2) Direct-care staff shall be trained in and use proper feeding techniques.
- (3) The MFCF shall insure that residents eat in an upright position unless medically contraindicated, and in a manner consistent with their developmental needs.

NEW SECTION

WAC 275-39-255 FOOD AND NUTRITION SERVICES—STAFF. (1) The MFCF shall have enough competent personnel to meet the food and nutrition needs of residents.

(2) A dietician who directs food and nutrition services as a consultant to the MFCF shall meet the qualification requirements of WAC 275-39-260.

(3) The MFCF shall designate a staff member who is trained or experienced in food management or nutrition to direct food and nutrition services in their MFCF who shall meet the requirements of a food service supervisor in WAC 248-14-230.

NEW SECTION

WAC 275-39-260 FOOD AND NUTRITION SERVICES—DIETITIAN (QUALIFIED CONSULTANT). A person who:

(1) Is eligible for registration by the American dietetic association under its requirements in effect on January 17, 1974; or

(2) Has a baccalaureate degree with major studies in food and nutrition, dietetics, or food service management; has one year of supervisory experience in the dietetic service of a residential health care institution; and participates annually in continuing dietetic education.

NEW SECTION

WAC 275-39-265 MEDICAL SERVICES—REQUIRED SERVICES. The MFCF shall:

(1) Provide medical services through direct contact between physicians and residents and through contact between physicians and individuals working with the residents;

(2) Provide health services including treatment, medications, diet, and any other health service prescribed or planned for the resident twenty-four hours a day;

(3) Have available electroencephalographic services as needed;

(4) Have enough space, facilities, and equipment to fulfill the medical needs of residents;

(5) Provide evidence, such as utilization review committee records, that hospital and laboratory services are used in accordance with professional standards;

(6) Provide a pediatrician trained in or experienced in treatment of chronic lung disease of infancy and childhood when appropriate; a pediatrician trained in or experienced in rehabilitation medicine for infants and children when appropriate; and/or a pediatrician trained in or experienced in neurology when appropriate must:

(a) Participate in interdisciplinary team process including but not limited to:

(i) Admission evaluation study, plan, and placement of the child at time of admission;

(ii) The continuing evaluation study and program design;

(iii) The development of a discharge plan;

(iv) The referral to appropriate community facilities;

(b) At least weekly reevaluation of the type, extent and quality of services and programming;

(c) Provision of consultation to emergency physicians, nursing staff and respiratory therapy staff;

(d) Maintenance of clearly legible records for each resident;

(7) Provide emergency physicians or emergency room facilities and services and, if appropriate, such facilities and services shall be available within thirty minutes.

NEW SECTION

WAC 275-39-270 MEDICAL SERVICES—GOALS AND EVALUATIONS. (1) Physicians shall participate, when appropriate, in:

(a) The continuing interdisciplinary evaluation of individual residents for the purposes of beginning, monitoring, and following up on individualized habilitation programs; and

(b) The development for each resident of a detailed, written statement of:

(i) Case management goals for physical and mental health, education, and functional and social competence; and

(ii) A management plan detailing the various habilitation or rehabilitation services to achieve those goals, with clear designation of responsibility for implementation.

(2) The MFCF shall review and update the statement of treatment goals and management plans as needed, but at least quarterly, to insure:

(a) Continuing appropriateness of the goals;

(b) Consistency of management methods with the goals; and

(c) The achievement of progress toward the goals.

NEW SECTION

WAC 275-39-275 MEDICAL SERVICES—ARRANGEMENTS WITH OUTSIDE RESOURCES. The MFCF shall:

(1) Have a formal arrangement for providing each resident with medical care that includes care for medical emergencies on a twenty-four hour-a-day basis;

(2) Designate a physician, licensed to practice medicine in the state, to be responsible for maintaining the general health conditions and practices of the MFCF; and

(3) Maintain effective arrangements, for residents to receive prompt medical and remedial services that they require but that the MFCF does not regularly provide.

NEW SECTION

WAC 275-39-280 MEDICAL SERVICES—PREVENTIVE HEALTH SERVICES. The MFCF shall have preventive health services for residents that include:

(1) Means for the prompt detection and referral of health problems, through adequate medical surveillance, periodic inspection, and regular medical examinations;

(2) Annual physical examinations that may include:

(a) Examination of vision, hearing and dentition;

(b) Screening laboratory examinations as determined necessary by the physician, and special studies when needed;

(3) Immunizations, using as a guide the recommendations of the public health service advisory committee on immunization practices and of the committee on the control of infectious diseases of the American Academy of Pediatrics;

(4) Tuberculosis control, appropriate to the MFCF population, in accordance with the recommendations of the American College of Chest Physicians or the section on diseases of the chest of the American Academy of Pediatrics or both;

(5) Reporting of communicable diseases and infections in accordance with law; and

(6) Nutritional assessment and recommendations for dietary supplementation based on individual and general needs.

NEW SECTION

WAC 275-39-285 MEDICAL SERVICES—PHYSICIAN (QUALIFIED CONSULTANT). A person who is licensed to practice medicine in the state of Washington, and:

(1) Has graduated from a four year school of medicine approved by the Liaison Committee for Education of the American Medical Association or of the American College of Osteopathy;

(2) If a pediatrician is qualified by the American Board of Pediatrics, Inc., or has equivalent qualifications or experience and at least two years of experience in developmental pediatrics;

(3) If a pulmonary diseases expert is qualified by American Board of Pediatrics, Inc., as a diplomate of the Subboard for Neonatology or has equivalent qualifications;

(4) If a physiatrist is qualified by the American Board of Pediatrics, Inc., and the American Board of Rehabilitation Medicine, or:

(a) Is qualified by the American Board of Rehabilitation Medicine, Inc., and has at least two years experience in pediatric medicine or pediatric rehabilitation;

(b) Is qualified by the American Board of Pediatrics, Inc., and has at least two years experience in rehabilitation of children; or

(c) Has equivalent experience;

(5) If a neurologist, is qualified by the American Board of Neurologists and Psychiatry, Inc., or has equivalent experience and at least two years experience in pediatric neurology and management of seizure disorders.

NEW SECTION

WAC 275-39-290 NURSING SERVICES—REQUIRED SERVICES. The MFCF shall provide residents with nursing services, in accordance with their needs, that include, as appropriate, the following:

(1) Registered nurse participation in:

(a) Interdisciplinary team process including but not limited to:

- (i) The admission evaluation study, plan, and placement of the resident at the time of admission;
- (ii) The continuing evaluation study and program design;
- (iii) The development of the discharge plan; and
- (iv) The referral to appropriate community resources.
- (b) At least weekly reevaluation of the type, extent, and quality of services and programming;
- (c) Administration of and daily observation of the effects of seizure medications;
- (d) Administration of and daily observation of the effects of cardiotropic and diuretic medications;
- (e) Management and observation of seizures, apnea and cardiac arrest;
- (f) Management of ventilated dependent children;
- (g) Management of tracheostomies;
- (h) Management of ventilated dependent children without the assistance of mechanical devices for a period of time up to thirty minutes in order to provide for interval care;
- (i) Evaluation of neurological, pulmonary, nutritional and cardiac status, as well as, growth and development of children;
- (j) Evaluation of common acute illnesses of children;
- (k) Provision of well child care;
- (l) Maintain clearly legible records for each child.
- (2) Training in habits of personal hygiene, family life, and sex education that includes but is not limited to family planning and venereal disease counseling.
- (3) Control of communicable diseases and infections through:
 - (a) Identification and assessment;
 - (b) Reporting to medical authorities;
 - (c) Implementation of appropriate protective and preventive measures;
 - (d) Development of a written nursing services plan for each resident as part of the total habilitation program; and
 - (e) Modification of the nursing plan, in terms of the resident's daily needs, at least semiannually or more frequently where needed, in accordance with developmental changes.

NEW SECTION

- WAC 275-39-295 NURSING SERVICES—TRAINING.** (1) A registered nurse with experience in pediatric pulmonary medicine, pediatric rehabilitation, occupational and physical therapy, respiratory therapy, and seizure disorders of children shall participate, as appropriate, in the planning and implementation of training of the MFCF's personnel.
- (2) The MFCF shall have direct-care personnel trained in:
 - (a) Detecting signs of illness or dysfunction that warrant medical or nursing intervention;
 - (b) Basic skills required to meet the health needs and problems of the residents;
 - (c) First aid for accident or illness;
 - (d) Management and observation of seizures, apnea and cardiac arrest;
 - (e) Management of ventilators including tracheostomy care;
 - (f) Management of respiratory dependent children without mechanical assistance for up to thirty minutes (CPR certified); and
 - (g) Evaluation of neurological status, pulmonary status, general nutrition and growth and development including normal children illnesses.

NEW SECTION

- WAC 275-39-300 NURSING SERVICES—STAFF.** (1) The MFCF shall have available enough nursing staff, which may include currently licensed practical nurses and other supporting personnel, to carry out the various nursing services.
- (2) The individual responsible for the delivery of nursing services shall have knowledge and experience in the field of developmental disabilities, pediatric medicine, acute pediatric care, ventilator management, sudden demise, chronic lung diseases of childhood, pediatric rehabilitation, and well child care.
 - (3) Nursing service personnel at all levels of experience and competence shall be:
 - (a) Assigned responsibilities in accordance with their qualifications. Medications must be administered and care of ventilated dependent infants and children must be provided by registered nurses only;
 - (b) Delegated authority commensurate with their responsibility; and
 - (c) Provided appropriate professional nursing supervision.

NEW SECTION

- WAC 275-39-305 NURSING SERVICES—SUPERVISION OF HEALTH SERVICES.** (1) The MFCF shall have a registered nurse to supervise the health services full time, seven days a week, on all shifts.
- (2) The nurse shall be a graduate of a state-approved school of nursing.
 - (3) The nurse shall have a current license to practice in the state of Washington.
 - (4) The nurse shall have at least two years experience in acute care pediatric and developmental nursing.
 - (5) The MFCF shall have responsible staff members on duty and awake twenty-four hours a day to take prompt, appropriate action in case of injury, illness, fire, or other emergency.
 - (6) The health services supervisor is responsible for developing, supervising the implementation of, reviewing, and revising a written health care plan for each resident that is:
 - (a) Developed and implemented according to the instructions of the attending or staff physician; and
 - (b) Reviewed and revised as needed but not less often than quarterly.

NEW SECTION

- WAC 275-39-310 NURSING SERVICES—DIRECTOR OF NURSING SERVICES.** A registered nurse who is licensed by the state of Washington, and has one year of additional education or experience in nursing service administration, as well as additional education or experience in pediatric rehabilitative pulmonary developmental and pediatric nursing. The director of nursing must participate annually in continuing nursing education. The director of nursing shall also fulfill the requirements of a staff nurse, see WAC 275-39-315.

NEW SECTION

- WAC 275-39-315 NURSING SERVICES—A STAFF NURSE.** A registered nurse licensed in the state of Washington and:
- (1) A graduate of a nursing program certified by the American Nursing Association; or
 - (2) A graduate of a college of nursing with a baccalaureate degree approved by the American Nursing Association; and
 - (3) If in a MFCF, caring for ventilator or tracheostomy dependent children, the nurse must have an additional two years training or experience in the care of chronic lung disease of children; or
 - (4) If in any MFCF, caring for medically fragile children other than ventilator dependent children, the nurse must have training or equivalent experience of at least one year in:
 - (a) Infant and child development and well child care;
 - (b) Rehabilitation nursing of children;
 - (c) Pediatric CPR;
 - (d) Evaluation of and management of neurological disorders and seizures; and
 - (e) Nursing care of acute common illnesses of childhood.

NEW SECTION

- WAC 275-39-320 PHARMACY SERVICES—REQUIRED SERVICES.** The MFCF shall:
- (1) Make formal arrangements for qualified pharmacy services, including provision for emergency service;
 - (2) Have a current pharmacy manual that:
 - (a) Includes policies and procedures and defines the functions and responsibilities relating to pharmacy services; and
 - (b) Is revised annually to keep abreast of current developments in services and management techniques;
 - (3) Have a formulary system approved by a responsible physician and pharmacist and other appropriate staff. Copies of the MFCF's formulary system and of the American hospital formulary service shall be located and available in the facility;
 - (4) Modify all drugs, containers, and delivery vehicles to be appropriate for and safe from infants and children;
 - (5) Stock syrup of ipecac; and
 - (6) Post appropriate labels.

NEW SECTIONWAC 275-39-325 PHARMACY SERVICES—PHARMACIST.

(1) Pharmacy services shall be provided under the direction of a qualified licensed pharmacist.

(2) The pharmacist shall:

(a) When a resident is admitted, obtain, if possible, a history of prescription and nonprescription drugs used and enter this information in the resident's record;

(b) Receive the original, or a direct copy, of the physician's drug treatment order;

(c) Maintain for each resident an individual record of all prescription and nonprescription medications dispensed, including quantities and frequency of refills;

(d) Participate, as appropriate, in the continuing interdisciplinary evaluation of individual residents for the purposes of beginning, monitoring, and following up on individualized habilitation programs; and

(e) Establish quality specifications for drug purchases and insure that they are met.

(3) A pharmacist or registered nurse shall weekly review the medication record of each resident for potential adverse reactions, allergies, interactions, contradictions, rationality and laboratory test modifications and advise the physician of any recommended changes with reasons and with an alternate drug regimen.

(4) As appropriate to the MFCF, the responsible pharmacist, physician, nurse, and other professional staff shall write policies and procedures that govern the safe administration and handling of all drugs. The following policies and procedures shall be included:

(a) There shall be a written policy governing the self administration of drugs, whether prescribed or not.

(b) The pharmacist or an individual under his supervision shall compound, package, label, and dispense drugs including samples and investigational drugs. Proper controls and records shall be kept of these processes.

(c) Each drug shall be identified up to the point of administration.

(d) Whenever possible, the pharmacist shall dispense drugs that require dosage measurements in a form ready to be administered to the resident.

NEW SECTION

WAC 275-39-330 PHARMACY SERVICES—DRUGS AND MEDICATIONS. (1) A medication shall be used only by the resident for whom it is issued. Only appropriately trained staff may administer drugs.

(2) Any drug that is discontinued or outdated and any container with a worn, illegible, or missing label shall be returned to the pharmacy for proper disposition.

(3) The MFCF shall have:

(a) An automatic stop order on all drugs, to include a notification system to the physician or nurse prior to discontinuance of any drug;

(b) A drug recall procedure that can be readily used;

(c) A procedure for reporting adverse drug reactions to the food and drug administration; and

(d) An emergency kit available to each living unit and appropriate to the needs of its residents and approved by the physician(s) in charge.

(4) Medication errors and drug reactions shall be recorded and reported immediately to the practitioner who ordered the drug.

NEW SECTION

WAC 275-39-335 PHARMACY SERVICES—DRUG STORAGE. The MFCF shall:

(1) Store drugs under proper conditions of sanitation, temperature, light, moisture, ventilation, segregation, and security;

(2) Store poisons, drugs used externally, and drugs taken internally on separate shelves in a locked or in separate locked cabinets at all locations;

(3) Keep medication that is stored in a refrigerator containing other items in a separate compartment with proper security;

(4) Keep all drugs under lock and key unless an authorized individual is in attendance;

(5) If there is a drug storeroom separate from the pharmacy, keep a perpetual inventory of receipts and issues of all drugs from that storeroom; and

(6) Meet the drug security requirements of federal and state laws that apply to storerooms, pharmacies, and living units.

NEW SECTION

WAC 275-39-340 PHYSICAL AND OCCUPATIONAL THERAPY SERVICES—REQUIRED SERVICES. (1) The MFCF shall provide physical and occupational therapy services through direct contact between therapists and residents and through contact between therapists and individuals involved with the residents.

(2) Physical and occupational therapy staff shall provide treatment training programs that are designed to:

(a) Preserve and improve abilities for independent function, such as range of motion, strength, tolerance, coordination, and activities of daily living; and

(b) Prevent, insofar as possible, irreducible or progressive disabilities through means such as the use of orthotic and prosthetic appliances, assistive and adaptive devices, positioning, behavior adaptations, and sensory stimulation.

(3) The therapist shall:

(a) Work closely with the resident's primary physician and with other medical specialists to include psychiatrists, orthopedists, neurologists, and experts in pulmonary disorders all with pediatric training or experience;

(b) Record regularly and evaluate quarterly the treatment training progress; and

(c) Use the treatment training progress as the basis for continuation or change in the resident's program.

(4) The therapist shall participate in:

(a) The interdisciplinary team process including but not limited to:

(i) Admission evaluation study and plan;

(ii) The continuing evaluation study, program design, and placement of the resident at the time of admission;

(iii) The development of a discharge plan;

(iv) The referral to appropriate community facilities;

(b) Staff training;

(c) At least weekly reevaluation of the type, extent and quality of services and programming;

(i) Feeding;

(ii) Gross motor;

(iii) Fine motor;

(iv) Toilet training;

(v) Self-care skills, grooming, dressing, and mobility;

(d) Maintenance of clearly legible records for each resident.

NEW SECTION

WAC 275-39-345 PHYSICAL AND OCCUPATIONAL THERAPY SERVICES—RECORDS AND EVALUATIONS. The MFCF shall have evaluation results, treatment objectives, plans and procedures, and continuing observations of treatment progress:

(1) Recorded accurately, summarized, and communicated to all relevant parties;

(2) Used in evaluating progress; and

(3) Included in the resident's record kept in the living unit.

NEW SECTION

WAC 275-39-350 PHYSICAL AND OCCUPATIONAL THERAPY SERVICES—STAFF AND FACILITIES. (1) The MFCF shall have available enough qualified staff and support personnel to carry out the various physical and occupational therapy services in accordance with stated goals and objectives.

(2) Physical and occupational therapy personnel shall be:

(a) Assigned responsibilities in accordance with their qualifications;

(b) Delegated authority commensurate with their responsibilities; and

(c) Provided professional direction and consultation.

(3) Therapy assistants shall work under the supervision of a qualified therapist.

(4) Physical and occupational therapists and therapy assistants shall meet the qualification requirements of this chapter.

(5) The MFCF shall provide enough space and equipment and supplies for efficient and effective physical and occupational therapy services.

NEW SECTION

WAC 275-39-355 PHYSICAL AND OCCUPATIONAL THERAPY SERVICES—OCCUPATIONAL THERAPIST (QUALIFIED CONSULTANT). An occupational therapist is a person who:

(1) Is a graduate of an occupational therapy curriculum accredited jointly by the Council on Medical Education of the American Medical Association and the American Occupational Therapy Association;

(2) Has two years of professional pediatric experience as an occupational therapist and is registered with the national association.

NEW SECTION

WAC 275-39-360 PHYSICAL AND OCCUPATIONAL THERAPY SERVICES—OCCUPATIONAL THERAPY ASSISTANT. An occupational therapy assistant is a person who:

(1) Has graduated from a certified occupational therapy assistant two-year college program accredited by the American Occupational Therapy Association or has an equivalent work experience to qualify for subsection (2) of this section according to the standards of the American Occupational Therapy Association; and

(2) Has two years of pediatric experience as an occupational therapy assistant.

NEW SECTION

WAC 275-39-365 PHYSICAL AND OCCUPATIONAL THERAPY SERVICES—PHYSICAL THERAPIST (QUALIFIED CONSULTANT). A person who is licensed as a physical therapist by the state in which practicing, and:

(1) Has graduated from a physical therapy curriculum approved by the American Physical Therapy Association, or by the Council on Medical Education and hospitals of the American Medical Association, or jointly by the Council on Medical Education of the American Medical Association and the American Physical Therapy Association; or

(2) Prior to January 1, 1966, was admitted to membership by the American Physical Therapy Association, or was admitted to registration by the American Registry of Physical Therapists, or has graduated from a physical therapy curriculum in a four-year college or university approved by a state department of education; or

(3) Has two years of appropriate experience as a physical therapist, and has achieved a satisfactory grade on a proficiency examination approved by the secretary, except that such determinations of proficiency shall not apply with respect to persons initially licensed by a state or seeking qualification as a physical therapist after December 31, 1977; or

(4) Was licensed or registered prior to January 1, 1966, and prior to January 1, 1970, had fifteen years of full-time experience in the treatment of illness or injury through the practice of physical therapy in which services were rendered under the order and direction of attending and referring physicians; or

(5) If trained outside the United States, was graduated since 1928 from a physical therapy curriculum approved in the country in which the curriculum was located and in which there is a member organization of the World Confederation for Physical Therapy, meets the requirements for membership in a member organization of the World Confederation for Physical Therapy, has one year of experience under the supervision of an active member of the American Physical Therapy Association and has successfully completed a qualifying examination as prescribed by the American Physical Therapy Association; or

(6) Has at least one year experience in physical therapy with infants and children.

NEW SECTION

WAC 275-39-370 PHYSICAL AND OCCUPATIONAL THERAPY SERVICES—PHYSICAL THERAPIST ASSISTANT. A person who is licensed as a physical therapist assistant, if applicable, by the state in which practicing, and:

(1) Has graduated from a two-year college-level program approved by the American Physical Therapy Association; or

(2) Has two years of appropriate experience as a physical therapist assistant, and has achieved a satisfactory grade on a proficiency examination approved by the secretary, except that such determinations of proficiency shall not apply with respect to persons initially licensed by a state or seeking initial qualification as a physical therapist assistant after December 31, 1977.

NEW SECTION

WAC 275-39-375 PSYCHOLOGICAL SERVICES—REQUIRED SERVICES. The MFCF shall:

(1) Provide psychological services through personal contact between psychologists and residents and through contact between psychologists and individuals involved with the residents;

(2) Have available enough qualified staff and support personnel to furnish the following psychological services based on need:

(a) Psychological services for residents, including evaluation, consultation, therapy, and program development;

(b) Administration and supervision of psychological services;

(c) Staff training;

(d) Maintain clearly legible records for each child;

(3) The psychologist shall when appropriate participate in the weekly reevaluation of the type, extent, and quality of services and programming.

NEW SECTION

WAC 275-39-380 PSYCHOLOGICAL SERVICES—PSYCHOLOGIST. Psychologists shall:

(1) Have at least a master's degree from an accredited program and experience or training in the field of mental retardation and early childhood development;

(2) Must be licensed or carry a certificate of qualification issued by the state of Washington, department of licensing, professional licensing division;

(3) Participate, when appropriate, in the continuing interdisciplinary evaluation of each individual resident, for the purposes of beginning, monitoring, and following up on the resident's individualized habilitation program;

(4) Report and disseminate evaluation results in a manner that:

(a) Promptly provides information useful to staff working directly with the resident; and

(b) Maintains accepted standards of confidentiality;

(5) Participate, when appropriate, in the development of written, detailed, specific, and individualized habilitation program plans that:

(a) Provide for periodic review, followup, and updating; and

(b) Are designed to maximize each resident's development and acquisition of the following: Perceptual skills, sensorimotor skills, self-help skills, communication skills, social skills, self-direction, emotional stability, and effective use of time, including leisure time.

NEW SECTION

WAC 275-39-385 RECREATIONAL SERVICES—REQUIRED SERVICES. The MFCF shall:

(1) Coordinate recreational services with other services and programs provided to each resident, in order to:

(a) Make the fullest possible use of the MFCF's resources; and

(b) Maximize benefits to the residents.

(2) Design and construct or modify recreation areas and facilities so that all residents, regardless of their disabilities, have access to them; and

(3) Provide recreation equipment and supplies in a quantity and variety that is sufficient to carry out the stated objectives of the activities programs and are age appropriate.

NEW SECTION

WAC 275-39-390 RECREATIONAL SERVICES—RECORDS. The MFCF's resident records shall include:

(1) Periodic surveys of the residents' recreation interests; and

(2) The extent and level of the residents' participation in the recreation program.

NEW SECTION

WAC 275-39-395 RECREATIONAL SERVICES—STAFF.

(1) The MFCF shall have enough qualified staff and support personnel available to carry out the various recreation services in accordance with stated goals and objectives.

(2) Staff conducting the recreation program shall have:

(a) A bachelor's degree in recreation;

(b) Demonstrated proficiency and experience of one year in conducting activities in one or more pediatric recreation program areas;

(c) Experience working with an interdisciplinary team.

NEW SECTION

WAC 275-39-400 RESIDENTIAL SERVICES—RESPONSIBILITIES OF LIVING UNIT STAFF. (1) The living unit staff shall

make care and development of the residents their primary responsibility. This includes training each resident in the activities of daily living and in the development of self-help and social skills.

(2) The MFCF shall insure that the staff are not diverted from their primary responsibilities by excessive housekeeping or clerical duties or other activities not related to resident care.

(3) Members of the living unit staff from all shifts shall participate in appropriate activities relating to the care and development of the resident including, at least, referral, planning, initiation, coordination, implementation, followthrough, monitoring, and evaluation.

NEW SECTION

WAC 275-39-405 RESIDENTIAL SERVICES—RESIDENT EVALUATION AND PROGRAM PLANS. The MFCF shall have specific evaluation and program plans for each resident that are:

(1) Available to direct care staff in each living unit; and

(2) Reviewed by a member or members of an interdisciplinary professional team at least monthly with documentation of the review entered in the resident's record.

NEW SECTION

WAC 275-39-410 RESIDENTIAL SERVICES—RESIDENT ACTIVITIES. (1) The MFCF shall develop an activity schedule for each resident that:

(a) Does not allow periods of unscheduled activity to extend longer than two continuous hours;

(b) Allows free time for individual or group activities using appropriate materials, as specified by the program team; and

(c) Includes planned outdoor periods all year round.

(2) Each resident's activity schedule shall be available to direct care staff and be carried out daily.

(3) The MFCF shall insure that a multiple-handicapped or nonambulatory resident:

(a) Spends a major portion of the waking day out of bed;

(b) Spends a portion of the waking day out of his bedroom area;

(c) Has planned daily activity and exercise periods; and

(d) Moves around by various methods and devices whenever possible.

(4) The MFCF must record and evaluate behavior and seizure activity as indices of possible frustration associated with excess stimulation.

NEW SECTION

WAC 275-39-415 RESIDENTIAL SERVICES—PERSONAL POSSESSIONS. The MFCF shall allow the residents to have personal possessions such as toys, books, pictures, games, radios, arts and crafts materials, religious articles, toiletries, jewelry, and letters. Personal items that are potentially hazardous or inappropriate or illegal shall be disallowed by the program director.

NEW SECTION

WAC 275-39-420 RESIDENTIAL SERVICES—CONTROL AND DISCIPLINE OF RESIDENTS. (1) The MFCF shall have written policies and procedures for the control and discipline of residents that are available in each living unit and to parents and guardians.

(2) If appropriate, residents shall participate in formulating these policies and procedures.

(3) The MFCF may not allow:

(a) Corporal punishment of a resident;

(b) A resident to discipline another resident, unless it is done as part of an organized self-government program conducted in accordance with written policy;

(c) A resident to be placed in seclusion, defined as placement in a locked room;

(d) Any disciplinary action that involves prohibition of any educational or social activity;

(e) Use of physical restraint as a punishment;

(f) Withholding or delaying adequate food or drink; or

(g) Use of abusive language.

NEW SECTION

WAC 275-39-425 RESIDENTIAL SERVICES—PHYSICAL RESTRAINT OF RESIDENTS. (1) Except as provided for behavior

modification programs in WAC 275-39-440, the MFCF may allow the use of physical restraint on a resident only if absolutely necessary to protect the resident from injuring himself/herself or others.

(2) The MFCF may not use physical restraint:

(a) As punishment;

(b) For the convenience of the staff; or

(c) As a substitute for activities or treatment.

(3) The MFCF shall have a written policy that specifies:

(a) How and when physical restraint may be used;

(b) The staff members who shall authorize its use; and

(c) The method for monitoring and controlling its use.

(4) An order for physical restraint may not be in effect longer than eight hours.

(5) Appropriately trained staff shall check a resident placed in a physical restraint at least every thirty minutes and keep a record of these checks.

(6) A resident who is in a physical restraint shall be given an opportunity for motion and exercise for a period of not less than ten minutes during each two hours of restraint.

NEW SECTION

WAC 275-39-430 RESIDENTIAL SERVICES—MECHANICAL DEVICES USED FOR PHYSICAL RESTRAINT. (1) Mechanical devices used for physical restraint shall be designed and used in a way that causes the resident no physical injury and the least possible physical discomfort.

(2) A totally enclosed crib or a barred enclosure is a physical restraint.

(3) Mechanical supports used to achieve proper body position and balance are not physical restraints. However, mechanical supports shall be designed and applied:

(a) Under the supervision of a qualified professional; and

(b) In accordance with principles of good body alignment, concern for circulation, and allowance for change of position.

NEW SECTION

WAC 275-39-435 RESIDENTIAL SERVICES—CHEMICAL RESTRAINT OF RESIDENTS. The MFCF may not use chemical restraint:

(1) Excessively;

(2) As punishment;

(3) For the convenience of the staff;

(4) As a substitute for activities or treatment; or

(5) In quantities that interfere with a resident's habilitation program.

NEW SECTION

WAC 275-39-440 RESIDENTIAL SERVICES—BEHAVIOR MODIFICATION PROGRAMS. (1) For purposes of this section:

(a) "Aversive stimuli" means things or events that the resident finds unpleasant or painful that are used to immediately discourage undesired behavior;

(b) "Time out" means a procedure designed to improve a resident's behavior by removing positive reinforcement when his/her behavior is undesirable.

(2) Behavior modification programs involving the use of aversive stimuli or time-out devices shall be:

(a) Reviewed and approved by the MFCF's human rights committee; facility committee on behavior therapy; and the qualified mental retardation professional;

(b) Conducted only with the consent of the affected resident's parents or legal guardian; and

(c) Described in written plans that are kept on file in the MFCF.

(3) A physical restraint used as a time-out device may be applied only during behavior modification exercises and only in the presence of the trainer.

(4) For time-out purposes, time-out devices, and aversive stimuli may not be used for longer than one hour, and then only during the behavior modification program and only under the supervision of the trainer.

NEW SECTION

WAC 275-39-445 RESIDENTIAL SERVICES—RESIDENT CLOTHING. The MFCF shall insure that each resident:

- (1) Has enough neat, clean, suitable, and seasonable clothing which is age and size appropriate;
- (2) Has his/her own clothing marked with his/her name when necessary;
- (3) Is dressed daily in his/her own clothes unless this is contraindicated in written medical orders;
- (4) Is trained and encouraged, as appropriate, to:
 - (a) Select his/her daily clothing;
 - (b) Dress himself or herself;
 - (c) Change his/her clothes to suit his/her activities; and
- (5) Has storage space for his/her clothing that is accessible to him/her even if he/she is in a wheelchair.

NEW SECTION

WAC 275-39-450 RESIDENTIAL SERVICES—HEALTH, HYGIENE, GROOMING AND TOILET TRAINING. (1) Each resident shall be trained to be as independent as possible in daily health, hygiene, and grooming practices, including bathing, brushing teeth, shampooing, combing and brushing hair, shaving, and caring for toenails and fingernails.

- (2) Each resident who does not eliminate appropriately and independently shall be in a regular, systematic toilet training program and a record shall be kept of his/her progress in the program.
- (3) A resident who is incontinent shall be bathed or cleaned immediately upon voiding or soiling, unless specifically contraindicated by the training program, and all soiled items shall be changed.
- (4) The MFCF shall establish procedures for:
 - (a) Weighing each resident monthly unless the special needs of the resident require more frequent weighing;
 - (b) Measuring the height of each resident every three months until the resident reaches the age of maximum growth;
 - (c) Maintaining weight and height records for each resident; and
 - (d) Insuring that each resident maintains a normal weight.
- (5) At least every three days, a physician shall review orders prescribing bed rest or prohibiting a resident from being outdoors.
- (6) The MFCF shall furnish, maintain in good repair, and encourage the use of dentures, eyeglasses, hearing aids, braces, and other aids prescribed for a resident by an appropriate specialist.

NEW SECTION

WAC 275-39-455 RESIDENTIAL SERVICES—GROUPING AND ORGANIZATION OF LIVING UNITS. (1) The MFCF may not house residents of grossly different ages, developmental levels, and social needs in close physical or social proximity unless the housing is planned to promote the growth and development of all those housed together.

- (2) The MFCF may not segregate residents on the basis of their physical handicaps. It shall integrate residents who are mobile nonambulatory, deaf, blind, epileptic, and so forth with others of comparable social and intellectual development.
- (3) The MFCF should segregate children with respiratory fragility and those with acute, contagious illnesses of childhood.

NEW SECTION

WAC 275-39-460 RESIDENTIAL SERVICES—RESIDENT LIVING STAFF. (1) Each resident living unit shall have sufficient, appropriately qualified, and adequately trained personnel to conduct the resident living program as required by this subchapter.

- (2) The MFCF shall have an individual, whose training and experience is appropriate to the program, who is administratively responsible for resident living personnel.
- (3) Each resident living unit, regardless of organization or design, shall have, as a minimum, overall staff-resident ratios (allowing for a five-day work week plus holiday, vacation, and sick time) as follows unless program needs justify otherwise:

For units serving children under the age of six years, severely and profoundly retarded, severely physically handicapped, or residents who are aggressive, assaultive, or security risks, or who manifest severely hyperactive or psychotic-like behavior, the overall ratio is 1 to 2.

NEW SECTION

WAC 275-39-465 RESIDENTIAL SERVICES—RESIDENT LIVING AREAS. The MFCF shall design and equip the resident living areas for the comfort and privacy of each resident.

NEW SECTION

WAC 275-39-470 RESIDENTIAL SERVICES—RESIDENT BEDROOMS—SPACE AND OCCUPANCY. Bedrooms shall:

- (1) Be at or above street grade level;
- (2) Be outside rooms;
- (3) Be equipped with or located near adequate toilet and bathing facilities;
- (4) Accommodate no more than four residents;
- (5) Measure at least eighty square feet per resident in multiple resident bedrooms and at least one hundred square feet in single resident bedrooms;
- (6) Measure at least one hundred square feet per resident for bedrooms housing ventilator dependent residents.

NEW SECTION

WAC 275-39-475 RESIDENTIAL SERVICES—RESIDENT BEDROOMS—FURNITURE AND BEDDING. The MFCF shall provide each resident with:

- (1) A separate bed of proper size and height for the convenience of the resident;
- (2) A clean, comfortable mattress;
- (3) Bedding appropriate to the weather and climate; and
- (4) Appropriate furniture, such as a chest of drawers, a table or desk, and an individual closet with clothes racks and shelves accessible to the resident.

NEW SECTION

WAC 275-39-480 RESIDENTIAL SERVICES—STORAGE SPACE IN LIVING UNITS. The MFCF shall provide:

- (1) Space for equipment for daily out-of-bed activity for all residents who are not yet mobile, except those who have a short-term illness or those few residents for whom out-of-bed activity is a threat to life;
- (2) Suitable storage space, accessible to the resident, for personal possessions, such as toys and prosthetic equipment; and
- (3) Adequate clean linen and dirty linen storage areas for each living unit.

NEW SECTION

WAC 275-39-485 RESIDENTIAL SERVICES—RESIDENT BATHROOMS. The MFCF shall:

- (1) Have toilet and bathing facilities appropriate in number, size, and design to meet the needs of the residents;
- (2) Provide for individual privacy in toilets, bathtubs, and showers;
- (3) Equip bathrooms and bathroom appliances for use by the physically handicapped; and
- (4) Control the temperature of the hot water at all taps to which residents have access, by using thermostatically controlled mixing valves or other means, so that the water does not exceed 110 degrees fahrenheit.

NEW SECTION

WAC 275-39-490 RESIDENTIAL SERVICES—HEATING AND VENTILATION IN LIVING UNITS. (1) Each habitable room in the MFCF shall have:

- (a) At least one window;
 - (b) Direct outside ventilation by means of windows, louvers, air conditioning, or mechanical ventilation horizontally and vertically.
- (2) The MFCF shall:
- (a) Maintain the temperature and humidity within a normal comfort range by heating, air conditioning or other means; and
 - (b) Use a heating apparatus that does not constitute a burn hazard to residents.

NEW SECTION

WAC 275-39-495 RESIDENTIAL SERVICES—FLOORS IN LIVING UNITS. The MFCF shall have:

- (1) Floors that have a resilient, nonabrasive, and slip-resistant surface; and
- (2) Nonabrasive carpeting, if the living unit is carpeted and serves residents who crawl.

NEW SECTION

WAC 275-39-500 RESIDENTIAL SERVICES—EMERGENCY LIGHTING. If a living unit houses more than fifteen residents, it must have emergency lighting with automatic switches for stairs and exits.

NEW SECTION

WAC 275-39-505 RESPIRATORY THERAPY SERVICES—RESPIRATORY THERAPIST (QUALIFIED CONSULTANT). A person who:

- (1) Has graduated from a two year respiratory therapy school approved by the Council on Medical Education of the American Medical Association or has equivalent experience; and
- (2) Has at least one year experience with chronic respiratory problems of childhood.

NEW SECTION

WAC 275-39-510 TRAINING AND HABILITATION SERVICES—REQUIRED SERVICES. (1) The MFCF shall provide training and habilitation services to all residents, regardless of age, degree of retardation, or accompanying disabilities or handicaps.

- (2) Individual evaluations of residents shall:
 - (a) Be based upon the use of empirically reliable and valid instruments, whenever these instruments are available; and
 - (b) Provide the basis for prescribing an appropriate program of training experiences for the resident.
- (3) The MFCF shall have written training and habilitation objectives for each resident that are:
 - (a) Based upon complete and relevant diagnostic and prognostic data; and
 - (b) Stated in specific behavioral terms that permit the progress of each resident to be assessed.
- (4) The MFCF shall provide evidence of services designed to meet the training and habilitation objectives for each resident.
- (5) The training and habilitation staff shall:
 - (a) Maintain a functional training and habilitation record for each resident; and
 - (b) Provide training and habilitation services to residents with hearing, vision, perceptual, or motor impairments.

NEW SECTION

WAC 275-39-515 TRAINING AND HABILITATION SERVICES—STAFF. The MFCF shall have enough qualified training and habilitation personnel and support staff, supervised by a qualified mental retardation professional, to carry out the training and habilitation program.

NEW SECTION

WAC 275-39-520 TRAINING AND HABILITATION SERVICES—NEEDED SERVICES. In addition to the resident living services detailed in WAC 275-39-400 through 275-39-450, the MFCF shall provide professional and special programs and services to residents based upon their needs for these programs and services.

NEW SECTION

WAC 275-39-525 TRAINING AND HABILITATION SERVICES—AGREEMENTS WITH OUTSIDE RESOURCES. (1) If the MFCF does not employ a qualified professional to furnish a required institutional service, it shall have in effect a written agreement with a qualified professional outside the MFCF to furnish the required service.

- (2) The agreement shall:
 - (a) Contain the responsibilities, functions, objectives, and other terms agreed to by the MFCF and the qualified professional; and
 - (b) Be signed by the administrator or his representative and by the qualified professional.

NEW SECTION

WAC 275-39-530 TRAINING AND HABILITATION SERVICES—QUALITY STANDARDS FOR OUTSIDE RESOURCES. (1) Programs and services provided by the MFCF or to the MFCF by outside agencies or individuals shall meet the standards for quality of services required in this subchapter.

- (2) All contracts for these services shall state that these standards will be met.

NEW SECTION

WAC 275-39-535 TRAINING AND HABILITATION SERVICES—PLANNING AND EVALUATION. Interdisciplinary teams consisting of individuals representative of the professions or service areas included in this subchapter that are relevant in each particular case, shall:

- (1) Evaluate each resident's needs;
- (2) Plan an individualized habilitation program which may include divisions for medical care and educational training to meet each resident's identified needs; and
- (3) At least every three months or as specified in individual habilitation plan review each resident's responses to his/her program and revise the program accordingly.

NEW SECTION

WAC 275-39-545 SPEECH PATHOLOGY AND AUDIOLOGY SERVICES—REQUIRED SERVICES. (1) The MFCF shall provide speech pathology and audiology services through direct contact between speech pathologists and audiologists and residents, and working with other personnel, including but not limited to teachers and direct-care staff.

- (2) Speech pathology and audiology services available to the MFCF shall include:
 - (a) Screening and evaluation of residents with respect to speech and hearing functions;
 - (b) Comprehensive audiological assessment of residents, as indicated by screening results, that include tests of puretone air and bone conduction, speech audiometry, and other procedures, as necessary, and the assessment of the use of visual cues;
 - (c) Assessment of the use of amplification;
 - (d) Provision for procurement, maintenance, and replacement of hearing aids, as specified by a qualified audiologist;
 - (e) Comprehensive speech and language evaluation of residents, as indicated by screening results, including appraisal of articulation, voice, rhythm, and language;
 - (f) Participation in the continuing interdisciplinary evaluation of individual residents for purposes of beginning, monitoring, and following up on individualized habilitation programs;
 - (g) Treatment services as an extension of the evaluation process, that include:
 - (i) Direct counseling with residents;
 - (ii) Consultation with appropriate staff for speech improvement and speech education activities; and
 - (iii) Work with appropriate staff to develop specialized programs for developing each resident's communication skills in comprehension, including speech, reading, auditory training, and hearing aid utilization, and skills in expression, including improvement in articulation, voice, rhythm, and language; and
 - (h) Participation in inservice training programs for direct-care and other staff.
- (3) Maintenance of clearly legible records for each child.
- (4) The MFCF must demonstrate that speech pathology and audiology services are being provided as part of their program or initiate a contract with qualified outside services.

NEW SECTION

WAC 275-39-550 SPEECH PATHOLOGY AND AUDIOLOGY SERVICES—EVALUATIONS AND ASSESSMENTS. (1) Speech pathologists and audiologists shall accurately and systematically report evaluation and assessment results in order to:

- (a) Provide information, when appropriate, that is useful to other staff working directly with the resident; and
 - (b) Include evaluative and summary reports in the resident's record kept in the living unit.
- (2) Continuing observations of treatment progress shall be:
 - (a) Recorded accurately, summarized, and communicated; and
 - (b) Used in evaluating progress.

NEW SECTION

WAC 275-39-555 SPEECH PATHOLOGY AND AUDIOLOGY SERVICES—STAFF AND FACILITIES. (1) The MFCF shall have available enough qualified staff and support personnel to carry

out the various speech pathology and audiology services, in accordance with stated goals and objectives.

(2) Staff who assume independent responsibilities for clinical services shall meet the qualification requirements of this chapter.

(3) The MFCF shall provide adequate, direct, and continuing supervision to personnel, volunteers, or support personnel used in providing clinical services.

(4) The MFCF shall have enough space, equipment, and supplies to provide efficient and effective speech pathology and audiology services.

NEW SECTION

WAC 275-39-560 SPEECH PATHOLOGY AND AUDIOLOGY SERVICES—SPEECH PATHOLOGIST OR AUDIOLOGIST (QUALIFIED CONSULTANT). A person who:

(1) Is eligible for a certificate of clinical competence in the appropriate area (speech pathology or audiology) granted by the American Speech and Hearing Association under its requirements in effect on the publication of this provision; or

(2) Meets the educational requirements for certification, and is in the process of accumulating the supervised experience required for certification.

NEW SECTION

WAC 275-39-565 SOCIAL SERVICES—REQUIRED SERVICES. The MFCF shall provide, as part of an interdisciplinary set of services, social services to each resident directed toward:

(1) Maximizing the social functioning of each resident;

(2) Enhancing the coping capacity of each resident's family;

(3) Asserting and safeguarding the human and civil rights of the retarded and their families;

(4) Fostering the human dignity and personal worth of each resident;

(5) Assisting the resident and family with the stress of severe illness, death, and dying; and

(6) Assisting the resident and family with finding services in the community.

NEW SECTION

WAC 275-39-570 SOCIAL SERVICES—SOCIAL WORKERS. (1) During the evaluation process to determine whether or not admission to the MFCF is necessary, social workers shall help the resident and his/her family:

(a) Consider alternative services, based on the retarded individual's status and important family and community factors; and

(b) Make a responsible choice as to whether and when residential placement is indicated.

(2) Social workers shall participate, when appropriate, in the continuing interdisciplinary evaluation of individual residents for the purposes of beginning, monitoring, and following up on individualized habilitation programs.

(3) During the resident's admission to, and residence in the facility or while he/she is receiving services from the facility, social workers shall as appropriate, provide liaison between him/her, the MFCF, the family, and the community, in order to:

(a) Help the staff:

(i) Individualize and understand the needs of the resident and his/her family in relation to each other;

(ii) Understand social factors in the resident's day-to-day behavior, including staff-resident relationships; and

(iii) Prepare the resident for changes in his/her living situation;

(b) Help the family develop constructive and personally meaningful ways to support the resident's experience in the MFCF through:

(i) Counseling concerning the problems of changes in family structure and functioning; and

(ii) Referral to specific services, as appropriate; and

(c) Help the family participate in planning for the resident's return to home or other community placement.

(4) After the resident leaves the MFCF, social workers must provide systematic followup to assure referral to appropriate community agencies.

(5) The MFCF shall have available enough qualified staff and support personnel to carry out the various social services activities.

(6) Social workers providing service to the MFCF shall meet the qualification requirements of WAC 275-39-575.

(7) Social work assistants or aides employed by the MFCF shall be supervised by a social worker.

NEW SECTION

WAC 275-39-575 SOCIAL SERVICES—SOCIAL WORKER (QUALIFIED CONSULTANT). A person who is licensed, if applicable, by the state in which practicing, and has a master's degree from a school of social work accredited or approved by the Council on Social Work Education, and has two years of social work experience in a health care setting with experience in counseling families involved with terminal illnesses.

NEW SECTION

WAC 275-39-580 RECORDS—MAINTENANCE OF RESIDENT RECORDS. (1) The MFCF shall maintain a record for each resident that is adequate for:

(a) Planning and continuous evaluation of the resident's habilitation program;

(b) Furnishing documentary evidence of each resident's progress and response to his/her habilitation program; and

(c) Protecting the legal rights of the residents, the MFCF, and the staff.

(2) Any individual who makes an entry in a resident's record shall make it legibly, date it, sign it, and include his job title and professional capacity.

(3) The MFCF shall provide a legend to explain any symbol or abbreviation used in a resident's record.

NEW SECTION

WAC 275-39-585 RECORDS—ADMISSION RECORDS. At the time a resident is admitted, the MFCF shall enter in the individual's record the following information:

(1) Name, date of admission, birth date and place, citizenship status, marital status, and social security number.

(2) Father's name and birthplace, mother's maiden name and birthplace, and parents' marital status.

(3) Name and address of parents, legal guardian, and next of kin if needed.

(4) Sex, race, height, weight, color of hair, color of eyes, identifying marks, and recent photograph.

(5) Reason for admission or referral problem.

(6) Type and legal status of admission.

(7) Legal competency status.

(8) Language spoken or understood.

(9) Sources of support, including social security, veterans' benefits, and insurance.

(10) Religious affiliation, if any.

(11) Reports of the preadmission evaluations.

(12) Reports of previous histories and evaluations, if any.

NEW SECTION

WAC 275-39-590 RECORDS—RECORD ENTRIES DURING RESIDENCE. (1) Within one week after the admission of each resident, the MFCF shall enter in the resident's record:

(a) A report of the review and updating of the preadmission evaluation;

(b) A prognosis that can be used for programming and placement; and

(c) A comprehensive evaluation and individual habilitation plan, designed by an interdisciplinary team.

(2) The MFCF shall enter the following information in a resident's record during his residence:

(a) Reports of accidents, seizures, illnesses, and treatments for these conditions;

(b) Records of immunizations;

(c) Records of all periods that restraints were used, with justification and authorization for each;

(d) Reports of regular, at least quarterly, review and evaluation of the program, developmental progress, and status of each resident;

(e) Enough observations of the resident's response to his program to enable evaluation of its effectiveness;

(f) Records of significant behavior incidents;

(g) Records of family visits and contacts;

(h) Records of attendance and absences;

(i) Correspondence pertaining to the resident;

- (j) Periodic updates of the information recorded at the time of admission;
- (k) Appropriate authorizations and consents;
- (l) Pertinent medical information including laboratory data.
- (3) The MFCF shall enter a discharge summary in the resident's record at the time he is discharged.

NEW SECTION

WAC 275-39-595 RECORDS—CONFIDENTIALITY. (1) The MFCF shall keep confidential all information contained in a resident's records, including information contained in an automated data bank.

(2) The record is the property of the MFCF which shall protect it from loss, damage, tampering, or use by unauthorized individuals.

(3) The MFCF shall have written policies governing access to, duplication of, and release of information from the record.

(4) The MFCF shall obtain written consent of the resident, if competent, or his guardian before it releases information to individuals not otherwise authorized to receive it.

NEW SECTION

WAC 275-39-600 RECORDS—CENTRAL RECORD SERVICE. The MFCF shall:

- (1) Maintain an organized central record service for the collection and release of resident information;
- (2) Make records readily accessible to authorized personnel if a centralized system is used;
- (3) Have appropriate records available in the resident living units;
- (4) Have a master alphabetical index of all residents admitted to the MFCF; and
- (5) Retain records for a period consistent with HEW regulations and the statute of limitations of the state in which the MFCF is located.

NEW SECTION

WAC 275-39-605 RECORDS—STAFF AND FACILITIES. The MFCF shall have:

- (1) Enough qualified staff and support personnel to accurately process, check, index, file, and retrieve records and record data promptly; and
- (2) Adequate space, equipment, and supplies to provide efficient and effective record services.

NEW SECTION

WAC 275-39-610 FACILITY SUPPORT SERVICES—ADMINISTRATIVE SUPPORT SERVICES. (1) The MFCF shall provide adequate, modern administrative support to efficiently meet the needs of residents and facilitate attainment of the MFCF's goals and objectives.

- (2) The MFCF shall:
- (a) Document its purchasing process;
 - (b) Adequately operate its inventory control system and stockroom;
 - (c) Have appropriate storage facilities for all supplies and surplus equipment; and
 - (d) Have enough trained and experienced personnel to do purchase, supply, and property control functions.

NEW SECTION

WAC 275-39-615 FACILITY SUPPORT SERVICES—COMMUNICATION SYSTEM. The MFCF shall have an adequate communication system, including telephone service, that insures:

- (1) Prompt contact of on-duty personnel; and
- (2) Prompt notification of responsible personnel in an emergency.

NEW SECTION

WAC 275-39-620 FACILITY SUPPORT SERVICES—ENGINEERING AND MAINTENANCE. The MFCF shall have:

- (1) An appropriate, written preventive, maintenance program; and
- (2) Enough trained and experienced personnel for engineering and maintenance functions.

NEW SECTION

WAC 275-39-625 FACILITY SUPPORT SERVICES—LAUNDRY SERVICES. The MFCF shall manage its laundry services so that it meets daily clothing and linen needs without delay.

NEW SECTION

WAC 275-39-630 FACILITY REQUIREMENTS—EQUIPMENT. The MFCF shall have equipment appropriate to the needs of the residents including but not limited to:

- (1) Ventilatory dependent children:
 - (a) Either piped in oxygen and compressed air or an additional thirty-six square feet per child with oxygen and compressed air tanks with a safe storage area for a supply of used and unused tanks safe from child access;
 - (b) Portable O₂ and compressed air tanks;
 - (c) Appropriate, physician ordered respiratory equipment and attachments (humidifier, flow meters, disconnect line, compressor and tubing);
 - (d) Suction apparatus;
 - (e) Emergency respiratory resuscitation tray;
 - (f) Individual boy and mark for changing;
 - (g) Cardiac monitor.
- (2) Tracheostomy dependent children:
 - (a) Tracheostomy tubes, two spares;
 - (b) Tracheostomy collar;
 - (c) Tracheostomy ties;
 - (d) Suction apparatus;
 - (e) Saline and gloves;
 - (f) Dressing, creams and hydrogen peroxide;
 - (g) Cardiac monitor.
- (3) The physically handicapped:
 - (a) Mobility device (wheelchair or stretcher);
 - (b) Braces and crutches;
 - (c) Parallel bars;
 - (d) Mats;
 - (e) Tumbling ball;
 - (f) Set of stairs with railing.
- (4) All children:
 - (a) Toys of age appropriate;
 - (b) High chairs;
 - (c) Play pens;
 - (d) Scooters;
 - (e) Walkers;
 - (f) Infant seats;
 - (g) Jonny Jump ups;
 - (h) Wagons;
 - (i) Self-propelled tricycles, scooters, etc.;
 - (j) Radio, music devices, and television sets.

NEW SECTION

WAC 275-39-635 SAFETY AND SANITATION—EMERGENCY PLAN AND PROCEDURES. (1) The MFCF shall have a written staff organization plan and detailed written procedures to meet all potential emergencies and disasters such as fire, severe weather, and missing residents.

- (2) The MFCF shall:
- (a) Clearly communicate and periodically review the plan and procedures with the staff; and
 - (b) Post the plan and procedures at suitable locations through the facility.

NEW SECTION

WAC 275-39-640 SAFETY AND SANITATION—EVACUATION DRILLS. (1) The MFCF shall hold evacuation drills at least quarterly for each shift of personnel and under varied conditions to:

- (a) Insure that all personnel on all shifts are trained to perform assigned tasks;
 - (b) Insure that all personnel on all shifts are familiar with the use of the MFCF's firefighting equipment; and
 - (c) Evaluate the effectiveness of emergency and disaster plans and procedures.
- (2) The MFCF shall:
- (a) Actually evacuate residents to safe areas during at least one evacuation drill each year, on each shift;

(b) Make special provisions for the evacuation of the physically handicapped, such as fire chutes and mattressloops with poles;

(c) Write and file a report and evaluation of each evacuation drill;

(d) Investigate all accidents and take corrective action to prevent similar accidents in the future; and

(e) For evacuation drills including use of motor vehicles for transportation, the motor vehicle must be equipped with suitable passenger restraints to be used by the residents to reduce the possibility of injury from a motor vehicle accident or sudden stop.

NEW SECTION

WAC 275-39-645 SAFETY AND SANITATION—FIRE PROTECTION. (1) Except as provided in WAC 275-39-650, 275-39-655, and subsection (2) of this section, the MFCF shall meet the provisions of the life safety code of the national fire protection association, 1967 edition, that apply to institutional occupancies.

(2) If the secretary finds that the state has a fire and safety code imposed by state law that adequately protects residents in MFCF the state survey agency may apply the state code for purposes of medicaid certification instead of the life safety code.

NEW SECTION

WAC 275-39-650 SAFETY AND SANITATION—FIRE PROTECTION EXCEPTIONS FOR SMALLER MFCFS. The state survey agency may apply the lodgings or rooming houses section of the residential occupancy requirements of the life safety code of the National Fire Protection Association, 1967 edition, instead of the institutional occupancy provisions required by WAC 285-39-645, to a MFCF that has fifteen beds or less if a physician or psychologist who meets the definition of qualified mental retardation professional certifies that each resident is:

(1) Ambulatory;

(2) Receiving active treatment; and

(3) Capable of following directions and taking appropriate action for self-preservation under emergency conditions.

NEW SECTION

WAC 275-39-655 SAFETY AND SANITATION—FIRE PROTECTION WAIVERS. (1) The state survey agency may waive specific provisions of the life safety code required by WAC 275-39-645, for as long as it considers appropriate, if:

(a) The waiver would not adversely affect the health and safety of the residents;

(b) Rigid application of specific provisions would result in unreasonable hardship for the MFCF as determined under guidelines contained in the HCFA long-term care manual; and

(c) The waiver is granted in accordance with criteria contained in the long-term care manual.

(2) If a state agency waives provisions of the code for an existing building of two or more stories that is not built of at least two-hour fire-resistive construction, the MFCF may not house a blind, nonambulatory, or physically handicapped resident above the street-level floor unless it is built of:

(a) One-hour protected, noncombustible construction as defined in National Fire Protection Association Standard No. 220;

(b) Full sprinklered, one-hour protected, ordinary construction;

(c) Full sprinklered, one-hour protected, wood frame construction.

NEW SECTION

WAC 275-39-660 SAFETY AND SANITATION—PAINT. The MFCF shall:

(1) Use lead-free paint inside the facility; and

(2) Remove or cover old paint or plaster containing lead so that it is not accessible to residents.

NEW SECTION

WAC 275-39-665 SAFETY AND SANITATION—BUILDING ACCESSIBILITY AND USE. (1) The MFCF shall:

(a) Be accessible to and usable by all residents, personnel, and the public, including individuals with disabilities; and

(b) Meet the requirements of American National Standards Institute (ANSI) Standard No. A117.1 (1961) American Standard Specifications for making buildings and facilities accessible to and usable by the physically handicapped.

(2) The state survey agency may waive, for as long as it considers appropriate, specific provisions of ANSI Standard No. A117.1 (1961) if:

(a) The provision would result in unreasonable hardship on the MFCF if strictly enforced; and

(b) The waiver does not adversely affect the health and safety of the residents.

NEW SECTION

WAC 275-39-670 SAFETY AND SANITATION—SANITATION RECORDS AND REPORTS. The MFCF shall keep:

(1) Records that document compliance with the sanitation, health, and environmental safety codes of the state or local authorities having primary jurisdiction over the MFCF; and

(2) Written reports of inspections by state or local health authorities, and records of action taken on their recommendations.

NEW SECTION

WAC 275-39-675 SAFETY AND SANITATION—HEALTH AND SAFETY LAWS. The MFCF shall meet all federal, state, and local laws, regulations and codes pertaining to health and safety, such as provisions regulating:

(1) Buying, dispensing, safeguarding, administering, and disposing of medications and controlled substances;

(2) Construction, maintenance, and equipment for the MFCF;

(3) Sanitation;

(4) Communicable and reportable diseases; and

(5) Post-mortem procedures.

WSR 80-10-051

PROPOSED RULES BOARD OF HEALTH

[Filed August 6, 1980]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Health intends to adopt, amend, or repeal rules concerning food service sanitation, amending chapter 248-84 WAC;

that such agency will at 9:00 a.m., Wednesday, September 10, 1980, in the Conference Room, Cascade National Gas Corporation, 614 N. Mission, Wenatchee, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, September 10, 1980, in the Conference Room, Cascade National Gas Corporation, 614 N. Mission, Wenatchee.

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 September 10, 1980, and/or orally at 9:00 a.m., Wednesday, September 10, 1980, Conference Room, Cascade National Gas Corporation, 614 N. Mission, Wenatchee.

Dated: August 6, 1980

By: John A. Beare MD
Secretary

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

A. 1. Amend: chapter 248-84 WAC Food service sanitation

2. Purpose of the rule or rule change is to update standards
 3. The reason(s) these rules are necessary to comply with RCW 43.20.050
 4. Statutory authority for this action is found in RCW 43.20.050
- B. Summary of the rule or rule change: Public health regulations governing the control of environmental conditions and safe food handling procedures in food service establishments.
- C. Person or persons responsible for the drafting implementation and enforcement of the rule
1. Name of initiator: Carl Sagerser
 2. Title: Section Head, Food and Housing Section
 3. Office: Environmental Health Programs
Phone: 3-5961
Mail Stop: LD-11
- D. The person or organization (if other than DSHS) who proposed these rules is: None
- E. 1. These rules are not necessary as a result of federal laws, federal court decisions or state court decisions.

AMENDATORY SECTION (Amending Regulation .84.001, filed 6/4/63)

WAC 248-84-001 ((DEFINITIONS)) SCOPE AND PURPOSE. ((The following definitions shall apply in the interpretation and the enforcement of these rules and regulations: (1) Adulterated shall mean the condition of a food (a) if it bears or contains any poisonous or deleterious substance in a quantity which may render it injurious to health; (b) if it bears or contains any added poisonous or deleterious substance for which no safe tolerance has been established by regulation, or in excess of such tolerance if one has been established; (c) if it consists in whole or in part of any filthy, putrid, or decomposed substance, or if it is otherwise unfit for human consumption; (d) if it has been processed, prepared, packed, or held under insanitary conditions, whereby it may have become contaminated with filth, or whereby it may have been rendered injurious to health; (e) if it is in whole or in part the product of a diseased animal, or an animal which has died otherwise than by slaughter; or (f) if its container is composed in whole or in part of any poisonous or deleterious substance which may render the contents injurious to health.

(2) Approved shall mean acceptable to the health officer based on his determination as to conformance with appropriate standards and good public health practice.

(3) Closed shall mean fitted together snugly leaving no openings large enough to permit the entrance of vermin.

(4) Corrosion-Resistant Material shall mean a material which maintains its original surface characteristics under prolonged influence of the food, cleaning compounds and sanitizing solutions which may contact it.

(5) Easily Cleanable shall mean readily accessible and of such material and finish, and so fabricated that residue may be completely removed by normal cleaning methods.

(6) Employee shall mean any person working in any of the establishments defined in subsection (11) of this section who transports food or food containers, who engages in food preparation or service, or who comes in contact with any food utensils or equipment or who at any time is employed in a room in which food or drink is prepared or served.

(7) Equipment shall mean all stoves, ranges, hoods, meatblocks, tables, counters, refrigerators, sinks, dishwashing machines, steam tables, and similar items, other than utensils, used in the operation of a food service establishment.

(8) Food shall mean any raw, cooked, or processed edible substance, beverage, or ingredient used or intended for use or for sale in whole or in part for human consumption.

(9) Food-Contact Surfaces shall mean those surfaces of equipment and utensils with which food normally comes in contact, and those surfaces with which food may come in contact and drain back onto surfaces normally in contact with food.

(10) Food-Service Establishment shall mean any fixed or mobile restaurant, coffeeshop, cafeteria, short-order cafe, luncheonette, grill, tearoom, sandwich shop, soda fountain, tavern, bar, cocktail lounge, night club, roadside stand, industrial-feeding establishment, retail grocery, retail food market, retail meat market, retail bakery, private, public, or nonprofit organization routinely serving food, catering kitchen, commissary or similar place in which food or drink is prepared for sale or for service on the premises or elsewhere, and any other eating or drinking establishment or operation where food is served or provided for the public with or without charge.

(11) Health Officer. The term "health officer" shall mean the city, county, city-county, or district health officer, as defined in RCW 70-04-020, 70-04-030, 70-06-020 and 70-08-040, or his authorized representative.

(12) Kitchenware shall mean all multiuse utensils other than tableware used in the storage, preparation, conveying, or serving of food.

(13) Misbranded shall mean the presence of any written, printed, or graphic matter, upon or accompanying food or containers of food, which is false or misleading, or which violates any applicable state or local labeling requirements.

(14) Perishable food shall mean any food of such type or in such condition as may spoil.

(15) Person. The word "person" shall mean a person, firm, corporation, partnership, association, or agency of state, county or municipal government, or agency of the federal government which is subject to the jurisdiction of the state.

(16) Potentially Hazardous Food shall mean any perishable food which consists in whole or in part of milk or milk products, eggs, meat, poultry, fish, shellfish, or other ingredients capable of supporting rapid and progressive growth of infectious or toxicogenic micro-organisms.

(17) Safe Temperatures, as applied to potentially hazardous food, shall mean temperatures of 45°F. or below, and 140°F. or above.

(18) Sanitize shall mean effective bactericidal treatment of clean surfaces of equipment and utensils by a process which has been approved by the health officer as being effective in destroying micro-organisms, including pathogens.

(19) Sealed shall mean free of cracks or other openings which permit the entry or passage of moisture.

(20) Single Service Articles shall mean cups, containers, lids, or closures; plates, knives, forks, spoons, stirrers, paddles; straws, place mats, napkins, doilies, wrapping material; and all similar articles which are constructed wholly or in part from paper, paperboard, molded pulp, foil, wood, plastic, synthetic, or other readily destructible materials, and which are intended by the manufacturers and generally recognized by the public as for one usage only, then to be discarded.

(21) Tableware shall mean all multiuse eating and drinking utensils, including flatware (knives, forks, and spoons).

(22) Temporary Food Service Establishment shall mean any food service establishment which operates at a fixed location for a temporary period of time, not to exceed 2 weeks, in connection with a fair, carnival, circus, public exhibition, or similar transitory gathering.

(23) Utensil shall mean any tableware and kitchenware used in the storage, preparation, conveying, or serving of food.

(24) Wholesome shall mean in sound condition, clean, free from adulteration, and otherwise suitable for use as human food.) These regulations, as authorized under RCW 43.20.050, are adopted to protect the health, safety and well-being of the public and to prevent the spread of disease.

NEW SECTION

WAC 248-84-002 DEFINITIONS. The following definitions shall apply in the interpretation and enforcement of these rules and regulations:

(1) Adulterated - shall mean the condition of a food (a) if it bears or contains any poisonous or deleterious substance in a quantity which may render it injurious to health; (b) if it bears or contains any added poisons or deleterious substance for which no safe tolerance has been established by regulation, or in excess of such tolerance if one has been established; (c) if it consists in whole or in part of any filthy, putrid, or

decomposed substance, or if it is otherwise unfit for human consumption; (d) if it has been processed, prepared, packed, or held under insanitary conditions, whereby it may have been rendered injurious to health; (e) if its container is composed in whole or in part of any poisonous or deleterious substance which may render the contents injurious to health; or (f) if it is in whole or in part the product of a diseased animal, or an animal which has died other than by slaughter: **PROVIDED**, That game animals which died other than by slaughter and which meet all other criteria of this definition, may be approved by the health officer for use by institutions or temporary food service establishments.

(2) **Approved** – shall mean acceptable to the health officer based on his/her determination as to conformance with appropriate standards and good public health practice.

(3) **Closed** – shall mean fitted together snugly leaving no openings large enough to permit the entrance of vermin.

(4) **Corrosion-resistant material** – shall mean a material which maintains its original surface characteristics under prolonged influence of the food, cleaning compounds and sanitizing solutions which may contact it.

(5) **Easily cleanable** – shall mean readily accessible and of such material and finish, and so fabricated that residue may be completely removed by normal cleaning methods.

(6) **Employee** – shall mean the permit holder, individuals having supervisory or management duties and any other person working in a food service establishment.

(7) **Equipment** – shall mean all stoves, ovens, ranges, hoods, slicers, mixers, meat blocks, tables, counters, refrigerators, sinks, dishwashing machines, steam tables, and similar items, other than utensils, used in the operation of food service establishments.

(8) **Food** – shall mean any raw, cooked, or processed edible substance, ice, beverage, or ingredient used or intended for use, or for sale in whole or in part for human consumption.

(9) **Food-contact surfaces** – shall mean those surfaces of equipment and utensils with which food normally comes in contact, and those surfaces from which food may drain, drip or splash back onto surfaces normally in contact with food.

(10) **Food processing establishment** – shall mean any commercial establishment, other than a restaurant, snack bar, mobile restaurant, temporary food services establishment, retail bakery or catering kitchen, in which food is processed or otherwise prepared or packaged or where any potentially hazardous food is placed, packaged or repackaged into another container for consumption or for resale.

(11) **Food service establishment** – shall mean, but not be limited to: Any restaurant; snack bar; tavern; bar; night club; industrial feeding establishment; grocery store; retail meat market; retail fish market; retail bakery; delicatessen; mobile food service unit; temporary food service establishment; private, public, or nonprofit organization or institution routinely serving food; catering kitchen; commissary or similar place in which food or drink is prepared for sale or for service on the premises or elsewhere; and any other establishment or operation where food is served or provided for the public with or without charge.

(12) **Health officer** – shall mean the city, county, city-county, or district health officer as defined in RCW 70.05.010(2) or his/her authorized representative.

(13) **Hermetically sealed container** – shall mean a container designed and intended to be secure against the entry of microorganisms and to maintain the commercial sterility of its contents after processing.

(14) **Kitchenware** – shall mean all multi-use utensils other than tableware used in the storage, preparation, conveying, or serving of food.

(15) **Mislabeled** – shall mean the presence of any written, printed, or graphic matter, upon or accompanying food or containers of food which is false or misleading, or which violates any applicable state or local labeling requirements.

(16) **Mobile food unit** – means a food service establishment designed to be readily movable.

(17) **Person** – shall mean an individual, firm, corporation, partnership, association, or agency of state, county or municipal government, or agency of the federal government which is subject to the jurisdiction of the state.

(18) **Person in charge** – shall mean the individual present in a food service establishment who is the apparent supervisor of the food service establishment at the time of inspection. If no individual is the apparent supervisor, then any employee present is the person in charge.

(19) **Potentially hazardous food** – shall mean any food which consists in whole or in part of milk or milk products, eggs, meat, poultry,

fish, shellfish, edible crustacea or other natural or synthetic ingredients capable of supporting rapid and progressive growth of infectious or toxigenic microorganisms. The term does not include clean, whole, uncracked, odor-free shell eggs or foods which have a pH level of 4.6 or below or a water activity (a_w) value of 0.85 or less.

(20) **Reconstituted** – shall mean dehydrated food products recombined with water or other liquids.

(21) **Sanitization** – shall mean effective bactericidal treatment by a process that provides enough accumulative heat or concentration of chemicals for enough time to reduce the bacterial count, including pathogens, to a safe level on utensils, work surfaces and equipment.

(22) **Sealed** – shall mean free of cracks or other openings that permit the entry or passage of moisture.

(23) **Single-service articles** – shall mean cups, containers, lids, closures, plates, knives, forks, spoons, stirrers, paddles, straws, napkins, wrapping materials, toothpicks and similar articles intended for one-time, one-person use and then discarded.

(24) **Tableware** – shall mean all multi-use eating and drinking utensils.

(25) **Temporary food service establishment** – shall mean a food service establishment that operates at a fixed location for a period of time of not more than 14 consecutive days in conjunction with a single event or celebration.

(26) **Utensil** – shall mean any implement used in the storage, preparation, transportation, or service of food.

(27) **Wholesome** – shall mean in sound condition, clean, free from adulteration, and otherwise suitable for use as human food.

AMENDATORY SECTION (Amending Regulation .84.010, filed 6/4/63)

WAC 248-84-010 FOOD SUPPLIES. (1) ~~((Food Supplies:))~~ All food in food service establishments shall be from ~~((sources))~~ approved ~~((or considered satisfactory by the health officer and shall be))~~ sources, in compliance with applicable state and local laws, ordinances, and regulations; and clean, wholesome, free from spoilage, free from adulteration and ((misbranding)) mislabeling, and safe for human consumption. No hermetically sealed((nonacid and low acid)) food which has been processed in a place other than ((α)) an approved commercial food processing establishment shall be used.

~~(2) ((Food Protection: All food while being stored, prepared, displayed, served, or sold at food service establishments, or during transportation between such establishments, shall be protected from contamination: All perishable food shall be stored at such temperatures as will protect against spoilage. All potentially hazardous food shall be maintained at safe temperatures (45°F. or below, or 140°F. or above) except during necessary periods of preparation and service. Raw fruits and vegetables shall be washed before use. Stuffing, poultry, stuffed meats and poultry, and pork and pork products shall be thoroughly cooked before being served. Individual portions of food once served to the customer shall not be served again. PROVIDED, That wrapped food which has not been unwrapped and which is wholesome may be reserved:~~

~~Only such poisonous and toxic materials as are required to maintain sanitary conditions and for sanitization purposes may be used or stored in food service establishments: PROVIDED, That retail grocery stores may be exempted from this requirement when such products are handled in a manner acceptable to the health officer. Poisonous and toxic materials shall be identified, and shall be used and stored only in such manner and under such conditions as will not contaminate food or constitute a hazard to employees or customers:))~~ Fluid milk and fluid milk products used or served shall be pasteurized and shall meet the Grade A quality standards as established by law, except that Grade A raw milk (as defined in RCW 15.36.140) may be sold in the original container for off-premises consumption. Dry milk and dry milk products shall be made from pasteurized milk and milk products.

~~(3) Fresh and frozen shellfish (oysters, clams, or mussels) shall be from sources approved by the department of social and health services.~~

~~(4) Only clean whole eggs, with shell intact and without cracks or checks, or pasteurized egg products shall be used or sold, except that hard-boiled, peeled eggs, commercially prepared and packaged, may be used or sold.~~

NEW SECTION

WAC 248-84-015 FOOD PROTECTION AND STORAGE. (1) Food shall be protected at all times from potential or real contamination or adulteration including, but not limited to; dust, insects, rodents,

unclean equipment, utensils, tableware and work surfaces, unnecessary handling, coughs and sneezes, flooding, drainage, and overhead leaks or drips from condensation, and toxic chemicals while transported, stored, prepared, displayed and served.

(2) The temperature of potentially hazardous food shall be maintained at 45 degrees Fahrenheit or below or 140 degrees Fahrenheit or above at all times, except as provided by this regulation.

(3) In the event of a fire, flood, power outage, or similar event that might result in the contamination of food, or that might prevent potentially hazardous and/or perishable food from being held at required temperatures, the person in charge shall immediately contact the health officer. Upon receiving notice of this occurrence, the health officer shall take whatever action he/she deems necessary to protect the public health.

(4) Food, whether raw or prepared, if removed from its original container, shall be stored in a clean, labeled, covered container except during necessary periods of preparation or service. Once opened any product remaining in the original container shall be covered. Container covers shall be impervious and nonabsorbent, except that linens or napkins may be used for lining or covering bread or roll containers.

(5) Containers of food shall be stored above floor level to protect them from contamination and in a manner that permits easy cleaning; except that bulk foods may be stored in impervious, closed containers, and pressurized beverage containers and foods protected by glass containers or canned goods may be stored on dry floor surfaces if easy cleaning is permitted.

(6) Enough conveniently located refrigeration facilities and hot food storage facilities shall be provided to assure the maintenance of potentially hazardous food at the required temperatures during storage.

(7) Each refrigeration unit shall be equipped with a numerically scaled thermometer, accurate to ± 3 degrees Fahrenheit, and located so as to be easily readable in the warmest part of the facility. Each hot food facility used for storing potentially hazardous food shall be equipped with a numerically scaled thermometer accurate to ± 3 degrees Fahrenheit, and located so as to be easily readable, in the coolest part of the facility. Where it is impractical to install thermometers on hot food facilities, a product thermometer must be available and used to check internal food temperatures.

(8) Frozen food shall be kept frozen until such time as it is to be thawed for use. Frozen food facilities shall be maintained at 0 degrees Fahrenheit or below.

(9) Only such poisonous and toxic materials as are required to maintain sanitary conditions and for sanitizing purposes may be used or stored in food service establishments: PROVIDED, That retail grocery stores may be exempted from this requirement when such products are handled in a manner acceptable to the health officer. Poisons and toxic materials shall be identified, and shall be used, stored, and displayed only in such a manner and under such conditions as will not contaminate or adulterate food or constitute a hazard to employees or customers.

AMENDATORY SECTION (Amending Regulation .84.020, filed 6/4/63)

WAC 248-84-020 ((PERSONNEL)) FOOD PREPARATION, DISPLAY, SERVICE AND TRANSPORTATION. ((+)) Health and Disease Control: No person while affected with any disease in a communicable form, or while a carrier of such disease, or while afflicted with boils, infected wounds, sores, or an acute respiratory infection, shall work in any area of a food service establishment in any capacity in which there is a likelihood of such person contaminating food or food-contact surfaces with pathogenic organisms, or transmitting disease to other individuals, and no person known or suspected of being affected with any such disease or condition shall be employed in such an area or capacity. If the manager or person in charge of the establishment has reason to suspect that any employee has contracted any disease in a communicable form or has become a carrier of such disease, he shall notify the health officer immediately.

The provisions of the State Board of Health for Food and Beverage Service Workers Permits (WAC 248-86-001 - WAC 248-86-999) and the Rules and Regulations of the State Board of Health Governing Food Workers (WAC 248-87-001 - WAC 248-87-020) and chapter 197 Laws of 1957 (chapter 69.06 RCW) shall be complied with:

(2) Cleanliness: All employees shall wear clean outer garments, maintain a high degree of personal cleanliness, and conform to hygienic practices while on duty. They shall wash their hands thoroughly in an approved hand-washing facility before starting work, and as often as may be necessary to remove soil and contamination. No employee

shall resume work after visiting the toilet room without first washing his hands:)) (1) Food shall be prepared, displayed, served and transported with the least possible manual contact, with suitable utensils, and on surfaces that, prior to use, have been cleaned, rinsed, and sanitized to prevent cross-contamination.

(2) Serving utensils shall be properly stored between uses during service.

(3) All parts of potentially hazardous foods requiring cooking shall be cooked (with no interruption in the cooking process) to the minimum internal temperatures as shown below:

<u>ITEM</u>	<u>TEMPERATURE</u>
<u>Poultry, poultry stuffings, stuffed meats and stuffings containing meats</u>	<u>165 degrees F</u>
<u>Pork and any food containing pork</u>	<u>150 degrees F</u>
<u>Rare roast beef and rare beef steak (unless otherwise ordered by the immediate consumer)</u>	<u>130 degrees F</u>
<u>All other potentially hazardous foods requiring cooking</u>	<u>140 degrees F</u>

(4) All potentially hazardous foods that have been cooked and then refrigerated, shall be rapidly reheated to 165 degrees Fahrenheit or greater throughout before being served or placed in a hot food storage facility. Steam tables, bain-maries, warmers, and similar hot food-holding facilities are prohibited for the rapid reheating of potentially hazardous foods.

(5) Potentially hazardous foods shall be thawed:

(a) In refrigerated units at a temperature not to exceed 45 degrees Fahrenheit; or

(b) Under potable running water of a temperature of 70 degrees Fahrenheit or below, with sufficient water velocity to agitate and float off loose food particles into the overflow; or

(c) In a microwave oven only when the food will be immediately transferred to conventional cooking facilities as part of a continuous cooking process or when the entire, uninterrupted cooking process takes place in the microwave oven; or

(d) By other methods approved by the health officer.

(6) Once served to a customer, portions of leftover food shall not be served again; except that packaged food other than potentially hazardous food, that is still packaged and is in sound condition and is wholesome may be reserved.

(7) All foods to be served raw shall be thoroughly washed with potable water before they are served.

(8) Metal stem-type, numerically scaled indicating thermometers accurate to ± 2 degrees Fahrenheit shall be provided and used by employees to assure the attainment and maintenance of safe internal cooking, holding and refrigeration temperatures of potentially hazardous foods.

(9) Potentially hazardous foods requiring refrigeration after preparation shall be rapidly cooled to 45 degrees Fahrenheit or below. Potentially hazardous foods of large volume or prepared in large quantities shall be rapidly cooled utilizing such methods as:

(a) Quick chilling with running cold water bath or an ice bath coupled with agitation.

(b) Storage of foods in small containers in freezer units coupled with agitation.

(c) Shallow pans - food depth of 4" or less.

(d) Other approved methods.

In all cases potentially hazardous foods shall be cooled to 70 degrees Fahrenheit or below within two hours or less and to 45 degrees Fahrenheit or below within four hours or less time after removal from a hot-holding device or the end of the cooking process.

(10) Preparation of potentially hazardous salads (such as potato or macaroni types) shall be completed using prechilled ingredients to assure minimum temperature rise during preparation.

(11) Potentially hazardous foods to be transported or stored on ice (as in a buffet line) shall be prechilled to 45 degrees Fahrenheit or below.

NEW SECTION

WAC 248-84-025 PERSONNEL. (1) Employee health: No person, while infected with a disease in a communicable form that can be transmitted by foods or who is a carrier of organisms that cause such a disease or while afflicted with a boil, an infected wound,

or an acute respiratory infection, shall work in a food service establishment in any capacity in which there is a likelihood of such person contaminating food or food-contact surfaces with pathogenic organisms or transmitting disease to other persons.

(2) Cleanliness:

All employees shall wear clean outer garments, maintain a high degree of personal cleanliness, conform to proper hygienic practices and use effective hair restraints when necessary. They shall wash their hands thoroughly in an approved handwashing facility before starting work, during work as often as is necessary to prevent contamination of food such as after handling unclean items, raw foods, or using the toilet.

The use of tobacco in any form shall not be permitted in any areas where food is prepared or stored or where utensils are cleaned or stored.

(3) Food and beverage service worker's permit:

(a) The provision of the state Board of Health for Food and Beverage Service Worker's Permits (chapter 248-86 WAC) and the Rules and Regulations of the state Board of Health governing food workers (chapter 248-87 WAC) and chapter 197, Laws of 1957 (chapter 69.06 RCW) shall be complied with. Food and Beverage Service Worker's Permits shall be issued and signed by the health officer.

(b) No person shall work, or be employed in a food service establishment without a valid Food and Beverage Service Worker's Permit: PROVIDED, That an employee may have up to thirty days to obtain said permit from the first day of employment in that food service establishment.

(c) It shall be the duty of the owner, manager or other person in charge of a food establishment to ensure that all workers or employees therein obtain and maintain valid permits as herein required.

(4) Dressing rooms:

Adequate facilities shall be provided for the orderly storage of employees' clothing and personal belongings. Where employees routinely change clothes within the establishment, designated areas shall be located outside of the food preparation, storage, and serving areas, and the equipment and utensil washing and storage area: PROVIDED, That when approved by the health officer such an area may be located in a storage room where only completely packaged food is stored. Dressing rooms shall be kept clean.

AMENDATORY SECTION (Amending Regulation .84.030, filed 6/4/63)

~~WAC 248-84-030 ((FOOD EQUIPMENT AND UTENSILS))SANITARY DESIGN, CONSTRUCTION AND INSTALLATION OF EQUIPMENT AND UTENSILS. ((†)Sanitary Design, Construction and Installation of Equipment and Utensils: All equipment and utensils shall be so designed and of such material and workmanship as to be smooth, easily cleanable and durable, and shall be in good repair, and the food-contact surfaces of such equipment and utensils shall, in addition, be easily accessible for cleaning, nontoxic, corrosion resistant and relatively nonabsorbent. PROVIDED, That, when approved by the health officer, exceptions may be made to the above materials requirements for equipment such as cutting boards, blocks, and bakers' tables.~~

~~All equipment shall be so installed and maintained as to facilitate the cleaning thereof, and of all adjacent areas:~~

~~Equipment in use at the time of adoption of these rules and regulations which do not meet fully the above requirements, may be continued in use if it is in good repair, capable of being maintained in a sanitary condition and the food-contact surfaces are nontoxic.~~

~~Single service articles shall be made from nontoxic materials.~~

~~(2) Cleanliness of Equipment and Utensils: All eating and drinking utensils shall be thoroughly cleaned and sanitized after each usage.~~

~~All kitchenware and food-contact surfaces of equipment, exclusive of cooking surfaces of equipment, used in the preparation or serving of food or drink, and all food-storage utensils, shall be thoroughly cleaned after each use. Cooking surfaces of equipment shall be cleaned at least once a day. All utensils and food-contact surfaces of equipment used in the preparation, service, display, or storage of potentially hazardous food shall be thoroughly cleaned and sanitized prior to such use. Nonfood-contact surfaces of equipment shall be cleaned at such intervals as to keep them in a clean and sanitary condition.~~

~~After cleaning and until use, all food-contact surfaces of equipment and utensils shall be so stored and handled as to be protected from contamination:~~

~~All single-service articles shall be stored, handled, and dispensed in a sanitary manner, and shall be used only once. Food service establishments which do not have adequate and effective facilities for cleaning and sanitizing utensils shall use single-service articles:)) (1) All equipment and utensils shall be so designed and of such material and workmanship as to be smooth, easily cleanable and durable, shall be in good repair and meet the requirements of the National Sanitation Foundation or equivalent. The food contact surfaces of such equipment and utensils shall be easily accessible for cleaning, nontoxic, corrosion resistant and nonabsorbent.~~

~~(2) All equipment shall be so installed and maintained as to facilitate the cleaning thereof, and of all adjacent areas. The equipment shall not be located under exposed or unprotected sewer lines, open stairwells, or other sources of contamination.~~

~~(3)(a) All food service establishments in which the operations require cleaning and sanitizing of equipment and utensils shall be equipped with either approved mechanical dishwashing facilities or facilities for proper manual dishwashing operations.~~

~~(b) When equipped with a mechanical dishwashing unit, a sink with a minimum of two compartments shall also be provided in the dishwashing area.~~

~~(c) When manual dishwashing operations are used, a sink with a minimum of three compartments shall be provided in the dishwashing area.~~

~~(d) In bars and taverns, an extra sink compartment shall be provided at the bar in addition to those necessary for normal cleaning and sanitizing processes: PROVIDED, That this subsection and subsection (2) shall only apply to food service establishments constructed or remodeled after the effective date of these regulations.~~

~~(e) Sinks used for hand washing or equipment or utensil washing shall not be used for food preparation.~~

NEW SECTION

WAC 248-84-035 EQUIPMENT AND UTENSIL CLEANING AND SANITATION. (1) All eating and drinking utensils shall be thoroughly cleaned and sanitized after each usage.

(2) Cooking surfaces of equipment shall be cleaned at least once a day.

(3) All kitchenware and food-contact surfaces of equipment, exclusive of cooking surfaces of equipment, used in the preparation or serving of food or drink, and all food storage utensils, shall be thoroughly cleaned after each use. All utensils and food-contact surfaces of equipment used in preparation, service, display, or storage of potentially hazardous food shall be sanitized prior to such use, and following any interruption of operations during which contamination of the food-contact surfaces is likely to have occurred.

(4) Where equipment and utensils are used for the preparation of potentially hazardous food on a continuous or a production line basis, the food-contact surfaces of such equipment, and utensils shall be cleaned and sanitized at intervals throughout the day on a schedule approved by the health officer.

(5) Nonfood-contact surfaces of equipment shall be cleaned at such intervals as to keep them in a clean and sanitary condition.

(6) Cleaning and sanitizing of kitchenware, tableware, food contact surfaces of equipment and utensils shall conform to methods approved by the health officer.

(7) Cloths used for wiping food spills on tableware such as plates or bowls being served to the customer, shall be clean, dry and used for no other purpose.

(8) Moist cloths used for wiping up food spills or wiping work surfaces or equipment or utensils or food workers' hands shall be clean and shall be rinsed frequently in an approved sanitizing solution and used for no other purpose.

AMENDATORY SECTION (Amending Regulation .84.040, filed 6/4/63)

WAC 248-84-040 SANITARY FACILITIES AND CONTROLS. (1) Water Supply: (a) The water supply shall be adequate, of a safe, sanitary quality and from an approved source. Bottled water if used in a food service establishment shall be from an approved source. Hot and cold running water under pressure shall be provided in all areas where food is prepared, or equipment, utensils, or containers are washed.

((Water, if not piped into the establishment, shall be transported and stored in approved containers and shall be handled and dispensed in a sanitary manner:))

(b) Ice used for any purpose shall be made from water which comes from an approved source, and shall be used only if it has been manufactured, stored, transported, and handled in a sanitary manner.

(2) Sewage Disposal: All sewage shall be disposed of in a public sewerage system or, in ~~((the absence thereof, in a manner))~~ a sewage disposal system approved by the health officer.

(3) Plumbing: Plumbing shall be ~~((so))~~ sized, installed, and maintained ~~((as to carry adequate quantities of water to required locations throughout the establishment, as to prevent contamination of the water supply, as to properly convey sewage and liquid wastes from the establishment to the sewerage or sewage disposal system, and so that it does not constitute a source of contamination of food, equipment, or utensils, or create an insanitary condition or nuisance))~~ according to the local plumbing codes. There shall be no cross-connection between the potable water supply and any nonpotable or questionable water supply nor any source of pollution through which the potable water supply might become contaminated. Except for properly trapped open sinks, there shall be no direct connection between the sewerage system and any drains originating from equipment in which food, portable equipment or utensils are placed.

(4) Toilet Facilities: Each food service establishment shall be provided with adequate, conveniently located toilet facilities for its employees. Toilet fixtures shall be of sanitary design and ~~((readily))~~ easily cleanable. Toilet facilities, including rooms and fixtures, shall be kept in a clean condition and in good repair. ~~((The doors of all toilet rooms shall be self-closing.))~~ Toilet tissue shall be provided. Easily cleanable receptacles shall be provided for waste materials, and one such receptacle ~~((s))~~ in the woman's toilet room ~~((s for women))~~ shall be covered. ~~((Where the use of nonwater-carried sewage disposal facilities have been approved by the health officer, such facilities shall be separate from the establishment.))~~ When toilet facilities are provided for patrons, such facilities shall meet the requirements of this subsection. ~~((This requirement may be modified for mobile restaurants when no imminent health hazard is apparent.))~~

(5) Handwashing Facilities: ~~((Each food service establishment shall be provided with adequate, conveniently located handwashing facilities for its employees, including a))~~ (a) Lavatories shall be at least the number required by law, shall be installed according to law, and shall be located to permit convenient use by all employees in food preparation areas and utensil washing areas.

(b) Lavatories shall be accessible to employees at all times.

(c) Lavatories shall also be located in or immediately adjacent to toilet rooms or vestibules.

(d) Each lavatory ~~((or lavatories))~~ shall be equipped with hot and cold or tempered running water, ~~((hand-cleansing))~~ handcleaning soap or detergent, and single use or approved sanitary towels or other approved hand drying devices.

(e) Such facilities shall be kept clean and in good repair.

~~((6))~~ Garbage and Rubbish Disposal: All garbage and rubbish containing food wastes shall, prior to disposal, be kept in leakproof, nonabsorbent containers which shall be kept covered with tight-fitting lids when filled or stored, or not in continuous use. PROVIDED, That such containers need not be covered when stored in a special vermin-proofed room or enclosure, or in a food-waste refrigerator. All other rubbish shall be stored in containers, rooms or areas in an approved manner. The rooms, enclosures, areas and containers used shall be adequate for the storage of all food waste and rubbish accumulating on the premises. Adequate cleaning facilities shall be provided, and each container, room, or area shall be thoroughly cleaned after the emptying or removal of garbage and rubbish. Food-waste grinders, if used, shall be installed in compliance with state and local standards and shall be of suitable construction. All garbage and rubbish shall be disposed of with sufficient frequency and in such a manner as to prevent a nuisance.

(7) Vermin Control: Effective measures shall be taken to protect against the entrance into the establishment and the breeding or presence on the premises of vermin.))

NEW SECTION

WAC 248-84-045 GARBAGE AND RUBBISH. All garbage and rubbish containing food wastes shall, prior to disposal, be kept in leak-proof, nonabsorbent containers which shall be kept covered with tight-fitting lids when filled or stored, or not in continuous use: PROVIDED, That such containers need not be covered when stored in a closed vermin-proofed room or enclosure, or in a food waste refrigerator. All other rubbish shall be stored in containers, rooms or areas in

an approved manner. The rooms, enclosures, areas and containers used shall be adequate for the storage of all food waste and rubbish accumulating on the premises. Adequate cleaning facilities shall be provided, and each container, room, or area shall be thoroughly cleaned after the emptying or removal of garbage and rubbish. Food waste grinders, if used, shall be installed in compliance with state and local standards and shall be of suitable construction. All garbage and rubbish shall be disposed of with sufficient frequency and in such a manner as to prevent a nuisance.

AMENDATORY SECTION (Amending Regulation .84.050, filed 6/4/63)

WAC 248-84-050 ~~((OTHER FACILITIES AND OPERATIONS))~~ INSECT AND RODENT CONTROL. ~~((1))~~ Floors, Walls, and Ceilings: The floor surfaces in kitchens, in all other rooms and areas in which food is stored or prepared and in which utensils are washed, and in walk-in refrigerators, dressing or locker rooms and toilet rooms, shall be of smooth, nonabsorbent materials, and so constructed as to be easily cleanable. PROVIDED, That the floors of nonrefrigerated, dry-food storage areas need not be nonabsorbent. All floors shall be kept clean and in good repair. Floor drains shall be provided in all rooms where floors are subjected to flooding-type cleaning or where normal operations release or discharge water or other liquid waste on the floor. All exterior areas where food is served shall be kept clean and properly drained, and surfaces in such areas shall be finished so as to facilitate maintenance and minimize dust.

The walls and ceilings of all rooms shall be kept clean and in good repair. All walls of rooms or areas in which food is prepared, or utensils or hands are washed, shall be easily cleanable, smooth and light-colored, and shall have washable surfaces up to the highest level reached by splash or spray.

(2) Lighting: All areas in which food is prepared or stored or utensils are washed, handwashing areas, dressing or locker rooms, toilet rooms, and garbage and rubbish storage areas shall be well lighted. During all cleanup activities, adequate light shall be provided in the area being cleaned, and upon or around equipment being cleaned.

(3) Ventilation: All rooms in which food is prepared or served or utensils are washed, dressing or locker rooms, toilet rooms, and garbage and rubbish storage areas shall be well ventilated. Ventilation hoods and devices shall be designed to prevent grease or condensate from dripping into food or onto food preparation surfaces. Filters, where used, shall be readily removable for cleaning or replacement. Ventilation systems shall comply with applicable state and local fire prevention requirements and shall, when vented to the outside air, discharge in such manner as not to create a nuisance.

(4) Dressing Rooms and Lockers: Adequate facilities shall be provided for the orderly storage of employees' clothing and personal belongings. Where employees routinely change clothes within the establishment, one or more dressing rooms or designated areas shall be provided for this purpose. Such designated areas shall be located outside of the food preparation, storage, and serving areas, and the utensil washing and storage areas. PROVIDED, That, when approved by the health officer, such an area may be located in a storage room where only completely packaged food is stored. Designated areas shall be equipped with adequate lockers, and lockers or other suitable facilities shall be provided in dressing rooms. Dressing rooms and lockers shall be kept clean.

(5) Housekeeping: All parts of the establishment and its premises shall be kept clean, neat, and free of litter and rubbish. Cleaning operations shall be conducted in such a manner as to minimize contamination of food and food-contact surfaces. None of the operations connected with a food service establishment shall be conducted in any room used as living or sleeping quarters. Soiled linens, coats, and aprons shall be kept in suitable containers until removed for laundering. No live birds or animals shall be allowed in any area used for the conduct of food service establishment operations. PROVIDED, That guide dogs accompanying blind persons may be permitted in dining areas.)) (1) Effective measures intended to minimize the entry and presence of rodents, flies, cockroaches, and other vectors on the premises shall be utilized. The premises shall be kept in such condition as to prevent the harborage or feeding of insects or rodents.

(2) When pesticides are used to eliminate or control rodents or insects the application shall be in accordance with label directions, applicable Washington state department of agriculture regulations (chapter 16-228 WAC), and shall not adulterate food or contaminate food contact surfaces.

NEW SECTIONWAC 248-84-055 CONSTRUCTION AND MAINTENANCE OF PHYSICAL FACILITIES. (1) Floors:

Floors and floor coverings of all food preparation, food and utensil storage, and utensil washing areas, and the floor of all walk-in refrigeration units, dressing rooms, locker rooms, toilet rooms and vestibules shall be constructed of water impervious, grease resistant, easily cleanable, smooth and durable material and shall be kept clean and in good repair. Carpeting, if used as a floor covering, shall be of approved construction, properly installed, easily cleanable, and maintained in good repair. Carpeting is prohibited in food preparation, equipment and utensil washing areas, food storage areas and toilet room areas where urinals or toilet fixtures are located. The use of sawdust, wood shavings, peanut hulls or similar material as floor covering is prohibited. Properly installed, trapped floor drains shall be provided in floors that are water flushed for cleaning or that receive discharges of water or other fluid waste from equipment, or in areas where pressure spray methods for cleaning equipment are used.

(2) Walls and ceilings:

The walls, including nonsupporting partitions, doors and windows, wall coverings, and ceilings of walk-in refrigeration units, food preparation areas, utensil and equipment washing areas and toilet rooms shall be light colored, smooth, nonabsorbent, and easily cleanable. Walls and ceilings shall be clean and in good repair.

(3) Lighting and ventilation:

(a) All areas in which food is prepared or stored or equipment and utensils are washed, handwashing areas, dressing or locker rooms, toilet rooms, and garbage and rubbish storage areas shall be well lighted. During all clean-up activities, adequate light shall be provided in the area being cleaned, and upon or around equipment being cleaned.

(b) All rooms in which food is prepared or served or utensils and equipment are washed, dressing or locker rooms, toilet rooms and garbage and rubbish storage areas shall be well ventilated. Ventilation hoods and devices shall be designed to prevent grease or condensate from dripping onto food or onto food preparation surfaces. Filters shall be readily removable for cleaning or replacement. All rooms shall have sufficient ventilation to keep them free of excessive heat, steam, condensation, vapors, obnoxious odors, smoke and fumes. Ventilation systems shall comply with applicable state and local fire prevention, building and mechanical code requirements.

(4) Premises:

(a) Food service establishments and all parts of property used in connection with their operations shall be kept free of litter. The walking and driving surfaces shall be maintained to prevent pooling of water. Only articles necessary for the operation and maintenance of the food service establishment shall be stored on the premises. No operation of a food service establishment shall be conducted in any room used as living or sleeping quarters. Food service operations shall be separated from any living or sleeping quarters by complete partitioning and solid doors.

(b) No live animals, including birds and turtles, shall be allowed in any area used for the conduct of food service establishment operations. This exclusion does not apply to edible fish, crustacea, shellfish, or to fish in aquariums. Patrol dogs accompanying security or police officers, or guide dogs accompanying blind or deaf persons, shall be permitted in dining areas.

AMENDATORY SECTION (Amending Regulation .84.060, filed 6/4/63)

~~WAC 248-84-060 ((TEMPORARY FOOD SERVICE ESTABLISHMENT)) MOBILE UNITS. ((A temporary food service establishment shall comply with all provisions of these rules and regulations which are applicable to its operation: PROVIDED, That the health officer may augment such requirements when needed to assure the service of safe food, may prohibit the sale of certain potentially hazardous food and may modify specific requirements for physical facilities when in his opinion no imminent health hazard will result.)) The requirements for a mobile food unit are the same as for other food service establishments wherever the requirements are applicable.~~

~~(1) The vehicle must be an approved type and acceptable to the health officer, based on his/her determination as to conformance with appropriate standards and good public health practice.~~

~~(2) During transportation of food from a food service establishment, all food shall be completely wrapped or packaged so as to be protected from contamination.~~

~~(3) Potentially hazardous food must be kept at or below 45 degrees Fahrenheit or at 140 degrees Fahrenheit or above while transported, stored, or on display.~~

~~(4) All employees shall wear clean outer garments, maintain a high degree of personal cleanliness, and conform to good hygienic practices while on duty as contained in WAC 248-84-025.~~

~~(5) Mobile food units serving only prepared, packaged foods in individual servings or beverages which are protected from contamination are exempted from requirements of water supply and sewage disposal. When a mobile food unit has a water system the source and system design shall be approved by the health officer. Liquid waste shall be retained in the mobile unit and/or disposed of by a method approved by the health officer.~~

~~(6) The health officer may impose additional requirements when needed to assure the service of safe food and may prohibit the sale of certain potentially hazardous foods and may modify specific requirements for physical facilities when, in his/her opinion, no imminent health hazard will result.~~

NEW SECTIONWAC 248-84-065 TEMPORARY FOOD SERVICE ESTABLISHMENTS. (1) A temporary food service establishment shall comply with the requirements of these regulations, except as otherwise provided in this chapter. The health officer may impose additional requirements to protect against health hazards related to the conduct of the temporary food service establishment, may prohibit the sale of some or all potential hazardous foods, and when no health hazard will result, may waive or modify requirements of these regulations.

(2) Restricted operations:

(a) These provisions are applicable whenever a temporary food service establishment is permitted, under the above provisions of these regulations, to operate without complying with all the requirements of this chapter.

(b) Only those potentially hazardous foods requiring limited preparation, such as hamburgers and frankfurters that only require seasoning and cooking, shall be prepared or served. The preparation or service of other potentially hazardous foods, including pastries filled with cream or synthetic cream, custards, and similar products, and salads or sandwiches containing meat, poultry, eggs or fish is prohibited. This prohibition does not apply to any potentially hazardous food that has been prepared and packaged under conditions meeting the requirements of this ordinance, is obtained in individual servings, is stored at a temperature of 45 degrees Fahrenheit or below or at a temperature of 140 degrees Fahrenheit or above in facilities meeting the requirements of these regulations, and is served directly in the unopened container in which it was packaged.

(3) Ice: Ice that is consumed or that contacts food shall be made under conditions meeting the requirements of these regulations. The ice shall be obtained only in chipped, crushed, or cubed form and in single-use safe plastic or wet-strength paper bags filled and sealed at the point of manufacture. The ice shall be held in these bags until it is dispensed in a way that protects it from contamination.

(4) Single-service articles: All temporary food service establishments without effective facilities for cleaning and sanitizing tableware shall provide only single-service articles for use by the consumer.

(5) Wet storage: Storage of packaged food in contact with water or undrained ice is prohibited. Wrapped sandwiches shall not be stored in direct contact with ice.

(6) Handwashing: A convenient handwashing facility shall be available for employee handwashing. This facility shall consist of, at least, warm running water, soap, and individual paper towels.

AMENDATORY SECTION (Amending Order .84.070, filed 6/4/63)WAC 248-84-070 ((ENFORCEMENT PROVISIONS)) PERMITS REQUIRED, SUSPENSION AND REVOCATION PROCEDURES. ((1) Access to Establishments: The health officer, after proper identification, shall be permitted to enter, at any reasonable time, any food service establishment within his jurisdiction, for the purpose of making inspections to determine compliance with these rules and regulations. He shall be permitted to examine the records of the establishment to obtain pertinent information pertaining to food and supplies purchased, received, or used, and persons employed.

Whenever the health officer makes an inspection of a food service establishment and discovers that any of the requirements of WAC 248-84-010 through 248-84-060 have been violated, he shall notify

the person in charge of the food service establishment of such violations by means of an inspection report form or other written notice. In such notification he shall:

(a) set forth the specific violations found and establish a specific and reasonable period of time for correction;

(b) state that an opportunity for appeal from any notice or inspection findings will be provided if a written request for a hearing is filed with the health officer within the period of time established in the notice for correction;

(2) Examination and Condemnation of Food: Food may be examined or sampled by the health officer as often as may be necessary to determine freedom from adulteration or misbranding. The health officer may, upon written notice to the owner or person in charge, place a hold order on any food which he determines or has probable cause to believe to be unwholesome or otherwise adulterated, or misbranded. Under a hold order, food shall be permitted to be suitably stored. It shall be unlawful for any person to remove or alter a hold order, notice or tag placed on food by the health officer, and neither such food nor the containers thereof shall be relabeled, repacked, reprocessed, altered, disposed of, destroyed or released without permission of the health officer, except on order by a court of competent jurisdiction.

(3) Food Service Establishments Outside Jurisdiction of the Health Officer: Food from food service establishments outside the jurisdiction of the health officer may be sold if such food service establishments conform to the provisions of these rules and regulations or to substantially equivalent provisions. To determine the extent of compliance with such provisions, the health officer may accept reports from responsible authorities in other jurisdictions where such food service establishments are located.

(4) Plan Review of Future Construction: When a food service establishment is hereafter constructed or extensively remodeled, or when an existing structure is converted for use as a food service establishment, properly prepared plans and specifications for such construction, remodeling, or alteration, showing layout, arrangement, and construction materials of work areas, and the location, size, and type of fixed equipment and facilities, shall be submitted to the health officer for approval before such work is begun.

(5) Procedure When Infection Is Suspected: When the health officer has reasonable cause to suspect possibility of disease transmission from any food service establishment employee he may, after conducting an appropriate investigation, require any or all of the following measures: (a) The immediate exclusion of the employee from all food service establishments; (b) the immediate closure of the food service establishment concerned until, in the opinion of the health officer, no further danger of disease outbreak exists; (c) restriction of the employee's service to some area of the establishment where there would be no danger of transmitting disease; and (d) adequate medical and laboratory examinations of the employee, of other employees, and of his and their body discharges.

(6) Enforcement Interpretation: These rules and regulations shall be enforced by the health officer in accordance with the interpretations thereof contained in the compliance provisions of the 1962 Edition of the United States Public Health Service Food Service Sanitation Ordinance and Code, where applicable.

(7) Repeal and Date of Effect: These rules and regulations shall be in full force and effect upon their adoption; and, at that time, all rules and regulations and parts of rules and regulations conflicting with these rules and regulations are hereby repealed.

(8) Separability Clause: Should any section, paragraph, sentence, clause, or phrase of these rules and regulations be declared unconstitutional or invalid for any reason, the remainder of said rules and regulations shall not be affected thereby:)) (1) Permit:

(a) Permit required: No person shall operate a food service establishment who does not have a valid permit issued to him/her by the health officer. A valid permit shall be conspicuously posted in every food service establishment, mobile food unit and temporary food service establishment.

(b) Issuance of permits: Any person desiring to operate a food service establishment, mobile food unit or temporary food service establishment shall make written application for a permit on forms provided by the health officer. An inspection may be required by the health officer for the renewal of a permit and will be required prior to opening for all new permits; to determine compliance with these regulations.

(2) Suspension of permits:

(a) The health officer may suspend any permit to operate a food service establishment, mobile food unit or temporary food service establishment if the holder of the permit does not comply with the requirements of these regulations, or if the operation of the establishment does not comply with the requirements of these regulations, or if the operation of the food service establishment otherwise constitutes a substantial hazard to public health. Suspension is effective upon service of the notice required by subsection (2)(b) of this section. When a permit is suspended, food service operations shall immediately cease.

(b) Whenever a permit is suspended, the holder of the permit or the person in charge shall be notified in writing that the permit is, upon service of the notice, immediately suspended and that an opportunity for hearing will be provided if a written request for hearing is filed with the health officer by the holder of the permit within ten days. If no written request for hearing is filed within ten days, the suspension is sustained.

(c) Any person whose permit has been suspended, may at any time make application for a reinspection for the purpose of reinstatement of the permit. Within two working days following receipt of a written request for reinspection, including a statement signed by the applicant that in his opinion the conditions causing suspension of the permit have been corrected, the health officer shall make a reinspection. If the applicant is complying with the requirements of these regulations, the permit shall be reinstated.

(3) Revocation of permits:

(a) The health officer may, after providing opportunity for hearing, revoke a permit for serious or repeated violations of any of the requirements of these regulations, or for interference with the health officer in the performance of duty.

(b) Prior to revocation, the health officer shall notify, in writing, the holder of the permit, or the person in charge, of the specific reason(s) for which the permit is to be revoked and that the permit shall be revoked at the end of the ten days following service of such notice unless a written request for hearing is filed with the health officer by the holder of the permit within such ten-day period. If no request for hearing is filed within the ten-day period, the revocation of the permit becomes final.

(c) Any person whose permit has been revoked may make a written application for the purpose of obtaining a new permit. A hearing will be provided before the health officer to determine if a new permit shall be issued.

NEW SECTION

WAC 248-84-075 SERVICE OF NOTICES. A notice provided for in these regulations is properly served when it is delivered to the holder of the permit, or the person in charge, or when it is sent by registered or certified mail, return receipt requested, to the last known address of the holder of the permit. A copy of the notice shall be filed in the records of the health officer.

NEW SECTION

WAC 248-84-080 HEARINGS. The hearings provided for in these regulations shall be conducted by the health officer or his/her designee at a time and place designated by him/her. The health officer or designee shall make a final finding based upon the complete hearing record and shall sustain, modify or rescind any notice or order considered in the hearing. A written report of the hearing decision shall be furnished to the holder of the permit by the health officer or designee. If an alternate hearing process is adopted by a local board of health it may be used.

NEW SECTION

WAC 248-84-085 INSPECTIONS. Any inspection of a food service establishment, mobile food unit or temporary food service establishment shall be performed as often as necessary for the enforcement of these regulations.

(1) Access: The health officer, after proper identification, shall be permitted to enter any food service establishment, mobile food unit or temporary food service establishment, at any reasonable time for the purpose of making inspections to determine compliance with these regulations. The health officer shall be permitted to examine the records of the establishment to obtain information pertaining to food and supplies purchased, received, or used, and to any person employed which is

pertinent to an illness investigation or other matters which may affect health or the enforcement of these regulations.

(2) Report of inspection: Whenever an inspection of a food service establishment, mobile food unit or temporary food service establishment is made, the findings shall be recorded on an inspection report form prepared by the health officer. This inspection report form may be FDA form FD2420 or other inspection report forms specified by the health officer and approved by the department of social and health services. If FDA form FD2420 is used by the health officer, results shall be interpreted in accordance with the 1976 edition of the United States Public Health Service, "Food Service Sanitation Manual." A copy of the completed inspection report form shall be furnished to the person in charge of the food service establishment at the conclusion of the inspection. The completed inspection report form shall state specific violations found and establish a specific and reasonable period of time for correction.

NEW SECTION

WAC 248-84-090 EXAMINATION—HOLD ORDERS—CONDEMNATION—DESTRUCTION OF FOOD. Food may be examined or sampled by the health officer as often as necessary for enforcement of these regulations. The health officer may, upon written notice to the owner or person in charge, place a written hold order on any food which he/she determines or has probable cause to believe to be unwholesome, or otherwise adulterated, mislabeled, contaminated, spoiled, or stored at temperatures not in compliance with these regulations, or from an unapproved source. The health officer shall tag, label, or otherwise identify any food subject to the hold order. No food subject to a hold order shall be used, served, or moved from the establishment. The health officer shall permit storage of the food under conditions specified in the hold order, unless storage is not possible without risk to the public health, in which case immediate destruction shall be ordered and accomplished. The hold order shall state that a written request for hearing may be filed with the health officer within ten days and that if no hearing is requested and if the health officer does not vacate the hold order, then the food shall be destroyed under supervision of the health officer. On the basis of evidence produced at that hearing, the hold order may be vacated, or the owner or person in charge of the food may be directed by written order to denature or destroy such food or to bring it into compliance with the provisions of these regulations.

NEW SECTION

WAC 248-84-095 REVIEW OF PLANS. Properly prepared plans and specifications shall be submitted to the health officer for approval before a food service establishment is constructed or remodeled and whenever an existing structure is converted for use as a food service establishment. The plans and specifications shall indicate the proposed layout; arrangement; mechanical plans; construction materials of work areas; floor, wall and ceiling materials of all areas; the type, make and model of all fixed equipment and facilities.

NEW SECTION

WAC 248-84-100 PROCEDURE WHEN INFECTION IS SUSPECTED. When the health officer suspects that disease transmission by (an) employee(s) of a food service establishment has occurred, the health officer shall take appropriate action to control the transmission of disease including but not limited to any or all of the following:

- (1) The securing of a morbidity history of the suspected employee(s);
- (2) The immediate exclusion of the employee(s) from employment in food service establishments;
- (3) Immediately close the food service establishment concerned until, in the opinion of the health officer, no further danger of disease outbreak exists;
- (4) Restrict the employee's services to some area of the establishment where there would be no danger of transmitting disease;
- (5) Require adequate medical and laboratory examinations of the employee and of other employees and of his/her or their body discharges to take place;
- (6) Require assistance in locating persons exposed to the disease.

NEW SECTION

WAC 248-84-105 VARIANCE CLAUSE. The health officer, upon written petition of the food service establishment, may grant a

variance to any section or sections of these regulations covering physical facilities and equipment standards when no health hazard would exist as a result of this action and the variance is consistent with the intent of these regulations.

NEW SECTION

WAC 248-84-110 INTERPRETATION. These regulations shall be enforced by the health officer in accordance with the interpretations contained in the 1976 edition of the United States Public Health Service, "Food Service Sanitation Manual," where applicable. When a section of these regulations conflicts with the "Food Service Sanitation Manual," these regulations shall apply.

NEW SECTION

WAC 248-84-500 SEPARABILITY CLAUSE. Should any section, paragraph, clause or phrase of these rules and regulations be declared unconstitutional or invalid for any reason, the remainder of said rules and regulations shall not be affected thereby.

NEW SECTION

WAC 248-84-900 PENALTY CLAUSE. Any person violating, or refusing or neglecting to comply with these regulations, and upon conviction, shall be guilty of a misdemeanor pursuant to RCW 70.05.120.

WSR 80-10-052

ADOPTED RULES

EMPLOYMENT SECURITY DEPARTMENT

[Order 4-80—Filed August 6, 1980]

I, Eugene Wiegman, Commissioner of the Employment Security Department, do promulgate and adopt at Olympia, Washington, the annexed rules relating to interpretive regulations relating to disqualification for leaving work voluntarily, RCW 50.20.050 (1) and (3); leaving work because of illness or disability of self or immediate family member, RCW 50.20.050(2)(b); leaving work for marital reasons, RCW 50.20.050(4); disqualification of students, RCW 50.20.095; lump sum retirement payment, RCW 50.04.323; application of unemployment contributions payments; unemployment benefits while pursuing a training course; approval of training by commissioner.

This action is taken pursuant to Notice No. WSR 80-08-026 filed with the code reviser on 6/25/80. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 50.12.010 and 50.12.040 and is intended to administratively implement that statute.

This rule is promulgated under the general rule-making authority of the Commissioner of the Employment Security Department as authorized in RCW 50.12.010.

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 6, 1980.

By Eugene Wiegman
Commissioner

AMENDATORY SECTION (Amending Order 1-80, filed January 10, 1980)

WAC 192-12-041 APPLICATION OF PAYMENTS. (1) ~~((Any))~~ A payment received with a contribution report will be applied to the quarter for which the report is filed. ~~((Any))~~ A payment exceeding the legal fees, penalties, interests and contributions due for that quarter will be applied to ~~((prior))~~ any other indebtedness in the manner provided in subsection (2). If no ~~((prior))~~ indebtedness exists, a credit statement will be issued for any overpayments.

(2) ~~((Any))~~ A payment received without a contribution report will be applied in the following order of priority, beginning with the oldest quarter's indebtedness first:

- (a) Lien fees
- (b) Warrant fees
- (c) Late contribution report penalty
- (d) Late contribution penalty
- (e) Interest charges ~~((prior and current))~~
- (f) Contributions.

AMENDATORY SECTION (Amending Order 2-73, filed November 15, 1973)

WAC 192-12-182 TRAINING—APPROVAL BY COMMISSIONER. Conditions for approval of training by the commissioner are as follows:

(1) No vocational training course, or courses in basic educational skills as a prerequisite for such vocational training, shall be considered for approval by the commissioner or his authorized representative unless:

An application to take such training course is made in writing and filed with the commissioner at any local office of the Washington employment security department, or in the case of an individual in another state, with the local office of such state through which the individual is filing his claim for unemployment compensation against the state of Washington. Such application must be filed prior to payment.

(2) In the approval of any program of training, the commissioner shall consider, among other factors, the following:

(a) The nature of the facility and the quality of the program of instruction, and

(b) Whether such program of instruction relates to an occupation or skill for which there are, or are expected to be, reasonable employment opportunities in the state in which the individual intends to seek work, and

(c) Whether the individual has the qualifications and aptitudes to successfully complete such program of instruction; and further

(d) Whether employment opportunities for which the individual is fitted by past training and experience do not exist or have substantially diminished in the labor market due to business or economic conditions in the area, or because of conditions peculiar to the individual such as health, physical stature, criminal background, or other circumstances of a similar nature, to the extent that in the judgment of the commissioner the individual will

experience an extended period of unemployment and dependence upon the unemployment compensation program.

(3) Any training program required as a condition of continued employment within the occupation shall be approved by the Commissioner: PROVIDED, That:

(a) The training program is vocational training, or basic education that is a prerequisite for vocational training, and

(b) The scheduling of the training is determined by a work related entity other than the claimant, and

(c) The training program meets the requirements of subsections (2)(a), (2)(b), and (2)(c) above. Requirements of subsection (2)(d) above do not apply to training programs which meet the requirement of this subsection (3).

AMENDATORY SECTION (Amending Order 2-73, filed November 15, 1973)

WAC 192-12-184 TRAINING—UNEMPLOYMENT BENEFITS WHILE PURSUING A COURSE. The commissioner prescribes the following requisites:

(1) Individuals eligible for unemployment compensation under the provisions of RCW 50.20.010 shall not be ineligible for such benefits because of enrollment and attendance in a vocational training course, or a course in basic educational skills as a prerequisite for such vocational training, that is approved by the commissioner provided that an application to take such training course therefor is made in writing and filed with the commissioner at any local office of the Washington employment security department, or in the case of an individual in another state, with the local office of such state through which the individual is filing his claim for unemployment compensation against the state of Washington.

(2) Any claimant who, during a week, fails to attend half or more of the scheduled class days of the approved training, or a course in basic educational skills as a prerequisite for such training, will not be excused from meeting the availability for work and active search for work requirements of RCW 50.20.010(3) and the provisions of RCW 50.20.080 relating to failure to apply for, or refusal to accept suitable work, unless the training facility or organization certifies that such absence will not cause the claimant to be unsuccessful in completing the course.

(3) ~~((The training facility or organization will certify to the Washington employment security department, through the claimant, his record of attendance each week, an explanation of each absence, and whether or not such absence will cause the claimant to be unsuccessful in completing the course. Such certification must be submitted to the Washington employment security department at the time of the claiming of benefits for a week: The claimant will certify his/her record of attendance each week, subject to verification by the Washington employment security department. Such certification shall include the claimant's attendance and a supporting statement explaining any absences. The department may contact the school regarding any absence~~

to determine whether or not such absence will cause the claimant to be unsuccessful in completing the course.

(4) A claimant making application for unemployment compensation pursuant to the Employment Security Act and these regulations must comply with all other requirements of the Employment Security Act and commissioner's regulations.

AMENDATORY SECTION (Amending Order 2-77, filed 9/2/77)

WAC 192-16-009 INTERPRETATIVE REGULATIONS—DISQUALIFICATION FOR LEAVING WORK VOLUNTARILY—MEANING OF GOOD CAUSE—RCW 50.20.050(1) AND (3). (1) General Rule. Except as provided in WAC 192-16-011 and 192-16-013, in order for an individual to establish good cause within the meaning of RCW 50.20.050(1) for leaving work voluntarily it must be satisfactorily demonstrated:

(a) that he or she left work primarily because of a work connected factor(s); and

(b) that said work connected factor(s) was (were) of such a compelling nature as to cause a reasonably prudent person to leave his or her employment; and

(c) that he or she first exhausted all reasonable alternatives prior to termination: PROVIDED, That the individual asserting "good cause" may establish in certain instances that pursuit of the otherwise reasonable alternatives would have been a futile act, thereby excusing the failure to exhaust such reasonable alternatives.

(2) Exceptions. Notwithstanding the provisions of subsection (1) above, neither the distance of the work from the individual's residence, if known at the time of hire and in the judgment of the department, the distance is customarily traveled by workers in the individual's job classification and labor market, nor any other work factor which was generally known and present at the time of hire will provide good cause for voluntarily leaving work unless the individual satisfactorily demonstrates:

(a) that the related circumstances have so changed as to amount to a substantial involuntary deterioration of the work factor; or

(b) that other related circumstances would work an ~~((unconscionable))~~ unreasonable hardship on the individual if he or she were required to continue in the employment.

(3) Definitions. For purposes of subsection (2) above:

(a) "distance customarily traveled" means a distance normally traveled by a significant portion of the work force in the individual's job classification in the labor market area.

~~((+))~~ (b) "generally known" means commonly known without reference to specific cases or individuals; and

~~((c)) "unconscionable hardship" means a result that would be shockingly harsh and not resulting from the individual's voluntary action.))~~

(c) "individual's job classification" means the job classification in which the individual was working when the individual voluntarily left work; and

(d) a "labor market" is the geographic area in which those workers in the individual's job classification, living

in the vicinity of his or her residence, customarily work; and

~~((+))~~ (e) "substantial involuntary deterioration" means an actual and considerable worsening of the work factor outside the control of the individual; and

(f) "unreasonable hardship" means a result, not due to the individual's voluntary action, that would cause a reasonable person to leave that employment.

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 2-77, filed September 2, 1977)

WAC 192-16-013 INTERPRETATIVE REGULATIONS—LEAVING WORK BECAUSE OF ILLNESS OR DISABILITY OF SELF OR IMMEDIATE FAMILY MEMBER—RCW 50.20.050(2)(b). (1) General Rule. In order for an individual to establish good cause within the meaning of RCW 50.20.050(2)(b) for leaving work voluntarily because of his or her illness or disability or the illness ~~((or))~~, disability, or death of a member of his or her immediate family it must be satisfactorily demonstrated:

(a) that he or she left work primarily because of such illness ~~((or))~~, disability, or death; and

(b) that such illness ~~((or))~~, disability, or death necessitated his or her leaving work; and

(c) that he or she first exhausted all reasonable alternatives prior to termination, including but not limited to:

(i) promptly notifying the employer of the reason for the absence; and

(ii) prior to the time of separation, requesting reemployment when again able to return to work. (A request for reemployment made after the date of termination is not required to establish good cause within RCW 50.20.050(2)(b)).

(2) Exception. Notwithstanding the provisions of subsection (1)(c) above the individual asserting good cause may establish in certain instances that the otherwise reasonable alternatives would have been a futile act, thereby excusing the failure to exhaust such reasonable alternatives.

(3) Definitions. As used in subsection (1) above:

(a) "disability" means the temporary or permanent loss of an individual's former capacity or capacities due to physical, mental or emotional impairment; and

(b) "immediate family" means the individual's spouse, children (including unborn children), step-children, foster children, or parents of either spouse, whether living with the individual or not, and other relatives who temporarily or permanently reside in the individual's household.

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 2-77, filed 9/2/77)

WAC 192-16-015 INTERPRETATIVE REGULATIONS—LEAVING WORK FOR MARITAL OR

DOMESTIC REASONS—RCW 50.20.050(4). (1) General Rule. An individual whose marital status or domestic responsibilities are the primary cause of his or her voluntarily leaving employment shall be disqualified from benefits pursuant to the terms of RCW 50.20.050(4). This rule applies whether or not the individual took reasonable precautions to preserve his or her employment. Domestic responsibilities mean obligations or duties relating to the individual's ~~((home circumstances or))~~ immediate family, and include the illness ~~((or))~~, disability, or death of a member of the claimant's "immediate family" as defined in WAC 192-16-013.

(2) Exception. Notwithstanding the provisions of subsection (1) above, an individual who leaves employment because of the ~~((health or))~~ illness, disability, or death of a member of his or her immediate family as defined in WAC 192-16-013 and who establishes good cause under RCW 50.20.050(2)(b), will not be subject to disqualification under RCW 50.20.050(4): PROVIDED, That if such individual fails to establish good cause under RCW 50.20.050(2)(b), disqualification will be imposed under RCW 50.20.050(4) rather than under RCW 50.20.050(1).

AMENDATORY SECTION (Amending Order 2-77, filed September 2, 1977)

WAC 192-16-023 INTERPRETATIVE REGULATIONS—DISQUALIFICATION OF STUDENTS—~~((SECTION 8, CHAPTER 33, LAWS OF 1977 EX. SESS. (1) Effective Date. The provisions of section 8, chapter 33, Laws of 1977 ex. sess. are effective as to all claims filed for weeks of unemployment beginning July 3, 1977, and thereafter))~~ 50.20.095.

~~((2))~~ (1) General Rule. An individual registered at an established school in a course of study providing scholastic instruction of twelve or more hours per week, or the equivalent thereof, is disqualified from receiving benefits or waiting period credit.

~~((3))~~ (2) The Period Of Disqualification. The period of disqualification ~~((mentioned in subsection (1) above))~~ begins with either the first week of such scholastic instruction or the week of leaving employment to return to school, whichever is ~~((the))~~ earlier. The disqualification ends ~~((Saturday))~~ midnight Saturday of the week that precedes the first full week in which the individual is no longer registered for ~~((classes, if his nonregistration will last for 60 days or more))~~ twelve or more hours of scholastic instruction: PROVIDED, That such individual shall be required to certify to the department that he or she is not currently registered for twelve or more credit hours and will not be registered for 12 or more credit hours for at least 60 days. An individual who fails to abide by the terms of the certification will be deemed to have been overpaid all benefits paid based on the certification. Such overpayment will be subject to assessment and recovery under RCW 50.20.190. Pre-registration for classes beginning 60 or more days in the future will not serve to extend the disqualification described in this subsection.

~~((4))~~ (3) Full-time Students To Whom Disqualification Does Not Apply. The disqualification ~~((mentioned in subsection (1))~~) shall not apply to any individual who:

(a) is in approved training within the meaning of RCW 50.20.043; or

(b) at the time he or she applies for benefits, demonstrates by a preponderance of the evidence that his or her student status does not significantly interfere with his or her actual availability for work.

~~((5))~~ (4) Definitions. As used in this section:

(a) "school" includes primary schools, secondary schools, and institutions of higher education, as that phrase is defined in RCW 50.44.030;

(b) "scholastic instruction" includes all teaching or opportunity for learning subjects other than those of a strictly vocational nature. Subjects of a vocational nature are those embraced in the definition of "training" contained in WAC 192-12-180.

(c) "twelve or more hours per week" means twelve or more credit hours per week or the equivalent thereof;

(d) "preponderance of evidence" means evidence sufficient to persuade a reasonable person considering all the evidence, that the proposition sought to be established by that evidence is more probably true than not true.

~~((6))~~ (5) Other Sections Of Act Not Pre-empted By Student Disqualification. Students who claim benefits are subject to all of the provisions of the Employment Security Act including:

(a) RCW 50.20.050 dealing with those who leave work voluntarily without good cause; and

(b) RCW 50.20.010(3) requiring claimants to be able and available for and actively seeking work.

NEW SECTION

WAC 192-16-025 LUMP SUM RETIREMENT PAYMENT. RCW 50.04.323(6) provides that, effective April 6, 1980, a lump sum payment of funds, accumulated in an employer-participating government or private retirement pension plan to one eligible for retirement pension, shall be prorated over the life expectancy of the retiree in a manner determined by the commissioner.

(1) Lump sum payments as described in the foregoing paragraph will be prorated over the life expectancy of the individual in accordance with Table I in Regulation 1.72-9 of the Internal Revenue Code as amended as of the effective date of the individual's benefit year.

(2) The withdrawal, upon separation from employment, of only the funds, and interest thereon, contributed to a retirement pension by an individual is not within the scope of RCW 50.04.323(6) and will not serve to reduce benefits.

(3) The phrase "one eligible for retirement" is defined as an individual eligible at the time of the lump sum payment for periodic payments under a pension program which is based on age or length of service.

WSR 80-10-053
ADOPTED RULES
GRAYS HARBOR COLLEGE

[Order 80-1, Resolution 10-80—Filed August 6, 1980]

Be it resolved by the board of trustees of the Grays Harbor College, acting at Conference Room, Administration Building, Grays Harbor College, Aberdeen, Washington, that it does promulgate and adopt the annexed rules relating to student conduct code.

This action is taken pursuant to Notice No. WSR 80-03-021 filed with the code reviser on 2/19/80. Such rules shall take effect pursuant to RCW 28B.19.050(2).

This rule is promulgated pursuant to RCW 28B.50.140(13) and is intended 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 May 19, 1980.

By Joseph A. Malik
 President

Chapter 132B-120

STUDENT CONDUCT CODE

NEW SECTION

WAC 132B-120-010 DEFINITIONS. As used in this document the following words and phrases shall mean:

(1) "Board" shall mean the Board of Trustees of Community College District No. 2, State of Washington.

(2) "College" shall mean Grays Harbor College or any additional community college hereafter established within Community College District No. 2, State of Washington.

(3) "Liquor" shall mean the definition of liquor as contained within RCW 66.04.010(16) as now law or hereafter amended.

(4) "Drugs" shall mean and include any narcotic drug as defined in RCW 69.50.101(o), any controlled substance as defined in RCW 69.50.201 through 69.50.212 or any legend drug as defined in RCW 69.41.010(8) as now or hereafter amended.

(5) "College facilities" shall mean and include any or all real property controlled or operated by the college and shall include all buildings and appurtenances affixed thereon or attached thereto.

(6) "President" shall mean the chief executive officer of the college appointed by the board of trustees.

(7) "Disciplinary officials" shall mean the hearing committee as denominated in WAC 132B-120-180, the associate dean of student affairs and/or the dean of instruction, and the president.

(8) "Student" shall mean and include any person who is regularly enrolled at the college.

(9) "Disciplinary action" shall mean and include the warning, probation, expulsion, suspension, or reprimand of any student pursuant to WAC 132B-120-120 for the violation of any designated rule or regulation of the rules of student conduct for which a student is subject to disciplinary action.

NEW SECTION

WAC 132B-120-020 STATEMENT OF PURPOSE. (1) Grays Harbor College is maintained by the State of Washington for the provision of programs of instruction in higher education and related community services. Like any other institution having its own special purposes, the college must maintain conditions conducive to the effective performance of its functions. Consequently, it has special expectations regarding the conduct of the various participants in the college community.

(2) Admission to the college carries with it the prescription that the student will conduct himself as a responsible member of the college community. This includes an expectation that the student will obey appropriate laws, will comply with the rules and regulations of the college and its departments, and will maintain a high standard of integrity and honesty.

(3) Sanctions for violations of college regulations or conduct which interferes with the operation of college affairs will be dealt with by the college, and the college may impose sanctions independently of any action taken by civil authorities. In the case of minors, misconduct may be referred to parents or legal guardians.

NEW SECTION

WAC 132B-120-030 JURISDICTION. All rules herein adopted concerning student conduct and discipline shall apply to every student enrolled at the college whenever said student is engaged in or present at any college-related activity whether occurring on or off of college facilities.

NEW SECTION

WAC 132B-120-040 STUDENT MISCONDUCT. Disciplinary action may be taken for a violation of any provision of this student code, for a violation of other college rules and regulations which may from time to time be properly enacted, or for any of the following types of misconduct:

(1) Smoking is prohibited in all classrooms and the library and other areas so posted by college officials.

(2) The possession, use, sale or distribution of any alcoholic beverage or illegal drug on the college campus is prohibited. The use of illegal drugs by any Grays Harbor College student attending a college-sponsored event is also prohibited, even though the event does not take place at the college. The use of alcohol by any Grays Harbor College student attending such events on non-college property shall conform to state law.

(3) Engaging in lewd, indecent, or obscene behavior.

(4) Where the student presents an imminent danger to college property or to himself or other students or persons in college facilities on or off campus, or to the education process of the college.

(5) Academic dishonesty, including cheating, plagiarism, or knowingly furnishing false information to the college.

(6) The intentional making of false statements and/or filing of false charges against the college and members of the college community.

(7) Forgery, alteration, or misuse of college documents, records, funds or instruments of identification with the intent to defraud.

(8) Theft from or damage to college premises and/or property, or theft of or damage to property of a member of the college community or college premises.

(9) Failure to comply with the direction of college officials acting in the legitimate performance of their duties.

(10) Possession of firearms, licensed or unlicensed, except where possessed by commissioned police officers as prescribed by law.

NEW SECTION

WAC 132B-120-050 CIVIL DISTURBANCES. In accordance with provisions contained in RCW 28B.10.571 and RCW 28B.10.572:

(1) It shall be unlawful for any person, singly or in concert with others, to interfere by force or violence with any administrator, faculty member or student of the college who is in the peaceful discharge or conduct of his duties or studies.

(2) It shall be unlawful for any person, singly or in concert with others, to intimidate by threat of force or violence any administrator, faculty member or student of the college who is in the peaceful discharge of his duties or studies.

(3) The crimes described in RCW 28B.10.571 and RCW 28B.10.572 shall not apply to administrators or faculty members who are engaged in the reasonable exercise of their disciplinary authority.

(4) Any person or persons who violate the provisions of subparagraphs (1) and (2) above will be subject to disciplinary action and referred to the civil authorities for prosecution.

NEW SECTION

WAC 132B-120-060 FREE MOVEMENT ON CAMPUS. The president is authorized in the instance of any event that he deems impedes the movement of persons or vehicles or which he deems to disrupt the ingress or egress of persons from the college facilities, to prohibit the entry of, or withdraw the license of, or privileges of a person or persons or any group of persons to enter onto or remain upon any portion of the college facility. The president may, in his stead, act through the associate dean of student affairs or any other persons he may designate.

NEW SECTION

WAC 132B-120-070 RIGHT TO DEMAND IDENTIFICATION. For the purpose of determining whether probable cause exists for the application of any section of this code to any behavior by any person on a college facility, any college personnel or other authorized personnel may demand that any person on college facilities produce evidence of student enrollment at the college by tender of that person's student identification card to the faculty member or other authorized personnel.

NEW SECTION

WAC 132B-120-080 ACADEMIC DISHONESTY/CLASSROOM CONDUCT. (1) Academic dishonesty: Honest assessment of student performance is of crucial importance to all members of the academic community. Acts of dishonesty are serious breaches of honor and shall be dealt with in the following manner:

(a) It is the responsibility of the college administration and teaching faculty to provide reasonable and prudent security measures designed to minimize opportunities for acts of academic dishonesty which occur at the college.

(b) Any student who, for the purpose of fulfilling any assignment or task required by a faculty member as part of the student's program of instruction, shall knowingly tender any work product that the student fraudulently represents to the faculty member as the student's work product, shall be deemed to have committed an act of academic dishonesty. Acts of academic dishonesty shall be cause for disciplinary action.

(c) Any student who aids or abets the accomplishment of an act of academic dishonesty, as described in subparagraph (b) above, shall be subject to disciplinary action.

(d) This section shall not be construed as preventing an instructor from taking immediate disciplinary action as provided herein when the instructor is required to act upon such breach of academic dishonesty in order to preserve order and prevent disruptive conduct in the classroom. This section shall also not be construed as preventing an instructor from adjusting the student's grade on a particular project, paper, test, or class grade for academic dishonesty.

(2) Classroom conduct: Instructors have the authority to take whatever summary actions may be necessary to maintain order and proper conduct in the classroom and to maintain the effective cooperation of the class in fulfilling the objectives of the course.

(a) Any student who, by any act of misconduct, substantially disrupts any college class by engaging in conduct that renders it difficult or impossible to maintain the decorum of the faculty member's class shall be subject to disciplinary action.

(b) The instructor of each course offered by the college shall be authorized to take such steps as may be necessary to preserve order and to maintain the effective cooperation of the class in fulfilling the objectives of the course; provided a student shall have the right to appeal

such disciplinary action to the associate dean of student affairs.

NEW SECTION

WAC 132B-120-090 CAMPUS SPEAKERS. (1) Student organizations officially recognized by the college may invite speakers to the campus to address their own membership and other interested students and faculty providing suitable space is available and there is no interference with the regularly scheduled program of the college. Although properly allowed by the college, the appearance of such speakers on the campus implies neither approval nor disapproval of them or their viewpoints. In case of speakers who are candidates for political office, equal opportunities shall be available to opposing candidates if desired by them. Speakers are subject to the normal considerations for law and order and to the specific limitations imposed by the state constitution which prohibits religious worship, exercise or instruction on state property.

(2) In order to insure an atmosphere of open exchange and to insure that the educational objectives of the college are not obscured, the president, in a case attended by strong emotional feeling, may prescribe conditions for the conduct of the meeting, such as requiring a designated member of the faculty as chairman, or requiring permission for comments and questions from the floor. Likewise, the president may encourage the appearance of one or more additional speakers at any meeting or at a subsequent meeting so that other points of view may be expressed. The president may designate representatives to recommend conditions such as time, manner, and place for the conduct of particular meetings.

NEW SECTION

WAC 132B-120-100 DISTRIBUTION OF INFORMATION. (1) Handbills, leaflets, newspapers and similarly related materials may be sold or distributed free of charge by any student or students, or by members of recognized student organizations, or by college employees on or in college facilities at locations specifically designated by the associate dean of student affairs; provided such distribution or sale does not interfere with the ingress or egress of persons or interfere with the free flow of vehicular or pedestrian traffic.

(2) Such handbills, leaflets, newspapers and related matter must bear identification as to the publishing agency and distributing organization or individual.

(3) All nonstudents shall register with the associate dean of student affairs prior to the distribution of any handbill, leaflet, newspaper or related matter. Such distribution or sale must not interfere with the free flow of vehicular or pedestrian traffic.

(4) Any person or persons who violate provisions of subparagraphs (1) and (2) above will be subject to disciplinary action.

NEW SECTION

WAC 132B-120-110 COMMERCIAL ACTIVITIES. (1) College facilities will not be used for a commercial solicitation, advertising or promotional activities

except when such activities clearly serve educational objectives, including but not limited to display of books of interest to the academic community or the display or demonstration of technical or research equipment, and when such commercial activities relate to educational objectives and are conducted under the sponsorship or at the request of the college, or the office of the associated students of the college; provided that such solicitation does not interfere with or operate to the detriment of the conduct of college affairs or the free flow of vehicular or pedestrian traffic.

(2) For the purpose of this regulation, the term "commercial activities" does not include handbills, leaflets, newspapers and similarly related materials as regulated in WAC 132B-120-100 of this document.

NEW SECTION

WAC 132B-120-120 DISCIPLINARY PROCESS. (1) Any infractions of college rules and regulations may be referred by any college faculty or staff member to the associate dean of student affairs or in his absence the dean of instruction. That official shall then follow the appropriate procedures for any disciplinary action which he deems necessary relative to the alleged misconduct. In addition, a student may appeal disciplinary action taken by an instructor or faculty member pursuant to the provisions in WAC 132B-120-180.

(2) The disciplinary official may take whatever action he deems appropriate within the framework of these regulations. If the student concludes that any sanctions imposed upon him are inappropriate, he may appeal to the student/faculty disciplinary committee.

(3) If a referral or an appeal is made to the student/faculty disciplinary committee, the committee shall hold a hearing, reach conclusions and may impose sanctions. If the student concludes that the action of the disciplinary committee is inappropriate, he may appeal the matter to the president of the college.

(4) The president of the college, after reviewing the case, may reverse, sustain or modify any sanctions which may have been imposed by the student/faculty disciplinary committee. The decision of the president is final.

NEW SECTION

WAC 132B-120-130 DISCIPLINARY TERMS.

(1) As used in this document the following terms shall mean:

(a) Disciplinary warning: Constitutes oral notice of violation of college rules and regulations.

(b) Reprimand: Formal action after censuring a student for violation of college rules or regulations for failure to satisfy the college's expectations regarding conduct. Reprimands are made in writing to the student by the disciplinary official. A reprimand indicates to the student that continuation or repetition of the specific conduct involved or other misconduct will result in one or more serious disciplinary actions described below.

(c) Disciplinary probation: Formal action placing conditions upon the student's continued attendance because of his violation of college rules and regulations or failure to satisfy the college's expectations regarding

conduct. The disciplinary official placing the student on probation will specify, in writing, the period of probation and the conditions, such as limiting the student's participation in extra-curricular activities. Disciplinary probation warns the student that any further misconduct will automatically raise the question of dismissal from the college. Disciplinary probation may be for a specified term or for an indefinite period which may extend to graduation or other termination of the student's enrollment in the college.

(d) Summary suspension: Temporary dismissal from the college and temporary termination of a student's status for a period of time not to exceed ten days which occurs prior to invocation of the formal hearing procedures specified in this code due to a necessity to take immediate disciplinary action, where a student presents an imminent danger to the college property, or to himself or other students or persons in college facilities on or off campus, or to the educational process of the college.

(e) Suspension: Temporary dismissal from the college and temporary termination of student status for violation of college rules and regulations or for failure to meet college standards of conduct.

(f) Expulsion: Dismissal from the college and termination of student status for violation of college rules and regulations or for failure to meet the college standards of conduct for an indefinite period of time or permanently.

(2) Refund of fees for the quarter in which disciplinary action is taken shall be in accord with the college's refund policy.

(3) A student suspended on the basis of conduct which disrupted the orderly operation of the campus or any facility of the district, may be denied access to all or any part of the campus or other facility.

NEW SECTION

WAC 132B-120-140 READMISSION AFTER SUSPENSION/EXPULSION. Any student suspended from the college for disciplinary reasons will normally be readmitted upon expiration of the time period for which the suspension was issued. If the student has been expelled or feels that circumstances warrant reconsideration of a temporary suspension prior to its expiration, or if the student was suspended with conditions imposed for readmission, the student may be readmitted following approval of a written petition submitted to the associate dean of student affairs. Such petition must state reasons which support a reconsideration of the matter. Before readmission may be granted, such petition must be reviewed and approved by the college president or his designee.

NEW SECTION

WAC 132B-120-150 REESTABLISHMENT OF ACADEMIC STANDING. Students who have been suspended pursuant to disciplinary procedures set forth in WAC 132B-120-120 and WAC 132B-120-130 and whose suspension upon appeal is found to have been unwarranted shall be provided the opportunity to reestablish their academic and student standing to the extent

possible within the abilities of the college, including an opportunity to retake examinations or otherwise complete course offerings missed by reason of such action.

NEW SECTION

WAC 132B-120-160 DISCIPLINARY AUTHORITY OF THE ASSOCIATE DEAN OF STUDENT AFFAIRS AND DEAN OF INSTRUCTION.

(1) The associate dean of student affairs or, in his absence, the dean of instruction of the college is responsible for initiating disciplinary proceedings for infractions of rules and regulations as outlined in the procedures. The associate dean of student affairs or, in his absence, the dean of instruction, may delegate this responsibility to members of their staff and they may also establish committees or other hearing bodies to advise or act for them in disciplinary matters.

(2) In order that any informality in disciplinary proceedings not mislead a student as to the seriousness of the matter under consideration, the student involved shall be informed at the initial conference or hearing of the several sanctions that may be involved for the misconduct.

(3) After considering the evidence in a case and interviewing the student or students involved, the associate dean of student affairs, or in his absence, the dean of instruction, may take any of the following actions:

(a) Terminate the proceeding, exonerating the student or students.

(b) Dismiss the case after whatever counseling and advice maybe appropriate.

(c) Impose disciplinary sanctions directly, subject to the student's right of appeal as described in this procedure. The student shall be notified in writing of the action taken except that disciplinary warnings may be given verbally.

(d) Refer the matter to the student/faculty disciplinary committee on conduct and standards for appropriate action. The student shall be notified in writing that the matter has been referred to the committee.

(4) This section shall not be construed as preventing the appropriate official from summarily suspending a student. In the event of summary suspension, the student will be given oral or written notice of the charges against him, an explanation of the evidence against him if he denies the charges, and an informal opportunity to present his side of the matter. He will also be given an opportunity to invoke the formal hearing process set forth in this code.

NEW SECTION

WAC 132B-120-170 STUDENT/FACULTY DISCIPLINARY COMMITTEE.

(1) The student/faculty disciplinary committee, convened for that purpose, will hear, de novo, and make recommendations on all disciplinary cases referred to by the appropriate authority or appeal to it by students. The committee will be composed of the following persons:

(a) a member appointed by the president of the college

(b) two members of the faculty, appointed by the president of the faculty association

(c) two representatives from the student council, appointed by the student body president.

(2) None of the above-named persons shall sit on any case in which he has a complaint or witness, in which he has a direct or personal interest, or in which he has acted previously in an advisory or official capacity. Decisions in this regard, including the selection of alternates, shall be made by the disciplinary committee as a whole. The disciplinary committee chairman will be elected by the members of the disciplinary committee.

(3) The committee may decide that the student involved:

(a) be given a disciplinary warning;

(b) be given a reprimand;

(c) be placed on disciplinary probation;

(d) be given a suspension;

(e) be expelled;

(f) be exonerated with all proceedings terminated and with no sanctions imposed.

NEW SECTION

WAC 132B-120-180 PROCEDURAL GUIDELINES. (1) The student, if he wishes to appeal, has a right to a fair and impartial hearing before the committee on any charge of misconduct. His failure to cooperate with the hearing procedures, however, shall not preclude the committee from making its findings of fact, reaching conclusions and imposing sanctions. Failure of the student to cooperate may be taken into consideration by the committee in recommending penalties.

(2) The student shall be given notice of the date, time and place of the hearing, the charges against him, a list of witnesses who will appear, and a description of any documentary or other physical evidence that will be presented at the hearing. This notice shall be given to the student in writing and shall be provided in sufficient time to permit him to prepare a defense. The notice may be amended at any time prior to the hearing, but if such amendment is prejudicial to the student's case, the hearing shall be rescheduled to a later date if so requested in writing by the student.

(3) The student or his representative shall be entitled to hear and examine the evidence against him and be informed of the identity of its sources; he shall be entitled to present evidence in his own behalf and to question witnesses testifying against him as to factual matters. The student shall have all authority which is possessed by the college to obtain information or to request the presence of witnesses or the production of other evidence relevant to the issues at the hearing.

(4) Only those matters presented at the hearing, in the presence of the student involved, will be considered in determining whether he is guilty of the misconduct charged but the student's past record of conduct may be taken into account in formulating the committee's recommendation for disciplinary action.

(5) The student may be represented by counsel and/or accompanied by an advisor of his choice.

(6) Hearings conducted by the committee may be held in closed session at the discretion of the committee,

the only exception being when the student involved invites particular persons or requests an open hearing. If at any time during the conduct of the hearing invited guests are disruptive of the proceedings, the chairman of the committee may exclude such persons from the hearing room.

(7) A majority of the committee shall set the time, place and available seating capacity for a hearing.

(8) All proceedings of the committee will be conducted with reasonable dispatch and terminated as soon as fairness to all parties involved permits.

(9) An adequate summary of the proceedings will be kept. As a minimum, such summary would include a tape recording of testimony. Such record will be available for inspection and copying in the office of student affairs during regular business hours.

(10) The student will be provided with a copy of the findings of fact and with the conclusions of the committee. He will also be advised of his right to present, within ten calendar days, a written statement of appeal to the president of the college before action is taken on the decision of the committee. In the case of an unmarried student under eighteen years of age, written notice of any action involving dismissal or disciplinary probation will be sent to the parents or guardian of the student.

(11) The committee chairman shall establish general rules of procedures for conducting hearings consistent with the foregoing procedural guidelines.

(12) The president of the college or his designated representative, after reviewing the case, including the report of the committee and any statement filed by the student, shall either indicate his approval of the conclusions of the committee by sustaining its decision, shall give directions as to what other disciplinary action shall be taken by modifying its decision, or shall nullify previous sanctions imposed by reversing its decision. He shall then notify the official who initiated the proceedings, the student and the committee chairperson.

NEW SECTION

WAC 132B-120-190 APPEALS. Any disciplinary action may be appealed as described below. Notice of an appeal by a student shall be made in writing and addressed to the associate dean of student affairs within ten calendar days of the college's giving of the notice of the disciplinary action.

(1) Disciplinary action by a faculty member or other college staff member may be appealed to, and shall be reviewed by, the associate dean of student affairs, or in his absence, the dean of instruction.

(2) Disciplinary action by the appropriate disciplinary official may be appealed to, and shall be reviewed by, the student/faculty disciplinary committee.

(3) Disciplinary action by the student/faculty disciplinary committee may be appealed to, and shall be reviewed by, the college president or his designee.

(4) Disciplinary action by the president shall either indicate his approval of the conclusions by sustaining the decision or shall give directions as to what other disciplinary action shall be taken by modifying the decision, or shall nullify previous sanctions imposed by reversing its decision. All appeals to the president shall be final.

NEW SECTION

WAC 132B-120-200 REPORTING, RECORDING AND MAINTAINING RECORDS. Records of all disciplinary cases shall be kept by the disciplinary official taking or initiating the action. Except in proceedings where the student is exonerated, all documentary or other physical evidence produced or considered in disciplinary proceedings and all recorded testimony shall be preserved, insofar as possible, for not more than five years. No other records of proceedings wherein the student is exonerated, other than the fact of exoneration, shall be maintained in the student's file or other college repository after the date of the student's graduation or not more than five years.

**WSR 80-10-054
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed August 6, 1980]**

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 food stamps, amending chapter 388-54 WAC.

It is the intention of the secretary to adopt these rules on an emergency basis prior to the hearing.

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

N. Spencer Hammond
Executive Assistant
Department of Social and Health Services
Mail Stop OB-44 C
Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact William B. Pope, Chief, Office of Administrative Regulations, at State Office Building #2, 12th and Jefferson, Olympia, Washington, Phone (206) 753-7015, by 8/27/80. The meeting site is in a location which is barrier free;

that such agency will at 2:00 p.m., Wednesday, September 10, 1980, in the Auditorium, State Office Building #2, 12th and Franklin, Olympia, Washington, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, September 17, 1980, in William B. Pope's office, 4th Floor, State Office Building #2, 12th and Franklin, Olympia.

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 September 10, 1980, and/or orally at

10:00 a.m., Wednesday, September 10, 1980, Auditorium, State Office Building #2, 4th Floor, 12th and Franklin, Olympia, Washington.

Dated: August 6, 1980
By: N. S. Hammond
Executive Assistant

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

- A.
 1. Amend: chapter 388-54 WAC
 2. Purpose of the rule or rule change is to amend food stamp rules
 3. The reason(s) these rules are necessary is to comply with federal requirements
 4. Statutory authority for this action is found in RCW 74.04.510
- B. Summary of the rule or rule change
Food stamp applications from households which consist entirely of SSI recipients will be submitted through Social Security Administration district offices.
- C. Person or persons responsible for the drafting implementation and enforcement of the rule
 1. Name of initiator: Mick Determan
 2. Title: Program Analyst
 3. Office: Income Maintenance
Mail Stop OB-31 C
Phone: 3-7137
- D. The person or organization (If other than DSHS) who proposed these rules is: None
- E. These rules are not necessary as a result of federal laws, federal court decisions or state court decisions.

AMENDATORY SECTION (Amending Order 1374, filed 3/1/79)

WAC 388-54-610 APPLICATION AND PARTICIPATION—INITIATING THE APPLICATION. (1) The department shall make application forms readily accessible and provide one to anyone who requests it.

(2) The household must file an application by submitting the form to the Food Stamp office either in person, through an authorized representative or by mail.

House holds consisting exclusively of SSI applicants/recipients may file an application, have the information verified and the form submitted by SSADO (see WAC 388-54-615).

(3) Each household has a right to file a food stamp application on forms as determined by the department on the same day it contacts the department.

(a) The department shall mail an application to any household who requests one by telephone. This shall be mailed the same day as the telephone request is received.

(b) When a written request for an application is received by the department, an application shall be mailed the same day the written request is received.

(c) If a household contacts the wrong certification office within a project area, in writing, in person or by telephone, the certification office shall:

(i) Give the household the address and telephone number of the appropriate office.

(ii) Mail the application to the appropriate office on the same day.

(4) An application can be filed as long as it contains the applicant's name and address and is signed by a responsible member of the household or authorized representative. The household shall be informed of this fact and also informed that it does not have to be interviewed before filing the application.

(5) The household may voluntarily withdraw its application at any time prior to determination of eligibility.

(6) If a household refuses to cooperate with the CSO, the application shall be denied at the time of refusal.

(i) The household must be able to cooperate but clearly demonstrate that it will not take action.

(ii) If there is any question as to whether the household has merely failed to cooperate, as opposed to refused to cooperate, the household shall not be denied.

NEW SECTION

WAC 388-54-615 APPLICATION AND PARTICIPATION—APPLICATIONS PROCESSED BY THE SOCIAL SECURITY ADMINISTRATION DISTRICT OFFICES (SSADO). (1) The department shall complete the certification of applications for food stamps processed by SSADO without requiring additional personal interviews with the SSI household to present verification.

(2) The department shall not initiate personal contact with the SSI household whose food stamp application is processed by SSADO unless the application is improperly completed, mandatory verification is missing or certain information on the form is questionable. In no event shall an SSI household be required to appear to finalize an eligibility determination on such an application.

(3) The department shall prescreen all SSI/SSADO processed food stamp applications for expedited services on the day the application is received at the correct CSO.

(4) The department shall:

(a) Begin the three day time limit for expedited services on the date the correct CSO receives the application;

(b) Complete the certification of the SSI household application no later than thirty days after the date a completed application is filed at SSADO.

(5) The department must reassess those households for work registration eligibility if their pending SSI financial application is rejected by SSA.

AMENDATORY SECTION (Amending Order 1374, filed 3/1/79)

WAC 388-54-620 APPLICATION AND PARTICIPATION—INTERVIEW. (1) All food stamp households including those submitting applications by mail must be personally interviewed prior to certification or recertification. The interview may be conducted with either a responsible member of the household or its authorized representative.

(2) All food stamp applications from SSI households processed by SSADO are excluded from the department's in-office interview requirement.

(3) All interviews will take place in the certification office except in those cases where an office visit is waived; then a home visit or telephone interview is required. Office visits can be waived:

(a) If the household is unable to appoint an authorized representative and has no adult member able to visit the office because of hardships such as, but not limited to, illness, lack of transportation, prolonged severe weather, work hours, care of a household member or remoteness.

(b) If the household is unable to appoint an authorized representative and has no adult member able to visit the office because of age (65 or over), mental or physical handicap.

((3)) (4) A home visit shall be used only if the time of the visit is scheduled in advance with the household.

WSR 80-10-055
NOTICE OF PUBLIC MEETINGS
PLANNING AND
COMMUNITY AFFAIRS AGENCY
[Memorandum, Director—August 6, 1980]

Economic Opportunity Division Advisory Council

The Economic Opportunity Division Advisory Council will meet on September 18 from 1:00 p.m. to 5:00 p.m. and September 19 from 9:00 a.m. to 4:00 p.m. in the

East Wenatchee Security Bank conference room in East Wenatchee, Washington. For additional information, contact Carolyn Wyman, Economic Opportunity Division, Planning and Community Affairs Agency, 400 Capitol Center Building, Olympia, Washington 98504, telephone (206) 753-4934 or toll free 1-800-562-5677.

Public Broadcasting Commission

The Public Broadcasting Commission will meet on September 11, 1980, from 9:00 a.m. to 5:00 p.m. The location is to be determined. For additional information, contact Ms. Sherry Avena, chairman, telephone (206) 746-0331.

Planning and Community Affairs Agency Advisory Committee

The Planning and Community Affairs Agency Advisory Committee will meet on August 28, 1980, from 10:00 a.m. to 3:00 p.m. in the fourth floor conference room of the Capitol Center Building, 410 West 5th, Olympia. For additional information, contact Gary S. Tusberg, Deputy Director, Planning and Community Affairs Agency, 400 Capitol Center Building, Olympia, Washington 98504, telephone (206) 753-2203.

State Building Code Advisory Council

The State Building Code Advisory Council will meet on September 17, 1980, from 9:00 a.m. to noon in the Green Room of the Sea-Tac Carvey Restaurant, Sea-Tac Airport Main Terminal. For additional information, contact Jack Ragsdale, Local Government Services Division, Planning and Community Affairs Agency, 400 Capitol Center Building, Olympia, Washington 98504, telephone (206) 753-1927.

WSR 80-10-056
PROPOSED RULES
PARKS AND RECREATION
COMMISSION
[Filed August 6, 1980]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Parks and Recreation Commission intends to adopt, amend, or repeal rules concerning environmental learning centers use and scheduling and definition;

that such agency will at 9 a.m., Thursday, September 18, 1980, in the Auditorium, Cascade Natural Gas Company, 614 N. Mission, Wenatchee, WA 98801, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9 a.m., Thursday, September 18, 1980, in the Auditorium, Cascade Natural Gas Company, 614 N. Mission, Wenatchee, WA 98801.

The authority under which these rules are proposed is RCW 43.51.030.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 15, 1980, and/or orally at 9

a.m., Thursday, September 18, 1980, Auditorium, Cascade Natural Gas Company, 614 N. Mission, Wenatchee, WA 98801.

Dated: August 6, 1980

By: Jan Tveten
Director

STATEMENT OF PURPOSE

1. Title: (A description of the rule's purpose, the statutory authority for the rule, and any other information which may be of assistance in identifying the rule or its purpose). The proposed amendatory section to WAC 352-32-010 Definitions (12) defines "Environmental Learning Centers (ELC)" and indicates their locations throughout the State. Proposed new section WAC 352-32-036 Environmental Learning Centers establishes rules for the use of ELC's. Proposed new section WAC 352-32-037 establishes the means for users to make reservations for the use of the ELC's.
Statutory authority is RCW 43.51.030.
2. Summary: (A Summary of the rule and a statement of the reasons supporting the proposed action). (Use continuation sheet if necessary) WAC 352-32-010(12) defines Environmental Learning Centers (ELC) as those designated specialized facilities formerly called Resident Group Camps, designed to promote outdoor camping experiences and environmental learning by groups in a residential setting. Also indicated the locations of the ten ELC's throughout the state. New section WAC 352-32-036 establishes rules for the use of the Environmental Learning Centers (ELC) (1) from Memorial Day to Labor Day inclusive, any group may reserve an ELC. The remainder of the year ELCs may be reserved by schools or school districts on a priority basis, Monday through Friday, except on holidays and weekends. (2) Provides for use permits; (3) establishes method of payment of fees and charges; (4) provides for full time camp director, and director's responsibilities; (5) sets health permit standards as set forth by Department of Social and Health Services Division of Health Services; (6) provides for sleeping quarters rated capacity; (7) provides the ELC manager with authority to restrict the use of the buildings and areas within the ELC; (8) provides ELC manager with authority to allow recreation vehicles and tents in ELC areas; (9) restricts the use of motor vehicles in ELC areas - requires posted speed limits to be observed; (10) provides that outdoor fires if approved be in designated areas only; (11) provides the ELC manager with the authority to restrict pets from ELCs.

New Section WAC 352-32-037 establishes the rules for making reservations for Environmental Learning Centers. (1) All reservations for ELC use are to be made through the ELC reservation office, Washington State Parks and Recreation Commission, 7150 Cleanwater Lane, Olympia, Washington 98504; (2) Sets a maximum of seven consecutive days, during the period from Memorial Day to Labor Day for reserving use of ELCs. Applications must be filed with the reservation office by September 1 of the year next preceding the summer season for which application is made. Provides for the reservation office to schedule and conduct meetings during the period September 1 to October 31 for those requesting reservations at the various ELCs, to coordinate scheduling and confirm reservations. Sets priorities for scheduling reservations in the event of more than one application for the same dates and ELC; (3) Sets rules for receiving applications for overnight use of an ELC on holidays and weekends during other than the summer season; (4) Establishes rules for day use of an ELC during the summer season, or on holidays and weekends during other than the summer season; (5) Establishes a deposit of \$10.00 for each day of requested ELC use; (6) Establishes means and time frame for cancellation of any confirmed reservation for ELC.

Statement of the Reasons Supporting the Proposed Actions

The Washington State Parks and Recreation Commission has provided group camping facilities since 1946 that were administered by non-profit group camping associations until 1970 when State Parks assumed administrative responsibilities for the group camp program. In 1971 through a contract with the Superintendent of Public Instruction the group camps were changed to Environmental Learning Centers (ELCs). Guidelines for use have been developed with the cooperation of the user groups, the group camping associations, the Washington State Camping Advisory Committee, the Superintendent of Public Instruction and State Parks staff. The present scheduling system has worked well over the years, recognizing that occasionally some groups have not been able to make use of a particular camp or preferred time. Generally scheduling problems have been resolved by user groups adjusting at one particular camp and/or by the use of an alternate camp. Although the present scheduling concept has been in effect for many years, the Attorney

General's Office has advised staff that the rules should be presented to the Commission for publication and adoption through the Washington Administrative Code process in compliance with chapter 43.04 RCW.

3. Agency Staff: (Agency personnel, with their office location and telephone number, who are responsible for the drafting, implementation, and enforcement of the rule).
Lynn Genasci, Assistant Director - Operations
Al Iness, Chief Programs Management - Operations
Washington State Parks and Recreation Commission, 7150 Cleanwater Lane, Olympia, WA 98504 (KY-11) Telephone: 753-5761
4. Proposing: (The name of the person or organization, whether private, public, or governmental, proposing the rule). Washington State Parks and Recreation Commission
5. Agency Comments: (Recommendations, if any, regarding statutory language, implementation, enforcement, and fiscal matters pertaining to the rule). (Use continuation sheet if necessary) See attached for statutory language
6. Federal Law/Court Action: (Whether the rule is necessary as the result of federal law or federal or state court action, and if so, a copy of such law or court decision shall be attached to the purpose statement). [No information supplied by agency]

AMENDATORY SECTION (Amending Administrative Order 9, filed November 24, 1970)

WAC 352-32-010 DEFINITIONS. Whenever used in this chapter the following terms shall be defined as herein indicated;

(1) "Commission" shall mean the Washington State Parks and Recreation Commission.

(2) "Director" shall mean the Director of the Washington State Parks and Recreation Commission.

(3) "Ranger" shall mean a duly appointed Washington State Parks Ranger who is vested with police powers under RCW 43.51.170 and WAC 352-32-020, and shall include the Park Manager in charge of any State Park Area.

(4) "Person" shall mean all natural persons, firms, partnerships, corporations, clubs, and all associations or combinations of persons whenever acting for themselves or by an agent, servant, or employee.

(5) "Recreation vehicle" shall mean a vehicle/trailer unit, van, pickup truck with camper, motor home, converted bus, or any similar type vehicle which contains sleeping and/or housekeeping accommodations.

(6) "Improved campsite" shall mean designated camping sites which have at least two facilities including water, sewage, or electricity available for hookup and which are designed for the use of persons with recreation vehicles or tents.

(7) "Standard campsite" shall mean designated camping sites which have one or less facilities of water, electricity or sewage available for hookup and which are designed for the use of persons with recreation vehicles or tents.

(8) "Camping" shall mean erecting a tent or shelter or arranging bedding or both, for the purpose of, or in such a way as will permit remaining overnight, or parking a recreation vehicle or other vehicle for the purpose of remaining overnight.

(9) "Group camping areas" are designated areas usually primitive with minimal utilities and site amenities and are for the use of organized groups. Facilities and extent of development vary from park to park.

(10) "Emergency area" is an area in a park which can be used for camping but is not part of the designated overnight camping area.

(11) "State Park Area" shall mean any area under the ownership, management, or control of the Commission, including trust lands which have been withdrawn from sale or lease by order of the Commissioner of Public Lands and the management of which has been transferred to the Commission, and specifically including all those areas defined in WAC 352-15-020.

(12) "Environmental Learning Centers (ELC)" shall mean those designated specialized facilities (formerly called resident group camps) designed to promote outdoor camping experiences and environmental learning by groups in a residential setting. A group can be any formalized group or an organized collection of families wishing to camp or use the ELC. ELCs are located at Camp Wooten, Columbia County; Brooks Memorial State Park, Klickitat County; Sun Lakes State Park, Grant County; Deception Pass State Park, Island and Skagit Counties; Fort Flagler State Park, Jefferson County; Millersylvania State Park, Thurston County; Moran State Park, San Juan County; Fields' Spring State Park, Asotin County; and Sequim Bay State Park, Clallam County.

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.

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

WAC 352-32-036 ENVIRONMENTAL LEARNING CENTERS

(1) Use of all Environmental Learning Centers (ELCs) shall be by reservation only. From Memorial Day to Labor Day, inclusive, any group may reserve an ELC. The remainder of the year, ELCs may be reserved by schools or school districts on a priority basis Monday through Friday, except on legal holidays, and by any group on holidays and weekends. Reservations may be made for overnight or day use by following the reservation procedure provided for in this chapter. Priority of scheduling shall be as provided for herein.

(2) ELC use will be allowed only with an official, nontransferable permit, which will be provided with confirmation of reservation. Permits are revokable for failure, or refusal to fulfill or abide by permit requirements, regulations pertaining to ELC use or regulations pertaining to use of state parks in general, all of which are applicable to ELC use.

(3) All fees and charges for ELC use are due and payable at the conclusion of the use period. Payment shall be made to the park manager of the state park area where the ELC is located (hereinafter referred to as ELC Manager), and shall be made by cash, check or money order made payable to Washington State Treasurer.

(4) Each ELC user group shall provide a full time camp director, who shall have attained the age of majority. Camp directors shall be responsible for all activities of the group. The camp director shall maintain all required records, including daily camper attendance as required, and shall be responsible for insuring proper payment of all fees and charges incurred as a result of the use of the ELC. The camp director shall advise the ELC manager as soon as practicable of any accidents occurring to any member of the group and of any damage occurring to state-owned property.

(5) Each ELC user group shall obtain and display all required health permits, and shall maintain all applicable health standards as set forth in the Washington State Department of Social and Health Services, Division of Health Service rules and regulations.

(6) No ELC or ELC sleeping quarter may be used by more than the number of persons designated in the rated capacity for the facility. Information on ELC capacities may be obtained from the ELC manager, or from the ELC reservation office, Washington State Parks and Recreation Commission, 7150 Cleanwater Lane, Olympia, WA 98504.

(7) The ELC manager shall have the authority to restrict the use of buildings or areas within the ELC when, in his or her sole discretion, it is determined that such use could be detrimental to the health or safety of the users or others.

(8) Recreation vehicles and tents may be allowed in ELC areas with the permission of the ELC manager.

(9) Motor vehicles may be driven only in authorized areas, and may be parked only in specified parking areas. Only in case of an emergency

will motor vehicles be allowed on service roads or within cabin areas. Posted speed limits shall be observed at all times.

(10) Outdoor fires are permitted in approved, designated areas only. No fire is to be left unattended.

(11) No pets are allowed in an ELC area, except as specifically authorized by the ELC manager.

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 352-32-037 RESERVATIONS FOR ENVIRONMENTAL LEARNING CENTERS (1) All reservations for ELC use are to be made through the ELC reservation office, Washington State Parks and Recreation Commission, 7150 Cleanwater Lane, Olympia, WA 98504, except for reservations for schools and school districts for weekdays, excepting legal holidays, during the period the day after Labor Day until the day before Memorial Day. In the latter case, reservations are to be made and coordinated through the office of the Superintendent of Public Instruction. Applications for all other reservations shall be in writing indicating dates and ELC desired on a form provided by the ELC reservation office.

(2) Applications for overnight use of an ELC by any user group, for a maximum of seven (7) consecutive days, during the period from Memorial Day to Labor Day, inclusive (summer season), should be filed with the ELC reservation office by September 1st of the year next preceeding the summer season for which the reservation application is made. Applications submitted prior to September 1 will not be accepted for other than the upcoming summer season. As many applications as are desired may be filed, so long as in the aggregate they do not constitute a request by any one group to use a given ELC for longer than seven (7) consecutive days. The seven (7) consecutive day limitation shall apply in all cases, except where prior existing contract with the state specifies otherwise or after filling initial requests for up to seven days from all groups requesting reservations, space remains available. Applications thus submitted by September 1 will be confirmed (and a permit issued) or denied by the following October 31st. The ELC reservation office may schedule and conduct meetings during the period September 1 to October 31st for those requesting reservations at the various ELCs to coordinate scheduling and confirm reservations using (b) through (d) below, in order to set confirmation priorities.

In the event of more than one application for the same dates and ELC, the following priorities, in order, shall be observed:

- a) The group which does not already have a confirmed reservation for the ELC.
- b) The group which has utilized the ELC for the greatest number of consecutive preceeding years immediately prior to the year presently being scheduled.
- c) The group which has utilized the ELC the greatest number of previous years.
- d) The group which has utilized the ELC the greatest number of times (during the summer months).

Applications received after September 1 will be considered on a space available basis using the prioritization process.

(3) Applications for overnight use of an ELC on holidays and weekends during other than the summer season may be made at any time up to 12 months in advance of the dates requested, and will be confirmed on a first-come-first-served basis.

(4) Applications for day use of an ELC during the summer season, or on holidays and weekends during other than the summer season, may be submitted at any time, but will not be confirmed any sooner than two (2) weeks prior to the requested dates. Assignments will be made on a first-come-first-served basis.

(5) A deposit of \$10 for each day of requested ELC use is required to be submitted with the reservation application form. Deposits must be made by check or money order, made payable to the Washington State Treasurer, and should indicate on their face the name of the user group and requested ELC. Deposits will be applied toward final camp fees incurred, or will be returned if no confirmation is made.

(6) Cancellation by user of any confirmed reservation must reach the ELC reservation office 30 days prior to the scheduled arrival date as stated on the application or permit, or the deposit will be forfeited.

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.

WSR 80-10-057
PROPOSED RULES
DEPARTMENT OF ECOLOGY
[Filed August 6, 1980]

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 San Juan County, amending WAC 173-19-360;

that such agency will at 10:00 a.m., Thursday, September 25, 1980, in the Hearings Room, Department of Ecology, Air and Land Offices, Rowsix, Building 4, 4224 6th Avenue S.E., Lacey, 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, October 2, 1980, in the Hearings Room, Department of Ecology, Air and Land Offices, Rowsix, Building 4, 4224 6th Avenue S.E., Lacey, WA.

The authority under which these rules are proposed is RCW 90.58.120 and 90.58.200.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 26, 1980 and/or orally at the above hearing.

Dated: August 6, 1980

By: Elmer C. Vogel
Deputy Director

STATEMENT OF PURPOSE

- (a) Title: Amending WAC 173-19-360—San Juan County.
Description of purpose: Adoption of local shoreline master programs and revisions thereto in State Master Program.
Statutory authority: RCW 90.58.120 and 90.58.200
- (b) Summary of rule: The amendments represent a general update of the master program. The refinements include clarification of the permit exemption criteria and changes to the use regulations for docks and piers, forest management and residential development.
Reasons supporting proposed action: Shoreline master programs and revisions thereto are developed by local government and submitted to the Department of Ecology. The programs or revisions do not become effective until adopted by the Department of Ecology in accordance with the APA.
- (c) Agency personnel responsible for drafting, implementation and enforcement: Michael Rundlett, Dept. of Ecology, Olympia, 98504, (206) 753-4388
- (d) Person or organization proposing rule, and whether public, private, or governmental: Department of Ecology - state government
- (e) Agency comments or recommendations regarding statutory language, implementation, enforcement, fiscal matters: None.

- (f) Whether rule is necessary as a result of federal law or federal or state court action: (If so, attach copy of law or court decision.)
No.

AMENDATORY SECTION (Amending Order DE 79-34, filed 1/30/80)

WAC 173-19-360 SAN JUAN COUNTY. San Juan County master program approved May 28, 1976. Revision approved October 29, 1976. Revision approved October 2, 1980.

WSR 80-10-058
ADOPTED RULES
DEPARTMENT OF FISHERIES
[Order 80-83—Filed August 6, 1980]

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

This action is taken pursuant to Notice No. WSR 80-06-149 filed with the code reviser on June 4, 1980. Such rules shall take effect pursuant to RCW 34.04.040(2).

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 July 18, 1980.

By Gordon Sandison
Director

AMENDATORY SECTION (Amending Order 80-45, filed 6/11/80)

WAC 220-20-010 GENERAL PROVISIONS—LAWFUL AND UNLAWFUL ACTS—SALMON, OTHER FOOD FISH AND SHELLFISH. (1) It shall be unlawful to take, fish for, possess or transport for any purpose food fish, shellfish or parts thereof, in or from any of the waters or land over which the state of Washington has jurisdiction, or from the waters of the Pacific Ocean, except at the times, places and in the manners and for the species, quantities, sizes or sexes provided for in the regulations of the Department of Fisheries.

(2) It shall be unlawful for any person, corporation, business, or company to have in possession or under control or custody any salmon or other food fish or shellfish within the land or water boundaries of the state of Washington, except in those areas which are open to commercial fishing or wherein the possession, control or custody of salmon or other food fish or shellfish for commercial purposes is made lawful under a statute of the state of Washington or the rules and regulations of the Director of Fisheries, unless otherwise provided.

(3) It shall be lawful to take, fish for, possess, process and otherwise deal in food fish and fish offal or scrap for any purpose, provided; that it shall be unlawful to use any of the following listed species for purposes other than human consumption or fishing bait:

Pacific halibut	(Hippoglossus stenolepis)
Pacific herring	(Clupea harengus pallasii)
(except when lawfully taken from Marine Fish-Shellfish Management and Catch Reporting Areas 20A, 20B, 21A, and 21B as prescribed in WAC 220-49-020)	
Salmon	
Chinook	(Oncorhynchus tshawytscha)
Coho	(Oncorhynchus kisutch)
Chum	(Oncorhynchus keta)
Pink	(Oncorhynchus gorbuscha)
Sockeye	(Oncorhynchus nerka)
Masu	(Oncorhynchus masu)

(4) It shall be unlawful for any person to take, fish for or possess food fish or shellfish smaller than the lawful commercial sizes while aboard any craft engaged in commercial fishing or having commercially caught fish aboard.

(5) It shall be unlawful for the owner or operator of any commercial food fish or shellfish gear to leave such gear unattended in waters of the state or offshore waters unless said gear is marked with a buoy to which shall be affixed in a visible and legible manner the Department of Fisheries approved and registered buoy brand provided that;

(a) Buoys affixed to unattended gear must be visible on the surface of the water except during strong tidal flow or extreme weather conditions.

(b) Effective January 1, 1975, when two or more shellfish pots are attached to a common ground line the number of pots so attached must be clearly labeled on the required buoy.

(c) It shall be unlawful at any time to leave a gill net unattended in the commercial salmon fishery.

(6) It shall be unlawful to place any commercial food fish or shellfish gear in any waters closed to commercial fishing, provided; that this provision shall not apply to reef nets or brush weirs or to gear being tested under supervision of the Department of Fisheries, provided further that it shall be unlawful to take, fish for or possess food fish with any type of commercial fishing gear in the waters of Carr Inlet north of north latitude 47° 20' from August 15 through November 30 except as provided in chapter 220-47 WAC.

(7) It shall be unlawful for the owner or operator of any fishing gear to refuse to submit such gear to inspection in any manner specified by authorized representatives of the Department of Fisheries.

(8) It shall be unlawful for any person taking or possessing food fish or shellfish taken from any of the waters or beaches of the state of Washington or the Pacific Ocean for any purpose to fail to submit such food fish or shellfish for inspection by authorized representatives of the Department of Fisheries.

(9) It shall be unlawful for any person licensed under the Fisheries Code of Washington to fail to make any

report or return required of him by the Department of Fisheries relative to the taking, selling, possessing, transporting, processing, freezing and storing of food fish or shellfish whether taken within the jurisdiction of the state of Washington or beyond or on Indian reservations or usual and accustomed Indian fishing grounds.

(10) It shall be unlawful to take, fish for or possess or to injure, kill or molest fish in any fishway, fish ladder, fish screen, holding pond, rearing pond, or other fish protective device, or to interfere in any manner with the proper operation of such fish protective devices.

(11) It shall be unlawful to club, gaff, shoot, snag, snare, dip net, harass, spear, stone or otherwise molest, injure, kill or destroy any food fish or shellfish or parts thereof, or for any person to attempt to commit such acts, or to have any fish, shellfish or parts thereof so taken in possession, provided; that it shall be lawful to use a dip net, gaff or club in the landing of food fish taken by personal-use angling.

(12) It shall be unlawful to take or possess for any purpose any food fish or shellfish smaller than the lawful minimum size limits. Any such fish either snagged, hooked, netted or gilled must be immediately returned to the water with the least possible injury to the fish or shellfish and it shall be unlawful to allow undersize salmon entangled in commercial nets to pass through a power block or onto a power reel or drum.

(13) It shall be unlawful to possess aboard any vessel engaged in commercial fishing or having commercially caught fish aboard any salmon or other food fish or shellfish in such condition that its species, length, weight or sex cannot be determined if a species, length, weight, or size limit is prescribed for said species.

(14) It shall be unlawful in any area to use, operate or carry aboard a commercial fishing vessel a licensed net or combination of such nets, whether fished singly or separately, in excess of the maximum lawful size or length prescribed for a single net in that area, except as otherwise provided for in the rules and regulations of the Department of Fisheries.

(15) It shall be unlawful for any permit holder to fail to comply with all provisions of any special permit or letter of approval issued to him under the authority of the Director of Fisheries, or to perform any act not specifically authorized in said document or in the regulations of the Director of Fisheries.

(16) It shall be unlawful to use, place or cause to be placed in the waters or on the beaches or tidelands of the state any substance or chemical used for control of predators or pests affecting food fish or shellfish or other aquatic marine organisms, without first having obtained a special permit to do so from the Director of Fisheries.

(17) It shall be lawful to test commercial net fishing gear, excluding gill nets, as follows:

(a) Bellingham Bay – inside of a line from Governor's Point to the north tip of Eliza Island to Point Francis in waters 10 fathoms and deeper.

(b) Georgia Strait – within a 1 mile radius of buoy RB "A" at the north end of Alden Bank during times not under IPSFC control.

(c) San Juan Channel – within a 1 mile radius of Point Caution during times not under IPSFC control.

(d) Port Angeles – inside and westerly of a line projected from the east tip of Ediz Hook through buoy C "1" to the mainland.

(e) Port Gardner – within a 2 mile radius of the entrance to Everett break water.

(f) Central Puget Sound – between lines from Meadow Point to Point Monroe and Skiff Point to West Point in waters 50 fathoms and deeper.

~~((f))~~ (g) East Pass – between lines from Point Robinson true east to the mainland and from Dash Point to Point Piner in waters 50 fathoms and deeper.

~~((d))~~ (h) All tows or sets are limited to one hour exclusive of setting and retrieving time.

~~((e))~~ (i) All testing is to be accomplished between 8:00 a.m. and 4:00 p.m.

~~((f))~~ (j) Codends of trawl nets must be left open.

~~((g))~~ (k) Any and all incidentally caught fish must be returned to the waters, and no fish are to be brought aboard the vessel at any time during a gear test operation.

~~((h))~~ (l) It shall be unlawful for any person conducting such gear testing operations to fail to notify the Fisheries Patrol office in Olympia prior to testing.

NEW SECTION

WAC 220-47-307 CLOSED AREAS—PUGET SOUND SALMON. It shall be unlawful to take, fish for, or possess salmon for commercial purposes with any type of gear from the following portions of Puget Sound Salmon Management and Catch Reporting Areas:

Area 7 – Fidalgo Bay and San Juan Island Salmon Preserves.

Area 7A – Drayton Harbor Salmon Preserve.

Area 7B – Fidalgo Bay Salmon Preserve.

Area 7C – that portion inside a line projected from the mouth of Oyster Creek 237° true to a fishing boundary marker on Samish Island.

Area 8 – Skagit Bay Salmon Preserve.

Area 8A – Port Susan and Port Gardner Salmon Preserves.

Area 10 – that portion easterly of a line projected from Meadow Point to West Point.

Area 11 – Gig Harbor Salmon Preserve.

AMENDATORY SECTION (Amending Order 78-16, filed 4/13/78)

WAC 220-47-311 PURSE SEINE—SEASONS. It shall be unlawful to take, fish for or possess salmon taken with purse seine gear for commercial purposes except in the following designated Puget Sound Salmon Management and Catch Reporting Areas during the seasons provided for hereinafter in each respective Management and Catch Reporting Area:

Areas 7 and 7A – ((May 14 to June 24)) September 7 through October 4.

Area 7B – September 7 through October 11.

Area 8 – October 19 through November 1.

Area 8A – September 7 through November 1.

Areas 10 and 11 – September 14 through November

1.

Area 12 - October 19 through November 1.

AMENDATORY SECTION (Amending Order 78-16, filed 4/13/78)

WAC 220-47-312 PURSE SEINE—WEEKLY PERIODS. It shall be unlawful during any open season to take, fish for or possess salmon taken with purse seine gear except during the weekly open periods hereinafter designated in the following Puget Sound Management and Catch Reporting Areas:

Areas 7 and 7A - ((5:00 a.m. Monday to 9:00 p.m. Friday)) Week beginning September 7: Tuesday, Wednesday and Thursday. Weeks beginning September 14, September 21 and September 28: Monday, Tuesday and Wednesday.

Area 7B - Week beginning September 7: Tuesday, Wednesday, Thursday and Friday. Weeks beginning September 14, September 21, September 28 and October 5: Monday, Tuesday, Wednesday and Thursday.

Area 8 - Weeks beginning October 19 and October 26: Monday.

Area 8A - Week beginning September 7: Tuesday, Wednesday and Thursday. Weeks beginning September 14, September 21 and September 28: Monday, Tuesday and Wednesday. Weeks beginning October 19 and October 26: Monday.

Areas 10 and 11 - Weeks beginning September 14 and September 21: Monday and Tuesday. Weeks beginning October 19 and October 26: Monday.

Area 12 - Weeks beginning October 19 and October 26: Monday.

AMENDATORY SECTION (Amending Order 78-16, filed 4/13/78)

WAC 220-47-313 PURSE SEINE—DAILY HOURS. It shall be unlawful during any open day to take, fish for or possess salmon taken with purse seine gear during the daily closed hours hereinafter designated:

((No daily closed hours.))

September 7 through October 25 - 5:00 a.m. to 9:00 p.m. Pacific Daylight Time.

October 26 through November 1 - 5:00 a.m. to 8:00 p.m. Pacific Standard Time.

NOTE: Purse seine fishery in Area 7B closes at 4:00 p.m. (PDT) on Friday, September 12, 1980.

AMENDATORY SECTION (Amending Order 78-16, filed 4/13/78)

WAC 220-47-314 ((PURSE SEINE—))POINT ROBERTS. (1) During the period September 7 through September 13, that portion of Area 7A westerly of a line projected from the low water range marker in Boundary Bay on the International Boundary across the east tip of Point Roberts to East Point Light on Saturna Island shall be under IPSFC control and not open under the provisions of chapter 220-47 WAC.

(2) During the period ((May 14 through June 24 it shall be unlawful to take, fish for or possess salmon taken with purse seine gear in)) September 14 through September 20, that portion of Area 7A lying westerly and northerly of a line projected from ((the most easterly point of)) Iwersen's Dock on Point Roberts((, locally known as Lilly Point,)) to Georgina Light at Active Pass ((from 9:00 p.m. Monday to 5:00 p.m. Monday the following week)) shall be under IPSFC control and not open under the provisions of chapter 220-47 WAC.

AMENDATORY SECTION (Amending Order 77-14, filed 4/15/77)

WAC 220-47-319 SPECIAL MESH SIZE. It shall be unlawful to take, fish for or possess salmon taken with purse seine gear in Puget Sound Salmon Management and Catch Reporting Areas 6B, 6D, 8, 8A, ((8B, 8C,)) 9, 9A, 10, 10A, 10B, 10C, 10D, 10E, 11, 11A, 12, 12A, 12B, 12C, 12D, ((+2E,)) 13, 13A, and 13B ((during)) from the ((period)) second Monday in September ((+10)) through November 30 unless said purse seine gear is constructed so that the first 100 meshes below the corkline that are within 75 fathoms of the bunt, excluding the bunt, are of a size not less than 5 inches stretch measure ((throughout the entire length of the seine with the exception of the bunt)).

AMENDATORY SECTION (Amending Order 78-16, filed 4/13/78)

WAC 220-47-401 REEF NET—SEASONS. It shall be unlawful to take, fish for or possess salmon taken with reef net gear for commercial purposes except in the following designated Puget Sound Salmon Management and Catch Reporting Areas, during the seasons provided for hereinafter in each respective area:

Areas 7 and 7A - ((May 14 to June 24)) September 7 through October 4.

AMENDATORY SECTION (Amending Order 78-16, filed 4/13/78)

WAC 220-47-402 REEF NET—WEEKLY PERIODS. It shall be unlawful to take, fish for or possess salmon taken with reef net gear except during the weekly open periods hereinafter designated:

Areas 7 and 7A - ((5:00 a.m. Monday to 9:00 p.m. Friday)) Week beginning September 7: Monday, Tuesday and Wednesday. Weeks beginning September 14, September 21 and September 28: Sunday, Monday and Tuesday.

AMENDATORY SECTION (Amending Order 78-16, filed 4/13/78)

WAC 220-47-403 REEF NET—DAILY HOURS. It shall be unlawful during any open day to take, fish for or possess salmon taken with reef net gear during the daily closed hours hereinafter designated:

((No daily closed hours)) 5:00 a.m. to 9:00 p.m. Pacific Daylight Time.

AMENDATORY SECTION (Amending Order 78-16, filed 4/13/78)

WAC 220-47-411 GILL NET—SEASONS. It shall be unlawful to take, fish for or possess salmon taken with gill net gear for commercial purposes except in the following designated Puget Sound Salmon Management and Catch Reporting Areas during the seasons provided for hereinafter in each respective fishing area:

Areas 7 and 7A ((=May 14 to June 24)) - September 7 through October 4.

Area 7B - July 27 through November 1.

Area 7C - July 27 through August 16.

Area 8 - October 19 through November 1.

Area 8A - September 7 through November 1.

Areas 10 and 11 - September 14 through November

1.

Area 12 - October 19 through November 1.

AMENDATORY SECTION (Amending Order 78-16, filed 4/13/78)

WAC 220-47-412 GILL NET—WEEKLY PERIODS. It shall be unlawful during any open season to take, fish for or possess salmon taken with gill net gear except during the weekly open periods hereinafter designated in the following Puget Sound Salmon Management and Catch Reporting Areas:

Areas 7 and 7A - ((7:00 p.m. Sunday to 9:00 a.m. Friday)) Weeks beginning September 7, September 14 and September 28: Monday, Tuesday and Wednesday nights. Week beginning September 21: Sunday, Monday and Tuesday nights.

Areas 7B and 7C - Weeks beginning July 27 and August 10: Monday, Tuesday and Wednesday nights. Week beginning August 3: Tuesday, Wednesday and Thursday nights.

Area 7B - Weeks beginning September 7, September 14 and September 28: Monday, Tuesday, Wednesday and Thursday nights. Weeks beginning September 21 and October 5: Sunday, Monday, Tuesday and Wednesday nights. Week beginning October 19: Sunday night. Week beginning October 26: Monday night.

Area 8 - Week beginning October 19: Sunday night. Week beginning October 26: Monday night.

Area 8A - Weeks beginning September 7, September 14 and September 28: Monday, Tuesday and Wednesday nights. Week beginning September 21: Sunday, Monday and Tuesday nights. Week beginning October 19: Sunday night. Week beginning October 26: Monday night.

Areas 10 and 11 - Week beginning September 14: Monday and Tuesday nights. Week beginning September 21: Sunday and Monday nights. Week beginning October 19: Sunday night. Week beginning October 26: Monday night.

Area 12 - Week beginning October 19: Sunday night. Week beginning October 26: Monday night.

AMENDATORY SECTION (Amending Order 78-16, filed 4/13/78)

WAC 220-47-413 GILL NET—DAILY HOURS. It shall be unlawful during any open day to take, fish for or possess salmon taken with gill net gear during the daily closed hours hereinafter designated (~~(in the following Puget Sound salmon Management and Catch Reporting Areas))~~):

((No daily closed hours)) July 27 through August 16 - 7:00 p.m. to 9:30 a.m. Pacific Daylight Time.

August 17 through September 20 - 6:00 p.m. to 9:00 a.m. Pacific Daylight Time.

September 21 through October 25 - 5:00 p.m. to 9:00 a.m. Pacific Daylight Time.

October 26 through November 1 - 5:00 p.m. to 8 a.m. Pacific Standard Time.

AMENDATORY SECTION (Amending Order 78-16, filed 4/13/78)

WAC 220-47-414 GILL NET—MESH SIZES. It shall be unlawful to take, fish for or possess salmon taken with gill net gear containing mesh smaller than the minimum size stretch measure as hereinafter designated in the following Puget Sound Salmon Management and Catch Reporting Areas during the periods specified:

((6 1/2 inch minimum mesh size)) All open areas - July 27 through September 6 - 7 1/2 inch minimum mesh size. September 7 through October 11 - 5 inch minimum mesh size. October 12 through November 1 - 6 inch minimum mesh size.

REPEALER

The following sections of the Washington Administrative Code are repealed:

(1) WAC 220-47-250 ✓ PUGET SOUND—SALMON PRESERVES.

(2) WAC 220-47-317 ✓ CARR INLET.

(3) WAC 220-47-324 ✓ CHERRY POINT.

(4) WAC 220-47-415 ✓ GILL NET—POINT ROBERTS.

(5) WAC 220-47-418 ✓ CARR INLET.

(6) WAC 220-47-426 ✓ CHERRY POINT.

Table of WAC Sections Affected

Key to Table

Symbols:

- AMD = Amendment of existing section
- NEW = New section not previously codified
- REP = Repeal of existing section
- AM/DE = Amendment and Decodification of existing section
- RECOD = Recodification of previously codified section

Suffixes:

- P = Proposed action
- E = Emergency action
- W = Withdrawal of proposed action
- No suffix means permanent action

This table covers the current calendar year through this issue of the Register and should be used to locate rules amended, adopted, or repealed subsequent to the publication date of the latest WAC or Supplement.

WAC # shows the section number under which an agency rule is or will be codified in the Washington Administrative Code.

WSR # shows the issue of the Washington State Register where the document may be found; the last three digits show the sequence of the document within the issue.

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16-231-150	NEW-P	80-02-063	16-231-605	NEW	80-03-029	16-232-030	NEW	80-03-026
16-231-150	NEW	80-03-037	16-231-610	NEW-P	80-02-070	16-232-035	NEW-P	80-02-074
16-231-200	NEW-P	80-02-067	16-231-610	NEW	80-03-029	16-232-035	NEW	80-03-026
16-231-200	NEW	80-03-036	16-231-615	NEW-P	80-02-070	16-232-040	NEW-P	80-02-074
16-231-205	NEW-P	80-02-067	16-231-615	NEW	80-03-029	16-232-040	NEW	80-03-026
16-231-205	NEW	80-03-036	16-231-620	NEW-P	80-02-070	16-232-100	NEW-P	80-02-072
16-231-210	NEW-P	80-02-067	16-231-620	NEW	80-03-029	16-232-100	NEW	80-03-030
16-231-210	NEW	80-03-036	16-231-625	NEW-P	80-02-070	16-232-105	NEW-P	80-02-070
16-231-215	NEW-P	80-02-067	16-231-625	NEW	80-03-029	16-232-105	NEW	80-03-030
16-231-215	NEW	80-03-036	16-231-700	NEW-P	80-02-064	16-232-110	NEW-P	80-02-072
16-231-220	NEW-P	80-02-067	16-231-700	NEW	80-03-027	16-232-110	NEW	80-03-030
16-231-220	NEW	80-03-036	16-231-705	NEW-P	80-02-064	16-232-115	NEW-P	80-02-072
16-231-225	NEW-P	80-02-067	16-231-705	NEW	80-03-027	16-232-115	NEW	80-03-030
16-231-225	NEW	80-03-036	16-231-710	NEW-P	80-02-064	16-232-120	NEW-P	80-02-072
16-231-230	NEW-P	80-02-067	16-231-710	NEW	80-03-027	16-232-120	NEW	80-03-030
16-231-230	NEW	80-03-036	16-231-715	NEW-P	80-02-064	16-232-125	NEW-P	80-02-072
16-231-235	NEW-P	80-02-067	16-231-715	NEW	80-03-027	16-232-125	NEW	80-03-030
16-231-235	NEW	80-03-036	16-231-720	NEW-P	80-02-064	16-232-130	NEW-P	80-02-072
16-231-240	NEW-P	80-02-067	16-231-720	NEW	80-03-027	16-232-130	NEW	80-03-030
16-231-240	NEW	80-03-036	16-231-725	NEW-P	80-02-064	16-232-200	NEW-P	80-02-078
16-231-300	NEW-P	80-02-075	16-231-725	NEW	80-03-027	16-232-200	NEW	80-03-032
16-231-300	NEW	80-03-035	16-231-730	NEW-P	80-02-064	16-232-205	NEW-P	80-02-078
16-231-305	NEW-P	80-02-075	16-231-730	NEW	80-03-027	16-232-205	NEW	80-03-032
16-231-305	NEW	80-03-035	16-231-800	NEW-P	80-02-073	16-232-210	NEW-P	80-02-078
16-231-310	NEW-P	80-02-075	16-231-800	NEW	80-03-028	16-232-210	NEW	80-03-032
16-231-310	NEW	80-03-035	16-231-805	NEW-P	80-02-073	16-232-215	NEW-P	80-02-078
16-231-315	NEW-P	80-02-075	16-231-805	NEW	80-03-028	16-232-215	NEW	80-03-032
16-231-315	NEW	80-03-035	16-231-810	NEW-P	80-02-073	16-232-220	NEW-P	80-02-078
16-231-320	NEW-P	80-02-075	16-231-810	NEW	80-03-028	16-232-220	NEW	80-03-032
16-231-320	NEW	80-03-035	16-231-815	NEW-P	80-02-073	16-232-225	NEW-P	80-02-078
16-231-325	NEW-P	80-02-075	16-231-815	NEW	80-03-028	16-232-225	NEW	80-03-032
16-231-325	NEW	80-03-035	16-231-820	NEW-P	80-02-073	16-232-230	NEW-P	80-02-078
16-231-330	NEW-P	80-02-075	16-231-820	NEW	80-03-028	16-232-230	NEW	80-03-032
16-231-330	NEW	80-03-035	16-231-825	NEW-P	80-02-073	16-304-040	AMD-P	80-04-136
16-231-335	NEW-P	80-02-075	16-231-825	NEW	80-03-028	16-304-040	AMD	80-06-103
16-231-335	NEW	80-03-035	16-231-830	NEW-P	80-02-073	16-304-050	AMD-P	80-04-136
16-231-340	NEW-P	80-02-075	16-231-830	NEW	80-03-028	16-304-050	AMD	80-06-103
16-231-340	NEW	80-03-035	16-231-835	NEW-P	80-02-073	16-304-110	AMD-P	80-03-100
16-231-345	NEW-P	80-02-075	16-231-835	NEW	80-03-028	16-304-110	AMD-P	80-05-081
16-231-345	NEW	80-03-035	16-231-840	NEW-P	80-02-073	16-304-110	AMD-P	80-06-079
16-231-400	NEW-P	80-02-065	16-231-840	NEW	80-03-028	16-304-110	AMD	80-06-101
16-231-400	NEW	80-03-034	16-231-845	NEW-P	80-02-073	16-304-130	AMD-P	80-03-100
16-231-405	NEW-P	80-02-065	16-231-845	NEW	80-03-028	16-304-130	AMD-P	80-05-081
16-231-405	NEW	80-03-034	16-231-900	NEW-P	80-02-068	16-304-130	AMD-P	80-06-079
16-231-410	NEW-P	80-02-065	16-231-900	NEW	80-03-031	16-304-130	AMD	80-06-101
16-231-410	NEW	80-03-034	16-231-905	NEW-P	80-02-068	16-316-035	AMD-P	80-04-126
16-231-415	NEW-P	80-02-065	16-231-905	NEW	80-03-031	16-316-035	AMD	80-06-117
16-231-415	NEW	80-03-034	16-231-910	NEW-P	80-02-068	16-316-0451	AMD-P	80-04-126
16-231-420	NEW-P	80-02-065	16-231-910	NEW	80-03-031	16-316-0451	AMD	80-06-117
16-231-420	NEW	80-03-034	16-231-915	NEW-P	80-02-068	16-316-0601	AMD-P	80-04-126
16-231-425	NEW-P	80-02-065	16-231-915	NEW	80-03-031	16-316-0601	AMD	80-06-117
16-231-425	NEW	80-03-034	16-231-920	NEW-P	80-02-068	16-316-235	AMD-P	80-04-128
16-231-430	NEW-P	80-02-065	16-231-920	NEW	80-03-031	16-316-235	AMD	80-06-110
16-231-430	NEW	80-03-034	16-231-925	NEW-P	80-02-068	16-316-270	AMD-P	80-04-127
16-231-500	NEW-P	80-02-069	16-231-925	NEW	80-03-031	16-316-270	AMD	80-06-111
16-231-500	NEW	80-03-033	16-231-930	NEW-P	80-02-068	16-316-445	AMD-P	80-04-129
16-231-505	NEW-P	80-02-069	16-231-930	NEW	80-03-031	16-316-445	AMD	80-06-109
16-231-505	NEW	80-03-033	16-231-935	NEW-P	80-02-068	16-316-472	AMD-P	80-04-120
16-231-510	NEW-P	80-02-069	16-231-935	NEW	80-03-031	16-316-472	AMD	80-06-112
16-231-510	NEW	80-03-033	16-231-940	NEW-P	80-02-068	16-316-478	AMD-P	80-04-120
16-231-515	NEW-P	80-02-069	16-231-940	NEW	80-03-031	16-316-478	AMD	80-06-112
16-231-515	NEW	80-03-033	16-232-001	NEW-P	80-02-074	16-316-480	AMD-P	80-04-120

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
16-316-480	AMD	80-06-112	16-321-020	NEW	80-06-104	16-654-040	AMD	80-09-079
16-316-525	AMD-P	80-04-119	16-321-030	NEW-P	80-04-117	16-750-010	AMD	80-03-075
16-316-525	AMD	80-06-106	16-321-030	NEW	80-06-104	18-32-009	REP-P	80-01-114
16-316-545	AMD-P	80-04-119	16-321-040	NEW-P	80-04-117	18-32-009	REP	80-03-071
16-316-545	AMD	80-06-106	16-321-040	NEW	80-06-104	18-32-010	REP-P	80-01-114
16-316-622	AMD-P	80-04-122	16-321-050	NEW-P	80-04-117	18-32-010	REP	80-03-071
16-316-622	AMD	80-06-107	16-321-050	NEW	80-06-104	18-32-020	REP-P	80-01-114
16-316-695	AMD-P	80-04-121	16-321-060	NEW-P	80-04-117	18-32-020	REP	80-03-071
16-316-695	AMD	80-06-113	16-321-060	NEW	80-06-104	18-32-030	REP-P	80-01-114
16-316-715	AMD-P	80-04-121	16-321-070	NEW-P	80-04-117	18-32-030	REP	80-03-071
16-316-715	AMD	80-06-113	16-321-070	NEW	80-06-104	18-32-040	REP-P	80-01-114
16-316-800	AMD-P	80-04-124	16-321-080	NEW-P	80-04-117	18-32-040	REP	80-03-071
16-316-800	AMD	80-06-105	16-321-080	NEW	80-06-104	18-32-050	REP-P	80-01-114
16-316-810	AMD-P	80-04-124	16-321-090	NEW-P	80-04-117	18-32-050	REP	80-03-071
16-316-810	AMD	80-06-105	16-321-090	NEW	80-06-104	18-32-060	REP-P	80-01-114
16-316-820	AMD-P	80-04-124	16-321-100	NEW-P	80-04-117	18-32-060	REP	80-03-071
16-316-820	AMD	80-06-105	16-321-100	NEW	80-06-104	18-32-990	REP-P	80-01-114
16-316-830	AMD-P	80-04-124	16-321-110	NEW-P	80-04-117	18-32-990	REP	80-03-071
16-316-830	AMD	80-06-105	16-321-110	NEW	80-06-104	18-32-99001	REP-P	80-01-114
16-316-925	AMD-P	80-04-130	16-321-120	NEW-P	80-04-117	18-32-99001	REP	80-03-071
16-316-925	AMD	80-06-108	16-321-120	NEW	80-06-104	18-46-010	REP-P	80-01-114
16-317-002	REP-P	80-04-131	16-406-050	AMD-E	80-08-049	18-46-010	REP	80-03-071
16-317-040	AMD-P	80-04-131	16-406-060	AMD-E	80-08-049	18-46-020	REP-P	80-01-114
16-317-040	AMD	80-06-115	16-414-100	NEW-P	80-05-109	18-46-020	REP	80-03-071
16-317-050	AMD-P	80-04-131	16-414-100	NEW	80-08-010	18-46-030	REP-P	80-01-114
16-317-050	AMD	80-06-115	16-414-110	NEW-P	80-05-109	18-46-030	REP	80-03-071
16-317-060	AMD-P	80-04-131	16-414-110	NEW	80-08-010	18-46-040	REP-P	80-01-114
16-317-060	AMD	80-06-115	16-414-120	NEW-P	80-05-109	18-46-040	REP	80-03-071
16-317-080	AMD-P	80-04-131	16-414-120	NEW	80-08-010	18-46-050	REP-P	80-01-114
16-317-080	AMD	80-06-115	16-414-130	NEW-P	80-05-109	18-46-050	REP	80-03-071
16-317-090	NEW-P	80-04-131	16-414-130	NEW	80-08-010	18-52-010	REP-P	80-06-164
16-317-090	NEW	80-06-115	16-494-040	AMD-P	80-04-125	18-52-016	REP-P	80-06-164
16-318-040	AMD-P	80-04-114	16-494-040	AMD	80-06-114	18-52-021	AMD-E	80-02-011
16-318-040	AMD	80-06-118	16-495-085	AMD-P	80-04-123	18-52-021	AMD-P	80-02-097
16-318-050	AMD-P	80-04-114	16-495-085	AMD	80-06-116	18-52-021	AMD	80-04-048
16-318-050	AMD	80-06-118	16-512-030	AMD	80-03-019	18-52-021	REP-P	80-06-164
16-318-060	AMD-P	80-04-114	16-512-040	AMD-P	80-06-143	18-52-031	REP-P	80-06-164
16-318-060	AMD	80-06-118	16-516-020	AMD	80-05-073	18-52-036	REP-P	80-06-164
16-318-080	AMD-P	80-04-114	16-516-040	AMD	80-05-073	18-52-041	AMD-E	80-02-011
16-318-080	AMD	80-06-118	16-532-040	AMD-P	80-02-157	18-52-041	AMD-P	80-02-097
16-318-090	AMD-P	80-04-114	16-532-040	AMD	80-05-090	18-52-041	AMD	80-04-048
16-318-090	AMD	80-06-118	16-560-06001	AMD-P	80-02-159	18-52-041	REP-P	80-06-164
16-319-020	AMD-P	80-04-116	16-560-06001	AMD	80-05-091	18-52-050	REP-E	80-02-011
16-319-020	AMD-P	80-06-099	16-561-040	AMD-P	80-02-158	18-52-050	REP-P	80-02-097
16-319-020	AMD-P	80-08-046	16-565-010	NEW-P	80-06-142	18-52-050	REP	80-04-048
16-319-020	AMD-P	80-09-031	16-565-020	NEW-P	80-06-142	18-52-051	NEW-E	80-02-011
16-319-020	AMD	80-10-001	16-565-030	NEW-P	80-06-142	18-52-051	NEW-P	80-02-097
16-319-030	AMD-P	80-04-116	16-565-040	NEW-P	80-06-142	18-52-051	NEW	80-04-048
16-319-030	AMD-P	80-06-099	16-565-050	NEW-P	80-06-142	18-52-051	REP-P	80-06-164
16-319-030	AMD-P	80-08-006	16-565-060	NEW-P	80-06-142	18-52-056	NEW-E	80-02-011
16-319-030	AMD-P	80-08-046	16-565-070	NEW-P	80-06-142	18-52-056	NEW-P	80-02-097
16-319-030	AMD-P	80-09-031	16-620-001	REP-P	80-05-115	18-52-056	NEW	80-04-048
16-319-030	AMD	80-10-001	16-620-001	REP	80-07-034	18-52-056	REP-P	80-06-164
16-319-041	AMD-P	80-04-116	16-620-002	REP-P	80-05-115	18-52-061	REP-P	80-06-164
16-319-041	AMD-P	80-06-099	16-620-002	REP	80-07-034	18-52-071	AMD-E	80-02-011
16-319-041	AMD-P	80-08-006	16-620-004	REP-P	80-05-115	18-52-071	REP-P	80-06-164
16-319-041	AMD	80-10-001	16-620-004	REP	80-07-034	18-52-076	REP-E	80-02-011
16-319-051	AMD-P	80-04-116	16-620-005	REP-P	80-05-115	18-52-076	REP-P	80-02-097
16-319-051	AMD-P	80-06-099	16-620-005	REP	80-07-034	18-52-076	REP	80-04-048
16-319-051	AMD-P	80-08-006	16-620-006	REP-P	80-05-115	18-52-077	NEW-P	80-02-097
16-319-051	AMD-P	80-08-046	16-620-006	REP	80-07-034	18-52-077	NEW	80-04-048
16-319-051	AMD-P	80-09-031	16-620-205	NEW-P	80-05-115	18-52-077	REP-P	80-06-164
16-319-051	AMD	80-10-001	16-620-205	NEW	80-07-034	18-52-080	REP-P	80-06-164
16-319-061	AMD-P	80-04-116	16-620-255	NEW-P	80-05-115	18-52-086	NEW-P	80-02-097
16-319-061	AMD-P	80-06-099	16-620-255	NEW	80-07-034	18-52-086	NEW	80-04-048
16-319-061	AMD-P	80-08-006	16-620-275	NEW-P	80-05-115	18-52-086	REP-P	80-06-164
16-319-061	AMD-P	80-08-046	16-620-275	NEW	80-07-034	18-52-091	REP-P	80-02-097
16-319-061	AMD-P	80-09-031	16-620-360	AMD-P	80-05-115	18-52-091	REP-E	80-02-011
16-319-061	AMD	80-10-001	16-620-360	AMD	80-07-034	18-52-091	REP	80-04-048
16-321-001	NEW-P	80-04-117	16-654-003	REP-P	80-06-124	25-12-010	NEW-E	80-02-081
16-321-001	NEW	80-06-104	16-654-003	REP	80-09-079	25-12-010	NEW-P	80-02-084
16-321-010	NEW-P	80-04-117	16-654-030	AMD-P	80-06-124	25-12-010	NEW-P	80-04-007
16-321-010	NEW	80-06-104	16-654-030	AMD	80-09-079	25-12-010	NEW	80-06-096
16-321-020	NEW-P	80-04-117	16-654-040	AMD-P	80-06-124	25-12-020	NEW-E	80-02-081

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
25-12-020	NEW-P	80-02-084	36-12-320	AMD	80-09-065	106-124-131	AMD-P	80-07-012
25-12-020	NEW-P	80-04-007	36-12-350	AMD-E	80-05-011	106-124-801	AMD-P	80-07-012
25-12-020	NEW	80-06-096	36-12-350	AMD-P	80-06-147	106-156-011	AMD-P	80-07-012
25-12-030	NEW-E	80-02-081	36-12-350	AMD	80-09-065	106-276-060	AMD-P	80-07-012
25-12-030	NEW-P	80-02-084	50-20-020	AMD-P	80-09-113	113-12-150	AMD-E	80-08-011
25-12-030	NEW-P	80-04-007	50-20-050	AMD-P	80-09-113	113-12-150	AMD-P	80-08-013
25-12-030	NEW	80-06-096	51	NEW-P	80-04-103	114-12-120	REP-P	80-07-019
25-12-040	NEW-E	80-02-081	51-12	NEW	80-09-007	114-12-120	REP-E	80-08-037
25-12-040	NEW-P	80-02-084	67-32-045	NEW-P	80-03-120	114-12-121	NEW-P	80-07-019
25-12-040	NEW-P	80-04-007	67-32-045	NEW	80-06-053	114-12-121	NEW-E	80-08-037
25-12-040	NEW	80-06-096	67-32-060	AMD-P	80-03-120	114-12-130	REP-P	80-07-019
25-12-050	NEW-E	80-02-081	67-32-060	AMD	80-06-053	114-12-130	REP-E	80-08-037
25-12-050	NEW-P	80-02-084	67-32-070	AMD-P	80-03-120	114-12-131	NEW-P	80-07-019
25-12-050	NEW-P	80-04-007	67-32-070	AMD	80-06-053	114-12-131	NEW-E	80-08-037
25-12-050	NEW	80-06-096	67-32-075	NEW-P	80-03-120	114-12-145	NEW-P	80-02-166
25-12-060	NEW-P	80-04-007	67-32-075	NEW	80-06-053	114-12-145	NEW	80-04-057
25-12-060	NEW	80-06-096	67-32-150	AMD-E	80-03-046	114-12-150	NEW-P	80-07-019
25-12-070	NEW-P	80-04-007	67-32-150	AMD-P	80-03-120	114-12-150	NEW-E	80-07-037
25-12-070	NEW	80-06-096	67-32-150	AMD	80-06-053	114-12-160	NEW-P	80-07-019
25-18-010	NEW-P	80-02-082	67-32-415	NEW-P	80-03-120	114-12-160	NEW-E	80-07-037
25-18-010	NEW	80-05-001	67-32-415	NEW	80-06-053	114-12-170	NEW-P	80-07-019
25-18-020	NEW-P	80-02-082	67-32-420	AMD-P	80-03-120	114-12-170	NEW-E	80-07-037
25-18-020	NEW	80-05-001	67-32-420	AMD	80-06-053	118-03-010	NEW-E	80-06-178
25-18-030	NEW-P	80-02-082	67-32-425	NEW-P	80-03-120	118-03-020	NEW-E	80-06-178
25-18-030	NEW	80-05-001	67-32-425	NEW	80-06-053	118-03-030	NEW-E	80-06-178
25-18-040	NEW-P	80-02-082	67-32-450	AMD-P	80-03-120	118-03-040	NEW-E	80-06-178
25-18-040	NEW	80-05-001	67-32-450	AMD	80-06-053	118-03-040	AMD-E	80-07-008
25-18-050	NEW-P	80-02-082	67-32-480	AMD-P	80-03-120	118-03-040	AMD-E	80-08-039
25-18-050	NEW	80-05-001	67-32-480	AMD	80-06-053	118-03-050	NEW-E	80-06-178
25-18-060	NEW-P	80-02-082	67-32-525	NEW-P	80-03-120	118-03-060	NEW-E	80-06-178
25-18-060	NEW	80-05-001	67-32-525	NEW-P	80-10-046	118-03-060	AMD-E	80-09-088
25-18-070	NEW-P	80-02-082	82-28-080	AMD-E	80-02-128	118-03-070	NEW-E	80-06-178
25-18-070	NEW	80-05-001	82-28-080	AMD-P	80-02-129	118-03-070	AMD-E	80-09-006
25-18-080	NEW-P	80-02-082	82-28-080	AMD	80-04-021	118-03-075	NEW-E	80-07-008
25-18-080	NEW	80-05-001	82-28-080	AMD-P	80-04-084	118-03-075	AMD-E	80-08-039
25-18-090	NEW-P	80-02-082	82-28-080	AMD-E	80-04-085	118-03-075	AMD-E	80-09-006
25-18-090	NEW	80-05-001	82-28-080	AMD	80-06-074	118-03-075	AMD-E	80-09-088
25-18-100	NEW-P	80-02-082	82-36-030	AMD-P	80-01-105	118-03-080	NEW-E	80-06-178
25-18-100	NEW	80-05-001	82-36-030	AMD	80-02-162	118-03-090	NEW-E	80-06-178
25-18-110	NEW-P	80-02-082	106-116-020	AMD-P	80-07-012	118-03-110	NEW-E	80-06-178
25-18-110	NEW	80-05-001	106-116-040	AMD-P	80-07-012	118-03-120	NEW-E	80-06-178
25-18-120	NEW-P	80-02-082	106-116-042	AMD-P	80-07-012	118-03-120	AMD-E	80-07-008
25-18-120	NEW	80-05-001	106-116-050	AMD-P	80-07-012	118-03-120	AMD-E	80-08-039
25-18-130	NEW-P	80-02-082	106-116-103	AMD-P	80-07-012	118-03-130	NEW-E	80-06-178
25-18-130	NEW	80-05-001	106-116-10401	AMD-P	80-07-012	118-03-140	NEW-E	80-06-178
25-24-010	NEW-E	80-02-083	106-116-201	AMD-P	80-07-012	118-03-150	NEW-E	80-06-178
25-24-010	NEW-P	80-02-085	106-116-202	AMD-P	80-07-012	118-03-160	NEW-E	80-06-178
25-24-010	NEW	80-05-002	106-116-205	AMD-P	80-07-012	118-03-170	NEW-E	80-06-178
25-24-020	NEW-E	80-02-083	106-116-207	AMD-P	80-07-012	118-03-170	AMD-E	80-07-011
25-24-020	NEW-P	80-02-085	106-116-208	AMD-P	80-07-012	118-03-180	NEW-E	80-06-178
25-24-020	NEW	80-05-002	106-116-211	AMD-P	80-07-012	118-03-190	NEW-E	80-06-178
25-24-030	NEW-E	80-02-083	106-116-213	AMD-P	80-07-012	118-03-190	NEW-E	80-07-008
25-24-030	NEW-P	80-02-085	106-116-305	AMD-P	80-07-012	118-03-190	AMD-E	80-07-011
25-24-030	NEW	80-05-002	106-116-308	AMD-P	80-07-012	118-03-210	NEW-E	80-07-008
25-24-040	NEW-E	80-02-083	106-116-310	AMD-P	80-07-012	130-12-010	REP	80-04-008
25-24-040	NEW-P	80-02-085	106-116-311	AMD-P	80-07-012	130-12-020	REP	80-04-008
25-24-040	NEW	80-05-002	106-116-401	AMD-P	80-07-012	130-12-030	REP	80-04-008
25-24-050	NEW-E	80-02-083	106-116-403	AMD-P	80-07-012	130-12-040	REP	80-04-008
25-24-050	NEW-P	80-02-085	106-116-521	AMD-P	80-07-012	130-12-045	REP	80-04-008
25-24-050	NEW	80-05-002	106-116-601	AMD-P	80-07-012	130-12-050	REP	80-04-008
25-24-060	NEW-E	80-02-083	106-116-603	AMD-P	80-07-012	130-12-060	REP	80-04-008
25-24-060	NEW-P	80-02-085	106-116-701	AMD-P	80-07-012	130-12-110	REP	80-04-008
25-24-060	NEW	80-05-002	106-116-901	AMD-P	80-07-012	130-12-120	REP	80-04-008
25-24-070	NEW-E	80-02-083	106-120-055	AMD-P	80-07-012	130-12-125	REP	80-04-008
25-24-070	NEW-P	80-02-085	106-124-100	AMD-P	80-07-012	130-12-130	REP	80-04-008
25-24-070	NEW	80-05-002	106-124-101	AMD-P	80-07-012	130-12-140	REP	80-04-008
36-12-020	AMD-E	80-05-011	106-124-102	AMD-P	80-07-012	130-12-150	REP	80-04-008
36-12-020	AMD-P	80-06-147	106-124-105	AMD-P	80-07-012	130-12-160	REP	80-04-008
36-12-020	AMD	80-09-065	106-124-110	AMD-P	80-07-012	130-12-170	REP	80-04-008
36-12-310	AMD-E	80-05-011	106-124-120	AMD-P	80-07-012	130-12-180	REP	80-04-008
36-12-310	AMD-P	80-06-147	106-124-121	AMD-P	80-07-012	130-12-210	REP	80-04-008
36-12-310	AMD	80-09-065	106-124-122	AMD-P	80-07-012	130-12-220	REP	80-04-008
36-12-320	AMD-E	80-05-011	106-124-123	AMD-P	80-07-012	130-12-230	REP	80-04-008
36-12-320	AMD-P	80-06-147	106-124-130	AMD-P	80-07-012	130-12-240	REP	80-04-008

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130-12-310	REP 80-04-008	132B-120-040	NEW-P 80-03-021	132C-120-210	NEW 80-05-004
130-12-320	REP 80-04-008	132B-120-040	NEW 80-10-053	132C-120-215	NEW 80-05-004
130-12-330	REP 80-04-008	132B-120-050	NEW-P 80-03-021	132C-120-220	NEW 80-05-004
130-12-340	REP 80-04-008	132B-120-050	NEW 80-10-053	132C-120-225	NEW 80-05-004
130-12-350	REP 80-04-008	132B-120-060	NEW-P 80-03-021	132C-132-110	AMD 80-05-004
130-12-360	REP 80-04-008	132B-120-060	NEW 80-10-053	132H-148-020	AMD-P 80-02-154
130-12-410	REP 80-04-008	132B-120-070	NEW-P 80-03-021	132H-148-020	REP-P 80-03-025
130-12-510	REP 80-04-008	132B-120-070	NEW 80-10-053	132H-148-030	AMD-P 80-02-154
130-12-520	REP 80-04-008	132B-120-080	NEW-P 80-03-021	132H-148-030	REP-P 80-03-025
130-12-530	REP 80-04-008	132B-120-080	NEW 80-10-053	132H-148-040	AMD-P 80-02-154
130-12-610	REP 80-04-008	132B-120-090	NEW-P 80-03-021	132H-148-040	REP-P 80-03-025
130-12-620	REP 80-04-008	132B-120-090	NEW 80-10-053	132H-148-050	AMD-P 80-02-154
130-12-630	REP 80-04-008	132B-120-100	NEW-P 80-03-021	132H-148-050	REP-P 80-03-025
130-12-640	REP 80-04-008	132B-120-100	NEW 80-10-053	132H-148-060	AMD-P 80-02-154
130-12-710	REP 80-04-008	132B-120-110	NEW-P 80-03-021	132H-148-060	REP-P 80-03-025
130-12-720	REP 80-04-008	132B-120-110	NEW 80-10-053	132H-148-070	AMD-P 80-02-154
130-12-730	REP 80-04-008	132B-120-120	NEW-P 80-03-021	132H-148-070	REP-P 80-03-025
131-16-070	AMD-P 80-04-137	132B-120-120	NEW 80-10-053	132H-148-080	AMD-P 80-02-154
131-16-070	AMD-P 80-06-131	132B-120-130	NEW-P 80-03-021	132H-148-080	REP-P 80-03-025
131-16-070	AMD-P 80-08-044	132B-120-130	NEW 80-10-053	132H-148-090	AMD-P 80-02-154
131-16-080	AMD-P 80-04-137	132B-120-140	NEW-P 80-03-021	132H-148-090	REP-P 80-03-025
131-16-080	AMD-P 80-06-131	132B-120-140	NEW 80-10-053	132H-148-100	AMD-P 80-02-154
131-16-080	AMD-P 80-08-044	132B-120-150	NEW-P 80-03-021	132H-148-100	REP-P 80-03-025
131-16-091	AMD-P 80-04-137	132B-120-150	NEW 80-10-053	132H-160-095	NEW 80-02-102
131-16-091	AMD-P 80-06-131	132B-120-160	NEW-P 80-03-021	132I-128-330	AMD-P 80-02-138
131-16-092	AMD-P 80-04-137	132B-120-160	NEW 80-10-053	132K-104-001	REP-P 80-10-015
131-16-092	AMD-P 80-06-131	132B-120-170	NEW-P 80-03-021	132K-104-005	REP-P 80-10-015
131-16-092	AMD-P 80-08-044	132B-120-170	NEW 80-10-053	132K-104-010	REP-P 80-10-015
131-16-093	AMD-P 80-04-137	132B-120-180	NEW-P 80-03-021	132K-104-015	REP-P 80-10-015
131-16-093	AMD-P 80-06-131	132B-120-180	NEW 80-10-053	132K-104-020	REP-P 80-10-015
131-16-093	AMD-P 80-08-044	132B-120-190	NEW-P 80-03-021	132K-104-025	REP-P 80-10-015
131-16-094	AMD-P 80-04-137	132B-120-190	NEW 80-10-053	132K-104-030	REP-P 80-10-015
131-16-094	AMD-P 80-06-131	132B-120-200	NEW-P 80-03-021	132K-104-035	REP-P 80-10-015
131-16-094	AMD-P 80-08-044	132B-120-200	NEW 80-10-053	132K-104-040	REP-P 80-10-015
131-28-030	AMD-P 80-05-085	132C-120-010	NEW 80-05-004	132K-104-045	REP-P 80-10-015
131-28-030	AMD 80-08-045	132C-120-015	NEW 80-05-004	132K-104-050	REP-P 80-10-015
131-28-041	REP-P 80-05-085	132C-120-020	NEW 80-05-004	132K-104-055	REP-P 80-10-015
131-28-041	REP 80-08-045	132C-120-025	NEW 80-05-004	132K-104-060	REP-P 80-10-015
131-28-045	AMD-P 80-05-085	132C-120-030	NEW 80-05-004	132K-104-065	REP-P 80-10-015
131-28-045	AMD 80-08-045	132C-120-035	NEW 80-05-004	132K-104-101	NEW-P 80-10-014
132A-116-005	AMD-P 80-04-016	132C-120-040	NEW 80-05-004	132K-104-105	NEW-P 80-10-014
132A-116-005	AMD 80-06-098	132C-120-045	NEW 80-05-004	132K-104-110	NEW-P 80-10-014
132A-116-025	AMD-P 80-04-016	132C-120-050	NEW 80-05-004	132K-104-115	NEW-P 80-10-014
132A-116-025	AMD 80-06-098	132C-120-055	NEW 80-05-004	132K-104-120	NEW-P 80-10-014
132A-156-015	AMD-P 80-04-016	132C-120-060	NEW 80-05-004	132K-104-125	NEW-P 80-10-014
132A-156-015	AMD 80-06-098	132C-120-065	NEW 80-05-004	132K-104-130	NEW-P 80-10-014
132A-160-005	AMD-P 80-04-016	132C-120-070	NEW 80-05-004	132K-104-135	NEW-P 80-10-014
132A-160-005	AMD 80-06-098	132C-120-075	NEW 80-05-004	132L-20-010	AMD 80-04-009
132A-160-010	AMD-P 80-04-016	132C-120-080	NEW 80-05-004	132L-20-020	AMD 80-04-009
132A-160-010	AMD 80-06-098	132C-120-085	NEW 80-05-004	132L-20-040	AMD 80-04-009
132A-160-020	NEW-P 80-04-016	132C-120-090	NEW 80-05-004	132L-20-050	AMD 80-04-009
132A-160-020	NEW 80-06-098	132C-120-095	NEW 80-05-004	132L-20-060	AMD 80-04-009
132A-168-015	AMD-P 80-04-016	132C-120-100	NEW 80-05-004	132L-20-070	AMD 80-04-009
132A-168-015	AMD 80-06-098	132C-120-105	NEW 80-05-004	132L-20-080	AMD 80-04-009
132A-280-005	NEW-P 80-04-016	132C-120-110	NEW 80-05-004	132L-20-090	AMD 80-04-009
132A-280-005	NEW 80-06-098	132C-120-115	NEW 80-05-004	132L-20-100	AMD 80-04-009
132A-280-010	NEW-P 80-04-016	132C-120-120	NEW 80-05-004	132L-20-110	AMD 80-04-009
132A-280-010	NEW 80-06-098	132C-120-125	NEW 80-05-004	132L-20-120	AMD 80-04-009
132A-280-015	NEW-P 80-04-016	132C-120-130	NEW 80-05-004	132L-20-140	AMD 80-04-009
132A-280-015	NEW 80-06-098	132C-120-135	NEW 80-05-004	132L-20-150	AMD 80-04-009
132A-280-020	NEW-P 80-04-016	132C-120-140	NEW 80-05-004	132L-20-160	AMD 80-04-009
132A-280-020	NEW 80-06-098	132C-120-145	NEW 80-05-004	132L-20-170	AMD 80-04-009
132A-280-030	NEW-P 80-04-016	132C-120-150	NEW 80-05-004	132L-22-020	AMD 80-04-009
132A-280-030	NEW 80-06-098	132C-120-155	NEW 80-05-004	132L-22-030	AMD 80-04-009
132A-310-005	NEW-P 80-04-016	132C-120-160	NEW 80-05-004	132L-22-040	AMD 80-04-009
132A-310-005	NEW 80-06-098	132C-120-165	NEW 80-05-004	132L-22-050	AMD 80-04-009
132A-310-010	NEW-P 80-04-016	132C-120-170	NEW 80-05-004	132L-22-070	AMD 80-04-009
132A-310-010	NEW 80-06-098	132C-120-175	NEW 80-05-004	132L-24-010	AMD 80-04-009
132B-120-010	NEW-P 80-03-021	132C-120-180	NEW 80-05-004	132L-24-030	AMD 80-04-009
132B-120-010	NEW 80-10-053	132C-120-185	NEW 80-05-004	132L-24-050	AMD 80-04-009
132B-120-020	NEW-P 80-03-021	132C-120-190	NEW 80-05-004	132L-24-060	AMD 80-04-009
132B-120-020	NEW 80-10-053	132C-120-195	NEW 80-05-004	132L-24-070	AMD 80-04-009
132B-120-030	NEW-P 80-03-021	132C-120-200	NEW 80-05-004	132L-24-080	AMD 80-04-009

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132P-12-326	REP-P	80-07-013	132P-104-030	REP	80-06-044	132V-23-050	NEW-E	80-02-107
132P-12-329	REP-P	80-07-013	132P-104-030	REP-P	80-07-009	132V-23-060	NEW-E	80-02-107
132P-12-332	REP-P	80-07-013	132P-104-031	REP-P	80-03-045	132V-23-070	NEW-E	80-02-107
132P-12-335	REP-P	80-07-013	132P-104-031	REP	80-06-044	132V-23-080	NEW-E	80-02-107
132P-12-338	REP-P	80-07-013	132P-104-031	REP-P	80-07-009	132V-120-010	NEW-P	80-05-069
132P-12-341	REP-P	80-07-013	132P-104-032	REP-P	80-03-045	132V-120-020	NEW-P	80-05-069
132P-12-344	REP-P	80-07-013	132P-104-032	REP	80-06-044	132V-120-030	NEW-P	80-05-069
132P-12-347	REP-P	80-07-013	132P-104-032	REP-P	80-07-009	132V-120-040	NEW-P	80-05-069
132P-12-350	REP-P	80-07-013	132P-104-040	REP-P	80-03-045	132V-120-050	NEW-P	80-05-069
132P-12-353	REP-P	80-07-013	132P-104-040	REP	80-06-044	132V-120-060	NEW-P	80-05-069
132P-12-356	REP-P	80-07-013	132P-104-040	REP-P	80-07-009	132V-120-070	NEW-P	80-05-069
132P-12-359	REP-P	80-07-013	132P-104-045	REP-P	80-03-045	132V-120-080	NEW-P	80-05-069
132P-12-425	REP-P	80-07-013	132P-104-045	REP	80-06-044	132V-120-090	NEW-P	80-05-069
132P-12-428	REP-P	80-07-013	132P-104-045	REP-P	80-07-009	132V-120-100	NEW-P	80-05-069
132P-12-431	REP-P	80-07-013	132P-104-050	REP-P	80-03-045	132V-120-110	NEW-P	80-05-069
132P-12-434	REP-P	80-07-013	132P-104-050	REP	80-06-044	132V-120-120	NEW-P	80-05-069
132P-12-437	REP-P	80-07-013	132P-104-050	REP-P	80-07-009	132V-120-130	NEW-P	80-05-069
132P-12-440	REP-P	80-07-013	132P-104-060	REP-P	80-03-045	132V-120-140	NEW-P	80-05-069
132P-12-444	REP-P	80-07-013	132P-104-060	REP	80-06-044	132V-120-150	NEW-P	80-05-069
132P-12-447	REP-P	80-07-013	132P-104-060	REP-P	80-07-009	132V-120-160	NEW-P	80-05-069
132P-12-450	REP-P	80-07-013	132P-104-070	REP-P	80-03-045	132V-120-170	NEW-P	80-05-069
132P-12-453	REP-P	80-07-013	132P-104-070	REP	80-06-044	132V-120-180	NEW-P	80-05-069
132P-12-456	REP-P	80-07-013	132P-104-070	REP-P	80-07-009	132V-120-190	NEW-P	80-05-069
132P-12-459	REP-P	80-07-013	132P-116-010	NEW-P	80-06-151	132V-120-200	NEW-P	80-05-069
132P-12-462	REP-P	80-07-013	132P-116-020	NEW-P	80-06-151	132V-120-210	NEW-P	80-05-069
132P-12-465	REP-P	80-07-013	132P-116-030	NEW-P	80-06-151	132V-120-220	NEW-P	80-05-069
132P-12-468	REP-P	80-07-013	132P-116-040	NEW-P	80-06-151	132V-120-230	NEW-P	80-05-069
132P-12-471	REP-P	80-07-013	132P-116-050	NEW-P	80-06-151	132V-120-240	NEW-P	80-05-069
132P-12-474	REP-P	80-07-013	132P-116-060	NEW-P	80-06-151	132V-120-250	NEW-P	80-05-069
132P-12-477	REP-P	80-07-013	132P-116-070	NEW-P	80-06-151	132V-120-260	NEW-P	80-05-069
132P-12-480	REP-P	80-07-013	132P-116-080	NEW-P	80-06-151	132V-120-270	NEW-P	80-05-069
132P-12-483	REP-P	80-07-013	132P-116-090	NEW-P	80-06-151	132V-120-280	NEW-P	80-05-069
132P-16-003	REP-P	80-07-013	132P-116-100	NEW-P	80-06-151	132V-120-290	NEW-P	80-05-069
132P-16-006	REP-P	80-07-013	132P-116-110	NEW-P	80-06-151	132V-120-300	NEW-P	80-05-069
132P-16-009	REP-P	80-07-013	132P-116-120	NEW-P	80-06-151	132V-120-310	NEW-P	80-05-069
132P-16-012	REP-P	80-07-013	132P-116-130	NEW-P	80-06-151	132V-120-320	NEW-P	80-05-069
132P-16-015	REP-P	80-07-013	132P-116-140	NEW-P	80-06-151	132W-104-040	AMD-P	80-03-022
132P-16-016	REP-P	80-07-013	132P-116-150	NEW-P	80-06-151	132W-104-040	AMD	80-05-106
132P-16-018	REP-P	80-07-013	132P-116-160	NEW-P	80-06-151	136-11-010	NEW	80-02-105
132P-16-021	REP-P	80-07-013	132P-116-170	NEW-P	80-06-151	136-11-020	NEW	80-02-105
132P-16-024	REP-P	80-07-013	132P-116-180	NEW-P	80-06-151	136-11-030	NEW	80-02-105
132P-16-027	REP-P	80-07-013	132P-116-190	NEW-P	80-06-151	136-16-020	AMD-P	80-06-126
132P-16-030	REP-P	80-07-013	132P-116-200	NEW-P	80-06-151	136-16-020	AMD	80-09-084
132P-16-033	REP-P	80-07-013	132P-116-210	NEW-P	80-06-151	136-16-022	NEW-P	80-06-126
132P-16-036	REP-P	80-07-013	132P-116-220	NEW-P	80-06-151	136-16-022	NEW	80-09-084
132P-16-039	REP-P	80-07-013	132P-116-230	NEW-P	80-06-151	136-16-025	NEW-P	80-06-126
132P-16-042	REP-P	80-07-013	132P-116-240	NEW-P	80-06-151	136-16-025	NEW	80-09-084
132P-16-045	REP-P	80-07-013	132P-116-250	NEW-P	80-06-151	136-16-042	AMD-P	80-06-126
132P-16-046	REP-P	80-07-013	132P-116-260	NEW-P	80-06-151	136-16-042	AMD	80-09-084
132P-16-048	REP-P	80-07-013	132P-116-270	NEW-P	80-06-151	136-16-050	AMD-P	80-06-126
132P-16-051	REP-P	80-07-013	132P-116-280	NEW-P	80-06-151	136-16-050	AMD	80-09-084
132P-16-054	REP-P	80-07-013	132P-116-290	NEW-P	80-06-151	173-14-060	AMD-P	80-02-172
132P-16-055	REP-P	80-07-013	132P-120-710	REP-P	80-07-013	173-14-060	AMD	80-04-027
132P-84-010	REP-P	80-07-013	132P-120-720	REP-P	80-07-013	173-18-044	NEW-P	80-05-077
132P-84-020	REP-P	80-07-013	132P-120-730	REP-P	80-07-013	173-18-044	NEW	80-08-052
132P-84-030	REP-P	80-07-013	132P-120-810	REP-P	80-07-013	173-18-046	NEW-P	80-05-077
132P-84-040	REP-P	80-07-013	132P-120-815	REP-P	80-07-013	173-18-046	NEW	80-08-052
132P-84-050	REP-P	80-07-013	132P-120-816	REP-P	80-07-013	173-18-080	AMD-P	80-05-077
132P-84-060	REP-P	80-07-013	132P-120-820	REP-P	80-07-013	173-18-080	AMD	80-08-052
132P-84-070	REP-P	80-07-013	132P-120-825	REP-P	80-07-013	173-18-120	AMD-P	80-05-077
132P-84-080	REP-P	80-07-013	132P-120-830	REP-P	80-07-013	173-18-120	AMD	80-08-052
132P-104-010	REP-P	80-03-045	132P-120-910	REP-P	80-07-013	173-18-210	AMD-P	80-05-077
132P-104-010	REP	80-06-044	132P-132-010	REP-P	80-07-013	173-18-210	AMD	80-08-052
132P-104-010	REP-P	80-07-009	132P-144-010	REP-P	80-07-013	173-18-340	AMD	80-08-052
132P-104-011	REP-P	80-03-045	132P-144-020	REP-P	80-07-013	173-18-390	AMD	80-08-052
132P-104-011	REP	80-06-044	132P-168-010	REP-P	80-07-013	173-19-030	AMD	80-02-123
132P-104-011	REP-P	80-07-009	132P-180-010	REP-P	80-07-013	173-19-060	AMD	80-02-123
132P-104-012	REP-P	80-03-045	132S-04-010	AMD-P	80-06-055	173-19-062	NEW	80-02-123
132P-104-012	REP	80-06-044	132S-197-010	NEW	80-03-014	173-19-064	NEW	80-02-123
132P-104-012	REP-P	80-07-009	132S-197-012	NEW	80-03-014	173-19-080	AMD	80-02-123
132P-104-020	REP-P	80-03-045	132V-23-010	NEW-E	80-02-107	173-19-100	AMD	80-02-123
132P-104-020	REP	80-06-044	132V-23-020	NEW-E	80-02-107	173-19-1001	NEW	80-02-123
132P-104-020	REP-P	80-07-009	132V-23-030	NEW-E	80-02-107	173-19-1002	NEW	80-02-123
132P-104-030	REP-P	80-03-045	132V-23-040	NEW-E	80-02-107	173-19-110	AMD	80-02-123

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
173-19-1101	NEW	80-02-123	173-19-2505	NEW	80-02-123	173-19-3403	NEW	80-02-123
173-19-1102	NEW	80-02-123	173-19-2506	NEW	80-02-123	173-19-3404	NEW	80-02-123
173-19-1103	NEW	80-02-123	173-19-2507	NEW	80-02-123	173-19-3405	NEW	80-02-123
173-19-1104	NEW	80-02-123	173-19-2508	NEW	80-02-123	173-19-3500	AMD	80-02-123
173-19-1105	NEW	80-02-123	173-19-2509	NEW	80-02-123	173-19-3501	AMD-P	80-02-173
173-19-120	AMD	80-02-123	173-19-2510	NEW	80-02-123	173-19-3502	NEW	80-02-123
173-19-120	AMD-P	80-05-128	173-19-2511	NEW	80-02-123	173-19-3503	NEW	80-02-123
173-19-120	AMD	80-08-054	173-19-2512	NEW	80-02-123	173-19-3504	NEW	80-02-123
173-19-1201	NEW	80-02-123	173-19-2513	NEW	80-02-123	173-19-3505	NEW	80-02-123
173-19-1202	NEW	80-02-123	173-19-2514	NEW	80-02-123	173-19-3506	NEW	80-02-123
173-19-1203	NEW	80-02-123	173-19-2515	NEW	80-02-123	173-19-3507	NEW	80-02-123
173-19-1204	NEW	80-02-123	173-19-2516	NEW	80-02-123	173-19-3508	NEW	80-02-123
173-19-1205	NEW	80-02-123	173-19-2517	NEW	80-02-123	173-19-3509	NEW	80-02-123
173-19-130	AMD	80-02-123	173-19-2518	NEW	80-02-123	173-19-3510	NEW	80-02-123
173-19-1301	NEW	80-02-123	173-19-2519	NEW	80-02-123	173-19-3511	NEW	80-02-123
173-19-140	AMD	80-02-123	173-19-2520	NEW	80-02-123	173-19-3512	NEW	80-02-123
173-19-1401	NEW	80-02-123	173-19-2521	NEW	80-02-123	173-19-3513	NEW	80-02-123
173-19-1402	NEW	80-02-123	173-19-2522	AMD-P	80-08-084	173-19-3514	NEW	80-02-123
173-19-1403	NEW	80-02-123	173-19-2523	AMD-P	80-09-097	173-19-3515	NEW	80-02-123
173-19-1404	NEW	80-02-123	173-19-2524	NEW	80-02-123	173-19-3600	AMD	80-04-026
173-19-1405	NEW	80-02-123	173-19-2525	NEW	80-02-123	173-19-3601	NEW	80-02-123
173-19-150	AMD	80-02-123	173-19-2526	NEW	80-02-123	173-19-3602	AMD-P	80-10-057
173-19-1501	NEW	80-02-123	173-19-2600	AMD	80-02-123	173-19-3603	NEW	80-02-123
173-19-1502	NEW	80-02-123	173-19-2601	NEW	80-02-123	173-19-3700	AMD	80-02-123
173-19-160	AMD	80-02-123	173-19-2602	NEW	80-02-123	173-19-3701	AMD-P	80-03-117
173-19-160	AMD-P	80-02-173	173-19-2603	NEW	80-02-123	173-19-3702	AMD	80-05-053
173-19-1601	NEW	80-02-123	173-19-2604	NEW	80-02-123	173-19-3703	AMD-P	80-09-098
173-19-1602	NEW	80-02-123	173-19-270	AMD	80-02-123	173-19-3704	NEW	80-02-123
173-19-1603	NEW	80-02-123	173-19-2701	NEW	80-02-123	173-19-3705	NEW	80-02-123
173-19-1603	AMD	80-04-026	173-19-2702	NEW	80-02-123	173-19-3706	NEW	80-02-123
173-19-1604	NEW	80-02-123	173-19-2703	NEW	80-02-123	173-19-3800	AMD	80-02-123
173-19-1605	NEW	80-02-123	173-19-280	AMD	80-02-123	173-19-3801	NEW	80-02-123
173-19-170	AMD	80-02-123	173-19-2801	NEW	80-02-123	173-19-3802	NEW	80-02-123
173-19-1701	NEW	80-02-123	173-19-2802	NEW	80-02-123	173-19-3900	AMD	80-02-123
173-19-1702	NEW	80-02-123	173-19-2803	NEW	80-02-123	173-19-3901	NEW	80-02-123
173-19-1703	NEW	80-02-123	173-19-290	AMD	80-02-123	173-19-3902	NEW	80-02-123
173-19-180	AMD	80-02-123	173-19-290	AMD-P	80-08-084	173-19-3903	NEW	80-02-123
173-19-1801	NEW	80-02-123	173-19-2901	AMD-P	80-09-097	173-19-3904	AMD-P	80-04-140
173-19-190	AMD	80-02-123	173-19-2902	NEW	80-02-123	173-19-3905	AMD	80-06-050
173-19-1901	NEW	80-02-123	173-19-2903	NEW	80-02-123	173-19-3906	NEW	80-02-123
173-19-210	AMD	80-02-123	173-19-2904	NEW	80-02-123	173-19-3907	NEW	80-02-123
173-19-2101	NEW	80-02-123	173-19-2905	NEW	80-02-123	173-19-3908	NEW	80-02-123
173-19-2102	NEW	80-02-123	173-19-2906	NEW	80-02-123	173-19-3909	NEW	80-02-123
173-19-2103	NEW	80-02-123	173-19-2907	NEW	80-02-123	173-19-3910	NEW	80-02-123
173-19-2104	NEW	80-02-123	173-19-300	AMD	80-02-123	173-19-3911	NEW	80-02-123
173-19-220	AMD	80-02-123	173-19-3001	NEW	80-02-123	173-19-3912	NEW	80-02-123
173-19-220	AMD-P	80-04-140	173-19-3002	NEW	80-02-123	173-19-3913	NEW	80-02-123
173-19-220	AMD-P	80-06-049	173-19-310	AMD	80-02-123	173-19-3914	AMD-P	80-04-140
173-19-220	AMD	80-07-007	173-19-310	AMD-P	80-03-117	173-19-3915	AMD	80-06-050
173-19-2201	NEW	80-02-123	173-19-310	AMD	80-05-053	173-19-3916	NEW	80-02-123
173-19-2202	NEW	80-02-123	173-19-3101	NEW	80-02-123	173-19-400	AMD	80-02-123
173-19-2203	NEW	80-02-123	173-19-320	AMD	80-02-123	173-19-4001	NEW	80-02-123
173-19-2204	NEW	80-02-123	173-19-3201	NEW	80-02-123	173-19-4002	NEW	80-02-123
173-19-2204	AMD-P	80-04-140	173-19-3202	NEW	80-02-123	173-19-4003	NEW	80-02-123
173-19-2204	AMD-P	80-06-049	173-19-3203	NEW	80-02-123	173-19-4004	NEW	80-02-123
173-19-2204	AMD-P	80-07-006	173-19-3204	NEW	80-02-123	173-19-4005	NEW	80-02-123
173-19-2204	AMD-P	80-08-051	173-19-3205	NEW	80-02-123	173-19-4006	NEW	80-02-123
173-19-2204	AMD	80-10-017	173-19-3206	NEW	80-02-123	173-19-410	AMD	80-02-123
173-19-2205	NEW	80-02-123	173-19-3207	NEW	80-02-123	173-19-4101	NEW	80-02-123
173-19-2206	NEW	80-02-123	173-19-3208	NEW	80-02-123	173-19-4102	NEW	80-02-123
173-19-2207	NEW	80-02-123	173-19-3209	NEW	80-02-123	173-19-420	AMD	80-02-123
173-19-2208	NEW	80-02-123	173-19-3210	NEW	80-02-123	173-19-4201	NEW	80-02-123
173-19-230	AMD	80-02-123	173-19-330	AMD	80-02-123	173-19-4202	NEW	80-02-123
173-19-2301	NEW	80-02-123	173-19-330	AMD-P	80-05-128	173-19-4203	NEW	80-02-123
173-19-2302	NEW	80-02-123	173-19-330	AMD	80-08-054	173-19-4204	NEW	80-02-123
173-19-2303	NEW	80-02-123	173-19-3301	NEW	80-02-123	173-19-4205	NEW	80-02-123
173-19-240	AMD	80-02-123	173-19-3302	NEW	80-02-123			
173-19-2401	NEW	80-02-123	173-19-3303	NEW	80-02-123			
173-19-250	AMD	80-02-123	173-19-3304	NEW	80-02-123			
173-19-2501	NEW	80-02-123	173-19-340	AMD	80-02-123			
173-19-2502	NEW	80-02-123	173-19-3401	NEW	80-02-123			
173-19-2503	NEW	80-02-123	173-19-3402	NEW	80-02-123			
173-19-2504	NEW	80-02-123						

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
173-19-4206	NEW	80-02-123	173-400-080	AMD-P	80-05-129	173-410-086	AMD-P	80-06-163
173-19-430	AMD	80-02-123	173-400-090	AMD-P	80-05-129	173-410-090	NEW-P	80-06-163
173-19-430	AMD-P	80-02-173	173-400-100	AMD-P	80-05-129	173-410-091	AMD-P	80-06-163
173-19-430	AMD	80-04-026	173-400-110	AMD-P	80-05-129	173-415-010	NEW-P	80-06-164
173-19-4301	NEW	80-02-123	173-400-115	AMD-P	80-05-129	173-415-020	NEW-P	80-06-164
173-19-440	AMD	80-02-123	173-400-200	AMD-P	80-05-129	173-415-030	NEW-P	80-06-164
173-19-4401	NEW	80-02-123	173-402-010	NEW-P	80-05-127	173-415-040	NEW-P	80-06-164
173-19-4402	NEW	80-02-123	173-402-010	NEW	80-08-024	173-415-050	NEW-P	80-06-164
173-19-450	AMD	80-02-123	173-402-020	NEW-P	80-05-127	173-415-060	NEW-P	80-06-164
173-19-4501	NEW	80-02-123	173-402-020	NEW	80-08-024	173-415-070	NEW-P	80-06-164
173-19-4502	NEW	80-02-123	173-405-011	REP-P	80-06-162	173-415-080	NEW-P	80-06-164
173-19-4502	AMD-P	80-05-128	173-405-012	NEW-P	80-06-162	173-415-090	NEW-P	80-06-164
173-19-4502	AMD	80-08-054	173-405-021	AMD-E	80-02-012	173-422-010	NEW	80-03-070
173-19-4503	NEW	80-02-123	173-405-021	AMD-P	80-02-095	173-422-020	NEW	80-03-070
173-19-4504	NEW	80-02-123	173-405-021	AMD	80-04-049	173-422-030	NEW	80-03-070
173-19-4505	NEW	80-02-123	173-405-021	AMD-P	80-06-162	173-422-040	NEW	80-03-070
173-19-4506	NEW	80-02-123	173-405-031	REP-P	80-06-162	173-422-050	NEW	80-03-070
173-19-4507	NEW	80-02-123	173-405-033	NEW-E	80-02-012	173-422-060	NEW	80-03-070
173-19-460	AMD	80-02-123	173-405-033	NEW-P	80-02-095	173-422-070	NEW	80-03-070
173-19-4601	NEW	80-02-123	173-405-033	NEW	80-04-049	173-422-080	NEW	80-03-070
173-19-4602	NEW	80-02-123	173-405-033	AMD-P	80-06-162	173-422-090	NEW	80-03-070
173-19-4603	NEW	80-02-123	173-405-036	REP-P	80-06-162	173-422-100	NEW	80-03-070
173-19-4604	NEW	80-02-123	173-405-040	NEW-P	80-06-162	173-422-110	NEW	80-03-070
173-19-4605	NEW	80-02-123	173-405-071	AMD-E	80-02-012	173-422-120	NEW	80-03-070
173-19-4606	NEW	80-02-123	173-405-071	REP-P	80-06-162	173-422-130	NEW	80-03-070
173-19-4607	NEW	80-02-123	173-405-072	NEW-P	80-06-162	173-422-140	NEW	80-03-070
173-19-470	AMD	80-02-123	173-405-076	REP-E	80-02-012	173-422-150	NEW	80-03-070
173-19-4701	NEW	80-02-123	173-405-076	REP-P	80-02-095	173-422-160	NEW	80-03-070
173-19-4702	NEW	80-02-123	173-405-076	REP	80-04-049	173-422-170	NEW	80-03-070
173-19-4703	NEW	80-02-123	173-405-077	NEW-P	80-02-095	173-422-180	NEW	80-03-070
173-19-4704	NEW	80-02-123	173-405-077	NEW	80-04-049	173-422-190	NEW-P	80-01-114
173-19-4705	NEW	80-02-123	173-405-077	AMD-P	80-06-162	173-475-010	NEW	80-03-071
173-19-4706	NEW	80-02-123	173-405-078	NEW-P	80-02-095	173-475-020	NEW-P	80-01-114
173-19-4707	NEW	80-02-123	173-405-078	NEW	80-04-049	173-475-030	NEW	80-03-071
173-20-044	NEW-P	80-05-078	173-405-078	AMD-P	80-06-162	173-475-040	NEW-P	80-01-114
173-20-044	NEW	80-08-053	173-405-081	REP-E	80-02-012	173-475-050	NEW	80-03-071
173-20-046	NEW-P	80-05-078	173-405-081	REP-P	80-02-095	173-475-060	NEW-P	80-01-114
173-20-046	NEW	80-08-053	173-405-081	REP	80-04-049	173-475-070	NEW	80-03-071
173-20-580	AMD-P	80-05-078	173-405-086	NEW-E	80-02-012	173-475-080	NEW-P	80-01-114
173-20-580	AMD	80-08-053	173-405-086	NEW-P	80-02-095	173-475-090	NEW	80-03-071
173-20-600	AMD-P	80-05-078	173-405-086	NEW	80-04-049	173-490-010	AMD-P	80-06-166
173-20-600	AMD	80-08-053	173-405-086	AMD-P	80-06-162	173-490-020	AMD-P	80-06-166
173-22-030	AMD-P	80-05-079	173-405-090	NEW-P	80-06-162	173-490-025	AMD-P	80-06-166
173-22-030	AMD	80-08-086	173-405-101	AMD-P	80-06-162	173-490-030	AMD-P	80-06-166
173-22-040	AMD-P	80-05-079	173-410-011	REP-P	80-06-163	173-490-040	AMD-P	80-06-166
173-22-040	AMD	80-08-086	173-410-012	NEW-P	80-06-163	173-490-070	AMD-P	80-06-166
173-22-050	AMD-P	80-05-079	173-410-021	AMD-E	80-02-013	173-490-071	NEW-P	80-06-166
173-22-050	AMD	80-08-086	173-410-021	AMD-P	80-02-096	173-490-080	AMD-P	80-06-166
173-22-055	AMD-P	80-05-079	173-410-021	AMD	80-04-050	173-490-150	AMD-P	80-06-166
173-22-055	AMD	80-08-086	173-410-021	AMD-P	80-06-163	173-490-200	NEW-P	80-06-166
173-24-060	AMD-P	80-08-085	173-410-031	REP-P	80-06-163	173-490-201	NEW-P	80-06-166
173-24-090	AMD-P	80-08-085	173-410-033	NEW-E	80-02-013	173-490-202	NEW-P	80-06-166
173-24-125	NEW-P	80-08-085	173-410-036	REP-P	80-06-163	173-490-203	NEW-P	80-06-166
173-62	AMD-P	80-09-051	173-410-040	NEW-P	80-06-163	173-490-204	NEW-P	80-06-166
173-62	AMD-P	80-10-016	173-410-041	REP-P	80-06-163	173-490-205	NEW-P	80-06-166
173-62-010	AMD-P	80-06-165	173-410-051	REP-P	80-06-163	173-490-206	NEW-P	80-06-166
173-62-020	AMD-P	80-06-165	173-410-061	REP-P	80-06-163	173-490-207	NEW-P	80-06-166
173-62-030	AMD-P	80-06-165	173-410-062	NEW-P	80-06-163	173-509	NEW-P	80-05-076
173-62-040	AMD-P	80-06-165	173-410-066	AMD-E	80-02-013	173-509-010	NEW	80-07-005
173-62-060	AMD-P	80-06-165	173-410-066	REP-P	80-02-096	173-509-015	NEW	80-07-005
173-134-150	REP	80-02-025	173-410-066	REP	80-04-050	173-509-020	NEW	80-07-005
173-164-050	AMD-E	80-06-160	173-410-067	NEW-P	80-02-096	173-509-030	NEW	80-07-005
173-164-050	AMD-P	80-06-161	173-410-067	NEW	80-04-050	173-509-040	NEW	80-07-005
173-164-050	AMD	80-09-052	173-410-067	AMD-P	80-06-163	173-509-050	NEW	80-07-005
173-255-040	AMD-P	80-05-125	173-410-071	NEW-E	80-02-013	173-509-060	NEW	80-07-005
173-255-040	AMD	80-08-050	173-410-071	NEW-P	80-02-096	173-509-070	NEW	80-07-005
173-400	AMD-P	80-08-023	173-410-071	NEW	80-04-050	173-509-080	NEW	80-07-005
173-400-020	AMD-P	80-05-129	173-410-071	AMD-P	80-06-163	173-509-090	NEW	80-07-005
173-400-030	AMD-P	80-05-129	173-410-081	REP-E	80-02-013	173-509-100	NEW	80-07-005
173-400-040	AMD-P	80-05-129	173-410-081	REP-P	80-02-096	173-510-010	NEW	80-04-047
173-400-050	AMD-P	80-05-129	173-410-081	REP	80-04-050	173-510-020	NEW	80-04-047
173-400-060	AMD-P	80-05-129	173-410-086	NEW-E	80-02-013	173-510-030	NEW	80-04-047
173-400-070	AMD-P	80-05-129	173-410-086	NEW-P	80-02-096	173-510-040	NEW	80-04-047
173-400-075	AMD-P	80-05-129	173-410-086	NEW	80-04-050	173-510-050	NEW	80-04-047

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
173-510-060	NEW	80-04-047	173-563-900	NEW-P	80-01-113	180-43-010	NEW	80-02-146
173-510-070	NEW	80-04-047	173-563-900	NEW	80-08-021	180-43-015	NEW	80-02-146
173-510-080	NEW	80-04-047	173-563-901	NEW-P	80-01-113	180-56-031	AMD	80-02-147
173-510-090	NEW	80-04-047	174-112-465	NEW-P	80-03-086	180-75-030	AMD-P	80-04-100
173-510-100	NEW	80-04-047	174-116-115	AMD-P	80-03-086	180-75-030	AMD	80-06-129
173-513-010	NEW-P	80-04-139	174-116-115	AMD	80-06-034	180-75-040	AMD-P	80-04-100
173-513-010	NEW	80-08-019	174-162-330	NEW-P	80-03-086	180-75-040	AMD	80-06-129
173-513-020	NEW-P	80-04-139	174-162-330	NEW	80-05-067	180-75-045	AMD-P	80-04-100
173-513-020	NEW	80-08-019	180-10-001	NEW-P	80-04-097	180-75-045	AMD	80-06-129
173-513-030	NEW-P	80-04-139	180-10-001	NEW	80-06-092	180-75-050	AMD-P	80-04-100
173-513-030	NEW	80-08-019	180-10-003	NEW-P	80-04-097	180-75-050	AMD	80-06-129
173-513-040	NEW-P	80-04-139	180-10-003	NEW	80-06-092	180-75-061	NEW-P	80-04-100
173-513-040	NEW	80-08-019	180-10-005	NEW-P	80-04-097	180-75-061	NEW	80-06-129
173-513-050	NEW-P	80-04-139	180-10-005	NEW	80-06-092	180-75-065	AMD-P	80-04-100
173-513-050	NEW	80-08-019	180-10-010	NEW-P	80-04-097	180-75-065	AMD	80-06-129
173-513-060	NEW-P	80-04-139	180-10-010	NEW	80-06-092	180-75-070	AMD-P	80-04-100
173-513-060	NEW	80-08-019	180-16-220	AMD-P	80-04-098	180-75-070	AMD	80-06-129
173-513-070	NEW-P	80-04-139	180-16-220	AMD	80-06-093	180-75-075	AMD-P	80-04-100
173-513-070	NEW	80-08-019	180-16-225	AMD-P	80-04-098	180-75-075	AMD	80-06-129
173-513-080	NEW-P	80-04-139	180-16-225	AMD	80-06-093	180-75-085	AMD-P	80-04-100
173-513-080	NEW	80-08-019	180-20-215	AMD-E	80-06-091	180-75-090	AMD-P	80-04-100
173-513-090	NEW-P	80-04-139	180-20-215	AMD-P	80-06-097	180-75-090	AMD	80-06-129
173-513-090	NEW	80-08-019	180-20-220	AMD-E	80-06-091	180-75-100	AMD-P	80-04-100
173-513-100	NEW-P	80-04-139	180-20-220	AMD-P	80-06-097	180-75-100	AMD	80-06-129
173-513-100	NEW	80-08-019	180-20-225	AMD-E	80-06-091	180-79-010	AMD-P	80-04-101
173-531	REP-P	80-05-052	180-20-225	AMD-P	80-06-097	180-79-010	AMD	80-06-130
173-531-010	REP-P	80-01-112	180-20-235	NEW-E	80-06-091	180-79-045	AMD-P	80-04-101
173-531-010	REP	80-08-020	180-20-235	NEW-P	80-06-097	180-79-045	AMD	80-06-130
173-531-020	REP-P	80-01-112	180-30-071	NEW-P	80-04-099	180-79-060	AMD-P	80-04-101
173-531-020	REP	80-08-020	180-30-071	NEW	80-07-001	180-79-060	AMD	80-06-130
173-531-030	REP-P	80-01-112	180-30-100	AMD-P	80-04-099	180-79-065	AMD-P	80-04-101
173-531-030	REP	80-08-020	180-30-100	AMD	80-07-001	180-79-065	AMD	80-06-130
173-531-040	REP-P	80-01-112	180-30-116	NEW-P	80-04-099	180-79-100	AMD-P	80-04-101
173-531-040	REP	80-08-020	180-30-116	NEW	80-07-001	180-79-100	AMD	80-06-130
173-531-050	REP-P	80-01-112	180-30-800	NEW	80-02-145	180-79-115	AMD-P	80-04-101
173-531-050	REP	80-08-020	180-30-805	NEW	80-02-145	180-79-115	AMD	80-06-130
173-531-060	REP-P	80-01-112	180-30-805	AMD-E	80-04-102	180-79-120	AMD-P	80-04-101
173-531-060	REP	80-08-020	180-30-805	AMD-P	80-04-099	180-79-120	AMD	80-06-130
173-531-070	REP-P	80-01-112	180-30-805	AMD	80-07-001	180-79-125	AMD-P	80-04-101
173-531-070	REP	80-08-020	180-30-807	NEW	80-02-145	180-79-125	AMD	80-06-130
173-531A-010	NEW-P	80-05-126	180-30-807	AMD-E	80-04-102	180-79-245	AMD-P	80-04-101
173-531A-010	NEW	80-08-022	180-30-807	AMD-P	80-04-099	180-79-245	AMD	80-06-130
173-531A-020	NEW-P	80-05-126	180-30-807	AMD	80-07-001	180-79-250	AMD-P	80-04-101
173-531A-020	NEW	80-08-022	180-30-810	NEW	80-02-145	180-79-250	AMD	80-06-130
173-531A-030	NEW-P	80-05-126	180-30-810	AMD-E	80-04-102	182-12-115	AMD-P	80-02-148
173-531A-030	NEW	80-08-022	180-30-810	AMD-P	80-04-099	182-12-115	AMD-E	80-03-007
173-531A-040	NEW-P	80-05-126	180-30-810	AMD	80-07-001	182-12-115	AMD	80-05-016
173-531A-040	NEW	80-08-022	180-30-815	NEW	80-02-145	182-12-122	AMD-P	80-02-148
173-531A-050	NEW-P	80-05-126	180-30-820	NEW	80-02-145	182-12-122	AMD-E	80-03-007
173-531A-050	NEW	80-08-022	180-30-825	NEW	80-02-145	182-12-122	AMD	80-05-016
173-531A-060	NEW-P	80-05-126	180-30-825	AMD-P	80-04-099	182-12-130	AMD-P	80-02-148
173-531A-060	NEW	80-08-022	180-30-825	AMD-E	80-04-102	182-12-130	AMD-E	80-03-007
173-531A-070	NEW-P	80-05-126	180-30-825	AMD	80-07-001	182-12-130	AMD	80-05-016
173-531A-070	NEW	80-08-022	180-30-830	NEW	80-02-145	182-12-132	NEW-P	80-02-148
173-563	NEW-P	80-05-051	180-30-830	AMD-P	80-04-099	182-12-132	NEW-E	80-03-007
173-563-010	NEW-P	80-01-113	180-30-830	AMD-E	80-04-102	182-12-132	NEW	80-05-016
173-563-010	NEW	80-08-021	180-30-830	AMD	80-07-001	182-12-135	REP-P	80-02-148
173-563-020	NEW-P	80-01-113	180-30-835	NEW	80-02-145	182-12-135	REP-E	80-03-007
173-563-020	NEW	80-08-021	180-30-835	AMD-P	80-04-099	182-12-135	REP	80-05-016
173-563-030	NEW-P	80-01-113	180-30-835	AMD-E	80-04-102	182-12-190	AMD-P	80-02-148
173-563-030	NEW	80-08-021	180-30-835	REP	80-07-001	182-12-190	AMD-E	80-03-007
173-563-040	NEW-P	80-01-113	180-30-840	NEW	80-02-145	182-12-190	AMD	80-05-016
173-563-040	NEW	80-08-021	180-30-840	AMD-P	80-04-099	192-12-041	NEW	80-02-034
173-563-050	NEW-P	80-01-113	180-30-840	AMD-E	80-04-102	192-12-041	AMD-P	80-08-026
173-563-050	NEW	80-08-021	180-30-840	REP	80-07-001	192-12-041	AMD	80-10-052
173-563-060	NEW-P	80-01-113	180-30-845	NEW	80-02-145	192-12-042	NEW	80-02-034
173-563-060	NEW	80-08-021	180-30-845	AMD-P	80-04-099	192-12-182	AMD-P	80-08-026
173-563-070	NEW-P	80-01-113	180-30-845	AMD-E	80-04-102	192-12-182	AMD	80-10-052
173-563-070	NEW	80-08-021	180-30-845	AMD	80-07-001	192-12-184	AMD-P	80-08-026
173-563-080	NEW-P	80-01-113	180-40-225	AMD-P	80-07-043	192-12-184	AMD	80-10-052
173-563-080	NEW	80-08-021	180-40-225	AMD	80-10-030	192-15-150	AMD-P	80-05-047
173-563-090	NEW-P	80-01-113	180-40-230	AMD-P	80-07-043	192-15-150	AMD	80-07-026
173-563-090	NEW	80-08-021	180-40-230	AMD	80-10-030	192-16-009	AMD-E	80-07-027
173-563-100	NEW	80-08-021	180-43-005	NEW	80-02-146	192-16-009	AMD-P	80-08-026

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
192-16-009	AMD	80-10-052	204-72	NEW-P	80-10-005	212-42-080	NEW-P	80-10-047
192-16-013	AMD-E	80-07-027	204-72-010	NEW-P	80-06-081	212-42-085	NEW-P	80-10-047
192-16-013	AMD-P	80-08-026	204-72-020	NEW-P	80-06-081	212-42-090	NEW-P	80-10-047
192-16-013	AMD	80-10-052	204-72-030	NEW-P	80-06-081	212-42-095	NEW-P	80-10-047
192-16-015	AMD-E	80-07-027	204-72-040	NEW-P	80-06-081	212-42-100	NEW-P	80-10-047
192-16-015	AMD-P	80-08-026	204-72-050	NEW-P	80-06-081	212-42-105	NEW-P	80-10-047
192-16-015	AMD	80-10-052	204-72-060	NEW-P	80-06-081	212-42-110	NEW-P	80-10-047
192-16-023	AMD-E	80-07-027	204-74-010	NEW-P	80-06-048	212-42-115	NEW-P	80-10-047
192-16-023	AMD-P	80-08-026	204-74-010	NEW	80-10-006	212-42-120	NEW-P	80-10-047
192-16-023	AMD	80-10-052	204-74-020	NEW-P	80-06-048	212-42-125	NEW-P	80-10-047
192-16-025	NEW-E	80-07-027	204-74-020	NEW	80-10-006	212-44-001	AMD-P	80-10-048
192-16-025	NEW-P	80-08-026	204-74-030	NEW-P	80-06-048	212-44-005	AMD-P	80-10-048
192-16-025	NEW	80-10-052	204-74-030	NEW	80-10-006	212-44-010	AMD-P	80-10-048
192-18-010	NEW-P	80-05-049	204-74-040	NEW-P	80-06-048	212-44-015	AMD-P	80-10-048
192-18-010	NEW	80-07-026	204-74-040	NEW	80-10-006	212-44-035	AMD-P	80-10-048
192-18-020	NEW-P	80-05-049	204-74-050	NEW-P	80-06-048	212-44-040	AMD-P	80-10-048
192-18-020	NEW	80-07-026	204-74-050	NEW	80-10-006	212-44-045	AMD-P	80-10-048
192-18-030	NEW-P	80-05-049	204-74-060	NEW-P	80-06-048	212-44-050	AMD-P	80-10-048
192-18-030	NEW	80-07-026	204-74-060	NEW	80-10-006	212-44-055	AMD-P	80-10-048
192-18-040	NEW-P	80-05-049	204-74-070	NEW-P	80-06-048	212-44-060	REP-P	80-10-048
192-18-040	NEW	80-07-026	204-74-070	NEW	80-10-006	212-44-065	AMD-P	80-10-048
192-18-050	NEW-P	80-05-049	204-74-080	NEW-P	80-06-048	212-44-067	NEW-P	80-10-048
192-18-050	NEW	80-07-026	204-74-080	NEW	80-10-006	212-44-069	NEW-P	80-10-048
192-18-060	NEW-P	80-05-049	204-76-010	NEW-E	80-05-110	212-44-070	REP-P	80-10-048
192-18-060	NEW	80-07-026	204-76-010	NEW-P	80-06-048	212-44-072	NEW-P	80-10-048
192-18-070	NEW-P	80-05-049	204-76-010	NEW	80-10-006	212-44-073	NEW-P	80-10-048
192-18-070	NEW	80-07-026	204-76-020	NEW-E	80-05-110	212-44-075	REP-P	80-10-048
192-20-010	NEW-P	80-05-048	204-76-020	NEW-P	80-06-048	212-44-077	NEW-P	80-10-048
192-20-010	NEW	80-07-026	204-76-020	NEW	80-10-006	212-44-080	AMD-P	80-10-048
204-38-010	NEW-P	80-04-080	204-76-030	NEW-E	80-05-110	212-44-085	REP-P	80-10-048
204-38-010	NEW-E	80-05-110	204-76-030	NEW-P	80-06-048	212-44-090	AMD-P	80-10-048
204-38-010	NEW	80-06-083	204-76-030	NEW	80-10-006	212-44-095	REP-P	80-10-048
204-38-020	NEW-P	80-04-080	204-76-040	NEW-E	80-05-110	212-44-105	AMD-P	80-10-048
204-38-020	NEW-E	80-05-110	204-76-040	NEW-P	80-06-048	212-52-001	AMD-P	80-09-074
204-38-020	NEW	80-06-083	204-76-040	NEW	80-10-006	212-52-005	AMD-P	80-09-074
204-38-030	NEW-P	80-04-080	204-76-050	NEW-E	80-05-110	212-52-010	AMD-P	80-09-074
204-38-030	NEW-E	80-05-110	204-76-050	NEW-P	80-06-048	212-52-015	REP-P	80-09-074
204-38-030	NEW	80-06-083	204-76-050	NEW	80-10-006	212-52-020	REP-P	80-09-074
204-38-040	NEW-P	80-04-080	204-76-060	NEW-E	80-05-110	212-52-025	AMD-P	80-09-074
204-38-040	NEW-E	80-05-110	204-76-060	NEW-P	80-06-048	212-52-027	NEW-P	80-09-074
204-38-040	NEW	80-06-083	204-76-060	NEW	80-10-006	212-52-035	REP-P	80-09-074
204-38-050	NEW-P	80-04-080	204-76-070	NEW-E	80-05-110	212-52-037	NEW-P	80-09-074
204-38-050	NEW-E	80-05-110	204-76-070	NEW-P	80-06-048	212-52-040	AMD-P	80-09-074
204-38-050	NEW	80-06-083	204-76-070	NEW	80-10-006	212-52-045	AMD-P	80-09-074
204-64	AMD-P	80-10-005	204-76-99001	NEW-E	80-05-110	212-52-050	AMD-P	80-09-074
204-64-080	AMD-P	80-06-081	204-76-99001	NEW-P	80-06-048	212-52-055	AMD-P	80-09-074
204-66	AMD-P	80-06-082	204-76-99001	NEW	80-10-006	212-52-065	AMD-P	80-09-074
204-66-060	AMD	80-02-093	204-76-99002	NEW-E	80-05-110	212-52-070	AMD-P	80-09-074
204-66-060	AMD-P	80-04-080	204-76-99002	NEW-P	80-06-048	212-52-075	AMD-P	80-09-074
204-66-060	AMD-E	80-05-110	204-76-99002	NEW	80-10-006	212-52-080	AMD-P	80-09-074
204-66-060	AMD	80-10-006	204-76-99003	NEW-E	80-05-110	212-52-090	AMD-P	80-09-074
204-66-160	AMD-P	80-04-080	204-76-99003	NEW-P	80-06-048	212-52-095	AMD-P	80-09-074
204-66-160	AMD-E	80-05-110	204-76-99003	NEW	80-10-006	212-52-100	AMD-P	80-09-074
204-66-160	AMD	80-10-006	204-76-99004	NEW-E	80-05-110	212-52-105	AMD-P	80-09-074
204-66-170	AMD-P	80-04-080	204-76-99004	NEW-P	80-06-048	212-52-110	AMD-P	80-09-074
204-66-170	AMD-E	80-05-110	204-76-99004	NEW	80-10-006	212-52-115	AMD-P	80-09-074
204-66-170	AMD	80-10-006	204-990	REP	80-03-068	212-52-120	AMD-P	80-09-074
204-70	NEW-P	80-02-092		(PART)		212-52-125	AMD-P	80-09-074
204-70-010	NEW	80-03-069	212-42-001	NEW-P	80-10-047	220-16-130	AMD-P	80-08-079
204-70-020	NEW	80-03-069	212-42-005	NEW-P	80-10-047	220-16-257	NEW-P	80-08-079
204-70-030	NEW	80-03-069	212-42-010	NEW-P	80-10-047	220-20-010	AMD-P	80-05-082
204-70-040	NEW	80-03-069	212-42-015	NEW-P	80-10-047	220-20-010	AMD-P	80-06-149
204-70-050	NEW	80-03-069	212-42-020	NEW-P	80-10-047	220-20-010	AMD	80-07-017
204-70-060	NEW	80-03-069	212-42-025	NEW-P	80-10-047	220-20-010	AMD	80-10-058
204-70-070	NEW	80-03-069	212-42-030	NEW-P	80-10-047	220-20-01000C	NEW-E	80-06-054
204-70-080	NEW	80-03-069	212-42-035	NEW-P	80-10-047	220-20-01000C	REP-E	80-06-144
204-70-090	NEW	80-03-069	212-42-040	NEW-P	80-10-047	220-20-01000D	NEW-E	80-06-144
204-70-100	NEW	80-03-069	212-42-045	NEW-P	80-10-047	220-20-01200A	NEW-E	80-08-080
204-70-120	NEW	80-03-069	212-42-050	NEW-P	80-10-047	220-20-020	AMD-P	80-06-138
204-70-99001	NEW	80-03-069	212-42-055	NEW-P	80-10-047	220-20-020	AMD	80-09-072
204-70-99002	NEW	80-03-069	212-42-060	NEW-P	80-10-047	220-20-025	AMD-P	80-08-079
204-70-99003	NEW	80-03-069	212-42-065	NEW-P	80-10-047	220-20-02500A	NEW-E	80-06-127
204-70-99004	NEW	80-03-069	212-42-070	NEW-P	80-10-047	220-20-035	NEW-P	80-09-109
204-70-99005	NEW	80-03-069	212-42-075	NEW-P	80-10-047	220-22-020	AMD-P	80-06-138

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WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
220-22-020	AMD	80-09-072	220-28-00800B	NEW-E	80-10-020	220-36-020	AMD-P	80-06-138
220-22-030	AMD-P	80-02-177	220-28-00800Y	NEW-E	80-05-019	220-36-020	AMD	80-09-072
220-22-030	AMD	80-04-070	220-28-00800Y	REP-E	80-06-121	220-36-02000B	NEW-E	80-08-081
220-20-038	NEW-P	80-08-079	220-28-00800Z	NEW-E	80-06-121	220-36-021	AMD-P	80-06-138
220-22-410	AMD-P	80-05-082	220-28-00800Z	REP-E	80-10-002	220-36-021	AMD	80-09-072
220-22-410	AMD	80-07-017	220-28-008FOA	NEW-E	80-06-121	220-36-02100R	NEW-E	80-08-081
220-24-01000C	NEW-E	80-07-016	220-28-008FOA	REP-E	80-10-002	220-36-022	AMD-P	80-06-138
220-24-01000C	REP-E	80-07-042	220-28-008FOB	NEW-E	80-10-002	220-36-022	AMD	80-09-072
220-24-01000D	NEW-E	80-07-042	220-28-008FOB	REP-E	80-10-020	220-36-024	AMD-P	80-06-138
220-24-02000E	NEW-E	80-07-016	220-28-008FOC	NEW-E	80-10-020	220-36-024	AMD	80-09-072
220-28-003FOA	NEW-E	80-08-009	220-28-008FOZ	NEW-E	80-05-019	220-36-03001	AMD-P	80-06-138
220-28-003G0A	NEW-E	80-08-040	220-28-008FOZ	REP-E	80-06-121	220-36-03001	AMD	80-09-072
220-28-003G0A	REP-E	80-09-071	220-28-00900I	NEW-E	80-06-121	220-40-02000C	NEW-E	80-08-081
220-28-00400G	NEW-E	80-04-078	220-28-00900I	REP-E	80-08-008	220-40-021	AMD-P	80-06-138
220-28-00400G	REP-E	80-05-061	220-28-00900J	NEW-E	80-08-008	220-40-021	AMD	80-09-072
220-28-00400H	NEW-E	80-05-061	220-28-01000L	NEW-E	80-06-121	220-40-02100I	NEW-E	80-08-081
220-28-00400H	REP-E	80-05-075	220-28-01000L	REP-E	80-08-008	220-40-022	AMD-P	80-06-138
220-28-00400I	NEW-E	80-05-075	220-28-01000M	NEW-E	80-08-008	220-40-022	AMD	80-09-072
220-28-004B0P	NEW-E	80-05-019	220-28-01000M	REP-E	80-08-033	220-40-024	AMD-P	80-06-138
220-28-004B0P	REP-E	80-06-121	220-28-01000N	NEW-E	80-08-033	220-40-024	AMD	80-09-072
220-28-004B0Q	NEW-E	80-06-121	220-28-01000N	REP-E	80-09-054	220-40-030	AMD-P	80-06-138
220-28-004B0Q	REP-E	80-07-041	220-28-01000P	NEW-E	80-09-054	220-40-030	AMD	80-09-072
220-28-004B0R	NEW-E	80-07-041	220-28-01000P	REP-E	80-09-061	220-47-12100A	NEW-E	80-10-036
220-28-00500R	NEW-E	80-05-019	220-28-01000Q	NEW-E	80-09-061	220-47-250	REP-P	80-06-149
220-28-00500R	REP-E	80-06-121	220-28-010A0P	NEW-E	80-06-121	220-47-250	REP-P	80-09-033
220-28-00500S	NEW-E	80-06-121	220-28-010B0N	NEW-E	80-06-121	220-47-307	NEW-P	80-06-149
220-28-00500S	REP-E	80-07-041	220-28-010B0N	REP-E	80-08-008	220-47-307	NEW-P	80-09-033
220-28-00500T	NEW-E	80-07-041	220-28-010B0P	NEW-E	80-08-008	220-47-307	NEW	80-10-058
220-28-005F0K	NEW-E	80-09-061	220-28-010C0L	NEW-E	80-06-121	220-47-30700A	NEW-E	80-10-003
220-28-00600Q	NEW-E	80-05-019	220-28-010C0L	REP-E	80-08-008	220-47-311	AMD-P	80-06-149
220-28-00600Q	REP-E	80-06-121	220-28-010C0M	NEW-E	80-08-008	220-47-311	AMD-P	80-09-033
220-28-00600R	NEW-E	80-06-121	220-28-010C0M	REP-E	80-09-013	220-47-311	AMD	80-10-058
220-28-00600R	REP-E	80-07-041	220-28-010C0N	NEW-E	80-09-013	220-47-312	AMD-P	80-06-149
220-28-00600S	NEW-E	80-07-041	220-28-010C0N	REP-E	80-09-061	220-47-312	AMD-P	80-09-033
220-28-006A0L	NEW-E	80-05-019	220-28-010C0P	NEW-E	80-09-061	220-47-312	AMD	80-10-058
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220-28-006A0M	REP-E	80-07-041	220-28-010D0N	NEW-E	80-08-008	220-47-313	AMD	80-10-058
220-28-006A0N	NEW-E	80-07-041	220-28-010G0A	NEW-E	80-09-034	220-47-314	AMD-P	80-06-149
220-28-006A0N	REP-E	80-10-002	220-28-011A0J	NEW-E	80-05-019	220-47-314	AMD-P	80-09-033
220-28-006A0P	NEW-E	80-10-002	220-28-011FOI	NEW-E	80-05-019	220-47-314	AMD	80-10-058
220-28-006A0P	REP-E	80-10-020	220-28-011G0E	NEW-E	80-05-019	220-47-317	REP-P	80-06-149
220-28-006A0Q	NEW-E	80-10-020	220-28-011G0E	REP-E	80-09-063	220-47-317	REP-P	80-09-033
220-28-006B0P	NEW-E	80-06-121	220-28-011G0F	NEW-E	80-09-063	220-47-319	AMD-P	80-06-149
220-28-006B0P	REP-E	80-08-008	220-28-012C0T	NEW-E	80-09-013	220-47-319	AMD-P	80-09-033
220-28-006B0Q	NEW-E	80-08-008	220-28-012D0M	NEW-E	80-09-013	220-47-319	AMD	80-10-058
220-28-006B0Q	REP-E	80-10-011	220-28-012F0E	REP-E	80-02-127	220-47-324	REP-P	80-06-149
220-28-006B0R	NEW-E	80-10-011	220-28-012G0A	REP-E	80-02-014	220-47-324	REP-P	80-09-033
220-28-006C0J	NEW-E	80-05-019	220-28-012H0A	REP-E	80-02-127	220-47-401	AMD-P	80-06-149
220-28-006C0J	REP-E	80-06-121	220-28-01300P	REP-E	80-02-014	220-47-401	AMD-P	80-09-033
220-28-006C0K	NEW-E	80-06-121	220-28-01300Q	NEW-E	80-02-043	220-47-401	AMD	80-10-058
220-28-006C0K	REP-E	80-07-041	220-28-013G0F	REP-E	80-02-014	220-47-402	AMD-P	80-06-149
220-28-006C0L	NEW-E	80-07-041	220-28-013G0G	NEW-E	80-02-043	220-47-402	AMD-P	80-09-033
220-28-006D0F	NEW-E	80-08-008	220-28-013G0G	REP-E	80-03-016	220-47-402	AMD	80-10-058
220-28-006F0H	NEW-E	80-08-008	220-28-800	NEW-E	80-09-073	220-47-403	AMD-P	80-06-149
220-28-00700G	NEW-E	80-05-019	220-28-801	NEW-E	80-10-007	220-47-403	AMD-P	80-09-033
220-28-00700G	REP-E	80-06-080	220-28-801	REP-E	80-10-022	220-47-403	AMD	80-10-058
220-28-00700H	NEW-E	80-06-080	220-28-802	NEW-E	80-10-023	220-47-411	AMD-P	80-06-149
220-28-00700H	REP-E	80-07-041	220-28-802	REP-E	80-10-041	220-47-411	AMD-P	80-09-033
220-28-00700I	NEW-E	80-07-041	220-28-803	NEW-E	80-10-041	220-47-411	AMD	80-10-058
220-28-007A0F	NEW-E	80-05-019	220-32-02200D	NEW-E	80-03-056	220-47-41100R	NEW-E	80-10-003
220-28-007A0F	REP-E	80-06-080	220-32-03000U	NEW-E	80-03-056	220-47-412	AMD-P	80-06-149
220-28-007A0G	NEW-E	80-06-080	220-32-03600C	NEW-E	80-03-056	220-47-412	AMD-P	80-09-033
220-28-007A0G	REP-E	80-07-041	220-32-04000G	NEW-E	80-02-125	220-47-412	AMD	80-10-058
220-28-007A0H	NEW-E	80-07-041	220-32-04000G	REP-E	80-03-056	220-47-41200A	NEW-E	80-10-003
220-28-007B0N	NEW-E	80-05-019	220-32-04000H	NEW-E	80-03-056	220-47-413	AMD-P	80-06-149
220-28-007C0T	NEW-E	80-05-019	220-32-04000I	NEW-E	80-10-019	220-47-413	AMD-P	80-09-033
220-28-007C0T	REP-E	80-08-033	220-32-04100B	NEW-E	80-06-036.1	220-47-41300A	NEW-E	80-10-003
220-28-007C0U	NEW-E	80-08-033	220-32-04100B	REP-E	80-07-029	220-47-414	AMD-P	80-06-149
220-28-007F0J	REP-E	80-02-056	220-32-04100C	NEW-E	80-07-029	220-47-414	AMD-P	80-09-033
220-28-007F0K	NEW-E	80-05-019	220-32-05100M	NEW-E	80-02-125	220-47-41400B	NEW-E	80-10-003
220-28-007G0G	NEW-E	80-08-033	220-32-05500C	NEW-E	80-06-128	220-47-415	REP-P	80-06-149
220-28-00800A	NEW-E	80-10-002	220-32-05700F	NEW-E	80-02-125	220-47-415	REP-P	80-09-033
220-28-00800A	REP-E	80-10-020	220-32-05700G	NEW-E	80-06-046	220-47-418	REP-P	80-06-149

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220-47-426	REP-P	80-09-033	220-56-060	REP	80-03-064	220-56-31000A	NEW-E	80-07-004
220-47-900	NEW-E	80-09-073	220-56-063	REP	80-03-064	220-56-315	NEW	80-03-064
220-47-900	REP-E	80-10-007	220-56-064	REP	80-03-064	220-56-320	NEW	80-03-064
220-47-901	NEW-E	80-10-022	220-56-065	REP	80-03-064	220-56-325	NEW	80-03-064
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220-48-08000B	REP-E	80-06-046	220-56-071	REP	80-03-064	220-56-330	NEW	80-03-064
220-48-09000B	NEW-E	80-05-134	220-56-072	REP	80-03-064	220-56-335	NEW	80-03-064
220-48-09100B	NEW-E	80-02-044	220-56-073	REP	80-03-064	220-56-340	NEW	80-03-064
220-48-09600D	NEW-E	80-03-080	220-56-074	REP	80-03-064	220-56-345	NEW	80-03-064
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220-48-09800B	NEW-E	80-04-020	220-56-084	REP	80-03-064	220-56-360	NEW	80-03-064
220-49-02000D	NEW-E	80-05-030	220-56-086	REP	80-03-064	220-56-36000A	NEW-E	80-08-025
220-49-02000D	REP-E	80-05-071	220-56-088	REP	80-03-064	220-56-365	NEW	80-03-064
220-49-02000E	NEW-E	80-03-053	220-56-090	REP	80-03-064	220-56-370	NEW	80-03-064
220-49-02000E	REP-E	80-04-094	220-56-092	REP	80-03-064	220-56-372	NEW-P	80-08-079
220-49-02100E	NEW-E	80-05-071	220-56-100	NEW	80-03-064	220-56-375	NEW	80-03-064
220-49-02100E	REP-E	80-05-105	220-56-105	NEW	80-03-064	220-56-380	NEW	80-03-064
220-49-02100F	NEW-E	80-05-105	220-56-110	NEW	80-03-064	220-56-382	NEW-P	80-08-079
220-49-02100F	REP-E	80-05-133	220-56-115	NEW	80-03-064	220-56-385	NEW	80-03-064
220-49-02100G	NEW-E	80-05-133	220-56-115	AMD-P	80-08-015	220-56-390	NEW	80-03-064
220-49-02100G	REP-E	80-06-035	220-56-11500A	NEW-E	80-10-035	220-56-400	NEW	80-03-064
220-49-02100H	NEW-E	80-06-035	220-56-120	NEW	80-03-064	220-56-405	NEW	80-03-064
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220-49-05600A	REP-E	80-04-094	220-56-128	NEW	80-03-064	220-57	AMD-P	80-02-045
220-52-01901	AMD-P	80-08-079	220-56-130	NEW	80-03-064	220-57-120	AMD	80-03-064
220-52-040	AMD-P	80-08-079	220-56-135	NEW	80-03-064	220-57-125	AMD	80-03-064
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220-52-05000A	NEW-E	80-06-120	220-56-150	NEW	80-03-064	220-57-140	AMD	80-03-064
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220-52-060	AMD-P	80-08-079	220-56-165	NEW	80-03-064	220-57-165	AMD	80-03-064
220-52-063	AMD-P	80-08-079	220-56-165	AMD-P	80-05-082	220-57-175	AMD	80-03-064
220-52-066	AMD-P	80-08-079	220-56-165	AMD	80-07-017	220-57-190	AMD	80-03-064
220-52-073	AMD-P	80-08-079	220-56-175	NEW	80-03-064	220-57-220	AMD	80-03-064
220-52-074	AMD-P	80-08-079	220-56-180	NEW	80-03-064	220-57-235	AMD	80-03-064
220-52-075	AMD-P	80-08-079	220-56-18000A	NEW-E	80-06-029	220-57-250	AMD	80-03-064
220-52-07500A	NEW-E	80-09-085	220-56-18000A	REP-E	80-09-012	220-57-255	AMD	80-03-064
220-55	NEW-P	80-02-045	220-56-18000B	NEW-E	80-09-012	220-57-260	AMD	80-03-064
220-55-05600A	NEW-E	80-08-025	220-56-185	NEW	80-03-064	220-57-270	AMD	80-03-064
220-55-05600A	REP-E	80-08-030	220-56-190	NEW	80-03-064	220-57-27000D	NEW-E	80-08-009
220-55-05600B	NEW-E	80-08-030	220-56-19000A	NEW-E	80-05-092	220-57-290	AMD	80-03-064
220-55-065	AMD-P	80-08-079	220-56-195	NEW	80-03-064	220-57-29000B	NEW-E	80-06-040
220-55-070	NEW	80-03-064	220-56-200	NEW	80-03-064	220-57-300	AMD	80-03-064
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220-55-100	NEW	80-03-064	220-56-235	NEW	80-03-064	220-57-345	AMD	80-03-064
220-55-105	NEW	80-03-064	220-56-235	AMD-P	80-05-082	220-57-360	REP	80-03-064
220-55-110	NEW	80-03-064	220-56-235	AMD	80-07-017	220-57-370	AMD	80-03-064
220-55-115	NEW	80-03-064	220-56-240	NEW	80-03-064	220-57-385	AMD	80-03-064
220-55-120	NEW	80-03-064	220-56-245	NEW	80-03-064	220-57-400	AMD	80-03-064
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220-56	NEW-P	80-02-045	220-56-25000A	REP-E	80-07-032	220-57-450	AMD	80-03-064
220-56-010	REP	80-03-064	220-56-25000B	NEW-E	80-07-032	220-57-455	AMD	80-03-064
220-56-013	REP	80-03-064	220-56-255	NEW	80-03-064	220-57-460	AMD	80-03-064
220-56-019	REP	80-03-064	220-56-260	NEW	80-03-064	220-57-46500A	NEW-E	80-09-011
220-56-020	REP	80-03-064	220-56-265	NEW	80-03-064	220-57-473	AMD	80-03-064
220-56-02000A	NEW-E	80-03-053	220-56-270	NEW	80-03-064	220-57-480	AMD	80-03-064
220-56-02000A	REP-E	80-04-094	220-56-275	NEW	80-03-064	220-57-485	AMD	80-03-064
220-56-021	REP	80-03-064	220-56-280	NEW	80-03-064	220-57-495	AMD	80-03-064
220-56-022	REP	80-03-064	220-56-285	NEW	80-03-064	220-57-505	AMD	80-03-064
220-56-023	REP	80-03-064	220-56-28500A	NEW-E	80-09-070	220-57-50500B	NEW-E	80-03-095
220-56-030	REP	80-03-064	220-56-290	NEW	80-03-064	220-57-510	AMD	80-03-064
220-56-040	REP	80-03-064	220-56-295	NEW	80-03-064	220-57-515	AMD	80-03-064
220-56-050	REP	80-03-064	220-56-300	NEW	80-03-064	220-57-525	AMD	80-03-064

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220-57A-012	NEW	80-03-064	230-20-110	AMD	80-03-059
220-57A-017	NEW	80-03-064	230-20-130	AMD-P	80-03-017
220-57A-040	AMD	80-03-064	230-20-130	AMD-P	80-04-082
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220-57A-080	AMD	80-03-064	230-20-210	AMD-P	80-03-093
220-57A-095	AMD	80-03-064	230-20-210	AMD	80-05-060
220-57A-115	AMD	80-03-064	230-25-030	AMD-E	80-04-053
220-57A-120	AMD	80-03-064	230-25-030	AMD-P	80-04-082
220-57A-135	AMD	80-03-064	230-25-030	AMD	80-06-038
220-57A-150	AMD	80-03-064	230-25-033	NEW-P	80-04-082
220-57A-152	NEW	80-03-064	230-25-033	NEW	80-06-038
220-57A-155	AMD	80-03-064	230-25-100	AMD	80-03-060
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220-57A-17500B	REP-E	80-09-086	230-40-010	AMD-P	80-06-152
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220-57A-17500D	NEW-E	80-10-035	230-40-015	AMD	80-09-067
220-57A-185	AMD	80-03-064	230-40-030	AMD-P	80-04-082
220-57A-190	AMD	80-03-064	230-40-030	AMD-P	80-06-037
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220-69-230	AMD	80-05-093	230-40-050	AMD	80-09-067
220-69-232	AMD-P	80-03-096	230-40-120	AMD	80-03-059
220-69-232	AMD	80-05-093	230-40-225	AMD-P	80-04-082
220-69-233	AMD-P	80-03-096	230-40-225	AMD-P	80-06-078
220-69-233	AMD	80-05-093	230-42-010	AMD-P	80-04-082
220-69-234	AMD-P	80-03-096	230-50-010	AMD	80-03-059
220-69-234	AMD	80-05-093	230-60-070	AMD-P	80-08-083
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220-69-23401	NEW	80-05-093	232-12-040	AMD	80-09-029
220-69-24000A	NEW-E	80-09-085	232-12-130	AMD-P	80-02-167
220-69-25401	NEW-P	80-03-096	232-12-130	AMD	80-05-022
220-69-25401	NEW	80-05-093	232-12-171	AMD-P	80-02-167
220-69-25401A	NEW-E	80-09-085	232-12-250	REP-P	80-08-078
220-69-260	AMD-P	80-03-096	232-12-690	AMD-P	80-02-167
220-69-260	AMD	80-05-093	232-12-690	AMD	80-05-022
220-69-261	AMD-P	80-03-096	232-12-710	AMD-P	80-02-167
220-69-261	AMD	80-05-093	232-12-710	AMD	80-05-022
220-69-264	AMD-P	80-03-096	232-16-100	REP-P	80-05-130
220-69-264	AMD	80-05-093	232-16-100	REP	80-09-029
220-69-26401	NEW-P	80-03-096	232-16-620	NEW-P	80-08-078
220-69-26401	NEW	80-05-093	232-28-102	REP-P	80-05-130
220-69-271	AMD-P	80-03-096	232-28-102	REP	80-09-028
220-69-271	AMD	80-05-093	232-28-103	NEW-P	80-05-130
220-69-280	AMD-P	80-03-096	232-28-103	NEW	80-09-028
220-69-280	AMD	80-05-093	232-28-202	REP-P	80-04-112
220-105	REP-P	80-02-045	232-28-202	REP	80-09-003
220-105-010	REP	80-03-064	232-28-203	NEW-P	80-04-112
220-105-015	REP	80-03-064	232-28-203	NEW	80-09-003
220-105-020	REP	80-03-064	232-28-20301	NEW-E	80-09-059
220-105-025	REP	80-03-064	232-28-20302	NEW-E	80-09-060
220-105-030	REP	80-03-064	232-28-302	REP-P	80-04-112
220-105-035	REP	80-03-064	232-28-302	REP	80-09-003
220-105-040	REP	80-03-064	232-28-303	NEW-P	80-04-112
220-105-045	REP	80-03-064	232-28-303	NEW	80-09-003
220-105-046	REP	80-03-064	232-28-402	REP-P	80-08-078
220-105-047	REP	80-03-064	232-28-403	NEW-P	80-08-078
220-105-050	REP	80-03-064	232-28-502	REP-P	80-05-130
220-105-055	REP	80-03-064	232-28-503	NEW-P	80-05-130
220-105-060	REP	80-03-064	232-28-602	REP-P	80-08-078
220-105-065	REP	80-03-064	232-28-60201	NEW-E	80-05-012
223-08-010	AMD-P	80-06-052	232-28-60202	NEW-E	80-05-043
224-12-090	AMD	80-06-058	232-28-60203	NEW-P	80-05-130
230-02-030	AMD-P	80-06-152	232-28-60203	NEW-E	80-06-070
230-02-030	AMD	80-09-067	232-28-60204	NEW-E	80-06-071
230-02-150	AMD-P	80-03-093	232-28-60204	NEW-E	80-09-050
230-02-155	NEW-P	80-03-093	232-28-60205	NEW-E	80-06-072
230-04-140	AMD-E	80-02-119	232-28-60205	NEW-E	80-09-002
230-04-140	AMD	80-03-059	232-28-60206	NEW-E	80-10-025
230-04-200	AMD	80-03-059	232-28-60207	NEW-E	80-10-027
230-04-260	AMD	80-03-060	232-28-603	NEW-P	80-08-078
230-04-305	NEW	80-03-060	232-28-701	REP	80-03-042
232-28-702	NEW	80-03-042			
232-28-801	REP-P	80-04-112			
232-28-801	REP	80-06-059			
232-28-802	NEW-P	80-04-112			
232-28-802	NEW	80-06-059			
232-28-80201	NEW-E	80-10-026			
232-32-117	NEW-E	80-02-048			
232-32-117	REP-E	80-03-067			
232-32-118	NEW-E	80-02-057			
232-32-119	NEW-E	80-02-058			
232-32-120	NEW-E	80-02-132			
232-32-121	NEW-E	80-02-133			
232-32-122	NEW-E	80-02-134			
232-32-123	NEW-E	80-04-011			
232-32-124	NEW-E	80-04-017			
232-32-125	NEW-E	80-04-052			
248-14-001	AMD-P	80-03-112			
248-14-001	AMD	80-06-086			
248-14-020	AMD-P	80-03-112			
248-14-020	AMD	80-06-086			
248-14-050	AMD-P	80-03-112			
248-14-050	AMD	80-06-086			
248-14-055	AMD-P	80-03-112			
248-14-055	REP	80-06-086			
248-14-060	AMD-P	80-03-112			
248-14-060	AMD	80-06-086			
248-14-065	AMD-P	80-03-112			
248-14-065	AMD	80-06-086			
248-14-090	AMD-P	80-03-112			
248-14-090	AMD	80-06-086			
248-14-100	AMD-P	80-03-112			
248-14-100	AMD	80-06-086			
248-14-110	AMD-P	80-03-112			
248-14-110	AMD	80-06-086			
248-14-115	NEW	80-06-086			
248-14-120	AMD-P	80-03-112			
248-14-120	AMD	80-06-086			
248-14-130	AMD-P	80-03-112			
248-14-130	AMD	80-06-086			
248-14-140	AMD-P	80-03-112			
248-14-140	AMD	80-06-086			
248-14-150	AMD-P	80-03-112			
248-14-150	AMD	80-06-086			
248-14-160	AMD-P	80-03-112			
248-14-160	AMD	80-06-086			
248-14-170	AMD-P	80-03-112			
248-14-180	AMD-P	80-03-112			
248-14-180	AMD	80-06-086			
248-14-190	REP-P	80-03-112			
248-14-190	REP	80-06-086			
248-14-200	AMD-P	80-03-112			
248-14-200	AMD	80-06-086			
248-14-210	REP-P	80-03-112			
248-14-210	REP	80-06-086			
248-14-220	REP-P	80-03-112			
248-14-220	REP	80-06-086			
248-14-235	AMD-P	80-03-112			
248-14-235	AMD	80-06-086			
248-14-240	AMD-P	80-03-112			
248-14-240	AMD	80-06-086			
248-14-245	AMD-P	80-03-112			
248-14-245	AMD	80-06-086			
248-14-247	NEW-P	80-03-112			
248-14-247	NEW	80-06-086			
248-14-250	AMD-P	80-03-112			
248-14-250	AMD	80-06-086			
248-14-260	AMD-P	80-03-112			
248-14-260	AMD	80-06-086			
248-14-264	NEW-P	80-03-112			
248-14-264	NEW	80-06-086			
248-14-266	NEW-P	80-03-112			
248-14-266	NEW	80-06-086			
248-14-268	NEW-P	80-03-112			

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
248-14-268	NEW	80-06-086	248-30-050	REP-P	80-05-020	250-40-040	AMD-P	80-02-150
248-14-510	NEW-P	80-03-112	248-30-050	REP	80-06-065	250-40-040	AMD	80-05-024
248-14-510	NEW	80-06-086	248-30-060	REP-P	80-03-101	250-40-050	AMD-P	80-02-150
248-14-520	NEW-P	80-03-112	248-30-060	REP-P	80-05-020	250-40-050	AMD	80-05-024
248-14-520	NEW	80-06-086	248-30-060	REP	80-06-065	250-55-030	AMD-P	80-02-152
248-14-530	NEW-P	80-03-112	248-30-070	NEW-P	80-03-101	250-55-030	AMD	80-05-017
248-14-530	NEW	80-06-086	248-30-070	NEW-P	80-05-020	251-04-020	AMD-P	80-05-108
248-14-540	NEW-P	80-03-112	248-30-070	NEW	80-06-065	251-04-020	AMD	80-08-073
248-14-540	NEW	80-06-086	248-30-080	NEW-P	80-03-101	251-06-060	AMD	80-02-111
248-14-550	NEW-P	80-03-112	248-30-080	NEW-P	80-05-020	251-09-090	AMD	80-02-111
248-14-550	NEW	80-06-086	248-30-080	NEW	80-06-065	251-12-095	REP-P	80-10-049
248-14-560	NEW-P	80-03-112	248-30-090	NEW-P	80-03-101	251-12-110	AMD-P	80-10-049
248-14-560	NEW	80-06-086	248-30-090	NEW-P	80-05-020	251-14-030	AMD-P	80-10-049
248-14-999	REP-P	80-03-112	248-30-090	NEW	80-06-065	251-14-090	AMD-P	80-10-049
248-14-999	REP	80-06-086	248-30-100	NEW-P	80-03-101	251-14-120	NEW-P	80-10-049
248-16-045	AMD	80-02-003	248-30-100	NEW-P	80-05-020	251-18-176	AMD-P	80-05-108
248-18-040	AMD	80-02-003	248-30-100	NEW	80-06-065	251-18-176	AMD	80-08-073
248-18-220	AMD-P	80-05-120	248-30-110	NEW-P	80-03-101	251-18-250	AMD-P	80-05-108
248-18-220	AMD-P	80-07-022	248-30-110	NEW-P	80-05-020	251-18-250	AMD	80-08-073
248-18-220	AMD	80-09-053	248-30-110	NEW	80-06-065	251-18-390	AMD-P	80-05-108
248-18-222	NEW-P	80-02-021	248-30-120	NEW-P	80-03-101	251-18-390	AMD	80-08-073
248-18-222	NEW	80-03-085	248-30-120	NEW-P	80-05-020	251-22-111	AMD	80-02-111
248-18-510	AMD-P	80-01-108	248-30-120	NEW	80-06-065	251-22-240	AMD-P	80-10-049
248-18-510	AMD	80-03-062	248-64-290	AMD-P	80-02-020	260-70-010	AMD-P	80-01-106
248-18-607	NEW-P	80-02-021	248-64-290	AMD	80-03-044	260-70-010	AMD-P	80-03-018
248-18-607	NEW	80-03-085	248-72	AMD-P	80-04-090	260-70-021	REP-P	80-01-106
248-18-636	NEW-P	80-02-021	248-72	AMD	80-07-002	260-70-021	REP-P	80-03-018
248-18-636	NEW	80-03-085	248-72-100	REP-P	80-04-090	260-70-022	NEW-P	80-01-106
248-18-718	AMD-P	80-01-108	248-72-100	REP	80-07-002	260-70-022	NEW-P	80-03-018
248-18-718	AMD	80-03-062	248-84-001	AMD-P	80-10-051	260-70-090	AMD-P	80-03-098
248-18-718	AMD-P	80-04-079	248-84-002	NEW-P	80-10-051	260-70-090	AMD	80-05-132
248-18-718	AMD	80-07-014	248-84-010	AMD-P	80-10-051	260-70-100	AMD-P	80-03-098
248-22-520	AMD	80-02-003	248-84-015	NEW-P	80-10-051	260-70-100	AMD	80-05-132
248-23-001	NEW	80-03-079	248-84-020	AMD-P	80-10-051	260-70-170	AMD-P	80-03-098
248-23-010	NEW	80-03-079	248-84-025	NEW-P	80-10-051	260-70-170	AMD	80-05-132
248-23-020	NEW	80-03-079	248-84-030	AMD-P	80-10-051	275-15-010	REP	80-02-136
248-23-030	NEW	80-03-079	248-84-035	NEW-P	80-10-051	275-15-020	REP	80-02-136
248-23-040	NEW	80-03-079	248-84-040	AMD-P	80-10-051	275-15-030	REP	80-02-136
248-23-050	NEW	80-03-079	248-84-045	NEW-P	80-10-051	275-15-040	REP	80-02-136
248-23-060	NEW	80-03-079	248-84-050	AMD-P	80-10-051	275-15-050	REP	80-02-136
248-23-070	NEW	80-03-079	248-84-055	NEW-P	80-10-051	275-15-060	REP	80-02-136
248-29-001	NEW-P	80-03-102	248-84-060	AMD-P	80-10-051	275-15-070	REP	80-02-136
248-29-001	NEW	80-05-099	248-84-065	NEW-P	80-10-051	275-15-080	REP	80-02-136
248-29-010	NEW-P	80-03-102	248-84-070	AMD-P	80-10-051	275-15-100	REP	80-02-136
248-29-010	NEW	80-05-099	248-84-075	NEW-P	80-10-051	275-15-110	REP	80-02-136
248-29-020	NEW-P	80-03-102	248-84-080	NEW-P	80-10-051	275-15-120	REP	80-02-136
248-29-020	NEW	80-05-099	248-84-085	NEW-P	80-10-051	275-15-130	REP	80-02-136
248-29-030	NEW-P	80-03-102	248-84-090	NEW-P	80-10-051	275-15-140	REP	80-02-136
248-29-030	NEW	80-05-099	248-84-095	NEW-P	80-10-051	275-15-150	REP	80-02-136
248-29-040	NEW-P	80-03-102	248-84-100	NEW-P	80-10-051	275-15-160	REP	80-02-136
248-29-040	NEW	80-05-099	248-84-105	NEW-P	80-10-051	275-15-200	REP	80-02-136
248-29-050	NEW-P	80-03-102	248-84-110	NEW-P	80-10-051	275-15-205	REP	80-02-136
248-29-050	NEW	80-05-099	248-84-500	NEW-P	80-10-051	275-15-210	REP	80-02-136
248-29-060	NEW-P	80-03-102	248-84-900	NEW-P	80-10-051	275-15-215	REP	80-02-136
248-29-060	NEW	80-05-099	248-96-020	AMD-P	80-01-107	275-15-220	REP	80-02-136
248-29-070	NEW-P	80-03-102	248-96-020	AMD	80-04-038	275-15-225	REP	80-02-136
248-29-070	NEW	80-05-099	248-96-040	AMD-P	80-01-107	275-15-230	REP	80-02-136
248-29-080	NEW-P	80-03-102	248-96-040	AMD	80-04-038	275-15-235	REP	80-02-136
248-29-080	NEW	80-05-099	248-96-075	AMD-P	80-01-107	275-15-240	REP	80-02-136
248-29-090	NEW-P	80-03-102	248-96-075	AMD	80-04-038	275-15-245	REP	80-02-136
248-29-090	NEW	80-05-099	248-96-080	AMD-P	80-01-107	275-15-250	REP	80-02-136
248-30-010	REP-P	80-03-101	248-96-080	AMD	80-04-038	275-15-255	REP	80-02-136
248-30-010	REP-P	80-05-020	248-100-163	AMD-P	80-05-119	275-15-300	REP	80-02-136
248-30-010	REP	80-06-065	248-100-163	AMD-P	80-07-023	275-15-305	REP	80-02-136
248-30-020	REP-P	80-03-101	248-140-220	AMD-P	80-08-077	275-15-310	REP	80-02-136
248-30-020	REP-P	80-05-020	248-140-230	NEW-P	80-08-077	275-15-315	REP	80-02-136
248-30-020	REP	80-06-065	250-20-011	AMD-P	80-02-149	275-15-320	REP	80-02-136
248-30-030	REP-P	80-03-101	250-20-011	AMD	80-05-025	275-15-325	REP	80-02-136
248-30-030	REP-P	80-05-020	250-20-021	AMD-P	80-02-149	275-15-330	REP	80-02-136
248-30-030	REP	80-06-065	250-20-021	AMD	80-05-025	275-15-335	REP	80-02-136
248-30-040	REP-P	80-03-101	250-20-041	AMD-P	80-08-074	275-15-340	REP	80-02-136
248-30-040	REP-P	80-05-020	250-20-041	AMD-P	80-02-149	275-15-345	REP	80-02-136
248-30-040	REP	80-06-065	250-20-041	AMD	80-05-025	275-15-350	REP	80-02-136
248-30-050	REP-P	80-03-101	250-20-091	NEW-P	80-08-074	275-15-355	REP	80-02-136

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
275-39-645	NEW-P 80-10-050	275-120-085	REP-P 80-05-142	284-17-400	NEW 80-04-041
275-39-650	NEW-P 80-10-050	275-120-085	REP 80-09-069	284-17-410	NEW-P 80-02-103
275-39-655	NEW-P 80-10-050	275-120-090	REP-P 80-05-142	284-17-410	NEW-E 80-02-115
275-39-660	NEW-P 80-10-050	275-120-090	REP 80-09-069	284-17-410	NEW 80-04-041
275-39-665	NEW-P 80-10-050	275-120-095	REP-P 80-05-142	284-17-420	NEW-P 80-02-103
275-39-670	NEW-P 80-10-050	275-120-095	REP 80-09-069	284-17-420	NEW-E 80-02-115
275-39-675	NEW-P 80-10-050	275-120-100	REP-P 80-05-142	284-17-420	NEW 80-04-041
275-88-060	AMD-P 80-04-076	275-120-100	REP 80-09-069	284-20-005	AMD-P 80-02-089
275-88-060	AMD 80-06-067	275-120-105	REP-P 80-05-142	284-20-005	AMD 80-04-018
275-88-110	AMD-P 80-04-091	275-120-105	REP 80-09-069	284-23-400	NEW-P 80-03-076
275-88-110	AMD 80-06-068	275-120-110	REP-P 80-05-142	284-23-400	NEW 80-05-098
275-110	AMD-P 80-09-082	275-120-110	REP 80-09-069	284-23-410	NEW-P 80-03-076
275-110-010	NEW 80-02-109	275-120-115	REP-P 80-05-142	284-23-410	NEW 80-05-098
275-110-010	AMD-P 80-06-169	275-120-115	REP 80-09-069	284-23-420	NEW-P 80-03-076
275-110-010	AMD-E 80-08-060	275-120-120	REP-P 80-05-142	284-23-420	NEW 80-05-098
275-110-020	NEW 80-02-109	275-120-120	REP 80-09-069	284-23-430	NEW-P 80-03-076
275-110-020	AMD-P 80-06-169	275-120-125	REP-P 80-05-142	284-23-430	NEW 80-05-098
275-110-020	AMD-E 80-08-060	275-120-125	REP 80-09-069	284-23-440	NEW-P 80-03-076
275-110-030	NEW 80-02-109	275-120-130	REP-P 80-05-142	284-23-440	NEW 80-05-098
275-110-030	AMD-P 80-06-169	275-120-130	REP 80-09-069	284-23-450	NEW-P 80-03-076
275-110-030	AMD-E 80-08-060	275-120-135	REP-P 80-05-142	284-23-450	NEW 80-05-098
275-110-040	NEW 80-02-109	275-120-135	REP 80-09-069	284-23-460	NEW-P 80-03-076
275-110-040	AMD-P 80-06-169	275-120-140	REP-P 80-05-142	284-23-460	NEW 80-05-098
275-110-040	AMD-E 80-08-060	275-120-140	REP 80-09-069	284-23-470	NEW-P 80-03-076
275-110-050	NEW 80-02-109	275-120-145	REP-P 80-05-142	284-23-470	NEW 80-05-098
275-110-050	AMD-P 80-06-169	275-120-145	REP 80-09-069	284-23-480	NEW-P 80-03-076
275-110-050	AMD-E 80-08-060	275-120-150	REP-P 80-05-142	284-23-480	NEW 80-05-098
275-110-060	NEW 80-02-109	275-120-150	REP 80-09-069	284-23-490	NEW-P 80-03-076
275-110-060	AMD-P 80-06-169	275-150-010	NEW-P 80-05-103	284-23-490	NEW 80-05-098
275-110-060	AMD-E 80-08-060	275-150-010	NEW 80-09-020	284-23-500	NEW-P 80-03-076
275-110-070	NEW 80-02-109	275-150-020	NEW-P 80-05-103	284-23-500	NEW 80-05-098
275-110-070	AMD-P 80-06-169	275-150-020	NEW 80-09-020	284-23-510	NEW-P 80-03-076
275-110-070	AMD-E 80-08-060	275-150-030	NEW-P 80-05-103	284-23-510	NEW 80-05-098
275-110-080	NEW 80-02-109	275-150-030	NEW 80-09-020	284-23-520	NEW-P 80-03-076
275-110-080	AMD-P 80-06-169	275-150-040	NEW-P 80-05-103	284-23-520	NEW 80-05-098
275-110-080	AMD-E 80-08-060	275-150-040	NEW 80-09-020	284-23-530	NEW-P 80-03-076
275-110-090	NEW 80-02-109	275-150-050	NEW-P 80-05-103	284-23-530	NEW 80-05-098
275-110-090	AMD-P 80-06-169	275-150-050	NEW 80-09-020	289-13-090	AMD-P 80-02-161
275-110-090	AMD-E 80-08-060	275-150-060	NEW-P 80-05-103	289-13-090	AMD 80-04-113
275-110-100	NEW 80-02-109	275-150-060	NEW 80-09-020	289-13-100	NEW-P 80-02-161
275-110-100	AMD-P 80-06-169	275-150-070	NEW-P 80-05-103	289-13-100	NEW 80-04-113
275-110-100	AMD-E 80-08-060	275-150-070	NEW 80-09-020	289-13-105	NEW-E 80-08-038
275-110-110	NEW-P 80-06-169	275-150-080	NEW-P 80-05-103	289-13-105	NEW-P 80-10-038
275-110-110	NEW-E 80-08-060	275-150-080	NEW 80-09-020	289-13-110	NEW-P 80-02-161
275-120-010	REP-P 80-05-142	275-150-090	NEW-P 80-05-103	289-13-110	NEW 80-04-113
275-120-010	REP 80-09-069	275-150-090	NEW 80-09-020	289-13-120	NEW-P 80-02-161
275-120-015	REP-P 80-05-142	284-12-024	NEW-P 80-04-089	289-13-120	NEW 80-04-113
275-120-015	REP 80-09-069	284-12-024	NEW 80-06-039	289-13-130	NEW-P 80-02-161
275-120-020	REP-P 80-05-142	284-17-200	NEW-P 80-02-086	289-13-130	NEW 80-04-113
275-120-020	REP 80-09-069	284-17-200	NEW 80-04-042	289-13-140	NEW-P 80-02-161
275-120-025	REP-P 80-05-142	284-17-210	NEW-P 80-02-086	289-13-140	NEW 80-04-113
275-120-025	REP 80-09-069	284-17-210	NEW 80-04-042	289-13-150	NEW-P 80-02-161
275-120-030	REP-P 80-05-142	284-17-220	NEW-P 80-02-086	289-13-150	NEW 80-04-113
275-120-030	REP 80-09-069	284-17-220	NEW 80-04-042	289-13-160	NEW-P 80-02-161
275-120-035	REP-P 80-05-142	284-17-230	NEW-P 80-02-086	289-13-160	NEW 80-04-113
275-120-035	REP 80-09-069	284-17-230	NEW 80-04-042	289-13-170	NEW-P 80-02-161
275-120-040	REP-P 80-05-142	284-17-240	NEW-P 80-02-086	289-13-170	NEW 80-04-113
275-120-040	REP 80-09-069	284-17-240	NEW 80-04-042	289-13-180	NEW-P 80-02-161
275-120-045	REP-P 80-05-142	284-17-250	NEW-P 80-02-086	289-13-180	NEW 80-04-113
275-120-045	REP 80-09-069	284-17-250	NEW 80-04-042	289-13-190	NEW-P 80-02-161
275-120-050	REP-P 80-05-142	284-17-260	NEW-P 80-02-086	289-13-190	NEW 80-04-113
275-120-050	REP 80-09-069	284-17-260	NEW 80-04-042	289-13-200	NEW-P 80-02-161
275-120-055	REP-P 80-05-142	284-17-270	NEW-P 80-02-086	289-13-200	NEW 80-04-113
275-120-055	REP 80-09-069	284-17-270	NEW 80-04-042	289-13-210	NEW-P 80-02-161
275-120-060	REP-P 80-05-142	284-17-280	NEW-P 80-02-086	289-13-210	NEW 80-04-113
275-120-060	REP 80-09-069	284-17-280	NEW 80-04-042	289-13-220	NEW 80-04-113
275-120-065	REP-P 80-05-142	284-17-290	NEW-P 80-02-086	289-13-230	NEW 80-04-113
275-120-065	REP 80-09-069	284-17-290	NEW 80-04-042	296-04-005	AMD 80-03-004
275-120-070	REP-P 80-05-142	284-17-300	NEW-P 80-02-086	296-04-015	AMD 80-03-004
275-120-070	REP 80-09-069	284-17-300	NEW 80-04-042	296-04-050	AMD 80-03-004
275-120-075	REP-P 80-05-142	284-17-310	NEW 80-04-042	296-04-270	AMD 80-03-004
275-120-075	REP 80-09-069	284-17-320	NEW 80-04-042	296-04-295	AMD 80-03-004
275-120-080	REP-P 80-05-142	284-17-400	NEW-P 80-02-103	296-04-490	REP 80-03-004
275-120-080	REP 80-09-069	284-17-400	NEW-E 80-02-115	296-11-001	AMD-P 80-01-102

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296-11-002	REP-P	80-01-102	296-54-535	AMD-E	80-05-058	296-62-07335	REP-E	80-06-150
296-11-002	REP	80-03-081	296-54-535	AMD-E	80-09-062	296-62-07341	AMD-P	80-03-082
296-24-015	AMD-P	80-10-045	296-54-539	AMD-E	80-02-030	296-62-07345	AMD-P	80-03-082
296-24-023	NEW-E	80-03-078	296-54-539	AMD-P	80-03-082	296-62-07349	NEW-P	80-03-082
296-24-023	NEW-P	80-03-082	296-54-539	AMD-E	80-05-058	296-62-07349	NEW-E	80-03-099
296-24-045	AMD-P	80-10-044	296-54-539	AMD-E	80-09-062	296-62-07349	NEW-E	80-06-136
296-24-060	AMD-P	80-10-044	296-54-543	AMD-E	80-02-030	296-62-07501	AMD-P	80-03-082
296-24-08103	AMD-P	80-03-082	296-54-543	AMD-P	80-03-082	296-62-07503	AMD-P	80-03-082
296-24-08107	AMD-P	80-03-082	296-54-543	AMD-E	80-05-058	296-62-07505	AMD-P	80-03-082
296-24-08109	AMD-P	80-03-082	296-54-543	AMD-E	80-09-062	296-62-07507	AMD-P	80-03-082
296-24-12007	AMD-P	80-10-045	296-54-549	AMD-E	80-02-030	296-62-07509	AMD-P	80-03-082
296-24-12009	AMD-P	80-10-045	296-54-549	AMD-P	80-03-082	296-62-07510	NEW-P	80-03-082
296-24-19507	AMD-P	80-10-045	296-54-549	AMD-E	80-05-058	296-62-07511	AMD-P	80-03-082
296-24-20533	AMD-P	80-10-045	296-54-549	AMD-E	80-09-062	296-62-07513	AMD-P	80-03-082
296-24-217	NEW-P	80-10-044	296-54-551	AMD-E	80-02-030	296-62-07515	AMD-P	80-03-082
296-24-21701	NEW-P	80-10-044	296-54-551	AMD-P	80-03-082	296-62-07517	AMD-P	80-03-082
296-24-21703	NEW-P	80-10-044	296-54-551	AMD-E	80-05-058	296-62-09005	AMD-P	80-03-082
296-24-21705	NEW-P	80-10-044	296-54-551	AMD-E	80-09-062	296-62-09011	AMD-P	80-03-082
296-24-21707	NEW-P	80-10-044	296-54-555	AMD-E	80-02-030	296-62-11001	AMD-P	80-03-082
296-24-21709	NEW-P	80-10-044	296-54-555	AMD-P	80-03-082	296-62-11001	AMD-P	80-10-045
296-24-21711	NEW-P	80-10-044	296-54-555	AMD-E	80-05-058	296-62-11015	AMD-P	80-03-082
296-24-23509	AMD-P	80-10-045	296-54-555	AMD-E	80-09-062	296-62-11021	AMD-P	80-03-082
296-24-23515	AMD-P	80-10-045	296-54-557	AMD-E	80-02-030	296-62-14501	AMD-P	80-03-082
296-24-23525	AMD-P	80-10-045	296-54-557	AMD-P	80-03-082	296-62-14507	AMD-P	80-03-082
296-24-29413	AMD-P	80-10-045	296-54-557	AMD-E	80-05-058	296-62-14531	AMD-P	80-03-082
296-24-33001	AMD-P	80-10-045	296-54-557	AMD-E	80-09-062	296-62-14533	NEW-P	80-10-045
296-24-47513	AMD-P	80-10-045	296-54-563	AMD-E	80-02-030	296-62-14535	NEW-P	80-10-045
296-24-51009	AMD-P	80-10-045	296-54-563	AMD-P	80-03-082	296-62-900	REP-P	80-03-082
296-24-51013	AMD-P	80-10-045	296-54-563	AMD-E	80-05-058	296-62-901	REP-P	80-03-082
296-24-51017	AMD-P	80-10-045	296-54-563	AMD-E	80-09-062	296-62-902	REP-P	80-03-082
296-24-51021	AMD-P	80-10-045	296-54-575	AMD-E	80-02-030	296-62-903	REP-P	80-03-082
296-24-65501	AMD-P	80-10-045	296-54-575	AMD-P	80-03-082	296-62-904	REP-P	80-03-082
296-24-81011	AMD-P	80-10-045	296-54-575	AMD-E	80-05-058	296-62-905	REP-P	80-03-082
296-24-82515	AMD-P	80-03-082	296-54-575	AMD-E	80-09-062	296-62-906	REP-P	80-03-082
296-24-82521	AMD-P	80-03-082	296-54-593	AMD-E	80-02-030	296-62-907	REP-P	80-03-082
296-24-955	AMD-P	80-10-045	296-54-593	AMD-P	80-03-082	296-62-908	REP-P	80-03-082
296-54-505	AMD-E	80-02-030	296-54-593	AMD-E	80-05-058	296-79-140	AMD-P	80-10-045
296-54-505	AMD-P	80-03-082	296-54-593	AMD-E	80-09-062	296-79-170	AMD-P	80-10-045
296-54-505	AMD-E	80-05-058	296-54-595	AMD-E	80-02-030	296-79-180	AMD-P	80-10-045
296-54-505	AMD-E	80-09-062	296-54-595	AMD-P	80-03-082	296-79-220	AMD-P	80-10-045
296-54-507	AMD-E	80-02-030	296-54-595	AMD-E	80-05-058	296-79-29029	AMD-P	80-10-045
296-54-507	AMD-P	80-03-082	296-54-595	AMD-E	80-09-062	296-79-300	AMD-P	80-10-045
296-54-507	AMD-E	80-05-058	296-54-601	AMD-E	80-02-030	296-104-200	AMD-P	80-02-104
296-54-507	AMD-E	80-09-062	296-54-601	AMD-P	80-03-082	296-104-200	AMD	80-05-065
296-54-511	AMD-E	80-02-030	296-54-601	AMD-E	80-05-058	296-104-201	NEW-P	80-05-089
296-54-511	AMD-P	80-03-082	296-54-601	AMD-E	80-09-062	296-115	NEW-E	80-06-076
296-54-511	AMD-E	80-05-058	296-62-020	AMD-P	80-10-045	296-115-001	NEW-E	80-06-076
296-54-511	AMD-E	80-09-062	296-62-060	AMD-E	80-03-078	296-115-001	NEW-P	80-10-045
296-54-515	AMD-E	80-02-030	296-62-060	AMD-P	80-03-082	296-115-005	NEW-E	80-06-076
296-54-515	AMD-P	80-03-082	296-62-060	AMD-E	80-06-135	296-115-005	NEW-P	80-10-045
296-54-515	AMD-E	80-05-058	296-62-073	AMD-P	80-10-045	296-115-010	NEW-E	80-06-076
296-54-515	AMD-E	80-09-062	296-62-07301	REP-P	80-10-045	296-115-010	NEW-P	80-10-045
296-54-517	AMD-E	80-02-030	296-62-07302	NEW-P	80-10-045	296-115-015	NEW-E	80-06-076
296-54-517	AMD-P	80-03-082	296-62-07303	REP-P	80-10-045	296-115-015	NEW-P	80-10-045
296-54-517	AMD-E	80-05-058	296-62-07304	NEW-P	80-10-045	296-115-025	NEW-E	80-06-076
296-54-517	AMD-E	80-09-062	296-62-07305	REP-P	80-10-045	296-115-025	NEW-P	80-10-045
296-54-519	AMD-E	80-02-030	296-62-07306	NEW-P	80-10-045	296-115-030	NEW-E	80-06-076
296-54-519	AMD-P	80-03-082	296-62-07307	REP-P	80-10-045	296-115-030	NEW-P	80-10-045
296-54-519	AMD-E	80-05-058	296-62-07308	NEW-P	80-10-045	296-115-035	NEW-E	80-06-076
296-54-519	AMD-E	80-09-062	296-62-07309	REP-P	80-10-045	296-115-035	NEW-P	80-10-045
296-54-527	AMD-E	80-02-030	296-62-07310	NEW-P	80-10-045	296-115-040	NEW-E	80-06-076
296-54-527	AMD-P	80-03-082	296-62-07311	REP-P	80-10-045	296-115-040	NEW-P	80-10-045
296-54-527	AMD-E	80-05-058	296-62-07312	NEW-P	80-10-045	296-115-050	NEW-E	80-06-076
296-54-527	AMD-E	80-09-062	296-62-07313	REP-P	80-10-045	296-115-050	NEW-P	80-10-045
296-54-529	AMD-E	80-02-030	296-62-07314	NEW-P	80-10-045	296-115-060	NEW-E	80-06-076
296-54-529	AMD-P	80-03-082	296-62-07315	REP-P	80-10-045	296-115-060	NEW-P	80-10-045
296-54-529	AMD-E	80-05-058	296-62-07317	REP-P	80-10-045	296-115-070	NEW-E	80-06-076
296-54-529	AMD-E	80-09-062	296-62-07319	REP-P	80-10-045	296-115-070	NEW-P	80-10-045
296-54-531	AMD-E	80-02-030	296-62-07321	REP-P	80-10-045	296-115-100	NEW-E	80-06-076
296-54-531	AMD-P	80-03-082	296-62-07323	REP-P	80-10-045	296-115-100	NEW-P	80-10-045
296-54-531	AMD-E	80-05-058	296-62-07325	REP-P	80-10-045	296-115-120	NEW-E	80-06-076
296-54-531	AMD-E	80-09-062	296-62-07327	REP-P	80-10-045	296-115-120	NEW-P	80-10-045
296-54-535	AMD-E	80-02-030	296-62-07335	REP-P	80-03-082	296-116-040	REP-P	80-01-102

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296-116-080	AMD-P	80-01-102	296-401-080	NEW	80-02-052	308-54-225	AMD-P	80-05-059
296-116-080	AMD	80-03-081	296-401-090	NEW	80-02-052	308-54-225	AMD	80-08-066
296-116-082	NEW-P	80-01-102	296-401-100	NEW	80-02-052	308-54-320	NEW-P	80-02-166
296-116-082	NEW	80-03-081	296-401-110	NEW	80-02-052	308-54-320	NEW	80-04-057
296-116-090	REP-P	80-01-102	296-401-120	NEW	80-02-052	308-55-010	NEW-P	80-05-139
296-116-090	REP	80-03-081	296-401-130	NEW	80-02-052	308-55-010	NEW	80-08-003
296-116-095	REP-P	80-01-102	296-401-140	NEW	80-02-052	308-61-110	AMD	80-02-053
296-116-095	REP	80-03-081	296-401-150	NEW	80-02-052	308-61-155	AMD	80-02-053
296-116-100	REP-P	80-01-102	296-401-160	NEW	80-02-052	308-96A-400	NEW-E	80-09-068
296-116-100	REP	80-03-081	296-401-170	NEW	80-02-052	308-97-230	NEW-E	80-09-108
296-116-105	REP-P	80-01-102	296-401-180	NEW	80-02-052	308-97-230	NEW-P	80-09-110
296-116-105	REP	80-03-081	304-25	AMD	80-02-041	308-120-100	AMD-P	80-02-091
296-116-110	AMD-P	80-01-102	304-25-010	AMD	80-02-041	308-120-100	AMD	80-04-072
296-116-110	AMD	80-03-081	304-25-020	AMD	80-02-041	308-120-120	REP-P	80-02-091
296-116-130	AMD-P	80-01-102	304-25-030	AMD	80-02-041	308-120-120	REP	80-04-072
296-116-130	AMD	80-03-081	304-25-040	AMD	80-02-041	308-120-130	REP-P	80-02-091
296-116-160	REP-P	80-01-102	304-25-050	AMD	80-02-041	308-120-130	REP	80-04-072
296-116-160	REP	80-03-081	304-25-060	AMD	80-02-041	308-120-140	REP-P	80-02-091
296-116-180	REP-P	80-01-102	304-25-070	REP	80-02-041	308-120-140	REP	80-04-072
296-116-180	REP	80-03-081	304-25-080	REP	80-02-041	308-120-205	NEW-P	80-02-091
296-116-185	REP-P	80-01-102	304-25-090	AMD	80-02-041	308-120-206	NEW-P	80-02-091
296-116-185	AMD	80-03-081	304-25-100	AMD	80-02-041	308-120-207	NEW-P	80-02-091
296-116-190	REP-P	80-01-102	304-25-110	AMD	80-02-041	308-120-208	NEW-P	80-02-091
296-116-190	REP	80-03-081	304-25-120	AMD	80-02-041	308-120-209	NEW-P	80-02-091
296-116-210	REP-P	80-01-102	304-25-510	NEW	80-02-041	308-120-210	NEW-P	80-02-091
296-116-210	REP	80-03-081	304-25-520	NEW	80-02-041	308-120-211	NEW-P	80-02-091
296-116-220	REP-P	80-01-102	304-25-530	NEW	80-02-041	308-120-212	NEW-P	80-02-091
296-116-220	REP	80-03-081	304-25-540	NEW	80-02-041	308-120-213	NEW-P	80-02-091
296-116-300	AMD-P	80-03-097	304-25-550	NEW	80-02-041	308-120-214	NEW-P	80-02-091
296-116-300	AMD-P	80-05-021	304-25-555	NEW	80-02-041	308-120-215	NEW-P	80-02-091
296-116-300	AMD	80-06-084	304-25-560	NEW	80-02-041	308-120-216	NEW-P	80-02-091
296-116-300	AMD-E	80-06-085	304-25-570	NEW	80-02-041	308-120-217	NEW-P	80-02-091
296-116-310	REP-P	80-01-102	304-25-580	NEW	80-02-041	308-120-218	NEW-P	80-02-091
296-116-310	REP	80-03-081	304-25-590	NEW	80-02-041	308-120-219	NEW-P	80-02-091
296-116-320	AMD-P	80-01-102	308-04-010	AMD-P	80-09-107	308-120-220	NEW-P	80-02-091
296-116-320	AMD	80-03-081	308-13-010	AMD-P	80-03-058	308-120-221	NEW-P	80-02-091
296-116-351	REP	80-03-081	308-13-010	AMD	80-05-141	308-120-222	NEW-P	80-02-091
296-155-005	AMD-P	80-10-045	308-13-030	AMD-P	80-03-058	308-120-505	NEW	80-04-072
296-306-147	NEW-P	80-03-082	308-13-030	AMD	80-05-141	308-120-506	NEW	80-04-072
296-350-010	AMD-P	80-10-045	308-13-040	AMD-P	80-03-058	308-120-507	NEW	80-04-072
296-350-030	AMD-P	80-10-045	308-13-040	AMD	80-05-141	308-120-508	NEW	80-04-072
296-350-255	AMD-P	80-10-045	308-13-080	AMD-P	80-03-058	308-120-509	NEW	80-04-072
296-350-280	AMD-P	80-10-045	308-13-080	AMD	80-05-141	308-120-510	NEW	80-04-072
296-350-35010	AMD-P	80-10-045	308-16-350	AMD	80-02-079	308-120-511	NEW	80-04-072
296-350-35030	AMD-P	80-10-045	308-36-050	AMD-P	80-01-104	308-120-512	NEW	80-04-072
296-350-35035	AMD-P	80-10-045	308-36-050	AMD	80-03-063	308-120-513	NEW	80-04-072
296-350-35045	AMD-P	80-10-045	308-36-055	NEW-P	80-03-094	308-120-514	NEW	80-04-072
296-350-35050	AMD-P	80-10-045	308-36-065	NEW	80-05-063	308-120-515	NEW	80-04-072
296-350-35055	AMD-P	80-10-045	308-40-101	AMD-P	80-03-094	308-120-516	NEW	80-04-072
296-350-35060	AMD-P	80-10-045	308-40-101	AMD	80-05-063	308-120-517	NEW	80-04-072
296-350-460	AMD-P	80-10-045	308-40-105	NEW-P	80-03-094	308-120-518	NEW	80-04-072
296-350-470	AMD-P	80-10-045	308-40-105	NEW	80-05-063	308-120-519	NEW	80-04-072
296-350-500	AMD-P	80-10-045	308-42-055	NEW-P	80-10-039	308-120-520	NEW	80-04-072
296-350-990	AMD-P	80-10-045	308-42-120	NEW-P	80-02-166	308-120-521	NEW	80-04-072
296-360-005	NEW-P	80-10-045	308-42-120	NEW	80-04-057	308-120-522	NEW	80-04-072
296-360-010	NEW-P	80-10-045	308-51-130	AMD	80-04-012	308-122-040	NEW	80-02-114
296-360-020	NEW-P	80-10-045	308-52-139	AMD-P	80-10-031	308-122-050	NEW	80-02-114
296-360-030	NEW-P	80-10-045	308-52-145	NEW-P	80-10-031	308-122-220	AMD-P	80-04-068
296-360-040	NEW-P	80-10-045	308-53-145	NEW-P	80-01-103	308-122-220	AMD	80-07-010
296-360-050	NEW-P	80-10-045	308-53-145	NEW	80-04-054	308-122-410	AMD-P	80-04-068
296-360-060	NEW-P	80-10-045	308-53-146	NEW-P	80-01-103	308-122-410	AMD	80-07-010
296-360-070	NEW-P	80-10-045	308-53-146	NEW	80-04-054	308-150-006	NEW-P	80-06-153
296-360-080	NEW-P	80-10-045	308-53-280	NEW-P	80-01-103	308-150-006	NEW	80-09-106
296-360-090	NEW-P	80-10-045	308-53-280	NEW	80-04-054	308-150-007	NEW-P	80-06-153
296-360-100	NEW-P	80-10-045	308-54-150	AMD-P	80-02-163	308-150-007	NEW	80-09-106
296-360-110	NEW-P	80-10-045	308-54-150	AMD	80-04-069	308-150-008	NEW-P	80-06-153
296-360-120	NEW-P	80-10-045	308-54-160	AMD-P	80-05-059	308-150-008	NEW	80-09-106
296-360-130	NEW-P	80-10-045	308-54-160	AMD	80-08-066	308-150-009	NEW-P	80-06-153
296-360-140	NEW-P	80-10-045	308-54-170	AMD-P	80-05-059	308-150-009	NEW	80-09-106
296-360-150	NEW-P	80-10-045	308-54-170	AMD	80-08-066	308-150-010	REP-P	80-03-092
296-360-160	NEW-P	80-10-045	308-54-180	AMD-P	80-05-059	308-150-010	REP-P	80-06-153
296-360-170	NEW-P	80-10-045	308-54-180	AMD	80-08-066	308-150-010	REP	80-09-106
296-401-060	NEW	80-02-052	308-54-190	REP-P	80-05-059	308-150-011	NEW-P	80-06-153

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308-150-012	NEW-P 80-06-153	314-52-111	AMD-P 80-05-080	332-30-139	NEW 80-09-005
308-150-012	NEW 80-09-106	314-52-111	AMD 80-09-078	332-30-142	NEW-P 80-05-113
308-150-013	NEW-P 80-06-153	314-52-112	AMD-P 80-05-080	332-30-142	NEW 80-09-005
308-150-015	REP-P 80-03-092	314-52-112	AMD 80-09-078	332-30-145	NEW-P 80-05-113
308-150-015	REP-P 80-06-153	314-52-113	AMD-P 80-05-080	332-30-145	NEW 80-09-005
308-150-015	REP 80-09-106	314-52-113	AMD 80-09-078	332-30-148	NEW-P 80-05-113
308-150-020	REP-P 80-03-092	314-52-115	AMD-P 80-05-080	332-30-148	NEW 80-09-005
308-150-020	REP-P 80-06-153	314-52-115	AMD 80-09-078	332-30-151	NEW-P 80-05-113
308-150-020	REP 80-09-106	314-52-120	AMD-P 80-05-080	332-30-151	NEW 80-09-005
308-150-025	REP-P 80-06-153	314-52-120	AMD 80-09-078	332-30-154	NEW-P 80-05-113
308-150-025	REP 80-09-106	320-20	NEW-P 80-08-065	332-30-154	NEW 80-09-005
308-150-040	REP-P 80-03-092	320-20-010	NEW-P 80-05-140	332-30-157	NEW-P 80-05-113
308-150-040	REP-P 80-06-153	320-20-020	NEW-P 80-05-140	332-30-157	NEW 80-09-005
308-150-040	REP 80-09-106	320-20-030	NEW-P 80-05-140	332-30-160	NEW-P 80-05-113
308-150-060	NEW-P 80-06-153	320-20-040	NEW-P 80-05-140	332-30-160	NEW 80-09-005
308-150-060	NEW 80-09-106	320-20-050	NEW-P 80-05-140	332-30-163	NEW-P 80-05-113
308-150-061	NEW-P 80-06-153	320-20-060	NEW-P 80-05-140	332-30-163	NEW 80-09-005
308-150-061	NEW 80-09-106	320-20-070	NEW-P 80-05-140	332-30-166	NEW-P 80-05-113
308-150-062	NEW-P 80-06-153	320-20-080	NEW-P 80-05-140	332-30-166	NEW 80-09-005
308-150-062	NEW 80-09-106	320-20-090	NEW-P 80-05-140	332-30-169	NEW-P 80-05-113
308-150-070	NEW-P 80-03-092	332-10-150	NEW-E 80-04-066	332-30-169	NEW 80-09-005
308-150-070	NEW-P 80-06-153	332-10-160	NEW-E 80-04-066	332-44-100	NEW-E 80-08-060
308-150-070	NEW 80-09-106	332-10-170	NEW-E 80-04-066	332-44-100	NEW-E 80-08-012
308-150-080	NEW-P 80-03-092	332-10-180	NEW-E 80-04-066	332-44-110	NEW-E 80-06-060
308-150-090	NEW-P 80-03-092	332-10-190	NEW-E 80-04-066	332-44-110	NEW-E 80-08-012
308-150-100	NEW-P 80-03-092	332-12-010	AMD-E 80-07-003	332-44-120	NEW-E 80-06-060
308-150-110	NEW-P 80-03-092	332-12-020	AMD-E 80-07-003	332-100	AMD-P 80-10-037
308-150-120	NEW-P 80-03-092	332-12-060	AMD-E 80-07-003	332-100-030	AMD-P 80-06-139
308-150-130	NEW-P 80-03-092	332-24-061	REP-P 80-09-030	332-100-050	NEW-P 80-06-139
308-150-140	NEW-P 80-03-092	332-24-090	AMD-E 80-04-003	332-100-060	NEW-P 80-06-139
308-150-150	NEW-P 80-03-092	332-24-090	AMD-E 80-05-015	352-04-010	AMD-P 80-10-034
308-150-160	NEW-P 80-03-092	332-26-010	NEW-E 80-09-008	352-32-010	AMD-P 80-02-176
308-150-170	NEW-P 80-03-092	332-26-020	NEW-E 80-09-008	352-32-010	AMD 80-05-007
308-150-200	NEW-P 80-03-092	332-26-040	NEW-E 80-09-008	352-32-010	AMD-P 80-10-056
308-150-210	NEW-P 80-03-092	332-26-050	NEW-E 80-09-008	352-32-030	AMD-P 80-02-176
308-150-220	NEW-P 80-03-092	332-26-060	NEW-E 80-09-008	352-32-030	AMD 80-05-007
308-150-230	NEW-P 80-03-092	332-30	NEW-P 80-02-015	352-32-035	NEW-P 80-02-175
308-150-240	NEW-P 80-03-092	332-30	NEW-P 80-03-002	352-32-035	NEW 80-05-006
308-151-080	NEW-P 80-03-092	332-30	NEW-P 80-04-001	352-32-036	NEW-P 80-10-056
308-151-080	NEW 80-05-032	332-30	NEW-P 80-04-067	352-32-037	NEW-P 80-10-056
308-151-090	NEW-P 80-03-092	332-30-100	NEW-P 80-05-113	352-32-045	AMD-P 80-02-176
308-151-090	NEW 80-05-032	332-30-100	NEW 80-09-005	352-32-045	AMD 80-05-007
308-151-100	NEW-P 80-03-092	332-30-103	NEW-P 80-05-113	352-32-050	AMD-P 80-02-176
308-151-100	NEW 80-05-032	332-30-103	NEW 80-09-005	352-32-050	AMD 80-05-007
314-08-410	AMD-P 80-09-087	332-30-106	NEW-P 80-05-113	352-32-250	AMD-P 80-02-176
314-16-040	AMD-P 80-02-035	332-30-106	NEW 80-09-005	352-32-250	AMD 80-05-007
314-16-040	AMD 80-02-094	332-30-107	NEW 80-09-005	352-48-010	NEW-P 80-08-070
314-52	AMD-P 80-07-018	332-30-109	NEW-P 80-05-113	352-48-020	NEW-P 80-08-070
314-52	AMD-P 80-08-007	332-30-109	NEW 80-09-005	352-48-030	NEW-P 80-08-070
314-52-005	AMD-P 80-05-080	332-30-112	NEW-P 80-05-113	352-48-040	NEW-P 80-08-070
314-52-005	AMD 80-09-078	332-30-112	NEW 80-09-005	352-48-050	NEW-P 80-08-070
314-52-010	AMD-P 80-05-080	332-30-115	NEW-P 80-05-113	352-48-060	NEW-P 80-08-070
314-52-010	AMD 80-09-078	332-30-115	NEW 80-09-005	352-48-070	NEW-P 80-08-070
314-52-015	AMD-P 80-05-080	332-30-118	NEW-P 80-05-113	352-48-080	NEW-P 80-08-070
314-52-015	AMD 80-09-078	332-30-118	NEW 80-09-005	356-06-010	AMD-P 80-05-111
314-52-020	AMD-P 80-05-080	332-30-119	NEW-P 80-03-001	356-06-010	AMD-P 80-07-033
314-52-020	AMD 80-09-078	332-30-119	NEW-P 80-04-062	356-06-010	AMD 80-09-010
314-52-030	AMD-P 80-05-080	332-30-119	NEW-P 80-05-114	356-06-010	AMD-P 80-10-021
314-52-030	AMD-P 80-08-007	332-30-119	NEW 80-08-071	356-06-020	AMD-P 80-04-075
314-52-030	AMD 80-09-078	332-30-121	NEW-P 80-05-113	356-06-020	AMD 80-06-032
314-52-040	AMD-P 80-05-080	332-30-121	NEW 80-09-005	356-06-040	AMD-P 80-02-137
314-52-040	AMD 80-09-078	332-30-124	NEW-P 80-05-113	356-06-040	AMD 80-04-025
314-52-050	AMD-P 80-05-080	332-30-124	NEW 80-09-005	356-10-050	AMD-P 80-06-132
314-52-050	AMD 80-09-078	332-30-125	NEW-P 80-05-113	356-10-050	AMD-P 80-10-033
314-52-060	AMD-P 80-05-080	332-30-125	NEW 80-09-005	356-10-060	AMD-P 80-06-132
314-52-060	AMD 80-09-078	332-30-127	NEW-P 80-05-113	356-10-060	AMD-P 80-10-033
314-52-070	AMD-P 80-05-080	332-30-127	NEW 80-09-005	356-14-140	AMD-P 80-02-038
314-52-070	AMD 80-09-078	332-30-130	NEW-P 80-05-113	356-14-140	AMD 80-03-024
314-52-080	AMD-P 80-05-080	332-30-130	NEW 80-09-005	356-15-050	AMD-P 80-02-039
314-52-080	AMD 80-09-078	332-30-133	NEW-P 80-05-113	356-15-120	AMD-P 80-02-039
314-52-090	AMD-P 80-05-080	332-30-133	NEW 80-09-005	356-15-120	AMD-P 80-04-075
314-52-090	AMD 80-09-078	332-30-136	NEW-P 80-05-113	356-15-120	AMD-P 80-06-031
314-52-110	AMD-P 80-05-080	332-30-136	NEW 80-09-005	356-15-120	AMD-P 80-10-021

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
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356-18-020	AMD-P	80-02-039	360-18-020	NEW	80-05-074	365-31-370	REP-E	80-03-011
356-18-025	AMD-P	80-02-039	360-18-020	AMD	80-08-035	365-31-370	REP	80-05-023
356-18-030	AMD-P	80-02-039	360-18-030	NEW-P	80-03-091	365-31-410	REP-P	80-02-122
356-18-040	AMD-P	80-02-039	360-18-030	NEW	80-05-074	365-31-410	REP-E	80-03-011
356-18-070	AMD	80-02-037	360-18-040	NEW-P	80-03-091	365-31-410	REP	80-05-023
356-18-090	AMD-P	80-02-039	360-25-001	REP-P	80-03-091	365-31-420	REP-P	80-02-122
356-18-150	AMD-P	80-06-132	360-25-001	REP	80-05-074	365-31-420	REP-E	80-03-011
356-18-150	AMD-P	80-10-033	360-36-010	AMD-P	80-03-091	365-31-420	REP	80-05-023
356-22-030	AMD-P	80-02-038	360-36-010	AMD	80-05-074	365-31-430	REP-P	80-02-122
356-22-130	AMD-P	80-03-077	360-36-100	REP-P	80-10-040	365-31-430	REP-E	80-03-011
356-22-130	AMD-P	80-04-086	360-36-105	NEW-P	80-10-040	365-31-430	REP	80-05-023
356-22-130	AMD	80-06-033	360-36-110	REP-P	80-10-040	365-31-440	REP-P	80-02-122
356-26-030	AMD-P	80-02-038	360-36-120	REP-P	80-10-040	365-31-440	REP-E	80-03-011
356-26-030	AMD-P	80-02-137	360-36-130	REP-P	80-10-040	365-31-440	REP	80-05-023
356-26-030	AMD-P	80-04-024	360-36-140	REP-P	80-10-040	365-31-450	REP-P	80-02-122
356-26-030	AMD-P	80-06-132	360-36-230	AMD-P	80-03-091	365-31-450	REP-E	80-03-011
356-26-030	AMD-P	80-10-033	360-36-230	AMD	80-05-074	365-31-450	REP	80-05-023
356-26-060	AMD-P	80-02-137	360-49-040	NEW	80-02-113	365-31-460	REP-P	80-02-122
356-26-060	AMD	80-04-025	360-49-040	AMD-P	80-10-040	365-31-460	REP-E	80-03-011
356-26-060	AMD-P	80-10-021	360-52-060	AMD	80-02-113	365-31-460	REP	80-05-023
356-30-070	AMD-P	80-02-137	360-52-070	AMD-P	80-02-112	365-31-470	REP-P	80-02-122
356-30-070	AMD	80-04-025	360-52-070	AMD-P	80-02-164	365-31-470	REP-E	80-03-011
356-30-146	AMD-P	80-02-137	365-31-010	AMD-P	80-02-122	365-31-470	REP	80-05-023
356-30-146	AMD	80-04-025	365-31-010	AMD-E	80-03-011	365-33-730	REP-P	80-02-122
356-30-320	AMD-P	80-06-132	365-31-010	AMD	80-05-023	365-33-730	REP-E	80-03-011
356-30-320	AMD-P	80-10-033	365-31-020	AMD-P	80-02-122	365-33-730	REP	80-05-023
356-30-330	AMD-P	80-04-075	365-31-020	AMD-E	80-03-011	365-33-740	REP-P	80-02-122
356-30-330	AMD-P	80-06-030	365-31-020	AMD	80-05-023	365-33-740	REP-E	80-03-011
356-34-180	AMD-P	80-10-033	365-31-110	AMD-P	80-02-122	365-33-740	REP	80-05-023
356-34-220	AMD-P	80-10-033	365-31-110	AMD-E	80-03-011	365-33-750	REP-P	80-02-122
356-39-060	AMD-P	80-10-033	365-31-110	AMD	80-05-023	365-33-750	REP-E	80-03-011
356-39-070	AMD-P	80-10-033	365-31-111	NEW-P	80-02-122	365-33-750	REP	80-05-023
356-39-090	AMD-P	80-10-033	365-31-111	NEW-E	80-03-011	365-33-760	REP-P	80-02-122
356-42-010	AMD-P	80-05-111	365-31-111	NEW	80-05-023	365-33-760	REP-E	80-03-011
356-42-010	AMD-P	80-07-033	365-31-120	AMD-P	80-02-122	365-33-760	REP	80-05-023
356-42-010	AMD-P	80-10-021	365-31-120	AMD-E	80-03-011	365-35-010	REP-P	80-02-122
356-42-020	AMD-P	80-10-021	365-31-120	AMD	80-05-023	365-35-010	REP-E	80-03-011
356-46-060	AMD-P	80-04-075	365-31-130	AMD-P	80-02-122	365-35-010	REP	80-05-023
356-46-060	AMD	80-06-033	365-31-130	AMD-E	80-03-011	365-35-900	REP-P	80-02-122
360-11-010	AMD-P	80-04-071	365-31-130	AMD	80-05-023	365-35-900	REP-E	80-03-011
360-11-010	AMD-P	80-06-077	365-31-150	AMD-P	80-02-122	365-35-900	REP	80-05-023
360-11-010	AMD	80-08-036	365-31-150	AMD-E	80-03-011	365-37-010	REP-P	80-02-122
360-11-023	NEW-P	80-04-071	365-31-150	AMD	80-05-023	365-37-010	REP-E	80-03-011
360-11-023	NEW-P	80-06-077	365-31-160	AMD-P	80-02-122	365-37-010	REP	80-05-023
360-11-023	NEW	80-08-036	365-31-160	AMD-E	80-03-011	365-37-110	REP-P	80-02-122
360-11-027	NEW-P	80-04-071	365-31-160	AMD	80-05-023	365-37-110	REP-E	80-03-011
360-11-027	NEW-P	80-06-077	365-31-170	AMD-P	80-02-122	365-37-110	REP	80-05-023
360-11-027	NEW	80-08-036	365-31-170	AMD-E	80-03-011	365-37-120	REP-P	80-02-122
360-11-030	AMD-P	80-04-071	365-31-170	AMD	80-05-023	365-37-120	REP-E	80-03-011
360-11-030	AMD-P	80-06-077	365-31-180	REP-P	80-02-122	365-37-120	REP	80-05-023
360-11-033	NEW-P	80-04-071	365-31-180	REP-E	80-03-011	365-37-130	REP-P	80-02-122
360-11-033	NEW-P	80-06-077	365-31-180	REP	80-05-023	365-37-130	REP-E	80-03-011
360-11-033	NEW	80-08-036	365-31-210	AMD-P	80-02-122	365-37-130	REP	80-05-023
360-11-037	NEW-P	80-04-071	365-31-210	AMD-E	80-03-011	365-37-210	REP-P	80-02-122
360-11-037	NEW-P	80-06-077	365-31-210	AMD	80-05-023	365-37-210	REP-E	80-03-011
360-11-037	NEW	80-08-036	365-31-310	REP-P	80-02-122	365-37-210	REP	80-05-023
360-11-040	AMD-P	80-04-071	365-31-310	REP-E	80-03-011	365-37-220	REP-P	80-02-122
360-11-040	AMD-P	80-06-077	365-31-310	REP	80-05-023	365-37-220	REP-E	80-03-011
360-11-040	AMD	80-08-036	365-31-320	REP-P	80-02-122	365-37-220	REP	80-05-023
360-11-045	NEW-P	80-04-071	365-31-320	REP-E	80-03-011	365-37-310	REP-P	80-02-122
360-11-045	NEW-P	80-06-077	365-31-320	REP	80-05-023	365-37-310	REP-E	80-03-011
360-11-045	NEW	80-08-036	365-31-330	AMD-P	80-02-122	365-37-310	REP	80-05-023
360-11-050	REP-P	80-04-071	365-31-330	AMD-E	80-03-011	365-37-320	REP-P	80-02-122
360-11-050	REP-P	80-06-077	365-31-330	AMD	80-05-023	365-37-320	REP-E	80-03-011
360-11-050	REP	80-08-036	365-31-340	REP-P	80-02-122	365-37-320	REP	80-05-023
360-11-060	AMD-P	80-04-071	365-31-340	REP-E	80-03-011	365-37-330	REP-P	80-02-122
360-11-060	AMD-P	80-06-077	365-31-340	REP	80-05-023	365-37-330	REP-E	80-03-011
360-11-060	AMD	80-08-036	365-31-350	REP-P	80-02-122	365-37-330	REP	80-05-023
360-12-140	NEW-P	80-05-070	365-31-350	REP-E	80-03-011	365-37-340	REP-P	80-02-122
360-12-140	NEW	80-08-035	365-31-350	REP	80-05-023	365-37-340	REP-E	80-03-011
360-18-010	NEW-P	80-03-091	365-31-360	REP-P	80-02-122	365-37-340	REP	80-05-023
360-18-010	NEW	80-05-074	365-31-360	REP-E	80-03-011	365-37-410	REP-P	80-02-122
360-18-020	NEW-P	80-03-091	365-31-360	REP	80-05-023	365-37-410	REP-E	80-03-011

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365-37-410	REP	80-05-023	365-50-250	REP	80-08-056	388-26-055	AMD-P	80-01-100
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365-37-510	REP-E	80-03-011	365-50-260	REP	80-08-056	388-28-410	AMD-P	80-09-075
365-37-510	REP	80-05-023	365-50-270	REP-P	80-05-100	388-28-410	AMD-E	80-09-077
365-37-520	REP-P	80-02-122	365-50-270	REP	80-08-056	388-28-420	AMD-P	80-09-075
365-37-520	REP-E	80-03-011	365-50-280	REP-P	80-05-100	388-28-420	AMD-E	80-09-077
365-37-520	REP	80-05-023	365-50-280	REP	80-08-056	388-28-430	AMD-P	80-09-075
365-37-530	REP-P	80-02-122	365-50-290	REP-P	80-05-100	388-28-430	AMD-E	80-09-077
365-37-530	REP-E	80-03-011	365-50-290	REP	80-08-056	388-28-440	AMD-P	80-09-075
365-37-530	REP	80-05-023	365-50-300	REP-P	80-05-100	388-28-440	AMD-E	80-09-077
365-37-540	REP-P	80-02-122	365-50-300	REP	80-08-056	388-28-457	AMD-P	80-09-075
365-37-540	REP-E	80-03-011	365-50-310	REP-P	80-05-100	388-28-457	AMD-E	80-09-077
365-37-540	REP	80-05-023	365-50-310	REP	80-08-056	388-28-474	AMD-P	80-09-075
365-37-550	REP-P	80-02-122	365-50-320	REP-P	80-05-100	388-28-474	AMD-E	80-09-077
365-37-550	REP-E	80-03-011	365-50-320	REP	80-08-056	388-28-480	AMD-P	80-09-075
365-37-550	REP	80-05-023	365-50-330	REP-P	80-05-100	388-28-480	AMD-E	80-09-077
365-37-560	REP-P	80-02-122	365-50-330	REP	80-08-056	388-28-482	AMD-P	80-09-075
365-37-560	REP-E	80-03-011	365-50-340	REP-P	80-05-100	388-28-482	AMD-E	80-09-077
365-37-560	REP	80-05-023	365-50-340	REP	80-08-056	388-28-515	AMD-P	80-09-075
365-37-570	REP-P	80-02-122	365-50-350	REP-P	80-05-100	388-28-515	AMD-E	80-09-077
365-37-570	REP-E	80-03-011	365-50-350	REP	80-08-056	388-28-535	AMD-P	80-09-075
365-37-570	REP	80-05-023	365-50-360	REP-P	80-05-100	388-28-535	AMD-E	80-09-077
365-37-580	REP-P	80-02-122	365-50-360	REP	80-08-056	388-28-576	REP-P	80-02-143
365-37-580	REP-E	80-03-011	365-50-370	REP-P	80-05-100	388-28-576	REP-E	80-02-144
365-37-580	REP	80-05-023	365-50-370	REP	80-08-056	388-28-576	REP	80-04-051
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365-50-010	REP	80-08-056	365-50-380	REP	80-08-056	388-29-100	AMD-E	80-08-059
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365-50-040	REP	80-08-056	365-50-500	REP	80-08-056	388-29-115	NEW-E	80-03-084
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365-50-050	REP	80-08-056	365-50-510	REP	80-08-056	388-29-135	AMD-P	80-07-021
365-50-060	REP-P	80-05-100	365-50-520	REP-P	80-05-100	388-29-135	AMD-E	80-08-059
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365-50-090	REP	80-08-056	365-50-550	REP	80-08-056	388-29-160	AMD-E	80-10-028
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365-50-170	REP	80-08-056	388-11-090	AMD-P	80-04-135	388-35-010	AMD-P	80-01-100
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388-54-735	AMD-P	80-02-143	388-86-005	AMD-P	80-08-082	388-98-830	NEW	80-08-027
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390-14-110	AMD-P	80-03-090	391-21-321	REP-P	80-09-092	391-21-722	REP-P	80-09-092
390-14-110	AMD	80-05-097	391-21-322	REP-P	80-09-092	391-21-723	NEW-E	80-02-116
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390-24-025	AMD	80-03-089	391-21-700	AMD-E	80-02-116	391-21-733	NEW-E	80-04-074
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390-28-040	AMD	80-03-089	391-21-700	AMD	80-04-073	391-21-734	AMD-E	80-02-116
390-28-100	AMD	80-02-106	391-21-700	AMD-E	80-04-074	391-21-734	AMD-P	80-02-156
391-08-001	AMD-P	80-09-089	391-21-700	REP-P	80-09-092	391-21-734	AMD	80-04-073
391-08-007	AMD-P	80-09-089	391-21-702	AMD-E	80-02-116	391-21-734	AMD-E	80-04-074
391-08-180	AMD-P	80-09-089	391-21-702	AMD-P	80-02-156	391-21-734	REP-P	80-09-092
391-08-230	NEW-P	80-09-089	391-21-702	AMD	80-04-073	391-21-735	NEW-E	80-02-116
391-08-820	AMD-P	80-09-089	391-21-702	AMD-E	80-04-074	391-21-735	NEW-P	80-02-156
391-21-001	REP-P	80-09-092	391-21-702	REP-P	80-09-092	391-21-735	NEW	80-04-073
391-21-003	REP-P	80-09-092	391-21-706	REP-P	80-09-092	391-21-735	NEW-E	80-04-074
391-21-100	REP-P	80-09-092	391-21-708	AMD-E	80-02-116	391-21-735	REP-P	80-09-092
391-21-102	REP-P	80-09-092	391-21-708	AMD-P	80-02-156	391-21-737	NEW-E	80-02-116
391-21-104	REP-P	80-09-092	391-21-708	AMD	80-04-073	391-21-737	NEW-P	80-02-156
391-21-105	REP-P	80-09-092	391-21-708	AMD-E	80-04-074	391-21-737	NEW	80-04-073
391-21-106	REP-P	80-09-092	391-21-708	REP-P	80-09-092	391-21-737	NEW-E	80-04-074
391-21-107	REP-P	80-09-092	391-21-712	AMD-E	80-02-116	391-21-737	REP-P	80-09-092
391-21-108	REP-P	80-09-092	391-21-712	AMD-P	80-02-156	391-21-738	AMD-E	80-02-116
391-21-110	REP-P	80-09-092	391-21-712	AMD	80-04-073	391-21-738	AMD-P	80-02-156
391-21-112	REP-P	80-09-092	391-21-712	AMD-E	80-04-074	391-21-738	AMD	80-04-073
391-21-113	REP-P	80-09-092	391-21-712	REP-P	80-09-092	391-21-738	AMD-E	80-04-074
391-21-114	REP-P	80-09-092	391-21-716	AMD-E	80-02-116	391-21-738	REP-P	80-09-092
391-21-115	REP-P	80-09-092	391-21-716	AMD-P	80-02-156	391-21-740	REP-E	80-02-116
391-21-116	REP-P	80-09-092	391-21-716	AMD	80-04-073	391-21-740	REP-P	80-02-156
391-21-118	REP-P	80-09-092	391-21-716	AMD-E	80-04-074	391-21-740	REP	80-04-073
391-21-120	REP-P	80-09-092	391-21-716	REP-P	80-09-092	391-21-740	REP-E	80-04-074
391-21-122	REP-P	80-09-092	391-21-718	AMD-E	80-02-116	391-21-742	REP-E	80-02-116
391-21-124	REP-P	80-09-092	391-21-718	AMD-P	80-02-156	391-21-742	REP-P	80-02-156
391-21-125	REP-P	80-09-092	391-21-718	AMD	80-04-073	391-21-742	REP	80-04-073
391-21-126	REP-P	80-09-092	391-21-718	AMD-E	80-04-074	391-21-742	REP-E	80-04-074
391-21-128	REP-P	80-09-092	391-21-718	REP-P	80-09-092	391-21-744	REP-E	80-02-116

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392-109-080	NEW	80-07-038	392-121-170	NEW-P	80-06-176	392-125-040	AMD-P	80-04-109
392-109-085	NEW-P	80-05-136	392-121-170	NEW	80-10-010	392-125-054	NEW-P	80-04-109
392-109-085	NEW	80-07-038	392-121-175	NEW-P	80-06-176	392-125-054	NEW	80-06-042
392-109-090	NEW-P	80-05-136	392-121-175	NEW	80-10-010	392-125-055	AMD-P	80-04-109
392-109-090	NEW	80-07-038	392-121-180	NEW-P	80-06-176	392-125-055	AMD	80-06-042
392-109-095	NEW-P	80-05-136	392-121-180	NEW	80-10-010	392-129	AMD-P	80-04-015
392-109-095	NEW	80-07-038	392-121-185	NEW-P	80-06-176	392-129-005	AMD-P	80-02-130
392-109-100	NEW-P	80-05-136	392-121-185	NEW	80-10-010	392-129-005	AMD-E	80-02-131
392-109-100	NEW	80-07-038	392-121-190	NEW-P	80-06-176	392-129-005	AMD	80-04-046
392-109-105	NEW-P	80-05-136	392-121-190	NEW	80-10-010	392-129-010	AMD-P	80-02-130
392-109-105	NEW	80-07-038	392-123-011	AMD-P	80-04-111	392-129-010	AMD-E	80-02-131
392-109-110	NEW-P	80-05-136	392-123-011	AMD	80-06-043	392-129-010	AMD	80-04-046
392-109-110	NEW	80-07-038	392-123-015	REP-P	80-04-111	392-129-015	AMD-P	80-02-130
392-109-115	NEW-P	80-05-136	392-123-015	REP	80-06-043	392-129-015	AMD-E	80-02-131
392-109-115	NEW	80-07-038	392-123-020	REP-P	80-04-111	392-129-015	AMD	80-04-046
392-109-120	NEW-P	80-05-136	392-123-020	REP	80-06-043	392-129-020	AMD-P	80-02-130
392-109-120	NEW	80-07-038	392-123-025	REP-P	80-04-111	392-129-020	AMD-E	80-02-131
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392-121	AMD-P	80-09-099	392-123-030	REP-P	80-04-111	392-129-025	NEW-E	80-06-064
392-121-005	REP-P	80-06-176	392-123-030	REP	80-06-043	392-131-015	AMD-E	80-05-010
392-121-005	REP	80-10-010	392-123-035	REP-P	80-04-111	392-133-005	REP-P	80-04-110
392-121-010	REP-P	80-06-176	392-123-035	REP	80-06-043	392-133-005	REP	80-06-041
392-121-010	REP	80-10-010	392-123-040	REP-P	80-04-111	392-133-010	REP-P	80-04-110
392-121-015	REP-P	80-06-176	392-123-040	REP	80-06-043	392-133-010	REP	80-06-041
392-121-015	REP	80-10-010	392-123-045	REP-P	80-04-111	392-133-015	REP-P	80-04-110
392-121-020	REP-P	80-06-176	392-123-045	REP	80-06-043	392-133-015	REP	80-06-041
392-121-020	REP	80-10-010	392-123-050	REP-P	80-04-111	392-133-020	REP-P	80-04-110
392-121-025	REP-P	80-06-176	392-123-050	REP	80-06-043	392-133-020	REP	80-06-041
392-121-025	REP	80-10-010	392-123-051	AMD-P	80-04-111	392-133-025	REP-P	80-04-110
392-121-030	REP-P	80-06-176	392-123-051	AMD	80-06-043	392-133-025	REP	80-06-041
392-121-030	REP	80-10-010	392-123-051.1	REP-P	80-04-111	392-133-030	REP-P	80-04-110
392-121-035	REP-P	80-06-176	392-123-051.1	REP	80-06-043	392-133-030	REP	80-06-041
392-121-035	REP	80-10-010	392-123-052	REP-P	80-04-111	392-133-035	REP-P	80-04-110
392-121-040	REP-P	80-06-176	392-123-052	REP	80-06-043	392-133-035	REP	80-06-041
392-121-040	REP	80-10-010	392-123-053	AMD-P	80-04-111	392-133-040	REP-P	80-04-110
392-121-045	REP-P	80-06-176	392-123-053	AMD	80-06-043	392-133-040	REP	80-06-041
392-121-045	REP	80-10-010	392-123-054	AMD-P	80-04-111	392-133-045	REP-P	80-04-110
392-121-050	REP-P	80-06-176	392-123-054	AMD	80-06-043	392-133-045	REP	80-06-041
392-121-050	REP	80-10-010	392-123-055	AMD-P	80-04-111	392-133-050	REP-P	80-04-110
392-121-055	REP-P	80-06-176	392-123-055	AMD	80-06-043	392-133-050	REP	80-06-041
392-121-055	REP	80-10-010	392-123-060	AMD-P	80-04-111	392-134-001	NEW-P	80-03-104
392-121-060	REP-P	80-06-176	392-123-060	AMD	80-06-043	392-134-001	NEW	80-05-035
392-121-060	REP	80-10-010	392-123-065	AMD-P	80-04-111	392-134-005	NEW-P	80-03-104
392-121-065	AMD-E	80-04-019	392-123-065	AMD	80-06-043	392-134-005	NEW	80-05-035
392-121-065	REP-P	80-06-176	392-123-071	AMD-P	80-04-111	392-134-010	NEW-P	80-03-104
392-121-065	REP	80-10-010	392-123-071	AMD	80-06-043	392-134-010	NEW	80-05-035
392-121-100	NEW-P	80-06-176	392-123-072	AMD-P	80-04-111	392-134-015	NEW-P	80-03-104
392-121-100	NEW	80-10-010	392-123-072	AMD	80-06-043	392-134-015	NEW	80-05-035
392-121-105	NEW-P	80-06-176	392-123-074	NEW-P	80-04-111	392-134-020	NEW-P	80-03-104
392-121-105	NEW	80-10-010	392-123-074	NEW	80-06-043	392-134-020	NEW	80-05-035
392-121-110	NEW-P	80-06-176	392-123-075	REP-P	80-04-111	392-134-025	NEW-P	80-03-104
392-121-110	NEW	80-10-010	392-123-075	REP	80-06-043	392-134-025	NEW	80-05-035
392-121-115	NEW-P	80-06-176	392-123-076	AMD-P	80-04-111	392-134-030	NEW-P	80-03-104
392-121-115	NEW	80-10-010	392-123-076	AMD	80-06-043	392-134-030	NEW	80-05-035
392-121-120	NEW-P	80-06-176	392-123-077	AMD-P	80-04-111	392-135-005	AMD-P	80-03-105
392-121-120	NEW	80-10-010	392-123-077	AMD	80-06-043	392-135-005	AMD	80-05-036
392-121-125	NEW-P	80-06-176	392-123-078	NEW-P	80-04-111	392-135-010	AMD-P	80-03-105
392-121-125	NEW	80-10-010	392-123-078	NEW	80-06-043	392-135-010	AMD	80-05-036
392-121-130	NEW-P	80-06-176	392-123-079	NEW-P	80-04-111	392-135-025	REP-P	80-03-105
392-121-130	NEW	80-10-010	392-123-079	NEW	80-06-043	392-135-025	REP	80-05-036
392-121-135	NEW-P	80-06-176	392-123-080	AMD-P	80-04-111	392-136	NEW-P	80-09-026
392-121-135	NEW	80-10-010	392-123-085	AMD-P	80-04-111	392-136-005	NEW-E	80-06-051
392-121-140	NEW-P	80-06-176	392-123-090	REP-P	80-04-111	392-136-005	NEW-P	80-06-175
392-121-140	NEW	80-10-010	392-123-090	REP	80-06-043	392-136-005	NEW-E	80-07-028
392-121-145	NEW-P	80-06-176	392-123-095	AMD-P	80-04-111	392-136-005	NEW-W	80-09-066
392-121-145	NEW	80-10-010	392-123-095	AMD	80-06-043	392-136-005	NEW-P	80-09-101
392-121-150	NEW-P	80-06-176	392-123-100	AMD-P	80-04-111	392-136-010	NEW-E	80-06-051
392-121-150	NEW	80-10-010	392-123-105	AMD-P	80-04-111	392-136-010	NEW-P	80-06-175
392-121-155	NEW-P	80-06-176	392-123-110	AMD-P	80-04-111	392-136-010	NEW-E	80-07-028
392-121-155	NEW	80-10-010	392-123-115	AMD-P	80-04-111	392-136-010	NEW-W	80-09-066
392-121-160	NEW-P	80-06-176	392-123-115	AMD	80-06-043	392-136-010	NEW-P	80-09-101
392-121-160	NEW	80-10-010	392-123-125	AMD-P	80-04-111	392-136-015	NEW-E	80-06-051
392-121-165	NEW-P	80-06-176	392-125-035	AMD-P	80-04-109	392-136-015	NEW-P	80-06-175

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392-136-015	NEW-E	80-07-028	392-141-038	NEW-P	80-03-108	392-161-100	REP-P	80-06-177
392-136-015	NEW-W	80-09-066	392-141-038	NEW	80-05-039	392-161-100	REP	80-09-016
392-136-015	NEW-P	80-09-101	392-141-040	REP-P	80-06-036	392-161-101	NEW-P	80-06-177
392-136-020	NEW-E	80-06-051	392-141-040	REP	80-09-055	392-161-101	NEW	80-09-016
392-136-020	NEW-P	80-06-175	392-141-042	NEW-P	80-03-108	392-161-104	NEW-P	80-06-177
392-136-020	NEW-E	80-07-028	392-141-042	NEW	80-05-039	392-161-104	NEW	80-09-016
392-136-020	NEW-W	80-09-066	392-141-043	NEW-P	80-03-108	392-161-105	REP-P	80-06-177
392-136-020	NEW-P	80-09-101	392-141-043	NEW	80-05-039	392-161-105	REP	80-09-016
392-137-001	NEW-P	80-03-106	392-141-045	AMD-P	80-03-108	392-161-110	REP-P	80-06-177
392-137-001	NEW	80-05-037	392-141-045	AMD	80-05-039	392-161-110	REP	80-09-016
392-137-002	NEW-P	80-03-106	392-141-050	REP-P	80-06-036	392-161-115	REP-P	80-06-177
392-137-002	NEW	80-05-037	392-141-050	REP	80-09-055	392-161-115	REP	80-09-016
392-137-003	NEW-P	80-03-106	392-141-054	NEW-P	80-09-100	392-161-116	NEW-P	80-06-177
392-137-003	NEW	80-05-037	392-141-055	AMD-P	80-03-108	392-161-116	NEW	80-09-016
392-137-005	REP-P	80-03-106	392-141-055	AMD	80-05-039	392-161-118	NEW-P	80-06-177
392-137-005	REP	80-05-037	392-141-060	REP-P	80-06-036	392-161-118	NEW	80-09-016
392-137-020	AMD-P	80-03-106	392-141-060	REP	80-09-055	392-161-135	AMD-P	80-06-177
392-137-020	AMD	80-05-037	392-141-061	NEW-P	80-09-100	392-161-135	AMD	80-09-016
392-137-045	AMD-P	80-03-106	392-145-030	AMD-P	80-06-174	392-161-145	AMD-P	80-06-177
392-137-045	AMD	80-05-037	392-145-030	AMD	80-09-081	392-161-145	AMD	80-09-016
392-137-050	REP-P	80-03-106	392-151-015	AMD-P	80-06-172	392-161-150	AMD-P	80-06-177
392-137-050	REP	80-05-037	392-151-015	AMD	80-09-015	392-161-150	AMD	80-09-016
392-137-051	NEW-P	80-03-106	392-151-050	AMD-P	80-06-172	392-161-155	AMD-P	80-06-177
392-137-051	NEW	80-05-037	392-151-050	AMD	80-09-015	392-161-155	AMD	80-09-016
392-137-055	NEW-P	80-03-106	392-151-090	AMD-P	80-06-172	392-161-160	AMD-P	80-06-177
392-137-055	NEW	80-05-037	392-151-090	AMD	80-09-015	392-161-160	AMD	80-09-016
392-137-060	NEW-P	80-03-106	392-153-010	AMD-P	80-06-171	392-161-170	NEW-P	80-06-177
392-137-060	NEW	80-05-037	392-153-010	AMD	80-09-027	392-161-170	NEW	80-09-016
392-137-065	NEW-P	80-03-106	392-153-015	AMD-P	80-06-171	392-161-175	NEW-P	80-06-177
392-137-065	NEW	80-05-037	392-153-015	AMD	80-09-027	392-161-175	NEW	80-09-016
392-140-001	AMD-P	80-03-107	392-153-020	AMD-P	80-06-171	392-161-180	NEW-P	80-06-177
392-140-001	AMD	80-05-038	392-153-020	AMD	80-09-027	392-161-180	NEW	80-09-016
392-140-002	REP-P	80-03-107	392-153-032	AMD-P	80-06-171	392-161-185	NEW-P	80-06-177
392-140-002	REP	80-05-038	392-153-032	AMD	80-09-027	392-161-185	NEW	80-09-016
392-140-003	REP-P	80-03-107	392-153-035	AMD-P	80-06-171	392-167-005	REP-P	80-03-109
392-140-003	REP	80-05-038	392-153-035	AMD	80-09-027	392-167-005	REP	80-05-040
392-140-004	REP-P	80-03-107	392-153-040	AMD-P	80-06-171	392-167-010	REP-P	80-03-109
392-140-004	REP	80-05-038	392-153-040	AMD	80-09-027	392-167-010	REP	80-05-040
392-140-005	REP-P	80-03-107	392-160-001	NEW-P	80-05-135	392-167-015	REP-P	80-03-109
392-140-005	REP	80-05-038	392-160-001	NEW	80-07-039	392-167-015	REP	80-05-040
392-140-006	REP-P	80-03-107	392-160-005	NEW-P	80-05-135	392-167-020	REP-P	80-03-109
392-140-006	REP	80-05-038	392-160-005	NEW	80-07-039	392-167-020	REP	80-05-040
392-140-007	REP-P	80-03-107	392-160-010	NEW-P	80-05-135	392-167-025	REP-P	80-03-109
392-140-007	REP	80-05-038	392-160-010	NEW	80-07-039	392-167-025	REP	80-05-040
392-140-008	REP-P	80-03-107	392-160-015	NEW-P	80-05-135	392-167-030	REP-P	80-03-109
392-140-008	REP	80-05-038	392-160-015	NEW	80-07-039	392-167-030	REP	80-05-040
392-141-005	AMD-P	80-03-108	392-160-020	NEW-P	80-05-135	392-167-035	REP-P	80-03-109
392-141-005	AMD	80-05-039	392-160-020	NEW	80-07-039	392-167-035	REP	80-05-040
392-141-007	NEW-P	80-03-108	392-160-025	NEW-P	80-05-135	392-167-040	REP-P	80-03-109
392-141-007	NEW	80-05-039	392-160-025	NEW	80-07-039	392-167-040	REP	80-05-040
392-141-008	NEW-P	80-03-108	392-160-030	NEW-P	80-05-135	392-167-045	REP-P	80-03-109
392-141-008	NEW	80-05-039	392-160-030	NEW	80-07-039	392-167-045	REP	80-05-040
392-141-010	REP-P	80-06-036	392-160-035	NEW-P	80-05-135	392-167-050	REP-P	80-03-109
392-141-010	REP	80-09-055	392-160-035	NEW	80-07-039	392-167-050	REP	80-05-040
392-141-015	REP-P	80-06-036	392-160-040	NEW-P	80-05-135	392-167-055	REP-P	80-03-109
392-141-015	REP	80-09-055	392-160-040	NEW	80-07-039	392-167-055	REP	80-05-040
392-141-017	NEW-P	80-03-108	392-160-045	NEW-P	80-05-135	392-167-060	REP-P	80-03-109
392-141-017	NEW	80-05-039	392-160-045	NEW	80-07-039	392-167-060	REP	80-05-040
392-141-018	NEW-P	80-03-108	392-161-005	AMD-P	80-06-177	392-167-065	REP-P	80-03-109
392-141-018	NEW	80-05-039	392-161-005	AMD	80-09-016	392-167-065	REP	80-05-040
392-141-020	REP-P	80-06-036	392-161-010	AMD-P	80-06-177	392-167-070	REP-P	80-03-109
392-141-020	REP	80-09-055	392-161-010	AMD	80-09-016	392-167-070	REP	80-05-040
392-141-025	REP-P	80-06-036	392-161-025	AMD-P	80-06-177	392-167-075	REP-P	80-03-109
392-141-025	REP	80-09-055	392-161-025	AMD	80-09-016	392-167-075	REP	80-05-040
392-141-027	NEW-P	80-03-108	392-161-040	AMD-P	80-06-177	392-171	AMD-P	80-08-002
392-141-027	NEW	80-05-039	392-161-040	AMD	80-09-016	392-171	AMD-P	80-09-058
392-141-028	NEW-P	80-03-108	392-161-065	AMD-P	80-06-177	392-171-300	AMD-P	80-05-137
392-141-028	NEW	80-05-039	392-161-065	AMD	80-09-016	392-171-305	NEW-P	80-05-137
392-141-030	REP-P	80-06-036	392-161-080	AMD-P	80-06-177	392-171-310	AMD-P	80-05-137
392-141-030	REP	80-09-055	392-161-080	AMD	80-09-016	392-171-311	NEW-P	80-05-137
392-141-035	REP-P	80-06-036	392-161-085	AMD-P	80-06-177	392-171-315	AMD-P	80-05-137
392-141-035	REP	80-09-055	392-161-085	AMD	80-09-016	392-171-320	AMD-P	80-05-137
392-141-037	NEW-P	80-03-108	392-161-090	AMD-P	80-06-177	392-171-325	AMD-P	80-05-137
392-141-037	NEW	80-05-039	392-161-090	AMD	80-09-016	392-171-330	REP-P	80-05-137

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392-171-335	REP-P 80-05-137	392-171-516	NEW-P 80-05-137	392-171-701	RECOD-P 80-05-137
392-171-336	NEW-P 80-05-137	392-171-520	AM/DE-P 80-05-137	392-171-705	AM/DE-P 80-05-137
392-171-340	REP-P 80-05-137	392-171-521	RECOD-P 80-05-137	392-171-706	RECOD-P 80-05-137
392-171-341	RECOD-P 80-05-137	392-171-525	AM/DE-P 80-05-137	392-171-710	AM/DE-P 80-05-137
392-171-345	REP-P 80-05-137	392-171-526	RECOD-P 80-05-137	392-171-711	RECOD-P 80-05-137
392-171-346	RECOD-P 80-05-137	392-171-530	AM/DE-P 80-05-137	392-171-715	AM/DE-P 80-05-137
392-171-350	AM/DE-P 80-05-137	392-171-531	RECOD-P 80-05-137	392-171-716	RECOD-P 80-05-137
392-171-351	RECOD-P 80-05-137	392-171-535	AM/DE-P 80-05-137	392-171-720	AM/DE-P 80-05-137
392-171-355	AM/DE-P 80-05-137	392-171-536	RECOD-P 80-05-137	392-171-721	RECOD-P 80-05-137
392-171-356	AM/DE-P 80-05-137	392-171-550	AM/DE-P 80-05-137	392-171-725	AM/DE-P 80-05-137
392-171-358	RECOD-P 80-05-137	392-171-541	NEW-P 80-05-137	392-171-726	RECOD-P 80-05-137
392-171-360	REP-P 80-05-137	392-171-545	AM/DE-P 80-05-137	392-171-730	AM/DE-P 80-05-137
392-171-361	RECOD-P 80-05-137	392-171-546	NEW-P 80-05-137	392-171-731	NEW-P 80-05-137
392-171-365	REP-P 80-05-137	392-171-550	AM/DE-P 80-05-137	392-171-735	AM/DE-P 80-05-137
392-171-366	RECOD-P 80-05-137	392-171-551	RECOD-P 80-05-137	392-171-736	RECOD-P 80-05-137
392-171-370	REP-P 80-05-137	392-171-555	AM/DE-P 80-05-137	392-171-740	AM/DE-P 80-05-137
392-171-371	RECOD-P 80-05-137	392-171-556	RECOD-P 80-05-137	392-171-741	RECOD-P 80-05-137
392-171-375	AM/DE-P 80-05-137	392-171-560	AM/DE-P 80-05-137	392-171-745	AM/DE-P 80-05-137
392-171-376	NEW-P 80-05-137	392-171-561	RECOD-P 80-05-137	392-171-746	RECOD-P 80-05-137
392-171-380	AM/DE-P 80-05-137	392-171-565	AM/DE-P 80-05-137	392-171-750	AM/DE-P 80-05-137
392-171-381	NEW-P 80-05-137	392-171-566	RECOD-P 80-05-137	392-171-751	RECOD-P 80-05-137
392-171-385	REP-P 80-05-137	392-171-570	AM/DE-P 80-05-137	392-171-755	AM/DE-P 80-05-137
392-171-386	NEW-P 80-05-137	392-171-571	RECOD-P 80-05-137	392-171-756	RECOD-P 80-05-137
392-171-390	REP-P 80-05-137	392-171-575	AM/DE-P 80-05-137	392-171-760	AM/DE-P 80-05-137
392-171-391	NEW-P 80-05-137	392-171-576	RECOD-P 80-05-137	392-171-761	RECOD-P 80-05-137
392-171-395	AM/DE-P 80-05-137	392-171-580	AM/DE-P 80-05-137	392-171-766	RECOD-P 80-05-137
392-171-396	NEW-P 80-05-137	392-171-581	RECOD-P 80-05-137	392-171-771	RECOD-P 80-05-137
392-171-400	AM/DE-P 80-05-137	392-171-585	AM/DE-P 80-05-137	392-171-776	RECOD-P 80-05-137
392-171-401	NEW-P 80-05-137	392-171-586	RECOD-P 80-05-137	392-171-781	RECOD-P 80-05-137
392-171-405	AM/DE-P 80-05-137	392-171-590	AM/DE-P 80-05-137	392-171-786	NEW-P 80-05-137
392-171-406	RECOD-P 80-05-137	392-171-591	RECOD-P 80-05-137	392-173	AMD-P 80-05-088
392-171-410	REP-P 80-05-137	392-171-595	AM/DE-P 80-05-137	392-173	AMD-P 80-08-001
392-171-411	RECOD-P 80-05-137	392-171-596	RECOD-P 80-05-137	392-173	AMD-P 80-09-057
392-171-415	REP-P 80-05-137	392-171-600	AM/DE-P 80-05-137	392-173-005	AMD-P 80-05-088
392-171-416	RECOD-P 80-05-137	392-171-601	RECOD-P 80-05-137	392-173-010	AMD-P 80-05-088
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392-171-436	NEW-P 80-05-137	392-171-621	RECOD-P 80-05-137	392-173-050	AMD-P 80-05-088
392-171-440	AM/DE-P 80-05-137	392-171-625	AM/DE-P 80-05-137	392-173-055	AMD-P 80-05-088
392-171-441	NEW-P 80-05-137	392-171-626	RECOD-P 80-05-137	392-173-060	REP-P 80-05-088
392-171-445	AM/DE-P 80-05-137	392-171-630	AM/DE-P 80-05-137	392-173-065	AMD-P 80-05-088
392-171-446	NEW-P 80-05-137	392-171-631	RECOD-P 80-05-137	392-173-070	REP-P 80-05-088
392-171-450	AM/DE-P 80-05-137	392-171-635	AM/DE-P 80-05-137	392-173-075	AMD-P 80-05-088
392-171-451	NEW-P 80-05-137	392-171-636	RECOD-P 80-05-137	392-173-080	AMD-P 80-05-088
392-171-455	AM/DE-P 80-05-137	392-171-640	AM/DE-P 80-05-137	392-181-005	REP-P 80-03-110
392-171-456	RECOD-P 80-05-137	392-171-641	RECOD-P 80-05-137	392-181-005	REP 80-05-041
392-171-460	AM/DE-P 80-05-137	392-171-645	AM/DE-P 80-05-137	392-181-010	REP-P 80-03-110
392-171-461	RECOD-P 80-05-137	392-171-646	RECOD-P 80-05-137	392-181-010	REP 80-05-041
392-171-465	REP-P 80-05-137	392-171-650	AM/DE-P 80-05-137	392-181-015	REP-P 80-03-110
392-171-466	RECOD-P 80-05-137	392-171-651	RECOD-P 80-05-137	392-181-015	REP 80-05-041
392-171-470	REP-P 80-05-137	392-171-655	AM/DE-P 80-05-137	392-181-020	REP-P 80-03-110
392-171-471	RECOD-P 80-05-137	392-171-656	RECOD-P 80-05-137	392-181-020	REP 80-05-041
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392-171-476	NEW-P 80-05-137	392-171-660	RECOD-P 80-05-137	392-181-025	REP 80-05-041
392-171-480	AM/DE-P 80-05-137	392-171-661	RECOD-P 80-05-137	392-181-030	REP-P 80-03-110
392-171-481	RECOD-P 80-05-137	392-171-665	AM/DE-P 80-05-137	392-181-030	REP 80-05-041
392-171-485	AM/DE-P 80-05-137	392-171-666	RECOD-P 80-05-137	392-181-035	REP-P 80-03-110
392-171-486	RECOD-P 80-05-137	392-171-670	AM/DE-P 80-05-137	392-181-035	REP 80-05-041
392-171-490	AM/DE-P 80-05-137	392-171-671	RECOD-P 80-05-137	392-183-005	REP-P 80-03-111
392-171-491	RECOD-P 80-05-137	392-171-675	AM/DE-P 80-05-137	392-183-005	REP 80-05-042
392-171-495	AM/DE-P 80-05-137	392-171-676	RECOD-P 80-05-137	392-183-010	REP-P 80-03-111
392-171-496	RECOD-P 80-05-137	392-171-680	REP-P 80-05-137	392-183-010	REP 80-05-042
392-171-500	AM/DE-P 80-05-137	392-171-685	AM/DE-P 80-05-137	392-183-015	REP-P 80-03-111
392-171-501	RECOD-P 80-05-137	392-171-686	RECOD-P 80-05-137	392-183-015	REP 80-05-042
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392-171-510	AM/DE-P 80-05-137	392-171-695	AM/DE-P 80-05-137	392-183-025	REP-P 80-03-111
392-171-511	RECOD-P 80-05-137	392-171-696	RECOD-P 80-05-137	392-183-025	REP 80-05-042

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392-190-010	AMD-P	80-06-173	446-20-130	NEW-P	80-05-101	458-20-192	AMD-E	80-08-058
392-190-010	AMD	80-09-017	446-20-130	NEW-E	80-05-102	458-40-18600	AMD-P	80-05-117
392-190-035	AMD-P	80-06-173	446-20-130	NEW	80-08-057	458-40-18600	AMD	80-08-041
392-190-035	AMD	80-09-017	446-20-140	NEW-P	80-05-101	458-40-18600	AMD-E	80-08-042
392-190-040	AMD-P	80-06-173	446-20-140	NEW-E	80-05-102	458-40-18629	AMD	80-02-019
392-190-040	AMD	80-09-017	446-20-140	NEW	80-08-057	458-40-18643	NEW-P	80-05-117
392-190-045	AMD-P	80-06-173	446-20-150	NEW-P	80-05-101	458-40-18643	NEW	80-08-041
392-190-045	AMD	80-09-017	446-20-150	NEW-E	80-05-102	458-40-18643	NEW-E	80-08-042
392-190-050	AMD-P	80-06-173	446-20-150	NEW	80-08-057	458-40-18644	NEW-P	80-05-117
392-190-050	AMD	80-09-017	446-20-160	NEW-P	80-05-101	458-40-18644	NEW	80-08-041
392-190-055	AMD-P	80-06-173	446-20-160	NEW-E	80-05-102	458-40-18644	NEW-E	80-08-042
392-190-055	AMD	80-09-017	446-20-160	NEW	80-08-057	458-40-18645	NEW-P	80-05-117
392-190-075	AMD-P	80-06-173	446-20-170	NEW-P	80-05-101	458-40-18645	NEW	80-08-041
392-190-075	AMD	80-09-017	446-20-170	NEW-E	80-05-102	458-40-18645	NEW-E	80-08-042
402-19-530	NEW	80-02-080	446-20-170	NEW	80-08-057	458-40-18646	NEW-P	80-05-117
434-28-010	AMD-P	80-03-115	446-20-180	NEW-P	80-05-101	458-40-18646	NEW	80-08-041
434-28-010	REP	80-05-014	446-20-180	NEW-E	80-05-102	458-40-18646	NEW-E	80-08-042
434-28-012	NEW	80-05-014	446-20-180	NEW	80-08-057	458-40-18647	NEW-P	80-05-117
434-28-030	REP-P	80-03-115	446-20-190	NEW-P	80-05-101	458-40-18647	NEW	80-08-041
434-28-030	REP	80-05-014	446-20-190	NEW-E	80-05-102	458-40-18647	NEW-E	80-08-042
434-69-005	NEW-P	80-03-119	446-20-190	NEW	80-08-057	458-40-18648	NEW-P	80-05-117
434-69-005	NEW	80-05-013	446-20-200	NEW-P	80-05-101	458-40-18648	NEW	80-08-041
434-69-010	NEW-P	80-03-119	446-20-200	NEW-E	80-05-102	458-40-18648	NEW-E	80-08-042
434-69-010	NEW	80-05-013	446-20-200	NEW	80-08-057	458-40-19000	AMD-P	80-05-117
434-69-020	NEW-P	80-03-119	446-20-210	NEW-P	80-05-101	458-40-19000	AMD	80-08-041
434-69-020	NEW	80-05-013	446-20-210	NEW-E	80-05-102	458-40-19000	AMD-E	80-08-042
434-69-030	NEW-P	80-03-119	446-20-210	NEW	80-08-057	458-40-19001	AMD-P	80-05-117
434-69-030	NEW	80-05-013	446-20-220	NEW-P	80-05-101	458-40-19001	AMD	80-08-041
434-69-040	NEW-P	80-03-119	446-20-220	NEW-E	80-05-102	458-40-19001	AMD-E	80-08-042
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434-69-050	NEW-P	80-03-119	446-20-230	NEW-P	80-05-101	458-40-19002	AMD	80-08-041
434-69-050	NEW	80-05-013	446-20-230	NEW-E	80-05-102	458-40-19002	AMD-E	80-08-042
434-69-060	NEW-P	80-03-119	446-20-230	NEW	80-08-057	458-40-19003	AMD-P	80-05-117
434-69-060	NEW	80-05-013	446-20-240	NEW-P	80-05-101	458-40-19003	AMD	80-08-041
434-69-070	NEW-P	80-03-119	446-20-240	NEW-E	80-05-102	458-40-19003	AMD-E	80-08-042
434-69-070	NEW	80-05-013	446-20-240	NEW	80-08-057	458-40-19004	AMD-P	80-05-117
434-69-080	NEW-P	80-03-119	446-20-250	NEW-P	80-05-101	458-40-19004	AMD	80-08-041
434-69-080	NEW	80-05-013	446-20-250	NEW-E	80-05-102	458-40-19004	AMD-E	80-08-042
446-20-010	NEW-P	80-05-101	446-20-250	NEW	80-08-057	458-57	NEW-P	80-03-003
446-20-010	NEW-E	80-05-102	446-20-260	NEW-P	80-05-101	458-57-010	NEW-P	80-01-116
446-20-010	NEW	80-08-057	446-20-260	NEW-E	80-05-102	458-57-010	NEW	80-03-048
446-20-020	NEW-P	80-05-101	446-20-260	NEW	80-08-057	458-57-020	NEW-P	80-01-116
446-20-020	NEW-E	80-05-102	446-20-270	NEW-P	80-05-101	458-57-020	NEW	80-03-048
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446-20-030	NEW-P	80-05-101	446-20-270	NEW	80-08-057	458-57-030	NEW	80-03-048
446-20-030	NEW-E	80-05-102	446-20-400	NEW-P	80-05-101	458-57-040	NEW-P	80-01-116
446-20-030	NEW	80-08-057	446-20-400	NEW-E	80-05-102	458-57-040	NEW	80-03-048
446-20-040	NEW-P	80-05-101	446-20-400	NEW	80-08-057	458-57-050	NEW-P	80-01-116
446-20-040	NEW-E	80-05-102	446-20-410	NEW-P	80-05-101	458-57-050	NEW	80-03-048
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446-20-050	NEW-P	80-05-101	446-20-410	NEW	80-08-057	458-57-060	NEW	80-03-048
446-20-050	NEW-E	80-05-102	446-20-420	NEW-P	80-05-101	458-57-070	NEW-P	80-01-116
446-20-050	NEW	80-08-057	446-20-420	NEW-E	80-05-102	458-57-070	NEW	80-03-048
446-20-060	NEW-P	80-05-101	446-20-420	NEW	80-08-057	458-57-080	NEW-P	80-01-116
446-20-060	NEW-E	80-05-102	446-20-430	NEW-P	80-05-101	458-57-080	NEW	80-03-048
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446-20-070	NEW-P	80-05-101	446-20-430	NEW	80-08-057	458-57-090	NEW	80-03-048
446-20-070	NEW-E	80-05-102	446-20-440	NEW-P	80-05-101	458-57-100	NEW-P	80-01-116
446-20-070	NEW	80-08-057	446-20-440	NEW-E	80-05-102	458-57-100	NEW	80-03-048
446-20-080	NEW-P	80-05-101	446-20-440	NEW	80-08-057	458-57-110	NEW-P	80-01-116
446-20-080	NEW-E	80-05-102	446-20-450	NEW-P	80-05-101	458-57-110	NEW	80-03-048
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446-20-090	NEW-P	80-05-101	446-20-450	NEW	80-08-057	458-57-120	NEW	80-03-048
446-20-090	NEW-E	80-05-102	448-12-015	AMD-P	80-04-004	458-57-130	NEW-P	80-01-116
446-20-090	NEW	80-08-057	448-12-015	AMD-E	80-04-005	458-57-130	NEW	80-03-048
446-20-100	NEW-P	80-05-101	448-12-020	AMD-P	80-04-004	458-57-140	NEW-P	80-01-116
446-20-100	NEW-E	80-05-102	448-12-020	AMD-E	80-04-005	458-57-140	NEW	80-03-048
446-20-100	NEW	80-08-057	448-12-020	AMD	80-05-112	458-57-150	NEW-P	80-01-116
446-20-110	NEW-P	80-05-101	448-12-090	AMD-P	80-04-004	458-57-150	NEW	80-03-048
446-20-110	NEW-E	80-05-102	448-12-090	AMD-E	80-04-005	458-57-160	NEW-P	80-01-116
446-20-110	NEW	80-08-057	448-12-090	AMD	80-05-112	458-57-160	NEW	80-03-048
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458-57-190	NEW-P	80-01-116	460-42A-085	NEW-P	80-02-098	468-42-129	AMD	80-03-020
458-57-190	NEW	80-03-048	460-42A-085	NEW	80-04-037	468-42-542	AMD-P	80-03-065
458-57-200	NEW-P	80-01-116	460-44A-010	AMD-P	80-02-098	468-42-542	AMD-E	80-03-066
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458-57-210	NEW	80-03-048	460-44A-020	AMD	80-04-037	468-58-050	AMD-E	80-03-055
458-57-220	NEW-P	80-01-116	460-44A-030	AMD-P	80-02-098	468-58-050	AMD	80-05-027
458-57-220	NEW	80-03-048	460-44A-030	AMD	80-04-037	468-66-010	AMD-P	80-02-141
458-57-230	NEW-P	80-01-116	460-44A-040	REP-P	80-02-098	468-66-010	AMD-P	80-04-035
458-57-230	NEW	80-03-048	460-44A-040	REP	80-04-037	468-66-010	AMD-P	80-05-026
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458-57-240	NEW	80-03-048	460-44A-041	NEW	80-04-037	468-66-030	AMD-P	80-02-141
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458-57-250	NEW	80-03-048	460-44A-045	NEW	80-04-037	468-66-030	AMD	80-04-095
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458-57-260	NEW	80-03-048	460-44A-060	AMD	80-04-037	468-66-040	REP-P	80-04-035
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458-57-270	NEW	80-03-048	460-44A-065	NEW	80-04-037	468-66-050	AMD-P	80-02-141
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458-57-280	NEW	80-03-048	460-44A-070	NEW	80-04-037	468-66-050	AMD	80-05-055
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458-57-300	NEW	80-03-048	460-60A-015	AMD	80-04-037	468-66-140	AMD-P	80-02-141
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458-57-330	NEW-P	80-01-116	460-80-120	REP	80-04-036	468-300-005	AMD	80-04-104
458-57-330	NEW	80-03-048	460-80-125	NEW-P	80-02-099	468-300-010	AMD-P	80-02-174
458-57-340	NEW-P	80-01-116	460-80-125	NEW	80-04-036	468-300-010	AMD	80-04-104
458-57-340	NEW	80-03-048	460-80-130	REP-P	80-02-099	468-300-020	AMD-P	80-02-174
458-57-350	NEW-P	80-01-116	460-80-130	REP	80-04-036	468-300-020	AMD	80-04-104
458-57-350	NEW	80-03-048	460-80-140	AMD-P	80-02-099	468-300-030	AMD-P	80-02-174
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458-57-360	NEW	80-03-048	460-80-150	REP-P	80-02-099	468-300-040	AMD-P	80-02-174
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458-57-380	NEW	80-03-048	460-80-180	REP-P	80-02-099	468-300-100	NEW-P	80-06-148
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458-57-390	NEW	80-03-048	460-80-200	REP-P	80-02-099	468-300-110	NEW-P	80-06-148
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